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**HOUSE OF COMMONS  
OFFICIAL REPORT**

**PARLIAMENTARY  
DEBATES**

**(HANSARD)**

Wednesday 21 October 2015



# House of Commons

*Wednesday 21 October 2015*

*The House met at half-past Eleven o'clock*

## PRAYERS

[MR SPEAKER *in the Chair*]

## Oral Answers to Questions

### CABINET OFFICE

*The Minister for the Cabinet Office was asked—*

#### Electoral Register

1. **Alec Shelbrooke** (Elmet and Rothwell) (Con): What progress is being made on completing the electoral register. [901697]

10. **Christopher Pincher** (Tamworth) (Con): What progress is being made on completing the electoral register. [901706]

**The Parliamentary Secretary, Cabinet Office (John Penrose):** Since June 2014, more than 11 million people have applied to register to vote, three quarters of whom used the ultra-convenient online system, which takes less time than boiling an egg. At the general election, there were 400,000 more entries on the register than before, and thanks to individual electoral registration, 96 out of every 100 have been confirmed as genuine. We are now focusing on the remaining four in every 100 and, by December, electoral registration officers will have attempted to contact each of them nine times over 18 months. Any who are genuine voters will be confirmed on the register, and the remaining inaccurate entries—people who have moved away, died or registered fraudulently—will be removed.

**Alec Shelbrooke:** Does my hon. Friend agree that it is vital to tackle electoral fraud to prevent further events such as those in Tower Hamlets, and that individual voter registration will play an integral part in that?

**John Penrose:** I agree strongly with my hon. Friend. The underlying point behind individual electoral registration is that it requires genuine proof of identity, which the old system did not. The need to provide information such as date of birth and national insurance number ensures that the opportunity for fraudulent registration is greatly reduced.

**Christopher Pincher:** I am reassured to hear that 96 out of every 100 voters have been proved to be genuine since the roll-out of individual electoral registration,

but will the Minister tell me what further action is being taken to target the four in every 100 who appear not to be genuine?

**John Penrose:** This is an important issue. We have made up to £3 million available to local authorities to pursue the remaining four in every 100. By the end of this year, all those people will have been contacted up to nine times, either by phone, email or letter, or by someone knocking on their door, in order to confirm that they are genuine voters with a pulse, in which case they will have been confirmed on the register. We want to ensure that we do not inadvertently disfranchise them. Anyone who is left over will almost certainly be a ghost voter—a ghost in the machine; a data error—and can therefore be safely removed.

13. [901709] **Dr Rupa Huq** (Ealing Central and Acton) (Lab): Would the Minister acknowledge that a disproportionately high number of those falling off the electoral roll are young people such as the students attending the Ealing, Hammersmith and West London College and the University of West London in my constituency? Can he not see that this is the biggest electoral disfranchisement in our history?

**John Penrose:** No, I would not acknowledge that, because if they are genuine people on the register, we will find them and confirm them as genuine. No genuine voters will be disfranchised by this move. The hon. Lady is absolutely right, however, to say that there are significant groups of under-represented people who are not on the register at all and therefore cannot be disfranchised by being removed from it. This is a fundamental issue for the health of our democracy, and we must go out and find those people. We need to have proper registration drives to get them on to the register in the first place.

**Tom Elliott** (Fermanagh and South Tyrone) (UUP): Will the Minister tell us whether there is a requirement for people to produce photographic ID as well as a utility bill when they register to vote?

**John Penrose:** At the moment, the proof of ID when registering includes information such as a date of birth and a national insurance number. Photographic ID is not required, although I believe that the situation in Northern Ireland might be slightly stricter and that there are tighter rules there, given the history of the Province. Of course, individual electoral registration was introduced in Northern Ireland many years ago and it has been extremely successful. There was no transitional period at all there; it all happened in one day and the system moved across to IER very swiftly.

**Gloria De Piero** (Ashfield) (Lab): The Electoral Commission's advice is clear: do not bring forward the full transition to individual electoral registration. What is the point of Parliament setting up this body if Ministers are simply going to ignore its advice?

**John Penrose:** May I put right an inadvertent omission from a debate in Westminster Hall yesterday? I omitted to welcome the hon. Lady to her new position and I would like to do that now. She is absolutely right to say that the Electoral Commission made that recommendation.

However, it is not impossible to disagree with its reasoning. Indeed, others including the Association of Electoral Administrators—the people who actually run the elections in our democracy—believe that this is the right thing to do.

### Government Transparency

2. **Paula Sherriff** (Dewsbury) (Lab): What steps his Department has taken to improve transparency in government. [901698]

**The Minister for the Cabinet Office and Paymaster General (Matthew Hancock):** Over the past five years, we have opened up 20,000 Government data sets to the public and made expenditure data covering more than £188 billion of Government spending available for scrutiny. Through our leading role in the international Open Government Partnership, we will continue to be one of the most open and transparent Governments in the world.

**Paula Sherriff:** The Minister has admitted to me in a written answer that his so-called freedom of information commission is not itself subject to the Freedom of Information Act. Now he has reported that it will not commit to publishing evidence or minutes and that it may meet in private, ban journalists from naming its press spokesperson and even refuse to consider enforcing the Act on privatised services. Is it not time to end this farce and start again?

**Matthew Hancock:** No, the commission that is looking into how the Act has operated over the past 10 years is, rightly, independent, so it deals with the question of how it operates. Private organisations have not been subject to the Act, because it is about government information, so it is entirely appropriate for them to make the decisions.

**Mr Bernard Jenkin** (Harwich and North Essex) (Con): How will transparency in government be improved by the alteration of the code of conduct for special advisers, which now says that they shall be entitled to give instructions to communications staff in Departments?

**Matthew Hancock:** The transparency of Government information is absolutely aided by a combination of our open data and the use of press officers and communication teams to explain to the public what is going on. Making sure that that happens in an orderly and organised way, subject to Ministers' wishes, is a very important part of it running effectively.

**Mr Tom Watson** (West Bromwich East) (Lab): I make a genuine offer to the Minister: we would like to build on the progress of the past decade in opening up government to more scrutiny. But we are very concerned that the commission on freedom of information may roll back the FOI Act. It is not subject to the FOI Act and it has recently held a secret briefing to invited-only journalists, off the record. It is not very transparent, is it? Is there a reason for that?

**Matthew Hancock:** First, may I welcome the hon. Gentleman to his post and congratulate him on his resounding victory in the deputy leadership election? On this question, I also welcome his tone. I am a great

supporter of the Act, but 10 years after its introduction it is reasonable to see how it is operating and to make sure, as the Justice Committee said in the last Parliament, that there is a “safe space” for policymaking, so that people can be confident about giving frank advice to powerful people safe in the knowledge that that will remain private. It is about how this operates; it is not about the principle of having freedom of information in the first place.

**Alan Brown** (Kilmarnock and Loudoun) (SNP): How can we have transparency in government when I, as an MP, cannot get a straight answer to a simple question? Let me give an example of that. I submitted a question to the Secretary of State for Scotland asking how many meetings he had had with the Treasury on a specific subject. The answer I got was that there had been many meetings; I did not get a number. I therefore asked a supplementary question requesting the dates of the meetings, because I thought that would flesh it out, but the answer I got back was, “I have had many meetings”. That seems to be the opposite of transparency, and we need to start here with ministerial answers to MPs.

**Matthew Hancock:** I am afraid I am going to disappoint the hon. Gentleman, because I do not know when those meetings were or how many there were—but I do know that by the sounds of it there were many meetings.

**Mr Speaker:** Put a note in the Library and everybody will be satisfied.

### Shrewsbury 24 Campaign

3. **Mr David Hanson** (Delyn) (Lab): What discussions he has had with the Secretary of State for Justice on releasing all Government papers relating to the Shrewsbury 24 campaign. [901699]

**The Chancellor of the Duchy of Lancaster (Mr Oliver Letwin):** I have not had any discussions with the Justice Secretary, but, as I promised the House I would some months ago, I have now completed the review of the material held by the Cabinet Office, which has not yet been released.

**Mr Hanson:** I am grateful for that answer. It is 40 years since my constituents first faced the issues at Shrewsbury, 18 months since this House voted to release the papers and currently seven and a half years before they will be released. Could the Minister, having conducted that review, now come to this House to make a full statement releasing those papers?

**Mr Letwin:** No. I have no intention of authorising the release of those papers, which relate to the security services. When the right hon. Gentleman was a Minister in the Ministry of Justice he brought that matter to the then Justice Secretary and the papers were not released. Since then, we have made the decision to hold those materials. However, I can assure the right hon. Gentleman—this is the material point—that the Cabinet Secretary and I both reviewed them and both came to the firm conclusion that they do not relate in any way to the question of the safety of the conviction of the Shrewsbury 24 and, crucially, all of those papers have been released to and been reviewed by the Criminal Cases Review

Commission, so that it can make that independent, impartial judgment on this very important question of justice.

### Government Digital Service

4. **Chi Onwurah** (Newcastle upon Tyne Central) (Lab): What his plans are for the future of the Government Digital Service. [901700]

**The Minister for the Cabinet Office and Paymaster General (Matthew Hancock):** The world leading Government Digital Service will continue its vital work to make public services simpler, clearer and faster for users.

**Chi Onwurah:** The GDS are the crown jewels of digital transformation globally, but now we have headline resignations, with a fifth of all staff leaving. Is it not true that Ministers are cutting back on their ambition to impress the Chancellor ahead of the cuts in the spending review?

**Matthew Hancock:** No, we increased the funding to the GDS in the latest Budget, and the rate of turnover in the GDS is lower than in the Cabinet Office as a whole. The GDS has been brilliant. It continues to be brilliant whether we are talking about the platforms for registering to vote, which now takes less time than boiling an egg, finding an apprenticeship, or even registering for Lloyds shares earlier this month.

**Matt Warman** (Boston and Skegness) (Con): Will the Minister join me in welcoming the fact that we have made appointments within Departments to embed the work of the GDS not just at the GDS but across government?

**Matthew Hancock:** Yes, as well as building a digital service that is cutting edge, we now have more than 200 digital leaders across Whitehall to drive forward digital transformation. It would be good to have cross-party support for that rather than to hear sniping.

**Mr Gregory Campbell** (East Londonderry) (DUP): Given that the speed of technological change has been increasing over the past few years, what steps are the Government taking to ensure that compatibility and accessibility are increased as opposed to decreased as a result of what has happened over the past three years?

**Matthew Hancock:** The hon. Gentleman is absolutely right that compatibility and interoperability must be at the heart of everything we do. They are at the heart of the digital standards that we require to be adhered to right across Whitehall. For a citizen, it does not matter what the acronym is of the organisation that they are trying to deal with, they just want their Government service delivered quickly and easily.

**Louise Haigh** (Sheffield, Heeley) (Lab): My hon. Friend the Member for Newcastle upon Tyne Central (Chi Onwurah) is absolutely right that the levels of turnover in the Cabinet Office and the GDS are unacceptably high, and over the summer we saw the exodus of senior leadership amid concerns that the future of the service will be downgraded from a delivery

service to a policy unit. We also note that businesses are losing on average 33 working days a year because of outdated Government digital services. Will the Minister reassure the House today that his Department is resisting cuts in the comprehensive spending review, as those cuts will seriously damage the prospect of thousands of businesses across the country?

**Matthew Hancock:** I can repeat the facts that I gave the hon. Member for Newcastle upon Tyne Central (Chi Onwurah) before the hon. Lady read out her question. The turnover in the GDS is lower than in the rest of the Cabinet Office. Furthermore, we put more money into digital services in the Budget. Perhaps she should look into the facts before asking questions.

### Chilcot Inquiry

5. **Gavin Newlands** (Paisley and Renfrewshire North) (SNP): What assessment he has made of the cost to date to the public purse of the Chilcot inquiry. [901701]

**The Minister for the Cabinet Office and Paymaster General (Matthew Hancock):** It is £10,375,000.

**Gavin Newlands:** It certainly appears as if the budget has been limitless up to this point. Members of this House will be deeply concerned about the reports of a White House memo allegedly showing that the former Prime Minister, Tony Blair, gave his support for the shameful Iraq war a full year before this House voted on it, despite his claims to the contrary. For the first time, the cost of delay to the inquiry offers an opportunity. Will the Minister assure the House that Sir John Chilcot will include that memo in his final report?

**Matthew Hancock:** I am afraid that I cannot give any such assurance. This is an independent inquiry, and rightly so. Were I to give such an assurance, I would rightly be criticised.

**Mike Wood** (Dudley South) (Con): Will the Minister assure the House that he remains committed to the independence of the Chilcot inquiry and that he will provide any resources that the inquiry needs to complete its work without further delay?

**Matthew Hancock:** Yes, we have offered extra resources to the Chilcot inquiry in case they are needed. We now have a timetable for a timetable for the release of the inquiry, and Sir John will write to the Prime Minister by 3 November to set out that timetable.

**Tommy Sheppard** (Edinburgh East) (SNP): We all know that the inquiry is independent, and we are not asking that the Cabinet Office interfere in the processes of the inquiry, but the budget and the timetable are within the Secretary of State's remit. Does he not accept that this never-ending budget and this completely indefinite timetable are beginning to undermine public confidence in the outcome of the inquiry? When he speaks to Sir John, will he ensure that there is a firm timetable for the report and a firm figure for the final budget of the inquiry?

**Matthew Hancock:** We now have that commitment to a timetable by early November, but crucially we want to ensure that the inquiry is effective, is completed and can be published as soon as possible. We do not want resources to stand in the way of that happening.



### Whitehall Estate

6. **John Pugh** (Southport) (LD): What plans his Department has to reduce the Whitehall estate as a result of further UK devolution. [R] [901702]

**The Minister without Portfolio (Robert Halfon):** The Government have reduced the size of our central London estate quite radically from 185 holdings in 2010 to just 63 this year. The Government estate strategy, published in 2014, sets out a plan to continue this rationalisation further. Any reductions of staff numbers in London as a result of further UK devolution will help us deliver this change.

**John Pugh:** Radical devolution requires radical rationalisation. Does the Minister have a percentage target and does it include the highly desirable MI6 building?

**Robert Halfon:** The hon. Gentleman is a great supporter of devolution and of the northern powerhouse. This Government are more Chairman Mao than Joseph Stalin and we believe in letting a hundred flowers bloom when it comes to devolution. [Interruption.] We do not have a uniform approach and what works best for local communities will decide devolution powers. He will know that 22% of civil servants in the north-west are based in Liverpool and her Majesty's Passport Office has a huge office in Liverpool with 650 staff—[Interruption.]

**Mr Speaker:** Order. The Minister's words should be heard, as these are important matters.

**John Stevenson** (Carlisle) (Con): Carlisle has reasonably priced housing, relatively low commercial rents and spare capacity in both. Will the Minister consider relocating part of central Government to my constituency?

**Robert Halfon:** My hon. Friend makes an important point and he will be pleased to know that the Government have a target of moving 50% of Government buildings in London to outside London. As I said in answer to the previous question, a lot of progress has been made and the Government have saved £750 million cumulatively by moving out of 2,000 buildings, as well as raising £1.8 billion for the taxpayer.

**Mr Angus Brendan MacNeil** (Na h-Eileanan an Iar) (SNP): Does this talk of moving MI5 not give a great opportunity to reduce the Whitehall estate by bringing those jobs to Scotland? After all, it is a well-known MI5 fact that it would rather be located in Scotland.

**Robert Halfon:** I would love to be of more help to the hon. Gentleman, but I think he knows that no Government would ever comment on intelligence matters.

### UK Elections: Voting Prohibition

7. **Mims Davies** (Eastleigh) (Con): What steps his Department is taking to remove the prohibition on UK citizens voting in UK elections after they have been abroad for 15 years. [901703]

**The Parliamentary Secretary, Cabinet Office (John Penrose):** As my hon. Friend's question suggests, British citizens living abroad lose the right to vote after 15 years.

As British expatriates include people who have fought in our armed forces as well as people drawing British pensions or working for international companies around the world, we think that this limit is arbitrary and wrong. Removing it was in our election manifesto and I hope to lay proposals to make it happen before the House in due course.

**Mims Davies:** Many of my Eastleigh constituents have taken the time and trouble to write to me on this issue and support our manifesto commitment to restore full voting rights to UK citizens abroad, no matter how long they have lived outside the UK. What progress has the Minister made towards making this manifesto commitment a reality?

**John Penrose:** The measure was in the Queen's Speech for this Session. I can inform my hon. Friend that we are in detailed discussions on the substance of the policy and I hope to make concrete proposals shortly.

### Topical Questions

T1. [901687] **Mark Menzies** (Fylde) (Con): If he will make a statement on his departmental responsibilities.

**The Minister for the Cabinet Office and Paymaster General (Matthew Hancock):** The Cabinet Office is responsible for efficiency, reforming government, transparency, civil society, digital technology and cybersecurity and for delivering the Prime Minister's agenda.

**Mark Menzies:** My constituency faces the issue of shale gas extraction—the issue runs across many Departments. What steps are being taken by the Cabinet Office to co-ordinate efficiency across the Government on this important matter?

**Matthew Hancock:** There are many occasions when multiple Government Departments are involved in different parts of a single issue. I well remember visiting my hon. Friend's constituency to discuss shale gas, and I would be delighted to meet him further to take these issues forward.

T5. [901691] **Owen Thompson** (Midlothian) (SNP): Given that in answer to my hon. Friend the Member for Edinburgh East (Tommy Sheppard) the Minister seemed to suggest an endless budget for the Chilcot inquiry, how much does he think it is reasonable for the public to spend finally to get the answers they desire?

**Matthew Hancock:** Until the end of the year 2014-15, the amount spent on the Chilcot inquiry was £10,375,000. We have said that budget is available to make sure that this inquiry can be brought to a swift conclusion.

T2. [901688] **Michael Tomlinson** (Mid Dorset and North Poole) (Con): What steps is the Minister taking to improve access for our small and medium-sized enterprises to Government procurement, not least for our businesses in Mid Dorset and North Poole, such as Cobham in Wimborne and Tradewind in Wareham?

**Matthew Hancock:** My hon. Friend makes an important point, which is that a huge contribution can be made to Government procurement by small businesses. In the

previous Parliament we hit our target of a quarter of Government procurement going to small business, and in this Parliament we have a new goal that a third of Government business should go to small and medium-sized enterprises.

T6. [901692] **Simon Danczuk** (Rochdale) (Lab): A council candidate who is also a parliamentary candidate on the same day has an unfair financial advantage over their council opponents because they have additional candidate spending in that ward. What is the Minister going to do about it?

**The Parliamentary Secretary, Cabinet Office (John Penrose):** This is the first time the issue has been raised with me. If the hon. Gentleman would like to write to me, I would be delighted to address it.

T3. [901689] **Chris White** (Warwick and Leamington) (Con): The Public Services (Social Value) Act has been in place since 2012. Many organisations and communities have benefited from its principles. Will the Minister outline the further steps that the Cabinet Office is taking to encourage a greater number of local authorities and Government Departments to adopt the Act?

**The Minister for Civil Society (Mr Rob Wilson):** I thank my hon. Friend for being a vocal champion of the Act. The Public Services (Social Value) Act has helped achieve greater impact from public spending, resulting in better outcomes for individuals and communities. In line with Lord Young's recommendations, I shall shortly announce a package of measures to support more public sector bodies to better utilise the Act.

T7. [901693] **Alex Cunningham** (Stockton North) (Lab): How is the Cabinet Office implementing the family test and monitoring its implementation across Government?

**Matthew Hancock:** The family test is routinely applied and considered when all policy is developed. Government policy as a whole has to go through a series of checks, and one of the things we do to make sure that the family test is passed is to stick to the strong economy that our families in Britain depend on.

T8. [901694] **Margaret Ferrier** (Rutherglen and Hamilton West) (SNP): Will the Minister please tell the House what protocols will be in place to ensure civil service neutrality during the EU referendum, with a view to avoiding another situation like that in the Scottish independence referendum, when impartiality was seriously compromised?

**Matthew Hancock:** As the hon. Lady knows, the issues surrounding the running of the EU referendum have been clearly debated in this House. The decisions were then taken and passed through this House, and that is what we will stick to.

T9. [901695] **Douglas Chapman** (Dunfermline and West Fife) (SNP): The manifesto of Canada's new Government said that they would scrap the purchase of F-35s. Given that the Cabinet Office was responsible for the consideration of the new F-35s, how does it expect unit cost to rise and will the contract be cancelled?

**Matthew Hancock:** I am afraid I did not catch the whole of the question. Perhaps the hon. Gentleman can repeat it. [*Interruption.*]

**Mr Speaker:** Order. Mr Chapman's question will be heard.

**Douglas Chapman:** Thank you, Mr Speaker. The manifesto of Canada's new Government said that they would scrap the purchase of F-35s. Given that the Cabinet Office is responsible for the strategic defence and security review, have the Government given consideration to the unit costs, which will increase, given that other nations such as Canada might cancel their orders for F-35s?

**Matthew Hancock:** The hon. Gentleman asks a very important question about making sure that we can protect our national security long into the future. For a detailed answer he will wait for the SDSR to be published, but I can assure him that it will be published soon.

**Mr Speaker:** Mr Bone, you have never had any trouble making yourself heard. Let us hear from you.

T4. [901690] **Mr Peter Bone** (Wellingborough) (Con): Members on both sides of the House will be concerned about the steel crisis. Last Friday, at the steel summit, three taskforces were set up to help the steel industry. One of them is headed by the Paymaster General, so will he update the House on what progress has been made?

**Matthew Hancock:** I very much look forward to meeting the working group on procurement for steel later this week. It is absolutely critical that we make use of the new EU rules, which are only in place because this Government brought them in, to ensure that we consider not only the financial cost, but the wider economic benefit of buying British steel for British projects, and that is exactly what we are going to do.

T10. [901696] **Kelvin Hopkins** (Luton North) (Lab): Will the Minister explain how the Government intend to safeguard the right of elected Governments to run the national health service democratically as a public service in the light of the threat of the Transatlantic Trade and Investment Partnership?

**Matthew Hancock:** As the hon. Gentleman knows—he has long asked questions about this—there is no threat to the national health service from making sure that Britain has trade deals with the whole world which make us more prosperous, more secure and more economically forward-looking, and that is what we are going to make sure happens.

## PRIME MINISTER

*The Prime Minister was asked—*

### Engagements

Q1. [901672] **Susan Elan Jones** (Clwyd South) (Lab): If he will list his official engagements for Wednesday 21 October.

**The Prime Minister (Mr David Cameron):** This morning I had meetings with ministerial colleagues and others, and in addition to my duties in the House I shall have further such meetings later today.

**Susan Elan Jones:** I thank the Prime Minister for that answer. Following an extensive public consultation, the Government's retail sector champion, Kevin Hawkins, described our current Sunday trading laws as

"a workable compromise. Most people seem to be satisfied with it most of the time."

Does the Prime Minister agree?

**The Prime Minister:** I do not agree. I think that there is a strong case for change, but it is a change that we should allow local authorities to decide on, which is why we will be putting in front of the House, in the Cities and Local Government Devolution Bill, the opportunity for that to happen. Let me give the hon. Lady and the House two examples of where I do not think the current situation works. First, there are these restrictions on opening hours for many stores—*[Interruption.]* Someone shouts, "What about families?" Well, there are many stores that families would like to shop in, but if they go to those stores they have to walk around for hours before they are actually allowed to buy anything. Secondly, people can already shop on Sunday—and anywhere they like—on the internet. I think that it is time to modernise our approach, give families more choice and help create jobs at the same time.

Q2. [901673] **Mr David Burrowes** (Enfield, Southgate) (Con): I have here a question from Iain of Enfield. He says:

"This is an appeal to help those who no longer have any dignity and self-respect; the down and outs."

He calls for

"a constructive attempt to tackle this growing urban problem."

Those words, which were spoken nearly 50 years ago by the late, great Conservative Member for Enfield West, Iain Macleod, resonate today, so will the Prime Minister's all-out assault on poverty tackle and prevent homelessness?

**The Prime Minister:** I am very grateful to my hon. Friend. Iain Macleod was indeed a great statesman, a great politician and someone who believed, as I do, that we should be as active in social reform as we are in economic reform. When it comes to tackling homelessness, we have the "No Second Night Out" initiative, which is working, particularly in London, to find people a home. Frankly, we have to do more, particularly with troubled families, as my hon. Friend has said, who need an intervention to help them, often in relation to mental health issues, and make sure that they get all the help they need to deal with their problems and ensure that they have not only a roof over their head, but a job and a livelihood too.

**Jeremy Corbyn** (Islington North) (Lab): I know that the Prime Minister will absolutely welcome my first few questions, because they return to his favourite subject: tax credits. Yesterday, one of his Back Benchers said

"too many people will be adversely affected. Something must give. For those of us proud enough to call ourselves compassionate Conservatives, it must not be the backs of the working families we purport to serve."—*[Official Report, 20 October 2015; Vol. 600, c. 876.]*

Where was she wrong?

**The Prime Minister:** The tax credit changes are part of a package that includes a higher national living wage and tax reductions, and I think that is the right approach for our country. Let us make work pay, let us allow people to earn more, let us cut their taxes, and let us make welfare affordable. I am delighted that once again this measure passed the House of Commons last night with a big majority.

**Jeremy Corbyn:** If the Prime Minister is keen on tax credits helping people into work, I have got a question for him from Lisette, who says:

"A lot of people are setting up their own businesses as self-employed especially in rural areas where job vacancies are limited and pay is often low; tax credits help them until their business becomes established."

Cutting tax credits damages her life opportunities and the life opportunities of anyone she might employ. Does the Prime Minister not see the value of giving support to people trying to improve their lives rather than cutting their ability to survive properly?

**The Prime Minister:** Of course we want to help the self-employed on low incomes, and that is why the people on the lowest incomes will continue to receive the child tax credit at £2,730. But there are other things we are doing to help the self-employed. We are cutting income tax—that helps the self-employed. We are introducing the employment allowance to cut the national insurance budget for the self-employed—that helps. Above all what we are doing is creating an economy with 2 million more people in work—an economy that is growing, wages that are rising, and inflation that is at zero. All these questions on tax credits in a way come back to the same point, which is how you build a strong and secure economy. You do not do it on the back of a massive deficit and an ever-increasing debt, which is what Labour left us with.

**Jeremy Corbyn:** This is all very strange, because the Prime Minister seems to have changed his mind on this subject in rather a large way. John emailed me to say:

"The Prime Minister solemnly declared on National television shortly before the last"—*[Interruption]*—

yes, solemnly, and I am solemn as well—

"shortly before the last general election that tax credits would not be affected."

Is there any reason why this change has come about or any reason why we should believe the Prime Minister on any assurances he gives in relation to tax credits?

**The Prime Minister:** What we said before the election is that we would reduce welfare by £12 billion as part of getting the deficit down, part of getting the economy growing, and part of creating 2 million jobs. That is what happened at the election, and we are keeping our promises by delivering that stronger economy. The hon. Gentleman talks about something strange happening. Something quite strange did happen last night: we had a vote on tax credits and the deputy leader of the Labour party did not turn up. Can he explain that strange outing?

**Jeremy Corbyn:** If the Prime Minister cannot answer now on tax credits and the devastation that is causing—*[Interruption.]* Thank you—and the devastation that



the cuts are causing to many people's lives, can I ask him to deal with another subject, namely the steel industry? Does he appreciate the devastating effects that the Government's non-intervention in the steel industry are having on so many people? I have got a question from a maintenance fitter at the Tata steelworks in Scunthorpe. He is helping to produce steel for Network Rail and many companies that were exporting it. He wants to know what the Prime Minister is going to do "to support the steel industry and its workers facing redundancy." Is it not time to walk the walk rather than talk the talk about an industrial strategy?

**The Prime Minister:** We do want to help our steel industry, and we recognise—*[Interruption.]* Well, I will set out exactly how we will help the steel industry. It is in a very difficult situation. World prices have collapsed by more than half, and the surplus capacity in the world is more than 50 times the UK output, but our plan is to take action in four vital areas—in procurement, in energy costs, in unfair competition and dumping, and in tax and Government support. *[Interruption.]* Opposition Members are asking, "What have you done so far?" Well, let me take one example. We changed the procurement rules so that it was easier to source UK steel. That is why Crossrail—26 miles of tunnels, the biggest construction project anywhere in Europe—is being completed using almost exclusively British steel. That did not happen under the last Labour Government; it does happen now.

**Jeremy Corbyn:** Is not the real problem that the Government do not actually have an industrial strategy to protect this country's most important industries? If they had, they would not have had to be dragged kicking and screaming to this House three times in the last eight days. Thousands of jobs have already gone or are at risk in Redcar, Scunthorpe, Rotherham, Motherwell, Cambuslang, Wrexham and across the west midlands. Is it not time for concrete action today so that there is Government intervention and support for our steel industry and so that we have a viable steel industry for the long term, which this country desperately needs?

**The Prime Minister:** We do want a strong and viable steel industry, and that means taking action across all the areas that I mentioned. Let me mention another one: energy costs. We have already put £50 million into cutting energy costs, and our plans will mean hundreds of millions of pounds extra to cut them.

**Tom Blenkinsop** (Middlesbrough South and East Cleveland) (Lab): You put them up!

**Mr Speaker:** Order. I apologise for having to interrupt the Prime Minister. Mr Blenkinsop, a statesman-like demeanour is what I would hope for from someone who has served with distinction in the Opposition Whips Office. Calm yourself or take a sedative.

**The Prime Minister:** On energy, we will save hundreds of millions of pounds. I say to the Leader of the Opposition that last week in the House of Lords the Labour party voted to add to energy bills by opposing the measures we are taking on wind power. So, yes, we do have a strategy; we do have a plan and we should be working across the parties to deliver it. I met the hon. Member for Scunthorpe (Nic Dakin) and neighbouring

MPs back in November last year to make sure we could take all the action necessary, and across each of these areas that is exactly what we will do.

**Jeremy Corbyn:** Well, the Prime Minister met those Members to discuss the issue 11 months ago, but he has yet to go to the European Union to discuss how the British Government could intervene to protect our industry.

The final question I want to put to the Prime Minister comes from Louis. This is deeply embarrassing to all of us in this House and, indeed, to this country as a whole. He writes:

"The United Kingdom is currently being investigated by the UN Committee on the Rights of Persons with Disabilities because of allegations of 'grave and systematic' violations of disabled people's human rights."

This is very sad news indeed, but it is even sadder that we need to be investigated because of violations that have occurred. Will the Prime Minister commit to co-operate fully with the inquiry and publish in full the Government's response to it, so that we can ensure that people with disabilities are treated properly and legally and given full respect by and opportunities in our society?

**The Prime Minister:** First, let me take up the hon. Gentleman on the point he made about intervention in Europe. We have been doing this for months, making sure that there is proper action against dumping in the European Union. We have taken the cases to the European Commission and will continue to do so.

On the issue of helping disabled people in our country, tens of thousands more disabled people have got into work under this Government. Because of legislation passed by a previous Conservative Government, we have some of the strongest equality legislation anywhere in the world when it comes to disability. Of course I will look at any United Nations investigation, but sometimes when you look at these investigations you find that they are not necessarily all they are originally cracked up to be. There are many disabled people in our world who do not have any of the rights or any of the support that they get here in Britain, and I think we should be proud of what we do as we co-operate with this report.

Q5. [901676] **Andrea Jenkyns** (Morley and Outwood) (Con): Bruntcliffe school in my constituency was a struggling school, but it recently achieved its second best results in its history. The school reopened this September as part of the highly successful Gorse Academies Trust and continues to grow from strength to strength. What is my right hon. Friend doing to ensure that all pupils have access to a great education and that no school is left behind?

**The Prime Minister:** I thank my hon. Friend for that question. We are always happy to hear positive news from Morley and Outwood—it was not always that way. She makes an important point, which is that in school after school in our country, and often in some quite challenging neighbourhoods, inspirational headteachers are using the new tools we have given them and driving up standards. Measuring the percentage of those children getting good GCSEs is a key way to measure progress. I have myself been to schools where I have seen a 10, 20 or sometimes even 30-point improvement. Often, schools in inner-city areas are doing better than many

schools in rather more well-heeled suburban areas. That shows that, with the right teaching and the right leadership, we can have real social opportunity right through our country.

**Angus Robertson** (Moray) (SNP): Information has recently been released showing that a coroner has found that a 60-year-old disabled father of two from north London, Mr Michael O'Sullivan, committed suicide following his work capability assessment. The coroner warned that there is a risk of further deaths. The Department for Work and Pensions has reportedly undertaken 60 investigations into suicides that occurred after benefits were withdrawn or reduced, but it has so far refused to publish what it has learned. Will the Prime Minister publish those findings?

**The Prime Minister:** I am aware of the case the hon. Gentleman raises, although I am sure he will understand that it would not be appropriate for me to discuss the specifics of the cases. Suicide is always a tragic and complex issue. We should take these matters incredibly seriously. I will look very carefully at the specific question he asks about publication. We have changed the work capability assessment to lead to significant improvements, following a number of independent reviews, to make sure that people get the support that they need, and I think that is vitally important.

**Angus Robertson:** Under the Prime Minister's plans to cut tax credits, a couple with two children living in a council house who both earn just above the minimum wage stand to lose more than £2,000. That is the equivalent of their basic rate of income tax rising a staggering 90%. Does the Prime Minister have the faintest idea of the human cost of his plans?

**The Prime Minister:** The point I would make to the hon. Gentleman is this: if the couple live in a council house, they are actually seeing a cut in their social rent, because of the plans set out in the Budget. If that couple have children, they will have support in terms of childcare. If that couple are working for a small business, they will have the opportunity of the enhanced employment allowance. If that couple are earning just above the minimum wage—if they are earning, for instance, £7 an hour and working a full-time working week—they will see a huge benefit as we increase the income tax allowance to £12,500. They will almost be paying no income tax at all. What we are doing is introducing higher pay and lower taxes, and that is the way to better family finances and a stronger economy.

Q6. [901677] **Mr David Jones** (Clwyd West) (Con): Given the increasing violence in Israel and the Occupied Palestinian Territories, will my right hon. Friend wish the United Nations Secretary-General well on his visit to Jerusalem today? Does he agree with him when he says that “walls, checkpoints, harsh responses by the security forces and house demolitions” cannot achieve the peace that Israel desires?

**The Prime Minister:** I would agree that of course those things do not lead to peace, and what is required is a peace process to deliver a two-state solution. We will all have seen appalling murders on our television screens—knife stabbings of entirely innocent people in

Jerusalem and elsewhere in Israel—and that is completely unacceptable. We need to make sure that this peace process gets going on a genuine basis of a two-state solution.

Q3. [901674] **Jo Stevens** (Cardiff Central) (Lab): Food bank use has risen by 1,665% since the Prime Minister took office in 2010. In Cardiff Central I meet people every week who rely on food banks to feed their families. Does the Prime Minister know how many more families will be relying on food banks as a result of his Government's cuts to tax credits, and does he care?

**The Prime Minister:** What is happening in the hon. Lady's constituency is that the number of people claiming unemployment benefit is down 20% in the last year, the youth claimant count has fallen almost 20% in the last year and long-term youth unemployment has fallen in the last year by 38%. That is what is happening. Of course, I do not want anyone in our country to have to rely on food banks, but the right answer is a growing economy, creating jobs, higher wages, the national living wage and cutting taxes. That is what we are delivering and that is how to help Britain's families.

Q12. [901683] **Neil Carmichael** (Stroud) (Con): Does the Prime Minister agree with me that the key to getting higher wages and improving our export drive is actually tackling the productivity gap between ourselves and our European partners? Does he think that providing more skills for our manufacturing and engineering sectors is essential to that and will help us to deliver that mission?

**The Prime Minister:** My hon. Friend is absolutely right. Britain has had an excellent record over recent years on employment, with record numbers in work. We now need the productivity improvements that will make sure that we see real and sustained increases in living standards. Part of that is increasing the skills of our population. That is why the school reform, to which my hon. Friend the Member for Morley and Outwood (Andrea Jenkyns) referred, is so important and why our target of 3 million apprentices for this Parliament is vital.

**Anne McLaughlin** (Glasgow North East) (SNP): I represent a constituency of hard-working, decent people, yet in the forgotten communities of Milton, Possilpark, Springburn, Germiston, Garngad, Royston, Blackhill, Ruchazie and Haghill, child poverty lies at an astonishing 38.1%. I was going to ask whether the Prime Minister was at all touched by the waves of compassion coming even from his Back Benches in yesterday's tax credit debate, but I think we have the answer to that, so I simply ask whether he can offer a personal guarantee that no child in my constituency will be worse off a year from now.

**The Prime Minister:** The point I would make to the hon. Lady is that those poverty figures come after 20 years of the great tax credit experiment. What we saw was an increase in the cost of tax credits and an increase in in-work poverty. We say that it is time for a new approach: higher pay, more jobs, lower taxes. In her constituency, the claimant count has come down by 10% in the last year. Compared with the time of the

2010 election, the number of people claiming unemployment benefit in her constituency is down 43%. I say let us give people the chance of a job, a salary, a decent wage and lower taxes.

Q13. [901684] **Iain Stewart** (Milton Keynes South) (Con): Given Russia's military expansion and North Korea's development of a submarine-launched ballistic missile system that can strike the west, does the Prime Minister agree that this is no time to campaign for nuclear disarmament?

**The Prime Minister:** My hon. Friend is absolutely right. It is right to maintain our independent nuclear deterrent. Anyone who has any doubts about that only has to look at the dangers and uncertainty in our world. Frankly, it is very disappointing for this country that after having a cross-party consensus for so long that the nuclear deterrent was right for Britain, we now have a Leader of the Opposition who is campaigning with the Campaign for Nuclear Disarmament. Today, we are celebrating that great film, "Back to the Future". I am not surprised that many people sitting behind him say that he should get in his DeLorean, go back to 1985 and stay there.

Q7. [901678] **Ian Mearns** (Gateshead) (Lab): This morning, I was contacted by John who is a junior doctor in Newcastle and Alex who is a junior doctor in my constituency of Gateshead. They asked me to ask the Prime Minister how much longer he will support the Secretary of State for Health, when virtually the entire health service has no confidence in him.

**The Prime Minister:** I support the Secretary of State, because he is doing the right thing by increasing the investment in our health service by £10 billion across this Parliament. Let me speak directly to the junior doctors, whom the hon. Gentleman rightly represents. The plans that we have are not for increasing junior doctor hours, they are not for cutting junior doctor pay, and they are not even for making savings in the overall amount that junior doctors receive. They are about making sure that the health service works better for doctors and, above all, for patients. They are part of delivering the seven-day NHS that should be the objective of every Member of Parliament and everyone in our country.

Q14. [901685] **Andrew Rosindell** (Romford) (Con): On Sunday, I met parents from the Gidea Park primary school in my constituency to talk about the huge increase in the birth rate and the need to expand schools in outer London. There is a crisis at the moment. Will the Government ensure that there are adequate resources for outer London boroughs such as Havering, and is the Prime Minister prepared to meet a delegation of parents and members of the local council to discuss how we can resolve this serious issue?

**The Prime Minister:** My hon. Friend raises an important point. We spent £5 billion on new school places in the last Parliament and we will spend £7 billion in this Parliament. I will look carefully at what is happening in outer London, but there is no doubt that there are pressures in our system. He makes the good point that our birth rate is going up, which is replacing our population, whereas the birth rate in countries such as Germany is

not. We therefore do not need the wide-scale immigration that we have had and need to make sure that the numbers are properly under control.

Q8. [901679] **Martyn Day** (Linlithgow and East Falkirk) (SNP): Will the Prime Minister tell the House what plans are in place to ensure that the interests of all devolved nations are taken into account in his forthcoming letter to the European President, Donald Tusk, on EU reforms? What plans are in place to ensure that the devolved nations are represented in renegotiation discussions before the EU summit in December?

**The Prime Minister:** My right hon. Friend the Foreign Secretary recently met the First Minister of Scotland to discuss Europe, but I say to the hon. Gentleman that Scotland voted to stay in the United Kingdom, and the Edinburgh agreement said that we should respect the decision of the Scottish people. We had a United Kingdom general election, and we will have a United Kingdom referendum. On this of all days I was hoping he might raise the fact that, because of the Chinese state visit, Alexander Dennis, the bus maker in his constituency, is signing a £2 billion deal that will provide thousands of jobs. [*Interruption.*]

**Suella Fernandes** (Fareham) (Con): I recently visited the British Army training unit in Suffield in Canada, and I met—[*Interruption.*]

**Mr Speaker:** Order. Members of the Scottish National party must calm themselves. The hon. Lady is asking what I think is her first question to the Prime Minister, and that question will be heard in full.

**Suella Fernandes:** I recently visited the British Army training unit in Suffield in Canada, and I met many of our brave men and women who are undergoing advanced combat training, including my constituent, Major Iain Wallace of the Royal Electrical and Mechanical Engineers. Many of them support the Government's commitment to spending the NATO target of 2% of our GDP on protecting Britain's interests. Will my right hon. Friend explain how that commitment will go towards investment in technology and equipment, and enable people such as Major Iain Wallace to do his job properly?

**The Prime Minister:** First, I thank Major Iain Wallace for his work. Crucially, that 2% of GDP will ensure that all those who join our splendid armed forces in the coming years know that they will have world-beating equipment and technology at their fingertips. That is a really important part of ensuring that we build strong morale in Britain's excellent armed forces.

Q9. [901680] **Patricia Gibson** (North Ayrshire and Arran) (SNP): The operators of Hunterston coal terminal in my constituency, Peel Ports group, has announced significant redundancies. How will the Prime Minister work with Peel Ports to explore alternative uses for the terminal which is suitable for imports and exports of a wide range of bulk solids, liquid products, and offshore decommissioning?

**The Prime Minister:** The hon. Lady is right to raise that issue. The Government work closely with Peel Ports because of the enormous amount of key infrastructure



and land that it owns. I will look carefully with the Secretary of State and the devolved authorities to see whether there is more that we can do in this instance.

**Mr Jacob Rees-Mogg** (North East Somerset) (Con): Does my right hon. Friend share my concern that, if the other place were to vote against changes to working tax credits, that would be a serious challenge to the privilege of this House—a privilege that was codified as long ago as 1678? Does he further share my concern that such a move would entitle him to review the decisions of Grey and Asquith on creating more peers, to ensure that the Government get their financial business through?

**The Prime Minister:** My hon. Friend makes an important point—his knowledge of history is clearly better than mine, because I thought the key date was the Parliament Act 1911. Under that Act, issues of finance are supposed to be decided in this House. This House has now decided twice in favour of the measure on tax credits—once when voting on the statutory instrument and again last night in a vote scheduled by the Opposition. The House of Lords should listen to that carefully and recognise that it is for this House to make financial decisions, and for the other House to revise other legislation.

Q10. [901681] **Julie Elliott** (Sunderland Central) (Lab): My constituent, Esther Sebborn, is a working mother of one and she is worried. She earns above the so-called national living wage, but is set to lose about £1,700 per year if the Government's changes to tax credits go ahead. What has the Prime Minister got to say to Esther?

**The Prime Minister:** What I would say to Esther is that we want to help by making sure we cut her taxes, so that her first £11,000 is entirely tax free. That comes into effect next April. If Esther has children, we want to help with the childcare, not just for the two, three and four-year-olds but with tax relief on childcare in future years. If Esther is running a small business, we are helping through the employment allowance. In all those ways, I would say to Esther and to everybody else, this is a package. We want to see higher pay, lower taxes and reformed welfare. The biggest damage to Esther and to all those in that situation would be to return to Labour's high taxing, high spending and high borrowing wrecking our economy.

**James Morris** (Halesowen and Rowley Regis) (Con): Extremism is one of the biggest social problems that we currently face in Britain. Does the Prime Minister agree that we need to redouble our efforts, through the Government's counter-extremism strategy, to address the scourge of extremism in Britain?

**The Prime Minister:** My hon. Friend is absolutely right. That is why we passed the Prevent duty and put that duty on every public body in our country—on schools, colleges and universities. The Home Secretary and I were in a school in Luton this week listening to teachers who said it has made a real difference and that referrals into the Channel programme are happening far more quickly because of the changes we have made. Fighting extremism and recognising that we have to attack it before it becomes violent extremism is going to be the struggle of our generation. We have to undermine the awful narrative of victimhood and grievance, which so many are using, that eventually leads to violence.

Q11. [901682] **Anna Turley** (Redcar) (Lab/Co-op): On 16 September, the Prime Minister told this House that he would do everything he could to keep steelmaking on Teesside. He failed. Now we learn that the £30 million support package that the Government promised for retraining and economic regeneration is not only going towards the statutory redundancies of those who lost their jobs: I have an email from the Minister with responsibility for the northern powerhouse to a constituent in Stockton South that says it will also be used to pay for the final salaries of those who have lost their jobs in the past month. This is an insult. How much more injustice does the Prime Minister think the people of Teesside can endure?

**The Prime Minister:** We will do everything we can to help, including the financial package that the hon. Lady set out—making sure we help people with retraining and new opportunities, and with bringing new industries to the area—but let me tell her what we cannot do. We cannot in this House set the world price of steel and we cannot overcome the fact that the SSI plant had lost £600 million in this Parliament. Those are the facts which, frankly, Opposition Members have to engage with.

**Mr John Baron** (Basildon and Billericay) (Con): In answer to my question yesterday about our EU renegotiations, the Foreign Secretary confirmed that there was little or no prospect of this Parliament alone being able to say no to any unwanted EU directive, tax or regulation. Can I ask the Prime Minister to try to put that right?

**The Prime Minister:** What we have said is that we want to see a system of red cards on new EU regulations. It is for national Parliaments to work together to deliver that, but that is only one of the things that we want to change in our relationship with Europe. For instance, getting Britain out of ever closer union is not simply a symbol; it will be taken into account in all future jurisprudence when the European Court of Justice is considering whether to go ahead with a measure. In the end, hon. Members, including my hon. Friend, will have to choose whether to stay in Europe on an amended basis or whether to leave. I am determined to deliver the strongest possible renegotiation that addresses the concerns of the British people, so that we have a proper choice.

Q15. [901686] **Nic Dakin** (Scunthorpe) (Lab): Did the Prime Minister make clear to the Chinese President the urgent need to stop Chinese steel dumping? If so, what was the response? Will he meet once again with north Lincolnshire MPs to see what more can be done to support steelmaking in Scunthorpe?

**The Prime Minister:** I am glad that the hon. Gentleman was at the summit on Friday. I met him back in November, and I am always happy to meet him and neighbouring MPs again. After this Question Time, I am going straight to No. 10 for several hours of talks with the Chinese President, and there will be every opportunity to talk about this issue. I began those discussions last night. I think the Chinese recognise that they have huge overcapacity in their steel industry, which they have to address as well, but I say again that I do not want to make promises I cannot keep—[*Interruption.*] We cannot set the steel price here in this—[*Interruption.*] We cannot



set the steel price here in this House, and we cannot go beyond the sorts of steps I have talked about on procurement, energy and industrial support. Opposition Members might, however, like to remember their own record. Under Labour, steel production halved. Under Labour, employment in steel halved. Since I have been Prime Minister, steel production has gone up and steel employment has stayed the same. So before we get a self-righteous lecture from Labour, I would say to them, “Look at your own record!”

**Chris Philp** (Croydon South) (Con) *rose*—

**Hon. Members:** More!

**Chris Philp:** I suspect those cheers were for the Prime Minister, rather than me.

Does the Prime Minister agree that one reason some steel plants have suffered difficulties is that wholesale electricity prices in this country are twice the level in Germany, and that the many green taxes imposed by the former Labour party leader, the right hon. Member for Doncaster North (Edward Miliband), under the last Labour Government are a significant reason for that?

**Mr Speaker:** Order. We do not need to waste time with this. It has nothing to do with Government policy. [*Interruption.*] Order. It has nothing to do with current Government policy.

**Hywel Williams** (Arfon) (PC): Thousands of people who installed cavity wall insulation now have damp, mouldy houses because the system has failed and let in rainwater. Many people, misled into believing that it was a Government scheme, now find the industry guarantee difficult to access and insufficient. Will the Prime Minister take a personal interest in this scandal, to ensure that disabled people in particular are fully compensated and to avert further reputational damage to the Government’s energy conservation measures?

**The Prime Minister:** I will look carefully at the issue, because it touches on the larger point that the obligations we put on energy companies lead to higher prices—and that goes directly to the point that my hon. Friend the Member for Croydon South (Chris Philp) was quite rightly trying to make. Even last week, the Labour party in the House of Lords voted to put up energy prices, which impacts on steel users. They ought to try doing the same thing in the House of Lords as in the House of Commons.

**Several hon. Members** *rose*—

**Mr Speaker:** Order.

## Points of Order

12.37 pm

**Sir Edward Leigh** (Gainsborough) (Con): On a point of order, Mr Speaker. Generations of your predecessors defended the privileges of this House, and the greatest privilege of all is the principle of no taxation without representation. Indeed, we lost the American colonies in the 18th century because a previous Government forgot that. We had a lively debate yesterday on tax credits, and many of us would like to see some movement from the Government, but surely it is the elected representatives of the people who decide on tax and spending. In your discussions with the Lord Speaker of the House of Lords, will you make it clear that it is not for the unelected House of Lords to determine tax and spend?

**Mr Speaker:** I understand entirely what the hon. Gentleman is saying. My own feeling from the Chair is that the other place can look after itself; but we also can and will look after ourselves. I think it would be much more dignified for the Chair not to become drawn into what might be a public spat between the two Houses. In the final analysis, each House knows what the factual constitutional position is, and that position is what it is of long standing.

**Martyn Day** (Linlithgow and East Falkirk) (SNP): On a point of order, Mr Speaker. Thankfully, the Prime Minister is not driving an Alexander Dennis bus, because his Scottish geography is somewhat askew. The plant is in the neighbouring constituency of my hon. Friend the Member for Falkirk (John Mc Nally).

**Mr Speaker:** I am most grateful to the hon. Gentleman for his ingenuity and wit, but I have a hunch that he is trying to continue an argument that took place a few moments ago, and he would not expect me to join in. We will leave it there.

## BILL PRESENTED

### SUGAR IN FOOD AND DRINKS (TARGETS, LABELLING AND ADVERTISING) BILL

*Presentation and First Reading (Standing Order No. 57)*

Geraint Davies, supported by Jeremy Lefroy, Mr Mark Williams, Mrs Madeleine Moon, Dr Julian Lewis, Martyn Day, Helen Goodman and Angela Rayner, presented a Bill to require the Secretary of State to set targets for sugar content in food and drinks; to provide that sugar content on food and drink labelling be represented in terms of the number of teaspoonfuls of sugar; to provide for standards of information provision in advertising of food and drinks; and for connected purposes.

*Bill read the First time; to be read a Second time on Friday 20 November, and to be printed (Bill 82)*

## Civil Partnership Act 2004 (Amendment)

*Motion for leave to bring in a Bill (Standing Order No. 23)*

12.40 pm

**Tim Loughton** (East Worthing and Shoreham) (Con): I beg to move,

That leave be given to bring in a Bill to amend the Civil Partnership Act 2004 to provide that opposite sex couples may enter a civil partnership; and for connected purposes.

The eagle-eyed among those remaining in the Chamber will have spotted that this Bill has form. It is identical to the Bill I brought before the House last year, and it mirrors the amendment I proposed during the report stage of the Marriage (Same Sex Couples) Bill in May 2013. My Bill therefore makes its hat-trick appearance today, unencumbered by any other legislation, in the hope that it will be third time lucky and will move into Committee.

Just as the House decided it was time for equal marriage then, it is surely time for equal civil partnerships now, particularly as they remain an unintended inequality created by the Marriage (Same Sex Couples) Act 2013 and they are backed by many supporters of that legislation, as well as by those, like me, who were less enthusiastic about it. Indeed, the Government's original consultation, before the first Bill, showed 61% of respondents in favour of extending civil partnerships to opposite-sex couples. Alas, for some inexplicable reason, it never made it into the Marriage (Same Sex Couples) Bill, which would, I think, have made it a better Act. That is why change is still necessary today.

There are two main rationales for supporting the Bill. First, it will correct what I have mentioned as an unintended but glaring inequality resulting from the Marriage (Same Sex Couples) Act whereby same-sex couples are still entitled to continue in a civil partnership, to take up a civil partnership or to enjoy the recent extension of marriage, while opposite-sex couples have only the option of conventional marriage, albeit by a larger range of religious institutions. That is not fair. It gives rise to an inequality in what was billed as an "Act to promote equalities".

Secondly, a positive reason for pushing forward with this Bill is family stability. In 2010, an Office for National Statistics report said that there were some 2,893,000 cohabiting opposite-sex couples in this country—almost double the figure reported some 15 years earlier. Some 53% of all birth registrations are to married parents, but around a third are to unmarried parents who are living together. Indeed, cohabitation is the fastest-growing form of family in this country, and we need to recognise that our society is changing.

People choose not to get involved in the paraphernalia of formal marriage for a variety of reasons: it is too much of an establishment thing to do; it is identified as an innately religious institution for many, and even if done in a register office, it has religious connotations; some see it as having a patriarchal side, so it is seen as some form of social control. Those are not my own views, but are certainly the way many see it.

There are a whole lot of complex motives as to why many of our constituents do not go down the formal marriage route. They are mostly still in committed, loving relationships, but if they do not want to go for

traditional marriage, they have no way of having that recognised in the eyes of the state. Particularly worrying is the common misconception that there is such a thing as a common law wife or husband, as a woman typically finds out abruptly on the death of a partner, when there is an inheritance tax bill on the estate, and potentially on the family home. If a woman has a child with her partner and the relationship breaks down, she is not entitled to any form of financial support if they are not married. There is no automatic entitlement to property, even if she had been paying into the mortgage.

Where one partner is much older than the other and there is a reasonable expectation that one will die some years before the other, the long-term survivor would not receive the same tax benefits as a married woman or those in a civil partnership, which would be discriminatory towards the couple's children. Even a couple engaged to be married have more rights than a cohabiting couple.

The question is, why should not those who have made a conscious choice not to go for a traditional marriage have the opportunity to have the same rights, responsibilities and protections in the eyes of the law that we rightly, and not before time, extended to same-sex couples back in 2004?

However, there is a further major practical benefit in achieving equality of civil partnerships and opening them up to opposite-sex couples: family stability. The Centre for Social Justice has calculated that the cost to this country of family breakdown is some £48 billion, or some 2.5% of gross domestic product. That is a big problem, a growing problem, and a costly problem—costly, both financially and socially, to our society.

Fewer than one in 10 married parents have split up by the time a child reaches the age of five—compared with more than one in three of those who are cohabiting but not married—and 75% of family breakdowns involving children under five result from the separation of unmarried parents. The Centre for Social Justice has produced a raft of statistics showing that a child who is not in a two-parent family is much more likely to fall out of school and 70% more likely to be addicted to drugs, and is more likely to get into trouble with the law, to be homeless, and not to be in employment, education or training. That is not to be judgmental about parents who find themselves having to bring up a child alone through no fault of their own, but two partners make for greater stability.

We know that marriage works, but we also know that civil partnerships are beginning to show evidence of greater stability for same-sex couples, including those who have children, be it through adoption, surrogacy or whatever. There is a strong case for believing that extending civil partnerships would improve that stability for many more families in different ways. If just one in 10 cohabiting opposite-sex couples entered into a civil partnership, that would amount to some 300,000 couples and their children. It would offer the prospect of yet greater security, greater stability, less likelihood of family breakdown, better social outcomes and better financial outcomes. That, surely, is progress.

There is a further application. Many people who have strong religious beliefs—particularly Catholics who have ended up getting divorced, which is in conflict with certain religious teachings—may not be inclined to get married again if they meet a new partner, because their Church supposedly believes that they should be married

for life. In many cases, however, they would be able to reconcile that position by entering into a new formal commitment through an opposite-sex civil partnership. So there are a number of practical, real-life scenarios in which civil partnerships for opposite-sex couples could achieve something very positive.

Opposite-sex civil partnerships are not something that has been cooked up in this country. In South Africa, the Civil Union Act 2006 gave same-sex and opposite-sex couples the option to register a civil union by way of a marriage or a civil partnership on the same basis. In France, the *pacte civil de solidarité*—or PACS, as it is known—was introduced in 1999 as a form of civil union between two adults of the same sex or the opposite sex, and now gay marriage has been added to that. Interestingly, one in 10 PACS has been dissolved in France, while one in three marriages ends in divorce. There is evidence that some of those civil partnerships have created greater stability, whether they are opposite-sex or same-sex partnerships.

No complications are involved in my proposal. I want opposite-sex civil partnerships to be offered on exactly the same basis as same-sex civil partnerships. It would not be possible for someone to become a civil partner with a close family member, or if that person was already in a union, and the partnership would need to be subject to the same termination criteria. It is a simple proposal, and surely the case is overwhelming. All that is required is a simple one-line amendment to the Civil Partnership Act 2004. It could all be done and dusted in Committee by teatime.

There is a growing tide of support for this measure, fuelled by a court case that is currently being considered by the High Court, and which I will not go into. Suffice it to say that the outcome of that case could have substantial implications for many other couples who simply want their families to be recognised in the eyes of the state. The issue began when the couple involved approached their local register office to register their opposite-sex partnership. As they put it—and I saw them only this morning—

“We wanted to formalise our relationship and celebrate it with friends and family but we're not able to do it for what seems like no apparent reason. We prefer the idea of a civil partnership because it reflects us as a couple—we want equality through our relationship and with a baby now we want the protections offered by formalising marriage.”

Many Members believe that the time has come to back equal civil partnerships, potentially to the benefit of many cohabiting couples and their children, and of the stability of our society as a whole. My Bill has widespread cross-party support inside and outside the House. This concise and simple but important measure could bring about equality for those who choose civil partnership, and I urge the House to support it.

*Question put and agreed to.*

*Ordered,*

That Tim Loughton, Mr Graham Brady, Andy Slaughter, Caroline Lucas, Greg Mulholland, Mr Geoffrey Robinson, Sir Roger Gale, Stephen Twigg, Mrs Anne Main, Keir Starmer, Pauline Latham and Mark Durkan present the Bill.

Tim Loughton accordingly presented the Bill.

*Bill read the First time; to be read a Second time on Friday 29 January 2016 and to be printed ( Bill 83 ).*

## Cities and Local Government Devolution [Lords] Bill

[1ST ALLOCATED DAY]

Considered in Committee

[NATASCHA ENGEL *in the Chair*]

### Clause 1

DEVOLUTION: ANNUAL REPORT

12.52 pm

**The Parliamentary Under-Secretary of State for Communities and Local Government (James Wharton):** I beg to move amendment 29, in page 1, line 14, leave out “under section 2”

*This amendment would be consequential on leaving out clause 2.*

**The Second Deputy Chairman of Ways and Means (Natascha Engel):** With this it will be convenient to discuss the following:

Clauses 1 and 2 stand part.

New clause 1—*Competences of local government*—

‘(1) The Secretary of State must, after consultation with representatives from local government, publish a list of competences of local government.

(2) After the list has been published, the Secretary of State may not publish any amended list of competences of local government without first obtaining approval of the revised list consent from—

- (a) the House of Commons, with two-thirds of its membership voting in favour of the amended list, and
- (b) the Local Government Association.”

*This new clause would define the independence of local government, and entrench it beyond easy repeal.*

New clause 13—*Double Devolution statements*—

‘(1) A Minister of the Crown who has introduced a Bill in either House of Parliament having the effect of devolving functions or powers of the United Kingdom Parliament or the Secretary of State to a combined authority must, before the second reading of the Bill, make a double devolution statement on the arrangements for further devolving those functions or powers to the most appropriate local level except where those powers can more effectively be exercised by central government or by a combined authority.

(2) The statement must be in writing and be published in such a manner as the Minister making it considers appropriate.”

*The intention of this new clause is to make clear what double devolution to smaller councils and neighbourhoods will occur in the wake of big city deals being agreed by combined authorities when giving powers to cities and/or combined authorities.*

New clause 18—*Independent Review, Support and Governance*—

‘(1) It shall be the duty of the Secretary of State to lay before each House of Parliament each year a report about devolution within England and Wales pursuant to the provisions of this Act (an “annual report”).

(2) An annual report shall be laid before each House of Parliament as soon as practicable after 31 March each year.

(3) The Secretary of State may by order make provision for an Independent Commission or Advisory Board to undertake a review, challenge and advisory role in relation to:

- (a) reviewing orders and procedure arising from the Secretary of State’s decisions; and
- (b) requests for orders received from combined or single local authorities.”

*This new clause would ensure the Secretary of State has the necessary power to create an Independent Commission or Advisory Board to scrutinise the work of the Secretary of State relating to devolution, Annual Devolution Report and handle requests from local government about the decisions made by the Secretary of State.*

New clause 22—*Devolution in London*—

‘(1) Within six months of the passing of this Act, the Secretary of State must publish a report on a greater devolution of powers in London, including on whether to make provision for the Secretary of State to—

- (a) transfer a public authority function to a joint committee of London councils, and
- (b) establish a joint board between London boroughs and the Mayor of London to support further devolution in London, and
- (c) devolve responsibility on fiscal powers, including but not limited to, setting and revaluating local tax rates, banding and discounts.”

*This new clause makes it a requirement for the Secretary of State to report on further devolution options for London, including fiscal devolution (e.g. council tax revaluation, etc) which has been called for by the Greater London Assembly and the Mayor of London.*

New clause 23—*Fair funding settlement: report*—

Within six months of the passing of this Act, the Secretary of State must publish a report on the impact on the functions of combined authorities of the fairness of the distribution of funding from central government to local authorities, particularly with regard to levels of deprivation.”

*This new clause would require a report linking the impact of devolution with the level of funding.*

New clause 25—*Public authority functions*—

Within one month of the passing of this Act, the Secretary of State must publish a list of public authority functions which may be the subject of a transfer of functions under the provision of this Act.”

*This new clause would require the Government to be more specific about the functions which it intends to devolved to mayors, combined authorities and other local authorities.*

Government amendment 4.

Amendment 51, in clause 3, page 2, line 19, at end insert—

‘(2A) An order under subsection (1) may not be made unless the proposition that the combined authority have a mayor is approved by a referendum of the electorate in that combined authority.”

*The intention of this amendment is that elected mayors will be introduced only if that proposal has been endorsed, in a referendum, by 50% of the population.*

Amendment 43, in page 2, line 31, leave out subsection (8) and insert—

‘(8) An order under this section providing for there to be a mayor for the area of a combined authority may be revoked or amended by making a further order under this section; this does not prevent the making of an order under section 107 abolishing the authority (together with the office of mayor) or providing for a constituent part of the combined authority to leave the combined authority and to resume its existence as a separate local authority.

(8A) An order under this section providing for a constituent part of the combined authority to leave the combined authority and to resume its existence as a separate local authority must make fair provision for a reasonable and proportionate division of resources between the former combined authority and the seceding local authority.”

*The intention of this amendment is that a constituent part of a combined authority can leave a combined authority without the combined authority being dissolved, with provision for “fair terms” for the leaving part (i.e. their resource is calculated on a per capita basis, or similar.)*



Amendment 46, in page 2, line 38, at end insert—

“(10) This section does not apply to the County of Somerset, as defined by the Lieutenancies Act 1997.”

Amendment 39, in page 3, line 2, at end insert—

“(1A) For an area of a Combined Authority where for any part of that area there exists both a County Council and District Council, no order may be made under section 107A unless either the Secretary of State or the existing combined authority has carried out a consultation with local government electors on replacing the existing County Council and District Councils with one or more unitary authorities.”

Amendment 44, in page 3, line 14, at end insert—

“(4A) A constituent council may withdraw consent after the creation of a combined authority and a mayor for that authority.

(4B) Where one or more constituent councils have withdrawn their consent under subsection (4A), the Secretary of State must make an order either:

- (a) abolishing the combined authority and the office of mayor, or
- (b) reconstituting the combined authority without the non-consenting council or councils concerned”.

*The intention of this amendment is that a constituent council may withdraw its consent to the creation of a combined authority, in which case the Secretary of State must either abolish the authority and mayor or re-constitute the authority without any non-consenting council.*

Amendment 53, in page 3, line 27, at end insert—

“(2A) The Secretary of State may make an order under section 107A in relation to a combined authority’s area if a proposal for other appropriate governance and accountability structures for the authority’s area has been made to the Secretary of State by the constituent authorities.

(2B) The Secretary of State may set out accountability and governance tests in respect of other appropriate governance structures.

(2C) Orders may allow for a mayor or other appropriate governance structure to enter into collaborative working arrangements with more than one combined authority, or local partnership board covering for example rural areas.”

*This amendment would allow for a mayor to work with more than one Combined Authority, or partnership board covering, for example, rural areas.*

Clause 3 stand part.

Government amendments 18 to 22.

That schedule 1 be the First schedule to the Bill.

Amendment 57, in clause 4, page 3, line 33, at end insert—

“(1A) Where the mayor for the area of a combined authority appoints a deputy, regard to gender balance must be given”

*This amendment is intended to make sure that gender balance is taken into account in mayor/deputy teams*

Clause 4 stand part.

New clause 21—*Consultation with local community*—

The Secretary of State must make an order to determine the consultation processes which will be used with the local community.”

*This amendment is intended to ensure that mayors are provided only where the local resident population has been properly consulted.*

Amendment 56, in clause 6, page 6, line 24, at end insert

“which is not restricted to a specific governance structure”

*This amendment will allow a council to choose any form of governance and would be defined as a local authority according to the 1992 Local Government Finance Act.*

Amendment 42, in clause 8, page 10, line 12, at end insert—

“(2) The Secretary of State must lay before each House of Parliament at least once in each calendar year a report on the exercise by the Secretary of State of powers which have been devolved to the mayor of a combined authority.”

*The intention of this amendment is that the Government should publish every year a report that shows that it has not exercised a power that has been devolved to a combined authority mayor.*

Amendment 59, in clause 11, page 11, line 27, at end insert—

“(1) Within 12 months of the passing of this Act, the Secretary of State must publish a report on the performance of the Localism Act 2011 and a review of the general power of competence provision.”

*This amendment requires a review of the Localism Act and local authority innovation.*

Government amendments 27 and 28.

**James Wharton:** As well as amendment 29, I will speak to Government amendments 4, 18 to 22, 27 and 28, and to the stand parts for clause 1, clause 2, clause 3, schedule 1, and clause 4. I will also comment, if time and the mood of the Committee permits, on new clauses 1, 13, 18, 22, 23 and 25, amendments 51, 43, 46, 39, 44, 53 and 57, and new clauses 21, 56, 42 and 59, which have been placed in the same group.

The range of interest that has been shown in this Bill speaks for itself. On Second Reading 76 colleagues made contributions, and there was a great deal of consensus. This Bill is of a consensual nature, and while there are issues that we will be discussing in Committee, it is important to put that on record. My intention and that of the Government today is to reflect on the debate that is now to take place and take that into account going forward. We hope this debate can continue in this consensual tone and that it will characterise the passage of this Bill.

Clauses 1 and 2 were inserted into the Bill in the other place. We have considered carefully the arguments in support of the clauses. We share the views of those who supported the clauses about the importance of the Government’s accountability to Parliament for the devolutionary measures and deals they pursue.

Clause 1 places a statutory duty on the Secretary of State to provide annual reports to Parliament setting out information about devolution deals. We recognise that the effect of this clause will be to bring together in an annual report to Parliament details about the whole range of devolutionary activity. While some, if not most, of this information will have been made available to Parliament in the ordinary course of business, we accept that there can be value in such a comprehensive annual report, enhancing transparency and accountability. The Government therefore accept that clause 1 should stand part of the Bill.

Amendments that hon. Members have now tabled seek in various ways to extend the reporting requirements. We are not persuaded that these are needed to ensure the transparency and accountability that we all wish to see, but I will listen carefully to the debate and we will consider further expanding the reporting requirements on devolution in due course subject to the arguments hon. Members put forward.

[James Wharton]

The hon. Member for Nottingham North (Mr Allen)—whom I may refer to occasionally throughout today's discussion—has tabled new clause 18, which would require the Secretary of State annually to lay before Parliament a devolution report and enable the Secretary of State to establish an independent body to provide advice on devolution of powers. I think the reporting requirement he has in mind is already covered by clause 1, and while we accept the importance of reports, I do not believe a case can be made to establish some new independent body to provide advice. I fear that any such step would simply lead to additional costly bureaucracy.

The hon. Gentleman has also tabled new clause 13, which would require the publication of a report about how powers devolved to combined authorities are being further devolved. I know he takes great interest in that issue, in line with the devolution agenda more broadly, and wants that taken forward. The Government attach importance to such further devolution. In the Localism Act 2011 we have recognised the importance of neighbourhoods and of neighbourhood planning, and of communities being able to take ownership and management of community assets or take on the provision of local services. This is an important element of devolution and I can see the case for any comprehensive report about devolution covering these matters.

Amendment 42 was tabled by my hon. Friends the Members for Altrincham and Sale West (Mr Brady), for Hazel Grove (William Wragg) and for Bury North (Mr Nuttall). It would require the Government to publish an annual report about powers that have been devolved to a combined authority mayor. This again is an important matter and there is a case for information about this to be included in any comprehensive annual report on devolution. The Government recognise that and want to find the right solution for the concerns hon. Members have.

The shadow Secretary of State and the hon. Members for Heywood and Middleton (Liz McInnes), for Croydon North (Mr Reed), for Dewsbury (Paula Sherriff), for Easington (Grahame M. Morris) and for Stretford and Urmston (Kate Green) have tabled new clause 22 which would make it a requirement for the Secretary of State to report on further devolution options for London, including fiscal devolution which has been called for by the Greater London Authority and the Mayor of London. As we made clear in the other place, we are open to discussing with London plans for the devolution of wider powers. Indeed, the Mayor and London Councils have already sent in formal devolution proposals and the Government are engaged in discussions regarding these. We are committed to taking forward these discussions and I doubt whether there is a need for some further reporting requirement therefore to be included in this Bill.

**Mike Kane** (Wythenshawe and Sale East) (Lab): Will the Minister confirm that these devolution powers from central Government apply to Manchester and to the interim authority and mayor after 2017, and that it is not the reverse—from local authorities up to a combined authority or mayor system—and that with spatial planning it will take the full agreement of the 10 leaders who make up the cabinet and a two-thirds majority for all other decisions? Will he confirm that to the Committee today?

**James Wharton:** The hon. Gentleman makes an important point. We are talking about powers that are being transferred from Whitehall and Westminster and from Ministers and public bodies to combined authorities—to the areas that are making these devolution deals. It is not about powers being taken up from local councils and authorities, unless they choose to so pool them. That option is on the table, but there is nothing in this Bill that would compel it. In Greater Manchester, as part of that deal and the accountability we want to build into the process, the combined authority has a two-thirds mechanism for holding the mayor to account. That is an important part of that deal and one that gives the reassurances people in Greater Manchester—the local authority leaders who reached that deal with us—and hon. Members will want to see as we take this process forward.

**Sir Edward Leigh** (Gainsborough) (Con): In theory devolution is fantastic, of course, and we all agree with it, but in this debate on Sunday trading will the Minister at least listen to religious people who feel the country is becoming increasingly secular and consumerist? Their concerns have to be handled very sensitively by the Government. That does not necessarily mean they cannot proceed, but those concerns have to be handled sensitively. Will he assure the Committee he will do that?

**James Wharton:** I can absolutely give my hon. Friend that assurance. The Government have consulted on, and made clear our intention to introduce as part of this Bill, Sunday trading devolution. We will have full opportunity to discuss that. This Bill is currently being discussed in Committee on the Floor of the House. There will be time for discussion and we will work with colleagues and listen to their concerns, and we will try to find a consensus, so if change is to be delivered it has the support of the House and of the broadest possible base of opinion in this country.

We accept the case for transparent and comprehensive reporting—indeed, we are advocates for it—but we are clear that the devolution statement that clause 2 requires to accompany any future Bill would be unnecessarily bureaucratic. For many Bills, such a devolution statement would be irrelevant, as the Bill would have no implications for functions that can be devolved. There is a real risk that, in practice, the production of such a statement would become a tick-box exercise, at best adding no real value and at worst becoming a distraction from driving forward real devolution, for which I think there is a broad consensus in favour among Members.

1 pm

**Mr Graham Allen** (Nottingham North) (Lab): The Minister is making a rational and cogent argument. I would like to take him back to the question of double devolution, which has been raised with me by many, including the key cities—those that I would perhaps describe as the second-tier cities, rather than the core cities. They are concerned that power should not simply go from Whitehall to town hall, and that there should be an evolutionary process in which power continues to be devolved to neighbourhoods, parishes and other smaller bodies. If the Minister will not accept my amendment, will he give those cities some reassurance that there will be strong Government oversight to ensure that the devolution does not stop at the town hall?

**James Wharton:** Yes, I can give the hon. Gentleman that reassurance. Every devolution proposal will involve a deal between the Government and those local areas that want devolution. As part of those deals, we will look at what further steps can be taken. We recognise the principle, which he advocates, that decisions should be taken at the lowest level of government at which they can effectively be taken. If an area with which we were having discussions wanted that to be part of the deal, and if we could work with it to deliver it, it would be our intention to do that.

Returning to clause 2, it would be easy for some future Government to parade their devolutionary credentials because every one of their Bills had a devolution statement, while in reality they might have done little to continue to meet what I confidently predict will be a continually growing appetite for devolution across the country. I suspect that the hon. Gentleman agrees with me about the existence of that appetite. Accordingly, the Government are opposed to clause 2 standing part of the Bill, and amendment 29 is consequential to the removal of the clause from the Bill, deleting the reference to that clause in clause 1.

The hon. Gentleman has tabled a number of amendments that would have constitutional implications. We will consider most of them later today, but new clause 1 is in this group. It would require the Secretary of State to publish a list of local government competences, having first agreed them with representatives from local government. Once published, the list could be amended only with the approval of two thirds of the membership of the House of Commons and the approval of the Local Government Association.

I understand the reason for new clause 1 but I cannot support it. When codification of the relationship between central and local government has been attempted in the past, it has failed, as was recognised by the Political and Constitutional Reform Committee of this House. In their response to a report from the Committee in 2013, the Government commented that codification fails because it is about processes, rather than about policy intended to improve outcomes. Instead of liberating local leaders, a codified relationship could simply serve to focus energy on theoretical debate, rather than on shared endeavour, problem solving and action.

**Mr Allen:** I will speak about this at greater length later, but may I make one specific point now? Historically, local government has felt uneasy about its relationship of subordination to central Government, and a means of reassuring local government of all political parties would be to entrench the settlement that the Minister is proposing and to find a way in which to reassure local government about its long-term sustainability and its independence from central Government. Will he undertake to have a think about this matter, so that he will be able to ensure even more co-operation from local government?

**James Wharton:** I will of course give the hon. Gentleman that undertaking, and I shall listen carefully to what he says later. I know that he has a great deal of expertise in this area, and I recognise some of his concerns. It is important that we find the right mechanism to address them as best we can in the Bill.

Amendment 59 and new clauses 23 and 25 have been tabled by the shadow Secretary of State, the hon. Member for Hemsworth (Jon Trickett), and his colleagues. Amendment 59 would require a report reviewing the

Localism Act 2011. New clause 23 would require the Government to publish a report about the impact on combined authorities of the way in which resources had been distributed through the local government settlement. New clause 25 would require the Government to publish a list of the public authority functions which may be transferred.

We do not consider amendment 59 to be necessary. The Government are committed to a process of post-legislative scrutiny to review the effectiveness of legislation and to inform the development of future legislation. The lead Department submits a report to the Select Committee, usually within three to five years of the legislation receiving Royal Assent, with its preliminary assessment of how the Act has worked in practice in relation to its objectives and benchmarks, as identified during the passage of the Bill. This would inform the Select Committee's view on whether to conduct a fuller post-legislative inquiry into the Act. The additional steps proposed in amendment 59 are therefore unnecessary.

**Mr Clive Betts** (Sheffield South East) (Lab): When the Localism Act was passed, the Secretary of State for Communities and Local Government, the right hon. Member for Tunbridge Wells (Greg Clark)—in a previous guise—produced an annual report on how each Department was doing in regard to devolution. Unfortunately, that practice was stopped, but the right hon. Gentleman came to the Select Committee and argued strongly that it should be continued. Does the Minister think his boss has changed his mind?

**James Wharton:** The hon. Gentleman shares my admiration for my Secretary of State and for the work that he has done in this area of policy over an extended period. It is of course open to my right hon. Friend to do that again, and I suspect that the hon. Gentleman will wish to prevail upon him and to repeat his argument on the value of considering that course of action. However, I do not think it necessary to include amendment 59 in the Bill.

We also consider new clause 23 to be unnecessary. It would not add anything to the information we already provide. By separating Government funding from the other sources of income available to local authorities, as the new clause proposes, and by isolating deprivation from other drivers of spend—for example, the impact of population sparsity in rural areas—the report required by the new clause would fail to present a properly rounded picture of the settlement. As hon. Members know, we already publish an annual assessment of the impact of the settlement on authorities' wider spending power and an equalities statement on the settlement's effect. Moreover, the settlement is subject to wide-ranging consultation and comes before Parliament for approval. I am not persuaded that anything further of this nature is needed in the Bill.

On new clause 25, I remind hon. Members that this Government's devolution policy is a bottom-up one. We want to ensure that devolution opportunities are available to all parts of England, including rural and coastal areas, counties, towns and cities. On Second Reading, we discussed at some length the devolution deal that has been done with Cornwall, a non-city area that wants to be part of this process and that has got behind a plan that it believes can drive real change for the better. The enthusiasm from hon. Members from Cornwall who spoke in that debate was obvious and is commendable.



**Mr Jacob Rees-Mogg** (North East Somerset) (Con): My hon. Friend makes the important point that rural areas should be protected. Will he give the House an undertaking that rural areas that are close to urban areas will be protected from being swallowed up by those neighbouring cities?

**James Wharton:** My hon. Friend raises a point that I know is close to his heart. He has tabled amendments to the Bill, which we shall discuss later. No area will be compelled to agree a devolution deal. The purpose of the Bill is to enable us to put such a deal on the table for any area that wants one, but it does not give us the power to compel any area to accept it. His comment is in line with the Government's intentions in the legislation. We want to ensure that devolution and the benefits it can bring are there for everybody, but we will not compel areas to be part of it.

**Jonathan Edwards** (Carmarthen East and Dinefwr) (PC): The Minister has talked about a bottom-up approach. From what I understand, Manchester is to be offered powers over policing. We had a bottom-up approach in Wales as a result of the Silk commission, which was sponsored by the UK Government, in which all parties agreed that policing powers should be devolved to Wales, just as they are in Northern Ireland and Scotland. However, the draft Wales Bill was published yesterday and the devolution of policing is missing from it. Can the Minister explain the ambiguity of the Government's position?

**James Wharton:** I recognise the hon. Gentleman's diligence in raising his concern, particularly given that that is his area of expertise. Rather than my commenting on it in the debate on this Bill, however, I would gently suggest that it is a matter that should be discussed in a Welsh context in the debates on the Wales Bill.

**Mr Graham Brady** (Altrincham and Sale West) (Con): The Minister has given the welcome assurance to my hon. Friend the Member for North East Somerset (Mr Rees-Mogg) that no rural area neighbouring an urban or metropolitan area would be held to becoming a member of it. Will he also give the Committee an assurance that any rural area wishing to join a combined or mayoral authority will be able to do so?

**James Wharton:** That would be entirely a matter for the proposal put forward by the local area in question. We would certainly be open to whatever geography an area wished to present as the most logical for its economy and the most able to allow it to drive forward the changes and improvements we envisage being enabled by the Bill. So yes, that would be possible, but only by agreement and in line with the Government's approach to devolution.

**Mike Kane:** Can the Minister explain what first attracted the Chancellor of the Exchequer to the idea of extending the business rate relief zone to his constituency of Tatton, enabling it to be considered part of Greater Manchester?

**James Wharton:** The hon. Gentleman tempts me to divert my attention from the amendments. The steps this Government are taking on business rates are generally welcomed by local government—that is my experience of the discussions I have had. They are another step

towards giving local government the certainty, control and freedom it wants, and delivering on our agenda. They are broadly in line with the devolutionary approach that we are taking and is envisaged by the Bill.

**Nigel Mills** (Amber Valley) (Con): The Minister mentioned that local areas can choose what area will bid for these devolved powers, based on their own local needs. What size of population or of economy would an area need to get this devolution? There has been some suggestion that the Nottinghamshire and Derbyshire bid is not large enough.

**James Wharton:** It is up to local areas to make proposals, and we will look at the offers and deals. Thirty-eight proposals were submitted before the 4 September deadline by areas interested in being part of this process. We will seek to ensure that any proposal makes economic sense, and that the deal takes account of all interested parties and their views, but we are not going to prescribe in this Bill, nor set out centrally, the geography that devolution should follow, because to do so would go counter to the bottom-up process that we envisage driving forward long-lasting and successful devolution in this country. I recognise my hon. Friend's important question, but flexibility is the intention and it is what the Bill contains. We want agreement and to work with areas to deliver on their objectives.

We are open to discussing devolution proposals from all places. We have been clear that our approach is for areas to come forward with proposals that address their specific issues and opportunities. The Bill is therefore enabling legislation that will provide the legislative framework to give effect to the different aspects of devolution deals. The Government have not specified a list of functions that may be devolved, and there is good reason for that approach. It means that we can consider any area, idea or proposal. Perhaps more significantly, if we started to specify lists of functions or kinds of areas, those whose ambitions fell outside these ideas might be reluctant to come forward. The reality is that, as decades past have shown, if the man in Whitehall is asked to specify what might be devolved, the list is going to be pretty cautious.

It would not be right to restrict our ambition by taking such an approach, so I hope Opposition Front Benchers will accept and understand the position the Government are taking. In short, specifying functions or kinds of areas is simply not consistent with a genuinely bottom-up approach. We will therefore not be supporting amendment 59, or new clauses 23 and 25, and I hope hon. Members will not press them to a vote. I also hope that, with my explanations and assurances, the Committee will be able to support clause 1 and reject clause 2, accepting the consequential amendment to clause 1.

**Mr David Nuttall** (Bury North) (Con): Given what has been said by my hon. Friends the Members for North East Somerset (Mr Rees-Mogg) and for Altrincham and Sale West (Mr Brady) about rural areas being swallowed up by urban areas and the Minister's response thereto, does it all mean that the Minister would be minded to accept at least the thrust of amendment 43, which stands in the name of my hon. Friend the Member for Altrincham and Sale West and would give a predominantly rural area that has already been swallowed up the right to remove itself from the arrangement?



**James Wharton:** I have had discussions with my hon. Friend the Member for Altrincham and Sale West, I recognise the comments that he makes and I will of course listen carefully to the further discussion today. I will set out the Government's position on the issue in due course, but I wish to make it clear that the intention is to be consensual. We intend to listen to concerns that hon. Members might raise and try to find a way whereby we can agree across this House on what we want to deliver. I recognise the important point being made and I am sure we will discuss it further.

Amendment 4 is about mayors being a condition of devolution. We are seeking to remove the requirement that a mayor cannot be a precondition of transferring local authority or public authority functions to a combined authority, because it is wrong in principle, and it is at odds with our manifesto policy and manifesto commitment. In addition, if the requirement remained, it would mean that the deals we have made already with Greater Manchester and with Sheffield could be in jeopardy. The requirement is wrong in principle.

**Mr Kevan Jones** (North Durham) (Lab): I welcome this movement, but can the Minister explain why the Secretary of State has always insisted in his discussions with the combined authority and the north-east council leaders that a prerequisite for any devolution is having a mayor?

**James Wharton:** I think the hon. Gentleman may have misunderstood the direction of travel that I am setting out, but I am happy to clarify it and I hope to go on now to address his concerns.

1.15 pm

**Mr Betts:** The Minister has just said that the Sheffield deal could be put at risk, but at this stage it is not a done deal—it is a proposal. If Sheffield were to say, “We actually rather like the proposal, but without the mayor,” what would be wrong with that, as the Bill stands?

**James Wharton:** The hon. Gentleman might recognise that that would then not be the agreement that has been proposed. Where there is devolution on the ambition and scale of Greater Manchester, we could not ensure that the strong, clear accountability necessary to support such devolution and provide the leadership to drive forward that area's economy would be in place without a metro mayor. That strong, clear accountability needs to be a single point of accountability that only an elected metro mayor can provide. Where major powers and budgets have been devolved, people need to know who is responsible for decisions that can have a radical impact on their day-to-day lives. Mayoral governance for cities is a proven model that works around the world—it is indeed the model of governance for world-class cities. None of that is to say that we are imposing mayors; mayors are not being imposed anywhere. If any area has a mayor, it will be because that area, through its democratically elected representatives, has chosen to have one. The Bill specifically provides for that.

**Mr Betts:** The Minister is making the case that a mayor is required in order to have strong enough leadership and get things through, but in the proposed Sheffield deal only the transport functions go to the mayor—all the economic functions go to the combined authority. Is

he therefore saying that there is not going to be strong leadership on these economic functions, because a mayor is not in charge of them?

**James Wharton:** Let me be absolutely clear about this: this Bill does not allow this Government or any future Government to impose mayors on anybody. But where we make a deal it is a two-way process, and it is the Government's clearly stated intention for those metropolitan areas that the accountability a mayor brings is desirable and we want to see it as part of those deals.

**Mr Nuttall:** Does the Minister accept that Greater Manchester is not just a single city? It is an area made up of a city—

**William Wragg** (Hazel Grove) (Con): Two cities.

**Mr Nuttall:** Two cities, nowadays, and several very independently minded towns, which feel that they have been forced together into an artificial construct.

**James Wharton:** It is important to be clear about what the devolution we are talking about does. It takes powers that exist in Whitehall—powers that rest with public bodies—and transfers them to local decision makers. It does not affect the arrangements that are already in place for local government, which recognise differences and the communities within them. We will allow them, of course, to pool areas of policy if they wish to do so, but nothing in this legislation would allow us to compel them to do so.

In his Budget speech in July, the Chancellor was clear:

“The historic devolution that we have agreed with Greater Manchester in return for a directly elected Mayor is available to other cities that want to go down a similar path.”—[*Official Report*, 8 July 2015; Vol. 598, c. 329.]

All of that is reflected in our manifesto commitments to “legislate to deliver the historic deal for Greater Manchester”

and to

“devolve far-reaching powers over economic development, transport and social care to large cities which choose to have elected mayors.”

**Mr Kevan Jones:** I would like the Minister to clarify something. As he knows, the north-east combined authority area is not a metro area, because it covers a large rural area. He said that the agreement is between the combined authority and the relevant Minister, but the insistence so far from the Secretary of State has been that the only way the north-east combined authority will get devolution is if it has an elected mayor. Is the Minister now saying that there is an option for devolution without an elected mayor for the north-east?

**James Wharton:** The hon. Gentleman will recognise from the quote by the Chancellor that I just read out that where areas want significant devolution on the scale that Greater Manchester has and where they have metropolitan areas at their heart, the Government will ask for that requirement to be part of that deal process. However, nothing in this Bill will allow the Government to compel any area to have a mayor or to have devolution. This is an enabling piece of legislation. The hon. Gentleman is absolutely right that in the deal that we are discussing

[James Wharton]

with the leadership in the north-east area—all of it from his party—there is that expectation and requirement, and it is a deal on which great progress is being made.

**Andrew Stephenson** (Pendle) (Con): This point was covered very well on Second Reading. My hon. Friend may remember the speech of my hon. Friend the Member for Gloucester (Richard Graham) about who is in charge. Many members of the public cannot answer the question about who is in charge of their area. If we are devolving significant powers, surely it is right and proper that we have one person who is accountable to the people in that area.

**James Wharton:** My hon. Friend makes a very good point. If we want to drive forward the opportunities that devolution presents, the best model to use in many areas is that of metro mayor. We will have an answer to the question: who do I ring when I want to speak to the north-east, to Tees Valley and to Manchester? We will have a person who can bring together those opportunities and drive the potential that this devolution agenda delivers.

**Ben Howlett** (Bath) (Con) *rose*—

**James Wharton:** I will give way for the final time for the moment.

**Ben Howlett:** I thank my hon. Friend and the Secretary of State for the reassurance that was given to my hon. Friend the Member for North East Somerset (Mr Rees-Mogg) that we in the west of England will not have a mayor forced on us. Does he not agree that having that clause taken out needs to be looked at on Report?

**James Wharton:** Perhaps I need to be clearer about the impact of this clause. This clause would put at risk some of those deals already done. It would leave them open to legal challenge and put in jeopardy the devolution packages that those areas expect, the deals they have made with Government and the commitments that we made in our manifesto. I am in danger of repeating myself excessively, but I will again point out that no area can have a mayor or devolution forced upon it. This is enabling legislation that allows us to deliver our devolution obligations.

**Jon Trickett** (Hemsworth) (Lab): Is the Minister saying that he has entered into draft deals for which he has no legal powers and for which the Bill as presented on Second Reading gives him no powers? Is he also saying that without driving this amendment through this afternoon, he would not have had the legal powers to enter into the deals that he has done so far?

**James Wharton:** What I am saying is that, if this amendment is not made, deals with areas including Greater Manchester and the Sheffield city region would potentially be at risk; they would be open to legal challenge. The whole point of this Bill is to enable us to deliver on the deals that we are making with areas. That is the whole reason why we need this legislation. If we were able to deliver those deals without it, we would not be here debating it in this Committee today. I do not think that the loss of those deals is an outcome that many would wish to see. I therefore commend to the

Committee the amendments that we need to make to ensure that we can deliver on our manifesto commitments and on those deals that we have made.

I now wish to consider amendment 51, which was tabled by my hon. Friends the Members for Hazel Grove and for Shipley (Philip Davies). It provides that a combined authority mayor can be established only after a referendum. Our manifesto commitment states that we will

“devolve far-reaching powers over economic development, transport and social care to large cities which choose to have elected mayors.”

We are committed to cities making the choice for a mayor, but, as I have made clear, a mayor will not be imposed anywhere. This principle of choice is a principle which I am confident that my hon. Friends accept.

**Karin Smyth** (Bristol South) (Lab) *rose*—

**James Wharton:** If the hon. Lady will let me make a little progress, I will give way to her soon. I know that she has been keen to get in.

In the traditions of our democracy—the traditions of a representative democracy that go back to the days of Edmund Burke if not before—it would be curious if that choice could not be made by those elected at the ballot box by the people of the city to represent them. That is the approach that is provided for in the Bill. The Bill specifically provides that each council in the area must consent to any order establishing a combined authority mayor. There is a good precedent for such an approach. A council can decide to establish a directly elected mayor for its area now. It was Liverpool City Council, which, in 2012, decided that Liverpool should have a directly elected mayor. If one council can decide to have an elected mayor, why cannot a group of councils decide to have a mayor over their combined area?

To require a referendum to be the only way for a combined authority to have a mayor would seem not fully to recognise the role that those democratically elected can legitimately have. The choice at root, as Greater Manchester has shown—

**William Wragg:** I am very grateful to my hon. Friend for giving way. He is proceeding with great courtesy, erudition and charm in this debate. Just on that point of the referendum in Greater Manchester, there were constituent parts of Greater Manchester that had referendums in 2012 on whether to have directly mayors and they rejected them. In part, that is my motivation for the amendment.

**James Wharton:** My hon. Friend raises an important point. He gives me the opportunity to clarify again the difference between the local authority mayors, of whom we have talked before, who took powers up and away from people, and the metro mayors who take powers down towards people and away from central Government and public bodies. It is an important distinction and one that is at the heart of the difference that explains the approach the Government are taking to my hon. Friend's concerns.

As Greater Manchester has shown, the choice at root is whether or not to have wide-ranging devolution. If the choice is for devolution, it goes without saying that there must be accountability arrangements commensurately strong for the scale of powers being devolved. Holding

a referendum on the narrow question of whether there should be a mayor risks not fully recognising the choice that is to be made. In short, our democratic traditions do not demand the approach provided for in amendment 51. Indeed, the approach we have in the Bill of the choice for a combined authority mayor being made by councils is exactly the same approach that is open to councils for choosing a local authority mayor—accepting the difference that I have already explained in my comments to my hon. Friend the Member for Hazel Grove about these powers coming down from central Government. Accordingly, I hope that this amendment will be withdrawn.

**Karin Smyth:** I wish to come back later to make some other points, but let me raise now this issue of two-way opportunity and choice for local people, which I very much welcome. Bristol does not have the opportunity to reverse the decision it made in 2012, which is a fundamental principle of democracy and accountability. I am interested to hear whether the Minister will support clause 21, which has come from the Lords.

**James Wharton:** I hear what the hon. Lady says and that issue will be given a great deal of consideration. I will comment on the matter later in the course of the Committee, but the message has been heard loud and clear by Government. As I said in my opening remarks, we are keen to find consensus where we can on this agenda. I hope that at this stage, subject to the debate that might take place, that will sufficiently reassure the hon. Lady so that she can await those discussions in due course.

**Nigel Mills** *rose*—

**James Wharton:** I cannot give way to my hon. Friend, because I must make some progress. I apologise to him, but there will be opportunity throughout today to discuss this matter.

I doubt that it would be right to accept this amendment, but we shall of course listen carefully to the debate, both on this amendment and on the amendments of my hon. Friends the Members for Hazel Grove and for Shipley. We recognise the strength of feeling and we want to find a way to ensure the broadest possible support for this legislation. I have put on record the Government's views and the concerns that we have to the proposed approach, but we will of course listen to what is said later on today.

Amendment 46, which is in the name of my hon. Friend the Member for North East Somerset (Mr Rees-Mogg), seeks to prevent the ceremonial county of Somerset—the administrative county of Somerset and also the two unitary authorities of Bath and North East Somerset and North Somerset—from adopting arrangements that include a mayor for the area of the combined authority. There are two difficulties with the amendment. I suspect that my hon. Friend will speak to the amendment later, and I will listen intently to the comments that he makes. The first is that it would single out Somerset, Bath and North East Somerset and North Somerset as some kind of special case.

**Mr Rees-Mogg:** They are a special case.

**James Wharton:** Although those places are indeed special, the amendment is completely at odds with the generic, enabling provisions of the Bill. To recognise the unique character of an area is not to seek to exclude it

from the enabling provisions. Rather, it is through those enabling provisions that we can recognise the particular character of Somerset along with the particular character of any other area. That is at the heart of the Government's flexible approach—the bottom-up approach—of delivering devolution that is bespoke to the areas that want it.

Secondly, the amendment would rule out the Somerset authorities from having the option of adopting one of the models for strong and transparent governance that is available. Clause 3 enables an area to adopt the model of a combined authority mayor, but it will be for the councils themselves to decide whether they wish to move to this form of governance. We will not impose devolution on anyone, but it should be possible for everyone. I look to my hon. Friend the Member for North East Somerset to withdraw his amendment, but I will listen with interest to the comments that he makes.

I also want to comment on amendments 53 and 56, which are tabled in the name of the hon. Member for Nottingham North. Amendment 53 seeks to extend the Secretary of State's powers under the new section 107A, so that in addition to providing by order for there to be a mayor for a combined authority area, provision could be made in certain circumstances, following a proposal from the constituent authorities, for some other governance and accountability structures for the combined authority area. Amendment 56 seeks to provide that, where such other governance structure has been provided, the combined authority would be a major precepting authority, as it would be if there were a mayor for the combined authority area.

In general, I have some sympathy with what might be seen as the underlying idea of those amendments, which is to introduce some greater flexibility, but in this case I am not persuaded that this is the right approach. The amendments risk being seen as an attempt to hold out the possibility of some governance arrangement that does not have that sharp single point of accountability. Although we have been clear that the Government wish to impose that accountability on no one, it will be a requirement for those deals that are similar in their scope and ambition to that with Greater Manchester.

**Mr Graham Allen:** The Minister is being very generous in giving way. May I take him back to the point made by the hon. Member for Bury North (Mr Nuttall) about making arrangements that can be flexible and allow evolution, particularly of the larger areas that will be devolved? I know that Core Cities are particularly interested in this concept. It could be the equivalent of a pre-nup agreement with a smaller authority before it comes into full membership, almost like with the EU where there is a trial period, to see whether people get on before taking it forward as consenting authorities.

**James Wharton:** I hear the hon. Gentleman's thoughts and recognise the intention behind the amendment. I will listen carefully to his comments later and will look to find consensus where we can to ensure that the safeguards that all Members want to see are included while ensuring that we deliver on this agenda and on the manifesto pledge made by my party at the election, only six months ago.

I am conscious that a number of hon. Members wish to speak, so I shall try to move through some of the other amendments reasonably quickly. Amendment 57



[James Wharton]

is tabled by the shadow Secretary of State and his colleagues and requests that a gender balance must be considered when the mayor appoints a deputy. I gently remind those on the shadow Front Bench that this approach was considered for the leadership of their party and rejected. The mayor, who will have a democratic mandate to govern, needs to be able to determine who will best assist him or her in delivering on the promises they have made to voters. That person should be the best person, regardless of gender, and I asked that the amendment is withdrawn.

1.30 pm

Amendments 43 and 44 are tabled in the name of my hon. Friends the Members for Altrincham and Sale West, for Hazel Grove and for Bury North. Amendment 43 seeks to enable an individual local authority to leave a mayoral combined authority without the need to dissolve and reform the combined authority and provides that where that occurs, the resource is split according to a fair and proportionate division. Amendment 44 would require the Secretary of State to abolish and reform the combined authority when a constituent council wishes to leave. One of the benefits of establishing a combined authority is the long-term stability it offers for the area it covers and the duties it has. These are statutory bodies and that long-term stability is important, but I understand Members' concerns about how changing circumstances could lead to changes in how the local area would want to work, the geography over which a combined authority should be formed and the functions it should have. I will listen carefully to the comments they make later in the debate.

**Andrew Gwynne** (Denton and Reddish) (Lab): On the question of dissolving a combined authority, will not the difficulty always be that pooling and sharing arrangements will have been put in place and borrowing arrangements will have been made that a constituent authority might not easily be able to exit? That would make the long-term stability of the combined authority very uncertain were the amendment to be passed.

**James Wharton:** The hon. Gentleman makes a salient and important point. The Government will not support the amendment for that very reason, but I will listen carefully to the speeches that are made because it is important that we address concerns to the fullest extent to which we are able without attracting from the intention of the Bill and the intention of the Government to deliver on our agenda.

Clause 3 provides flexibility to enable a single local authority to leave, in line with the comments that the hon. Gentleman has just made, if it does not wish to continue to be part of a combined authority. A council can also leave a combined authority once a mayor has been elected for the area of a combined authority without the need for the combined authority to be dissolved and reformed, using exactly the same process as is used to establish such an authority of undertaking a governance review demonstrating that the change would improve the exercise of functions. In addition, a council that wishes to leave a combined authority can do so if it obtains consent from the other constituent councils of the combined authority, and if there is one,

the mayor. Again, I will listen carefully to the comments of hon. Members with a view to finding a position that can get broad agreement across the House as the Bill makes progress.

Amendment 39 is tabled by my hon. Friend the Member for Amber Valley (Nigel Mills). It applies to circumstances in which a combined authority is proposed and seeks to require that no order can be made for a combined authority unless local government electors have been consulted on replacing the existing county councils and district councils with unitary authorities. That moves away from the flexibility we want to be to deliver and puts conditions on deals that we might want to make but that we do not necessarily want to impose. Again, I will listen very carefully to my hon. Friend's comments later on in today's discussions.

**Mr Betts:** Will the Minister also listen to the problem in the districts in north Nottinghamshire and north Derbyshire? They are part of the Sheffield city region for economic purposes under the proposed deal but not for transport purposes, because in order to come under the mayor's jurisdiction they need the permission of the county. Equally, the districts have to give their permission to join a county combined authority. This is a really complicated situation that needs resolution with Government help.

**James Wharton:** We will consider both the specific situation that the hon. Gentleman raises and more generally its application to our policy direction. I will listen carefully to the comments made in the rest of today's debate.

Amendment 18 to 22, 27 and 28 are technical and simply provide that where the Secretary of State has powers in relation to electoral matters, those powers may also be exercised by the Chancellor of the Duchy of Lancaster. The provisions are similar to those in other legislation regarding local electoral matters, such as the election of mayors under the Local Government Act 2000, and ensure that the rules made on the election conduct of elections are consistent over wider electoral landscape. I hope that the explanation I have been to give in the time available adequately and sufficiently explains the Government's position. I reiterate our commitment to listen to the comments of hon. Members and to build as broad a consensus as we can.

**Mr Betts:** I want to make a very few points, because I know that other Members want to speak, particularly my hon. Friend the Member for Nottingham North (Mr Allen), who has tabled a number of amendments and has a long track record of constructive engagement in matters of constitutional reform and devolution of which I am very supportive. He did excellent work on that in the last Parliament.

My first point is about the question of elected mayors and takes me back to the point I made on Second Reading. If the Government are committed to considering bespoke arrangements on devolution for particular parts of our country and considering requests from combined authorities—groups of authorities voluntarily coming together and proposing what they want to see devolved—why do we need one element of imposition in all this? Why do we need one element that says that they can have the powers they come up with providing that

agreement is reached but that they must exercise them in a particular way and that there is no ability to discuss that or come to a different view? I find it completely inconsistent with the rest of the Government's approach.

I do not know why the Government are so insistent on having a mayor as a solution. If it was left to the combined authorities, they would come up with different arrangements. The arrangement in Sheffield has been negotiated not because the combined authorities wanted it but because they were told that they had to have it or else they could not have devolution. That is the situation.

**Mr Graham Brady:** I absolutely agree with the thrust of the hon. Gentleman's remarks. Does he share my view that the element of imposition in the proposals means that there is a danger that the devolution proposals put in place will enjoy lower levels of support than they otherwise might if communities had been properly consulted and allowed to choose their own models of governance?

**Mr Betts:** The right hon. Gentleman is absolutely right. Of course, the whole principle of the devolution that the Government propose, which I support, is that areas should come forward with their own ideas about what they want to see devolved. Why should they not also come forward with their own ideas about how that devolution should be exercised and about the governance arrangements for it?

**Mr Kevan Jones:** I agree with my hon. Friend, but it is obvious why the Government want mayors. In certain areas—in his area and in others—they are hoping to break up the powers of locally elected Labour local authorities in the hope that if they have an elected mayor, they will either get an independent or someone who claims to be independent but is actually a member of the Conservative party.

**Mr Betts:** I would not want to second guess the motives of the Secretary of State, so I will use my own arguments to resist what the Government are trying to do.

Apart from the inconsistency of approach, the proposals are confusing. That takes me back to the point I made in my intervention on the Minister. In the Sheffield city region the economic powers, which are important and cover skills, economic development and the infrastructure associated with it, are to be devolved to the combined authority, which will cover nine districts—four metropolitan and five non-metropolitan districts. But as I understand it from the deal, the mayor will have responsibility for just transport. So the mayor is to run transport, and the combined authority is to run economic development. The public want some consistency of approach on these matters. I do not believe that the combined authority, the district, would naturally have come forward with a proposal that broke up the responsibilities in this way.

**Andrew Gwynne:** My hon. Friend is making a powerful case. The difference between his deal and the Greater Manchester deal is that the Greater Manchester deal is within a single metropolitan county, so functions such as police and eventually fire and rescue can also be devolved to the Mayor's office.

**Mr Betts:** There is a big difference in the Manchester case. I am not arguing that Manchester should have a mayor imposed on it. If Manchester wants that, that is

a matter for it, but it is different. In Sheffield we have hybrid devolution, with transport going to the mayor, but the mayor is not going to cover the nine districts. The mayor will cover only four districts—the old south Yorkshire districts—so how are people to understand the devolution deal, which has one set of governance arrangements for economic powers and skills, and another set of governance arrangements for transport, where one set of governance arrangements covers four authorities, whereas the other set covers nine?

The whole purpose of combined authorities is to bring local authorities together on a voluntary basis to cover a travel to work area—the natural economic entity—yet transport, the mayor and the associated powers will not cover the whole travel to work area of Sheffield. This is a real dog's dinner. It is not going to work, and it is certainly not going to be understood by the public.

That leads me on to my second point. There is a problem with mayoral imposition, which in Sheffield's case will not cover all five areas. Other districts can choose to join the arrangements for mayors if they wish. My understanding—I may be wrong—is that the districts of north Derbyshire and north Nottinghamshire, which are part of the Sheffield city region, are going to join the combined authority, which they are part of, for the economic powers. However, for transport powers to be devolved to those areas through a mayor, those districts will not merely have to agree, but they will have to get the county, which is the transport authority, or two counties, to agree as well. Does the county have a veto over what happens to devolution in the Sheffield city region?

This is not workable. At the same time as the Sheffield city region has a mayoral possibility, Derbyshire and Nottinghamshire are looking at having a joint combined authority, which would have a mayor as well. As I understand it, the mayor can exist for the districts of north Derbyshire and north Nottinghamshire only if those districts agree to the county mayor for Derbyshire and Nottinghamshire being created. So they have a veto over that. At some stage, surely, Ministers have to take some responsibility for coming forward with proposals to sort out this mess, or it will stop devolution working effectively in these areas.

**David Rutley (Macclesfield) (Con):** As the hon. Member for Macclesfield on the other side of the Pennines, I understand the hon. Gentleman's concerns and enjoy working with him on the all-party parliamentary group on national parks. Does he agree that one of the fundamental points of having a mayor is to achieve clear accountability? The lesson from London is that probably the greatest accountability the Mayor has is for transport. At a local level, surely much of the work needs to be done to bring the partnerships together. It cannot all be imposed by the Minister. It has to be about dialogue, which may sometimes be uncomfortable, at a local level as well.

**Mr Betts:** I understand that argument, and it would be a lot easier to accept it from the Government if there was clear accountability and a clear understanding of what was happening, and if I had not just had to explain the situation in Sheffield city region, which has neither clarity nor accountability. Transport arrangements

[Mr Betts]

are to be devolved to a mayor who does not cover the whole travel to work area. That is not clarity or consistency, and it will not work.

Big issues are involved. I see the hon. Member for Carlisle (John Stevenson) in his place. We had discussions in the Select Committee, of which he was a valuable member in the previous Parliament, and I know he has clear views about moving towards unitaries if we are to have a combined authority that works. Otherwise we will have districts, counties and combined authorities, as well as parishes in some areas. I am not sure that that amounts to easy-to-understand government. The hon. Member for Amber Valley (Nigel Mills) has raised some interesting issues. I am not sure about his solution, but there is a problem, for which Ministers have to accept some responsibility.

I realise that others wish to speak. On the amendment tabled by my hon. Friend the Member for Nottingham North, I hope the Government will listen to the idea of some sort of independent body to look at these issues. That was discussed by our Select Committee last time. If there is genuine disagreement between central Government and local government, an independent body could bring the two sides together and produce a report for Parliament to consider. In the end it is not just about Government agreeing these deals; it is about Parliament taking a view where there is disagreement. Even if Ministers are not minded to accept the amendment today, it is an interesting idea to which they might give some thought.

Finally, we cannot legislate for double devolution because in the end, devolution has to allow areas to do things their own way, but there is a role for Ministers, parliamentarians and the LGA to get the message across that devolution does not stop at the town hall door. Where powers are devolved to local authorities, it is for them to move those powers into communities and to engage with communities in a positive way to make devolution happen even further down the line.

1.45 pm

**Nigel Mills:** It is a pleasure to speak in the debate, and I shall speak to amendment 39 in my name. The purpose of the amendment is not to divide the Committee, but to ask how these devolution deals will work in areas that have a partly unitary and partly two tier authority structure. It is not clear that that is an effective or desirable situation for various reasons.

The reason for proposing a consultation with local people is that I am not sure there will be much enthusiasm among local people to pay for three different tiers of local government. It is confusing. They have no idea now which council does what. In Heanor in my constituency, for example, people elect 21 town councillors, they elect councillors to a borough council that has 45 councillors, and county councillors to a county council that has 64 members. How many more people do they need to represent them on these issues?

It is worth having an open consultation. There has been too little information and consultation with the public on the Government's proposals, and I fear that my constituents will wake up one morning and find that they are part of an elected mayor area, together with the constituents of the hon. Member for North East

Derbyshire (Natascha Engel), who is chairing this debate, and of the hon. Member for Nottingham North (Mr Allen), without any of those constituents realising that that was going to happen.

I am not sure many people feel there is a natural community that covers the whole of those two counties or that they wish to be part of such a local government unit. I suspect that paying for three tiers, plus town and parish councils, will not be popular, so before the proposals are implemented people ought to have a say about whether they would rather have only one of the two existing tiers. That would be a more easily understood and more cost effective local government structure.

The reason for proposing a consultation, rather than an absolute condition that devolution could not take place and elected mayors could not be introduced without moving to unitary authorities, is that I feared that the pearl-handled revolver that the previous Secretary of State still has in his desk drawer might be drawn out and fired at me in this debate if I suggested compulsory local government reorganisation. But if we are saying to local areas, "You can choose whether you want to be part of devolution and whether you want an elected mayor," we should allow them to choose what unitaries they want. That is the next step. Three tiers of local government are not sustainable. That would focus the mind on what local government would look like and how we could best deliver these important services to our local people.

As a matter of fairness, I am not sure how a city of 300,000 people can have one leader at the table, and a county which has, say, 700,000 or 800,000 people can have nine people at the table, all with a veto and a combined authority on certain issues. If I were a member of a city council, I do not think I would see that as fair. We have a multi-level local government system which looks a bit odd. It does not help, for example, with the new homes bonus. I am not sure how business rate setting can be devolved to a two-tier area with questions over who gets to set what and who gets to keep what. There is a need to look at how local government works, and this would be the perfect time to do it. We can say to local people before they get their devolution and their elected mayor, "You tell us what you want. Do you want unitaries or do you want to keep the existing structure, with the advantages of a very local council, but with the extra cost that that brings?"

**Ann Coffey** (Stockport) (Lab): In Greater Manchester work on the devolution proposals is very advanced. Amendment 51, tabled by the hon. Member for Hazel Grove (William Wragg), would put that work on hold until a referendum was held to determine whether the public supported having an elected mayor. It would also require 50% of the population to vote yes before a mayor could be introduced, which is a high bar. The turnout in the 1998 referendum on establishing the Greater London Assembly and the Mayor of London was 34.6%. Although the turnout in the 1997 referendum on Scottish devolution was higher, the percentage of the total electorate who voted yes was less than 50%, and the same goes for the 1997 referendum on Welsh devolution.

**William Wragg:** I think that the hon. Lady has mistaken the explanatory statement, which refers to the 50% threshold, for the amendment itself. Perhaps she should pay a little closer attention to the wording of the amendment, rather than the explanation provided by the office.



**Ann Coffey:** The hon. Gentleman will appreciate that when I read an explanatory statement that says:

“The intention of this amendment is that elected mayors will be introduced only if that proposal has been endorsed, in a referendum, by 50% of the population”,

I am likely to believe the Clerks.

**Andrew Gwynne:** My hon. Friend will know that the Greater Manchester devolution settlement came from the bottom up, from the 10 councils of Greater Manchester, and the 10 leaders always intended to appoint an 11th member of the combined authority to act as full-time chair. The mayor merely becomes that 11th member.

**Ann Coffey:** I thank my hon. Friend for that intervention—his knowledge in this area is comprehensive.

As I was saying, 50% is a very high bar that is unlikely to be reached, so amendment 51 is, in effect, a wrecking amendment intended to stop the devolution of decision making from Whitehall to Greater Manchester. It is a kick in the teeth for the people of Greater Manchester.

The population of Greater Manchester is 2.7 million, and we have a shared sense of identity, even if, at the very minimum, it is, “We’re different from London.” Surely it is right that services to meet the needs of local people should be designed locally. Local people care about that much more than they do about esoteric arguments about organisational arrangements. Greater Manchester comprises 10 local authorities, 11 police divisions and 12 clinical commissioning groups. We have an opportunity to bring those resources together. Too often there are barriers to working together and sharing information and the delivery of services because of boundaries between councils and, for example, health agencies. The combined authority would bring together the strength, competence and experience of the existing local authorities and other agencies in Greater Manchester under the leadership of an elected mayor, which is supported by the 10 local authorities, so that the public can see the public face of that new devolved authority.

**Andrew Gwynne:** Of course, the point is that the Greater Manchester combined authority already exists in statute; it is a body corporate. The Bill will allow the 11th member, who chairs the combined authority, to be directly accountable to the 2.7 million people who live in Greater Manchester. Surely that is a good thing.

**Ann Coffey:** My hon. Friend is absolutely right; it is a good thing. When people talk to me—and, I am sure, when they talk to him—and ask who they can go to, to them having a mayor makes perfect sense.

Of course, there are outstanding issues with regard to health, but there is nothing in the Bill that will take away from the people of Manchester the right to national health services enjoyed by people elsewhere. The problem in Greater Manchester is the fragmentation of health, so it is good that these proposals will help reduce the number of commissioning organisations and allow providers to work together in a more collaborative way for the benefit of local people. However, we need a funding settlement that gives greater flexibility in developing high-quality health and social care services in the community across Greater Manchester as an alternative to hospital admissions, and at the moment it is difficult for each clinical commissioning group to free up resources in order to do that. Without that investment, the demand

for expensive hospital care will continue. The authority cannot simply be a bank that hands out money under the current funding arrangements.

There has been a lot of talk about accountability, but in my experience accountability is at its best when well-informed elected representatives, such as my hon. Friend the Member for Denton and Reddish (Andrew Gwynne), demand answers and are willing to make their case loudly and publicly. No complexity in the arrangements for governance can take the place of that, and that is the accountability that the public expect us to ask for.

Last year I did some work looking into child sexual exploitation across Greater Manchester, at the request of the police and crime commissioner, Tony Lloyd, and following that I published my report “Real Voices” last October. Talking to children at risk of child sexual exploitation, it is absolutely clear that they do not observe local government boundaries, health boundaries or police boundaries, and neither do their predators. The digital age has redefined boundaries. A lot of progress on that has already been made across Greater Manchester. In particular, I want to congratulate Project Phoenix, a cross-boundary, multi-agency response to child sexual exploitation across the whole of Greater Manchester, which is working to ensure that child victims receive the same standard of response regardless of where they live. It has also initiated a very successful “It’s not okay” campaign to build public awareness of child sexual exploitation and help young people recognise when they are being groomed. It is clear that work on this crucial agenda will be enhanced by more devolution powers for Greater Manchester. We must overcome the silos and boundaries that prevent people working together to protect children from abuse.

Amendment 51, if passed, would be a kick in the teeth for the people of Greater Manchester and their children, who have felt for years that their voices have been ignored by Whitehall and Westminster. Devolution and the creation of a mayor offer the opportunity to the people of Greater Manchester to develop services that reflect their priorities and needs. We should take that opportunity and be positive about the opportunities we are being offered.

**Mr Brady:** I am pleased to have an opportunity to participate in this brief debate in Committee. We have already had some useful exchanges, and my hon. Friend the Minister has, as usual, been courteous and helpful—I am sure that he will be even more helpful before the end of our proceedings.

The hon. Member for Stockport (Ann Coffey) spoke with obvious passion, and we all very much appreciate the work she did on child sexual exploitation, but I want to pick up on the point she made right at the end of her speech, despite my hon. Friend the Member for Hazel Grove (William Wragg) making it clear that amendment 51 would require a simple majority in the referendum, whatever the explanatory statement might say. I think that she can relax about the prospect of any kick in the teeth for local people.

**Ann Coffey:** I understand from my hon. Friend the Member for Nottingham North (Mr Allen), who is very knowledgeable in these matters, that it is the Member who writes the explanatory statement for an amendment, not the Clerks.

**Mr Brady:** I should not speak for my hon. Friend the Member for Hazel Grove in this instance, although I will put on the record my gratitude to the Clerks for their assistance in drafting the amendments and explanatory statements that stand in my name. I will speak briefly to amendments 42, 43 and 44, allude to amendment 51—I am sure that my hon. Friend the Member for Hazel Grove will speak to it in due course—and comment on Government amendment 4.

**Mr Nuttall:** I want to try to clarify the point about the 50% threshold. In a referendum in which the electorate vote either yes or no, what we are trying to make clear is that it would have to have the support of over 50% of the people voting in the referendum. It is no more complicated than that.

**Mr Brady:** I am grateful to my hon. Friend, who expresses the matter clearly and succinctly.

We have already shed light on a number of important things. I particularly welcome the Minister's reassurance, which is important to those of us who are evangelists for devolution for the Greater Manchester area, that in due course, when it has proved as successful as we all hope it will be, some of the neighbouring authorities such as Cheshire East Council—I am delighted to see my hon. Friend the Member for Macclesfield (David Rutley) here—might apply to be part of the journey to this great new world on which we are embarking. I am sure that he would not be alone in wishing to come and join us.

2 pm

**David Rutley:** I have great respect for my hon. Friend, who is indeed a great friend. Like him, I would absolutely love to see devolution succeed in Greater Manchester, in partnership with authorities in the counties around it, including East Cheshire unitary authority.

**Mr Brady:** I am glad to have enabled my hon. Friend to speak for himself.

Amendment 42 seeks a very simple and not terribly onerous change. It would simply require the Government to report annually on how they have exercised their functions in order to demonstrate that they have not themselves exercised any of the devolved functions that rightly belong with the combined authority or the mayoral authority. There might be better ways of doing this, and I hope that my hon. Friend the Minister will put forward his own proposals in due course. However, the underlying point is that although the Government have been very pleased to place obligations on local authorities through the process of forming agreements or deals, as the Secretary of State likes to term them, very little in the Bill as it stands provides any mechanism to hold the Government to account and ensure that they fulfil their side of the bargain. I think that would be welcomed by everybody who is an evangelist for devolution—as I am sure we all are.

The Minister alluded to amendments 43 and 44, which seek to provide an easier route for exit. I happily accept that, as the hon. Member for Denton and Reddish (Andrew Gwynne) said, it would be very difficult for any authority to leave a combined authority, especially a mayoral authority, at some point in the future. An enormous number of functions, agreements, financial obligations and so on will bind local authorities together,

increasingly so as the years pass, and therefore no local authority would do this lightly. However, the ability to leave, should the devolution arrangements not work in practice for any one or more of the local authorities in an area, is, in some ways, the ultimate guarantee that no abuse should take place. It is particularly important that we should have such a safeguard if we reach the end of our deliberations without a referendum lock in place. If the public are not to be given the choice as to whether they want to have the elected mayor and this new structure of governance put in place over them, surely there must be a safeguard so that if, at a future date, the new arrangements were not working for the people of Trafford, Bury, Stockport or Bolton, they could seek to leave, without penalty, to find a new way of providing services and representation to the local community.

Amendment 51 calls for a referendum test to be passed. This also relates to Government amendment 4. I think the only reason the Government are so determined to overturn the amendment passed in another place which seeks to prevent conditionality—local authorities being told they are allowed to have devolution only if they accept the model of an elected mayor as a condition—is that negotiations in Greater Manchester have moved as far as they have under those conditions. It seems wrong that the Government are expecting local authorities to accept a particular model of governance as the price for this kind of devolution settlement, particularly if the Government do not have the self-confidence to consult the people and to believe in their own argument such that they could persuade the public that it is something they ought to welcome. This is the ultimate test of the Government's arguments. The Minister is a very persuasive man, as we have seen in the Chamber today. I am certain that with his enthusiasm, charm and powers of persuasion, he could go out and sell this proposition to the people of Greater Manchester, and perhaps to those in Sheffield and other parts of the country. I wish that he would have the confidence in his own abilities that we all have.

**Nigel Mills:** I am sorry, obviously, to interrupt the much deserved flattery. Does my hon. Friend accept that, especially in areas outside Manchester, none of the council leaders proposing these deals has been elected on such a mandate? I do not recall that in the 2013 county council elections there was any suggestion of "Vote Labour and we'll try and create an elected metro mayor for Nottinghamshire and Derbyshire combined." I agree with local decision making and I support these changes, but there is no local electoral mandate for them.

**Mr Brady:** I absolutely agree with my hon. Friend. In my Greater Manchester constituency, the level of knowledge of what is being proposed on changes in governance is still remarkably low. Certainly, it was not a significant feature of the general election campaign or the last local election campaign. We need to try to create a better level of knowledge and engagement.

**Graham Stringer** (Blackley and Broughton) (Lab): It is correct that no political party has so far campaigned on a metro mayor, but can the hon. Gentleman tell me of any political party, in Greater Manchester or elsewhere, that has ever campaigned on more power for central Government? In fact, the opposite has always been true.

Having written Labour party manifestos several times, I know that political parties have always asked for more decentralised power.

**Mr Brady:** The hon. Gentleman and I agree in a distressingly large number of circumstances, and I absolutely agree with what he says now. Most of us are very firmly in favour of the devolution of powers from central Government to a level closer to the people, but we are discussing the mechanism for governance and whether people should have the right to consent to changes in that mechanism.

My hon. Friend the Minister says that this is a necessary package. Clearly, the position that the Government are seeking to establish is one where we can have these levels of devolution only with the particular type of accountability that comes through a directly elected mayor. In that case, does he not believe that that can be put to the people of Greater Manchester as a package? If the benefits of the devolution package are sufficiently good to make it an attractive proposition—if enough of the powers that the hon. Member for Blackley and Broughton (Graham Stringer) and I would like to come closer to the people are being devolved—perhaps even those who are sceptical about the elected mayor model might accept it as a whole. I hope that the Minister, in looking at how the Government might more effectively take on board the views of local people, will consider that possibility as well as the one we have put before the Committee in amendment 51.

**Mr Graham Allen:** Before I begin, I should inform the Committee of the breaking news that our good friend Michael Meacher, the right hon. Member for Oldham West and Royton, has passed away. He was a good friend to many people in this House, and I am sure there will be an appropriate moment for us all to pay tribute to a fine parliamentarian and good friend.

This is my first opportunity to put on record my gratitude and the thanks of the House to my hon. Friend the Member for Stockport (Ann Coffey), who seized the opportunity to produce a magnificent report on areas in and around her constituency. I hope she will take great pleasure in the fact that the Government are now actively considering creating a What Works institution to address the sexual abuse of children. It will ensure not only that people are not victimised, but that perpetrators do not repeat their offences. I hope she feels that her work has been rewarded. I know that was not what she was looking for, but she put a great amount of energy and thought into a very difficult subject.

Turning to the Bill, I want us to think about where we might be in 2020. As I said on Second Reading, I suspect there will be at least one more devolution Bill—possibly two—so the Bill under discussion is getting the ball rolling, and as we progress I think that many of the edges to which Members on both sides of the Committee have rightly referred will be knocked off.

If the Government were minded to approve the 38 bids they have received, that would give devolution to about 80% of English local authorities. There is, therefore, not a lot more to do in terms of taking coverage further, but there is a lot more to be done in a number of specific areas. I hope that the Minister, who kindly said he would listen carefully to my remarks on my proposed amendments, will be able to use them and others to ensure that we get a practical devolution settlement that

sticks and delivers for people. That cannot happen under this Bill, which is about beginning the evolution of the process. I commend the Government for that.

I am pleased to see present one colleague from the Scottish National party, the hon. Member for Glasgow Central (Alison Thewliss). Whatever our differences with the SNP, it is not the only party that got votes in Scotland at the general election, although one could be forgiven for sometimes thinking that that was the case. In fact, if we were operating under a proportional system, many more Labour, Conservative and Liberal Members of Parliament would be representing Scotland.

Putting that aside, we can learn a great many things from the package given by the Westminster Parliament to Scotland after intense negotiations. It could be used as a template for further English, Welsh and Northern Irish devolution. We should try, with a lot of humility, to understand how the package—which resulted from negotiations prior to the referendum—works, how it came about and how it could be applied to the rest of the UK. The answer to any argument in favour of separatism is that everybody in the United Kingdom should enjoy the maximum amount of devolution and run as much of their own affairs as possible, whether that be nationally—as in Scotland, Wales, England and Northern Ireland—locally, or at the level below that of the local council.

**Jonathan Edwards:** I am grateful to the hon. Gentleman for tempting me to intervene on him. Does he share my disappointment with the draft Wales Bill, which was published with much fanfare yesterday, but which pales into insignificance when compared with the powers made available to Scotland? The ad hoc nature of devolution across the UK is inherently unstable. Of course, my hon. Friend the Member for Glasgow Central (Alison Thewliss) and I want to go further than the Scottish settlement, but surely that is the benchmark we should be working towards.

**Mr Allen:** Unless there is a written settlement, there has to be an evolutionary settlement and someone has to pile in first, make the breakthrough and be a pioneer. In terms of the nations of the United Kingdom, that has been Scotland. All those who contributed to that devolved settlement—including, obviously, Donald Dewar, but also the Scottish Constitutional Convention and many others in civic society—deserve acclaim for their achievements. It is up to the rest of us, whether we are in Wales, England or Northern Ireland, to go through the gap and say, “Devolution is a great thing.” It is not an expedient to buy off Scotland, but a matter of principle that should be applied equally, and at an appropriate pace, to Wales, England and Northern Ireland.

2.15 pm

My argument is exactly the same with regard to Manchester, which has established the principle. It spent 14 years establishing this bridgehead and it deserves every accolade possible. The rest of us in England should take strength from what it has done. I am sure it is far from perfect—it would be impossible for it to be perfect at first gasp—but we will be working on this issue for another 10 or 20 years. We should follow through and make sure that those other English authorities that have made devolution bids get similar, appropriate deals. As I have said, they account for about 80% of the population.



**Mr Kevan Jones:** My hon. Friend talks about the principles of devolution, but one of the key factors as to whether it will work will be the proper and fair allocation of resources. This Government have a track record of devolving responsibility to local authorities while at the same time top-slicing their budgets. Is not my hon. Friend concerned that this Government, who are committed to a small state, will devolve not only responsibility without resources, but blame for cuts?

**Mr Allen:** My hon. Friend makes a very sound point, of which we should all be wary. We need to break that system so that we are able to go with the begging bowl and say, “We can prove we need a little bit more than anyone else,” and take as much control as possible of our own areas and resources. The amendments I have tabled seek to achieve that. The localities need their own tax base and powers. Those powers also need to be entrenched so that they cannot be sucked back by any Government—by that black hole of magnetic force we call Whitehall—unless they are able to demonstrate that their stance can be defended constitutionally, as explained in a couple of my amendments.

We need not be afraid. As well as the tremendous example of what has happened in Scotland, we have the example of what happens in every other western democracy. People in western Europe and north America take as given the independence of their locality, state, region or *länder* from the centre. They cannot be told what to do. The idea that the President of the United States could tell the states of New York and Georgia how they should spend their money is laughable, as is the idea that all the money in individual areas in Germany, Italy and Scandinavia should go to the centre and then be redistributed. They would think we were crazy if we proposed that system for them, yet that is the system we operate for ourselves. We are the oddities—we are the odd ones out.

We need to mature as a democracy. Sometimes I think our democracy is a bit frail and feeble, but actually it is underpowered: we do not have enough of what other nations in the western world have and we are unable to take steps forward. That is why I welcome the Bill in general, but I want to propose a number of other steps for the Minister to take either now or, perhaps more realistically, in the next devolution Bill.

**Alison Thewliss (Glasgow Central) (SNP):** Does the hon. Gentleman agree that the difference between the United Kingdom and many other countries is the lack of citizen engagement with the democratic process in this country, and that if devolution is to be properly embedded and truly work, people must be engaged at grass-roots level?

**Mr Allen:** I do, but I gently suggest that the hon. Lady does not push me too far on that point, because she will push me into talking about what the SNP has done to local government in Scotland. One of my new clauses, which may go some way to meeting her point, would entrench the rights of authorities below local councils—neighbourhood, community and parish councils—so that they too can have clear rights.

The hon. Member for Amber Valley (Nigel Mills) has left the Chamber, but people do get confused if there are lots of different tiers and nobody quite knows who does what. If the parish council looks after grass verges,

everybody gets to know that and those who are interested can ask questions at that level. If the electrification of the midlands main line or the refurbishment of the M1 motorway is the responsibility of the combined authority for Nottinghamshire, Derbyshire, Nottingham and Derby, people will get to understand that mechanism. We could spend a lot of time talking about combined authorities. Let us let evolution take place and let us make sure, as part of that evolution, that, if we manage to secure this immense gain and step forward of going from Whitehall to town hall, we also go to the level below the town hall.

Entrenchment sounds like a very technical, dry constitutional question, but it is what just about every other country has. Just in case we ever got an unpleasant or tyrannical central Government of any political party, a local area would have justiciable rights to say, “I’m sorry. You cannot do that. You cannot impose that on us. We are an independent unit, with just as many rights as central Government.” Those rights might include the right to raise its own money, issue bonds or whatever it may ultimately be during the next five or 10 years as we catch up with the rest of Europe. Such entrenchment cannot be obtained, however, even by a Minister as benign as this one or his colleague the Secretary of State, because it is sometimes required to be in writing and to be defended.

The object of my new clause 1 is to defend the progress that the Minister and the Secretary of State are trying to make so that there cannot be changes unless there is consent. There are many ways of doing that. One way is to have a super-majority in the House. If someone came along and tried to terminate the life of a Parliament, just at the whim of the Executive, it could not now be done because there has to be a super-majority. Perhaps local government is as important as the question of how long the life of a Parliament is. Another way would be to have a check and balance, as it were, perhaps with local government itself—with the LGA, or any other institutional arrangement—being able to say, “No. We’re not yet prepared to relinquish that power, so we stand where we are.” It could also be defended behind the Parliament Act 1911, which says that the second Chamber shall not stick its nose into any affairs other than—this is the only one at the moment—five-year Parliaments. We could add that it shall also defend the rights of local government and its independence from the centre. Putting such constitutional or democratic blocks in the way of an erosion of some of the very good work that the Government are doing in the Bill is very important in my opinion. I hope that that will be addressed, if not only this occasion, then in a future Bill.

**Mr Rees-Mogg:** The whole concept of entrenchment in legislation is very interesting, but it is very difficult without a written constitution. Would the hon. Gentleman like to move to a written constitution to be able to entrench such powers?

**Mr Allen:** I would jump at the possibility of moving to a written constitution, because that would make it knowledge we could share with every schoolboy and schoolgirl, rather than having parliamentary archaeologists, such as the hon. Gentleman, tell us the right interpretation of a particular view. We could, however, have a halfway house; sadly, it does not necessarily require a written constitution. There are the means of a super-majority,

a self-denying ordinance, a lock by an external body—in the case of local government, I have suggested it could be the LGA—or the 1911 Act. It is absolutely possible: every other western democracy has done it, and there is nothing in the parliamentary water that robs us of the wit to do something comparable.

I tabled new clause 13 on double devolution. The Minister has been very generous about considering how we can safeguard devolution pressed down below town halls to the localities. The new clause suggests that the Government should make a regular statement to talk through and enable Parliament to debate what happens when powers are given to town halls and to ask whether the powers get down to the people who really need them. There may be many powers that appropriately stop with the town hall or the combined authority. Equally, however, many others would be administered much better at a lower level. It is not about doing that for everything or forcing people into it, but about doing only what is appropriate. That is the way to follow this through and to continue the debate. This is not about trying to prevent the Government from doing what they are doing, but to facilitate the next stage.

My hon. Friend the Member for Sheffield South East (Mr Betts) talked about the need for public consultation and involving the public. It is absolutely imperative to take the public with us on this journey. It should not be seen just as a technical exercise. We should involve them by saying, “Look, we’ve had our devolution for a year or so. Let’s have a little look at what we’ve managed to do so far. What do people outside Government or Parliament think we could do better?” It would be very healthy to have such dialogue, promoted by the Government through a statement to the House or to the general public, and it would help us to move to the next stage of the evolution of devolution, particularly in England.

The Minister referred courteously to my new clause 18, so I will not go over the ground again in relation to parliamentary oversight. Let me, however, mention the other part of the new clause, which is about having an independent body to look at how devolution is going. This is comparable to my point about double devolution. However, they constitute it, the Government could create an arm’s length authority to say, “There are a lot of problems around x, or whatever it may be.” My hon. Friend mentioned cross-border difficulties, where one bit of territory is contested by more than one combined authority or metro mayor. Other colleagues spoke about powers being in one place, but not being relevant to another part of an authority. Many others have spoken about mayoralty.

An independent body—without the vested interests we sometimes have to have in Parliament, sadly—should look at this and say, “Well done, the Government. You’ve got us to first base, but if you want to get to second base, we think you should have a look at these things.” Again, that is not about binding Parliament or telling Ministers what to do, but about allowing ventilation of what is, for us, the very novel concept of devolution and the question of how it can work better.

I have already put a number of other points on the record. Like the Minister, I have spoken to Core Cities, Key Cities, the New Local Government Network and the National Association of Local Councils. They have all raised with me concepts, as well as detailed amendments, about where this ought to go, but I will not go through

them. I will not detain the Committee much longer, suffice it to say that as well as getting this Bill through the House, we must look at where we want to be in 2020 and take steps to open a dialogue so that we can get to where we all want to go. We want to ensure that people control much more of their own affairs not only at United Kingdom level, but at national level, at combined authority devolved level and at the grassroots—on the ground in the localities. I hope that the Minister will take my remarks in the spirit in which they are intended and continue such a dialogue over the coming years.

**Several hon. Members rose—**

**The Temporary Chair (Mr David Crausby):** Order. I want to call the Front Benchers at about 2.55 pm. There are still six or more Members who wish to speak, so unless Members keep their contributions below five minutes, we will not get through them all. I would therefore appreciate the co-operation of the Committee.

2.30 pm

**James Wharton:** Given that the hon. Member for Nottingham North (Mr Allen) has informed the Committee of the sad news of the death of Michael Meacher, I think it is appropriate for me to put it on the record that the Government’s thoughts are, of course, with those who were close to him and who will be feeling pain at this time. As someone who was in this House for longer than I have been on this earth, he made a very significant contribution to this place and one that we should recognise.

**Mr Rees-Mogg:** May I add to what the Minister has just said? In my dealings with Mr Meacher in this House, he never put his strongly held political views above his fundamental good manners and civilisation. He was always the most decent man to talk to, even though I doubt there was a single subject of any political importance on which we agreed. He is a loss to this Chamber.

I will come on to my amendment 46, which would exempt Somerset, God’s own county, from the provisions on having a mayor. The Minister suggested that Somerset was not exceptional. I think that that was a momentary lapse because he is not only a most honourable gentleman, but somebody of fundamental good nature and wisdom. We will forgive him such a momentary mental lapse on this occasion and put it down to the wet weather or something like that.

The Government are giving fine and good undertakings. I will quote briefly from the Secretary of State on Second Reading:

“It is a fundamental tenet of this Bill, in contrast to other reforms debated over many years, that it does not give me or any of my ministerial colleagues the power to impose any arrangement on any local authority.”—[*Official Report*, 14 October 2015; Vol. 600, c. 326-327.]

My hon. Friend the Minister has reiterated those undertakings. They are excellent and encouraging, and they provide a solid basis for proceeding. Unfortunately, there is a “but” coming.

Everything I hear from local councillors in North Somerset and Bath and North East Somerset tells me that they are having their arms twisted. We are seeing a velvet glove today—a finely manufactured velvet glove of the highest quality velvet. Behind it, however, is a firm iron fist that expresses the Government’s will that

[*Mr Rees-Mogg*]

things should go in a certain way. I encourage the Government, through my amendment, to make the background noises—the conversations in smoke-filled rooms—match the fine words that we are hearing in this House.

And so I come to why I want to exempt Somerset. Well, there is history—there is always history! I will start, as always, with Alfred the Great. If we go all the way back to 879, Bristol was in Mercia and Somerset in Wessex. One of those two kingdoms was completely under the Danes—that was obviously the Gloucestershire bit. The borderline between the two has been there for over 1,000 years. There is a strongly embedded history in Somerset and, indeed, in Bristol which means that they see themselves as independent, distinct units.

It is important that the Government go with the grain of communities that have built up over generations, centuries and, in this case, even a millennium, rather than create new administrative regions that mean very little to people. Most people have no interest in the title of their council. They have an interest in where their home is. Their home may relate to a great city, to a great county or to a village, a county and the country. The use of power needs to go with that. Therefore, devolution from the United Kingdom to an administrative body with which people do not have sympathy and about which they do not have a feeling makes things no better. People have a loyalty to the nation and a loyalty to their locality, but if interspersed between them is some random political agglomeration that came about through a sudden burst of enthusiasm by a Government, people have no association with that, no enthusiasm for it and no loyalty for the institution.

Of course, this has been tried before. This is my second and perhaps more important appeal to history in the context of Somerset, particularly in relation to North Somerset and Bath and North East Somerset. We were part of a much disliked, most unsuccessful, high-cost organisation called Avon. It is known to the cognoscenti as CUBA—the county that used to be Avon. The name CUBA was appropriate because it was almost as left-wing as Mr Castro in its approach to government and it was exceptionally expensive. It had one of the highest increases in rates in the 1980s. It was felt by people in the rural areas that it was run for the benefit of Bristol, with the cost being borne by people in rural areas.

We continue to see that in Avon and Somerset police, the cost of which is borne by the rural areas, even though—I am sorry to say this with the hon. Member for Bristol South (Karin Smyth) sitting opposite me—most of the crime is in Bristol. Inevitably, being an inner city, Bristol has more drug dealing, more armed crime and more social disorder than Nempnett Thrubwell and other villages in my constituency, which are bastions of law-abiding civility.

**Karin Smyth:** I was not going to intervene, but the hon. Gentleman is maligning the great city of Bristol, which draws in people from North East Somerset with its great employment and cultural opportunities. Indeed, that causes some great problems in my constituency in respect of travel arrangements and so on, but we are grateful to have his constituents coming to work in the city. Perhaps we can have a more balanced discussion.

**Mr Rees-Mogg:** I am very grateful for the hon. Lady's intervention, because it brilliantly encapsulates what I want to say, which is that Bristol is a fantastic city, a noble city, a city of fine history, but it is not Somerset. What I want to do is to protect Somerset from encroachment by Bristol. I want Her Majesty's Government to ensure that the people of Somerset are not subjected to any pressure, any force or any arm twisting to be ruled from Bristol or to subsidise Bristol. I would rather, and I know the people of Somerset would rather, see our money spent through decisions made in Whitehall than decisions made in Bristol. We see the unity of the nation and we see the history of our county; what we do not see is a random administrative area.

I hope that the Minister can give me one commitment, which is that if we do not sign up to these things and if we retain our independence and freedom of manoeuvre, the Government institutions that spend money, such as Highways England, will continue to spend money—that it will not mean any loss of money, but will merely be about who decides how it is spent. For once, I am trusting the man in Whitehall against the man in red trousers in Bristol.

**Mr Kevan Jones:** The Minister made three startling claims in his opening remarks. He said that mayors will not be imposed, that devolution settlements will not be imposed and that the Government will seek consensus on such settlements. That is just not what the Government are doing.

The hon. Member for North East Somerset (Mr Rees-Mogg) talked of an iron fist in a velvet glove. What we have here is complete doublespeak. The portrayal of the situation by the Minister and others is that these decisions will somehow be taken in local areas. At the same time, the North East combined authority is being told that it will get devolution, but that a non-negotiable condition of that is to have a mayor. When councillors meet the Secretary of State and ask him why they need a mayor, he says that it is because the Chancellor of the Exchequer requires it as a prerequisite of devolution. The Conservative party and its friends in the north-east state that when the North East combined authority's leaders ask sensible questions about why other areas have devolution without a mayor, or legitimate questions about how the mayor will work in practice, they are somehow being difficult, and that is why amendment 51 is so important. Throughout this entire exercise we are forgetting one important group of people—those who elect us and who are served by local councils and local areas.

Last week on Second Reading the hon. Member for Bromley and Chislehurst (Robert Neill) claimed that the Secretary of State was being a Chamberlain-style reformer. No, he is not, and I agree with my hon. Friend the Member for Sheffield South East (Mr Betts) when he says that we will end up with a complete dog's breakfast.

There has been no great commission. When the Conservative party restyled local government in the 1970s we had the Redcliffe-Maud report, and in the '60s—I think it went over into the Heath Government—the Crowther commission considered devolution. At least we are considering the issue and have some consistency to our approach, but that is because this Bill has nothing to do with real devolution and is about the Chancellor's political control. He is seeking to ensure that the cuts required by his ideal of a small-state Britain can be



devolved to local authorities or mayors, so that when people ask, “Why do you have to make these cuts?”, he will stand back and say, “It is nothing to do with me. It is down to your local mayor, and you decide.”

**Ian Mearns** (Gateshead) (Lab): The North East LEP does not really hang together cohesively in its geography. It extends from south of Barnard Castle that borders North Yorkshire, right up to the Scottish border at Berwick-upon-Tweed—a considerable distance. This is not some sort of city region; it is an urban heart with a considerable rural hinterland. It does not hang together well from a business perspective.

**Mr Jones:** My hon. Friend makes a good point. In 2010 the Government were completely against regions, but now they have recreated a region in the northern LEP area. What he says is right—the area is very diverse and has some difficult issues regarding population, services, and other things that are delivered.

This is slightly different from when we had mayors for local authority areas. The Minister said that we need elected mayors because this is about devolving power from Whitehall to the regions, and that is why the approach needs to be different. I am sorry but—I make no bones about this—in 2004 I remember the Labour Government’s proposals for regional government in the north-east. Was it right for local people to have a say in whether the north-east had an extra tier of regional government? Yes, I think it was, and people overwhelmingly rejected it. I am not sure whether the Minister was around then, but many Conservatives in the north-east who now support him argued vigorously for the idea that it was right for people to have a say in the future governance of their region. Indeed, I think that some of the people who funded his election campaign also funded the no campaign in the north-east.

If it was good enough then, and the Conservative party and its backers in the north-east argued vigorously for why we should allow people to have a say, why now will they not allow people to have a say over a new tier of regional government? That is inconsistent, and it is interesting that the same voices that once argued vociferously against regional government in the north-east have remained completely quiet now that a Conservative Government are preparing to impose a system on the north-east without giving local people a say.

I congratulate the hon. Member for Hazel Grove (William Wragg) on his amendment, and I hear what people are saying about Manchester. I will not get into Manchester politics, but council leaders should be careful. If we have learned one thing in the past few years, it is that people cannot be taken for granted. If we are to listen to and represent people, it is important at least to give them a say in what we do. This is a major issue, given the change to how the country will be governed, and excluding people in the north-east and not giving them a voice in their future is completely wrong. The Government need to explain why they are afraid to allow people in the north-east to have a say in the future governance of their region.

**Several hon. Members** *rose*—

**The Temporary Chair (Mr David Crausby):** Order. I remind hon. Members that I intend to call the Front-Bench speakers not much later than 2.55 pm.

2.45 pm

**William Wragg:** It is a pleasure to serve under your chairmanship, Mr Crausby.

I pay a warm tribute to the Minister and the Secretary of State for their approach to this Bill and the constructive dialogue that they have had with—dare I say it?—the caucus of Greater Manchester MPs, including two who are sitting next to me. The Minister warmed my heart by quoting Edmund Burke earlier. I do not know how Burke’s “Reflections on the Revolution in France” compare with my Second Reading speech, “William Wragg’s reflections on Devolution in Greater Manchester”, although in some respects my speech was probably equally as intemperate as the fiery language that Burke deployed against the French revolution. If I at all offended the Minister with my remarks on Second Reading, I wish to atone for that entirely.

The point about amendment 51 is no different to the point that I made last week about having confidence in the arguments and trusting the people to win them over. My hon. Friend the Member for Altrincham and Sale West (Mr Brady) expanded on the qualities of the Minister and the Front-Bench team in persuading and engaging with the public, and if they were to test this issue with a referendum in Greater Manchester, they might be pleasantly surprised with the result.

My neighbour, the hon. Member for Stockport (Ann Coffey), has recently left the Chamber, but I pay tribute to her work on child sexual exploitation. I was pleased to serve on one of the sub-committees of Stockport Council which took evidence from her. I say gently, however, that I would distance myself from any temptation to link the topic on which she has done a great deal of work with whether an elected mayor would impact on that, as I think it is a slightly spurious argument.

As a former teacher I should perhaps apologise to the hon. Member for Nottingham North (Mr Allen), who took issue with how the explanatory statement was drafted, and I hold my hands up as that was due to a lax approach on my part. There was never intended to be a threshold on which 50% of the population would have to agree. Amendment 51 is supported by a growing list of colleagues, and it simply asks that fundamental changes to local government and the governance of my constituency are put to the test at a referendum, so that they can be endorsed and back the Government’s welcome programme of devolution.

**Karin Smyth:** I am pleased—along with my neighbour the hon. Member for North East Somerset (Mr Rees-Mogg)—to give the Committee a bit of respite from the subject of Manchester and to talk a bit about Bristol instead. Bristol has been a trailblazer for devolution and, in 2012, it was the only city to choose to have an elected mayor when the question was put in a referendum. I am a keen supporter of devolution and of transferring power closest to the people it affects, and I was proud to make my maiden speech on that subject. I am perhaps not as much of an evangelist as the hon. Member for Altrincham and Sale West (Mr Brady), but I am keen for devolution to happen.

Let me pick up on a unique issue which means that the people of Bristol do not share the same democratic rights as the rest of the country. The Bill started in the House of Lords, where Baroness Janke moved an

[Karin Smyth]

amendment, now clause 21, which, if passed, would give Bristolians the right, after 10 years, to reverse, if they so wished, the decision we made in 2010 to have an elected mayor to govern our city. If the model is not fit in 10 years, we would like the opportunity to change it. By that time, citizens will have had ample opportunity to assess the value or otherwise of the current model, how it works in Bristol and, crucially, with the changing situation, how it would work across—I will not use the word CUBA, or indeed Avon—the wider Bristol area and with our neighbours in a combined authority.

This is not about personalities or whether we like or dislike the current mayor or would prefer a different person in office; it is about the system that works best for us in the city region. It is not about party politics either, because all the major political parties on the city council agree and supported a joint motion to that effect. I am very grateful to Baroness Janke, a Liberal Democrat peer, who did a lot of work in shaping and gaining support for the clause when it was in the House of Lords. It is about democracy. It is about whether we should have a voice and a new model. We should now be given that say. In an era when we are supposed to be seeing an increase in devolution and empowerment, it feels wrong that we as Bristolians should have to go through a long and tortuous legislation-making process to know whether we have the right to determine the way our city is governed. This clause would allow us to do that much more easily.

I hope the Government are able to support that provision, and give me and the people of Bristol a greater say in how this works for us in the future.

**Victoria Borwick** (Kensington) (Con): Turning to another aspect of devolution, I would like to talk about the importance of health devolution. I obviously welcome the Government's devolution revolution, which the Bill will help to deliver. In London, the Mayor has been campaigning for greater fiscal devolution and I know he applauds the recent announcement on business rate reform, as this will benefit our capital.

The devolution revolution that the Bill champions will ensure that Greater Manchester becomes the first English region to have full control of its health spending. However, as the Minister will be aware, London government has also been exploring how a similar model could work in the capital. As we all know, health is no respecter of ward or council boundaries. People live in one area and work in another, and may receive treatment for complex conditions in more than one area. That is why it is so important, in cities such as London and others that have been instanced today, that it should be viewed as a whole.

For a patient receiving many different treatments, it is far more effective for their care to be under one authority. As the previous deputy Mayor of London watching over this brief, I chaired many cross-London forums where councils and health authorities have come together to share resources and work together for better outcomes instead of being able to afford a smaller service in their locality. I would therefore argue that London, like Manchester, should explore ways to reform health and care provision, including a rebalancing towards prevention, early intervention, and proactive personal care and

support. The aim should be to reduce hospitalisation, invest more in primary care, and integrate planning and decision-making for both the health and care services. Inevitably, there needs to be a review of NHS properties, including underused facilities, so that new integrated care centres can be opened and we have a more efficient use of the health estate.

There is agreement among London partners that the scale and complexity of health and care issues in London means that a model of reform should include actions at local, sub-regional and pan-London level. As part of their submission to the comprehensive spending review, London government made the case for greater devolution over health and social care. In the interests of brevity as we are short of time, I shall reduce the list substantially and just mention public health powers, including regulatory and fiscal interventions; multi-year allocations of NHS and local authority funding on a borough footprint; and London's share of national NHS transformation funding.

As the Minister will know, representatives from the Greater London Authority, London Councils, NHS England, the London office of clinical commissioning groups and Public Health England are developing a memorandum of understanding to progress this work and to look at the powers that could and should be devolved to London. The recent London Health Commission report also advocated a London health commissioner, who could focus on the particular concerns of our growing city with its transient population. In London, we see diseases that many of us thought had died out, such as tuberculosis and rickets. They are often seen in people who were born or have grown up elsewhere, bringing pressures to the health system in London.

I am asking the Minister to welcome the approach being taken by London and support the aspiration for the greatest possible speed of reform to improve the health of Londoners.

**Mr Steve Reed** (Croydon North) (Lab): I start by putting on record my condolences to the family and the many friends of Michael Meacher on the very sad news we have heard this afternoon. I am sure that we will have the opportunity to pay our respects to him properly and recognise the huge contribution he made to politics, Oldham and the life of this country and this House.

Turning to the Bill, this is a very exciting and long-overdue agenda. The UK, and England in particular, is deeply over-centralised. This holds back our regions, cities and communities. We welcome the Bill. It is a positive step forward. It is broadly, as the Minister said, of a consensual nature and I welcome his readiness, as he expressed it earlier, to listen to this debate before coming back with his final proposals. That does not mean, however, that there are no areas where the Bill could not go further or be improved. We have heard, across the Chamber this afternoon, plenty of examples of such areas.

Listening to the Minister, it struck me that he was on his weakest ground on the issue of mayors. A number of MPs from all sides spoke very eloquently about imposed mayors. It is right that areas that want mayors should have mayors. The Greater Manchester combined authority made it absolutely clear that it supports its mayoral model and we absolutely back it on that. When that applies to other areas, that is absolutely fine: if that is

the model they want, that is the model they should have. However, the Secretary of State should not be able to force mayors on areas that do not want them. He has not been at all clear on how a metropolitan area that wants to proceed with devolution but without a mayor, is able to do so. He has made the one conditional on the other.

Clause 3, as it stands, is an important clause. It ensures that mayors cannot be made a condition of devolution and we believe the Government are wrong to seek to remove this important safeguard. We will wish to test the opinion of the Committee on that.

**Ian Mearns:** I entirely concur with the arguments my hon. Friend is putting forward. Unfortunately, in the north-east of England, where there are seven local authorities involved in the North Eastern local enterprise partnership area, many councillors from different authorities have said to me and to colleagues, “We’ve been told it’s the only game in town” and that only with an elected mayor will the financial incentives for the LEP area be forthcoming. That is totally unfair and undemocratic.

**Mr Reed:** Absolutely. I thank my hon. Friend for that intervention. Those constraints are being imposed by the Government on that region. It should be up to the region to choose the most appropriate model of governance as we proceed, rightly, with devolving powers down to that area.

Our new clause 21 seeks to ensure that the community is involved in any decision about the model of governance. Open engagement needs to go much further than that. Devolution deals that are shaped with the local community are more likely to have the support of the local community. Just as important, they are more likely to be better deals. The Government should not close the door on meaningful engagement that is open and transparent. The deals the Minister is making may not feel obscure to him, because he is the one inside the closed door. The people on the other side of the closed door—those on the outside—need to know what is going on and to be able to influence and shape it. If the Government really believe in devolution, why will they not devolve decisions over the appropriate form of governance so that local areas can decide for themselves? I wonder what they are afraid would happen.

3 pm

Consultation is further constrained because the Government are not clear enough about which functions local areas could have greater powers over, which is why we have tabled new clause 25. Local areas need greater clarity about what the Government are prepared to devolve. They say they are open to any request from combined authorities, which is the right attitude, but the Chancellor is not necessarily accepting every part of every bid, so what is guiding him to say no where no is the answer he comes back with? Clarity will help other areas to shape their own bids more effectively, it will help devolution to expand and it will help us to see whether the Government are being too cautious and thereby apply pressure on them in a way helpful to the Secretary of State and his ambitions. In response, I hope that he or the Minister will make clear which functions they believe lie outside the possibility of devolution. Perhaps there are not any, but let us hear that from them.

On amendment 57 and the need for a better gender balance in mayoral teams, I was disappointed by the Minister’s comments. The Fawcett Society has stated:

“Women’s representation at a local level is stagnating with virtually no change in the level of female councillors in the last ten years.”

According to 2014 statistics, women make up just 33% of local councillors, just 13% of council leaders in England, Scotland and Wales, just three out of 16 elected mayors and just six out of 41 police and crime commissioners. This is clearly not good enough. We must not allow the roles of mayor and deputy mayor to become predominantly male preserves, as other leading roles in local government have been. Our amendment is not prescriptive, but it would require mayors to consider gender balance when appointing a deputy. It is a sensible and modest measure, and I hope the Government will support it. With the Speaker’s permission, we will return to this on Report, at which point we might wish to push it to a vote, depending on the Government’s position.

London has had a mayoral assembly for well over a decade, but that cannot mean that devolution to London has reached the end of its journey; there is still much further to go, and we are grateful to the work of London Councils, the GLA and the Mayor of London, all of whom have endorsed the proposal for further devolution to London. Our new clause 22 backs that proposal, and I welcome the Government’s willingness to listen, as expressed by the Minister earlier in the debate.

Devolution will not work if areas are set up to fail because they are inadequately resourced to deliver the devolved services. Since 2010, local government has faced cuts of 40%, and more is on the way in the coming spending review. Just this week, the LGA, a cross-party organisation, has warned that local authorities are struggling. Lord Porter, its Conservative chairman, says:

“We know we’ve got probably 12 or 14 councils that are very close to the edge now.”

Councils close to the edge will not be able to cope with devolution. The funding settlement so far is deeply unfair. The 10 most deprived communities in the country have suffered cuts 18 times higher than the least deprived. In many cases, the areas hit the hardest are those in the front line for devolution. In part, that is because local decision making is more effective and more efficient, but there will be a breaking point if resources become wholly inadequate, and the Government should not force local areas past that point. I am sorry that the Minister sees no merit in ensuring that resources are aligned with powers and need. Our new clause, quite reasonably, would place a duty on the Secretary of State to publish a report on the impact of funding on devolution. It is intended to ensure that devolution can flourish, so I hope that he and his colleagues will think again.

The Bill could radically reshape local government, but to really make an impact, we also need to change the culture and shape of national Government, Whitehall and this place. Redefining local government should also mean redefining national government, but very little has been done on that so far. At its best, devolution will mean real power for local areas, but at its worst, it will simply make local government a commissioning arm of national Government, adding little more than local colour. That would make it a huge wasted opportunity. Whatever they say from the Dispatch Box, the Government still talk localist but act centralist. Free schools have no



local oversight, desperately needed social housing is being sold off in areas that do not want it sold off, the forthcoming Housing and Planning Bill contains dozens of new centralising powers, and the Work programme was designed and delivered from the centre in a way that excluded localities. All this, and so much more, hardly argues that the Government are consistently pro-devolution in the way that the Secretary of State would have us believe.

It is welcome that the Government are agreeing to publish an annual devolution report, which is an important transparency measure, but if the whole Government are signed up to devolution, in the way we are told, why are they opposing our proposal that every Minister should tell us the impact of every new Bill on devolution? That tells me that the Secretary of State has failed to convince his colleagues in Cabinet that devolution really does matter. As it stands, clause 2 ensures that every time a Bill is presented in either House, a Minister must make a statement to show how it is compatible with devolution. This clause has been welcomed by the cross-party LGA as a means of strengthening devolution, so I regret the Minister's earlier comments. For instance, the new Housing and Planning Bill would benefit from such a statement because it would make it clear to the whole country just how centralising it is. I can see that, although it would benefit the passage of legislation and devolution, politically the Government would not want it, but that is no reason to block the measure.

Similarly, amendment 59 seeks to focus on the general power of competence and review its fitness for purpose for devolution. LGA research shows that the general power is

“limited by significant constraints set by central government”

and that local government needs far more independence from interfering central Government. We had a small example of that in a Delegated Legislation Committee on which I sat earlier this week. The Government insisted on retaining a role for the Secretary of State in taking local decisions about tattoo parlours in England—although oddly not in Wales. This really is not “letting go”. Post-legislative review has not resolved these matters. The amendment encourages the Secretary of State to review the general power of competence and remove barriers to empowering communities.

In conclusion, we welcome these long-overdue attempts by the Government to devolve power. We welcome the fact that it is largely Labour councils that are leading on this agenda, and we congratulate them on and support them in their work. The Bill is welcome. It is a step forward, but it could be better and it could go further still in empowering communities beyond the town hall, in the way my hon. Friend the Member for Sheffield South East (Mr Betts) described; in offering fair resources alongside devolved powers; in reforming central Government to fit a permanently devolved settlement, particularly across England; and in engaging local communities far more openly to help shape their own devolution deals so that they can become the settled will supported by the local community.

I would like to test the opinion of the Committee on new clause 23, which seeks a fair funding settlement alongside devolution, and to oppose Government amendment 4, which gives the Secretary of State centralised powers to impose mayors where localities have made it absolutely clear they do not want them.

**James Wharton:** We have had an interesting and wide-ranging discussion that none the less has retained the cross-party support for the Bill's broad objectives that I detected on Second Reading. There are concerns about some of the amendments, and the shadow Minister has indicated his intention to test the will of the Committee on some of them, but on others I have listened carefully to, and will consider, the informed contributions of hon. Members on both sides. However, I do not think that detracts from the fundamental truth that many Members of different political views would like the devolution agenda advanced and the Bill to succeed. I am pleased that that is the case and hope that we can move forward in that vein. I want to touch on some of the specific comments made in today's debate.

The hon. Member for Nottingham North (Mr Allen), who kindly described me as a benign Minister—I have been described as benign and as a velvet glove this afternoon, although at least one Member indicated from a sedentary position disagreement with at least one of those statements—is on the record as a supporter of devolution. I have discussed the issue with him in this place and outside it. I recognise that through his amendments he wants to make his position clear that devolution should go further—he anticipates that in due course it will go further—and wants to entrench elements of devolution as part of our constitutional settlement. I understand his desire to deliver that, but some of his amendments may go a little too far from the nature and scope of this Bill in respect of what he wants to deliver constitutionally. I listened carefully to what he had to say and I recognise his expertise in this area and welcome his contributions.

My hon. Friend the Member for Amber Valley (Nigel Mills) talked about his desire to see local government reorganisation tied in with some of the devolution deals that are being delivered. We do not resile from that prospect—it is not something that we are necessarily against—but we are cautious when it comes to any proposal that would move towards imposition of that sort of reorganisation. This is going to be a consensual process—the Bill is designed to allow for that—and that is what it must be if devolution is to be a lasting settlement. I recognise the point of my hon. Friend's amendment 39 and the consultation that he envisages within it, but I do not think that it is a step that we want to include at this time.

The hon. Member for Bristol South (Karin Smyth) made a cogent argument about the mayor and the provisions for people to have a say about that mayor, bringing the provisions into line with requirements and legislation that exist for mayors in other areas. I recognise what she said and hope that we can find some agreement on this area that she will support. I have certainly taken note of her comments and her useful contribution today.

My hon. Friends the Members for Altrincham and Sale West (Mr Brady) and for Hazel Grove (William Wragg) commented on a range of issues and a range of amendments, including on their desire for referendums. I talked about the issue in my opening remarks and set out why I think the process we are talking about here is different, with different types of mayors from those we have seen before and differences in the nature of what we are doing, with the transfer of powers down rather than up. I have listened to my hon. Friends' comments and hope that, while we may disagree on some of the

specifics, we will find broad agreement, and I look forward to having further discussions with them about how best to achieve that.

**Victoria Borwick:** I want to return to the point, mentioned across the Chamber, about the work that can be done collaboratively on health issues. We saw the work done on dealing with violence against women, and I want to reiterate the importance of devolving health to these larger areas.

**James Wharton:** My hon. Friend brings a wealth of experience to this place, and I welcome her comments and interventions. She has stated her position very clearly on the record. As we move through the course of today's debate, we will have further opportunities to discuss the potential for health devolution. I recognise my hon. Friend's case particularly in respect of London. The Government have the capacity to discuss and continue to discuss with the Mayor of London and London local authorities the sorts of changes they would like to see to the existing settlement. It is important to recognise my hon. Friend's comments, to welcome the co-operative spirit in her approach and her desire for London to benefit from the sort of changes that are going to be delivered to other areas through this Bill.

**Mr Mark Prisk (Hertford and Stortford) (Con):** I am listening to the Minister's comments about referendums and what we discussed on Second Reading about metro mayors. In the balance of the debate, there still seems to be some confusion among the Opposition Front-Bench team about whether this is an imposition. It is not; it is an enabling process. Will the Minister confirm that that is the case?

**James Wharton:** My hon. Friend pre-empts what I was coming on to say. He is, of course, absolutely right, and is perhaps more generous than I would be inclined to be when he says that there is only "some" confusion on the shadow Front-Bench. He makes an important and relevant point—one that I intend to develop in my later remarks this afternoon.

**Andrew Stephenson:** I appreciate the Minister's confirmation that nothing will be imposed on any area where it is not wanted. However, in areas where it is wanted and councils want to come together to get powers devolved from Westminster to their areas, does my hon. Friend agree that it is important to have a single person who can be held accountable by the public for those new powers and new responsibilities?

3.15 pm

**James Wharton:** My hon. Friend is of course right about the importance of sharp accountability with respect to the ability of a metro mayor to drive the change that devolution presents an opportunity to deliver. This direct approach from the elected metro mayor should help to ensure that we get the maximum benefit from a process of devolution. That has been shown the world over, when many big cities with mayors deliver real improvement and success for the areas they represent. It is a proven model, one that we want to see delivered through this devolution agenda. It is also one, importantly, that will not be imposed on any area.

**Mr Kevan Jones:** Will the Minister just be honest? He says that he is not going to impose a system, but he well knows the alternative. Unless the north-east accepts an

elected mayor, no devolution will take place. That is a take-it-or-leave-it provision; it is an imposition by any other name. The Minister should admit that he wants to impose an elected mayor on the north-east irrespective of what local people or local politicians want.

**James Wharton:** I listened carefully to hon. Gentleman's contribution, and I know that he is exercised by this issue. I do not recognise the narrative that he put forward as entirely fulsome in its representation of the processes that are under way. *[Interruption.]* I will explain my comments thus. The Bill does not allow the Government to impose devolution or a model of devolution on any area. It allows areas to reach agreement with the Government about devolution when they see the benefits to their areas from it.

In the north-east—an area represented by the hon. Member for North Durham (Mr Jones) and one close to my heart and interests—we have had productive discussions with local authority leaders. Those leaders are not exclusively Conservative or even Liberal Democrat, as we are talking to Labour local authority leaders, too, and they are working with us to find the right package to deliver devolution. The Bill gives no power to impose devolution on the north-east and we would not attempt to impose a model of that devolution without the two going in tandem. The opportunity is there in the legislation for areas to ask for devolution; we can enter into discussions and deals can be made in a bespoke and bottom-up way to ensure that every area gets the right deal.

We have been clear throughout this process—it was clear in the manifesto on which this party stood at the last election—that if areas with large metropolitan city centres want a devolution package similar to the one that Greater Manchester has agreed with the Government, we would expect a metro mayor to be part of the package.

**Ian Mearns:** Will the Minister confirm that for the area of the North Eastern local enterprise partnership, which includes Durham, Northumberland and Tyne and Wear, a £30 million investment package is on the table, but that that £30 million is available only in the eventuality of an elected mayor being accepted by the seven authorities?

**James Wharton:** I am happy to confirm that we are in discussions with local authority leaders in that area, but that leads me on the hon. Gentleman's earlier comments about the geography. He has raised the point—and is perfectly entitled to do so—that this is a diverse area with rural and urban communities. I should make it clear, first, that we are talking about powers that are currently controlled in Whitehall and currently controlled nationally by public bodies and by Ministers here, and we are taking them closer to the people affected by them. Secondly, I must make it clear that we will not tell any area what its geography must be. We have left it for areas to come forward with proposals that they believe best suit the economic opportunities that exist in those areas.

**John Stevenson (Carlisle) (Con):** Does the Minister think it would be in the best interests of the north-east to have an elected mayor?

**James Wharton:** My hon. Friend raises a valid point. An elected mayor provides the focus and accountability; it means there is someone to drive the agenda forward and be accountable for it. However, we would not impose this on any area. It will be delivered only by agreement. That is true of the north-east as it is for the country as a whole, and it is true of the text in this Bill, which does not give us the power to impose. It gives us the power to make deals with the areas that want them. Devolution should be on the table for any area that wants it, but it should be imposed on no one, and that is what the Bill ensures will happen.

**Mr Rees-Mogg:** I am grateful for my hon. Friend's very clear answer. Is it therefore the case that if an area refuses devolution, the money stays with Whitehall but can still be spent in that area, and that refusing devolution results in no financial loss?

**James Wharton:** Of course. Areas that choose not to be part of devolution—and it is their choice; devolution will not be imposed on anyone—will suffer no disadvantage as a result of that choice. I shall be happy to meet my hon. Friend and his colleagues to discuss any concerns that they may have about what may come to be proposed for the area that my hon. Friend represents, and also about the implications should an area choose not to be part of the process. This is not about imposition; it is about consensus, working together and co-operation.

**Mr Kevan Jones:** Will the Minister give way?

**James Wharton:** I will if the hon. Gentleman is very brief. I know that he is enthusiastic to have his say.

**Mr Jones:** I am, because what the Minister has just said is not true. What has been said to the seven local authority leaders in the north-east is they must either accept the mayor and the devolution settlement or not receive the extra money that has been trumpeted by the Tory party in the north-east and by the Minister's friends. The only way to get extra resources for the north-east is to accept an elected mayor and the system to which the Minister is agreeing.

**James Wharton:** I am not sure how much more clearly I can express myself. We will not impose devolution on any area, but any area is free to come forward and negotiate with the Government to make a deal for the delivery of devolution if it wishes. Areas that do not choose to be part of devolution will not have anything taken away from them as a consequence, and when devolution is delivered, it will be about powers coming down. Local authorities will only see powers transferred up to a metro mayor when they opt for that to happen. I think I have made myself very clear on that important point.

There is one more important point that I want to make to Opposition Front Benchers, about amendment 4. It is imperative that when the conditionality amendment that was made in the other place is put forward, we are able to deliver on our manifesto commitments, and so that we can do that, the changes that the Government have proposed today need to be made.

3.22 pm

*Two and a half hours having elapsed since the commencement of proceedings, the debate was interrupted (Programme Order, 14 October).*

*The Chair put forthwith the Question already proposed from the Chair (Standing Order No. 83D, That the amendment be made.*

*Question agreed to.*

*Amendment 29 agreed to.*

*The Chair then put forthwith the Questions necessary for the disposal of the business to be concluded at that time (Standing Order No. 83D).*

*Clause 1, as amended, ordered to stand part of the Bill.*

*Clause 2 negatived.*

### New Clause 23

#### FAIR FUNDING SETTLEMENT: REPORT

“Within six months of the passing of this Act, the Secretary of State must publish a report on the impact on the functions of combined authorities of the fairness of the distribution of funding from central government to local authorities, particularly with regard to levels of deprivation.” —(*Mr Steve Reed.*)

*This new Clause would require a report linking the impact of devolution with the level of funding.*

*Brought up.*

*Question put, That the clause be added to the Bill.*

*The Committee divided: Ayes 213, Noes 311.*

**Division No. 81]**

**[3.23 pm**

#### AYES

Abbott, Ms Diane	Creagh, Mary
Abrahams, Debbie	Creasy, Stella
Alexander, Heidi	Cruddas, Jon
Ali, Rushanara	Cryer, John
Allen, Mr Graham	Cummins, Judith
Ashworth, Jonathan	Cunningham, Alex
Austin, Ian	Cunningham, Mr Jim
Bailey, Mr Adrian	Dakin, Nic
Barron, rh Kevin	Danczuk, Simon
Beckett, rh Margaret	David, Wayne
Benn, rh Hilary	Davies, Geraint
Berger, Luciana	De Piero, Gloria
Betts, Mr Clive	Doughty, Stephen
Blackman-Woods, Dr Roberta	Dowd, Jim
Blenkinsop, Tom	Dowd, Peter
Blomfield, Paul	Dromey, Jack
Bradshaw, rh Mr Ben	Dugher, Michael
Brake, rh Tom	Durkan, Mark
Brown, Lyn	Eagle, Ms Angela
Brown, rh Mr Nicholas	Eagle, Maria
Bryant, Chris	Edwards, Jonathan
Buck, Ms Karen	Efford, Clive
Burden, Richard	Elliott, Julie
Burgon, Richard	Ellman, Mrs Louise
Byrne, rh Liam	Esterson, Bill
Cadbury, Ruth	Evans, Chris
Campbell, rh Mr Alan	Farron, Tim
Campbell, Mr Ronnie	Field, rh Frank
Carmichael, rh Mr Alistair	Fitzpatrick, Jim
Carswell, Mr Douglas	Flelo, Robert
Champion, Sarah	Fletcher, Colleen
Clegg, rh Mr Nick	Flint, rh Caroline
Coaker, Vernon	Flynn, Paul
Coffey, Ann	Fovargue, Yvonne
Cooper, Julie	Gardiner, Barry
Corbyn, Jeremy	Glass, Pat
Coyle, Neil	Glindon, Mary



Godsiff, Mr Roger  
 Goodman, Helen  
 Green, Kate  
 Greenwood, Margaret  
 Gwynne, Andrew  
 Haigh, Louise  
 Hamilton, Fabian  
 Hanson, rh Mr David  
 Harris, Carolyn  
 Hayes, Helen  
 Healey, rh John  
 Hendrick, Mr Mark  
 Hepburn, Mr Stephen  
 Hermon, Lady  
 Hillier, Meg  
 Hodge, rh Dame Margaret  
 Hodgson, Mrs Sharon  
 Hoey, Kate  
 Hollern, Kate  
 Hopkins, Kelvin  
 Howarth, rh Mr George  
 Hunt, Tristram  
 Huq, Dr Rupa  
 Irranca-Davies, Huw  
 Jarvis, Dan  
 Johnson, rh Alan  
 Jones, Gerald  
 Jones, Graham  
 Jones, Helen  
 Jones, Mr Kevan  
 Jones, Susan Elan  
 Kane, Mike  
 Kaufman, rh Sir Gerald  
 Keeley, Barbara  
 Kendall, Liz  
 Khan, rh Sadiq  
 Kinnock, Stephen  
 Kyle, Peter  
 Lammy, rh Mr David  
 Lavery, Ian  
 Leslie, Chris  
 Lewell-Buck, Mrs Emma  
 Lewis, Clive  
 Long Bailey, Rebecca  
 Lucas, Caroline  
 Lucas, Ian C.  
 Lynch, Holly  
 Mactaggart, rh Fiona  
 Madders, Justin  
 Mahmood, Mr Khalid  
 Mahmood, Shabana  
 Malhotra, Seema  
 Mann, John  
 Marris, Rob  
 Marsden, Mr Gordon  
 Maskell, Rachael  
 Matheson, Christian  
 McCabe, Steve  
 McCarthy, Kerry  
 McDonagh, Siobhain  
 McDonald, Andy  
 McDonnell, John  
 McFadden, rh Mr Pat  
 McGinn, Conor  
 McGovern, Alison  
 McInnes, Liz  
 McKinnell, Catherine  
 Meale, Sir Alan  
 Mearns, Ian  
 Miliband, rh Edward  
 Morden, Jessica  
 Morris, Grahame M.

Murray, Ian  
 Onn, Melanie  
 Onwurah, Chi  
 Osamor, Kate  
 Owen, Albert  
 Pennycook, Matthew  
 Perkins, Toby  
 Phillips, Jess  
 Phillipson, Bridget  
 Pound, Stephen  
 Powell, Lucy  
 Pugh, John  
 Qureshi, Yasmin  
 Rayner, Angela  
 Reed, Mr Jamie  
 Reed, Mr Steve  
 Rees, Christina  
 Reynolds, Emma  
 Reynolds, Jonathan  
 Rimmer, Marie  
 Ritchie, Ms Margaret  
 Robinson, Mr Geoffrey  
 Rotheram, Steve  
 Saville Roberts, Liz  
 Sharma, Mr Virendra  
 Sheerman, Mr Barry  
 Sherriff, Paula  
 Shuker, Mr Gavin  
 Siddiq, Tulip  
 Skinner, Mr Dennis  
 Slaughter, Andy  
 Smeeth, Ruth  
 Smith, rh Mr Andrew  
 Smith, Angela  
 Smith, Cat  
 Smith, Jeff  
 Smith, Nick  
 Smith, Owen  
 Smyth, Karin  
 Spellar, rh Mr John  
 Starmer, Keir  
 Stevens, Jo  
 Streeter, Wes  
 Stringer, Graham  
 Stuart, rh Ms Gisela  
 Tami, Mark  
 Thomas, Mr Gareth  
 Thornberry, Emily  
 Timms, rh Stephen  
 Trickett, Jon  
 Turley, Anna  
 Turner, Karl  
 Twigg, Derek  
 Twigg, Stephen  
 Umunna, Mr Chuka  
 Vaz, rh Keith  
 Vaz, Valerie  
 Watson, Mr Tom  
 West, Catherine  
 Whitehead, Dr Alan  
 Williams, Hywel  
 Wilson, Phil  
 Winnick, Mr David  
 Winterton, rh Ms Rosie  
 Woodcock, John  
 Wright, Mr Iain  
 Zeichner, Daniel

**Tellers for the Ayes:**  
**Vicky Foxcroft and**  
**Sue Hayman**

**NOES**

Adams, Nigel  
 Afriyie, Adam  
 Aldous, Peter  
 Allan, Lucy  
 Allen, Heidi  
 Amess, Sir David  
 Andrew, Stuart  
 Ansell, Caroline  
 Argar, Edward  
 Atkins, Victoria  
 Bacon, Mr Richard  
 Baker, Mr Steve  
 Baldwin, Harriett  
 Barclay, Stephen  
 Baron, Mr John  
 Barwell, Gavin  
 Bebb, Guto  
 Bellingham, Mr Henry  
 Beresford, Sir Paul  
 Berry, Jake  
 Berry, James  
 Bingham, Andrew  
 Blackman, Bob  
 Blackwood, Nicola  
 Blunt, Crispin  
 Boles, Nick  
 Bone, Mr Peter  
 Borwick, Victoria  
 Bottomley, Sir Peter  
 Bradley, Karen  
 Brady, Mr Graham  
 Brazier, Mr Julian  
 Bridgen, Andrew  
 Brine, Steve  
 Brokenshire, rh James  
 Bruce, Fiona  
 Buckland, Robert  
 Burns, Conor  
 Burns, rh Sir Simon  
 Burrowes, Mr David  
 Burt, rh Alistair  
 Cairns, Alun  
 Carmichael, Neil  
 Cartledge, James  
 Cash, Sir William  
 Caulfield, Maria  
 Chalk, Alex  
 Chishtii, Rehman  
 Chope, Mr Christopher  
 Churchill, Jo  
 Clark, rh Greg  
 Clarke, rh Mr Kenneth  
 Cleverly, James  
 Clifton-Brown, Geoffrey  
 Coffey, Dr Thérèse  
 Collins, Damian  
 Colville, Oliver  
 Costa, Alberto  
 Crabb, rh Stephen  
 Crouch, Tracey  
 Davies, Byron  
 Davies, Chris  
 Davies, David T. C.  
 Davies, Glyn  
 Davies, Dr James  
 Davies, Mims  
 Davis, rh Mr David  
 Dinage, Caroline  
 Dodds, rh Mr Nigel  
 Donelan, Michelle  
 Dorries, Nadine  
 Double, Steve  
 Dowden, Oliver  
 Drax, Richard  
 Drummond, Mrs Flick  
 Duncan, rh Sir Alan  
 Duncan Smith, rh Mr Iain  
 Dunne, Mr Philip  
 Ellis, Michael  
 Ellison, Jane  
 Ellwood, Mr Tobias  
 Elphicke, Charlie  
 Eustice, George  
 Evans, Graham  
 Evennett, rh Mr David  
 Fabricant, Michael  
 Fallon, rh Michael  
 Fernandes, Suella  
 Field, rh Mark  
 Foster, Kevin  
 Fox, rh Dr Liam  
 Frazer, Lucy  
 Freeman, George  
 Freer, Mike  
 Fuller, Richard  
 Fysh, Marcus  
 Gale, Sir Roger  
 Garnier, rh Sir Edward  
 Garnier, Mark  
 Gauke, Mr David  
 Ghani, Nusrat  
 Gillan, rh Mrs Cheryl  
 Glen, John  
 Goodwill, Mr Robert  
 Gove, rh Michael  
 Graham, Richard  
 Grant, Mrs Helen  
 Gray, Mr James  
 Grayling, rh Chris  
 Green, Chris  
 Green, rh Damian  
 Greening, rh Justine  
 Grieve, rh Mr Dominic  
 Griffiths, Andrew  
 Gummer, Ben  
 Halfon, rh Robert  
 Hall, Luke  
 Hammond, Stephen  
 Hancock, rh Matthew  
 Hands, rh Greg  
 Harper, rh Mr Mark  
 Harrington, Richard  
 Harris, Rebecca  
 Hart, Simon  
 Haselhurst, rh Sir Alan  
 Hayes, rh Mr John  
 Heald, Sir Oliver  
 Heapey, James  
 Heaton-Harris, Chris  
 Heaton-Jones, Peter  
 Henderson, Gordon  
 Herbert, rh Nick  
 Hinds, Damian  
 Hoare, Simon  
 Hollingbery, George  
 Hollinrake, Kevin  
 Hollobone, Mr Philip  
 Holloway, Mr Adam  
 Hopkins, Kris  
 Howarth, Sir Gerald  
 Howell, John  
 Howlett, Ben

Huddleston, Nigel  
Hunt, rh Mr Jeremy  
Hurd, Mr Nick  
Jackson, Mr Stewart  
James, Margot  
Jayawardena, Mr Ranil  
Jenkin, Mr Bernard  
Jenkyns, Andrea  
Jenrick, Robert  
Johnson, Boris  
Johnson, Gareth  
Johnson, Joseph  
Jones, Andrew  
Jones, rh Mr David  
Jones, Mr Marcus  
Kawczynski, Daniel  
Kennedy, Seema  
Kirby, Simon  
Knight, rh Sir Greg  
Knight, Julian  
Kwarteng, Kwasi  
Lancaster, Mark  
Latham, Pauline  
Leadsom, Andrea  
Lee, Dr Phillip  
Lefroy, Jeremy  
Leigh, Sir Edward  
Leslie, Charlotte  
Letwin, rh Mr Oliver  
Lewis, Brandon  
Lewis, rh Dr Julian  
Lidington, rh Mr David  
Lilley, rh Mr Peter  
Lopresti, Jack  
Lord, Jonathan  
Loughton, Tim  
Lumley, Karen  
Mackinlay, Craig  
Mackintosh, David  
Mak, Mr Alan  
Malthouse, Kit  
Mann, Scott  
Mathias, Dr Tania  
May, rh Mrs Theresa  
Maynard, Paul  
McCartney, Jason  
McCartney, Karl  
McLoughlin, rh Mr Patrick  
McPartland, Stephen  
Menzies, Mark  
Mercer, Johnny  
Merriman, Huw  
Metcalfe, Stephen  
Miller, rh Mrs Maria  
Milling, Amanda  
Mills, Nigel  
Milton, rh Anne  
Mitchell, rh Mr Andrew  
Mordaunt, Penny  
Morgan, rh Nicky  
Morris, Anne Marie  
Morris, David  
Morris, James  
Morton, Wendy  
Mowat, David  
Mundell, rh David  
Murray, Mrs Sheryll  
Murrison, Dr Andrew  
Neill, Robert  
Newton, Sarah  
Nokes, Caroline  
Norman, Jesse

Nuttall, Mr David  
Offord, Dr Matthew  
Parish, Neil  
Patel, rh Priti  
Paterson, rh Mr Owen  
Pawsey, Mark  
Penning, rh Mike  
Penrose, John  
Percy, Andrew  
Perry, Claire  
Phillips, Stephen  
Philp, Chris  
Pickles, rh Sir Eric  
Pincher, Christopher  
Poulter, Dr Daniel  
Pow, Rebecca  
Prentis, Victoria  
Prisk, Mr Mark  
Pursglove, Tom  
Quin, Jeremy  
Quince, Will  
Raab, Mr Dominic  
Redwood, rh John  
Rees-Mogg, Mr Jacob  
Robertson, Mr Laurence  
Robinson, Gavin  
Robinson, Mary  
Rosindell, Andrew  
Rutley, David  
Sandbach, Antoinette  
Scully, Paul  
Selous, Andrew  
Shannon, Jim  
Shapps, rh Grant  
Sharma, Alok  
Shelbrooke, Alec  
Simpson, David  
Simpson, rh Mr Keith  
Skidmore, Chris  
Smith, Chloe  
Smith, Henry  
Smith, Julian  
Smith, Royston  
Solloway, Amanda  
Soubry, rh Anna  
Spelman, rh Mrs Caroline  
Spencer, Mark  
Stephenson, Andrew  
Stevenson, John  
Stewart, Bob  
Stewart, Iain  
Stewart, Rory  
Streeter, Mr Gary  
Stride, Mel  
Stuart, Graham  
Sturdy, Julian  
Sunak, Rishi  
Swayne, rh Mr Desmond  
Swire, rh Mr Hugo  
Syms, Mr Robert  
Thomas, Derek  
Throup, Maggie  
Timpson, Edward  
Tolhurst, Kelly  
Tomlinson, Justin  
Tomlinson, Michael  
Tracey, Craig  
Tredinnick, David  
Trevelyan, Mrs Anne-Marie  
Truss, rh Elizabeth  
Tugendhat, Tom  
Turner, Mr Andrew

Tyrie, rh Mr Andrew  
Vaizey, Mr Edward  
Vara, Mr Shailesh  
Vickers, Martin  
Walker, Mr Charles  
Walker, Mr Robin  
Wallace, Mr Ben  
Warburton, David  
Warman, Matt  
Watkinson, Dame Angela  
Wharton, James  
Whately, Helen  
Wheeler, Heather  
White, Chris

Whittaker, Craig  
Whittingdale, rh Mr John  
Wiggin, Bill  
Williams, Craig  
Williamson, rh Gavin  
Wilson, Mr Rob  
Wilson, Sammy  
Wollaston, Dr Sarah  
Wood, Mike  
Wragg, William  
Zahawi, Nadhim

**Tellers for the Noes:**  
Guy Opperman and  
Jackie Doyle-Price

*Question accordingly negatived.*

### Clause 3

POWER TO PROVIDE FOR AN ELECTED MAYOR

*Amendment proposed:* 4, in page 2, line 18, leave out subsection (2).—(James Wharton.)

*This amendment removes the prohibition against an order providing for there to be a mayor for the area of a combined authority as a condition for agreeing to transfer the functions of local authorities or other public bodies to that combined authority.*

*Question put,* That the amendment be made.

*The Committee divided:* Ayes 301, Noes 220.

**Division No. 82]**

**[3.37 pm**

### AYES

Adams, Nigel  
Afriyie, Adam  
Aldous, Peter  
Allan, Lucy  
Allen, Heidi  
Amess, Sir David  
Andrew, Stuart  
Ansell, Caroline  
Argar, Edward  
Atkins, Victoria  
Bacon, Mr Richard  
Baker, Mr Steve  
Baldwin, Harriett  
Barclay, Stephen  
Baron, Mr John  
Barwell, Gavin  
Bebb, Guto  
Bellingham, Mr Henry  
Beresford, Sir Paul  
Berry, Jake  
Berry, James  
Bingham, Andrew  
Blackman, Bob  
Blackwood, Nicola  
Blunt, Crispin  
Boles, Nick  
Bone, Mr Peter  
Borwick, Victoria  
Bottomley, Sir Peter  
Bradley, Karen  
Brazier, Mr Julian  
Bridgen, Andrew  
Brine, Steve  
Brokenshire, rh James  
Bruce, Fiona  
Buckland, Robert  
Burns, Conor

Burns, rh Sir Simon  
Burrowes, Mr David  
Burt, rh Alistair  
Cairns, Alun  
Carmichael, Neil  
Carswell, Mr Douglas  
Cartlidge, James  
Cash, Sir William  
Caulfield, Maria  
Chalk, Alex  
Bacon, Mr Richard  
Chopie, Mr Christopher  
Churchill, Jo  
Clark, rh Greg  
Clarke, rh Mr Kenneth  
Cleverly, James  
Clifton-Brown, Geoffrey  
Coffey, Dr Thérèse  
Collins, Damian  
Colville, Oliver  
Costa, Alberto  
Crabb, rh Stephen  
Crouch, Tracey  
Davies, Byron  
Davies, Chris  
Davies, David T. C.  
Davies, Glyn  
Davies, Dr James  
Davies, Mims  
Davis, rh Mr David  
Dinenage, Caroline  
Donelan, Michelle  
Dorries, Nadine  
Double, Steve  
Dowden, Oliver  
Drax, Richard  
Drummond, Mrs Flick

Duncan, rh Sir Alan  
 Duncan Smith, rh Mr Iain  
 Dunne, Mr Philip  
 Ellis, Michael  
 Ellison, Jane  
 Ellwood, Mr Tobias  
 Elphicke, Charlie  
 Eustice, George  
 Evans, Graham  
 Evennett, rh Mr David  
 Fabricant, Michael  
 Fallon, rh Michael  
 Fernandes, Suella  
 Field, rh Mark  
 Foster, Kevin  
 Fox, rh Dr Liam  
 Frazer, Lucy  
 Freer, Mike  
 Fuller, Richard  
 Fysh, Marcus  
 Gale, Sir Roger  
 Garnier, rh Sir Edward  
 Garnier, Mark  
 Gauke, Mr David  
 Ghani, Nusrat  
 Gillan, rh Mrs Cheryl  
 Glen, John  
 Goodwill, Mr Robert  
 Gove, rh Michael  
 Graham, Richard  
 Grant, Mrs Helen  
 Gray, Mr James  
 Grayling, rh Chris  
 Green, rh Damian  
 Greening, rh Justine  
 Grieve, rh Mr Dominic  
 Griffiths, Andrew  
 Gummer, Ben  
 Gyimah, Mr Sam  
 Halfon, rh Robert  
 Hall, Luke  
 Hammond, Stephen  
 Hancock, rh Matthew  
 Hands, rh Greg  
 Harper, rh Mr Mark  
 Harrington, Richard  
 Harris, Rebecca  
 Hart, Simon  
 Haselhurst, rh Sir Alan  
 Hayes, rh Mr John  
 Heald, Sir Oliver  
 Heappey, James  
 Heaton-Harris, Chris  
 Heaton-Jones, Peter  
 Henderson, Gordon  
 Herbert, rh Nick  
 Hinds, Damian  
 Hoare, Simon  
 Hollingbery, George  
 Hollinrake, Kevin  
 Hollobone, Mr Philip  
 Holloway, Mr Adam  
 Hopkins, Kris  
 Howarth, Sir Gerald  
 Howell, John  
 Howlett, Ben  
 Huddleston, Nigel  
 Hunt, rh Mr Jeremy  
 Hurd, Mr Nick  
 Jackson, Mr Stewart  
 James, Margot  
 Jayawardena, Mr Ranil  
 Jenkin, Mr Bernard  
 Jenkyns, Andrea  
 Jenrick, Robert  
 Johnson, Boris  
 Johnson, Gareth  
 Johnson, Joseph  
 Jones, Andrew  
 Jones, rh Mr David  
 Jones, Mr Marcus  
 Kawczynski, Daniel  
 Kennedy, Seema  
 Kirby, Simon  
 Knight, rh Sir Greg  
 Knight, Julian  
 Kwarteng, Kwasi  
 Lancaster, Mark  
 Latham, Pauline  
 Leadsom, Andrea  
 Lee, Dr Phillip  
 Lefroy, Jeremy  
 Leigh, Sir Edward  
 Leslie, Charlotte  
 Letwin, rh Mr Oliver  
 Lewis, Brandon  
 Lewis, rh Dr Julian  
 Lidington, rh Mr David  
 Lilley, rh Mr Peter  
 Lopresti, Jack  
 Lord, Jonathan  
 Loughton, Tim  
 Lumley, Karen  
 Mackinlay, Craig  
 Mackintosh, David  
 Mak, Mr Alan  
 Malthouse, Kit  
 Mann, Scott  
 Mathias, Dr Tania  
 May, rh Mrs Theresa  
 Maynard, Paul  
 McCartney, Jason  
 McCartney, Karl  
 McLoughlin, rh Mr Patrick  
 McPartland, Stephen  
 Menzies, Mark  
 Mercer, Johnny  
 Merriman, Huw  
 Metcalfe, Stephen  
 Miller, rh Mrs Maria  
 Milling, Amanda  
 Mills, Nigel  
 Milton, rh Anne  
 Mitchell, rh Mr Andrew  
 Mordaunt, Penny  
 Morgan, rh Nicky  
 Morris, Anne Marie  
 Morris, David  
 Morris, James  
 Morton, Wendy  
 Mowat, David  
 Mundell, rh David  
 Murray, Mrs Sheryll  
 Murrison, Dr Andrew  
 Neill, Robert  
 Newton, Sarah  
 Nokes, Caroline  
 Offord, Dr Matthew  
 Parish, Neil  
 Patel, rh Priti  
 Paterson, Steven  
 Pawsey, Mark  
 Penning, rh Mike  
 Penrose, John

Percy, Andrew  
 Perry, Claire  
 Phillips, Stephen  
 Philp, Chris  
 Pickles, rh Sir Eric  
 Pincher, Christopher  
 Poulter, Dr Daniel  
 Pow, Rebecca  
 Prentis, Victoria  
 Prisk, Mr Mark  
 Pursglove, Tom  
 Quin, Jeremy  
 Quince, Will  
 Raab, Mr Dominic  
 Redwood, rh John  
 Rees-Mogg, Mr Jacob  
 Robertson, Mr Laurence  
 Robinson, Mary  
 Rosindell, Andrew  
 Rutley, David  
 Sandbach, Antoinette  
 Scully, Paul  
 Selous, Andrew  
 Shapps, rh Grant  
 Sharma, Alok  
 Shelbrooke, Alec  
 Simpson, rh Mr Keith  
 Skidmore, Chris  
 Smith, Chloe  
 Smith, Henry  
 Smith, Julian  
 Smith, Royston  
 Solloway, Amanda  
 Soubry, rh Anna  
 Spelman, rh Mrs Caroline  
 Spencer, Mark  
 Stephenson, Andrew  
 Stevenson, John  
 Stewart, Bob  
 Stewart, Iain  
 Stewart, Rory  
 Streeter, Mr Gary  
 Stride, Mel  
 Stuart, Graham

Sturdy, Julian  
 Sunak, Rishi  
 Swayne, rh Mr Desmond  
 Swire, rh Mr Hugo  
 Syms, Mr Robert  
 Thomas, Derek  
 Throup, Maggie  
 Timpson, Edward  
 Tolhurst, Kelly  
 Tomlinson, Justin  
 Tomlinson, Michael  
 Tracey, Craig  
 Tredinnick, David  
 Trevelyan, Mrs Anne-Marie  
 Truss, rh Elizabeth  
 Tugendhat, Tom  
 Turner, Mr Andrew  
 Tyrie, rh Mr Andrew  
 Vaizey, Mr Edward  
 Vara, Mr Shailesh  
 Vickers, Martin  
 Walker, Mr Charles  
 Walker, Mr Robin  
 Warburton, David  
 Warman, Matt  
 Watkinson, Dame Angela  
 Wharton, James  
 Whately, Helen  
 Wheeler, Heather  
 White, Chris  
 Whittaker, Craig  
 Whittingdale, rh Mr John  
 Wiggin, Bill  
 Williams, Craig  
 Williamson, rh Gavin  
 Wilson, Mr Rob  
 Wollaston, Dr Sarah  
 Wood, Mike  
 Zahawi, Nadhim

**Tellers for the Ayes:**  
**Guy Opperman and**  
**Jackie Doyle-Price**

#### NOES

Abbott, Ms Diane  
 Abrahams, Debbie  
 Alexander, Heidi  
 Ali, Rushanara  
 Allen, Mr Graham  
 Ashworth, Jonathan  
 Austin, Ian  
 Bailey, Mr Adrian  
 Barron, rh Kevin  
 Beckett, rh Margaret  
 Benn, rh Hilary  
 Berger, Luciana  
 Betts, Mr Clive  
 Blackman-Woods, Dr Roberta  
 Blenkinsop, Tom  
 Blomfield, Paul  
 Bradshaw, rh Mr Ben  
 Brake, rh Tom  
 Brennan, Kevin  
 Brown, Lyn  
 Brown, rh Mr Nicholas  
 Bryant, Chris  
 Buck, Ms Karen  
 Burden, Richard  
 Burgon, Richard  
 Byrne, rh Liam  
 Cadbury, Ruth  
 Campbell, rh Mr Alan  
 Campbell, Mr Ronnie  
 Carmichael, rh Mr Alistair  
 Champion, Sarah  
 Clegg, rh Mr Nick  
 Coaker, Vernon  
 Coffey, Ann  
 Cooper, Julie  
 Corbyn, Jeremy  
 Coyle, Neil  
 Creagh, Mary  
 Creasy, Stella  
 Cruddas, Jon  
 Cryer, John  
 Cummins, Judith  
 Cunningham, Alex  
 Cunningham, Mr Jim  
 Dakin, Nic  
 Danczuk, Simon  
 David, Wayne  
 Davies, Geraint  
 De Piero, Gloria  
 Dodds, rh Mr Nigel



Doughty, Stephen  
Dowd, Jim  
Dowd, Peter  
Dromey, Jack  
Dugher, Michael  
Durkan, Mark  
Eagle, Ms Angela  
Eagle, Maria  
Edwards, Jonathan  
Efford, Clive  
Elliott, Julie  
Ellman, Mrs Louise  
Esterson, Bill  
Evans, Chris  
Farrelly, Paul  
Farron, Tim  
Field, rh Frank  
Fitzpatrick, Jim  
Flelo, Robert  
Fletcher, Colleen  
Flint, rh Caroline  
Flynn, Paul  
Fovargue, Yvonne  
Gardiner, Barry  
Glass, Pat  
Glindon, Mary  
Godsiff, Mr Roger  
Goodman, Helen  
Green, Kate  
Greenwood, Margaret  
Gwynne, Andrew  
Haigh, Louise  
Hamilton, Fabian  
Hanson, rh Mr David  
Harris, Carolyn  
Hayes, Helen  
Healey, rh John  
Hendrick, Mr Mark  
Hepburn, Mr Stephen  
Hermon, Lady  
Hillier, Meg  
Hodge, rh Dame Margaret  
Hodgson, Mrs Sharon  
Hoey, Kate  
Hollern, Kate  
Hopkins, Kelvin  
Howarth, rh Mr George  
Hunt, Tristram  
Huq, Dr Rupa  
Irranca-Davies, Huw  
Jarvis, Dan  
Johnson, rh Alan  
Jones, Gerald  
Jones, Graham  
Jones, Helen  
Jones, Mr Kevan  
Jones, Susan Elan  
Kane, Mike  
Kaufman, rh Sir Gerald  
Keeley, Barbara  
Kendall, Liz  
Khan, rh Sadiq  
Kinnock, Stephen  
Kyle, Peter  
Lammy, rh Mr David  
Lavery, Ian  
Leslie, Chris  
Lewell-Buck, Mrs Emma  
Lewis, Clive  
Long Bailey, Rebecca  
Lucas, Caroline  
Lucas, Ian C.

Lynch, Holly  
Mactaggart, rh Fiona  
Madders, Justin  
Mahmood, Mr Khalid  
Mahmood, Shabana  
Malhotra, Seema  
Mann, John  
Marris, Rob  
Marsden, Mr Gordon  
Maskell, Rachael  
Matheson, Christian  
McCabe, Steve  
McCarthy, Kerry  
McDonagh, Siobhain  
McDonald, Andy  
McDonnell, John  
McFadden, rh Mr Pat  
McGinn, Conor  
McGovern, Alison  
McInnes, Liz  
McKinnell, Catherine  
Meale, Sir Alan  
Mearns, Ian  
Miliband, rh Edward  
Morden, Jessica  
Morris, Grahame M.  
Murray, Ian  
Onn, Melanie  
Onwurah, Chi  
Osamor, Kate  
Owen, Albert  
Paisley, Ian  
Pennycook, Matthew  
Perkins, Toby  
Phillips, Jess  
Phillipson, Bridget  
Pound, Stephen  
Powell, Lucy  
Pugh, John  
Qureshi, Yasmin  
Rayner, Angela  
Reed, Mr Jamie  
Reed, Mr Steve  
Rees, Christina  
Reynolds, Emma  
Reynolds, Jonathan  
Rimmer, Marie  
Ritchie, Ms Margaret  
Robinson, Gavin  
Robinson, Mr Geoffrey  
Rotheram, Steve  
Saville Roberts, Liz  
Shannon, Jim  
Sharma, Mr Virendra  
Sheerman, Mr Barry  
Sherriff, Paula  
Shuker, Mr Gavin  
Siddiq, Tulip  
Simpson, David  
Skinner, Mr Dennis  
Slaughter, Andy  
Smeeth, Ruth  
Smith, rh Mr Andrew  
Smith, Angela  
Smith, Cat  
Smith, Jeff  
Smith, Nick  
Smith, Owen  
Smyth, Karin  
Spellar, rh Mr John  
Starmar, Keir  
Stevens, Jo

Streeting, Wes  
Stringer, Graham  
Stuart, rh Ms Gisela  
Tami, Mark  
Thomas, Mr Gareth  
Thornberry, Emily  
Timms, rh Stephen  
Trickett, Jon  
Turley, Anna  
Turner, Karl  
Twigg, Derek  
Twigg, Stephen  
Umunna, Mr Chuka  
Vaz, rh Keith  
Vaz, Valerie

Watson, Mr Tom  
West, Catherine  
Whitehead, Dr Alan  
Williams, Hywel  
Wilson, Phil  
Wilson, Sammy  
Winnick, Mr David  
Winterton, rh Ms Rosie  
Woodcock, John  
Wright, Mr Iain  
Zeichner, Daniel

**Tellers for the Noes:**  
Vicky Foxcroft and  
Sue Hayman

*Question accordingly agreed to.*

*Amendment 4 agreed to.*

*Clause 3, as amended, ordered to stand part of the Bill.*

### Schedule 1

#### MAYORS FOR COMBINED AUTHORITY AREAS: FURTHER PROVISION ABOUT ELECTIONS

*Amendments made:* 18, in page 21, line 29, after ‘State’ insert

‘or the Chancellor of the Duchy of Lancaster’.

*This provides for the order making power in paragraph 3 of new Schedule 5B to the Local Democracy, Economic Development and Construction Act 2009 to be exercised concurrently with the Chancellor of the Duchy of Lancaster.*

Amendment 19, in page 25, line 28, after ‘State’ insert ‘or the Chancellor of the Duchy of Lancaster’.

*This amendment provides for the order making power in paragraph 12 of new Schedule 5B to the Local Democracy, Economic Development and Construction Act 2009 to be exercised concurrently with the Chancellor of the Duchy of Lancaster.*

Amendment 20, in page 26, line 12, after ‘State’ insert ‘or the Chancellor of the Duchy of Lancaster’.

*This amendment provides that before making an order under paragraph of 12 of new Schedule 5B to the Local Democracy, Economic Development and Construction Act 2009 the Chancellor of the Duchy of Lancaster must consult the Electoral Commission.*

Amendment 21, in page 26, line 13, after ‘State’ insert ‘or the Chancellor of the Duchy of Lancaster’.

*This amendment provides that the Chancellor of the Duchy of Lancaster can only make an order limiting the expenses that can be incurred during an election for the return of a mayor, on the recommendation of the Electoral Commission.*

Amendment 22, in page 26, line 17, after ‘State’ insert ‘or the Chancellor of the Duchy of Lancaster’.—(*James Wharton.*)

*This amendment is consequential on amendment 20.*

*Schedule 1, as amended, agreed to.*

*Clause 4 ordered to stand part of the Bill.*

### Clause 5

#### FUNCTIONS

**Mr Brady:** I beg to move amendment 45, in page 4, line 18, at end add

‘provided that in each exercise of that function the mayor has the consent of each constituent part of a combined authority.’

*The intention of this amendment is that any constituent part of a combined authority may veto any decision made by a mayor of a combined authority.*

**The Temporary Chair (Mr David Crausby):** With this it will be convenient to discuss the following:

Amendment 40, in page 4, line 18, at end insert—

‘(1A) An order under subsection (1) may only be made with the consent of the relevant combined authority; and that consent must be obtained prior to the creation of the office of mayor in the combined authority concerned’.

*The intention of this amendment is that a function of a mayoral authority may only be transferred to the mayor with the consent of the relevant combined authority, which must be obtained prior to the creation of the relevant office of mayor.*

Government amendments 5 to 7.

Amendment 60, in page 5, leave out lines 9 and 10.

*As it stands the Bill removes the right of the Secretary of State to give borrowing powers to an elected mayor but allows for borrowing powers to be given to a combined authority. The amendment will allow borrowing powers to be given to an elected mayor.*

Government amendment 8.

Clause 5 stand part.

Government amendments 23 to 25.

That schedule 2 be the Second schedule to the Bill.

Clauses 6 and 7 stand part.

Amendment 41, in clause 8, page 8, line 20, leave out from beginning to end of line 12 on page 10 and insert—

‘(1) The Secretary of State may by order make provision for a function of the Secretary of State that is exercisable in relation to a combined authority’s area to be a function of a mayor of a combined authority;

(2) An order under subsection (1) may not include provision about the exercise of functions currently exercised by local authorities.’

*The intention of this amendment is that the only powers that can be given to a mayor of a combined authority are powers currently exercised by central government.*

Amendment 54, page 8, line 27, at end insert—

‘(c) make provision for conferring on a combined authority, upon the request of that authority in relation to its area the full retention of business rates, business rate supplements, council tax, stamp duty land tax, annual tax on enveloped dwellings, capital gains property disposal tax, and multi-year finance settlements.’

*This amendment will allow local authorities to retain all of their local taxation, including Business Rates and Council Tax.*

Amendment 55, page 8, line 27, at end insert—

‘(c) make provision for conferring on a combined authority in relation to its area discretionary control of council tax discounts, business rate discounts and supplements, and other local fees, charges and subsidies in relation to other retained taxes.’

*This amendment will allow local authorities to control all of their local taxation discounts, including those applicable to Business Rates and Council Tax.*

Clause 8 stand part.

Clause 17 stand part.

Amendment 48, in clause 18, page 17, line 48, after “consents,” insert

‘and in the County of Somerset, as defined by the Lieutenancies Act 1997, approved by a referendum in the local authority area’.

Government amendment 15.

Clause 18 stand part.

Clause 9 stand part.

Amendment 1, in schedule 3, page 32, line 12, after “persons” insert

‘including representatives of parish, neighbourhood, community and other councils in the area of the combined authority’.

*This amendment would allow local representation from parish, neighbourhood, community and other council is to attend combined authority scrutiny meetings.*

That schedule 3 be the Third schedule to the Bill.

Government amendment 9.

Amendment 58, in clause 10, page 11, line 26, at end insert—

‘(5) The Secretary of State may by order make provision for conferring powers on a combined authority to set multi-year finance settlements.’

*This amendment is intended to offer financial stability to city regions, allowing them long-term planning which is something not currently offered by the finance settlement or the funding of local enterprise partnerships (LEPs).*

Clauses 10 to 14 stand part.

Amendment 49, in clause 15, page 14, line 43, at end insert—

‘(d) In the County of Somerset, as defined by the Lieutenancies Act 1997, approved by a referendum in the local authority area.’

Clause 15 stand part.

Government amendment 10.

Amendment 2, in clause 16, page 16, line 6, at end insert—

‘(d) the creation of a Constitutional Convention to discuss further local authority governance, functions and related democratic issues.’

*This amendment creates the means by which every UK citizen can participate in a national public discussion on local devolution in the context of the wider renewal of UK democracy.*

Government amendment 11.

Amendment 47, in page 16, line 11, after “apply” insert

‘and in the County of Somerset, as defined by the Lieutenancies Act 1997, approved by a referendum in the local authority area’.

Amendment 50, in page 16, line 11, at end insert—

‘() In the case of two tier authorities, consent under section 16(3) may also be given where a majority of local authorities in the local authority area have indicated their support.’

Government amendments 12, 14 and 13.

Clause 16 stand part.

New clause 2—*Subsidiarity*—

‘That Subsidiarity as defined by the Maastricht Treaty 1992 Article 5(3) shall apply to the functions of national and local government.’

*This new clause would build in local government’s independence by using the principle of subsidiarity found in European law.*

New clause 4—*Local Government Constitutional Convention*—

‘(1) A convention is to be held to consider and make recommendations on the constitution of local government in the United Kingdom.

(2) The Secretary of State must make regulations to—

- (a) appoint a day on which the convention must commence its operations,
- (b) make fair and transparent rules about how the convention is to operate and how evidence is to be adduced,
- (c) make further provision about the terms of reference prescribed under section (Local Government Constitutional Convention: terms of reference), and
- (d) specify how those who are to be part of the convention are to be chosen in accordance with section (Local Government Constitutional Convention: composition).

(3) The date appointed under subsection (2)(a) must not be later than 31 December 2016.’

*This new clause creates the means by which every UK citizen can engage in a national public discussion of devolution local government, governance and electoral systems and make recommendations and receive a response from government and parliament to that national debate.*

**New clause 5—Local Government Constitutional Convention: terms of reference—**

‘The convention must consider the following terms of reference—

(a) the devolution of legislative and fiscal competence to local authorities within the United Kingdom,

(b) the reform of the electoral system for local government,

(c) constitutional matters relating to local government to be considered in further conventions, and

(d) procedures to govern the consideration and implementation of any future constitutional reforms in relation to local government.’

*This new clause creates the means by which every UK citizen can engage in a national public discussion of devolution local government, governance and electoral systems and make recommendations and receive a response from government and parliament to that national debate.*

**New clause 6—Local Government Constitutional Convention: recommendations—**

‘(1) The Local Government Constitutional Convention must publish recommendations within the period of one year beginning with the day appointed under section (Local Government Constitutional Convention).

(2) The Secretary of State must lay responses to each of the recommendations before each House of Parliament within six months beginning with the day on which the recommendations are published.’

*This new clause creates the means by which every UK citizen can engage in a national public discussion of devolution local government, governance and electoral systems and make recommendations and receive a response from government and parliament to that national debate.*

**New clause 7—Local Government Constitutional Convention: composition—**

‘(1) The Local Government Constitutional Convention must be composed of representatives of the following—

(a) registered political parties within the United Kingdom,

(b) local authorities, and

(c) the nations and regions of the United Kingdom.

(2) At least 50% of the members of the convention must not be employed in a role which can reasonably be considered to be political.’

*This new clause creates the means by which every UK citizen can engage in a national public discussion of devolution local government, governance and electoral systems and make recommendations and receive a response from government and parliament to that national debate.*

**New clause 10—Housing devolution to London—**

‘In any enactment relating to housing, any power or duty of the Secretary of State applicable to any person or dwelling shall be exercisable in the Greater London area only by the Mayor of London, with the consent of the Greater London Assembly.’

*This new clause provides for devolution to London of the Secretary of State’s housing powers.*

**New clause 11—Local property taxes devolution to London—**

‘(1) There shall be London Consolidated Fund into which shall be paid each month a sum equivalent to the previous month’s tax receipts in relation to properties in the greater London area accruing from—

(a) the stamp duty land tax,

(b) capital transfer tax,

(c) the annual tax on enveloped dwellings, and

(d) capital gains property disposal tax.

(2) The Treasury must consult the Mayor of London and the Greater London Assembly on what band and rates should be applied in respect of the Greater London area for the next financial year in respect of each of the taxes mentioned in subsection (1).’

*This new clause provides for devolution to London of the receipts from taxes on property and for formal consultation with the Treasury on the rates of those taxes to be set for the greater London area.*

**New clause 12—Local Government Financial Integrity—**

‘(1) Local authorities shall be financially independent of central government, save as otherwise provided for by this section.

(2) Central government may not place any restriction on decisions by local authorities about the exercise of their financial powers.

(3) The distribution of central government funds between local authorities shall continue on the basis of existing equalisation arrangements. Distribution will continue to be based on the principle of ensuring fairness and balance between local authorities. The basis on which this distribution is carried out must continue to be made public.

(4) Each local authority shall receive from central government a guaranteed share of the annual yield of income tax, as follows. Central government must in each financial year assign to the Secretary of State responsible for the distribution of central government funds between local authorities an amount of money equivalent to the yield from ten pence in the pound of income tax. The Secretary of State must make arrangements to inform each taxpayer in England of the amount of their income tax which makes up the central government funding distributed to English local authorities as a whole.

(5) The amount of the income tax yield referred to in subsection (4) shall be renegotiated between central and local government whenever service provision responsibilities are transferred between central government and local authorities.

(6) Local authorities may raise additional sources of income in their areas in any way they wish, and with the consent of their electorates as expressed through arrangements to be determined and put in place by the local authority concerned.

(7) Local authorities shall be able to raise any loans, bonds or other financial instruments which their credit rating allows and as independent entities will be exclusively responsible for their repayment. All local authorities shall operate a balanced budget so that in any one financial year all outgoings, including interest repayments on borrowings, shall not exceed income.

(8) Central government may not cap, or in any other way limit, local authorities’ taxation powers.

(9) The financial transparency standards that apply to central government shall apply to local authorities.

(10) Central government and local authorities may contract with each other in order to pursue their own policy objectives.’

*The intention of this new clause is that receipts from income tax should be assigned to the Department for Communities and Local Government who will then pass it on to councils.*

**New clause 14—Power to create new council tax bands—**

‘(1) Section 5 of the Local Government Finance Act 1992 is amended as follows.

(2) In subsection (4) omit “The Secretary of State may by order, as regards financial years beginning on or after such date as is specified in the order” and insert “A local authority may for any future financial year”.

(3) Omit subsection (5).’



*The intention of this new clause is to devolve to councils the power to create new council tax bands.*

**New clause 15—Abolition of referendums relating to council tax increases—**

‘(1) In Part 1 of the Local Government Finance Act 1992 (council tax: England and Wales) after Chapter 4 omit the Chapter set out in Schedule 5 to the Localism Act 2011.

(2) Schedule 6 to the Localism Act 2011 (council tax referendums: further amendments) ceases to have effect.’

*The intention of this new clause is to end the council tax referendum system.*

**New clause 16—Effective devolution committees—**

‘(1) The functions of local authorities include the formation of committees to collect and analyse data on effective performance by local authorities of powers and functions devolved to them.

(2) The Secretary of State must not give any directions to such committees.’

*The intention of this new clause is to enable Local Government to set up its own “what works” organisation on devolution to examine what’s effective, either independently or in partnership with, but separate from, the Department for Communities and Local Government.*

**New clause 17—Scale of devolution—**

‘(1) The extent of the devolution of powers and functions to local authorities must not be dependent on the size of the population of the local authority.’

*The intention of this new clause is to provide flexibility for devolution on varying scales and foot prints instead of linking the amount of devolution to the size of the recipient.*

Government amendments 26, 30 and 31.

**Mr Brady:** I shall be brief. Amendments 40, 41 and 45 relate to a variety of questions regarding the precise powers that are to be transferred under a devolution settlement, including whether powers can be devolved down from Government and whether there is any danger or any possibility that might preclude the danger of powers being pulled up from local government and vested at a level further from the people, which I believe to be the case under the Bill as it stands.

Essentially, amendment 45, by providing a veto for any one authority in a combined authority or mayoral authority area over any decision, would establish what, in the context of the Prime Minister’s negotiations on the EU relationship, we would refer to as sovereignty. It is the opposite of the arrangement in the Bill, which we would, I suppose, call qualified majority voting. The current provisions would clearly allow a majority position in the mayoral authority to prevail over a serious objection from one, two or perhaps three authorities. If I read the Bill correctly, in fact, I think that most of the vetoes in the Greater Manchester agreement would require two-thirds opposition to a measure to prevent it from proceeding.

Amendment 45 makes it very clear that although we are pleased to participate in the new arrangement, or to enhance the existing arrangement of a combined authority, which works very well, we believe that the fundamental power in this relationship ought to reside with the local authority or with each of the local authorities in the area. If the amendment were to be agreed, it would provide that protection. As with the amendments we discussed in the earlier group, which I did not press to a vote, I do not intend to press these amendments to a Division in Committee, in the hope that Ministers will reflect on them and consider whether there are more effective ways in which these guarantees and safeguards could be provided.

Similarly, amendment 40 seeks to establish what one might call a “foundation status”. It would give a special status to the original devolution agreement, which has been acceded to by the leaders of the local authorities in Greater Manchester, which is obviously the instance I know best. The intention is that it would limit the transfer of powers from local authorities, in particular, to any transfer that might take place before the establishment of the mayoral authority and would therefore prevent any further transfers. The amendment might not be perfect, and there might be flaws in how it is drafted, but I hope that my hon. Friend the Minister will accept that there is a real and important point that at the moment of the inception of the mayoral authority there is a degree of consent from the local authorities, but that consent might be less certain at a later stage.

Finally, amendment 41 seeks to provide an explicit guarantee. Ministers are very clear in their statements and Members on both sides of the House have been quite enthusiastic about the principle that we are seeking to move decision making and spending closer to people, taking functions away from central Government and moving them to a more local or regional tier. The hon. Member for Nottingham North (Mr Allen) spoke previously to his amendments seeking to establish a principle that could allow powers always to cascade down to the lowest level—something with which many of us feel a natural sympathy.

However, the Bill as it stands provides the possibility for powers to move in the opposite direction—for a local authority in any one year under any political control to decide that it wishes to cede decision making to the mayoral authority level. It is conceivable that the present Conservative Government will last for no more than another three or four Parliaments, and at some point in the future there could be a Government of another party in place. It is conceivable that a Minister less benign and less wise than my hon. Friend on the Front Bench may seek to lock into a mayoral tier of government powers sucked up from the local level.

Amendment 41 would provide a guarantee that what Ministers say they intend to achieve through the Bill and what most of us would like to see—the transfer of powers down from central Government—will indeed be the effect of the Bill, and not the reverse, the danger that the process will lead to decisions being taken further away from people, rather than closer to them.

**Mr Graham Allen:** Again, I shall speak about a number of issues that relate to the bigger principles and can perhaps be considered as a warm-up for the next devolution Bill, which must surely come within a couple of years, as I said in my earlier contribution, to knock the edges off this pioneering Bill, which brings serious devolution to England for the first time in my political lifetime. I tabled a number of amendments and I shall speak first to amendment 2, which is about a constitutional convention.

The work that I have been doing on a constitutional convention, which is the policy of my party and others, becomes ever more pertinent. We do not want to do parts of the jigsaw, but never see the bigger picture. Unless we step back and have a constitutional convention, we will not see how voting systems interlock with the role of a second Chamber, with the nations within the Union, and with the role of independent and devolved local government as the agents of devolution in England.

[Mr Graham Allen]

This is an important Bill providing one part of that jigsaw, but at some point in the next five years we need a mechanism to allow us—hopefully, all parties—to get together, take a pace back and ask, “Where does this leave us? Where does it leave the Union? Where does it leave our democracy?”

I have spoken about the evolutionary approach to English devolution of the Minister and the Secretary of State, and I have commended both. Where does that necessarily piecemeal approach leave us in terms of the future of our country? That cannot be the property of any one party, nor should it be. The parties here have a role as a midwife, ensuring that this concept has a fair wind and is set up properly, is properly funded and provided for and has proper means of public participation, but that is all.

The political parties should take a step back from any convention, whether on local Government or on our wider democracy, and allow the citizens of the United Kingdom their say, perhaps under the auspices of one of the great and the good—an archbishop, a High Court judge or whoever they want to suggest—as worked so well in Scotland. That led to the smooth—it was also protracted, but necessarily so—development of devolution there, culminating in the Scotland Bill that was before us only a few weeks ago.

4 pm

I do not expect the Minister to jump up and say, “Fine, we’ll do that”, but I do expect him to acknowledge that there is a point here, which is that we cannot keep doing this stuff piecemeal and that at some point we will need to pull it together. The whole of my private Member’s Bill on a constitutional convention is basically in the amendment paper, including the nuts and bolts that the Political and Constitutional Reform Committee, which I had the privilege of chairing in the previous Parliament, worked very hard on. I have pulled together some of those ideas and put them in an amendment so that they can be read by anyone, at either official or political level, who feels that the concept of a constitutional convention has something to recommend it to the House.

The next issue is one that I know is close to the hearts of Conservative Members: all things European. One of the really good things European was set out in the Maastricht treaty. I forget which Conservative party leader it was—either Mrs Thatcher or Mr Major—who granted us ever-closer union with our European friends. It set out one concept that I think we can all agree on, at least philosophically: subsidiarity—that most ugly word for the most beautiful concept. It essentially means doing things at the lowest appropriate level.

I return to the idea that we must entrench what progress we make. It is not good enough to hope that Whitehall will not want to suck power back, because it will. Having the principle of subsidiarity from the Maastricht treaty and European law embodied in our own law in order to prevent that is something that I think pro-Europeans and anti-Europeans could agree on. It could then be a central tenet of the way we distribute power in the United Kingdom.

A simple amendment incorporating that into British law would give people in devolved local government some security, and something that they could take to

court, if necessary. People at the lower level of the double devolution that I talked about earlier—people in a neighbourhood council, for example, who scraped together a few quid to do good things in their parish—would have a defence, because taking that away from them would be illegal. I hope that the Minister will also look at that proposal, because I think that in the near future, if not now, it should command the respect of the House and find its way into legislation, either supported by a super-majority or hidden behind the Parliament Act 1911.

I will move on now to new clauses 4 to 7 and a constitutional convention. I will pick just one thing that is at the centre of the paradox that the Minister is struggling with—and who would not struggle?—which is that although we are seeking to devolve power, we are, whatever words we choose to dress it up, imposing the concept of a mayor as the gateway to devolution. I will not get involved in that argument, because in 2020 it will be history and we will look back on it as something that is not all that relevant. However, it is relevant right now, and it is difficult right now.

The argument I put to the Minister is that we ought to be looking at this as something that we can change, work through and evolve, if we consider that at some point we want local government not to be told what system of governance it must have or what electoral system it must operate, but to have the discretion, as an independent institution, to decide on its own governance. If the concept of mayoralty has not taken root after five years, possibly in 80% of England, then it is not a good concept. Some people might say “Fine” to the concept of a mayor, as they would in London now. If we tried to take the concept of a mayor away from people in London, they would resent it greatly. We should let people decide at the end of that period whether they want a council leader, a committee structure, or something else. That would survive the test of time because they would have decided that it was what they wanted.

Exactly the same argument applies to electoral systems. Some people, including me, would say that authorities should be free to decide their own electoral system for local government. If they want all-out councils, election by thirds, the single transferable vote or first past the post, then, in conjunction with the people in their area—that is very important—they should have a debate about that and come to a decision on it. That would be a strong system, but not immutable. People are entitled to say, “We tried the mayor and it didn’t work—we had a succession of people who weren’t very good. We never had that before when we had a more collegiate view.” We should let people make a choice, and let them renew it every so often if that is what they want. I throw that out as an idea; I do not expect the Minister to accept it. If he does, I will be most grateful, but I suspect that it needs to brew a little, perhaps alongside a constitutional convention.

I have tabled many amendments and I am conscious of trying not to use up too much time. The Chair will raise an eyebrow appropriately if I go on too long, but I do not intend to take as much time as I did earlier. Some of my amendments were initiated by the National Association of Local Councils, others by the New Local Government Network, and the one on devolution for all sizes of authorities by Key Cities, but I will deal with the home-grown ones.

The central amendment is about learning the lesson from Scotland. I am sorry that no one from the Scottish National party is in the Chamber at the moment, because their advice would be very helpful. Someone who went to Scotland, even before the referendum, would have gone to a country that has a chunk of income tax assigned to its Government—to the Scottish Parliament. Rather painlessly, four years ago, we passed the Scotland Act 2012, which gave the equivalent of a 10p income tax rate to the Scottish Parliament. The national rate was reduced by 10p and we substituted a Scottish rate of 10p, so nobody paid any more and no elements of equalisation changed, but there was a clear line of account from the Scottish people as taxpayers to their Government in Holyrood.

I am making the radical, earth-shattering, civilisation-ending suggestion that what the Scots did could work for England and that the English people are just as capable of benefiting from such a system as the Scottish people are already. We could assign a chunk of income tax, not directly to every individual local authority, because that would become a nightmare, but, in essence, to the equivalent of the Scottish Government, which would be the Department for Communities and Local Government. That chunk would go to the DCLG as a block of, say, 10p in the pound, through the distribution mechanism, as now, with proper equalisation, as now, and no changes in the rates. That would give everybody a really clear line of account. If it was on people's wage slips that that chunk of their national income tax went to local government, everyone would suddenly start to take much greater interest in their local government because they would see for the first time that they were spending that chunk of their income tax money on it.

**Mr Gareth Thomas** (Harrow West) (Lab/Co-op): I agree with my hon. Friend's argument on income tax. Might the full suite of property taxes, not just business rates, also be worth considering in this context? I draw his attention to my amendment, clearly not as well drafted as his, suggesting that property taxes should be devolved in full to London. I hope to catch Mrs Main's eye and say a few words on that later.

**Mr Allen:** Our London colleagues have done some fantastic work on how to localise taxation that is currently held by the centre. That has to be done sensitively and carefully, but as I said earlier—I do not think my hon. Friend was present then—every other western democracy manages that difficulty without a problem. In Sweden, America, Canada, Italy, Germany and Holland, it is second nature to retain money locally from business rates, landfill taxes and land taxes such as stamp duty. They get by pretty well. In fact, because that system is institutionalised, their local government has immense power over and above what we have as vassals. In effect, we do what we are commanded to do according to the crumbs left in the begging bowl after the Chancellor has done his bit for the national economy.

It is absolutely open to us to do work similar to that done by my hon. Friend, Professor Tony Travers and consecutive London Mayors to liberate people. Nottingham gets a lot of tourists because of the Robin Hood tradition and the castle, so we could have a hotel tax or a bed tax of £1 a night. That happens in other western democratic countries and the people endorse it. There is a big caveat though: no council should do this unless the

people have okayed it and bought into it. Councils should also be able to borrow on the open market on the basis of their credit rating, but they need to have the consent of the people. It is perfectly possible for us to do what my hon. Friend suggests.

**Mr Kevan Jones:** I have been listening carefully to my hon. Friend and, while I do not disagree with him, the proposal to retain 100% of business rates will be a disaster for some poorer areas. It is fine for areas of central London, such as Westminster, to argue for the ability to retain 100% of their business rates. However, business rates in poorer areas of the north-east and elsewhere are never going to generate a great deal. In fact, one large closure can devastate the local income base. There has to be a redistribution mechanism.

**Mr Allen:** My hon. Friend is absolutely right. A proper redistribution mechanism—whether it is based on the amount received from income tax, business rates or any other taxation—must be in place; otherwise the system could be distorted and deeply unfair. That is why my amendments, which my hon. Friend will have read, suggest that equalisation should be central to the process; otherwise we will end up with the disjointedness he mentions.

**Jonathan Edwards:** In addition to the point made by the hon. Member for North Durham (Mr Jones), does the hon. Member for Nottingham North (Mr Allen) think there is a relationship between fiscal decentralisation and the geographical wealth of the countries that he mentioned, including the United States, which is far more balanced than the gross imbalances in the UK?

**Mr Allen:** No, I do not believe that is the case. That happens everywhere. Although I am very much an ardent devoluer, I believe there is always a place for the federal level. President Clinton was not denied his wish to introduce Head Start to every state in the union. He did not impose it, but he offered it as a federal programme and virtually every state picked it up. Devolution would not diminish our role in this place to do good things, and it certainly should not diminish our role in insisting on the sort of equalisation that my hon. Friend the Member for North Durham (Mr Jones) has in mind.

**Mr Kevan Jones:** Does my hon. Friend agree, though, that that is not what is being offered by this Government? They are offering retention of 100% of business rates without equalisation, which will have a dramatic effect on those areas with low business rate receipts. It will also be to the advantage of some areas that perhaps do not need extra resources.

**Mr Allen:** I again agree with my hon. Friend. We are not there yet and it is not a done deal yet. We need to make the points that he very ably makes about equalisation. I will say to him, however, that if it is a choice between being instructed by Whitehall how to spend not very much money and having not very much money to spend locally, I would go for spending it locally every time, because we will maximise value and spend the money sensitively. Whatever money is available, it is better spent by those who know what they are doing, rather than by the man in Whitehall. I totally accept my hon. Friend's points.

**Mr Gareth Thomas:** Will my hon. Friend give way?



**Mr Allen:** I am very conscious of the time, but I will give way.

4.15 pm

**Mr Thomas:** Is not a further argument for local taxes being controlled at local level that it allows local government a full range of policy responses to deal with local problems? I offer the example—I hope to catch your eye on this later, Mrs Main—of the housing crisis in London, where an ability to impose higher taxes on empty homes might be one part of the solution to the housing crisis.

**Mr Allen:** The nuance that I would add to my hon. Friend's excellent point is that local taxation need not necessarily always be collected locally. Income tax is a very good example. Provided that it is distributed fairly from the centre, it makes a lot of sense for collection to be a central function, with Her Majesty's Revenue and Customs simply continuing to do what it does, openly and transparently. Other things—he mentioned a hotel tax, business rates and so on—are much more amenable to local decision making, but we are long way from that.

**Graham Stringer:** Will my hon. Friend give way?

**Mr Allen:** I will, but if I may, I will make that the last intervention, otherwise you will start to twitch, Mrs Main.

**Graham Stringer:** My hon. Friend is committed to and searching for radical localist solutions. He mentioned the efficiency of decisions taken locally. My experience is that local government is much more efficient than central Government. Would not the most radical constitutional change be to make central Government responsible to local government, not the other way round?

**Mr Allen:** I would not ever wish to do to central Government what they have done to local government. I will therefore resist the temptation that my hon. Friend puts in my way. Sometimes, however, when we are being lectured about fiscal prudence, I ask myself: who has the triple A rating in this country? It is local government, rather than central Government. Who goes cap in hand to international lenders? Central Government. Who runs tight and balanced budgets? Local government. A central Government of any political colour who lectures local government should look in the mirror first.

I just want to mention one last new clause, new clause 16. It relates to having an institution, created by local government, as one of the What Works institutions that, thankfully, are now springing up across and outside government. They take the best possible practice out there and spread it around. A national-level inspectorate can tell local government what to do, but I am saying that there is a different model. We should draw up from the localities to national level something selected by the localities to spread best practice. We all want to do better and to hear who is doing the good stuff.

I will boast about the fact that the city of Nottingham has just come with the idea of an energy broker. Anybody can phone up and get the best deal—done. It will save people several hundred pounds a year. It is a not-for-profit service. As a Nottingham patriot, I could go on about our trams and many other innovations that we are introducing with two hands tied behind our back.

If we release people in the way I am describing, we can show them best practice and we can see what they are doing. I ask the Minister to consider that point very seriously. The Government have very generously created What Works institutions in policing and early intervention—I played a small part in creating the Early Intervention Foundation—and there are about 10 of them across the board. We need an organisation created by local government and that local government will respect—based in the LGA, the Department for Communities and Local Government or wherever—to give advice, offer evidence and fight local government's corner. That is something for the Minister to take away and consider, and I hope it will reappear in the next of the two other devolution Bills I anticipate before 2020.

**John Stevenson:** I am grateful for the opportunity to say a few words about amendment 50, which I tabled. I will be interested to hear what the Minister says, but it is not my intention to press it to a vote.

As the Minister is well aware, I fully support the Government's overall aims and intentions. It is sensible that this is an enabling Bill and that it allows the maximum possible flexibility. I think that it will lead to innovation and fresh thinking not just at the national level, but at the local level. Indeed over the past few years, local authorities have demonstrated that they are innovative and that they can change.

I appreciate that the Government want to reform local government with the support of local government. The Bill gives local government the opportunity to step up to the plate and embrace these opportunities. It gives local authorities the chance to take responsibility, to take on more powers and to achieve an awful lot more for their communities. I understand that the Government do not want to impose things on local authorities, but to discuss and negotiate with them in order to come to a deal that is beneficial for central and local government.

A key part of this change is not only about powers, but about governance and structure. There has been an extensive discussion about elected mayors, of which I am an enthusiastic supporter. Indeed, I believe that elected mayors should be the default position for all councils throughout the country. I will continue to support and encourage that idea. However, I accept that the Government want local areas to come up with their own solutions and ideas for change on both governance and structure. I understand the thinking behind that.

I do, however, have some concerns. If I may take this opportunity to be rather parochial, I would like to talk a little about Cumbria. I suspect that other areas face similar circumstances, but I will just discuss my own county. Cumbria has been described as a county that is over-governed and under-led. We have more than 380 councillors and seven councils, yet we have only half a million people. That system was created in 1974 and is now clearly not fit for purpose. It is recognised by everybody locally, including all the political parties, industry, business, the health service and local people, that it has to change, and that it has to do so soon if it is to be part of the devolutionary changes that are happening and to take the opportunities that are available to local government.

However, there is a potential problem. That is why I tabled amendment 50. I believe that it is wrong in a two-tier area for one authority effectively to have a veto

over any change, even if it is a sensible and well-supported proposal made by the rest of the county and all the other districts. That allows one authority to stop popular and vital reforms going ahead. Anyone who understands Cumbrian politics will know that that is a distinct possibility.

Amendment 50 is not about allowing central Government to impose their will over what happens in Cumbria—I want to emphasise that. It is about stopping one authority denying progressive change that is in the interests of people throughout Cumbria. Cumbria is an obvious example of this problem because six of its authorities could be prevented from bringing about badly needed and well-supported reform by one maverick authority.

**Mr Rees-Mogg:** I am very interested in the point that my hon. Friend is making, but concerned that his proposal would undermine one of the principles behind what the Government are doing, which is to ensure that there is consent for the proposals. Does he feel that if what he is describing were to happen, it would be right to have a referendum to ensure that people were not having decisions made for them wrongly by the hierarchy above them?

**John Stevenson:** I do not feel that a referendum would be necessary, because the councillors on the various councils are the elected representatives of the people. My concern is that one authority might dig its heels in and prevent change that is in the beneficial interests of the rest of the council and all the other districts, particularly given that sacrifices will be made by those districts and the county council.

I ask the Minister to give serious consideration to what I consider to be a modest and sensible amendment. I look forward to him accepting it on Report.

**Mr Betts:** I agree with what my hon. Friend the Member for Nottingham North (Mr Allen) said about the need for a wider constitutional settlement. That was apposite, and at some point we will have to address those issues. I agree with his points about subsidiarity and taking that below the level of an individual local authority, and about encouraging the process down.

Fiscal devolution is a challenge, and Members have reflected different perspectives from different parts of the country. It is a challenge, but not one that we should duck. I am Chair of the Communities and Local Government Committee, on which the hon. Member for Carlisle (John Stevenson) sat in the previous Parliament. He made important and valuable contributions to our report. We found a way to take on board proposals from the London Finance Commission about the wider devolution of property taxes, while recognising the need to protect areas that will perhaps struggle to raise business rates and other property taxes easily, or to get back money from areas that simply watch property prices rise and receive enormous windfalls. We must have balance in the system.

The Committee has begun an inquiry into the workings of devolution and the Bill, but since then the Chancellor has made his announcement about the full localisation of business rates. The Committee will want to come back and look at how that will be done. I think most Members would support the principle behind such a move, but how will we implement it to ensure protection

for poorer areas? How will we devolve more powers to local government to take account of the extra money made available as part of that process?

**Andrew Gwynne:** My hon. Friend is right to say that the Select Committee must consider business rates retention in detail. One possible solution for devolved city regions might be the pooling and sharing of business rates. For example, parts of Greater Manchester are key drivers of economic growth, and that wealth should be spread across the whole conurbation for the benefit of all.

**Mr Betts:** My hon. Friend is right, and the Committee made that recommendation in the previous Parliament. It is a way that we can devolve the redistribution process to more local areas. That does not work everywhere, but it would probably work well in areas such as Manchester that have a spread of different local authorities

**Mr Gareth Thomas:** My hon. Friend's point about poorer areas and the full devolution of business rates is apposite. Is the Chancellor's suggestion to axe completely the revenue support grant for local authorities—that was in the same speech as plans for the full devolution of business rates—likely to have a dramatic impact on increasing inequality of income between areas? Will my hon. Friend's Committee be considering that?

**Mr Betts:** We will certainly want to consider that issue. From reading what has been said, and the written statement that was presented to the House on the first day back after the recess, there does not seem to be a commitment simply to leave the amount of business rates collected in an area with that local authority. Instead there was a move to allow the full retention of the growth of business rates, and then a decision about what to do with the rest. I think that is the position, but Ministers will have to explain it further in due course. I am sure that the Committee will want to explore that.

The Minister and I have slightly different views about whether elected mayors should be a requirement for full devolution, but the Minister won the vote and that measure is back in the Bill. I am still concerned to have a level playing field, however, and I am surprised about one element in the Bill that Ministers have not sought to explain. Amendment 60 would delete from clause 5(1)(7) words that would devolve to a mayor who is exercising powers independently, any powers that are “similar to any power exercisable by the mayoral combined authority...but the power conferred on the mayor may not include a power to borrow money.”

When a combined authority is set up, it can have the power to borrow money. In the Sheffield city region, the combined authority has to borrow money for the functions of economic development, skills and matters devolved to it. The mayor will effectively become the transport authority and exercise transport functions. In exercising those functions, however, the mayor will not be able to borrow money. Somebody else will have to do that if, for example, a new tram system is going to be developed. The mayor will have to go to somebody else and say, “Will you borrow money for me?”

4.30 pm

Is that not a very odd situation? The Government have been arguing very strongly—the Minister has made the case—that we need clear accountability and strong leadership, and that we can only have that through

elected mayors. That has been the Government's line right the way through, but these strong mayors—these solely accountable people who are essential to making this form of governance work—will not be able to borrow the money to deliver the functions they are given. Why? It is not as if I am arguing, with the amendment, that Ministers have to give borrowing powers to the mayor, but the Bill actually prevents the Government from being allowed to give borrowing powers to a mayor. Is that not very strange for an enabling Bill? The Ministers have disabled themselves from doing something that seems fairly fundamental to the powers of a mayor. Can someone explain that? I cannot. It really is quite a strange situation for the Government to have got themselves into.

I tabled a very simple amendment to take those lines out. It will not force Ministers to do anything; it will simply allow them to come to deals with the combined authorities on how mayors should be able to exercise properly the functions they are given. The Minister might like to at least reflect on the fact that this is a sensible amendment.

I return to the comments made by the hon. Member for Carlisle (John Stevenson). His is a probing amendment, but it is probing in a very effective way. There is a problem: consent for one person is veto for somebody else. That is also a problem in proposed new subsection (3) in clause 15(3), which relates to authorities that have to give their consent for a combined authority to operate, including a district council or

“a county council the whole or any part of whose area is within the area”.

What if four Derbyshire districts decide they want to join and have their transport powers exercised by the combined authority of the Sheffield city region, which is a natural travel to work area—they are all working together on a joint basis at present—and Derbyshire County Council says no?

This is a point I raised earlier. Ministers have to give some thought to the challenges this will pose in areas where there are currently districts in counties. I give great credit to the Government, because both the LEPs and the devolution proposals they are working towards have no regard to the old regions, which were administrative conveniences, but Sheffield has little connection with Whitby, even though we are both in what was the Yorkshire region. We have a lot of connections with Chesterfield, North East Derbyshire, Bolsover, Derbyshire Dales and Bassetlaw. They are part of our travel to work area, along with Barnsley, Doncaster and Rotherham. We are part of the same economic entity. To have a Bill that enables a veto on the development of a proper economic policy for a proper economic area is a concern. I am raising this point again and the hon. Member for Carlisle has raised it in a different context. It is a problem. I hope the Ministers will help us to sort it out.

**Scott Mann** (North Cornwall) (Con): It is my view that there are no problems with the Bill. I championed it last week because I believed the Government were right to give more powers to councils, which can better address the issues in their areas. Cornwall does not have an elected mayor, but it does have a rather unique sense of identity and a desire to get its traditional low-wage economy functioning as a high-wage, high-skill one and to secure the lifestyle benefits that brings.

As many Members are aware, the Bill was preceded by the Cornwall deal, which, as a Cornwall MP and local councillor, I was proud to see signed off by the separate bodies and the Minister. Devolution for Cornwall recognises the needs of its people. The Government are saying to the people of Cornwall, “If you want more power, you can have it.” It is no secret that Cornwall has been a very deprived area. This is not just recognised nationally; it is also recognised on the continent. Cornwall has received European funding to improve this situation, but the last round created only 3,500 jobs out of the 10,000 planned. This is in a county of only 500,000 people. Those 10,000 jobs would have been of huge benefit to us, but the funding was not properly utilised. Cornwall has now been granted intermediate body status and so gets to take control of such money. That is the best way to make businesses grow. Let us give business the opportunities to invest.

As a rural area, Cornwall struggles with the reliability and frequency of transport links. In my constituency, there are no main line railways—there is not one passing anywhere near the constituency—so I know how important bus links are to communities. I am glad, therefore, that bus links were part of the deal. Not everyone has a car or driving licence, so it is buses that help them to commute to and from work. The Cornwall deal now gives us greater control over those bus links, and with the introduction of smart ticketing, like that in London, we can move Cornwall into the 21st century.

Cornwall and local health organisations plan to introduce a business plan for the integration of health and social care, meaning that Cornwall will have a greater say over how healthcare is provided to our elderly, sick and vulnerable constituents. With the empowerment of local government, however, comes great responsibility, and my constituents want to hold local government to account. This deal makes that possible. It gives the power to local people to hold their politicians and boards accountable. I feel proud to be MP for an area that has seen these devolved powers. It is a historic deal for Cornwall, and I hope that many of my right hon. and hon. Friends will feel the same way when the same powers are devolved to their areas.

**Mr Gareth Thomas:** I rise to make the case for new clauses 10 and 11, which stand in my name, but first, I should preface my comments by supporting the remarks of my hon. Friend the Member for Nottingham North (Mr Allen) about a constitutional settlement. That is an entirely sensible way forward. I do not know whether he has considered the distinctiveness of London as part of that settlement, but I think that any such convention should recognise its difference, the scale of the challenges facing it and the significant contribution it makes to the wealth of the UK as a whole.

I read new clause 22, debated in the previous group, with interest, and I commend my hon. Friend the Member for Croydon North (Mr Reed), whom I understand was its genesis. I hesitate to commend him more fully, in case it damages his career, but I am encouraged that the Labour Front-Bench team recognise the need to argue quickly for more devolution to London. I hope to persuade him and the Committee that my new clauses contain the substance of what needs to be devolved to London.

The substance of new clause 11, referred to by my hon. Friend the Member for Sheffield South East (Mr Betts), secured cross-party support in London as a result of the



London Finance Commission, which Tony Travers chaired and which was established by the Mayor of London, the hon. Member for Uxbridge and South Ruislip (Boris Johnson). That commission recommended that the full sweep of property taxes—not just business rates, but council tax, stamp duty, capital gains, property development tax and the annual tax on enveloped dwellings—should be devolved to London.

High property prices in London mean that the capital contributes a disproportionate amount to the Treasury through property taxes. Last year alone, some £3 billion was paid in stamp duty in London—40% of the total, more than was paid in Scotland, Wales and Northern Ireland put together.

It is right that much of the wealth generated in London is redistributed around the UK. There should be continuing equalisation measures, as my hon. Friend the Member for North Durham (Mr Jones) rightly said, perhaps through the revenue support grant or other means. There should also be a corresponding reduction in grant income to London to ensure that devolution of property taxes is fiscally neutral to the Treasury.

My point, however, is that London needs to control more of the wealth that we create to solve the challenges that our city faces. We have the most severe housing crisis of any part of the UK, the highest cost of living, and the starkest levels of inequality. Our transport infrastructure is under huge pressure, and we have stubbornly high levels of child poverty and deprivation. I say that not in any way to dispute the fact that other parts of the UK face significant challenges as well, but merely to underline the argument that London needs to be able to control more of the levers to shape our responses to these challenges.

I thus support the instinct to retain 100% of business rates, but it is the full devolution of all property taxes that is needed to help us in London to tackle our challenges, with a pound-for-pound reduction in London's revenue support grant as the quid pro quo going forward. There is widespread support among the business community for the devolution of property taxes because that community recognises that it is key to developing the necessary infrastructure to promote economic growth.

I use as my example the 40 years it has taken to start work on Crossrail. Given the pressures that London's rapidly growing population is creating for further investment in infrastructure, it is vital for big infrastructure decisions to be brought to resolution more quickly and for the control of property and taxation to be exercised at London-wide levels, which would increase the Mayor's ability—and, indeed, that of local councils—to put the financing together for the infrastructure schemes necessary for the future. Greater control over property taxes would ease the borrowing constraints on London's local councils so that they could invest in vital infrastructure such as affordable housing.

As the London Finance Commission set out, London currently controls only 7% of the taxes that are paid here, compared with more than 50% in New York. Property taxes are set locally in Paris, Berlin, Madrid and Tokyo. Such control would not only enable London to plan infrastructure projects better, but allow greater scope to ensure that the property taxes that are levied suit London's property and land markets. For example, the introduction of a hotel occupancy tax, as successfully levied in New York, could raise up to £50 million a year

for London. Even if the Minister is not minded to support my new clause 11 at this juncture, he might give some indication of being tempted to develop a feeling of courage in taking on the Treasury and advocate further devolution of more property taxes to London.

New clause 10 devolves responsibility for housing law to the Mayor and Assembly. That matches arrangements for Scotland and Wales and would allow Londoners themselves to decide whether to extend the right to buy and whether or not to cut rents. It is the scale of the housing crisis that provides the overarching rationale for this new clause. We have seen a huge drop in owner-occupation in London. An average home in London costs nine times the average wage of a police officer, 21 times the average wage of a chef and 35 times the wage of a Foreign Office cleaner. Rents have rocketed, and are not expected to bottom out any time soon. Homelessness has also increased rapidly: there has been a 50% increase in my own borough over the past five years. Meanwhile, Ministers—and I say this with all due respect to the Minister who is present—sit on their hands doing very little about a crisis which, given that we are building fewer than half the homes a year that London needs, is likely to become more rather than less acute unless radical steps are taken.

4.45 pm

I strongly believe that the Mayor of London has not had the will to tackle London's housing crisis. It is also true to say that he has not had at his disposal all the levers that he might have had if he had really wanted to get to grips with it. One of the benefits of the amendment is that we would be able to put in one set of hands, or in the hands of one institution, all the crucial levers that would enable us to tackle that crisis. A mix of solutions is needed. The potential for those solutions currently lies in a multiplicity of hands, including those of the Treasury, the Department for Communities and Local Government, the Homes and Communities Agency, the Mayor and the Valuation Office Agency. We need to bring those responsibilities together, so that a mayoral London housing strategy can have real teeth and real resources with which to meet its objectives.

Decisions about the right to buy, about cuts in rents and about the introduction of rent controls in London, which I think are needed, planning rules, tax powers and the power to write the rules for the housing market more generally should be the responsibility of the Mayor, with the support of the Assembly. I think that property taxes should be as well, so that, for example, we can impose higher taxes on empty homes or on land that could be, but is not being, developed. Such decisions could be made more quickly by the Mayor. At present, councils must head for the Treasury to try to persuade the Chancellor.

I recognise that there are those who think that London has all the power and all the wealth, and that further devolution will only make that worse. As I said earlier, the wealth that London creates needs to be redistributed. Most Londoners continue to support that principle strongly, but I do not think that Whitehall always knows best. I think that there are more policy areas in London in which the expertise—I say this gently—of Scottish, Welsh and other English MPs is not needed, and which should be devolved to the Mayor and the Assembly. Property taxes and housing law, for instance, are crucial in that regard.

London is different from the rest of England. The scale of our economic and social challenges, our rapidly rising population and the fact that our competition is now far more about New York, Berlin and Tokyo than about other UK cities demand a much stronger devolution package for London. That does not by any means undermine the case for further devolution to other parts of England, as the Bill already suggests.

**Mr Kevan Jones:** Amendment 2, tabled by my hon. Friend the Member for Nottingham North (Mr Allen), calls for the creation of a constitutional convention, which I think is very important.

As we heard earlier from my hon. Friend the Member for Sheffield South East (Mr Betts), the Government's proposals are likely to end up as a dog's breakfast. The Bill does not represent a movement for devolution or an attempt to improve local government or governance; it represents a clear political agenda. It is about the Chancellor's vision of a small state Britain that will make it easier for him to push through draconian cuts. Once he has pushed responsibilities down to local government or regional tiers, he will be able to top-slice the budgets, while the difficult decisions will have to be faced locally, by mayors and councils. Those individuals will get the blame for the tough decisions that will be taken. The Chancellor and this Government will step back and say, "I'm sorry, it's not our fault; it's your local decision-making process."

This is a unique way of approaching the devolution debate in this country. There have been other approaches. There was the Crowther debate in the late 1960s and early 1970s, which stood back and looked at not only Scotland, Northern Ireland and Wales, but how to devolve power locally. The Redcliffe-Maud reorganisation of local government took time to look at future structures for local government. That was controversial at the time—some of the historical counties were abolished, for example— but at least there was an evidence base.

That is not what is on offer now, which is why amendment 2 is so important. We need a properly thought-out national debate on devolution and what the structures will be. What we have now in this so-called enabling legislation is legislation with a big stick attached to it. Local areas such as the north-east have been told they can have devolution but only if there is an elected mayor, even though the Minister keeps denying that. He said an interesting thing in response to the previous set of amendments; he said no area would be disadvantaged if it did not go down the devolution route. That is not what he has been saying in the region or what his supporters in the Conservative party have been arguing in the region. The argument there is that if these truculent local authorities do not agree to devolution, they will lose out on all this money. The Minister has changed his tune this afternoon and said that is not conditional. It will be welcome if there is still an option to get those extra resources without necessarily going down the route he wants.

This is about local decision making, but what is key in any organisation is who holds the purse-strings. The Chancellor still holds the purse-strings under what is being proposed, and when the tough decisions come down the line his fingerprints will not be on them.

My hon. Friend the Member for Harrow West (Mr Thomas) mentioned business rates. I take his point: allowing local councils and others to have the powers to

regenerate areas and try to create extra revenue is welcome, but he will appreciate—as my hon. Friend the Member for Nottingham North noted earlier—that there is not a level playing field across the UK. Without any mechanism for redistribution in local business rates, areas such as the north-east—those that have already been hit disproportionately by this Government taking the need element out of grant formula, which rewards richer areas more than poorer areas—are going to lose out.

Westminster city council will benefit if it gets to retain 100% of its business rates and gains from any new development it can have. Its situation will be easy compared with that of the poor people of Redcar; Redcar council is going to find it very difficult to attract new development that plugs the hole left by the closure of the steelworks.

We need to ensure we put in place structures that not only will work and have the support of people, but are practical. If we have a Teesside mayor and a mayor for the north-east, both will have responsibility for transport in their area. Where that will leave the A19, the M1 or any of the other transport links that cross the area, no one seems to know. Will the mayor of Teesside be responsible for the section of the A19 as far as the border of the area? Will the mayor for the north-east assume responsibility for the road network beyond that point? Therein lies one of the issues.

The Government said that they were against regions, but they have now divided quite a small geographical area. Supporters of the proposals have not explained how all this will work in practice. They have been out there in the north-east vigorously putting forward their case. Many of them have been posing as business people while forgetting to tell everyone that they are actually Conservatives.

There is a similar problem with resource allocation. The Government are proposing to impose a new tier of regional government, but how will it relate to the existing local authority tiers? The Minister keeps saying that this will be different because it involves moving power down from Whitehall to the region, but I can envisage people starting to ask whether they really need the large numbers of councils that they have at the moment. That will certainly happen in Manchester, for example. I know that turkeys do not usually vote for Christmas, but some local authorities need to think about where the Government's agenda will lead. The Conservative party has traditionally been quite passionate about local government—it has always been supportive of it—but I believe that the Bill represents a move to reduce those tiers of local representation.

We need to step back and look not only at how the new system will work in practice but at the levels of local support. The Government are refusing to allow the people of the north-east a say in whether they want an extra tier of local government. The Minister is adamant that he is not prepared to give those people a say over whether they want an elected mayor whose responsibilities would stretch from the Scottish border down to Barnard Castle. As I said earlier, when we proposed a regional assembly in 2004, we quite rightly put it to the people. The Conservatives and their supporters argued vigorously against the proposal, and I am sure that if the then Labour Government had imposed an assembly on the region without taking the proposal to the people, we would rightly have been criticised.

There would have been an outcry. Those same advocates who argued against us then are keeping very quiet now, however.

I have some sympathy with the amendment tabled by the hon. Member for Carlisle (John Stevenson). He has raised various issues, and I agree that there is a problem. One question that some of the smaller district councils will face is whether they will have capacity as a result of the cuts that will be imposed in the autumn statement, on top of those that have already been imposed. The last Labour Government introduced unitary councils in the north-east, in Durham, and it was one of the best things that happened making decisions more straightforward. I hate to think what some of those smaller councils would do if they were still in existence now, given the cuts that this Government have imposed. I doubt that they would have the capacity to deliver their services.

I put it to the Minister that these larger areas will need an effective mechanism for ensuring that local people are engaged in the decision-making process. I used to work in Cumbria and I know it well. I understand some of the attitudes he has referred to. Having a veto over decisions on what is needed there could be a disadvantage for Cumbria rather than an advantage.

We need the measures that my hon. Friend the Member for Nottingham North is proposing. We should have had them in place before we embarked on this process, but the Government know exactly what they are doing. This is not about devolution. It is about the clear political agenda of the Conservatives and the Chancellor. They know what they are doing, and it has nothing at all to do with the proper devolution of decision making.

**John Mann** (Bassetlaw) (Lab): I concur that a constitutional convention would be very sensible, as my hon. Friend the Member for Nottingham North (Mr Allen) said.

I hear the idea of a hotel tax in London—I hope it is not on my constituents coming down for a good overnight stay, but on those coming from abroad. I am not sure a hotel tax would work particularly well in Bassetlaw, although it is worth considering. I recall that until the last few years Welbeck Estates levied £3 on every tonne of coal produced for a century. If local government had been allowed to do that, Bassetlaw would be a very different place, because the infrastructure and so on would have been appropriately remunerated for the coal that we provided for the rest of the country in wartime and in peacetime, at great cost. That concept of local decision making is a very good one, so I would accord with the idea, but I hope there would be some exemptions to anything that is done in relation to the good people of Bassetlaw.

5 pm

My questions are solely on the technicalities, as I see a few ambiguities here. There seems to have been a bit of a rush to get into the model being used. Nobody in my area or elsewhere would know about D2N2, but it is apparently Derbyshire and Nottinghamshire, and it is deciding that it might want this model, rather late in the day. I am sure Derby is a wonderful place, but I cannot say I have visited it very often and so I do not know how wonderful it is. Like most of my constituents, I am a little unknowing of the joys of Derby. What we have in

common with Derby I have no idea, but it is certainly not economic, social, cultural or in any way to do with business, including shopping. Things cobbled together are likely to be rejected if they are put to the people.

That highlights another genuine problem, no matter how enthusiastic or not one is for this concept: Derbyshire and Nottinghamshire each has a unitary authority, and we have two-tier authorities, so putting another level of governance on top, with another elected politician, creates more politicians, with deputy mayors to be appointed as well. Different parties have views on how that should be done, but it means more politicians. The inevitable consequence of creating such an entity would be that either the districts or the counties would disappear—it would be interesting if the Minister clarified that. There would be unitary authorities of some kind within the combined authority. Otherwise, we would have potentially competing authorities representing some areas, set against single-voiced authorities. It is very clear that, no matter who is running them, the unitary authorities will have far more power and influence, because they will be speaking with one coherent voice whereas the two-tier authorities will not be. Those bodies may well be competing, and because the larger county authorities could be controlled by people from an entirely different district, that could be to the disbenefit of any particular district and a huge potential conflict could be created.

Logically, if it is a good idea and people want it—councillors, politicians and the people—there should be clarity that it will result at some stage in the foreseeable future in fewer councillors, rather than more. That is an important principle. I have argued repeatedly over the years for unitary authorities, and I have always thought that having too many paid councillors is a bad idea and that reducing the number will lead to more efficiency. In areas such as mine, we are talking not just about those two tiers and a third tier that could appear if this is agreed in D2N2—it is not the best of names—but about 60 parish councils as well. I would shift a little bit of power to them—for example, a few of the planning powers. Giving slightly more power to parish councils, particularly on planning issues, would doubtless get a lot of support from those on the Government Benches. Therefore, we have an absurd level of tiers if one is not stripped out.

Clarity on that issue would be useful, as would clarity on the issue of democracy. Will the people of Bassetlaw, Bolsover, Chesterfield, north-east Derbyshire or the Derbyshire Dales be able to choose where they go? That is a fundamental question. We could have a situation in which we have two mayors. Now, if there is one thing that is worse than having one mayor it is having two mayors. We could have a mayor for D2N2—I am sure that the turnout for the election would be dramatically high as it was for that of police commissioners—elected at the same time as the mayor for Sheffield city region. We need a level of certainty. Without question, if we are talking about economics and transport, our money and influence should go to Sheffield city region, because that is where the link is. That is simply a fact. There is no ambiguity there. We link in on health as well—I will not stray into that debate as it is coming up next—but that has already happened. The skills budget has gone as well, with North Nottinghamshire college in my area now merging with Rotherham college in Sheffield city region.



It is essential that we have the choice and that we do not get bundled into something, either deliberately or accidentally, that does not work for us. I do not think that that is the Government's aim—

**Mr Betts:** My hon. Friend is reiterating the point that I was making earlier, and I entirely agree with him. Although Bassetlaw could not be forced into D2N2, could it not be prevented from joining the Sheffield city region as a full member? In other words, it could be left in limbo.

**John Mann:** I suppose Bassetlaw would have the option of declaring itself a unitary authority, of getting approval for that and of joining Sheffield city region. There may be routes around it, but the principle is fundamental. We need to have the ability to choose. If those two choices were put to the electorate, I suspect that I know which they would choose, and probably decisively. They may have a different view to me, but that is their prerogative—we have a word for that: democracy. What we do not want is “undemocracy”. Some people are very hostile to what the Government are doing and some are much more sympathetic. Either way, will these two options—is it the D2N2 model—lead to more councillors?

**Mr Kevan Jones:** I am very interested in what my hon. Friend is saying. He knows that I am very familiar with his constituency, having grown up there. Does he think that the fundamental weakness of this Bill is that there is nowhere for the people to have a say in what actually happens?

**John Mann:** The Minister will clarify whether, legally, people can have a say, but I am sure that there are ways in which a say can be created to ensure that there is popular consent. There are ways in which we could choose to do that. I am not talking about my own informal consultations, which are pretty huge. It would be interesting to get the Minister's take on that. Those are key points.

Can we have some assurance that, over time, these measures will not lead to more elected representatives? If people are honest, they understand that if we have a two-tier scenario linked in with unitaries, either the districts or the counties will inevitably go at some stage, and probably sooner rather than later. That is bound to happen. Some may say that that is a good thing. As I have said, I have argued for unitaries before, but it is important that councillors understand that that is what is happening. Similarly, it must be clear that we will be able to choose, and the Derbyshire districts will be able to choose, where we will go. I am sure that the Government want that. They say that it is a brilliant idea, so they must want us to be part of it. It is really how we do that with guarantees. It would be useful to have that on the record.

**Peter Dowd (Bootle) (Lab):** As a former leader of a council and a member of a combined authority and local enterprise partnership, I welcome the thrust of the Bill. There is no question about that. I said in a previous debate that the train is going out of the station—the cat is out of the bag, to mix metaphors. Whichever description we use, this is the reality.

I do not deny that the governance structure in local regions is important, but whatever that structure is we must move the debate on. Local government has changed

over centuries. In the 19th century, it changed to reflect the industrial revolution. It changed at the beginning of the last century and at the end to reflect the patterns of population, demography, business and so on. It has changed over time. London changed in the early '60s, we changed again in the 1970s and it is now time to change once more. People might have concerns, but that is life. It has to move on.

My hon. Friend the Member for Bassetlaw (John Mann) made a point about having too many councillors, but I am pretty agnostic on that. The United States have significantly more councillors proportionately than we do, and they get on okay, and the same applies to the French. It is part of the heart of a community that there might be lots of councillors. I am not arguing for that, but I do not think that it is a reason for not going ahead with changes.

I support the comments made by my hon. Friend the Member for Nottingham North (Mr Allen) about the principle. There will be changes to local government and devolution in the coming years, and we might as well recognise that while we are in this transition and get on board with the constitutional convention. That does not stop things happening now, but we really need to get on with it, and I ask the Government to consider that seriously.

I also support what my hon. Friend the Member for Sheffield South East (Mr Betts) said. He referred to some of the specifics. It seems remarkable that a mayor would not have the borrowing powers he described. I hope that is just a mistake—a lacuna in the legislation—that will be put right. It is important that the detail is picked up.

There is a danger that this debate will get a bit too esoteric. Do I think that devolution will be good for my city region of Liverpool? Yes, it will. Why? This is not unique to us, but we have a thriving visitor economy. For many years, that has been our direction of travel and Liverpool is now the fourth most popular city in England for national and international visitors. That could link into the point made by my hon. Friend the Member for Bassetlaw about hotel taxes and the ability, if that many people are coming into the city from abroad, to use that revenue if we so wish. I am not saying that we should, but we should have that flexibility if we want it. The visitors are coming to my city, not to anybody else's, and that is important.

At the moment, the visitor economy brings in £3.8 billion and 40,000 jobs, and it is a major growth sector. Do I think that the city region would manage that, grow it and progress it better? Yes, I do. There is no question about that. If we wait for Whitehall to help us, we will be waiting until the cows come home, and I mean no disrespect to Whitehall.

**Mr Graham Allen:** My hon. Friend reminds me that Thomas Jefferson once said that were people to wait for Washington to tell them when to reap and when to sow, they would soon go hungry. The same probably applies if we wait for Whitehall to figure out how to do some of these things. Will my hon. Friend also comment on local government borrowing and social investment bonds? In America, there is a multi-trillion dollar local government capital market. People borrow, they return, they use their liquidity and they stash money overnight. That would be a fantastic source of revenue that is currently denied to local government.

5.15 pm

**Peter Dowd:** My hon. Friend is spot on in identifying some of the mechanisms that can be used to help local economies. For example, low carbon investment accounts for 1,400 businesses in our area and is a major growth sector. Among the organisations that invest in our area is Copenhagen city council. Why cannot we as a city council or a local authority invest in our area in that way? Devolution will eventually enable us to do that. The low carbon industry is one of our priorities and brings a huge amount of money into the local economy. We want to grow that area, and we could do that best ourselves.

There are other reasons why my city region will benefit from devolution. We want more manufacturing. The Government have said that they want to move into manufacturing because that helps with exports. In our area advanced manufacturing is worth £3.2 billion and accounts for 50,000 jobs and 3,000 businesses. Again, we need to grow that as part of our strategy, which may well fit in with the Government's agenda. It may not, but that is a matter for us. We are working closely with businesses through the LEP and outside the LEP to continue to develop that sector.

The creative and digital sector is important. Merseyside had a long history of creativity. I am not saying that other places do not have that, but for decades we have had the benefit of the creativity that we have brought on, and we want to continue to bring it on. Why not? That will be best done from within Merseyside. The sector is worth £878 million, and accounts for 3,500 businesses and almost 19,000 jobs. We are best placed to grow that. The life sciences and health sector is huge and worth £1.7 billion, with the potential to grow even more.

I gave those examples of our priorities—the visitor economy, advanced manufacturing and so on—because many of those have been pushed from within our area. We want the structure, the capability, and the devolution of powers and resources to enable us to push them further.

This may be a radical proposal and it may be slightly party political. The Conservatives have made major cuts in our local government budget in Merseyside and other areas, and that will continue. If that happens, so be it, although I do not agree with it. But I would rather have devolved budgets and resources even at a lesser amount if we can determine how to use them, because our priorities may not be the priorities of the Government. One of the good things that the Government did was to lift much of the ring-fencing which had become endemic over the past 10 or 15 years.

If, with devolution, comes the resource—appropriately equitable, possibly over a transition period—all the better. Colleagues in my neck of the woods and I welcome devolution. We want to be able to push the agenda on for our area and we think we are best placed to do that. Importantly, we would be accountable for that at a local level, and that is the key.

**Mr Steve Reed:** This group of amendments deals with the functions of combined authorities and their funding. I shall try to cover the whole range and also speak to our amendment.

The Minister said that he and the Government are listening to these debates and making changes as a result. It is disappointing, therefore, that they have not brought any significant changes to the Committee in relation to this group, after the debates and decisions that were taken in the Lords, and the debate on Second Reading, on introducing stronger financial powers. Areas are being given new powers, which is absolutely welcome, but the truth is that they will lack the resources they need to use them fully.

Local government has proven itself to be more efficient than national Government, as hon. Members have testified, but Whitehall still will not let go. That is why I tabled amendment 58, which would introduce multi-year financial settlements. That would offer city regions financial stability and allow them to have long-term planning, which currently is not on offer under the financial settlement or the funding of local enterprise partnerships. Without long-term funding arrangements, they cannot plan sensibly for the long term.

The Government must commit to providing devolved regions with the resources they need so that they are not being set up to fail. The regional development agencies, which LEPs replaced, were able to make single three-year funding arrangements. LEPs are in many respects better, but they have access to a smaller budget, and there are far too many small ring-fenced grants, which constrains their ability to take the big, long-term, strategic decisions in the way they need to. We must ensure that combined authorities do not suffer the same problems.

Amendment 58 would therefore make provision for multi-year funding agreements, which would give combined authorities the resources and time they need to build financial stability and allow them to best protect themselves against unfair funding settlements of the kind we have seen central Government deliver since 2010, which I fear we are going to see again when the Chancellor makes his pre-Budget statement to the House in a few weeks' time. This is an important issue, and I believe that the success or otherwise of devolution depends on it, so we will seek to push that amendment to a vote.

A number of other amendments are aimed at increasing financial stability. We are particularly interested in the Government's view of those. I urge the Minister, in the Secretary of State's absence, to respond to them so that we do not have to bring them back on Report. In particular, amendment 60, tabled by my hon. Friend the Member for Sheffield South East (Mr Betts), seeks further powers to allow mayors to borrow. New clause 14, tabled by my hon. Friend the Member for Nottingham North (Mr Allen), would allow local areas more discretion over the setting of council tax bands.

New clauses 10 and 11, tabled by my hon. Friend the Member for Harrow West (Mr Thomas), seek further devolution to London. I think he is quite right to point out that the devolution journey in London has not ended, because the capital is seeking further powers. His points about devolving housing to London are certainly worth further exploration. However, it is worrying that the Housing and Planning Bill contains more than 30 centralising measures, taking powers away from the localities and putting them in the hands of Ministers here in Whitehall, which runs completely contrary to everything we have heard from Ministers this afternoon about their devolution intentions.

[*Mr Steve Reed*]

My hon. Friend the Member for Harrow West also referred to fiscal devolution. We certainly need to see that, but it must sit alongside a fair equalisation mechanism, with incentives for areas so that they can benefit by expanding their economic potential, including the ability to invest in housing, infrastructure and those things that will increase the opportunity for jobs and prosperity.

The Government have tabled a number of minor amendments relating to the functions of police and crime commissioners, particularly amendments 23, 24 and 25 to schedule 2. There have been a number of media reports about devolving fire service functions to PCCs, but the Bill gives those functions to mayors. Can the Minister assure the House that fire services will not be politicised in the hands of mayors, a move that the Local Government Association says there is “no pressing need for” at this stage?

We support the principle of subsidiarity—an ugly word for a beautiful concept, as my hon. Friend the Member for Nottingham North reminded us in relation to his new clause 2—which states that decisions should be taken as close to citizens as possible. That is a very important principle that central Government repeatedly fail to understand.

On my hon. Friend’s points about a constitutional convention, he has been constrained to keep within the scope of this Bill by talking about a local convention. However, we believe that we do need a model for engaging civic society in the whole country—citizens, not just politicians—in seeking a new constitutional settlement that will shift powers not just from Whitehall to town hall but to communities, neighbourhoods, service users and all citizens to get power out of this place and into the hands of people who can really make a difference once they have access to it.

**James Wharton:** We have had an interesting and wide-ranging discussion. I recognise the comments made by hon. Members across the Committee and the range of amendments that have been tabled.

New clauses 2, 4, 5, 6, 7 and 16, and amendment 2, tabled by the hon. Member for Nottingham North (Mr Allen), are about the constitutional position of local government and putting in place arrangements for a constitutional convention to review this and implement any constitutional reforms considered necessary. I recognise his consistency in pursuing this issue; indeed, he also has a private Member’s Bill related to it. No one would deny the importance of constitutional matters. The traditions of this country are that we approach these matters in a pragmatic, evolutionary way. Our constitution has evolved over the centuries and continues to do so to meet the real needs of our people across the United Kingdom and to reflect the changes that are taking place in the wider world. I absolutely recognise the hon. Gentleman’s intentions and interest in this area, but I feel that this approach has served us well and I am confident that it will continue to do so.

The thrust of the hon. Gentleman’s amendments is that, for the first time in our history, we would put our constitution on a more rigid basis, seeking to codify issues and, in a sense, to set them in stone. Although they recognise the importance of constitutional issues and strongly support the passing of power down to the

lowest practical level that this Bill will enable—the essence of devolution—the amendments are unnecessary and would be out of step with our traditions. They are also somewhat outwith the scope and intention of this particular Bill. However, I recognise his desire to put these matters on the agenda and his belief that they need to be addressed. I am sure it is not the last time that they will be discussed across the Floor of the House.

**Mr Graham Allen:** If the Minister thinks the system is serving us well, may I gently remind him that six or seven months ago we came within 6 percentage points of the Union breaking? We have all the shambles around English votes for English laws, and there are many other issues where people are clearly, given voter participation levels alone, disenchanted with politics. Does he not agree that the great work he is doing on English devolution could be the spark to re-engage a lot of people who are very jaundiced about our politics?

**James Wharton:** As I said, I recognise the hon. Gentleman’s interest and expertise in this area, and I am sure that we will have the opportunity to discuss it further across the Floor of the House, whether in relation to this Bill or other areas of policy. He tempts me to go further than I am willing to go in my comments today.

My hon. Friend the Member for Carlisle (John Stevenson) tabled amendment 50, which would give the Secretary of State powers to establish unitary authorities even if not all the councils concerned in a combined authority area agreed to the change. Our approach is that if a governance change is to be made, there needs to be a level of consensus about the choice over the whole area. We are not in the business of imposing change on anyone. However, I recognise my hon. Friend’s desire to raise this issue. He is not the only Member to have done so. The hon. Member for Bassetlaw (John Mann) has spoken about similar issues today and has met me to speak about them separately. We are about to engage in ongoing correspondence on the matter. I am of course happy to meet my hon. Friend if he would like to discuss this further, and I am pleased that he will not press his amendment to the vote.

My hon. Friend the Member for North East Somerset (Mr Rees-Mogg) tabled amendments 47, 48, and 49, which make a special case for Somerset. Just to be absolutely clear and to put it on the record, Somerset is a very special and exceptional place, but I explained earlier why I do not consider it appropriate to treat it differently in terms of this Bill. Nor do I believe that the substance of the amendments, which are about how the principle that changes in an area’s governance are a matter for local choice should be applied, are necessary given the existing safeguards. Somerset, or indeed any council, could be not required to join a combined authority or be conferred new central Government powers if those democratically elected to represent the people of the area did not consent. The councils of Somerset—or, indeed, the councils of some place less special—can themselves decide how they want to take their residents’ views into account. Those who have been elected should decide these matters. That is four square with our traditions of representative democracy, and therefore I hope my hon. Friend will not press his amendments to a vote.



5.30 pm

**Mr Rees-Mogg:** I am very grateful to my hon. Friend for his assurances, which are extremely welcome, and for acknowledging that Somerset is an extremely special place. On that basis, I will not press my amendments later.

**James Wharton:** I thank my hon. Friend and note that flattery can get you a long way in this business.

The hon. Member for Harrow West (Mr Thomas) tabled new clause 10, which would provide for the devolution of the Secretary of State's housing powers to the Mayor of London. Since 2012, the Mayor of London has had overall responsibility for housing policy and delivery in London, taking over from the Homes and Communities Agency. The Mayor has powers to set strategic housing and regeneration policy through the London housing strategy. The Secretary of State has a legitimate role in relation to housing across England and it would be inappropriate to remove that role.

The amendment would weaken the Mayor's role by requiring the Assembly's consent. That fundamentally misinterprets the role of the London Assembly, which is a scrutiny not an Executive body. I recognise the hon. Gentleman's desire to pursue the issue and to put it on the record. I am sure he will want it to be considered further as matters progress and that this is not the last time it will be discussed on the Floor of the House.

A significant number of other amendments relate to finance. Government amendment 9 provides greater flexibility in funding the functions to be devolved. Orders under the Local Democracy, Economic Development and Construction Act 2009 enable a combined authority to levy for transport purposes, and the constituent councils to make financial contributions to that combined authority to fund economic development and regeneration functions. The amendment provides flexibility to enable the constituent councils, if they so wish, to make financial contributions for any function of the combined authority, not just economic development and regeneration.

Opposition amendment 58—which the shadow Minister, the hon. Member for Croydon North (Mr Reed), has said he wishes to pursue further this evening—proposes that the Secretary of State be allowed the power to allow combined authorities to set multi-year finance settlements. For a combined authority to set multi-year budgets, it requires not a power from central Government, but the certainty of knowing what funding it is to get. The deals we have agreed with Greater Manchester and the Sheffield city region show how funding across the years can be agreed. We do not, though, need powers to put in place multi-year settlements for local authorities. We can already do that administratively as part of the wider local government finance settlement.

Amendment 60, tabled by the hon. Member for Sheffield South East (Mr Betts), would delete from clause 5 the exclusion of borrowing powers from the ancillary powers that can be given to a combined authority mayor. I listened very carefully to his contribution and understand his concerns. We agree that in appropriate cases there should be prudential borrowing for funding investment for which the mayor is responsible. The Bill provides for that, and the exclusion that the amendment seeks to remove is not about prohibiting such prudential borrowing.

Clause 10 makes provision for funding combined authorities and, in particular, provides that the Secretary of State may make regulations specifying the functions

for which there can be borrowing. The Bill explicitly provides that those functions can include mayoral functions and that the constituent councils must consent to any regulations allowing borrowing.

I assure the hon. Gentleman that there are indeed borrowing powers for mayoral functions. In addition to devolving powers to a mayor, the Bill also allows ancillary powers to be conferred on a mayor to allow him or her to exercise the devolved powers. These ancillary powers could be those needed to ensure that there are no doubts about a mayor being able to run an office or to commission necessary studies, or they could include giving the mayor a general power of competence.

The exclusion, which the amendment seeks to remove, is to make it clear that those ancillary powers cannot include a power to borrow. They cannot be a back door to borrowing. The Bill sets up a proper regime for borrowing to fund mayoral powers, and that should be the route for a mayor being able to borrow.

**Mr Betts:** These are complicated issues and I am not totally sure that I followed all that, and I do not know whether anyone else did, either. The Minister seemed to be reading out a brief from civil servants. Could he provide a note with a thorough explanation of the issue? None of us wants to end up with mayors who need to create transport systems but then find that they do not have the powers to borrow in order to do so.

**James Wharton:** In line with my desire to retain my reputation as a benign velvet glove, I have already written a note to my officials asking that we write to Members following this debate, to ensure that we fully clarify those matters. I will, of course, write to the hon. Gentleman, and if he has any concerns, I would be delighted to discuss them further with him.

Amendment 55, tabled by the hon. Member for Nottingham North, would enable control over decisions on business rates and council tax discounts to be devolved, if that is what is wanted locally. We have always said that we are interested in hearing proposals from authorities and that nothing is off the table for conversation. The Government have signalled their intentions and enabled a large degree of the sorts of financial flexibilities sought by the amendment. We recently announced that, by the end of this Parliament, local government will be able to retain 100% of its business rates. Through the existing powers that govern the business rates retention scheme, we can already give mayoral combined authorities their own share of local rates income and ensure that they benefit from the local growth that that will help to establish. Of course, any decision to make use of the existing powers to extend the rates retention scheme would be taken alongside that on any wider transfer of powers and functions to mayoral combined authorities.

**Mr Graham Allen:** Does the Minister accept that the Scotland Act 2012 gives the Scottish Government the right to retain not only 10p in the pound of income tax, but, from April, the proceeds of landfill tax and stamp duty, which are two significant amounts of money? Is there some reason why local authorities in England should not be able to have similar retention of those taxes?

**James Wharton:** The hon. Gentleman is consistent with his theme of wanting to go further to take devolution to what I have no doubt he genuinely believes to be its

[James Wharton]

logical next level. I acknowledge his comments, and I am of course happy to meet him after this Committee sitting to discuss them further. However, I do not want to hold out the false promise that a Bill that already goes so far and does so much will be amended in line with his desires. I am happy to discuss with him his longer-term desires for constitutional change and for devolution to take what may well be its next steps at some point.

We made it clear in our 2015 manifesto at the last election that we would continue to help local authorities keep council tax low for hard-working taxpayers and to ensure that residents can continue to veto high rises in council tax via a local referendum. New clause 15, tabled by the hon. Gentleman, would abolish the system of council tax referendums put in place by the coalition Government. The referendum threshold is not a cap. Councils can set any council tax increase they like, provided they obtain the consent of their local electorate when they go over the threshold. We see no reason to take away the protection and the final say of local voters over excessive increases.

New clause 12, tabled by the hon. Gentleman—he has just raised this issue—would provide that income tax receipts amounting to 10p in the pound should be assigned to the Department for Communities and Local Government, which would then pass the money on to councils. We are already committed to boosting local growth: by the end of this Parliament, the local government sector will retain 100% of local taxes to spend on local government services. The new arrangements we are already committed to delivering will give the sector greater long-term certainty over its income. No longer will local authorities be reliant on central Government telling them how much money they will receive for the year ahead only weeks before they set their annual budgets. I recognise the hon. Gentleman's desire to go further and I am very happy to discuss that issue further, but I ask him not to press the new clause to a vote at this time.

**Mr Allen:** On the Minister's language, it is not so much a desire to go further as a desire for England to catch up with Scotland so that we can have a properly devolved settlement in the United Kingdom.

**James Wharton:** The hon. Gentleman is articulate and persuasive, but he will not tempt me to elaborate further.

New clause 11, tabled by the hon. Member for Harrow West, provides for the devolution to London of the receipts from taxes on property. I know the Mayor's ambitions for London and we have announced the local retention of business rates, but devolving taxes such as stamp duty to London could create a distortive effect. There would be a significant increase in administration costs for both the Greater London Authority and businesses that purchase properties both in and outside London. I have heard what the hon. Gentleman has said, and I will consider his comments further, but I do not want to give him the false expectation that they are likely to be reflected in the Bill or to make a commitment that I cannot fulfil at this time. He has, however, made his case very effectively.

**Mr Gareth Thomas:** I am grateful to the Minister for his smooth words. I gently suggest that his argument against the further devolution of property taxes as

distortionary does not fit with his argument for devolving business rates, which will arguably be just as distortionary, as my hon. Friend the Member for North Durham (Mr Jones) said. There seems to be a slight lack of consistency in the Minister's position, which may be because of what the Treasury has bequeathed him. I encourage him to go back to the Treasury and press it further before Report.

**James Wharton:** I hear the hon. Gentleman's comments. The announcement that we will devolve business rates was made in the way it was exactly because we wanted to ensure that we talked to local government about how it should be done to make sure it works properly and effectively and meets our policy desires. To devolve certain taxes to just one area is a different proposition. He clearly supports it and argues for it effectively, but it does not have a place in this Bill at this time.

Amendment 1, which was tabled by the hon. Member for Nottingham North, clarifies that the persons who may be invited to attend an overview scrutiny committee meeting may include

“representatives of parish, neighbourhood, community and other councils in the area of the combined authority”.

I understand the hon. Gentleman's intention and commend him for pursuing openness in the process, but the Bill already allows people to attend. To define them in a list risks the provision being narrowly interpreted, rather than broadly interpreted, which is what we want.

**Mr Graham Allen:** The intention is to ensure that those who operate below the council level at neighbourhood or parish level feel involved and engaged, rather than going along as members of the public, so that they can take the next step of pushing devolution down into double devolution. Surely engaging those people would be a very good thing to do.

**James Wharton:** I agree with the hon. Gentleman that that engagement is important. My contention is that the Bill provides for it with the power to allow persons to attend and invite persons to be present to scrutinise the process. My argument is that defining a list of particular types of persons or bodies risks narrowing the interpretation. However, I understand what the hon. Gentleman desires to achieve.

I will now discuss the amendments that relate to requirements on the exercise of mayoral powers. Amendments 40, 41 and 45, which were tabled by my hon. Friends the Members for Altrincham and Sale West (Mr Brady), for Hazel Grove (William Wragg) and for Bury North (Mr Nuttall) would place requirements on mayoral powers. Amendment 40 provides that a function may only be specified as a function of the mayor with the consent of the combined authority prior to the creation of the post of mayor. We have concerns over the latter part of that amendment, because it appears to rule out a further transfer of functions to a mayor once the position has been established. It seems to mean that the deal that is reached initially is the deal, full stop.

Amendment 45 underlines hon. Members' concerns that the constituent councils must be content with the list of functions to be exercisable by the mayor. I understand hon. Members' concerns and agree that no local authority functions should be conferred on a combined authority, with or without a mayor, without the consent of the councils involved. We make provision

for that in clause 5. I am happy to continue the dialogue with the hon. Members who have raised this point and I understand the deeper points that they wish to address. I hope, therefore, that we can reach a consensus that allows us to pursue the matter in a different manner to the amendments that we are discussing.

Government amendments 5, 6, 7, 8 and 26 will provide greater flexibility in how a mayor will be able to undertake their functions. The amendments are reasonably straightforward. Amendments 5 and 6 will provide greater flexibility and create greater capacity to enable a mayor to be supported in undertaking functions, where that is wanted locally. Amendments 7, 8 and 26 enable mayors of combined authorities, if it is specified by order, to exercise any of their general functions jointly with other authorities or combined authorities with the same functions, if they so choose. They enable a joint committee comprising the mayors of two combined authorities or a combined authority mayor and local authorities to exercise jointly shared functions across the area, thus providing greater flexibility in how mayors, combined authorities and local authorities can work together.

Finally, I will mention some minor and technical Government amendments. Amendments 30 and 31 insert provisions that enable an order to specify that local authority functions must be exercised jointly by the councils and the combined authority. Amendments 23, 24 and 25 relate to police and crime commissioners. They clarify the timing of an order that transfers PCC functions to an elected mayor; ensure that drafting on PCC functions is consistent; and ensure that, in line with the provisions for PCCs generally, a person acting in place of a mayor with PCC functions temporarily cannot carry out particular strategic functions, such as issuing a police and crime plan. Finally, Government amendment 15 will mean that the power to make regulations under clause 17 includes a power to make incidental, supplementary and consequential provision. Those are tidying-up amendments that are not controversial. I certainly have not detected that they are from the debate.

I hope that right hon. and hon. Members, in the light of those explanations, will not press their amendments and will feel able to support the Government amendments.

**Mr Nuttall:** With the authority of my hon. Friend the Member for Altrincham and Sale West (Mr Brady), and having listened carefully to the Minister's comments, I beg to ask leave to withdraw the amendment.

*Amendment, by leave, withdrawn.*

### Clause 5

#### FUNCTIONS

*Amendments made:* 5, page 4, line 26, at end insert “,  
or

(c) so far as authorised by an order made by the Secretary of State—

(i) for a person appointed as the deputy PCC mayor by virtue of an order under paragraph 3(1) of Schedule 2, or

(ii) for a committee of the combined authority, consisting of members appointed by the mayor (whether or not members of the authority), to exercise any such function.

“( ) An order under subsection (3)(c)(ii) may include provision—

(a) about the membership of the committee;

(b) about the member of the committee who is to be its chair;

(c) about the appointment of members;

(d) about the voting powers of members (including provision for different weight to be given to the vote of different descriptions of member);

(e) about information held by the combined authority that must, or must not, be disclosed to the committee for purposes connected to the exercise of the committee's functions;

(f) applying (with or without modifications) sections 15 to 17 of, and Schedule 1 to, the Local Government and Housing Act 1989 (political balance on local authority committees etc).”

*This amendment makes provision for a mayor to arrange for the person appointed as the deputy PCC mayor or a committee of the combined authority to exercise a general function which is exercisable by the mayor, if authorised to do so by an order made by the Secretary of State.*

Amendment 6, page 4, line 39, leave out paragraph (b) and insert—

“(b) in accordance with arrangements made by virtue of this section or section 107DA.”

*This amendment provides for a general function exercisable by the mayor for the area of a combined authority to be taken to be a function exercisable by a committee or by the deputy PCC mayor, where arrangements have been made under provision inserted by amendment 5 or new section 107DA, inserted by amendment 8.*

Amendment 7, page 5, line 3, at end insert—

“( ) provide that functions that the mayoral combined authority discharges in accordance with arrangements under section 101(1)(b) of the Local Government Act 1972 (discharge of local authority functions by another authority) are to be treated as general functions exercisable by the mayor (so far as authorised by the arrangements).”

*This amendment enables the Secretary of State to provide by order that functions of a mayoral combined authority discharged in accordance with arrangements under section 101(1)(b) of the Local Government Act 1972 are to be treated as general functions exercisable by the mayor of the authority.*

Amendment 8, page 5, line 16, at end insert—

“107DA Joint exercise of general functions

(1) The Secretary of State may by order make provision for, or in connection with, permitting arrangements under section 101(5) of the Local Government Act 1972 to be entered into in relation to general functions of a mayor for the area of a combined authority.

(2) Provision under subsection (1) may include provision—

(a) for the mayor for the area of a combined authority to be a party to the arrangements in place of, or jointly with, the authority;

(b) about the membership of any joint committee;

(c) about the member of the joint committee who is to be its chair;

(d) about the appointment of members to a joint committee;

(e) about the voting powers of members of a joint committee (including provision for different weight to be given to the vote of different descriptions of member).

(3) Provision under subsection (2)(b) to (d) may include provision for the mayor or other persons—

(a) to determine the number of members;

(b) to have the power to appoint members (whether or not members of the combined authority or a local authority that is a party to the arrangements).

(4) Provision under subsection (2)(c) may include provision as to the circumstances in which appointments to a joint committee need not be made in accordance with sections 15 to 17 of, and Schedule 1 to, the Local Government and Housing Act 1989 (political balance on local authority committees etc).



(5) In this section references to a joint committee are to a joint committee falling within section 101(5)(a) of the Local Government Act 1972 that is authorised to discharge, by virtue of an order under this section, general functions of a mayor for the area of a combined authority.”—(*James Wharton.*)

*This amendment enables the Secretary of State to make provision by order enabling the combined authority to enter into arrangements to discharge general functions of the mayoral combined authority jointly with one or more other local authorities or combined authorities.*

*Clause 5, as amended, ordered to stand part of the Bill.*

## Schedule 2

### MAYORS FOR COMBINED AUTHORITY AREAS: POLICE AND CRIME COMMISSIONER FUNCTIONS

*Amendments made:* 23, page 26, line 33, leave out  
“police and crime commissioner functions”  
and insert

“functions of a police and crime commissioner”

*This amendment makes a minor drafting change to paragraph 1(1) of new Schedule 5C to achieve consistency with the language used in new section 107E(1) as inserted by clause 5 of the Bill (to which sub-paragraph (1) cross-refers).*

*Amendment 24, page 26, line 34, at end insert—*

“( ) A duty under this Schedule to make provision by order is a duty to make such provision in an order made at any time before the first election of a mayor who, by virtue of an order under section 107E(1), is to exercise functions of a police and crime commissioner.”

*This amendment clarifies that an order made under new Schedule 5C can be made at any time before the relevant mayor is first elected and makes it plain that a Schedule 5C order can be made subsequently to an order under new section 107E.*

*Amendment 25, page 30, line 12, at end insert—*

“( ) Subsections (5) and (6) of section 107C, so far as relating to the exercise of PCC functions, are subject to any provision contained in an order under this Schedule.”—(*James Wharton.*)

*This amendment ensures that an order under new Schedule 5C can make provision to prevent a person who is acting in place of a mayor with police and crime commissioner functions from carrying out particular PCC functions such as issuing or varying a police and crime plan, consistent with the current position in respect of active PCCs.*

*Schedule 2, as amended, accordingly agreed to.*

*Clauses 6 and 7 ordered to stand part of the Bill.*

## Clause 8

### OTHER PUBLIC AUTHORITY FUNCTIONS

**The Minister for Community and Social Care (Alistair Burt):** I beg to move amendment 32, page 9, line 15, at end insert—

“( ) See also section 19 of the Cities and Local Government Devolution Act 2015 (devolving health service functions) which contains further limitations.”

*This amendment inserts a new subsection into section 105A of the Local Democracy, Economic Development and Construction Act 2009 which alerts the reader to clause 19 of the Bill which contains limitations on the power to make an order under that section.*

**The Temporary Chair (Mrs Anne Main):** With this it will be convenient to discuss the following:

Government amendments 33 to 38.

Clause 19 stand part.

Government new clause 8.

Government new schedule 1.

**Alistair Burt:** I think this is the first time that I have served under your chairmanship, Mrs Main, and I am honoured to do so. Thank you for inviting me to speak this afternoon. As a former Member of Parliament for Bury North—a constituent part of the Greater Manchester devolution process—and a former sponsor Minister for the cities of Manchester, Salford, Wigan, Bolton and Blackburn, I am pleased to take part in this debate which has acute relevance to that part of the world.

May I too put on record my sadness at the loss of Michael Meacher? As a friend and colleague in the north-west for many years he performed great service for Oldham, and was a good colleague to his friends on all sides in the north-west. He will be much missed, and I am sure that the Committee sends its condolences to his family and all who mourn him.

Clause 19 contains valuable safeguards that will apply to the local devolution of health functions. It was inserted in the Bill by an amendment tabled by Lord Warner in another place. Amendments 32 to 38 will provide further definition and clarity, without altering the spirit or substance of the clause. Lord Warner has confirmed that he is supportive of these further amendments.

Clause 19 provides that regulations under clause 17, or an order under section 115A of the Local Democracy, Economic Development and Construction Act 2009, must not transfer any of the Secretary of State’s core duties in relation to the health service as set out in the National Health Service Act 2006 and the NHS constitution. It makes it clear that whatever devolution arrangements might be agreed with a particular area, the Secretary of State will remain bound by the key duties placed on him in respect of the health service.

Amendment 38 provides further clarity by listing the duties of the Secretary of State that may not be transferred, in so far as they are capable of such a transfer. First and foremost, section 1 of the 2006 Act provides for the Secretary of State to retain responsibility to Parliament for the provision of the health service in England. Others are overarching duties on quality, reducing health inequalities, research, education and training, and on the NHS constitution. They also include Secretary of State’s role under the Health Act 2009 in revising and publishing the NHS constitution, his role under the 2006 Act in setting strategic direction for the NHS in the mandate to NHS England, and his role in overseeing and reporting to Parliament on the health service generally, and in particular on NHS England’s performance.

In essence, although health service functions are capable of being devolved to local authorities and to groupings of local authorities, the main responsibility and overriding duty of the Secretary of State for the NHS is not affected by these arrangements and he remains accountable for them.

**Mr Betts:** I apologise, but I shall have to go to chair a meeting about black and minority ethnic coaches and managers in football, another issue that I know will be close to the Minister’s heart.

The Minister may be trying to reassure the Committee, but in some ways he is giving me cause for concern. Devolution deals will, in particular, try to link social care and health in a more real way to the benefit of constituents. My concern is that if every line of accountability goes back to the Secretary of State in Whitehall, it will stop local innovation happening. Will not the line of command back to the centre simply stop things happening?

**Alistair Burt:** That is a good question and I hope I can reassure the hon. Gentleman. No, the whole process being considered is to give powers to the various authorities to be, as he said, innovative in what they would like to do. They will have the powers and the responsibilities to do that. The reason the concern was expressed in another place was to make sure that in the process it would not be possible for the NHS to transfer its core duties and therefore have local authorities do things that are contrary to the main constituent parts of the NHS, such as on issues relating to quality and so on. The accountability of the Secretary of State therefore remains. The ultimate accountability he or she has standing here at the Dispatch Box remains, but it would not stop the work and the innovation. As I shall go on to say, the regulatory powers of organisations such as the Care Quality Commission, Monitor and others will also remain in place to ensure that none of the national quality standards we expect from the NHS will be deviated from. There will be different ways of doing things, but ultimately the quality standard remains a national quality standard.

**Mr Betts:** I see what the Minister is trying to achieve, but I just worry about whether it will work like that in practice. Given that we are in very new territory here and that things will be done differently with the delegation of powers to individual authorities as well as to combined authorities, does the Minister agree that it would be a good idea, perhaps two years after the devolution powers have been put in place, to have a thorough review of how they are working and whether there is anything in the Government's proposals that might actually stop devolution working properly?

**Alistair Burt:** As the hon. Gentleman knows, we can plan to review things at any stage. For devolution to work, the different models that may be put in place, whether big urban city models or more rural models, must of course pass the test of whether they are doing something qualitatively different and better for people. It will certainly be possible and necessary to review that. I think the concern has been to make sure that national standards are not dropped in the process of innovation. That is why the ultimate duty and responsibility of the Secretary of State remain. That was much discussed in another place. The reason for tabling these amendments is to confirm that, under the overall umbrella of wanting greater innovation, national standards will be preserved and cannot be threatened. That is the idea.

**Bob Stewart (Beckenham) (Con):** Would it be fair to say that local authorities rule on these matters, but that the Secretary of State might occasionally reign?

**Alistair Burt:** We must be clear. The Secretary of State's overarching duty and responsibility for the NHS will not mean a definitive touch. The whole point of devolution, as indeed the whole point of integration of services between local authorities and the NHS, is to give people the powers to make their decisions locally. There will be much discussion between different constituent parts. In that, the Secretary of State will have no part. It will not be possible, however, for a devolved authority to neglect or remove a core part of the NHS and say, "Oh well, we've got the power to do so." That is the reason for the safeguard to which the amendments and new clause 19 refer.

**John Mann:** Is there anything in the Government's proposal that would impact on a district such as Bassetlaw—the hospital trust crosses the border into south Yorkshire, but the clinical commissioning group money remains entirely within the district—electing to join Sheffield city region, in another region, where other decisions will be needed? Are there any hidden nasties we should be aware of?

**Alistair Burt:** No, I do not think so. There are neither hidden nor unhidden nasties. Local decisions will still be made, and CCGs will still be monitored for quality, effectiveness and the like. I am just coming on to talk about the regulation.

Clause 19 provides that the regulatory functions of national bodies held in respect of health services will not be available for transfer to a combined or local authority. This makes it clear that local devolution settlements will not devolve the regulatory functions of Monitor, the Care Quality Commission or other health service national regulatory bodies as defined. This means that a transfer order may not change the way in which our national health service regulators operate to protect the interests and safety of patients. Amendment 38 inserts a provision clarifying that a "health service regulatory function" means a regulatory function within the meaning given by section 32 of the Legislative and Regulatory Reform Act 2006, in relation to the health service. Amendment 35 omits the word "supervisory" but clarifies that the supervisory functions of NHS England in relation to CCGs are also expressly protected from transfer.

The safeguards set out in clause 19 would support the Secretary of State in ensuring in a transfer order that where a combined authority or local authority was to exercise transferred health functions, using the Bill's new powers, that authority could be held to account as to the exercise of its health service functions, just as NHS commissioners are currently held accountable. Amendment 36 amends clause 19 to require that in a transfer of functions to a combined authority or a local authority, provision must be made about standards and duties to be placed on the authority.

Amendment 38 provides further explanation of the national service standards to which the Secretary of State must have regard when making such provision. These include, for example, those in the standing rules set for NHS England and CCGs, recommendations and quality standards published by the National Institute for Health and Care Excellence, and of course the standards set out in the NHS constitution, which sets out pledges and codifies requirements, statutory duties and rights that NHS services in England must, as a minimum, meet. These include national access standards, including waiting times. Amendment 38 also provides definitions for "national information obligations" and "national accountability obligations".

As amended, clause 19 provides further clarity about the role of the Secretary of State for Health and what will and will not be included in any future transfer order giving local organisations devolved responsibility for health services. This clear statement in legislation, making provision for the protection of the integrity of the NHS, is intended to provide further confidence for future devolution deals. In essence, they will be underpinned by the basic core duties of the NHS, and that cannot be shifted. Amendments 32 to 38 give further definition and clarity to support the valuable principles behind this clause.

[*Alistair Burt*]

New schedule 1, which inserts schedule 3A in the Bill, provides for amendments to the National Health Service Act 2006, and new clause 8 is a clause to introduce that schedule. These amendments concern the making of arrangements with combined or local authorities for the exercise of health commissioning functions under the 2006 Act, including provisions allowing greater flexibility over how partners to such arrangements may work together. This will enable greater integration of health and care services and support local leaders to take collective steps towards better health and care for their local population.

New schedule 1 also makes small amendments to the 2006 Act concerning the provision that may be made in regulations concerning local authorities' social care information.

Places such as Greater Manchester and Cornwall are calling for the ability to design and deliver better health and care services, and the ability to make decisions at a level that works best for their communities—locally or, where it makes more sense, at a regional or sub-regional level. As we know, devolution deals will be tailored to the needs and circumstances of a local area. The Bill will already allow the Government to make orders to devolve to a combined authority or a local authority a range of powers and functions currently carried out by Whitehall Departments or bodies such as NHS England.

6 pm

The National Health Service Act 2006 enables NHS England to delegate and share responsibility for certain health functions, such as the commissioning of GP services with local clinical commissioning groups. It also allows CCGs to work together to improve the exercise of their functions and provides for the Secretary of State to involve local authorities and NHS bodies in the commissioning of public health functions.

**Peter Dowd:** I do not think anyone could disagree with the concept of maintaining standards, but when the Minister talks about what NHS England will be allowed or permitted to do, he needs to go further. The concept of subsidiarity is relevant. Powers should be devolved down, subject to standards, or there should be an onus, almost by default, on transferring responsibilities downwards rather than allowing bodies to pick and choose what they think should be devolved.

**Alistair Burt:** The order by which powers will be devolved will be subject to parliamentary approval. The safeguard is that the Secretary of State will have the power, as Parliament requests and demands, to put limitations on and conditions into that order. The reason there is no template for which powers must go downwards is that each area will probably have something different. The Bill provides a permissive opportunity for NHS powers to be devolved, but the powers to be devolved will depend on what each devolved administration is looking for. This part of the Bill sets out the ability of the Secretary of State and the NHS to achieve that, and the safeguard applies in respect of national qualities and standards and the regulatory process. The decision on which bits will be devolved down will be made by the Secretary of State and the NHS in consultation with the local areas that want the extra powers. I hope that helps the hon. Gentleman.

**Peter Dowd:** I would press for further clarity. I understand what the Minister says. The point I am trying to make is that if a local area says, “We think we are best able to provide particular services and responsibilities in a particular way” and NHS England, for example, says that it is not prepared to relinquish those responsibilities, we need a means of mediating that clearly and unambiguously. The assumption should be that the powers will go down to the local area if it wants them—subject to standards.

**Alistair Burt:** I take the hon. Gentleman's point. I am not sure, however, that we can be more prescriptive on the face of the Bill. The hon. Gentleman is describing the process by which an area says, “We think that, in addition to the functions already devolved, other things need to be devolved to help local health services work together”, but it is difficult to envisage the circumstances in which NHS England would say, “Well, no you can't”. At the moment, most are working collectively in any case, so this is a matter for local decision making and agreement between the parties involved. I do not think we can say more than that directly in the Bill at this stage. The whole process of devolution will fall into disrepair if there is continual conflict between an area that says, “Look, we think we can do this”, and a central authority that says, “No, you can't, there's no point in that given the process we are going through”. The provision of safeguards is about ensuring that NHS England can be confident of devolving powers, because ultimately the regulatory powers and the safeguards should ensure that patients and constituents are protected by national standards remaining the same. That is how I envisage it working.

**John Howell (Henley) (Con):** My right hon. Friend has talked a great deal about the safeguarding of NHS provision. Can he reassure me that the social care element will be protected by the same level of safeguards?

**Alistair Burt:** Yes, in that the regulatory powers of the CQC and the safeguarding inspection regime will be retained for the social care element that is covered by a devolution deal. Again, the whole point is to give as much flexibility as possible to areas that want to exercise their powers to deliver services differently, with the reassurance that there will no compromise in relation to key standards—not that that would be wished for in a local area, and not that it would be anticipated by any of the devolving powers.

Following discussions with Greater Manchester and other local areas, we are now taking the opportunity to make available further options in legislation for combined authorities and local authorities to work together with clinical commissioning groups and NHS England across a wider area—such as Greater Manchester—to improve the integration of services. Those options will sit alongside the powers provided by the Bill to devolve a range of powers and functions that are currently exercised by Whitehall departments or bodies such as NHS England to a combined authority or a local authority. Crucially, wherever responsibility for NHS functions is delegated or shared in this way, accountability will remain with the original function holder, whether that is NHS England or a CCG. The original NHS function holder will continue to be accountable via the existing mechanisms for oversight, which ultimately go to the Secretary of State, who retains ministerial responsibility to Parliament for the provision of the health service.



**Andrew Gwynne:** I apologise for the fact that I have only just come into the Chamber for this part of the debate. I have been on Front Bench duty in Westminster Hall.

I am interested in what the Minister is saying about the Secretary of State's oversight of devolved health in Greater Manchester, which is clarifying one of the issues about which I know a number of Greater Manchester MPs are concerned. May I ask, however, whether any thought has been given to coterminosity? In the case of most of the functions that have been devolved to Greater Manchester, there are coterminous boundaries with the 10 metropolitan boroughs. The NHS is slightly different, in that one of the CCGs—one of my own CCGs, Tameside and Glossop—extends to Derbyshire as well, because Glossop is not part of Greater Manchester.

**Alistair Burt:** I know the area well, and I know exactly what the hon. Gentleman is referring to. Yes, that is part of the consideration, but it is essentially part of the consideration of the combined authority. Not only will it have to devise the working of its services within the confines of what is commonly known as Greater Manchester, but it will have to recognise that some of the provision of those services is carried out by those with cross-border responsibilities, and work something out with the adjoining areas. Nothing in the Bill speaks to that, because it does not relate to what I am discussing—the control of standards and the like—but the hon. Gentleman is absolutely right. That is part of the process that people will be going through.

**Mr Kevan Jones:** The Minister has said that the Secretary of State will retain overall control.

**Alistair Burt:** Not overall control.

**Mr Jones:** If something goes wrong in the delivery of care, where does the buck stop? Does it stop with the Secretary of State, or at local level?

**Alistair Burt:** I have read the report of the debates in the House of Lords on exactly this topic, because there was a lot of confusion. My understanding is that it depends on precisely what the breakdown is. Let us suppose that the breakdown, or failure, is in the way in which services have been put together by the combined authority. This is purely off the top of my head, and does not refer to anything of which I have any current knowledge. Let us suppose that there was a dispute between two constituent areas of Greater Manchester, one of which claimed that there was some inequity between the service that it was receiving and the service being received by the other. It might be claimed, for instance, that the combined authority's decision was somehow disadvantaging Ramsbottom in favour of Bramhall. In the event of such a dispute, the buck would stop with those who were making the decisions locally, and that is the combined authority. The matter would not go anywhere near the Secretary of State. What the Secretary of State retains responsibility for is the standards and whether or not there has been a breach of NHS duties in relation to anything that falls within his own overall responsibility. So the buck still stops with the constituent authority that is delivering the service. In relation to a CCG that is not performing properly, the buck will stop with the CCG, not the combined authority. If there is a lapse of standards in

anything connected with the NHS, ultimately the regulators govern that and the Secretary of State would be responsible. But if it is a decision being taken by those who are responsible for the new combined authority to do with where services go and it is within their remit, it will be a matter for them—the buck will stop with them. The short answer, therefore, is that where ultimately responsibility lies depends on where the breakdown is, but it is clear in relation to each of the services and it does not mean anyone can evade their responsibilities.

**Andrew Gwynne:** I think my right hon. Friend the Member for Leigh (Andy Burnham) had a better definition of what the Minister is trying to say. He said it is the Secretary of State's responsibility to set out the "what", and the "how it is delivered locally" is for local commissioners or the combined authority in the case of Greater Manchester. The "what" remains with the Secretary of State; the "how" is devolved to the local area.

**Alistair Burt:** I think between the hon. Gentleman's right hon. Friend, me and the Secretary of State we have probably got where we need to get to in relation to this. I wanted to make clear that there will not be a confusion of who is responsible for what; someone is ultimately responsible for each bit, but who is responsible in each particular case depends on where the breach is.

**Jon Trickett:** I want to return to the question of coterminosity, which my hon. Friend the Member for Denton and Reddish (Andrew Gwynne) referred to. In west Yorkshire, which is where I am from, the local Pontefract hospital goes across from west Yorkshire as far as York, almost—into Selby. If a combined authority with an elected mayor emerges in west Yorkshire, some of the hospital services for which that person will be responsible will be provided to people who have not had the opportunity to vote for him or her as mayor or for the combined authority. Where does accountability lie? Here is a situation where somebody is responsible for services outwith the area that has elected him.

**Alistair Burt:** If the mayor was to have responsibility for the services—that is not the proposal for Greater Manchester—the mayor would only have responsibility for the services within the combined area. Anything beyond that would still fall within the remit of those who commissioned services in that area. The decision as to—[*Interruption.*] That is right: the hospital in that circumstance may well have two bosses because the CCG would be responsible for the whole lot and it would have to come, by agreement, to a decision as to what was being provided within the combined area as well as outside the combined area. So the CCG remains responsible for what it is delivering, but it decides as normal with those to whom it is answerable—in one area it has become a different authority and in another it remains the original one—what services they should provide. The overall security for the quality of what the CCG is providing is maintained by the national regulator, which supervises, and it is ultimately for the Secretary of State to make sure the NHS guidance and duties are not breached, but it is a matter for local decision how this coterminosity is dealt with, because it will occur in more than one area. Certainly, however, I cannot see that legally a CCG outside a combined authority could have any direct line of responsibility to somebody inside the combined authority who is making decisions not about their area. That is how that would work.

**Jon Trickett:** If there are two adjacent mayoral operations, both taking responsibility for a hospital that is crossing the mayoral boundaries—which is now quite possible it seems to me—is not that a recipe for complex management for the people managing the hospital, and how would those contradictions be resolved?

**Alistair Burt:** In the first place, they could decide not to devolve at all. Part of the process will involve those in the combined authority and in those authorities next to each other deciding how to deliver the services. There is a choice. This is all voluntary, and if people want to do it they will work out a way. It is not very different from what has driven the authorities in Greater Manchester together in the first place. These are places that work across boundaries, and agreement will have to be reached on the delivery of the services. Constituents in one area could say, “Hold on a minute! Are we going to lose out over this?” They will make their decisions collectively on what they will pool and what they want. That is no different from what will happen in the areas that will be split. If people cannot agree, there will not be an order that could possibly be signed off. This will work only when there is a conviction that people have made the appropriate decisions. That is a matter for local agreement, and that is where all of us, as local politicians, get involved. So unless people are convinced that the processes are right, there will be no point in signing anything off.

6.15 pm

I want to complete my remarks on clause 19 stand part and to put the amendments in context. The clause, as amended by the Government amendments, will contain valuable safeguards that will apply to the local devolution of health functions. These make it clear beyond doubt that whatever devolutions might have been agreed with a particular area, the Secretary of State will remain bound by the key duties placed on him in respect of the health service. I shall outline those key duties to the House. The Secretary of State has duties to exercise his functions with a view to securing continuous improvement in the quality of services, to have regard to the need to reduce health inequalities, to promote autonomy in relation to those exercising NHS functions and to have regard to the NHS constitution.

The clause also requires that provision must be made for the standards and duties to be placed on the combined authority or local authority to which the functions are transferred. In deciding what provision, in terms of standards and duties, is to be imposed on the authority in question, Ministers must have regard to important NHS standards, such as those set out in the NHS constitution. The Government’s position is that the health service in areas in which a devolution deal is given effect must remain part of the NHS. That principle was firmly emphasised in a memorandum of understanding between NHS England and Greater Manchester that was signed earlier this year.

Clause 19 also provides that regulations under section 17 of this Act or an order under section 105A of the Local Democracy, Economic Development and Construction Act 2009 must not transfer any of the Secretary of State’s core duties in relation to the health service as set out in the National Health Service Act or in relation to the NHS constitution. The Secretary of State’s duties include a duty to promote a comprehensive health

service and a duty to exercise his functions with a view to securing continuous improvement in the quality of services, as I have just set out.

Clause 19 also sets out that regulatory functions vested in national bodies in respect of health services will not be available for transfer to a combined or local authority. As I have already said, that covers the Care Quality Commission and Monitor, among others. We want to be clear that local devolution settlements will not devolve the regulatory functions of Monitor or the CQC, for example, or change the way in which our national regulators operate to protect the interests and safety of patients.

Finally, clause 19 sets out that where any transfer or conferral of health functions is made to a combined or local authority, the Secretary of State must make provision about the standards and duties to be placed on that body, while having regard to the relevant national standards, information and accountability obligations. The elements to which the Secretary of State must have regard include the standing rules for NHS England and clinical commissioning groups, the recommendations on quality standards published by the National Institute for Health and Care Excellence, and the NHS constitution.

Devolution deals for health are designed to give local areas greater autonomy over how they can work together to improve health and care provision for their local populations. However, the safeguards set out in clause 19 will support the Secretary of State in ensuring, in a transfer order, that when a combined authority or local authority exercises health functions by virtue of the Bill’s provisions, that authority can be held to account over the exercise of its health service functions just as NHS commissioners are held to account now.

Clause 19 and the amendments I have described provide further clarity about the role of the Secretary of State for Health, and what will and will not be included in any future transfer order giving local organisations devolved responsibility for health services. This clear statement in legislation, making provision for the protection of the integrity of our national health service, is intended to provide further confidence for future devolution deals. I ask hon. Members to support the Government amendments and clause 19 standing part of the Bill.

**Karin Smyth:** I welcome the devolution of some health and care services to local areas. My hon. Friend the Member for Denton and Reddish (Andrew Gwynne) recalled our manifesto pledges for the “what” and the “how”, and I have a lot of concerns about the structural changes that might come as a result of all this. As has been mentioned, Bristol, an area of nearly half a million people surrounded by more rural areas, has two major acute hospitals, both of which offer a range of services, including highly specialised ones. I would like the Minister to say something on the issue of specialised commissioning. Patients are drawn from across the south-west; one hospital draws half its patients from Bristol and the other half from neighbouring South Gloucestershire. Two different clinical commissioning groups are involved, and a plethora of different organisations are involved in both the commissioning and the provision of services. In an earlier exchange on this type of devolution, the Minister sometimes talked about the provision of services and sometimes about the commissioning of services. It would be helpful to understand the devolution aspects:

are we talking about provision in the new marketplace or about commissioning, and how will we bring those two things together? That is problematic for us in Bristol.

I am a former board member of a primary care trust and I spent many happy hours discussing the correct configuration of primary care and CCGs in Bristol—whether it should be a stand-alone Bristol or not. We started off with Bristol divided into two and we then talked about doughnuts. The Minister missed an earlier discussion involving the hon. Member for North East Somerset (Mr Rees-Mogg), who wanted to make sure that Bristol stayed Bristol and did not include other areas. *[Interruption.]* That was a shame, because it is always a joy. We never quite resolved that issue, and similar issues are applicable to many other cities and city regions. I fear that the approach being taken could make an already difficult situation for Bristol much more difficult.

The Minister and I were both at the King's Fund discussion last week about devolution and health, and I think it was people from Manchester who talked about the fact that they had to bring 38 different organisations around the table to talk about some of these matters. My concerns relate to further structural reorganisation. Given the organisations involved and given the situation in Bristol, I wonder how I, as a patient on my pathway from prevention through primary care to community services, hospital care and possibly specialised services, would understand who is really accountable for that pathway. As we know, we can map a pathway but people do not always map closely to that. In general, I welcome this move, but of course we have concerns about financial stability, particularly of those hospitals and of wider community services. At last week's King's Fund event, as was quietly pointed out, we do not want a situation where money is moved from GP services into fixing potholes. We need to be very concerned about such things.

**Dr Daniel Poulter** (Central Suffolk and North Ipswich) (Con): It is a pleasure to serve under your chairmanship, Mrs Main. I rise to make a few brief remarks in support of this clause and the Government amendments. Clearly, the direction of travel that is outlined is desirable in health and care terms. The amendments will put in place clear safeguards to deal with national regulatory structures, which are there to protect patients and to ensure that the quality of care is universally high throughout the whole country.

The importance of devolving health and care at a local level is something that we have often talked about in this place, but we have sometimes struggled to find the legislative mechanisms to make it happen. These powers will be a desirable step forward in encouraging a more integrated model of health and care. We often talk about how we can move the focus in many parts of our health service towards delivering more services in the community and a more preventative approach to healthcare. Clearly, this Bill is a big step in that direction.

By 2018, we know that there will be 3 million people with three or more long-term health conditions. Many of those people will require support not just from the health service, but from adult social care services, local voluntary and charitable organisations and, in the case of some people with special educational needs, education services. It is vital that we properly link and join up the

services that are in place to support these people. Personalised care and mechanisms of support are often found at a local level, which is exactly what this devolution is about.

Other measures have been put in place to integrate better adult health and social care, including the better care fund, which was part of the Care Act 2014. The coalition Government also introduced some strong measures to improve the provision for children with special educational needs. But these measures go further and allow more bespoke and personalised local solutions to be put in place to support people with more complex care needs. Importantly, they also recognise that parts of the country are different in terms of not just their geography, but their cultural make up and their demographics. That is particularly important when we talk about devolving health and care. We know that some city areas have high black and minority ethnic populations with specific healthcare needs. These measures will put us in a much better place to help such areas support those communities, as well as more rural areas, in dealing with the challenges of an ageing population and increasing numbers of people with complex healthcare needs.

This Bill is an important step forward, which builds on many strong measures that have already been put in place over the past few years by both the coalition Government and the previous Labour Government. We all believe in integration and in the need to bring healthcare services closer to the individual and make them more personalised. We know that there is too much duplication in the health service and in adult social care, which costs money. That money should be going to the frontline, but duplication often gets in the way of front-line professionals helping patients. This is a big step forward in allowing local health economies and local areas to put in place the right mechanisms to support the people they look after.

**Liz McInnes** (Heywood and Middleton) (Lab): First, let me echo the words of the Minister and pay my own tribute to my colleague, Michael Meacher, who sadly died today. I was born and bred in his constituency, so he was my MP for a long number of years. He was greatly respected in the constituency and will be very, very sadly missed.

I wish to start by echoing the words of my hon. Friend the Member for Nottingham North (Mr Allen) who said that we need to get this Bill right. The proposals for health devolution raise a great number of questions, which I hope we will deal with in a constructive manner, as we need positive outcomes. Labour Members are concerned about overlapping areas, coterminosity, and cross-border responsibilities, and they have been highlighted by my hon. Friends the Members for Bassetlaw (John Mann), for Denton and Reddish (Andrew Gwynne), for Hemsworth (Jon Trickett) and for Bristol South (Karin Smyth). We need some clarity about how the devolved responsibilities will work in practice.

6.30 pm

The implications of the Bill for the English NHS and the social care system are enormous. It includes important new powers to remove functions from NHS hospitals, from commissioners and from other bodies and to transfer them to the local or regional authorities. Depending on the implementation, the interpretation and the limits



on these powers, such transfers of powers might fundamentally reshape our health service in years to come. We must ensure that we keep the “national” in our national health service. We do not want a postcode lottery of healthcare that is dependent on where one happens to live.

Accountability and scrutiny remain crucial for a well-run NHS, delivering the best care it can for everyone no matter where they live. The Bill could provide for the transfer of healthcare functions in England away from hospitals and NHS commissioners to local authorities. That would be a major historic shift and would create questions about how the system of NHS accountability and leadership could work with a complicated mixture of regional and national powers. Can national standards and duties for health and social care really be enforced centrally, as they are now, under a devolved regime? Or will central and regional government squabble over the responsibility for meeting population needs and making difficult decisions, such as closing hospitals or propping up overspending healthcare providers? What will happen to neighbouring areas?

It is not clear whether the deals that are possible mean that NHS funding could melt into wider regional authority budgets, making ring-fencing or protection impossible. Given the importance of healthcare spending to everyone, that needs clarity and scrutiny. Whether clause 19 is modified or removed will have an important impact on the extent to which NHS goals and standards can be allowed to vary under different authorities. However, that already occurs to some extent and could continue following devolution under the Bill.

There are good arguments on both sides about whether local or regional variation should be encouraged or opposed, but it is very important that we are clear about the limits of variation, who decides those limits and the justification for them. Devolution to combined authorities will have a centralising effect for many health and social care functions, as mentioned by the hon. Member for Central Suffolk and North Ipswich (Dr Poulter), and I thank him for his comments. However, devolution could take power away from councils representing smaller communities and clinical commissioning groups representing clinicians. Although that might be desirable in some cases, it is also important to consider how the positive elements those bodies bring to health and social care can be preserved.

Clause 19 creates an important limit on transfers of NHS functions. The Secretary of State responsible for the NHS must remain able to meet his duties under NHS legislation and must not transfer national regulatory or supervisory functions. That suggests that inspections and targets will still be national, but it does prompt questions. Will combined authorities be required to engage and consult on changes and closures of services, as NHS bodies do now under various legislation? Will NHS pricing rules and procedures apply to the new combined authorities? Or will areas such as London, currently reported to be applying for powers to set prices, be allowed to go their own way? If so, will that allow providers to compete to provide lower prices, which has been associated with the risk of lowering quality?

I shall say a little about scrutiny and control in the transfer process. Clause 18 states that the Secretary of State’s power to transfer the functions of public bodies to local authorities only applies as long as the local

authority consents. Should there be a similar provision requiring the consent of NHS bodies where their functions are to be transferred? There is also a case for looking at a formal requirement for local authorities to specify in advance how they intend to use transferred powers, supporting more thorough scrutiny at the point of transfer. It seems likely that it would be advantageous for local relationships and co-operative leadership to ensure that both the NHS and local authorities give informed consent to the new arrangements prior to devolution.

The Bill was designed to encourage the devolution of powers held by Ministers to elected mayors as a single point of accountability. Clause 9 and schedule 3 set up overview and scrutiny and audit committees for combined authorities, providing some non-political oversight, but no such requirements appear to be attached to commissioning plans to ensure that the combined authorities have taken and acted on appropriate public health expertise, such as aligning commissioning to population needs, taking account of inequalities in commissioning decisions, using the best evidence to inform interventions and service delivery, and identifying health service and treatment priorities.

Section 26 of the Health and Social Care Act 2012 requires that CCGs have due regard for addressing inequalities in their decisions. Will the same apply to the new combined authorities, and how will they be held to account? As my hon. Friend the Member for North Durham (Mr Jones) said, where does the buck stop? What happens if things go wrong? So far the mechanisms by which standards and finances will be overseen are unclear. How will the Secretary of State ensure compliance with clause 19 when he does not have control over local authorities? How will NHS regulators enforce breaches? Will NHS debts and liabilities, including private finance initiatives and clinical negligence claims, be guaranteed by the Secretary of State for the Department for Communities and Local Government?

As the Bill stands, the capacity to transfer functions appears to go only in one direction. Whatever happens, there is no way that a power can be returned to the NHS without primary legislation, and it is not clear that this asymmetry is justified or wise.

Many of the transfers of functions from the NHS to local authorities enabled under the Bill appear to require a transfer of the related funding to the local authority budget. This raises a series of important questions. Would this allow local authorities to move spending originally allocated to the NHS to functions not related to health and care? That could lead to greatly increased variation in funding across local areas, influenced by the pressure on other local services and the scope for local taxation. It would also mean that there was no defined NHS budget which could be protected or increased by central Government decisions. The implications for the Government’s ability to commit to NHS spending pledges and for the concept of a national health service are potentially very wide.

The underlying question of whether the NHS should have one single national standard or a local variation presents us with a moral and political quandary. It seems right that local communities should have the right to decide democratically which services they put first. Communities, rural or urban, old or young, with different ethnic mixes, may have genuinely different needs, calling for different choices.

On service closures and downgrades, decisions to move or close NHS services are often some of the most controversial in any local area. An important question will be whether combined authorities with strong local visibility and accountability will be able to give people more faith that these decisions are made fairly, and assure them that overall provision within the city or county will be maintained or improved.

My hon. Friend the Member for Bristol South also referred to specialised health services. Devolution of responsibility for specialised health services needs to be considered, as no region is entirely self-sufficient, and smaller patient populations—those with a spinal injury or a genetic disorder, for example—can easily be left behind at local level. The Bill must therefore be extremely clear that NHS England's national standards for specialised services are maintained and that devolution takes place only to the extent that is appropriate for the region concerned.

Those are complex decisions for the NHS, and specialised commissioning was moved from local to national level in 2013 for a good reason. In that regard, NHS England has developed its own principles and decision-making criteria for devolution. Can the Minister provide an assurance that those will determine the extent to which devolution occurs in any given region? Can he also provide an assurance that there will continue to be clearly defined accountability for specialised services at whatever level they are commissioned?

**Alistair Burt:** I thank the hon. Member for Heywood and Middleton (Liz McInnes) for putting the Opposition's case clearly and providing me with an opportunity to explain why these measures are so important and, I hope, give reassurance. I start by reminding the Committee that this is an enabling Bill, so nothing in it will force anybody to do anything. Ultimately, if local areas want to take the opportunity to apply for devolution, including the devolution of health services, they can do so, but they will not be forced to do so. Control and standards will be exercised by Parliament in securing the deals. Within that wide remit, I will come to the hon. Lady's questions, but first let me answer a few specific points that have been raised.

The hon. Member for Bristol South (Karin Smyth) and my hon. Friend the Member for Central Suffolk and North Ipswich (Dr Poulter)—I thank him for the work he did in the Department, which I follow—in a way put both sides of the argument. In a sense, the Government cannot decide some of the issues that both my hon. Friend and the hon. Lady raised. My hon. Friend believes that where these opportunities are used for greater integration and for the best, services will be smoother and able to deliver more locally what people want. Of course, as the hon. Lady pointed out, there will be disputes within each individual area about what might be best for it. A devolution deal will make sense only if decisions have been taken locally and agreement has been reached on how to move forward. If not, I cannot imagine the hon. Lady or her area wanting to support them. Central Government cannot make all the decisions that will ultimately be taken by a group of authorities working together. Some of that will have to be decided locally, rather than at the centre. I will talk in a moment about the check that is made before anyone agrees to transfer anything.

Let me make specific reference to specialised services, which are of particular interest to the hon. Member for Bristol South. NHS England may make arrangements with local partners for the commissioning of specialised services. Those arrangements will be subject to NHS England having regard to certain considerations on their appropriateness in the particular commissioning area. They might involve delegation to local partners, or NHS England might decide to work together with its local partners, who must include at least one clinical commissioning group and a combined authority, or at least one local authority. In all cases, the local partners in an arrangement must exercise the function jointly. That will allow local commissioners to shape services to best meet the needs of their local populations and make it easier to integrate specialist services with other health and social care services. However, NHS England will remain accountable for the delivery of specialised services. It will remain bound by its existing duties to promote the NHS constitution on reducing health inequalities and on effectiveness and efficiency, and to exercise its functions with a view to securing continuous improvement in the quality of services, along with its other overarching duties. NHS England has confirmed that it will be part of any arrangements concerning specialised standards, but national service standards that it sets for the provision of these services will continue to be required. Although there is provision in the Bill to devolve certain specialised services, the control, security and safeguards of the NHS remain. However, it will be possible if it is considered the right thing to do.

6.45 pm

**Karin Smyth:** I am grateful for that clarification. My concern then would be who the Minister sees as driving the development and improvement of, particularly, the specialised commissioners. We are talking in fairly transactional terms about who might be contracting or who might be accountable but, as he will appreciate, these services, as well as others, require a long lead-in time and a lot of consideration owing to their very technical and, by definition, specialised nature. Who is driving this forward—the local group, if they so choose, who may not have the expertise, or the Department?

**Alistair Burt:** NHS England and the Department must retain the overall control of the quality of the specialised services, and that will not be relinquished if there is no sense that they can be handled any better, because otherwise there is no point. The number of specialised services that are devolved might ultimately be very few. Of course, there is only any point in devolving them if they are going to improve, and that must be demonstrated before they are devolved and moved on.

Let me say a little about the wider concern of the hon. Member for Heywood and Middleton that by devolving these powers and running with the grain of greater devolution, we are losing the “national” in the national health service. We are absolutely determined that that will not be the case. The safeguards that are now in the Bill as a result of concerns expressed elsewhere were never going to be lost, but they are now made more explicit to demonstrate that what she worries about cannot happen. It is not the case that an authority will apply for these powers and they will be handed over without no further consideration, because there is the transfer order that Parliament will be involved in.

[Alistair Burt]

What are the Government going to think about when people ask to do this? The Government have invited local areas to develop their own proposals. There is no blueprint for the devolution of health and social care. The substance of devolution deals will be determined on a case-by-case basis, with Government agreeing bespoke deals that correspond to the needs and specific context of each area. There are some important preconditions that we might expect to support the development of local devolution deals, including health and social care. These include a clear vision for the benefits to the local area; a history of successful collaboration and partnership working; support and input from local health and social care organisations for the proposals being put forward; a strong commitment to further engagement with local patients and communities as plans develop; upholding the standards set out in national guidance; and continuing to meet statutory requirements and duties, including the NHS constitution and the Government's mandate to NHS England. Most importantly, the first overarching principle of any agreement is that all areas will remain part of the NHS. This requirement to adhere to the constitution of the NHS and the ultimate safeguard of the Secretary of State's responsibilities answers the point about a local area getting hold of NHS money and then deciding to build a new leisure centre. It would not be able to do that because it would not be complying with its duties under the NHS. It would fail and the duties and responsibilities would soon be taken away. That is why the safeguard is there.

To deal with the hon. Lady's concerns about potential confusion, let me say a little more about the role of NHS England under devolved arrangements. NHS England and CCGs would continue to be bound by their duties under the National Health Service Act 2006 even after devolution of functions. For example, NHS England will remain bound by duties to promote the NHS constitution, and to exercise its functions effectively, efficiently and economically and with a view to securing continuous improvement in the quality of services, including in terms of outcomes.

NHS England must exercise its functions having regard to the need to reduce inequalities in relation to both access to health services and outcomes achieved for patients. When NHS England exercises its functions, it must also promote the involvement of patients and their carers and representatives in decisions made about diagnosis, prevention and care and treatment. It must take appropriate advice and act with a view to enabling patients to make choices with respect to aspects of the health service provided to them.

Those safeguards show that the powers simply cannot be devolved to people who want them without any check or balance on how they would exercise them, even if they persuade people locally that signing a blank cheque for help is in any way acceptable. I cannot see local representatives agreeing to that. That is where the control comes in.

How will the Department of Health and NHS England be involved in agreeing the deals? We have been working closely with other Government Departments to respond to proposals. NHS England has developed its own set of assessment criteria, by which it will assess the potential of proposals from a particular local area. It is not an

automatic process: if the deal will not work in terms of the quality of healthcare provided, the House will not pass a transfer order because the proposal will not pass the test set by NHS England and the Department of Health.

Will devolution mean that local areas can set their own strategy for NHS capital estates and management? No, we do not envisage any changes to capital financing and asset ownership.

Finally, I want to address a very important issue raised by the hon. Lady. Who will have the final say over the opening and closing of hospitals and other services? This is issue concerns every single one of us in the Chamber. Reconfiguration of NHS services will continue to be a matter for the local NHS. However, proposals for service change must meet the Government's four tests: support from local GP commissioners; clarity on the clinical evidence base; robust patient and public engagement; and support for patient choice. The same elements of contest available when reconfiguration has been proposed will remain even after devolution, so nothing is taken away.

I hope that has been helpful. Working with the grain of what people want, we all think this is a better idea, but there are safeguards to make sure that people's worries will not come to fruition.

*Amendment 32 agreed to.*

*Clause 8, as amended, ordered to stand part of the Bill.*

### Clause 17

#### POWER TO TRANSFER ETC. PUBLIC AUTHORITY FUNCTIONS TO CERTAIN LOCAL AUTHORITIES

*Amendment made:* 33, page 17, line 32, at end insert—

“( ) See also section 19 (devolving health service functions) which contains further limitations.”—(*Alistair Burt.*)

*This amendment inserts a new subsection into clause 17 which alerts the reader to clause 19 which contains limitations on the power to make regulations under that clause.*

*Clause 17, as amended, ordered to stand part of the Bill.*

### Clause 18

#### SECTION 17: PROCEDURE ETC.

*Amendment made:* 15, page 18, line 6, after “make” insert “incidental, supplementary, consequential,”—(*Alistair Burt.*)

*This amendment provides that the power to make regulations under clause 17 of the Bill includes a power to make incidental, supplementary and consequential provision.*

*Clause 18, as amended, ordered to stand part of the Bill.*

### Clause 19

#### DEVOLVING HEALTH SERVICE FUNCTIONS

*Amendments made:* 34, page 18, leave out lines 29 to 33 and insert—

“(1) Regulations under section 17 of this Act or an order under section 105A of the Local Democracy, Economic Development and Construction Act 2009 (transfer of public authority functions to combined authorities) (“the 2009 Act”)—

- (a) must not transfer any of the Secretary of State's core duties in relation to the health service;”



*This amendment confines the limitations contained in clause 19 to the exercise of the power to make regulations under clause 17 or an order under section 105A of Local Democracy, Economic Development and Construction Act 2009. Those powers concern the transfer of public authority functions to local or combined authorities. New clause 19(1)(a) prevents those powers being used to transfer any of the Secretary of State's core duties in relation to the health service (as defined in clause 19(2) which is inserted by Amendment 38).*

Amendment 35, page 18, line 34, leave out “or supervisory”

*This amendment removes the prohibition in clause 19(b) on the transfer of health service supervisory functions of national bodies by regulations under clause 17 or an order under section 105A of the Local Democracy, Economic Development and Construction Act 2009.*

Amendment 36, page 18, line 36, leave out from “must” to first “the” in line 37 and insert

“, if transferring functions relating to the health service to a local authority or a combined authority, make provision about the standards and duties to be placed on that authority having regard to”

*This amendment and Amendment 37 replace the limitation in clause 19(c) with a requirement that regulations under clause 17 or an order under section 105A of the Local Democracy, Economic Development and Construction Act 2009 which transfer functions relating to the health service to a local or combined authority must make provision about the standards and duties to be placed on that authority having regard to certain standards and obligations placed on the authority responsible for the functions being transferred.*

Amendment 37, page 18, line 38, leave out from “on” to “being” in line 39 and insert

“the authority responsible for the functions”

See the statement for Amendment 36.

Amendment 38, page 18, line 40, at end insert—

“(2) For the purposes of subsection (1)(a), “the Secretary of State's core duties in relation to the health service” means the duties of the Secretary of State under—

- (a) sections 1 to 1G of the National Health Service Act 2006 (“the NHS Act 2006”) (duty to promote comprehensive health service etc.),
- (b) sections 6A to 6BB of that Act (duties regarding the reimbursement of costs of services provided in another EEA state),
- (c) section 12E of that Act (duty as respects variation in provision of health services),
- (d) sections 13A, 13B, 13U and 223B of that Act (duties regarding mandate to, and annual report and funding of, the NHS Commissioning Board),
- (e) section 247C of that Act (duty to keep health service functions under review),
- (f) section 247D of that Act (duty to publish annual report on performance of the health service in England),
- (g) section 258 of that Act (duty regarding the availability of facilities for university clinical teaching and research), and
- (h) sections 3 to 6 of the Health Act 2009 (duties in relation to the NHS Constitution and the Handbook to it),

in so far as those duties would (apart from subsection (1)(a)) be transferable by regulations under section 17 or an order under section 105A of the 2009 Act.

(3) For the purposes of subsection (1)(b)—

- (a) “health service regulatory function” means a function in relation to the health service which is a regulatory function within the meaning given by section 32 of the Legislative and Regulatory Reform Act 2006,
- (b) the functions of the National Health Service Commissioning Board under sections 14Z16 to 14Z22 of the NHS Act 2006 (assessment of clinical commissioning groups and intervention powers) are to be treated as

“health service regulatory functions” in so far as they do not fall within the definition in paragraph (a), and

(c) functions exercisable by a body by virtue of directions given under section 7 of the NHS Act 2006 (functions of Special Health Authorities) are not “vested in” that body.

(4) But subsection (1)(b) does not prevent the transfer of functions of the National Health Service Commissioning Board which—

(a) arise from arrangements under section 1H(3)(a) of the NHS Act 2006 (provision of services for the purpose of the health service), and

(b) relate to those providing services under those arrangements.

(5) For the purposes of subsection (1)(c), “national service standards” means the standards contained in any of the following—

(a) the NHS Constitution (within the meaning of Chapter 1 of Part 1 of the Health Act 2009);

(b) the standing rules under section 6E of the NHS Act 2006 (regulations as to the exercise of functions by the NHS Commissioning Board or clinical commissioning groups);

(c) the terms as to service delivery required by regulations or directions under the NHS Act 2006 for contracts or other arrangements for the provision of primary medical services, primary dental services, primary ophthalmic services or pharmaceutical services under Part 4, 5, 6 or 7 of that Act;

(d) the recommendations or guidance of the National Institute for Health and Care Excellence made or given pursuant to regulations under section 237 of the Health and Social Care Act 2012;

(e) the quality standards prepared by that Institute under section 234 of that Act;

(f) the guidance published under section 14Z8 of the NHS Act 2006 (guidance on commissioning by the NHS Commissioning Board);

and such standards are “placed on” a body if the body is required to have regard to or comply with them.

(6) For the purposes of subsection (1)(c)—

(a) “national information obligations” means duties regarding the obtaining, retention, use or disclosure of information, and

(b) “national accountability obligations” means duties (for example, those to keep accounts or records, or to provide or publish reports, plans or other information) which enable the management of a body, or the way in which functions are discharged, to be examined, inspected, reviewed or studied.

(7) For the purposes of this section, a function is transferred by regulations under section 17 or by an order under section 105A of the 2009 Act, if—

(a) provision is made under subsection (1)(a) of the section in question for the function to be the function of a local authority or a combined authority, or

(b) provision is made under subsection (1)(b) of that section for a function corresponding to the function to be conferred on a local authority or a combined authority.

(8) Nothing in this section prevents the conferral on a local authority or a combined authority of duties to have regard to, or to promote or secure, the matters mentioned in sections 1 to 1F of the NHS Act 2006 when exercising a function transferred to it by regulations under section 17, or by an order under section 105A of the 2009 Act.

(9) In this section, “the health service” has the meaning given by section 275(1) of the NHS Act 2006.—(Alistair Burt.)

*This amendment adds provision to clause 19 which defines terms used in, and clarifies the scope of, the limitations contained in paragraphs (a) to (c) of the clause.*

*Clause 19, as amended, ordered to stand part of the Bill.*

*Clause 9 ordered to stand part of the Bill.*

*Schedule 3 agreed to.*

### Clause 10

#### FUNDING OF COMBINED AUTHORITIES

*Amendment made:* 9, page 11, line 26, at end insert—

“( ) In section 105 of the Local Democracy, Economic Development and Construction Act 2009 (constitution and functions of combined authorities: economic development and regeneration), omit subsection (4).”—(*Alistair Burt.*)

*This amendment removes the restriction on orders under section 105 of the Local Democracy, Economic Development and Construction Act 2009 only being able to make provision in relation to the costs of a combined authority that are reasonably attributable to the exercise of its functions relating to economic development and regeneration.*

*Amendment proposed:* 58, page 11, line 26, at end insert—

“(5) The Secretary of State may by order make provision for conferring powers on a combined authority to set multi-year finance settlements.”—(*Jon Trickett.*)

*This amendment is intended to offer financial stability to city regions, allowing them long-term planning which is something not currently offered by the finance settlement or the funding of local enterprise partnership (LEPs).*

*The Committee divided:* Ayes 203, Noes 311.

### Division No. 83]

[6.54 pm

#### AYES

Abrahams, Debbie	Cunningham, Alex
Alexander, Heidi	Cunningham, Mr Jim
Ali, Rushanara	Dakin, Nic
Allen, Mr Graham	Danczuk, Simon
Ashworth, Jonathan	David, Wayne
Austin, Ian	De Piero, Gloria
Bailey, Mr Adrian	Doughty, Stephen
Barron, rh Kevin	Dowd, Jim
Beckett, rh Margaret	Dowd, Peter
Benn, rh Hilary	Dromey, Jack
Berger, Luciana	Dugher, Michael
Betts, Mr Clive	Durkan, Mark
Blackman-Woods, Dr Roberta	Eagle, Ms Angela
Blenkinsop, Tom	Eagle, Maria
Blomfield, Paul	Edwards, Jonathan
Bradshaw, rh Mr Ben	Efford, Clive
Brennan, Kevin	Elliott, Julie
Brown, Lyn	Ellman, Mrs Louise
Bryant, Chris	Esterson, Bill
Buck, Ms Karen	Evans, Chris
Burden, Richard	Farrelly, Paul
Burgon, Richard	Field, rh Frank
Cadbury, Ruth	Fitzpatrick, Jim
Campbell, rh Mr Alan	Fiello, Robert
Campbell, Mr Ronnie	Fletcher, Colleen
Carmichael, rh Mr Alistair	Flint, rh Caroline
Champion, Sarah	Flynn, Paul
Coaker, Vernon	Fovargue, Yvonne
Coffey, Ann	Gardiner, Barry
Cooper, Julie	Glass, Pat
Corbyn, Jeremy	Glindon, Mary
Coyle, Neil	Godsiff, Mr Roger
Creagh, Mary	Goodman, Helen
Creasy, Stella	Green, Kate
Cruddas, Jon	Greenwood, Margaret
Cryer, John	Griffith, Nia
Cummins, Judith	Gwynne, Andrew

Haigh, Louise	Onwurah, Chi
Hanson, rh Mr David	Osamor, Kate
Harman, rh Ms Harriet	Owen, Albert
Harris, Carolyn	Pennycook, Matthew
Hayes, Helen	Perkins, Toby
Healey, rh John	Phillips, Jess
Hendrick, Mr Mark	Phillipson, Bridget
Hepburn, Mr Stephen	Pound, Stephen
Hermon, Lady	Powell, Lucy
Hodge, rh Dame Margaret	Qureshi, Yasmin
Hodgson, Mrs Sharon	Rayner, Angela
Hollern, Kate	Reed, Mr Jamie
Hopkins, Kelvin	Reed, Mr Steve
Howarth, rh Mr George	Rees, Christina
Hunt, Tristram	Reynolds, Emma
Huq, Dr Rupa	Reynolds, Jonathan
Irranca-Davies, Huw	Rimmer, Marie
Jarvis, Dan	Ritchie, Ms Margaret
Johnson, rh Alan	Robinson, Mr Geoffrey
Jones, Gerald	Rotheram, Steve
Jones, Graham	Saville Roberts, Liz
Jones, Helen	Sharma, Mr Virendra
Jones, Mr Kevan	Sheerman, Mr Barry
Jones, Susan Elan	Sherriff, Paula
Kane, Mike	Shuker, Mr Gavin
Kaufman, rh Sir Gerald	Siddiq, Tulip
Keeley, Barbara	Skinner, Mr Dennis
Kendall, Liz	Slaughter, Andy
Khan, rh Sadiq	Smeeth, Ruth
Kinnock, Stephen	Smith, rh Mr Andrew
Kyle, Peter	Smith, Angela
Lamb, rh Norman	Smith, Cat
Lammy, rh Mr David	Smith, Jeff
Lavery, Ian	Smith, Nick
Leslie, Chris	Smith, Owen
Lewell-Buck, Mrs Emma	Smyth, Karin
Lewis, Clive	Spellar, rh Mr John
Long Bailey, Rebecca	Starmer, Keir
Lucas, Caroline	Stevens, Jo
Lucas, Ian C.	Streeting, Wes
Lynch, Holly	Stringer, Graham
Mactaggart, rh Fiona	Stuart, rh Ms Gisela
Madders, Justin	Tami, Mark
Mahmood, Mr Khalid	Thomas, Mr Gareth
Mahmood, Shabana	Thornberry, Emily
Malhotra, Seema	Timms, rh Stephen
Mann, John	Trickett, Jon
Marris, Rob	Twigg, Derek
Marsden, Mr Gordon	Twigg, Stephen
Maskell, Rachael	Umunna, Mr Chuka
Matheson, Christian	Vaz, rh Keith
McCabe, Steve	Vaz, Valerie
McCarthy, Kerry	Watson, Mr Tom
McDonagh, Siobhain	Whitehead, Dr Alan
McDonald, Andy	Williams, Hywel
McDonnell, John	Williams, Mr Mark
McFadden, rh Mr Pat	Wilson, Phil
McGinn, Conor	Winnick, Mr David
McGovern, Alison	Winterton, rh Ms Rosie
McInnes, Liz	Woodcock, John
McKinnell, Catherine	Wright, Mr Iain
Meale, Sir Alan	Zeichner, Daniel
Mearns, Ian	
Morden, Jessica	
Morris, Grahame M.	
Murray, Ian	
Onn, Melanie	

**Tellers for the Ayes:**  
Vicky Foxcroft and  
Sue Hayman

#### NOES

Adams, Nigel	Aldous, Peter
Afriyie, Adam	Allan, Lucy

Allen, Heidi	Duncan, rh Sir Alan	Jackson, Mr Stewart	Pawsey, Mark
Amess, Sir David	Duncan Smith, rh Mr Iain	James, Margot	Penning, rh Mike
Andrew, Stuart	Dunne, Mr Philip	Jayawardena, Mr Ranil	Penrose, John
Ansell, Caroline	Ellis, Michael	Jenkin, Mr Bernard	Percy, Andrew
Argar, Edward	Ellison, Jane	Jenkyns, Andrea	Perry, Claire
Atkins, Victoria	Ellwood, Mr Tobias	Jenrick, Robert	Phillips, Stephen
Bacon, Mr Richard	Elphicke, Charlie	Johnson, Boris	Pickles, rh Sir Eric
Baker, Mr Steve	Eustice, George	Johnson, Gareth	Pincher, Christopher
Baldwin, Harriett	Evans, Graham	Johnson, Joseph	Poulter, Dr Daniel
Barclay, Stephen	Evennett, rh Mr David	Jones, Andrew	Pow, Rebecca
Baron, Mr John	Fabricant, Michael	Jones, rh Mr David	Prentis, Victoria
Barwell, Gavin	Fallon, rh Michael	Jones, Mr Marcus	Prisk, Mr Mark
Bebb, Guto	Fernandes, Suella	Kawczynski, Daniel	Pursglove, Tom
Bellingham, Mr Henry	Foster, Kevin	Kennedy, Seema	Quin, Jeremy
Beresford, Sir Paul	Fox, rh Dr Liam	Kirby, Simon	Quince, Will
Berry, Jake	Frazer, Lucy	Knight, rh Sir Greg	Raab, Mr Dominic
Berry, James	Freeman, George	Knight, Julian	Redwood, rh John
Bingham, Andrew	Freer, Mike	Kwarteng, Kwasi	Rees-Mogg, Mr Jacob
Blackman, Bob	Fuller, Richard	Lancaster, Mark	Robertson, Mr Laurence
Blackwood, Nicola	Fysh, Marcus	Latham, Pauline	Robinson, Gavin
Boles, Nick	Gale, Sir Roger	Leadsom, Andrea	Robinson, Mary
Bone, Mr Peter	Garnier, rh Sir Edward	Lee, Dr Phillip	Rosindell, Andrew
Borwick, Victoria	Garnier, Mark	Lefroy, Jeremy	Rutley, David
Bottomley, Sir Peter	Gauke, Mr David	Leigh, Sir Edward	Sandbach, Antoinette
Bradley, Karen	Ghani, Nusrat	Leslie, Charlotte	Scully, Paul
Brady, Mr Graham	Gibb, Mr Nick	Letwin, rh Mr Oliver	Selous, Andrew
Brazier, Mr Julian	Gillan, rh Mrs Cheryl	Lewis, Brandon	Shapps, rh Grant
Bridgen, Andrew	Glen, John	Lewis, rh Dr Julian	Sharma, Alok
Brine, Steve	Goodwill, Mr Robert	Lidington, rh Mr David	Shelbrooke, Alec
Brokenshire, rh James	Gove, rh Michael	Lilley, rh Mr Peter	Simpson, David
Bruce, Fiona	Graham, Richard	Lopresti, Jack	Simpson, rh Mr Keith
Buckland, Robert	Grant, Mrs Helen	Lord, Jonathan	Skidmore, Chris
Burns, Conor	Gray, Mr James	Loughton, Tim	Smith, Chloe
Burns, rh Sir Simon	Grayling, rh Chris	Lumley, Karen	Smith, Henry
Burrowes, Mr David	Green, Chris	Mackinlay, Craig	Smith, Julian
Burt, rh Alistair	Green, rh Damian	Mackintosh, David	Smith, Royston
Cairns, Alun	Greening, rh Justine	Mak, Mr Alan	Soames, rh Sir Nicholas
Carmichael, Neil	Grieve, rh Mr Dominic	Malthouse, Kit	Solloway, Amanda
Cartlidge, James	Griffiths, Andrew	Mann, Scott	Soubry, rh Anna
Cash, Sir William	Gummer, Ben	Mathias, Dr Tania	Spelman, rh Mrs Caroline
Caulfield, Maria	Gyimah, Mr Sam	May, rh Mrs Theresa	Spencer, Mark
Chalk, Alex	Halfon, rh Robert	Maynard, Paul	Stephenson, Andrew
Chishti, Rehman	Hall, Luke	McCartney, Jason	Stevenson, John
Chope, Mr Christopher	Hammond, rh Mr Philip	McCartney, Karl	Stewart, Bob
Churchill, Jo	Hammond, Stephen	McPartland, Stephen	Stewart, Iain
Clark, rh Greg	Hancock, rh Matthew	Menzies, Mark	Stewart, Rory
Cleverly, James	Hands, rh Greg	Mercer, Johnny	Streeter, Mr Gary
Clifton-Brown, Geoffrey	Harper, rh Mr Mark	Merriman, Huw	Stride, Mel
Coffey, Dr Thérèse	Harrington, Richard	Metcalfe, Stephen	Stuart, Graham
Collins, Damian	Harris, Rebecca	Miller, rh Mrs Maria	Sturdy, Julian
Colvile, Oliver	Hart, Simon	Milling, Amanda	Sunak, Rishi
Costa, Alberto	Haselhurst, rh Sir Alan	Mills, Nigel	Swayne, rh Mr Desmond
Cox, Mr Geoffrey	Hayes, rh Mr John	Milton, rh Anne	Swire, rh Mr Hugo
Crabb, rh Stephen	Heald, Sir Oliver	Mitchell, rh Mr Andrew	Syms, Mr Robert
Crouch, Tracey	Heapey, James	Mordaunt, Penny	Thomas, Derek
Davies, Byron	Heaton-Harris, Chris	Morris, Anne Marie	Throup, Maggie
Davies, Chris	Heaton-Jones, Peter	Morris, David	Timpson, Edward
Davies, David T. C.	Henderson, Gordon	Morris, James	Tolhurst, Kelly
Davies, Glyn	Herbert, rh Nick	Morton, Wendy	Tomlinson, Justin
Davies, Dr James	Hinds, Damian	Mowat, David	Tomlinson, Michael
Davies, Mims	Hoare, Simon	Mundell, rh David	Tracey, Craig
Davies, Philip	Hollingbery, George	Murray, Mrs Sheryll	Tredinnick, David
Dinenage, Caroline	Hollinrake, Kevin	Murrison, Dr Andrew	Trevelyan, Mrs Anne-Marie
Djanogly, Mr Jonathan	Hollobone, Mr Philip	Neill, Robert	Truss, rh Elizabeth
Dodds, rh Mr Nigel	Holloway, Mr Adam	Newton, Sarah	Tugendhat, Tom
Donaldson, rh Mr Jeffrey M.	Hopkins, Kris	Nokes, Caroline	Turner, Mr Andrew
Donelan, Michelle	Howarth, Sir Gerald	Norman, Jesse	Tyrie, rh Mr Andrew
Dorries, Nadine	Howell, John	Nuttall, Mr David	Vaizey, Mr Edward
Double, Steve	Howlett, Ben	Offord, Dr Matthew	Vara, Mr Shailesh
Dowden, Oliver	Huddleston, Nigel	Parish, Neil	Vickers, Martin
Drax, Richard	Hunt, rh Mr Jeremy	Patel, rh Priti	Walker, Mr Charles
Drummond, Mrs Flick	Hurd, Mr Nick	Paterson, rh Mr Owen	Walker, Mr Robin



Wallace, Mr Ben  
Warburton, David  
Warman, Matt  
Watkinson, Dame Angela  
Wharton, James  
Whately, Helen  
Wheeler, Heather  
White, Chris  
Whittaker, Craig  
Whittingdale, Mr John  
Wiggin, Bill

Williams, Craig  
Williamson, Mr Gavin  
Wilson, Mr Rob  
Wilson, Sammy  
Wollaston, Dr Sarah  
Wood, Mike  
Wragg, William  
Zahawi, Nadhim

**Tellers for the Noes:**  
**Jackie Doyle-Price and**  
**Guy Opperman**

*Question accordingly negatived.*

7.9 pm

*Proceedings interrupted (Programme Order, 14 October).*

*The Chair put forthwith the Questions necessary for the disposal of the business to be concluded at that time (Standing Order No. 83D).*

*Clause 10, as amended, ordered to stand part of the Bill.*

*Clauses 11 to 15 ordered to stand part of the Bill.*

### Clause 16

#### GOVERNANCE ARRANGEMENTS ETC OF LOCAL AUTHORITIES IN ENGLAND

*Amendments made:* 10, page 16, line 4, leave out from ‘arrangements’ to end of line 6 and insert—

‘, or electoral arrangements, in relation to local authorities under Part 1 of the Local Government and Public Involvement in Health Act 2007 or under Part 3 of the Local Democracy, Economic Development and Construction Act 2009.’

*This amendment clarifies that provision in regulations made under clause 16(1)(c) may include provision regarding any of the specified matters listed in Part 1 of the Local Government and Public Involvement in Health Act 2007 and Part 3 of the Local Democracy, Economic Development and Construction Act 2009.*

Amendment 11, page 16, line 9, at end insert—

‘( ) Regulations under this section may in particular make provision—

- (a) about how the enactments mentioned in subsection (1) or in subsection (2) are to apply in relation to particular cases (including by disapplying the application of any such enactment to a particular case or applying it subject to any variations that are specified in the regulations);
- (b) about any of the matters listed in section 11(3) or (4) of the Local Government and Public Involvement in Health Act 2007 (including provision in relation to such matters of a kind mentioned in section 12 of that Act).

Nothing in paragraph (a) limits the power to make provision under subsection (4)(c).’

*This amendment provides that regulations made under clause 16(1) of the Bill may make provision about the application to particular cases of the Local Government Act 1972, Local Government Act 2000, Local Government and Public Involvement in Health Act 2007 and Local Democracy, Economic Development and Construction Act 2009.*

Amendment 12, page 16, line 13, at end insert—

‘( ) includes power to make different provision for different purposes;’

*This amendment provides that the power to make regulations under clause 16 of the Bill includes the power to make different provision for different purposes.*

Amendment 14, page 16, line 14, after ‘make’ insert ‘incidental, supplementary, consequential,’

*This amendment provides that the power to make regulations under clause 16 of the Bill includes a power to make incidental, supplementary and consequential provision.*

Amendment 13, page 16, line 17, at end insert—

‘( ) Section 15 of the Local Government and Public Involvement in Health Act 2007 (power to transfer functions, property etc as part of incidental etc provision) applies in relation to subsection (4)(b) above as it applies in relation to sections 13 and 14 of that Act.’—(*Alistair Burt.*)

*This amendment enables incidental etc. provision under clause 16(4)(b) to include provision of a kind provided for in section 15 of the Local Government and Public Involvement in Health Act 2007 (transfer of functions, property etc).*

*Clause 16, as amended, ordered to stand part of the Bill.*

### New Clause 8

#### AMENDMENTS OF THE NATIONAL HEALTH SERVICE ACT 2006

Schedule (Amendments of the National Health Service Act 2006) contains amendments of the National Health Service Act 2006 in connection with the exercise of health service functions of combined or local authorities and the control of information about local authority social care.”

*This amendment inserts a clause to introduce Schedule 3A. That Schedule sets out provisions amending the National Health Service Act 2006.*—(*Alistair Burt.*)

*Brought up, and added to the Bill.*

### New Schedule 1

#### SCHEDULE 3A

#### AMENDMENTS OF THE NATIONAL HEALTH SERVICE ACT 2006

1 The National Health Service Act 2006 is amended as follows.  
2 (1) Section 7A (exercise of Secretary of State’s public health functions) is amended as follows.

(2) In subsection (2), after paragraph (c) insert—  
‘(d) a combined authority.’

(3) In subsection (4), after ‘group’ insert ‘or a combined authority’.

3 In section 13Z (exercise of functions), after subsection (6) insert—

‘(7) This section is subject to sections 13ZA and 13ZB in the case of arrangements that are devolved arrangements (within the meaning of section 13ZA).’

4 After section 13Z insert—

‘13ZA Section 13Z: further provision in relation to devolved arrangements

(1) This section applies to arrangements under section 13Z(2) for a function of the Board to be exercised in relation to a particular area by or jointly with a relevant prescribed body (“devolved arrangements”).

(2) ‘Relevant prescribed body’ means a body prescribed under section 13Z(2)(c) that is either—

- (a) a combined authority whose area includes the whole or part of the area to which the arrangements relate, or
- (b) a local authority (within the meaning of section 2B) whose area includes the whole or part of that area.

(3) The power of the Board under section 13Z(2) to enter into devolved arrangements includes power to arrange for the function to be exercised in relation to the area to which the arrangements relate—

- (a) by the relevant prescribed body jointly with one or more other eligible bodies;
- (b) jointly with the Board, the relevant prescribed body and one or more other eligible bodies.

(4) A body is an ‘eligible body’ if it—

- (a) falls within paragraph (a), (b) or (c) of section 13Z(2), and
- (b) exercises functions in relation to the area to which the arrangements relate.

(5) Where, by virtue of subsection (3), the Board enters into devolved arrangements with a relevant prescribed body and one or more eligible bodies, at least one of those eligible bodies must be a clinical commissioning group.

(6) Where, by virtue of subsection (3), one or more eligible bodies are a party to devolved arrangements, the power under section 13Z(4) to establish a joint committee includes a power to establish a joint committee of which one or more of the eligible bodies are members.

(7) But the members of a joint committee established under section 13Z(4) by virtue of subsection (6) must include—

- (a) the relevant prescribed body;
- (b) each eligible body with whom a function is exercised jointly under the devolved arrangements;
- (c) if under the devolved arrangements a function is exercisable jointly with the Board, the Board.

(8) The terms and conditions on which devolved arrangements are made may include terms authorising a joint committee established by virtue of subsection (6) to establish and maintain a pooled fund.

(9) A pooled fund is a fund—

- (a) which is made up of payments received from the Board under the devolved arrangements in accordance with terms of payment agreed under section 13Z(5), and
- (b) out of which payments may be made towards expenditure incurred in the discharge of any of the functions in relation to which the devolved arrangements are made.

13ZB Section 13Z: arrangements in relation to the function under section 3B(1)(d)

(1) This section applies to arrangements under section 13Z(2) that are or include arrangements in relation to the exercise of a relevant commissioning function.

(2) “Relevant commissioning function” means a function of the Board under section 3B(1)(d) of arranging for the provision of services or facilities in respect of a particular area (“the commissioning area”).

(3) The power to enter into the arrangements under section 13Z is subject to the following provisions of this section.

(4) The arrangements must provide for the relevant commissioning function to be exercisable by at least one relevant prescribed body jointly with—

- (a) one or more eligible bodies, or
- (b) the Board and one or more eligible bodies,

(and the arrangements are, accordingly, devolved arrangements to which section 13ZA applies).

(5) At least one of the eligible bodies mentioned in subsection (4) must be a clinical commissioning group.

(6) The Board may enter into the arrangements in relation to the provision of a service or facility in the commissioning area only if it considers it appropriate to do so having regard to—

- (a) the impact on the provision of the service or facility in the commissioning area;
- (b) the impact on the provision of the service or facility in other areas;
- (c) the number of persons in the commissioning area to whom the service or facility is provided;
- (d) the number of persons who are able to provide the service or facility;
- (e) the cost of providing the service or facility;
- (f) the financial implications for the relevant prescribed body, and for other bodies, with whom the arrangements are made.

(7) Regulations may provide for this section not to apply to arrangements so far as relating to a relevant commissioning function of a prescribed description.

(8) In this section, ‘eligible body’ and ‘relevant prescribed body’ have the same meaning as in section 13ZA.”

5 After section 14Z3 insert—

‘14Z3Z3A Joint exercise of functions with combined authorities

(1) A clinical commissioning group may arrange for—

- (a) any commissioning function of the group to be exercised jointly with a combined authority;
- (b) any commissioning function that the group exercises on behalf of another clinical commissioning group under section 14Z3(2)(a) to be exercised jointly with a combined authority.

(2) Two or more clinical commissioning groups may arrange for any commissioning functions of those groups that are exercised jointly with each other under section 14Z3(2)(b) to be exercised jointly also with a combined authority.

(3) Regulations may provide that the powers in subsections (1) and (2) do not apply in relation to a commissioning function of a prescribed description.

(4) Where any commissioning functions of a clinical commissioning group (or groups) are exercised jointly with a combined authority under subsection (1) or (2), they may be exercised by a joint committee of the group (or groups) and the authority.

(5) Arrangements under subsection (1) or (2) may be on such terms and conditions (including terms as to payment) as may be agreed between the clinical commissioning group (or groups) and the combined authority.

(6) Where two or more clinical commissioning groups enter into arrangements with the same combined authority under subsection (1) or (2), the terms as to payment mentioned in subsection (5) may include terms authorising a joint committee established under subsection (4) to establish and maintain a pooled fund.

(7) A pooled fund is a fund—

- (a) which is made up of payments received under the arrangements from all the groups that are parties to the arrangements, and
- (b) out of which payments may be made towards expenditure incurred in the exercise of any of the commissioning functions in respect of which the arrangements are made.

(8) Arrangements under subsection (1) or (2) do not affect the liability of a clinical commissioning group for the exercise of any of its functions.

(9) In this section ‘commissioning functions’ means the functions of clinical commissioning groups in arranging for the provision of services as part of the health service (but does not include the function of making a request to the Board for the purposes of section 14Z9).”

6 In section 75 (arrangements between NHS bodies and local authorities), after subsection (7) insert—

(7A) For the purposes of this section, a combined authority that exercises a prescribed function within subsection (1)(a) of an NHS body under voluntary arrangements is to be treated as an NHS body.

(7B) ‘Voluntary arrangements’ means arrangements made with the combined authority under—

- (a) section 7A (exercise of Secretary of State’s public health functions),
- (b) section 13Z (exercise of the Board’s functions), or
- (c) section 14Z3A (joint exercise of functions with clinical commissioning groups).

(7C) Regulations under this section, so far as made before or in the same Session as that in which the Cities and Local Government Devolution Act 2015 is passed, apply to a combined

authority that is treated as an NHS body by virtue of subsection (7A) as if it were a prescribed NHS body for the purposes of those regulations.

(7D) But a combined authority to which regulations under this section apply by virtue of subsection (7C) may enter into prescribed arrangements in relation to the exercise only of functions within subsection (1)(a) that are exercisable by the authority under voluntary arrangements.

(7E) Regulations under this section may provide for the regulations to apply in relation to a combined authority subject to any prescribed limitations or conditions.

(7F) Nothing in subsection (7D) prevents a combined authority from being a party to arrangements made by virtue of this section in relation to any prescribed functions of an NHS body that are exercisable by the authority as a result of an order under section 105A of the Local Democracy, Economic Development and Construction Act 2009 (public authority functions exercisable by combined authorities)."

7 (1) Section 251 (control of patient information) is amended as follows.

(2) In subsection (2)(a), after 'health service bodies' insert 'or relevant social care bodies'.

(3) After subsection (12) insert—

(12A) In this section—

'care' includes local authority social care,

'local authority social care' means—

(a) social care provided or arranged for by a local authority, and

(b) any other social care all or part of the cost of which is paid for with funds provided by a local authority,

'patient' includes an individual who needs or receives local authority social care or whose need for such care is being assessed by a local authority,

'social care' includes all forms of personal care and other practical assistance provided for individuals who are in need of such care or assistance by reason of age, illness, disability, pregnancy, childbirth, dependence on alcohol or drugs or other similar circumstances."

(4) In subsection (13), at the end insert—

“‘relevant social care body’ means—

(a) a local authority, or

(b) any other body or person engaged in the provision of local authority social care.”

8 In section 275(1) (interpretation), after the definition of 'clinical commissioning group' insert—

“‘combined authority’ means a combined authority established under section 103 of the Local Democracy, Economic Development and Construction Act 2009;.

9 In section 276 (index of defined expressions), at the appropriate place insert—

“‘combined authority | section 275(1)’”

*This amendment inserts Schedule 3A into the Bill, which provides for amendments to the National Health Service Act 2006. The amendments concern the making of arrangements with combined authorities or local authorities for the exercise of functions under the 2006 Act; and provision which may be made in regulations concerning local authority social care information.—(Alistair Burt.)*

*Brought up, and added to the Bill.*

*The occupant of the Chair left the Chair (Programme Order, 14 October).*

*The Deputy Speaker resumed the Chair.*

*Progress reported; Committee to sit again tomorrow.*

## Business without Debate

### DELEGATED LEGISLATION

*Motion made, and Question put forthwith (Standing Order No. 118(6)),*

#### ELECTRICITY

That the draft Renewables Obligation Order 2015, a copy of which was laid before this House on 21 July, be approved.—(Margot James.)

*Question agreed to.*



## Human Rights (Joint Committee)

### *Motion made, and Question proposed,*

That Fiona Bruce, Ms Karen Buck, Ms Harriet Harman, Jeremy Lefroy, Mark Pritchard and Amanda Solloway be members of the Joint Committee on Human Rights.—(*Bill Wiggin, on behalf of the Committee of Selection.*)

7.12 pm

**The Deputy Leader of the House of Commons (Dr Thérèse Coffey):** I welcome the hon. Member for Great Grimsby (Melanie Onn) to her place.

The motion seeks to approve the House of Commons members of the Joint Committee on Human Rights. As I have said, these names have been agreed by the Committee of Selection, and they would join the Members of the House of Lords who were appointed by that House on 16 July 2015. The motion is being considered tonight, under Standing Order No. 15(1)(c), having been objected to when it was first put to the House on Monday 14 September.

This is an important Committee that in the previous Parliament considered issues such as UK compliance with the UN convention on the rights of the child, human rights judgments and violence against women and girls, as well as undertaking pre and post-legislative scrutiny of many Bills. I therefore encourage all right hon. and hon. Members to support this motion. I commend it to the House.

7.13 pm

**Pete Wishart** (Perth and North Perthshire) (SNP): I take this opportunity to pay tribute to Michael Meacher, who died today. We seem to be in the business just now of losing a number of people who were giants of this House in the 1970s and 1980s. We wish to make sure he will be remembered as an assiduous and hard-working Member of Parliament.

Let me say at the outset that we have no issue at all with the establishment of a Committee on human rights: this House should of course have a Committee on human rights. It will have a lot of important work to do, some of which has been mentioned by the Minister. We want a Committee on human rights to be established as soon as possible. It has important business to take care of, and we support its establishment. I do not have a problem with the proposed members on the Order Paper. I am sure they will be assiduous members and work to the best of their abilities to ensure that the Committee carries out its functions. I do not even have a problem with this being a Joint Committee, although I am perplexed as to why the unelected House down the road is being given parity with elected Members—those of us who bother to go to our constituents to seek a mandate to serve in the House. Why are the unelected Members, who represent absolutely nobody, being given equal membership with the elected Members who represent real constituents the length and breadth of the United Kingdom?

No, my objection to the motion is the fact that the third party of the United Kingdom has no place on the Committee. That has never happened before. In the last Parliament, how many people from the third party were on the Committee? Two. There were two Liberals on it, one from this House and one from the unelected place down the road. We have made great progress, as the third party, in this House. We are on practically every institution in the House. I have just come from the

Speaker's Commission on the Electoral Commission. We have served on all these Committees assiduously as hard-working Members. We are on practically every single Committee of the House. We even get to chair some of them—I chair one.

**Mr Stewart Jackson** (Peterborough) (Con): I do not recollect the hon. Gentleman's party opposing the Committee's being a Joint Committee in the last Parliament. None the less, in the last Parliament the Liberal Democrats polled 23% of the popular vote, whereas his party polled 4% across the whole UK. Is that not the difference?

**Pete Wishart:** This is astounding. My party supports proportional representation. I am pretty certain the hon. Gentleman does not. We operate under the electoral system designed for this place, and it is called first past the post. We won 56 of 59 seats in Scotland, and we are the third party of the UK, in terms of membership of the House and party membership across the UK.

**Mike Weir** (Angus) (SNP): Is this not a preposterous argument, given that all Divisions in the House are based on membership of the House, not the vote in the country? Otherwise, Committee membership could be very different. The Conservative party got a lot less than 50% of the vote in the UK, yet has the majority of members on the Committee.

**Pete Wishart:** My hon. Friend is absolutely right. We cannot understand it. We are allowed on practically every institution and Committee of the House, and we are prepared to serve assiduously on them. We want to be part of this Committee. We have something to contribute. Why are we being excluded? Why is the House happy with our exclusion?

**Dr Coffey** *rose*—

**Pete Wishart:** Will the hon. Lady explain?

**Dr Coffey:** I gently remind the hon. Gentleman that the second Opposition party in the last Parliament was the Democratic Unionist party, because the Liberal Democrats were part of the Government. As for the Committee, this House gets six members and the other place has six. He will be aware that when Committees get to seven or above, that is when the second Opposition party gains a seat.

**Pete Wishart:** I am most grateful to the hon. Lady, but here is an obvious solution: why not change the rules? Why are we bound to having parity with the unelected, absurd House down there, which represents absolutely nobody? She represents a constituency, and I represent a constituency. We represent real people and have an interest in a Committee of this place; they represent absolutely nobody. It is an absurd and ridiculous institution that should have no parity with this House.

There are 12 places on this Committee. There are six Conservative Members and four Labour Members. Who is next? There is one Liberal Democrat and one Cross Bencher. Now, we have just had an election, and the Liberal Democrats, roundly thrashed and rejected by the vast majority of the country, were left with a rump of eight MPs. Yet the Liberal Democrats have been given a place on this Committee, ahead of the third party of the United Kingdom—the Scottish National party with a 56-seat victory in the last election. How can that possibly be right?

[*Pete Wishart*]

There is even a Cross Bencher on the Joint Committee. I do not even know what Cross Benchers do. I think they are somehow supposed to be neutral or arbitrary, and are appointed on the basis of the greatness and goodness they bring, but why is a Cross Bencher ahead of directly elected Members from the third party of this House? I ask again, how can this possibly be right?

What really gets me about this affair is that this Committee is vitally important. Mr Speaker, I know that you take a keen interest in the working of the Joint Committee. It exists to scrutinise Government Bills for compatibility with human rights, to scrutinise the Government's response to judgments on human rights and, importantly, it looks for opportunities to enhance human rights across the United Kingdom. Surely this House wants the third party of the UK to play a part in that process. I simply cannot understand why it would not want that to happen.

**Tommy Sheppard** (Edinburgh East) (SNP): My hon. Friend makes a good case regarding the democratic outrage that the people of Scotland will feel at being excluded from discussion of a matter about which they feel extremely strongly. Is it not also the case that the proposal takes no account of a new situation—namely, that for first time in our history, the third party in this House does not, as a matter of political principle, seek representation in the other place? That puts us at a double disadvantage when it comes to Joint Committees of both Houses.

**Pete Wishart:** That is such a good point, and I am coming on to it. I am very grateful to my hon. Friend for reminding me that we do not take places in the House of Lords. If it is necessary to be an elected Lord to get on an important Committee of this House, where does that leave democracy in this country? How can people who have no democratic mandate—they have been elected by absolutely nobody—take precedence over elected Members of this House? We are being placed in a ridiculous and absurd situation. If the only way to get on the Committee is to take places in an unelected House of Lords, most people would regard that as an absurd situation.

**Mike Weir:** Does my hon. Friend not agree that it is actually worse than that? Only this week, it appears that the Government have been threatening to suspend the House of Lords because it did not want to accept what the Government wanted to do with tax credits. Now, however, the other place is more important than us when it comes to membership of this important Committee.

**Dr Coffey:** On a point of order, Mr Speaker. I recognise that SNP Members are having a debate, but we are supposed to be discussing Members from the House of Commons who are going to sit on this Committee. Membership of the House of Lords is a different matter and one for the other end of the corridor.

**Mr Speaker:** In establishing the background to, and context of, the present debate, it is perfectly legitimate for the hon. Member for Perth and North Perthshire (Pete Wishart) to say something about factors that he thinks might be informing—rightly or wrongly, in his judgment—the composition of the Committee. However, there is a difference between establishing the context and

a tendency to dilate. I am sure that the hon. Gentleman will not wish to dilate on the matter of the Lords make-up of this Committee, or to theorise about the possible injurious effect on SNP chances of being on that Committee as a consequence of not taking up seats in the House of Lords. The matter with which the hon. Gentleman should be concerned is the Commons contribution to, and Commons Members of, this Joint Committee, which I think is quite sufficient for his eloquent dilation.

**Pete Wishart:** I am grateful to you, Mr Speaker. All we want is to sit on this Committee. We want to play a meaningful role in the assessing and scrutinising of human rights. Apparently, the only way we can get on it is to take up places in the House of Lords.

**Owen Thompson** (Midlothian) (SNP): Talking about Members of this House sitting on the Committee, it is interesting to note that there is no representation for the House of Commons' third party. Given that the Human Rights Bill covers the whole of the United Kingdom, I would argue that it is critical for our party, elected en masse by the people of Scotland, to have a voice on this Committee.

**Pete Wishart:** My hon. Friend is quite right: the Committee will have a huge amount of work to do. The Conservative Government are threatening to do away with the European convention on human rights—they are threatening to take us out of it—and now we shall not have an opportunity to scrutinise the issue in the Joint Committee.

Moreover—I am sure that my hon. and learned Friend the Member for Edinburgh South West (Joanna Cherry) will mention this in her speech—the human rights settlement is profoundly important to the devolution settlement in Scotland. It is built into the very mechanics of the Scottish Parliament. No Bill can be passed in the Scottish Parliament without reference to human rights, but no Scottish Member of the House of Commons is a member of the Joint Committee on Human Rights. Indeed, it has no members from north of Derby.

**Mr Jackson:** I think that one would have to have a heart of stone not to feel for the hon. Gentleman. His selflessness on this occasion is quite touching. However, I am trying to follow his logic. Is he suggesting, notwithstanding what the Deputy Leader of the House has said, that we should suspend the Standing Orders specifically to ameliorate the effects of a policy decision by the Scottish National party not to play any part in representation in the House of Lords?

**Pete Wishart:** Let us look at the House of Commons membership of the Joint Committee. We have no representation as the third party in the House of Commons, although we are represented on practically every other Committee in the House. We have 56 of the 59 Scottish seats in Parliament, but no attempt has been made to reflect a geographical spread in securing membership of the Joint Committee.

Let me suggest a couple of ways in which we might be able to rectify the situation. I hope that the Deputy Leader of the House will listen carefully. She, or someone, will have to tell me why there must be parity with the House of Lords. The House of Lords has never been held in such contempt as it is now among the British

people, who see it as nothing other than an affront to democracy and a repository for donors and cronies in the United Kingdom parties.

I need to know this, Mr Speaker. Why does the Joint Committee have to have six members from this House and six from that House? Surely we could come up with an arithmetical formulation that would allow an input from the Lords? I want to hear from them, because I think that they have a contribution to make. Why can we not have eight members from this House and nine members from that House, and cut the number from the House of Lords correspondingly? Is there anyone in the Chamber now—and I look to the Deputy Leader of the House—who can tell me why that cannot happen? Surely it is up to this House, as the predominant and the elected House, to set the rules and parameters for the Joint Committee.

**Mr Christopher Chope** (Christchurch) (Con): The answer to the hon. Gentleman's question is that that is what is provided for by the Standing Orders currently in place. If we wish to change the Standing Orders, why do we not seek to refer this matter to the Procedure Committee? The Standing Orders are under our control, but we cannot change them tonight.

**Pete Wishart:** That is actually quite a reasonable suggestion from the hon. Gentleman, who, I know, studies these issues very closely and carefully. Why do we not change the Standing Orders? Will someone tell me why we cannot do that? Why is the third party in the United Kingdom excluded because of a binding commitment to the Standing Orders of the House? Let us change them. I am with the hon. Gentleman on that. If he tables a motion, he will have the support of members of the Scottish National party.

**Mike Weir:** May I point out that we shall debate a proposal to change the Standing Orders tomorrow—because of another thing that the Government wish to do—and that that was proposed even before it was referred to the Procedure Committee? It can be done: we can change Standing Orders.

**Pete Wishart:** My hon. Friend is, of course, right. We could change the Standing Orders at any time, and we shall be changing them tomorrow in order to diminish the rights of Scottish Members of Parliament. Within 24 hours, we shall find that our rights in the House have been diminished to second class—and we are being denied a place on the Joint Committee on Human Rights.

I am sure that the people of Scotland are observing what is happening down here, and the way in which Scottish Members of Parliament are being treated in this House. I am sure that they are reaching their own conclusions about what is being done to Scottish Members in this place. Just because we are the third party in the House and it is not the Liberals this time, it is apparently all right to exclude us—but it is not on, and I am pretty certain that the Scottish people are observing, very darkly, the way in which Scottish Members are being treated in this House.

**Sir Edward Leigh** (Gainsborough) (Con): I am a member of the Procedure Committee, and, if it would be helpful, I will take this matter up with the Committee. I will suggest to the Chairman that we produce a report, and that the SNP is represented on the Joint Committee.

**Pete Wishart:** I thank the hon. Gentleman. We are starting to make progress—we are starting to get there now. What we are seeing from the hon. Gentleman is agreement that an injustice has been done. Would that be a fair characterisation? I am looking at hon. Members on the Treasury Bench, and they are thinking about that, and I think most of them are tentatively agreeing with that premise. What we have here is something that is unsuitable, unfair and inappropriate and which now needs to be resolved. We have already had a couple of suggestions for tackling this—and I am grateful to the hon. Member for Christchurch (Mr Chope) for his suggestion and ask him to just tell his Front Benchers to start supporting this, too.

I have no idea what Labour Front Benchers think about this, and I am certain one of them will make a contribution, but surely Labour would want us as colleagues on that Committee? Why do they want the Liberals on it, for goodness' sake? Surely they are better with the third party in this House having a place on it.

**Hywel Williams** (Arfon) (PC): When I served on a Joint Committee considering a mental health Bill covering Wales, the representation from this House was 24—not 12—including me, and it was considered appropriate for someone from Wales to be on the Committee. That same principle should apply as far as Scotland is concerned in this case.

**Pete Wishart:** That is another helpful suggestion. In sense I am getting a bit of support. Would that be fair? I am looking at my Labour colleagues. No, we are not; well, what do we expect from Labour? At least the Conservatives are beginning to see there is something profoundly wrong with what is being proposed. I think the Labour Front Bench would rather have unelected Liberals on this Joint Committee than the third party of the United Kingdom.

**Mr Chope:** It is unfortunate that the SNP did not table an amendment to include one of its Members instead of one of the Labour representatives—that might have made for an interesting debate and vote afterwards. At the moment, however, the SNP proposal is to vote down this Committee proposal completely, which is surely absurd because it means the Joint Committee on Human Rights will not be established in good time.

**Pete Wishart** *rose*—

**Mr Speaker:** Order. Before the hon. Gentleman responds to the intervention, it may benefit the House to know the factual position as I understand it, which is that it would have been perfectly possible for anybody to table an amendment to the list of names proposed, but an amendment beyond that would not have been in order, because other than in respect of the names it is not an amendable motion.

**Pete Wishart:** I am grateful for that ruling, Mr Speaker, and clarification. It was also my understanding of the position.

Sensing a degree of support for what we are trying to do, I appeal to the Government not to put this to the House tonight, but to take it away and then come back. Let us have a look at this properly. They should come and speak to the SNP. We will propose a membership change. If necessary, the Government can get them in



[Pete Wishart]

from down the road—get the unelected ones up, have a conversation with them, get an arrangement and agreement whereby the unelected donors and cronies could still have their places on the Joint Committee. We want to hear from them as some of them are very eminent—some of them are very good donors—and we want to hear their views, but should they have parity with this House? No, they should not. The public observe what goes on in this place with ever deeper cynicism. When they see unelected donors and cronies having parity with elected Members, they see something fundamentally rotten with our democracy.

Of course the third party should be on this Committee. Let us make sure that that happens. We must do whatever it takes. I ask the Deputy Leader of the House to take this motion away, and come back and speak to us. We will provide a name. Let us get this resolved and fixed. For the sake of democracy, let us get this sorted.

7.33 pm

**Mr Christopher Chope** (Christchurch) (Con): Following the hon. Member for Perth and North Perthshire (Pete Wishart), may I also pay tribute to Michael Meacher? The work he did, particularly in my experience with Parliament First, is a lasting legacy and demonstrated his great commitment to this place. One of the great things about the proposals before us tonight is that many of those being chosen to serve on this Joint Committee are people like Michael Meacher, who have independent minds. That is what this House needs on such Committees.

I suggest that we pass this motion tonight, because if we do not we will be unable to set up the Joint Committee. It is a matter of regret, given that their lordships' House named its people back in July, that we are only now naming ours. Once the Committee is set up, the Procedure Committee could look into the issues and I am sure that it could produce a report in due course. It would be unfortunate if this situation were to be used as a stick with which to beat the rest of the United Kingdom. I say that as a member of the Scottish Affairs Committee; I have the privilege of serving under the chairmanship of the hon. Member for Perth and North Perthshire (Pete Wishart), and we had a successful visit to Dundee earlier this week.

I want to thank the Scottish National party for ensuring that we have had a debate on this important issue. We debate human rights, and the parliamentary scrutiny of human rights, all too rarely. I have had the privilege of serving in the Parliamentary Assembly of the Council of Europe for some 10 years, during which I spent two years as chairman of the Legal Affairs and Human Rights Committee. During that time, the United Kingdom had the chairmanship of the Committee of Ministers and a lot of work was done jointly with the Joint Committee on Human Rights to spread the good word across the other 47 member states of the Council of Europe on how Parliaments can scrutinise work of their Governments in relation to human rights. It is fair to say that this Parliament is an exemplar for the Parliaments in those other member countries. I have spoken about this at seminars. It is important that, when the Joint Committee on Human Rights looks at the convention, it should do so in an independent way.

One consequence of that happening can be a significant reduction in the number of cases that end up in the European Court of Human Rights. I suggest that that is really important.

**Sir Edward Leigh:** My hon. Friend does himself a disservice. Not only has he served as a distinguished chairman of the migration and legal affairs committees of the Council of Europe but he is also the chairman of the European Conservatives group. He has done sterling work on keeping that group together. He mentioned that some time has passed since this Committee was set up in July. I presume that he has now heard that he has been reappointed, in the light of his great and distinguished work in the Council of Europe.

**Mr Chope:** The House is anticipating that this matter will be decided soon. I hope that it will be, because six months after a general election, the right of this Parliament to be represented in the Parliamentary Assembly of the Council of Europe will expire. I hope that our new members of the Parliamentary Assembly will be chosen soon and presented to the House. I understand that that is normally done through a written statement from the Prime Minister. I also hope that that statement will include the names of some Scottish National party Members, because even if they cannot at present participate in the work of the Joint Committee, they could play an important role in the Parliamentary Assembly—

**Mr Speaker:** Order. I have indulged the hon. Gentleman a tad. He is indeed a distinguished member of the Council of Europe, a fact that has been commented on not only in the House but in many European capitals that I have visited. That said, it is not a matter for the motion tonight. I hope that the matter to which he refers will shortly be resolved in a satisfactory way, but it does not touch upon the question of the Joint Committee on Human Rights, a fact of which I think the hon. Gentleman is intimately conscious.

**Mr Chope:** Absolutely, Mr Speaker, and I am sorry that I was led down the wrong route by my hon. Friend the Member for Gainsborough (Sir Edward Leigh), who has also been a distinguished member of the Parliamentary Assembly. I have made my point briefly: I hope that this matter can be resolved amicably and that the Joint Committee is able to function with all parts of the United Kingdom being properly represented on it.

The first purpose of the Joint Committee is “to examine matters relating to human rights within the United Kingdom.”

I hope that that will be borne in mind by the Deputy Leader of the House and that she will respond with a big heart to the suggestion that this matter be referred to the Procedure Committee—but after the motion has been passed tonight.

7.40 pm

**Melanie Onn** (Great Grimsby) (Lab): I wish to state how important this Committee is. At a time when this Government are thinking of reviewing the Human Rights Act 1998 as early as November, with no Green Paper or White Paper, the imperative must be to set up this Committee to examine the matter of human rights and the most fundamental Act protecting humans and their

rights in this country and in Europe. This is a crucial time for the House to have a Select Committee on a major constitutional issue. If there are changes to be made to its make-up further down the line, so be it, but there should be no delay in establishing this very important Select Committee.

**Patrick Grady** (Glasgow North) (SNP) *rose*—

**Joanna Cherry** (Edinburgh South West) (SNP) *rose*—

**Mr Speaker:** I thought we were going to hear from the hon. Member for Midlothian (Owen Thompson), but it appears not. He was on the list, but he does not wish to orate. Very well, I call Mr Grady.

7.41 pm

**Patrick Grady** (Glasgow North) (SNP): I hope that when the Joint Committee on Human Rights does finally meet it will consider the European convention on human rights, protocol 1, article 3, which states:

“The High Contracting Parties undertake to hold free elections at reasonable intervals by secret ballot, under conditions which will ensure the free expression of the opinion of the people in the choice of the legislature.”

Of course, the vast majority of legislators in this country—in this Parliament—are unelected; they are up the corridor in the House of Lords. It is therefore a complete disgrace and a total irony that the third largest party in this House is not to be represented on the Joint Committee on Human Rights. One day, a Government of this country are going to find themselves in the High Court or the Supreme Court across the road with democratic citizens rightly challenging the fact that they are not allowed to vote for the largest number of legislators in this Parliament. It is a total and utter democratic outrage.

**Mike Weir:** Does my hon. Friend not agree that it is even worse than that because, again, this Government have suggested that they will appoint a huge number of new peers to make sure they get their legislation through?

**Patrick Grady:** I totally agree with my hon. Friend. We heard the hon. Member for Gainsborough (Sir Edward Leigh) making a point of order earlier in the day about precisely that matter: that the House of Lords might choose to undermine or vote against the current Government’s policy. I do not know whether it was him or someone else, but it was suggested that the solution to that, rather than abolishing the House of Lords or electing Members of the House of Lords and giving it a mandate, was simply to create yet more peers to outnumber us even more. I am sure the irony was not lost on those of us who were sitting in the Royal Gallery yesterday: the question of where elected mandates come from.

As my colleagues have stated, the human rights framework is at the core of the Scotland Act 1998 and it is fundamental to the new democracy that exists north of the border. Given that the Government seem determined to undermine the Human Rights Act here in this Parliament, it is even more concerning that we are not being given a voice on the Joint Committee—they are refusing to give a voice to the third party. We have a democratic right, as democratically elected Members of this House, and a duty to look out for the human rights of our constituents. Tomorrow, the Government are going to force through Standing Orders that will further undermine our rights, and it raises the question: where

is this respect agenda? Where is the respect for the decision that the people of Scotland made last year when they said to stay in the UK, for now.

**Tommy Sheppard:** Does my hon. Friend agree that another context to this debate is the recent discussion in Scotland? Scottish people who voted to remain part of the United Kingdom were given every assurance that Scotland would play a full role within that Union, but they now see not only no SNP representation, but no Scottish representation on this Joint Committee.

**Patrick Grady:** Absolutely. I completely agree with my hon. Friend. The Labour party could nominate its Member from Scotland for the Committee—perhaps even the Liberal Democrats could do so as well. The reality is that this matter is not simply about the third party, but about a complete lack of geographical representation, and the point that my hon. Friend makes is very well made.

If the Government are serious about the respect agenda and about respecting the decisions that have been made by the people in Scotland both in the referendum last year and in the election this year, I strongly encourage them to reconsider the decision that they are making tonight, to listen to the constructive suggestions that have been made and to bring this matter back when there is a decent proposal that represents and respects the views of the people of Scotland.

7.45 pm

**Sir Edward Leigh** (Gainsborough) (Con): This is a very important debate and it is good that we are having it. Human rights are incredibly important and this country led the world in 1950 in drawing up the European convention on human rights, which created the Council of Europe, and the Joint Committee on Human Rights is a direct child of that.

I hope the Government are listening, as some good points have been made. Those of us who take the Union very seriously want to ensure that the Scottish National party, as the properly elected representatives of the Scottish people—no one can deny that they are that—are given an absolute, complete and full role in our Parliament.

As I said earlier, I will take this matter back to the Procedure Committee. We should resolve it as quickly as possible. It has been a good debate and my personal view is that the SNP should be on this Committee. It would be very easy to resolve the issue. I do not want to repeat attacks on cronies and donors in the other place. I have never been a donor—I have no money—or a crony.

**Patrick Grady:** You will get there one day.

**Sir Edward Leigh:** I wish I was a donor and a crony, because it sounds like a rather nice place to be.

Seriously, it would very easy to increase the Committee’s membership. I do not think for one moment that anyone would mind that. Without reducing the excellent contribution of highly skilled lawyers in the other place—people who have tremendous knowledge of human rights legislation—it would be perfectly possible to increase the size of this Committee and have a full role for the SNP.

[Sir Edward Leigh]

Finally, this whole human rights thing is so important that the Government must take it very seriously, particularly in the light of what they want to do with the Human Rights Act, which I fully support. They have to show that they take this matter seriously and that they want to get the Committee set up quickly, and, if I may crave your indulgence for one second, Mr Speaker, they must establish the delegation on the Council of Europe as quickly as possible, because otherwise we are in danger of losing the plot there as well. I am sure that the Government are listening—they are, after all, a listening Government—and that this debate has had some effect, and in that sense, it is all to the positive.

7.47 pm

**Joanna Cherry** (Edinburgh South West) (SNP): Mr Speaker, you will recall that I devoted my maiden speech to the subject of human rights. In it, I spoke of the importance with which the Scottish Government and the people of Scotland regard human rights.

Human rights are universal and they should concern us all in the United Kingdom. As has been said already, this Committee is supposed to be considering human rights in the United Kingdom, yet there is not one single Scottish MP on it. How can that be right? It is not just an issue of disrespecting the SNP as a third party in the House, but an issue of disrespect to the Scottish electorate. [Interruption.] I see Labour Members shaking their heads, and saying that they will not support us on this. I say to them: do not forget the consequences of their previous disrespect for the Scottish electorate. They heard them loud and clear on 7 May this year. The Labour party wants to make a comeback in Scotland. Not arguing for the Scottish electorate's representatives in this House to be represented on a Committee that considers UK-wide matters is not the way to go about it.

The hon. Member for Great Grimsby (Melanie Onn) mentioned that we are shortly to be looking at the repeal of the Human Rights Act. In Scotland, the Human Rights Act is part of a larger picture, because the rights in the European convention on human rights are written into the devolution settlement by virtue of the Scotland Act 1998.

In Scotland, we have a national action plan for human rights and a UN-accredited human rights commission. There is a commitment to human rights extending beyond civil and political rights to economic, social and cultural human rights. We really do have something that we could bring to this Committee.

The potential withdrawal from the European convention on human rights is still a live issue. The Justice Secretary, when he gave evidence to the Select Committee on Justice earlier in the summer, said that he could not guarantee that we would remain within the convention. The Joint Committee will debate whether or not the United Kingdom will remain within a convention that underpins the devolution system settlement in Scotland, yet Members seem content not to have a single Scottish MP on it. That is frankly unacceptable.

During our independence referendum last year, there was great debate about human rights and a concern at that stage that if the Conservatives were to win an election in this country they intended to repeal the Human Rights Act. Those of us who voted yes wanted

to write human rights into the constitution of an independent Scotland, and I know that one day that will happen, but for now we are part of the UK. Last year, during the referendum, the Prime Minister invited Scots not to leave the UK but to stay and lead the UK. How can we possibly even contribute to the UK's debate about human rights in this House if there is not a single Scottish Member of Parliament on the Committee?

The Prime Minister has also spoken regularly of a respect agenda, but 58 out of the 59 Scottish MPs elected in May are from parties that oppose the repeal of the Human Rights Act and wish to remain in the ECHR; 56 were elected as SNP MPs. We are the third party in this House and it is unthinkable that the Liberal Democrats, when they were the third party, would have been excluded from a Committee such as this. Tomorrow, we will debate changes to Standing Orders to exclude Scottish MPs from votes in this House. Why can we not debate changing Standing Orders to include Scottish MPs on this Committee, which considers UK-wide matters?

Others have spoken of the House of Lords and there might well be Members of that House on the Committee who are Scots or who live in Scotland. They might even own an estate in Scotland that they visit for the hunting and fishing. Either way, I do not care what their background is and where they live. The point is that they are not democratically elected by the people who live in Scotland, and are therefore not accountable to the people of Scotland and they cannot speak for them. I and my SNP colleagues—and, indeed, the Labour MP, the Liberal Democrat MP, and the Tory MP who represent Scottish constituencies—speak for the people of Scotland. There is no doubt who the people of Scotland wanted to win the general election in May, however. It is almost unprecedented for a party to get 50% of the vote in our system. It is frankly an insult to the people of Scotland not to include a single Scottish MP on the Committee.

**Tommy Sheppard:** My hon. and learned Friend makes a very good point. Does she not also agree that the debate about whether this place and this Government respect the views of the people of Scotland is very much a live one? With the vow and everything else, and with good will being tested, is it not the case that the Government would be better placed trying to include the people of Scotland's representatives in the Committee rather than excluding them if they want to reassure the Scots of their bona fides towards them?

**Joanna Cherry:** I could not agree more. As I said earlier, the Prime Minister has spoken often of a respect agenda and we were told during the referendum campaign that we are an equal partner in this Union. Where is the evidence of that when not a single Scottish MP is on a Committee that considers one of the most important issues before Parliament this Session?

**Gavin Robinson** (Belfast East) (DUP): Does the hon. and learned Lady accept that her incredulity would be more credible if she recognised that not just Scotland but other regions of the United Kingdom are excluded from the Committee? More importantly, a Public Bill Committee will be set up following last week's Second Reading of the Immigration Bill, yet the SNP is taking all the seats on that Committee, excluding regions such as Northern Ireland and the democratic mandate that I and my colleagues have.



**Joanna Cherry:** If the hon. Gentleman is concerned about such matters, he knows the route through which he can raise them. He knows that he can come and speak to us at any time to seek our view.

**Pete Wishart:** The hon. Member for Belfast East (Gavin Robinson) has a point. I am looking at the membership of the Joint Committee and most of the members from this House are MPs from London and the south-east. Nobody from north of Derby is on it. The hon. Gentleman has a very good point; not only does it not include Scottish Members of Parliament, but it does not include anybody from Northern Ireland, Wales or the north of England. I ask my hon. and learned Friend how that could possibly be right.

**Joanna Cherry:** Indeed. One might almost think that we had rolled the clock back to 1745-46 and were not looking at anybody in the United Kingdom from north of Derby.

The hon. Member for Belfast East (Gavin Robinson) makes a good point. It is disrespectful to have nobody representing the north of Ireland or, indeed, Wales on the Committee, but I am here as an elected representative of Scotland and I will speak for my constituents and the people of Scotland, and he can speak for his constituents and the people of Northern Ireland.

In every single debate on human rights that has taken place in this House and in Westminster Hall since the election, the Scottish National party has made a major contribution. Our First Minister has been outspoken in her determinedness to preserve human rights and the Human Rights Act not just for Scotland, but for everybody in the UK. She is on the record as saying that the Scottish Government would not do a deal with the UK Government to preserve the Human Rights Act for Scotland only. So let us have a little reciprocal good will from the remaining Labour Members.

It is a travesty of democracy and of this so-called equal Union for there to be no Scottish MP on the Committee. But it is an insult not just to those of us here. The most important point is that it is an insult to the Scottish electorate. If this is not put right, Members in this House should think very seriously about the message that they will be sending out the people who live in Scotland: "We don't care what your elected representatives think about human rights. Our think-tank, our engine room on human rights, will exclude all representatives of the Scottish electorate." Respect? I think not.

*Question put.*

*The Speaker's opinion as to the decision of the Question being challenged, the Division was deferred until Wednesday 28 October (Standing Order No. 41A).*

## Road and Rail Infrastructure (North Wales)

*Motion made, and Question proposed,* That this House do now adjourn.—(*Margot James.*)

7.57 pm

**Dr James Davies** (Vale of Clwyd) (Con): I am grateful for the opportunity to raise an issue that I believe is critical to the future economic development of north Wales and the wider region.

Better road and rail infrastructure can offer better access to training and employment opportunities further afield and better access to markets for businesses. It has the ability to attract development to the area and improve the success of companies located in the vicinity. In addition to general increased economic productivity and competitiveness, there are specific advantages that it might bring to the region: more tourism; better access for the public to local and regional services; reduced congestion and therefore safer roads and quicker response times for emergency vehicles; improved recruitment where there are current job shortages; better access to international gateways; increased access to future planned nuclear and green energy developments in the region which could help the area to gain national or even international recognition and expertise in these fields; and social benefits and a better quality of life.

The key railway line in north Wales is the Crewe to Holyhead branch of the west coast main line. We still have Victorian signalling systems, the line caters only for diesel trains, and there are speed restrictions. Parts of the line are the slowest in the UK. It offers relatively limited direct services to airports and major cities. One can travel from my constituency to London in two and a half hours, and I am aware of businesses that are located in the constituency partly because of the existing services. Rail is managed by Network Rail and as such is not devolved.

On road infrastructure, the A55 or north Wales expressway, which is less well known as the Euroroute E22, is our main trunk road. This runs east to west from the M53 at Chester through to Holyhead. Much of the A55 is on what is thought to have been the route of a Roman road, but the road we know today was developed from the 1930s onwards, the majority of it during the 1980s. The Bodelwyddan bypass completed its course across my constituency in 1986. From my constituency there is a half-hour journey along the A55 to the motorway network, and roughly a one-hour journey to the airports of Liverpool and Manchester, but congestion and accidents on the road have increased, as the *Daily Post*, the region's newspaper, highlighted on Monday.

**Guto Bebb** (Aberconwy) (Con): I congratulate my hon. Friend on securing this important debate. He mentioned the A55, which is part of a Euroroute. Is he aware that the only two roundabouts on any Euroroute are to be found in my constituency? Only the other day I received an email from a constituent who had taken an hour to get from Llandudno to Llanfairfechan, a journey of only 14 miles. It is not so much an expressway as a barrier to growth in my constituency and the rest of north-west Wales.

**Dr Davies:** My hon. Friend makes a good point.

[*Dr James Davies*]

There are also poor links from the A55 to the north of my constituency, parts of which have some unemployment hotspots. The existing infrastructure supports numerous businesses, including those at St Asaph business park, but they are often under pressure to move east, closer to the UK's motorway network. Road infrastructure is devolved in Wales, so joint working is critical when seeking to enhance key east-west routes.

There is a fundamental interdependence between north Wales and the north-west of England. In fact, the economies are inextricably linked, and I suggest that the north Wales economy complements that of the north-west, rather than competing against it. There are 50,000 cross-border commutes every day, which equates to around 1 million per month. One million people of working age live on either side of the border, and 8 million live across the wider area. To illustrate the size of this combined economy, there is a £31 billion economy along the M56 and A55 corridor, expanding to £77 billion if we include Liverpool, Cheshire and Warrington, and £140 billion with the Manchester city region. In fact, the overall region contributes 17% of UK manufacturing output and provides 30% of jobs locally.

North Wales clearly has a key opportunity to be part of the northern powerhouse and to link to HS2. Doing so would be an important way to address deprivation and unemployment in my part of the world. Parts of north Wales have an untapped workforce availability, and therefore an associated cost to the taxpayer of out-of-work benefits. I believe that better transport links would help the strategic and united growth of the north Wales and north-west region, despite political barriers that have developed post-devolution, and help regenerate the whole area. I reiterate that the transport routes in north Wales also form key trans-European links to Ireland, which is an important factor for economic growth.

**Craig Williams** (Cardiff North) (Con): I commend my hon. Friend for leading on this important north Wales issue. The trans-European route E22, which has been in place since 2002, has enabled the Welsh Government to apply for European moneys to put into infrastructure. Does he agree that they have not grasped the opportunity that that provides to invest in north Wales?

**Dr Davies:** It certainly seems so, based on what we all know in north Wales.

Some 85% of cross-border commutes are currently by road, probably because rail is under-utilised, but despite that there has been a 46% increase in rail passenger numbers over the past decade, and evidence suggested that there could be a 21% transfer to rail if services were improved further. The roads in north Wales, which are already congested, are predicted to be subject to increased traffic. It is clear that the current transport infrastructure, whether road or rail, is inhibiting further growth in the area.

There is a strong perception in north Wales that the region's needs are not fully recognised by a Cardiff-based governmental culture. Major infrastructure has been earmarked for south Wales in recent times—I need only mention the £1 billion “black route” for the M4 in south Wales and news that at least £12 million has potentially been wasted in buying up land that might not be used—but sadly we are yet to see the same commitment for north Wales.

Let me focus on rail. Improvements in speed, frequency and reliability are needed. Electrification brings the prospect of faster, greener and quieter trains, with more capacity and greater reliability. Purchase costs, track wear and tear and running costs are lower than for diesel. Unbelievably, only 10 miles of track were electrified in the whole of the UK during the previous Labour Government, and under 50% of lines are currently electrified, so we compare quite poorly with other developed nations. The aim must be that from my constituency one could, for example, reach London in two hours and key employment sites in the north-west in 45 minutes. Electrification of the north Wales line would allow the whole west coast franchise to operate on electrified lines for increased efficiency and flexibility.

**Mr David Jones** (Clwyd West) (Con): I too commend my hon. Friend for securing this important debate. Does he agree that a very effective piece of electrification would be the line between Bidston and Shotton, which would link two industrial zones, one on Wirral Waters and the other on Deeside?

**Dr Davies:** I do. I will mention that briefly, although it does not impact on my constituency as directly as on others.

There are opportunities for freight and for construction jobs. We need fast, direct connections to other key market destinations such as the Manchester and Liverpool enterprise zones and our airports and ports. Improvements would reduce pressure on an increasingly congested and polluted A55.

Greengauge 21, a not-for-profit company that exists to promote the benefits of a high-speed rail network, has already estimated that a relatively modest investment in electrification and track upgrade from Crewe and Warrington through to Holyhead in the next five-year funding settlement—control period 6, running from 2019 to 2024—would result in upwards of £500 million of benefits over the standard appraisal period of 60 years. I believe that an increasingly favourable benefit-cost ratio could be achieved as more benefits are quantified or if additional financial contributions can be secured. Savings could be delivered through upgrading the line alongside planned signalling improvements or electrification of other routes in the north-west.

The benefits of a railway line upgrade would be gained not only by north Wales and west Cheshire but further afield in the UK. In fact, £100 million of these benefits would be obtained by regional businesses being better able to work and trade with one another. Such benefits are key in an area with poor gross value added statistics. In terms of the northern powerhouse, the upgrade of the north Wales rail line could bring an additional £14 million benefit to Manchester, as well as enhancing the value of HS2. Of course, we hope that the Crewe hub will be in place there by 2027. Looking further into the future, an upgraded north Wales line could link with HS3, providing a fast link between the ports of Holyhead and Hull. In fact, should services to the European continent be operated on the new high-speed lines, we may even one day see services from Prestatyn to Paris or Rhyl to Rome.

When making the case for investment in the north Wales main line, we need to consider that the economic benefits might exceed what has already been outlined. That could partly be explained by current figures showing

that passenger demand is being suppressed. There will be construction jobs that have not been taken into account. I am not convinced that the increased attractiveness of the region for investment that would be brought about has been fully quantified. We must also take into account reduced welfare bills and increased tax revenues through tackling the situation of those out of work and assisting areas of deep-seated deprivation. It is important to note that Greengauge 21 demonstrates that there would be a £1 billion disbenefit to the UK economy as a whole were electrification to take place only between Crewe and Chester. The reasoning is the cost to the economy that would arise from the need for a change of rolling stock at Chester for trains running to and from north Wales unless expensive dual electric-diesel trains are purchased.

Decisions for control period 6 are likely to be made over the next year. I am grateful to my hon. Friend the Minister and to the Under-Secretary of State for Transport, my hon. Friend the Member for Devizes (Claire Perry), for their meetings with me. I know that they are keen for cross-party support to make the case for the kind of investment that I have outlined. I also know that all will have been pleased by the interest shown by the Chancellor and the Secretary of State for Wales in the potential for upgrading the north Wales railway.

Last month, the North Wales Business Council held a rail modernisation business round table event and confirmed that direct access for businesses and the tourism sector to and from Manchester airport is the second priority behind electrification. This could happen at short notice through the use of existing lines. It would be a significant boost for north Wales and Chester, but it needs allocation of platform capacity at Manchester Piccadilly and Manchester airport.

There are also calls for direct services from north Wales to Liverpool and its airports as a result of the reopening of the Halton curve, to which the Chancellor pledged his support last year thanks to the lobbying efforts of my hon. Friend the Member for Weaver Vale (Graham Evans). It is due for delivery in 2018.

Further ambitions for rail include a new station at Deeside industrial park; better services to Manchester and Birmingham, which will be helped by electrification; more rolling stock for the west coast main line, to allow Euston services to continue on to north Wales at certain times of the day and not to terminate at Chester; further dualling for the Chester to Wrexham line; more frequent and faster services on the Wrexham to Bidston line; extension of the platforms at Flint; rolling stock that is clean and comfortable, with adequate seats and luggage space, good catering, wi-fi and power sockets; good car parking and park-and-ride facilities at stations; and easy access to stations by other modes of transport.

In 2010, the then Secretary of State for Transport said: “good transport connectivity is essential for cities and regions to build and maintain their economic competitiveness, and regions served by rapid rail services prosper at the expense of those with inferior connections.”

As for roads, I have already said that the A55 is congested and that congestion is expected to grow by 33% by 2040. There is an increasing number of accidents, with 1,500 vehicles having been involved in crashes over the past year, which represents an increase of 44% since 2012-13. Over recent decades, communities located near the A55 have experienced benefits, but some areas are

cut off, such as the populated coastal strip of my constituency, which has relatively poor links. This is an issue for business and commuters, but it also means that tourists bypass the area to reach towns and communities further west.

The Welsh Government’s draft national transport plan for 2015 identifies the need to improve connectivity and congestion; tackle substandard networks and pinch points; and introduce overtaking opportunities to improve road safety. It identifies constrictions along some sections of the A55 and A483 dual carriageways, which result in lower average speeds. Key sections experiencing lower speeds include the A55 Britannia bridge, roundabouts at junctions 15 and 16 of the A55, the 50 mph section of the A55 at Colwyn Bay, and the A494 at Deeside.

I referred earlier to 1 million cross-border commutes per month. Poor rail services result, in part, in congestion at the A494, which links the M56 to the A55, at Ewloe. The A494 is cut in half by the border. On the English side, major improvements have been made to the M56 and A494, taking motorway conditions through to the border with north Wales. That has improved travel times to north Wales, but only up to the border. Ironically, it has also improved employment links for workers from the north-west wishing to access jobs in Deeside in Wales, yet similar opportunities for Welsh workers do not yet exist, because of the lack of improvements to the A55 and the Welsh section of the A494.

The Assembly is currently considering two options, with a decision expected in a year’s time, but construction is four to five years away. It is important that we proceed with one of the options to upgrade the links to the A55 from the M56, but we really need improvements above and beyond that. We seriously need to consider hard-shouldering or a staged upgrade to the motorway, starting at the most congested eastern section; crawler lanes; redesigning and improving slip roads; and the possibility of a smart or managed motorway through the use of active traffic management. The Highways Agency has had some success with the reduction and variability of journey times, as well as with a reduction in accidents, fuel consumption and pollution.

I make a plea on behalf of north Denbighshire and Flintshire for an upgrade of the A548 from the border to Denbighshire. The A548 currently has a plethora of speed limits and bottlenecks. It could provide a fast link to the Deeside enterprise zone, Chester, the M56 and beyond for populated areas, including deprived areas in my constituency and Delyn, and it would also relieve pressure on the A55.

I pay tribute to the North Wales Economic Ambition Board, which brings together the six north Wales unitary authorities to help transform our economy, partly by championing infrastructure improvements. Councillor Dilwyn Roberts is its chairman and leader of Conwy County Borough Council, and he is keen to ensure cross-party support. The board’s lead for the work stream on connectivity and infrastructure, Rebecca Maxwell, is particularly engaged in making the case for rail modernisation, and she recently warned that road and rail links have to improve to stop the transport system “grinding to a halt” as the regional economy tries to grow. It is holding a north Wales rail summit for business and community leaders in Llandudno next month, supported by the Mersey Dee Alliance and the Cheshire and Warrington local enterprise partnership, to push for better rail services across the wider region.



[*Dr James Davies*]

In conclusion, north Wales needs and deserves investment in transport infrastructure to realise its potential for economic growth. As the Chancellor has said, north Wales should very much be considered part of the northern powerhouse. An integrated approach to planning capacity and improvements for both road and rail is needed across the border with aligned plans, not plans developed in isolation from one other. In view of the devolution of trunk roads in particular, this is a challenge for both Westminster and the Welsh Assembly Government. That challenge has proven difficult to overcome in recent years, but it is in the interests of the region as a whole that we all unite on a cross-party basis to deliver the improvements the region desperately needs.

8.15 pm

**The Parliamentary Under-Secretary of State for Wales (Alun Cairns):** I am grateful to my hon. Friend the Member for Vale of Clwyd (Dr Davies) for securing the debate. I pay tribute to him not only for the way in which he presented his case, but for wasting absolutely no time in lobbying the Department for Transport and the Wales Office on arriving in this place. Within two days of arriving, he wanted a meeting with the Under-Secretary of State for Transport, my hon. Friend the Member for Devizes (Claire Perry), and me to make his case. I pay tribute to him for the effort that he has put into that case in the short time that he has been in the House.

I welcome the opportunity to discuss how 21st-century transport infrastructure can help north Wales to achieve its potential and place the region at the heart of the northern powerhouse. I also pay tribute to my hon. Friends the Members for Aberconwy (Guto Bebb) and for Cardiff North (Craig Williams) and my right hon. Friend the Member for Clwyd West (Mr Jones) for their interventions. I will try to reflect on their points a little later if time allows.

Since 2010, we have delivered the largest rail investment strategy this country has seen since Victorian times. Both north and south Wales are benefiting significantly from the strategy. Understandably, much attention has focused on our commitments in south Wales, such as the electrification of the great western main line, while the additional funding made available to the Welsh Government for the valley and the Vale of Glamorgan lines has been debated at large. However, north Wales rail infrastructure has also seen its share of investment during the past five years, with the upgrading of the signalling, which my hon. Friend the Member for Vale of Clwyd mentioned, the improvement of the Halton curve—I pay tribute to my right hon. Friend the Member for Clwyd West who worked directly on securing that investment—and the plans and studies currently being undertaken by the Welsh Government for the Wrexham to Bidston line. I will return to some of those subjects a bit later.

North Wales is one of the most dynamic parts of the UK. Its economy has grown by 13.2% since 2010. It is right to highlight that Wales is the fastest growing part of the United Kingdom, but it is also worth underlining that north Wales is growing much faster than the average for Wales. There are currently few better places to invest than north Wales. The north-east Wales integrated transport taskforce has estimated that the north Wales economy is worth approximately £10.4 billion a year, and it is

growing. The latest figures show that the north Wales's economy grew by 3.1%, against an average of 2.5% for the UK.

I am proud of this Government's record in helping to support the economy right across Wales, and north Wales is no exception, but we need to build on that momentum, which is why the Government have put in place our productivity plan "Fixing the foundations". In that context, we are determined to ensure that the need for transport infrastructure in north Wales is recognised and that such infrastructure is fit for such a growing economy. There is a need for collaborative investment in developing infrastructure capable of sustaining the long-term economic growth that we are now seeing.

North Wales has for some time been calling for better transport links. I have already paid tribute to some of my hon. Friends who have contributed, but I want to underline the support given by my hon. Friend the Member for Aberconwy to my hon. Friend the Member for Vale of Clwyd in working with the Wales Office to seek a plan for making an effective bid for control period 6. My hon. Friend mentioned that point and I will return to it later. Such lobbying has been heard loud and clear, as it was when I met businesses in Aberconwy and elsewhere in north Wales in August. When I spoke at the CBI north Wales dinner last month, businesses underlined the need for such investment.

Having first-class, modern transport infrastructure will not only support business growth; it will open opportunity, encourage new investment and help people to access the job opportunities, apprenticeships and training that can transform the lives of families and the fortunes of communities. We are already working to deliver that across north Wales.

We have taken steps to improve cross-border links between north Wales and northern parts of the UK. Last year, £10 million was committed to the Halton curve. I have mentioned the role of my right hon. Friend the Member for Clwyd West in that. That project is reinstating a direct rail link between north Wales and Liverpool. That has been welcomed widely by businesses and the passenger community alike. It is part of our plan to deliver a stronger, more prosperous northern powerhouse, in which north Wales is a key part.

This opportunity must be seized. I want to see joint working between north Wales, the Welsh Government, local enterprise partnerships and local authorities on both sides of the border. The Mersey Dee Alliance also has a role to play, as do the train operators. We need to use the investment in the Halton curve to deliver the optimal service pattern to transform the opportunities that I have mentioned.

We are committed to line speed improvements through the north Wales re-signalling programme. That is a significant scheme that should not be underestimated. It is expected to deliver journey time savings of up to eight minutes. That improvement will lay the foundations for further modernisation and electrification of the north Wales main line.

Likewise, the Wrexham to Bidston line is a key line for supporting enterprise and employment on Deeside. I am pleased that the Welsh Government are considering the economic benefits of investing in the line and a number of other options in north Wales. I look forward to working with them and the Department for Transport on bringing about satisfactory and positive outcomes.

It is worth recognising that HS2 will bring significant benefits to north Wales. It will reduce journey times to Crewe and create opportunities for other links because of the extra capacity that it will provide. HS2 is vital in providing extra capacity on the national rail network, which is straining under the weight of the huge growth in passenger numbers over the past 10 years.

Clearly, modernisation of the north Wales main line would be a significant boost to the region's transport links and maximise the benefits to be gained from the planned high-speed line between London and Crewe. We must ensure that everyone is aware of the opportunities that that creates for north Wales and the importance of the cross-border infrastructure that links in to other activity on the rail network.

It is vital that we prepare the most robust business case possible that identifies the strongest possible cost-benefit ratio of upgrading the line. I will return to the cost-benefit ratio. We have to think in terms of outcomes and identify the key building blocks that will pave the way to electrification. Now is the time to influence control period 6, to which my hon. Friend the Member for Vale of Clwyd referred. This is a window of opportunity to identify the means by which tangible benefits to the network will be brought about to improve the passenger experience.

We must find answers to questions such as how we can provide more frequent services, how we can cut journey times across the network, and how we can improve the signalling and modernise the line. I am keen that we learn from other bids to the Department for Transport and the Treasury that have been successful. One such example, "Norwich in 90", focused on the outcome of cutting journey times between London and Norwich, rather than on any particular technology. The bidders identified what they wanted to achieve, then found the best way of achieving it. We must focus our attention on the cost-benefit ratio, which is currently low compared with other projects. That is an objective, mathematical formula, and we need to strengthen the case around it.

The north of England electrification taskforce's report "Northern Sparks" was an interesting addition to the debate because it examined for the first time the economic benefits of modernising rail infrastructure. The Welsh Government and north Wales authorities were involved throughout the preparation of the report, alongside interested parties from across the north and across political divides. That collaborative approach ensured a clear understanding about the interaction of services

from north England and into Wales. We need an effective collaboration on modernising rail infrastructure in north Wales.

Politicians from Westminster and Cardiff Bay should continue to work together with business leaders and councils to make the case for transport infrastructure investment. We need a clear set of priorities, a clear plan of action, and clear funding commitments that focus on that cost-benefit ratio while also highlighting the economic opportunities that will be released.

**Guto Bebb:** Does the Minister agree that the upgrading of the north Wales main line is crucial to the development of the proposed nuclear power station in Anglesey? We need to move skilled workers from all parts of north Wales to the opportunities that will exist at that development.

**Alun Cairns:** My hon. Friend makes an important point and highlights the private sector's role in strengthening the case—particularly the economic case—for such upgrades. That is an excellent example.

Together with my hon. Friend the Member for Vale of Clwyd, I am grateful to the North Wales Economic Ambition Board for organising the summit next month—yet another example of the board's commitment to promoting a collaborative, cross-party approach to achieving economic success in north Wales. I pay tribute to the tireless work of Councillor Dilwyn Roberts on behalf of the people of north Wales. I am also grateful to Edwina Hart, a Minister in the Welsh Government, for the approach that she has taken, which is another example of what can be achieved on a joint basis. The North Wales Economic Ambition Board will be key in making that case, along with other organisations such as the Mersey Dee Alliance, and the summit next month will help us to identify what case to make to the Department for Transport and the Treasury.

The northern powerhouse is a key priority for this Government. The Chancellor has said how important north Wales is to that dynamic, and a key rail and road infrastructure plan is vital to that northern powerhouse and to north Wales.

*Question put and agreed to.*

8.27 pm

*House adjourned.*





## Westminster Hall

*Wednesday 21 October 2015*

[SIR ROGER GALE *in the Chair*]

### Rail Services: Portsmouth and the South-West

9.30 am

**Sir Roger Gale (in the Chair):** Good morning, ladies and gentlemen. Five Back-Bench Members wish to contribute to the debate. I will decide whether it is necessary to impose a time limit after the opening speech.

**Mrs Flick Drummond (Portsmouth South) (Con):** I beg to move,

That this House has considered rail services to Portsmouth and the South West.

It is such a pleasure to serve under your chairmanship, Sir Roger.

We constantly hear about the northern powerhouse, but we hear little about the southern powerhouse. We hear how the Government are putting money into cities, businesses and infrastructure in the north, but where is the investment in the south? The south is an area of 3.6 million people that contributes 15% of the UK's output, but when will we start hearing about investment in the southern powerhouse?

I represent Portsmouth, which is often referred to as a northern city in the south because of its background in heavy engineering, building and maintaining our Royal Navy. The immediate post-war decades took a heavy toll on our traditional industrial base, but the city has been transforming itself over the past 20 years—the Royal Navy is more technically advanced than ever before, we have diversified beyond defence and we have a brilliant entrepreneurial community, as well as new cutting-edge technological companies. However, we still have to fight hard for investment. Portsmouth suffers from the assumption in some quarters that all parts of the south and the south-east are prosperous and well provided with infrastructure. In fact, I represent a city with neighbourhoods that are among the very poorest in the country.

I secured this debate because of the poor rail service in Portsmouth, but anything that helps Portsmouth will help other cities on the Solent, the Isle of Wight, Hampshire, further west and points between that area and London. The train service from London to Portsmouth Harbour takes as long as it did in Victorian times: one hour and 40 minutes to travel just 70 miles. It is quicker for me to drive door-to-door to Westminster than it is for me to take the train. Compare that with Manchester, which is 217 miles from London and takes just a little over two hours on the train, as we all found out when we went to the Conservative party conference. Birmingham takes 85 minutes for a 125-mile journey, and it will take just 50 minutes when High Speed 2 has been completed.

The train between Portsmouth and Southampton, a journey of 20 miles, takes 65 minutes. Compare that with Nottingham to Derby, a journey of 15 miles,

which takes just 23 minutes. Newcastle to Sunderland, 17 miles, takes just 18 minutes. The Solent local enterprise partnership, our local authorities and businesses do great work in trying to maximise the potential of the area around Portsmouth and Southampton, which is one of the most widely spread conurbations in the country, but the Solent has been left behind and will continue to be so unless we introduce new rail infrastructure.

**Michael Tomlinson (Mid Dorset and North Poole) (Con):** I am grateful to my hon. Friend for securing this debate. As she says, this issue affects not only Hampshire and Portsmouth but our stations in Dorset. From London, it takes two hours and eight minutes to get to Poole, and two hours and 21 minutes to get to Wareham—the Minister has seen that station. Increased capacity and speeds would help to encourage people to use the railway, rather than the roads, thereby reducing congestion on roads such as the A351 in my constituency.

**Mrs Drummond:** My hon. Friend is right. As I continue, I hope that he will see some solutions. I am pleased that other places are behind me on this subject, because we must work together to show the Government why this is so important.

We often hear the area spoken of as the M27 corridor, but we need more than a motorway to make it a successful and competitive place to live and work in the 21st century. We need a sustainable transport policy that includes public transport and support for cycling provision, as well as making space for more cars. Other Members from along the route will highlight other areas affected by this debate, so I will concentrate on the Solent region, particularly Portsmouth.

Why are rail services important? The Chancellor is keen to increase productivity across the country, as he says in “Fixing the Foundations: Creating a more prosperous nation,” published in July 2015. He acknowledges that improving infrastructure is one of the many steps that he can take to improve the economy's productivity. The Solent local enterprise partnership extends from Havant in the east to Southampton in the west and includes Winchester, Eastleigh and Fareham. Local productivity in the area, as measured by output per job, lags behind the south-east average by 15%. Portsmouth has some of the country's most deprived areas, with wages falling well below those of other cities in the south-east. We must improve connectivity if we are to improve productivity.

By improving the train service, we would help employers by providing a wider choice of potential employees and, conversely, we would help employees have a greater choice of potential employers. We would help businesses broaden their markets and their supplier base. We would provide greater access to social infrastructure such as universities and city centres. All of that would increase the region's productivity and help to improve the UK's overall productivity.

Congestion on the main motorway connecting the area, the M27, is legendary. It can take anything from 30 minutes to two hours to travel by road between Portsmouth and Southampton. Traffic into Fareham and Gosport moves very slowly during rush hour. Some £250 million-worth of investment is going into upgrading the M27 to smart motorway status. Data from the Department for Transport tell us that traffic in one direction on the M27 between junctions 8 and 9 has

[Mrs Drummond]

increased from 99,000 vehicles a day to more than 112,000 vehicles a day. Even with improvements, the road will always struggle to cope.

The Atkins study “Economic Costs of Congestion in the Regions” states that congestion in the Hampshire region costs £400 million per annum and a further £100 million for Portsmouth and another £100 million for Southampton. That is eroding our productivity potential, and, if not addressed, will equal a loss in gross value added of 1.3% by 2025. The south Hampshire strategy document shows that total road trips are expected to increase by 11% in the period 2010 to 2026, which will increase time spent in queues by 53%. Business costs will increase, including the direct costs of drive time and fuel, but there will also be the indirect costs of logistics scheduling and general competitiveness and other costs such as increased pollution.

If there is no worsening of congestion within the Solent LEP area, we expect that the number of jobs will climb by 44,000 from 435,000 in 2006 to nearly 480,000 in 2026. If there is no infrastructure investment, we expect an increase of just 36,000 new jobs, a loss of 8,000 jobs. Figures from the last census show a flow of workers into Portsmouth of more than 40,000 a day, with 20,000 people leaving the city to work elsewhere. More jobs have been created since then, and the labour market figures every month show that the number of jobs is going up and up.

We need sustainable transport solutions to cater for those workers, but we need to ensure that we create the conditions that foster more high-skill, high-pay jobs, which requires investment. We have to build 75,000 houses in the Solent region over the next 10 years, so the congestion and infrastructure problems will just get worse. If we improve the rail service, we will be able to take traffic off the roads. We can improve the rail service by improving the speed and frequency of the service.

I believe there is a solution that will help not only Portsmouth and Southampton but the south-west towards Weymouth, as my hon. Friend the Member for Mid Dorset and North Poole (Michael Tomlinson) has mentioned, by helping to alleviate the crowding on trains on all lines going from the area to London Waterloo. There are three routes from Portsmouth to London, but I will focus on just two of those routes, both operated by South West Trains at present. One route goes via Havant, Haslemere, Petersfield and Guildford to Woking and Waterloo, and the other goes via Eastleigh, Winchester and Basingstoke to Woking and Waterloo. Both routes suffer from overcrowding and capacity constraints. The rail system is unable to cope with existing demand.

Network Rail published the excellent “Wessex Route Study” in August 2015, and it describes the problem and proposes solutions. The report says that the system is experiencing demand that is 20% greater than it can cope with and that, within the planning period, the demand is expected to grow still further by another 20%. Network Rail’s solution is summarised as follows: junction improvements and platform capacity at Basingstoke; and, again, junction improvements and platform capacity at Woking. Those two projects will cost £175 million each.

**Steve Brine** (Winchester) (Con): I congratulate my hon. Friend on securing this debate. I hope that the Minister has noted the A-team turnout from Hampshire MPs. It takes a lot to get this many Hampshire MPs in one room, so I congratulate my hon. Friend on doing that.

In the previous Parliament, nearly £4 million was spent in my constituency on an improvement scheme at the railway station, which included parking, a new footbridge and improved wi-fi facilities and staffing of the station. Those were all fantastic, but they were icing on the cake. Does my hon. Friend agree that we need to turn our attention to the cake itself? Ultimately, it is about building a bigger railway. We can put on more trains and deal with the three-plus-two seating issue, but unless we build a bigger railway and deal with Clapham Junction and London Waterloo, the problems back down the line for us will never change.

**Mrs Drummond:** I thank my hon. Friend for that very good intervention. I completely agree with him, and was about to come on to that point.

We need a new line between Surbiton and Clapham Junction to relieve capacity, and we strongly support the development of Crossrail 2. Those measures will help Portsmouth by cutting 10 minutes from the journey during peak times, as the train would not have to take the slow route avoiding Woking. However, it will still take about 90 minutes, the same time as it takes during off-peak times. The Wessex route study also proposes building an overtaking loop along the Havant to Guildford line that would enable faster services to overtake the slow services. If that was implemented, Portsmouth would be well on the way to having the same sort of services it had in the 1970s, when it was possible to get from Portsmouth to London in 75 minutes by train.

However, that is not all. That solution does not address the problem of connectivity within the Hampshire and Solent area. It is almost as fast to get from Portsmouth to Gatwick airport as it is to get from Portsmouth to Southampton airport, even though Gatwick is nearly five times the distance. To address the problem, all we need is the building of a chord at Eastleigh, or increasing the junction’s capacity to enable a train from Portsmouth to head south as well as north at the junction. That would enable a direct service from Portsmouth to Southampton airport and Southampton and save a lot of time.

The existing route to Eastleigh is made up of a number of single-track sections. Those have to be made into double-track sections, which together with upgraded signalling would enable service frequency to be improved, which would help to attract passengers. Network Rail estimated in its route utilisation strategy that that would cost £135 million. The improvements would not only help Portsmouth connect with its neighbours, but enormously improve the journey for passengers getting from Brighton to Bournemouth and Weymouth, and from Weymouth to Basingstoke, Winchester and London.

When high-voltage electrification of the main line takes place, train speed can increase and we can start getting the same level of service that the rest of the country enjoys. Overhead electrification in the region, as already partly allowed for in the electric spine proposals, would make a big difference to train speed, and I would like that included in any proposal. It would make technical

sense. Modern rolling stock uses alternating current motors. Converting high-voltage AC from the national grid down to 750 V DC for the third rail and then converting it back to AC on the train to power it makes no sense at all. We already know that the South West Trains Desiro fleet is unable to operate on some parts of our lines at high speed because there is not the power capacity in the trackside equipment to permit it. High-voltage overhead electrification overcomes those problems.

Those measures would help improve productivity throughout the region. They would certainly help transform the economy in Portsmouth. In the “Rail Value for Money Study”, Sir Roy McNulty said that we should make best use of existing railways before considering new investment. The cost of the improvements as outlined is extremely small compared with that of new rail projects, such as High Speed 2 or Crossrail 2. There have been practically no major infrastructure rail projects on the line since 1967. The line from Portsmouth to Southampton was electrified only in 1989. In 2007, there was an expensive package of signal and power upgrades on the Portsmouth direct line. Not only did those works overrun, drawing a large fine for Network Rail, but we still have constant signal and power failures right from the point that the supposed upgrade was installed. That causes massive inconvenience for a large number of our constituents and damages our economic prospects.

Passenger satisfaction on routes from Portsmouth to London is among the lowest in the country. The latest national rail passenger survey shows that just 60% of passengers on the route think there is sufficient room. I am surprised it is that high, given the three-plus-two seating of the suburban stock on which my long-distance travelling constituents have to sit on their way to London. I am sure that some of my colleagues will talk about that. We now have no proper long-distance stock on peak services on the direct route from Portsmouth to London. Portsmouth passengers give a huge thumbs-down to the value for money of their ticket, with just 31% feeling satisfied.

Most of what I have covered is not new. It has been analysed, but nothing has been done. The measures would make journeys faster and have a major effect, taking people off the roads and making it easier to move around the whole area. The growth in passenger numbers on the Manchester to London line has increased by having services every 20 minutes. Increasing the number of trains an hour would be expected to help increase the numbers of passengers who travel by train in our area. The impact of faster trains on the economy along the Solent region, including a fast train from the south-west region and from Portsmouth to London, would be a massive boost to the southern powerhouse.

We must also remember our friends across the Solent. I am delighted that my hon. Friend the Member for Isle of Wight (Mr Turner) is here. I know he will have a lot to say. There are commuters who travel from the Isle of Wight to London every day. The Isle of Wight is a vital part of the regional economy. Its trade passes through Portsmouth with Wightlink and Hovertravel, and through Southampton with Red Funnel. I am delighted that a new operator, Scoot, is coming on to the Portsmouth to Cowes route. Improving rail links to the ports will help the Isle of Wight develop as a place to visit and to do business, and it will help the ports, too.

The Chancellor, while looking at the opportunities that could make up the northern powerhouse, must not forget the goose that lays the golden eggs in the south. The south requires only incremental amounts of investment to continue increasing production.

Portsmouth would be transformed by having a fast train service to London and along the Solent region. Any investment in our infrastructure will have an immediate impact on the local area, not forgetting that South West Trains already contributes £374 million per annum to the Exchequer, which could be reinvested to make that investment happen. I know that other Members will be talking about the quality of trains and the impact on their areas, but I hope that this debate will put down a marker to ensure that our rail infrastructure is upgraded to the same level as the rest of the country.

**Sir Roger Gale (in the Chair):** Six Members have indicated that they wish to speak. Do the maths. If everyone is reasonably sensible, all colleagues should be able to get in.

9.47 am

**Mr Alan Mak (Havant) (Con):** I echo the sentiments of my hon. Friend the Member for Portsmouth South (Mrs Drummond) in saying that it is a pleasure to speak under your chairmanship, Sir Roger. I begin by congratulating my hon. Friend on securing this debate, and I thank her for doing so at a timely moment in the region's growth.

I am here to speak on behalf of my constituents in Havant where, because of a growing population, a strong economy and rising visitor numbers, we are looking for quicker, longer and better trains, as my hon. Friend the Member for North East Hampshire (Mr Jayawardena) has so often said. We are also looking for improved local and regional infrastructure. Many of my constituents travel locally in the Solent region, including to the constituencies of my hon. Friends the Members for Gosport (Caroline Dinéage) and for Portsmouth North (Penny Mordaunt), both of whom are here and are passionate advocates for their constituencies. Many of our constituents travel to other constituencies for work and leisure, and it is important that they have that opportunity in the future.

I congratulate the Government on securing a railway network that is at its busiest since the 1920s and is one of the safest in Europe. In my constituency, we have experienced that growth, which is evident at Havant's three stations: Havant, Bedhampton and in the coastal village of Emsworth. All three stations are served by two train operating companies—Southern and South West Trains—and we are pleased to have them as part of our local infrastructure.

At the beginning of my remarks, I said that we are experiencing a growing population, a strong economy and rising visitor numbers, and I want to take a moment to elaborate briefly on those factors. I hope that that will send a strong message to our train operating companies that we want them to invest in our railways, both in my constituency and across the Solent and Wessex line regions.

At peak time during the day, 19,000 passengers use the line that serves my constituency and the constituencies of other Members in the Chamber. South West Trains



[*Mr Alan Mak*]

operates one of the busiest lines—if not the busiest—in the country. It is also one of the most profitable. Along with my hon. Friends, I am looking for sustained investment in an important and profitable area for that train operating company.

Havant itself has a rising population. We were the first local authority in Hampshire to settle and finalise our local plan and we have some exciting developments in place, including Cooper's Grange in Havant town that caters for young professionals and families, and Redlands Grange in the coastal village of Emsworth, which will provide new housing for many families coming into the area or others coming from the south coast. We have a growing population, because Havant is a popular area for elderly people to retire to, for young professionals seeking to build their careers and also for families looking to settle down.

We also have a large commuter population who commute along the south coast to the constituencies of many hon. Members in this Chamber, as well as to London. Many of my constituents live and work locally, but many live locally and work in the City, the west end and Canary Wharf, and I am determined that they should get a good deal as well.

Alongside the rising population in Havant, we have a strong and growing economy. Havant is blessed to be a regional centre and leader for the defence and aerospace industry. We have Lockheed Martin and several defence contractors in the constituency. It is also a regional leader for light industry and manufacturing across a whole range of sectors. All those businesses need to be able to attract high quality staff and to ensure that supplies can get to them along the railway.

Havant is also a centre for regional regeneration. Market Parade, the gateway to Havant town, is being regenerated. Dunsbury Hill Farm is being regenerated in partnership with the Solent local enterprise partnership, which should create around 3,500 new jobs. All those people coming to work in Havant require a strong and effective railway network and good local infrastructure.

Finally, Havant is a popular resort and destination for visitors from the south coast, from across the country and from around the world. The coastal village of Emsworth plays host to an award-winning food festival. Hayling Island hosts a range of watersports festivals, such as the national watersports festival and the Virgin kitesurfing armada, where last week they attempted the world record for the largest number of kitesurfers. They were trying to beat their own record. My Havant constituency therefore boasts a number of very attractive resorts, both in Hayling and in Emsworth. It has a rising population and a strong and growing economy. All those factors mean that we are on the lookout for improved infrastructure and a stronger rail network. I hope that the new franchise opportunity in 2017 will be a good chance for the train operating companies to make sure that they meet demand in a very profitable area for the infrastructure that we need. I know that other hon. Members here have similar stories to tell.

I hope that the new all-party parliamentary group on Hampshire, which my hon. Friend the Member for North East Hampshire has taken a lead in setting up, and in which many colleagues in this Chamber will participate, will play an important role in helping to

secure improved infrastructure for the area, working together with Ministers, the Government and the train operating companies.

Once again, I thank my hon. Friend the Member for Portsmouth South for securing this important debate and for reiterating on behalf of my constituents in Havant the need for stronger local and regional infrastructure and for an improved railway network to secure our future.

9.53 am

**Mr Ranil Jayawardena** (North East Hampshire) (Con): It is a pleasure to serve under your chairmanship, Sir Roger. I, too, congratulate my hon. Friend the Member for Portsmouth South (Mrs Drummond) on securing this debate. The issue is important for my constituents as well as hers, but perhaps for different reasons. I thank my hon. Friend the Member for Havant (Mr Mak) for setting out what I will now say: we need quicker, longer and better trains on the south-western route. I will briefly outline why I think that will benefit the residents of not only my constituency, but beyond.

In terms of quicker services, it has already been outlined that there is a major capacity issue between Clapham Junction and Waterloo, and also between Woking and Waterloo. As my hon. Friend the Member for Winchester (Steve Brine) pointed out, the investment required is important and we must not lose sight of that. I would argue that there are quick fixes that would deliver some improvements now.

We need to consider the planning for Crossrail 2 and how we can reduce the frequency of trains stopping at so many different stations, because dwell time at stations and braking and acceleration times are a major problem on the network, particularly between Woking and Waterloo where there are many stations, and it is important that some of the longer-distance trains do not stop at those stations in future. That would benefit everyone. It would speed up traffic on the railways and ensure that all trains—suburban or long distance—were more reliable. That would benefit us all here this morning. Crossrail 2 is a major project for the long term that we must consider. I firmly support it because if we provide additional capacity through Crossrail 2, it would free up capacity on existing railway lines for the residents of the constituencies served by longer-distance services, so I urge the Department for Transport to take that up.

On longer trains, it is good to see some of the investment that has gone in. We must remember that the old Network SouthEast—and the old services that existed under British Rail—had huge underinvestment. Although services today are not perfect, it is important that we remember how they once were and that a multi-billion-pound investment has gone into the railways, not only into rolling stock but into stations. We now need investment in longer platforms to allow for longer trains in the years ahead, not only on the mainline but on some of the branch lines that connect to the Waterloo services at Basingstoke or elsewhere. For example, the line that connects the London and south-western route with Reading is a key route linking to Crossrail 1, so that important point must not be lost sight of. I am sure that my hon. Friend the Member for Portsmouth South will agree that it is right that we consider the branch lines that connect so many communities to London.

Further, it is important to consider longer trains. It is absolutely bizarre to see train services at peak times that are four or eight carriages long. The rail operators under the new franchise must be encouraged to ensure that we have 12 or even 15-carriage trains, using the longer platforms initiative, and they must ensure that more of the 444 class of trains are available in the years ahead. Those trains should be promoted and the infrastructure from Network Rail provided to enable that to happen.

I talked about better trains: potentially the quickest fix of all. It is good to see the investment to introduce wi-fi on some services. That is very welcome, but we must do much better. It is not good enough yet, partly because of the mobile signals available trackside. Those should be improved, and I know that Network Rail was looking at that issue, but I am told that it is not looking at it any more. I hope that it will again. We need to ensure that wi-fi is available on all train services. It is currently available only on certain trains, but certainly not on the majority that run through my constituency. That situation should change.

Also, we must ensure that more station improvements are made so that the customer experience is better. I welcome the investment that has been put into Fleet railway station to increase the amount of car parking. That is very important and ensures that more people get out of their cars and on to the trains, but there is still work to do. That process has not been perfect. I hope that Network Rail will learn lessons from it, but it is an important investment. I suggest we go further.

I have previously talked about the need to invest in footbridges that connect communities divided by railway lines. At Bramley in my constituency there is a need for a footbridge, particularly since railways are the victims of their own success. Level crossings are down more than ever because there is more traffic than ever. That is a good thing, but we must ensure that communities are not left behind.

Lastly, on better trains—I referenced this in terms of 444s a moment ago—as my hon. Friend the Member for Portsmouth North (Penny Mordaunt) has said, the three-and-two seating on trains is not suitable for passengers on long-distance services. The reality is that the third seat is rarely used, which is not a good use of space on those services.

**Mrs Maria Miller** (Basingstoke) (Con): Will my hon. Friend join me in paying tribute to our hon. Friend the hon. Member for Portsmouth North (Penny Mordaunt) for all her work in bringing this issue to the attention of the train operating companies and getting action and change so that our constituents can enjoy more comfortable and safer journeys?

**Mr Jayawardena**: I completely agree with my right hon. Friend. Our hon. Friend the Member for Portsmouth North has done a very good job in raising the issue. I am looking forward to working with her and colleagues to ensure that we take this issue forward, because the solution is more two-and-two seating and more longer trains. We have not got there yet and there is more work to do, but I am sure that the Government are listening.

The reality is that none of the fixes can happen overnight. I recognise that the Department for Transport must balance many competing interests, but I urge the Department to hear the words of my hon. Friend

the Member for Portsmouth North: that this bit of the railway network contributes more money to the Exchequer than any other part of the network. It has done that consistently, year after year. Indeed, the old Network SouthEast was the only bit of the network at that time that contributed to British Rail. It is important that, while improvements are made elsewhere to grow the economy of the United Kingdom as a whole, we do not let the south-east of England or the London and south-western route fall behind. We need quicker, longer, better trains and I hope that the Government will act in the years ahead.

10.1 am

**Mr Andrew Turner** (Isle of Wight) (Con): It is a pleasure to serve under your chairmanship, Sir Roger. I congratulate my hon. Friend the Member for Portsmouth South (Mrs Drummond) on securing this, her first Westminster Hall debate. She was fortunate in the ballot, but her constituents are also fortunate to have her representing them. I wish her a long and successful tenure in this House.

I would like to make a few points about the future of Island Line and then about connectivity to the Isle of Wight more generally. Under successive franchises, the physical assets of Island Line, which runs from Ryde Pier Head to Shanklin, have been left to decay disgracefully. The rolling stock—former underground trains—is now 70 or 80 years old and in such poor condition that guards can no longer pass safely between carriages to collect fares. The track is also in a very sorry state. The staff are hard-working and do their best in far from perfect circumstances. They deserve better and I will continue to work with others to make sure they get it.

Following the decision to end the South West Trains franchise in 2017, there has been much debate about the future of Island Line. Indeed, earlier this year, my hon. Friend the Minister kindly met a delegation from the island and subsequently arranged for senior officials to meet council representatives, for which I am grateful. Decisions must be made to find a long-term, sustainable future for the service and that is what the majority of Island Line passengers want, so I invite my hon. Friend to put it on the record again that she is committed to helping to find a long-term, sustainable and financially viable future for Island Line.

Last week, the council made the sensible decision to ask Christopher Garnett OBE to conduct an expert, thorough and independent review of opinions on Island Line's future. I welcome his appointment and hope the Minister will join me in thanking him for taking up this challenge.

I want to make it crystal clear that I want to find the best way to retain a service from Shanklin to Ryde Pier Head. I hope the Minister will take this opportunity to recognise the importance of the Solent local enterprise partnership. I am looking forward to meeting the chief executive of the LEP, Anne-Marie Mountifield, with the leader of the council next month. One thing I want to discuss with her is how best Mr Garnett's work can be put into context in considering the wider needs of the island. I am sure it would be helpful if the Government's support for that objective was placed on the record today.

The Isle of Wight is a wonderful place to live, but we face unique challenges. Connectivity is key to unlocking the island's economic potential. I urge the Minister to

[*Mr Andrew Turner*]

remind South West Trains that it must work with the ferry companies for the remainder of this franchise period to ensure that their services dovetail effectively. Indeed, that should be a key requirement in the new franchise specification so that a new operator is under no illusions about the importance of connectivity. This is a joint responsibility, but I have been told that in the past train timetables have been altered without enough notice for the ferry companies to react. There needs to be much closer planning of services, so that islanders and visitors do not needlessly have to wait for the next ferry.

It is particularly frustrating if passengers have just missed a ferry by moments, as sometimes happens to those who catch the 9.35 train from Waterloo to Southampton Central, which arrives at 10.47, giving only 13 minutes to make the connection to the Red Jet terminal. There is no bus service at that time, so they must take a taxi, but if the train is a few minutes late they miss the Red Jet, which would have got them to West Cowes just before 11.30. Instead they must wait until 11.55 for the car ferry, which will finally deliver them to East Cowes just before 1 o'clock. If they had planned to catch the Red Jet and left their car in West Cowes, they cannot get across the river until 5 o'clock in the morning.

That sort of thing must be considered. It is one of the details that must be seared into the minds of those responsible for planning the rail service that links through to the Isle of Wight. The service from Waterloo to the island via Portsmouth is no better, with the last connecting service to Shanklin leaving Waterloo at 7.30. My plea to the Minister is that the new franchise operator is tasked with helping to find a sustainable future for rail services on the island, and also required to work more closely with the ferry companies to deliver better connectivity across the Solent.

Finally, I turn to a related technical issue that is of great interest to the operators and which I ask the Minister consider. Hovertravel has pointed out that some Isle of Wight stations do not appear as a destination for some parts of the national rail network. The Association of Train Operating Companies must ensure that all Isle of Wight destinations are included in national reservation systems and journey planning. To that end, will the Minister please ask the chief executive of ATOC to arrange a meeting with Hovertravel, Wightlink and Red Funnel to explore this problem and to consider how best it can be addressed?

I know the Minister appreciates the importance of good connectivity and how it contributes to economic growth, and I know she will do all she can to help to ensure the Isle of Wight is not excluded from that.

10.8 am

**Mrs Maria Miller** (Basingstoke) (Con): It is a pleasure to serve under your chairmanship, Sir Roger. I join other hon. Members in commending our hon. Friend the Member for Portsmouth South (Mrs Drummond) for securing this important debate. I know that she is a tenacious campaigner in her constituency. I have seen at first hand how well she is respected by her local residents and we have heard today why that is: she has a tremendous

grasp of this issue and all those facing Portsmouth, which is such an important part of our country. It is fantastic to see not only my hon. Friend the Member for Portsmouth South, but my hon. Friend the Member for Portsmouth North (Penny Mordaunt). The people of Portsmouth have a fantastic team representing them here.

An overwhelmingly powerful case has been made today for further investment in the rail line in our part of the country. The economic case is clear for all to see. My hon. Friend the Member for Portsmouth South referred to the southern powerhouse and I agree with her. Basingstoke has the 10th largest employment base in the south-east, and we are adding to that with the development of Basing View, which is right in the centre of town, next door to the station, and will create almost 3,000 new jobs in the coming years. Basingstoke has had one of the highest levels of house building in the country for the past 15 years. When others were not building, Basingstoke was.

When considering rail capacity and the capacity of the transport system in Hampshire, my concern is that north Hampshire is playing catch-up. We did not get the necessary investment in our roads and railways under the previous Government. I hope that the Minister will ally with us and advocate more investment. The south western main line has seen almost no significant investment since the 1930s despite having some of the most important towns and cities in our country along its route: Basingstoke, Guildford, Portsmouth, Southampton—the list goes on. We need to ensure that we have the right transport in place for not only business, but our constituents. We have made some progress, which I am sure the Minister will detail in her summing-up. I pay tribute to her for the interest and support that she has shown us as a group of Members of Parliament over the past few months.

I welcome the investment that is being made, but, as I said, we are playing catch-up. Waterloo is one of the last unmodernised stations in London, despite it seeing almost 100 million passenger movements every single year, a number which has doubled since privatisation. Peak commuter trains out of Woking are running at 173% of capacity, which equates to 500 extra people on a train, making it almost impossible to describe it as a comfortable journey. It is little wonder that the national passenger survey reports that just one in three passengers in our area feel that they get value for money when travelling by train.

My hon. Friend the Member for North East Hampshire (Mr Jayawardena) discussed getting more trains into his constituency, which neighbours mine so we share the same problems. I agree that we need more, faster and longer trains that need to be delivered not only in the next control period, but as part of the refranchising. We need more trains because there are further developments in signalling not only in Basingstoke, but in Woking. We need longer trains, because we still see trains that are not full length, such as the one that I caught to get to this debate today that could have been two carriages longer.

We are also not seeing trains in shoulder periods at anything like their full length. I particularly want the Minister to respond to that point, because we should be pressing South West Trains right now to increase the length of shoulder period trains, so that those who try



to do the right thing and travel off peak are not rewarded with hideous overcrowding. My right hon. Friend the Member for Guildford (Anne Milton) asked me to make one or two remarks on her behalf on that point, because she, in her own inimitable style, wanted to ensure that people were made aware of the overcrowding experienced by her constituents on peak-time trains. She asked that such trains should carry the maximum number of carriages in order to avoid her having, as she says in her note to me,

“to occupy her favourite spot sitting on the floor by the loo”.

We regular commuters have all been there, because not only are no other seats available, but there is nowhere even to stand. Overcrowding on morning trains into London from Guildford starts at 5.50 am and continues until at least 9.45 am. The problems are chronic for my right hon. Friend's constituents and I am happy to raise them on her behalf. I hope that the Minister can respond.

We have two clear opportunities here to get some change for our constituents and to ensure that they can see some light at the end of the tunnel—excuse the pun. The refranchising of South West Trains is coming up and we as a group of MPs will be working together to ensure that we get longer trains and that re-signalling work is brought forward so that more trains can be delivered for our constituents. There is also a much bigger opportunity, as referred to by my hon. Friend the Member for Winchester (Steve Brine), in the next control period—beyond the current control period 5—to get the economic message across to the Chancellor and the Treasury team. They need to understand that they must invest in the future of trains in our area so that we can continue to deliver the sort of economic growth that the country so badly needs. All the evidence shows that doing nothing is not an option.

My local enterprise partnership, enterprise M3, which does superb work and has already been incredibly successful in securing additional funding for local roads, has expressed concern about the lack of ambition in the plans set out in the Wessex route study. It also challenges what it describes as an excessive time period to improve an already chronically poor service.

I have two further points before I finish. Is the Minister content that the current Network Rail planning process for future capacity adequately takes into account the projections for house building in our area? While I certainly gained a clear impression that some growth in housing was being considered, I would like the Minister's reassurance that the full scale of development is understood by Network Rail in its projections.

My final point builds on a comment made by my hon. Friend the Member for Havant (Mr Mak) about safety. Through questions that I have asked, I believe that there are no concerns regarding overcrowding on trains. The Office of Rail and Road deals with health and safety, but my concern is slightly different and is about accidents on the line. Will the Minister give us her thoughts on the work being done by rail operators and by Network Rail to ensure that we see fewer fatalities on the line? We have had a spate of fatalities on the line between Waterloo and my constituency that are tragic owing to the loss of life and the dreadful nature of such events. I want to be assured that train operators are doing everything that they can to minimise the issue and hopefully to remove it completely in the future.

I commend my hon. Friend the Member for Portsmouth South for securing this debate. I look forward to hearing the Minister's response. This represents the continuation of an important debate for our constituents throughout the south-east, and I know from the Minister's great work that we need to secure her undoubtedly important support.

10.19 am

**David Warburton** (Somerton and Frome) (Con): I, too, congratulate my hon. Friend the Member for Portsmouth South (Mrs Drummond) on introducing this important debate.

I echo the comments of my hon. Friend the Member for Mid Dorset and North Poole (Michael Tomlinson) on how the issue not only affects Hampshire, but is a vital one for the west country as a whole, including my constituency. Furthermore, as I mentioned in last week's broadband debate, my constituency is one of the least connected in the country. At a time when our digital arteries are furred up and clogged, the provision of physical infrastructure, including rail services from Somerset to London, is that much more important. It is therefore something of a joy for those of us who represent constituencies in the south-west to have the opportunity to shine a torch on the literal disconnectivity that continues to prove such an obstacle to inward investment. Hon. Members will recall George Eliot's claim that

“you can't hinder the railroad: it will be made whether you like it or not.”

Many in Somerton and Frome would wish that to be translated into reality, rather than remaining a distant aspiration, 150 years after the words were written.

All hon. Members welcome the Government's support for the peninsula rail taskforce, which is a productive part of this Administration's obvious commitment to bridging the gap in infrastructure investment between the south-west and other parts of Britain. Treasury figures show that, until recently, the people of the south-west, including the robust people of Somerton and Frome and other constituencies represented in the Chamber today, received the second-lowest rail funding per head in the country. Predictably, our funding is more than eight times less than that for Londoners and half that for the people of the north-west, and there is a yawning financial chasm between our funding and the funding for the north-east.

We need that to change if the south-west is to begin to realise its potential. Moreover, we need to be connected to what is already there. The unelectrified, 27-mile line between Castle Cary and Taunton is the longest stretch of track without a station in the entire west. Many of the residents of the inaccessible wilds around the towns of Somerton and Langport will be eagerly foraging through *Hansard* in the hope of discovering that they will be the ones to benefit from the Treasury's renewal of the new stations fund. This week, however, their hopes have careered towards the buffers as Somerset county council has announced its unwillingness to submit a bid for a new station, apparently owing to the cost of putting it together. I will welcome any reassurance that local authorities and other interested parties such as local enterprise partnerships will be able to receive constructive support with the bidding process. To fall at that fence seems rather absurd.

[David Warburton]

Alongside new stations, I am also acutely aware of and, I must say, rather disconcerted by, the threat to the existing direct trains from Frome to London. It is good news to see that South West Trains is looking to steam in and open up the route but, from May 2017, Great Western Railway is planning to remove its direct trains from Frome to London. As the south-west franchising process takes place, I hope such lack of investment is fully taken into account.

We must keep Frome fully connected. The removal of services would be a hugely retrograde step, in particular for a town enjoying such an extraordinary period of economic and social development. Since its creation, the railway has been instrumental in the march of social progress. The Government's commitment to rebalance the economy and equip the south-west with the tools it needs to attract investment, grow business and assemble its own future success is therefore all to the good. In fact, the only thing that could act as a greater brake on the south-west's development than a lack of infrastructure would be a paucity of ambition. That, I am happy to report, is not a problem with which we need to contend.

Today's debate is a timely acknowledgement of the importance of rail services in realising that ambition. I look forward to working with others to foment the overflow of capital investment and deliver the connectivity that the west of England needs.

10.24 am

**Mims Davies** (Eastleigh) (Con): I echo my colleagues' sentiments about highlighting the importance of the debate, which was introduced by my hon. Friend the Member for Portsmouth South (Mrs Drummond). It is a vital debate in the light of the new franchising process.

We have heard about the importance of the Eastleigh chord—I am the Member for Eastleigh. It is exciting to hear because that could unlock connectivity for us in the south. I have certainly had many letters from upset, abject commuters who feel that Eastleigh has long not had the strong voice that it should have in discussions of productivity and added value in the Solent region. Eastleigh needs a strong voice among the voices of Winchester, Portsmouth and Southampton to secure better train links, and to ensure that the big cities of the Solent region continue to bring in key investment for our constituencies to reflect the £374 million that our region gives to the Exchequer through our rail services. Frankly, many of us in the south-east parts of the south-west feel taken for granted. The debate is a chance for us to be heard by the Minister, who has visited Eastleigh. She has seen its importance as a railway town and what the railway gives to the local economy.

We must take notice of the Wessex route study, which reports 20% higher-than-expected demand. The new franchise gives us the investment opportunity. The Waterloo throat has long been the subject of conversation on the doorstep with my constituents, because it has an impact on their commute to London. We must all reflect on the fact that commuting is now longer, harder and more difficult, with people having to consider their home situations and to travel further than they might like.

I should also reflect on the comments made by my right hon. Friend the Member for Basingstoke (Mrs Miller) about house building, which greatly concerns me, too.

I already have a constituency of almost 80,000 residents. The 17,000 new homes likely to feature in the long-awaited new plan for the Eastleigh constituency could take the population to about 120,000. Frankly, our rail services will not be able to cope with that. That is only one little picture of hard-pressed commuters in the south.

I welcome the comments made by my hon. Friend the Member for North East Hampshire (Mr Jayawardena) about branch lines. I find it baffling that we have so many empty trains heading along the track when people do not need them. Commuters, in particular those of Hedge End, feel that their voices should be heard more clearly.

Getting around Eastleigh is difficult. The Secretary of State for Transport came down for the election campaign. I told him that the roads are extremely bad and he said, "Everyone tells me that," but he experienced it for himself. Many of my constituents have to head to Portsmouth, Southampton or Gosport in the morning. The train between my constituency and Portsmouth and Southampton takes well over an hour, so people take to their cars. The M27 simply cannot cope. We have heard that more than 100,000 people travel between junctions 8 and 9—I say "travel" but most of them spend a lot of time just sitting there. During the election campaign, there was an incident on the motorway and, for 12 hours, nobody could move. That is a big problem because our acute hospital services for Eastleigh are in the major cities. Travel is a problem for people to get their health services. We have no escape routes. We have narrow, old-fashioned rural roads, which are absolutely chocker. When I left my office on that particular day in the campaign at 11 o'clock at night, it took me about an hour and a half to go two miles. There are so many cars on our roads. The M27 corridor is creaking and the M3 is suffering.

**Steve Brine:** My hon. Friend and I share a bit of the Eastleigh borough—I represent the Chandler's Ford and Hiltingbury part of it—and the local roads are a nightmare. Does she agree that it might be helpful if Eastleigh borough council got on with its local plan, which is currently a complete disaster zone?

**Mims Davies:** Absolutely—that is music to my ears, given that we are going to be waiting until November next year for a plan. Consistently, there is hostile development on green spaces. Those are not sustainable places on which to be building, and at the moment, a planning application for a car lot and a drive-through restaurant is going through for the old council offices. That is a sustainable place for more houses that would be within walking distance of Eastleigh train station.

In Eastleigh, we have Southampton airport, which is an important regional airport and a hub for passengers coming into the area from Guernsey in particular. It has been highlighted, however, that it is sometimes easier for people to get to Gatwick than to Southampton, given that they can take a train from Swanwick heading up towards Gatwick and fly out that way, rather than trying to get from Guernsey or the island into Southampton to fly. That is a big concern for me. We have many short commutes that should be eminently doable, but they are a major problem because of the number of people doing those commutes on a struggling motorway, with no rail option. We have an extremely important enterprise

zone bid based around the airport. The local enterprise partnership is backing that, but it can work only if we get better rail services. We need bypasses and link roads, and I have been making the case for those very strongly.

In conclusion, as we have heard, the Transport Secretary has kindly visited my patch. He knows the importance of Eastleigh. It is a great place to work, live and do business, but it is a terrible place to get around. The new franchise in 2017 is a vital opportunity for all of us across Hampshire and the south-west to seize the opportunity and stand up for the Solent and the south-west corridor. We must deal with capacity, power supply and the Waterloo throat issue. We must fight for investment, recognise the demand increase and ensure that we enact as much as possible, as soon as possible, from the Wessex route study.

10.32 am

**James Berry** (Kingston and Surbiton) (Con): It is a pleasure to serve under your chairmanship, Sir Roger. Having taken trains from your constituency in my youth, the only overcrowding I ever experienced was when *The Guardian* newspaper started to advertise Whitstable as a great place to go, and there was an overcrowding of hipsters in skinny jeans on the train on a Sunday night, getting back up to Islington.

In any event, I congratulate my hon. Friend the Member for Portsmouth South (Mrs Drummond). It appears that the problem at her end of the line is the amount of time journeys take, whereas the problem at my end of the line, in Kingston and Surbiton, is the terrible overcrowding we suffer. The problem was aptly set out in a detailed Wessex route study, which referred to a predicted 40% growth in passenger volume over the next 30 years. That assumes we are at capacity now, but the reality is that we are not; we are 20% overcapacity on peak services. I am assuming that the 20% must be averaged out across the whole line, because if Members were to come to Surbiton station, they would see what looks like a lot more than 20% overcapacity on peak services. I invite the Minister, if she wants to see what it looks like, to accompany me to Surbiton station of a morning and see dangerous overcrowding on the platform and commuters having to be packed in like sardines. I note that I have to get on a train at 6.35 am to avoid that, and even then, I am not guaranteed a seat.

The people getting on these trains are taxpayers. In fact, many come from the constituency of my hon. Friend the Member for Esher and Walton (Mr Raab), where residents of Elmbridge account for the highest amount of income tax paid to the Exchequer in the entire country. These people are taxpayers who pay for their tickets, but they have to be packed in like sardines to get into London in the morning, even if they get up at the crack of dawn to avoid it. Unlike the constituents of my hon. Friend the Member for Portsmouth South, there will be no complaints from Surbiton residents about the nature of the seats they have to sit on trains to London. Their complaints will be about not getting a seat at all. The nub of the problem is that at peak times, Waterloo station is at capacity. The Waterloo throat means that simply no more services can be run into Waterloo at peak times.

So what is the solution? The Wessex route study makes several suggestions, all of which I commend, but a number of them are simply sticking plasters. Extending

the old Eurostar platforms at Waterloo station is happening, but those will not be ready until 2017 or 2018. That will allow 10-car trains from my constituency into Waterloo, but it will only deal with the existing overcrowding and not with the projected growth in passenger volume.

In fact, the Wessex route study concludes that the only solution that will come close to dealing with the expected volume of additional passengers is Crossrail 2. Crossrail 2 would allow our existing commuter services to continue as they do now, while operating, in parallel, an entirely different route through a tunnel at Wimbledon and on to Victoria, Tottenham Court Road and King's Cross. It would therefore connect this new concept of a southern powerhouse to the slightly older concept of the northern powerhouse. It would be a massive boon for commuters on the whole Wessex route, but particularly, for commuters in the incredibly overcrowded suburban stations, including all those in my constituency.

In conclusion, the overcrowding on peak services from my constituency is an absolute disgrace. The situation cannot be allowed to continue and I urge the Minister to support the proposals in the Wessex route study and to ensure that they are fed into the tender to make sure that overcrowding is dealt with and that passengers get value for money. I urge her to support Crossrail 2, which the Chancellor has hinted at his support for in recent weeks and months. I also urge the Minister to work with colleagues here, as she already has been doing, to ensure that between now and 2030—when Crossrail 2, if it is approved, will go online—there is a solution to the overcrowding that will plainly continue over that time, and which, unfortunately, is not addressed by any of the sticking plasters that we have seen proposed so far.

10.37 am

**Jonathan Reynolds** (Stalybridge and Hyde) (Lab/Co-op): It is always a pleasure to serve under your stewardship in this Chamber, Sir Roger. I begin by congratulating the hon. Member for Portsmouth South (Mrs Drummond) on securing today's debate. Having previously brought similar debates to this House for my own area in Greater Manchester, I know just how important rail travel and public transport are to constituents and how appreciative they are when their Members of Parliament raise such matters.

I am pleased to see the Under-Secretary of State for Transport, the hon. Member for Devizes (Claire Perry), responding on behalf of the Government. When this debate was first announced, it caused considerable excitement in Her Majesty's Opposition's transport team. Would, we wondered, the debate be responded to by the rail Minister or the Minister for Portsmouth? I can only conclude that that decision was made at the highest levels of Government, but I am delighted to see the rail Minister here today.

As the hon. Member for Portsmouth South made clear in her opening speech, rail services in Portsmouth and the south-west face several issues. When the Minister replies to the debate, I am sure that she will have been left in no doubt about where improvements are needed, and I hope that the hon. Member for Portsmouth South receives the answers that she requested.

Some of the problems that have been raised in this debate are simply down to poor levels of service, whereas some are down to poor decisions that the Government



[Jonathan Reynolds]

have made. Others, however, are due to the poor system we have for running rail services in the UK, and I will say something about all those issues in my reply.

The record of this Government, and indeed, of the previous Conservative-led coalition Government, is much less favourable than they like to make out. I often find that the rhetoric that we hear in the House of Commons on rail matters simply does not match the experience of our constituents and passengers, and often shows a real disconnect from their everyday commuting reality. It is one thing for us to sit here in Westminster and debate the performance of rail services in Portsmouth and the south-west, but perhaps those who are best placed to judge it are the rail users themselves. Unfortunately, the results do not make for good reading, with a steady decrease in passenger satisfaction, which the hon. Lady referred to, and which I hope the Minister will address in her reply. We have seen decreases in passenger satisfaction across the board in Portsmouth, with perhaps the most striking statistic being that just 21% of commuters believe that their services are good value for money. When taxpayers are making a net payment of nearly £4 billion a year to the railways as a whole, on top of ever rising fares, the fact that passenger satisfaction is decreasing should cause great alarm to the Minister. I look forward to hearing how she intends to rectify that.

Rail users in Portsmouth and the south-west have not been immune to the trend of rising fares either, with commuters in particular being hit hard. By next year, the cost of a season ticket from Portsmouth to Eastleigh will have increased by 25% since 2010, and the cost of a season ticket from Portsmouth to London by 26%, a rise of more than £1,000. The mixture of rising fares and decreasing satisfaction in Portsmouth is clearly not a good combination and suggests that real change is needed.

The Government have announced plans to increase fares only by inflation during this Parliament, with the Minister herself saying recently that that policy would cost about £700 million a year in lost revenue, but we have not been offered an explanation of how the Government will make up that significant fall in revenue. My fear is that it will be another broken promise after the electrification fiascos. I hope that at the very least she can give us a guarantee today that services will not be cut to pay for that panicked pre-election announcement.

Labour Members think that passengers should simply have access to clearer ticketing and be able to get a better deal than they can currently. Fares and ticketing structures in this country are some of the most complex in Europe, and it is passengers who often pay the additional price.

There is, of course, as we have heard today, another scourge of train passengers in the south-west—overcrowding. That problem is faced by many services around the country, including in my own area in Greater Manchester. Clearly, extra capacity is desperately needed. The previous Labour Government invested more in the railways in real terms, especially in Portsmouth and the south-west, than any previous Government. In 2013, two Portsmouth commuter trains were named as among the 10 most overcrowded rail services in the country; both had load factors of more than 150%. Since then, services to and from Portsmouth have not featured in

the top 10. However, before we start celebrating, it would probably be safe to assume that Portsmouth's non-inclusion reflects greater levels of overcrowding elsewhere rather than better services for Portsmouth commuters.

Franchising fiascos have also become a theme under this Government, as they were under the previous, Conservative-led Government. We saw the shambles of the west coast main line franchising process, which had a knock-on effect on other services, and the disappointing decision not to keep the profitable east coast service publicly owned. Yet again, Portsmouth and the south-west have had experience of this problem. In July of this year, just two months after the Government took office, the Minister's Department announced that negotiations to agree a direct award for South West Trains with Stagecoach had broken down. As a result, the franchising timetable has had to be redrawn. Most concerning of all is that the Department for Transport spent more than £800,000 on contract negotiations with Stagecoach, yet failed to reach a satisfactory outcome. I hope that the Minister, in her reply, can confirm whether the Department has recovered those costs and can expand some more on why the negotiations broke down.

It appears that the Minister has not seriously considered the possibility of using Directly Operated Railways. She should need no convincing of DOR's record, given that it delivered record passenger satisfaction and punctuality scores on east coast services and there was a public outcry when the franchise was handed to Virgin. The Government simply do not have a good record on franchise negotiation. I suggest that to avoid the problem, they could simply come round to the Labour party's way of thinking, which is that we should bin the franchising system altogether, because it is simply too costly and inefficient and creates an inflexible railway unable to meet the needs of passengers.

Another recurring theme under this Government has been the troubled approach to electrification—something that the south-west has also suffered from. The Labour Government committed to the electrification of the Great Western main line in the south-west back in 2009, but under this Government the cost has escalated drastically and the project is now delayed. Labour Members have repeatedly warned that the Great Western main line electrification is in danger because of rising costs. The estimated cost is now three times higher than in 2011. It is currently a staggering £1.74 billion. The Government have attempted to lay some of the blame at Network Rail's door, but the Minister must also take responsibility for not confirming the project until July 2012, meaning that essential planning work was delayed. Even Network Rail's head of long-term planning and funding has alluded to that, saying that it did not have the level of confidence that it might have wished at the start.

All this is becoming too usual, and it is rail users who will suffer because of the delays and cost increases. The faster trains and increased capacity that south-west rail users want and hon. Members have requested here today will not be delivered on time. What will particularly irk passengers will be not seeing improvements in rolling stock. The Government's plans to replace uncomfortable and inaccessible Pacer trains on branch lines in the south-west depend on the success of the electrification programme. If the Great Western electrification project is significantly delayed, passengers in the south-west are

likely to suffer with poor rolling stock for years—stock that the Government have agreed is unacceptable for my constituents in the north of England.

I do not expect the Minister to offer any solutions to that today, as the Government have previously said that until the Hendy report is published they cannot give any credible promises on the delivery timetables of any other projects. I would be grateful, however, if the Minister could confirm in her reply the date on which the Hendy report is due to be published, as one would hope that it would be available in time for the comprehensive spending review.

I again congratulate the hon. Member for Portsmouth South on initiating today's debate. I completely understand why she and her constituents are unhappy with aspects of rail services in Portsmouth and the south-west. Clearly, the Government have much work to do to tackle overcrowding, to stop drastic fare rises, to improve rolling stock, to combat decreasing passenger satisfaction and to deliver planned infrastructure projects. Labour Members want answers from the Minister as to how the Government intend to address those matters. In the Labour party, we believe that there is a better way of running our railways—we put passengers at the centre of the network and learn lessons from successful rail networks in other countries. I look forward to continuing this conversation with all hon. Members in the future.

10.45 am

**The Parliamentary Under-Secretary of State for Transport (Claire Perry):** It is, as always, a pleasure to be part of a debate that you are chairing, Sir Roger. I extend thanks to my hon. Friend the Member for Portsmouth South (Mrs Drummond). I will go on to give a detailed response to her questions, but first I want to welcome the hon. Member for Stalybridge and Hyde (Jonathan Reynolds), who I believe is my newly confirmed shadow, to his position. I will not try to answer most of his questions today; I would rather focus on the subject of the debate. I would be delighted if he called an Opposition day debate on the railways. I would be delighted to have a conversation over the Dispatch Box about the Labour Government electrifying less than 10 miles of track in 13 years. We will do many times more than that in this Parliament. Indeed, the Labour Government had the chance to get rid of the Pacers that so upset his constituents in 2003 and 2004 and chose not to. It is this Government who will take the railways forward. I would be delighted to have that conversation with him in more detail on a more generic level.

This was a fantastic debate. These debates are often hard to listen to and respond to because they are full of superb facts. Before getting on to the meat of the conversation that my hon. Friend started, I want to talk about some of the other questions that were raised. My hon. Friend the Member for Havant (Mr Mak) highlighted extremely well the fact that this is about not just London-based connectivity, but east-west connectivity. In fact, regional rail now has the highest growth rates across the rail network. People are increasingly choosing to use rail for short journeys as well as long ones, and I think that it is incredibly important that that is recognised in future investment planning.

I have already had many good conversations with my hon. Friend the Member for North East Hampshire (Mr Jayawardena) on this subject. He likes to analyse

the economics of the railways, which is always very welcome. I was pleased that he recognised that a lot of investment is going into these services. Indeed, the works at Waterloo, costing more than £350 million, are designed to alleviate capacity problems. That, plus the new rolling stock commitment that will apply to some of the lines in the South West franchise area, is designed to deal with growth up until the mid-2020s and is a necessary precursor to additional work that needs to happen to lift capacity further on the Portsmouth line. My hon. Friend also talked about the importance of wi-fi on trains—a personal commitment and interest of mine. I can assure him that the Government are committed to introducing free wi-fi on all classes by 2018, either through the franchising process or through in-franchise changes. It is extremely important, particularly on longer distance journeys.

My hon. Friend the Member for Isle of Wight (Mr Turner) once again made very telling points. I am happy to confirm again my commitment and the Government's commitment to finding a long-term sustainable solution for Island Line and to pay tribute to Mr Garnett, who has worked so hard on this. I am also happy to ask ATOC to look at the issue of ticketing and joining-up of timetabling. There may be some technical issue, but I am happy to ensure that we explore that further. I also pay tribute to my hon. Friend for all the work that he has done for a line that is lovely to look at, but perhaps is not delivering some of the benefits that could be delivered. I urge Isle of Wight Council to continue its good work on that process.

My right hon. Friend the Member for Basingstoke (Mrs Miller) spoke very eloquently, as always, about the importance of dealing with crowding, particularly in fast growing areas. She raised the issue of trains during the peak shoulders. The challenge with that is that if we buy lots of trains to run into London during the peak, they are in London, not in Basingstoke, when we want them to be full of people—

**Sir Roger Gale (in the Chair):** Order. I am sorry to interrupt the hon. Lady, but the microphones in this Chamber are rather more directional than those in the main Chamber. The hon. Lady is off the microphone, which is making things difficult for those responsible for the sound.

**Claire Perry:** I apologise. Do you want me to shout more loudly, Sir Roger? I shall speak with passion.

**Sir Roger Gale (in the Chair):** It might be helpful if the hon. Lady were to address the microphone.

**Claire Perry:** I am so sorry. I was trying to address Members, but you are quite right, Sir Roger.

This is an important point about how we maximise the capacity of the existing rolling stock. I thank my right hon. Friend the Member for Basingstoke for raising the points made by my right hon. Friend the Member for Guildford (Anne Milton), who often shares those views with me by text when she is in her favourite seat. I am grateful for the work that my hon. Friend the Member for Portsmouth North (Penny Mordaunt) has done assiduously over the years, focusing on the challenges of the different sorts of rolling stock.

[*Claire Perry*]

My right hon. Friend the Member for Basingstoke asked me two questions. First, she asked whether I am content with the planning process, and whether I think that it joins up growth projections and challenges sufficiently. My answer is, “partly”. I know that local authorities feed into the Network Rail route study work, but I am unconvinced that we have got things right across government in terms of the economic value added that a well-designed transport network can bring. We are really working to solve that challenge. It is important that we get representations from local Members, local enterprise partnerships and communities so that we can see where that growth comes from.

My right hon. Friend raised the sad challenge of reducing fatalities on the railway. I am happy to confirm that we have the safest railway in Europe, but she is right to say that the number of fatalities is growing, with people often choosing to end their lives on the tracks. There is an enormous amount of work going on with operators, Network Rail and Samaritans to try to reduce that. I want to mention how dreadful that experience can be for the train drivers who witness it. It is a terrible problem, which is a source of enormous delay on the network and of terrible trauma for the victims’ families and the drivers.

Everybody, including me, hates three-plus-two seating. It is awful, and we all know that. The challenge on the lines we are discussing is whether you design for inner-London routes, such as those in the constituency of my hon. Friend the Member for Kingston and Surbiton (James Berry), or for long-distance routes. At the moment, the franchise has been doing its best with the rolling stock to try to design a system that minimises crowding, although I know that it does not always feel like that. It would be possible to remove the seats, as has been done on trains on the Great Western network, but then more people will be unable to sit. It is a conundrum, and I may be able to mention some of the solutions later.

Many hon. Members who are present today have taken me around their constituencies and showed me the trains, and they continue to campaign assiduously for transport improvements. My hon. Friend the Member for Somerton and Frome (David Warburton) managed to include in his speech furred-up arteries, George Eliot and Somerset County Council, which was an impressive achievement. I am happy to ask my officials to work with Somerset County Council on how to get a bid for a new station together. That is absolutely imperative, and we know that it has been done very successfully by Taunton, just down the road. The money for that project came out of a growth fund deal, but it is possible to bid for a new station and doing so would be valuable. I would be happy to see how we might be able to help.

My hon. Friend the Member for Eastleigh (Mims Davies) talked about the importance of the Eastleigh chord, and described well the need to join up transport. We need to think not about road or rail in isolation, but about what is best for the local communities. My hon. Friend the Member for Winchester (Steve Brine) was right to say that the local plan is the way to encapsulate that, and I know that he will urge the local authorities to get on with it.

**Steve Brine:** We have covered many subjects over the past hour and a half, but we have not talked about the Government’s commitment to smarter ticketing and part-time season tickets, which might have a significant impact by alleviating some overcrowding, although only some. Does the Minister still have her passion for that?

**Claire Perry:** Yes, and I will race through my final comments and come on to what I think are some of the solutions. My hon. Friend the Member for Kingston and Surbiton pointed out what a balancing act we face, because train usage across the country is rising, and trains that start off empty become crowded. Indeed, I have travelled on some of the top 10 most crowded trains, because I tend to go out and mystery shop them. It is not encouraging to be unable to sit down on the journey into London at 6 o’clock in the morning, work for 12 or 14 hours and then go home. People deserve better.

What are the possible solutions? I will abandon my speech now—when I do so, it always makes my officials incredibly nervous—and talk about what could be done. There is a cascade of things that can be done to increase capacity. We can work on existing lines, and do the sorts of work talked about in the Wessex route Study. Such work is important, and it is being looked at, reviewed and prioritised. We need to ensure that everybody understands the costs and benefits of such work for economic value added, not just for transport users. Such works are always expensive and difficult, because they involve so much disruption.

We can do things such as digital enhancements on the railway. When it comes to the number of train paths, the railways are now full, but if we can use digital technology to reduce the time between trains, we will be able to run more of them. That is a big long-term investment plan for Network Rail. Building new lines is often cheaper than expanding existing lines. We heard a lot of mention of Crossrail 2, a vital project that will help to alleviate congestion—as will Crossrail 1—in the metro and suburban areas.

We can buy new trains. Indeed, many new trains are being delivered to the South West franchise, but what tends to happen is that they are built to satisfy demand at peak times, and they run empty for much of the day. Is that an effective thing to do? Would it be possible to use those trains better? That brings me to the point about part-time season tickets. Providing incentives for people to change their journey patterns and move around outside peak time can be cost-effective and help us to use train capacity better.

Finally, we can, as my hon. Friend the Member for North East Hampshire mentioned, change stopping patterns. It is completely possible to run a very high speed, non-stop train to Portsmouth if it does not stop anywhere else. As we move forward and consider the consultation, we have to ask ourselves that sort of question. What is the right journey pattern for the demand? Is it right to devolve more services to TfL, to deal with some of the inner-London metro demand and outer-London demand, in order to run services that are better fitted for long-distance users?

What are the right solutions? I do not know, and I do not think that we, individually, know. Part of the problem in the industry is that people work in silos when they make decisions, so there will be an operational solution,



a solution for passengers and perhaps a political solution. We need to get the right people in the right place to make those decisions, to make sure that the money is there and that organisations can deliver. That is why the Hendy review is so important. We need to take politics out of the process, which is why I so welcome the appointment of Lord Adonis; I think he is a good man to do the long-term infrastructure planning. We need to work together to solve some of the knotty problems. There is a huge amount of financial commitment to the railways, and we are committing to the biggest investment programme since Victorian times, which is a vital part of delivering economic growth. Collectively as Members, working with our local communities, local businesses, my officials, Network Rail and the operators, we can come up with the right solutions.

What do we need to do? First, we need to keep all the information coming in in response to the route study. That will determine the near-term investment plans, which cover the next five to 10 years. Secondly, the consultation on the franchise process will start before Christmas, and it is absolutely vital that we have a real, in-depth analysis of what we want. Is this the right time to start putting in some express services that do not stop between some of the big conurbations, with a consequent possible loss of services in terms of stopping patterns? Can the network collectively work that out? Following that consultation, the invitation to tender will go out before April 2016, and the franchise will start in 2017.

I do not know what the right solution is, and I do not believe that any individual holds it. Collectively, however, working together across the boundaries that have built up in the railway sector between operators, the network and regulators, we can come up with a better solution. The experience of passengers must be put front and centre, because the railway is not about boxes running about on rails. I was told by somebody who has left the industry that if it were not for the passengers, the

timetabling would be perfect. I found that both amusing and incredibly offensive, because it suggested that we were talking about somebody's train set rather than a transport system that millions of people rely on to get to work and to get back home to their families.

My plea to team Hampshire—I am delighted that it has an identity—and also to team Somerset, team Wiltshire, team Stalybridge and Hyde—

**Jonathan Reynolds:** Team Isle of Wight.

**Claire Perry:** And to team Isle of Wight. My plea is that I hope that, by working together, we can come up with a better solution. We want to invest in the railways. They are a vital part of delivering local, regional and national economic growth. We are in an exciting place, because we have finally realised the importance of railway investment in delivering the economic growth that we want for our constituents.

I congratulate my hon. Friend the Member for Portsmouth South once more. With her eloquent and intelligent speech, she auditioned extremely well for my job. I commend her for securing the debate.

10.59 am

**Mrs Drummond:** I thank my hon. Friend for turning up. I think that there are solutions to the problem. I will be pursuing it, and I am sure that we will all work together on that. As part of that, I will write a report to the Chancellor to see whether we can get some funding as well. Thank you, Sir Roger, for your chairmanship of the debate.

*Question put and agreed to.*

*Resolved,*

That this House has considered rail services to Portsmouth and the South West.

## UK Science Budget

11 am

**Stuart Andrew** (Pudsey) (Con): I beg to move,

That this House has considered the UK science budget and the 2015 Spending Review.

It is a pleasure to serve under your chairmanship, Sir Roger. Let me say at the outset that the Government face a difficult situation in balancing budgets, but scientific research is one of the UK's biggest assets. It has transformed the way we go about our everyday lives—from the technologies we use to communicate to the tools we use to diagnose, prevent and treat illness. Stable, long-term Government investment—capital and resource—will cement this country's global competitiveness, give confidence to the private sector, make the UK an even more attractive place to do business, increase employment opportunities and deliver wide-ranging societal and health benefits.

In recent weeks, we have seen the news of a simple blood test that can rapidly diagnose whether chest pain is being caused by a heart attack. For the 1 million people suffering from chest pain who visit the UK's accident and emergency departments each year, the test will make a real difference at a distressing time. A new study, which was funded by the British Heart Foundation, shows that the test can diagnose a heart attack much more rapidly than current tests, allowing patients to receive the treatment they need or to return home quickly, avoiding an anxious and sometimes unnecessary wait. The test would not only improve patient care, but free up capacity in our busy A&E departments, saving the NHS money.

Such breakthroughs have made, and continue to make, a profound difference to our lives as individuals and to the UK economy as a whole. If we are to keep hearing such stories, we must protect investment in UK research. The Government have an opportunity to renew their commitment to it in this spending review.

A successful research base relies on stable, long-term investment by a network of funders across the public and private sectors. Each funder has an important role to play, and if one moves away, the others would be unable to step in and compensate. The Government are a key part of that funding network. By providing underlying support to our world-class universities and research institutes, as well as individual support to talented researchers, Government investment creates a healthy research environment, in which industry and charities can invest.

**Andrew Stephenson** (Pendle) (Con): I congratulate my hon. Friend on securing this important debate. Does he agree that, with the new £235 million Sir Henry Royce Institute and the £65 million Graphene Engineering Innovation Centre in Manchester, and the £113 million cognitive computer research centre in Warrington, continuing to support UK sciences is an essential part of securing the northern powerhouse?

**Stuart Andrew:** As a northern MP, I would certainly agree. That just goes to show that this budget can really help us achieve more than one of our aims.

The Government also provide funding in partnership with industry and charitable funders to bring together

the power and expertise needed to tackle some of the biggest challenges facing society and to develop the UK's expertise in areas of real promise, and we have seen just how powerful such joint funding can be. We have pioneering projects such as the UK Biobank, which is now following the health of half a million people across the UK, and the Farr Institute, which is unlocking the full potential of health data.

**Jim Shannon** (Strangford) (DUP): The innovation at Queen's University in Belfast includes perfecting new drugs for cancer, heart disease and diabetes. It is important that we have a relationship with not only Queen's University but universities across the UK mainland, and I want us to make sure that these moneys will enable that to happen, so that everyone in the United Kingdom of Great Britain and Northern Ireland can benefit. Does the hon. Gentleman agree? I am sure he does, but I just wanted to ask him.

**Stuart Andrew:** I have no choice—of course, I agree with the hon. Gentleman. He is right: this is about supporting the whole United Kingdom.

Evidence has shown that public sector investment in research encourages the private sector to invest too. Analysis has shown that an extra £1 of public funding would give rise to an increase in private funding of between £1.13 and £1.60.

The Government's decision to protect science in 2010, at a time of significant savings, has been appreciated by the sector. It has enabled researchers to continue to push the boundaries of research and to transform exciting scientific discoveries into tangible benefits for patients and the economy. However, there are concerns that, with the true value of the science budget eroding, and with more savings in the pipeline, research could be at risk. Almost 200 life science organisations recently raised those concerns in a letter to the Chancellor.

Why should the Government invest in research? First, research saves lives. Across a number of different conditions, we have seen huge improvements in the range of treatments available, with people surviving conditions that would have been death sentences in the past. According to statistics from the British Heart Foundation, seven out of 10 people now survive a heart attack.

The UK punches above its weight in terms of the outcomes its research sector achieves relative to the amount of money invested overall. On many measures, the sector is the most efficient in the world, and strikingly better than many of its competitors. The excellence of the UK science and research base results from universities' autonomy and responsiveness; the competitive, dynamic funding system; the dual-support funding mechanism; an effective governance and research infrastructure; and the critical role played by universities in the science, research and innovation ecosystem.

**Kit Malthouse** (North West Hampshire) (Con): Does my hon. Friend agree that, given the changing nature of the research model in the life sciences industry generally, it is even more vital that the Government maintain their investment in universities? Such is the burden of regulation and the investment model required by the private sector that molecules drugs therapies, often co-researched by the private sector, have to spend

much more time in academia. If we withdraw funding at that stage, the research will simply not happen and will not transfer elsewhere.

**Stuart Andrew:** My hon. Friend raises an incredibly important and valid point, which emphasises the points I am making about Government investment in this important area.

An investment in research is an investment in our economy. The UK life sciences industry generates an estimated annual turnover of £56 billion and employs 183,000 people across the UK. Investment encourages innovation, attracts business to the UK and leads to treatments and technologies that allow us all to lead healthier, more productive lives.

**Nicola Blackwood** (Oxford West and Abingdon) (Con): I congratulate my hon. Friend on securing the debate. He is making an excellent case for science. He will know that the Science and Technology Committee is conducting an inquiry into the science budget. Many witnesses have expressed concern that total investment in research and development in the UK is historically low and falling. Does my hon. Friend agree with them that there is a case for a road map to increase R and D, even though the situation cannot be reversed immediately? That would not only ensure that we retained our competitiveness internationally, but send an important signal to investors that we are a good place to invest in.

**Stuart Andrew:** The Chair of the Select Committee is absolutely right. We want to maintain our position as world leaders in this area, and it is important that we do that.

The Government have recognised the link between R and D spending and national productivity, and they have even highlighted science and innovation as a key driver in their plan to make the UK a more productive nation. The spending review therefore gives the Government a real opportunity to invest the resource needed to deliver on that promise, creating a more prosperous nation.

**Julian Sturdy** (York Outer) (Con): I congratulate my hon. Friend on securing this important debate. He is making a powerful argument. He touched on the important issue of making the UK a more productive nation. The UK population is set to increase by 15% over the next 20 years, and we will need to produce more than 60% more food by 2050. Does he agree that science plays a key role in our agricultural sector in terms of meeting that demand for food and the need to increase production, which has been plateauing for many years? Does he also agree that the Government need to reaffirm their support for the agri-tech sector over the long term?

**Stuart Andrew:** I am grateful for that intervention. I think I should have applied for a longer debate, given the number of Members who are here. As a fellow Yorkshire MP, and given the importance of the agri-food industry for our county, I certainly agree with my hon. Friend's points.

Groups such as Universities UK are concerned that, while the Government have made a commitment of capital expenditure for the forthcoming spending period, they have yet to make any commitment of revenue

expenditure, which would allow the sector to make the best use of both new and existing facilities and infrastructure. What will we lose if the Government do not maintain their commitment? Frankly, if we have less, clearly we can do less. The UK science sector has been very good at making efficiencies, through equipment sharing and team science, but there is a finite amount of adjustment that it can make, and further cuts will have a damaging impact on the ability of the sector to conduct world-class research.

**Graham Stringer** (Blackley and Broughton) (Lab): The hon. Gentleman is being generous with his time in this short debate. He makes a good case about the quality and high impact of United Kingdom science, but does he agree that the target that the Government should really set is to increase the amount of money we spend on science above the 1.8% of GDP that we spend at the moment, and to bring it much closer to 3% of GDP? That is the European Union's international standard, and some of our competitors are heading in that direction very quickly.

**Stuart Andrew:** I fear that the hon. Gentleman has just ruined the end of my speech, but it will be worth emphasising the point.

The goal of eliminating the deficit is, of course, necessary, but some universities have already felt the effect of funding reductions. Any further reductions would, in the Russell Group's words, be

"entirely counterproductive for the long-term health of the economy and risk losing the UK's competitive advantage".

The benefits of research are not a secret. We are not the only country that has realised that research is a worthwhile investment. Other countries are substantially increasing their support for research and development. If we are unable to maintain our world-leading reputation, we risk falling behind and losing talent and business overseas, or to different sectors altogether. We saw that in the 1980s, when cuts in research drove many UK scientists to the USA. We do not want that to happen again.

We still have further to go. Cardiovascular disease causes more than a quarter of all deaths in the UK, and the cost of premature death, lost productivity, hospital treatment and prescriptions relating to cardiovascular disease is estimated at £15 billion to £19 billion each year. We have made huge improvements to our health and wellbeing, but our successes bring with them new challenges. When I worked in the children's hospice movement I saw many times how children with complex and once fatal conditions now survive into adulthood; we must discover how to keep them healthy throughout their lives. As people live longer, we need to learn how to manage chronic conditions, so that we are not only extending but improving life.

Scientific research has brought us a long way in improving the health and wealth of the UK. Through continued Government investment, maintained in line with inflation, we can build on the successes that have been achieved so far and work towards a UK that realises its full potential. Universities UK has suggested, as did the hon. Member for Blackley and Broughton (Graham Stringer), that we should seek to match the level of expenditure of our competitor countries; otherwise there is a risk that our relative research strength will decline. Using the same group of comparator countries



[Stuart Andrew]

identified in a recent benchmarking study conducted on behalf of the Department for Business, Innovation and Skills, the overall investment level required would be 2.9% of GDP. That level of total investment would also be broadly consistent with the commitment made in the Lisbon treaty for investment across the European Union of 3%, with one third coming from public sources. To support that overriding objective, the Government should set out a 10-year investment strategy, with a view to securing an above-inflation rise in public investment in science and research over that period. That would help to maintain our reputation across the globe, and our lead in so many fields which will improve all our lives.

11.14 pm

**Daniel Zeichner** (Cambridge) (Lab): I congratulate the hon. Member for Pudsey (Stuart Andrew) on securing this debate, on a subject that is vital to the country's future. As has already been said, we are a global leader in research and development, and the city of Cambridge is at the heart of that leadership.

A few years ago, when AstraZeneca was deciding where to relocate, it chose Cambridge; but if it had not been Cambridge it would have been somewhere outside the UK. That is the risk that the Government run if the rumours that we hear are true, and if they put at risk the long-running consensus on science funding. Let us be clear that the ring fence during the previous Parliament was not great; it was actually a substantial cut in real terms over the lifetime of the Parliament. Stop-start policies on capital funding also caused problems. The sector just about managed to survive that, but it has a clear view of what future funding cuts would do.

Last Friday I visited the Gurdon Institute in Cambridge. It works with Alzheimer's Research UK and is doing groundbreaking work that will help us to treat dementia. It is hugely important, but there is a strong message from the institute: any cut in public funding puts the associated private funding at risk. Just outside Cambridge, the Babraham Research Institute is another world-leading life sciences institute. It has 350 members working alongside 60 companies employing more than 600 people. The institute said in written evidence to the Select Committee on Science and Technology that

"the current level of funding will not sustain the UK's existing science and research capability, whilst any reduction would be extremely damaging...it is likely that world leading scientists will leave the UK for other countries such as Germany where there is increased investment into science funding."

I put those comments to Professor Rick Rylance, who chairs Research Councils UK, at a sitting of the Committee. He agreed that we are close to a tipping point and he warned that a time would come when the future would be "in jeopardy". Those are serious warnings from senior people.

We all appreciate that spending decisions are difficult, but if we are truly to win the race to the top, we need a bigger knowledge economy, with high-skilled, well-paid jobs. I remind hon. Members that the Government's own science and innovation strategy promised to inject £1.1 billion of capital into the sciences, at least in part to ensure that there would be what they called "adequate resource funding". I never thought I would quote the current Chancellor with approval, but he delivered a

major speech in April 2014 at the wondrous Medical Research Council Laboratory of Molecular Biology in Cambridge, and it is worth reminding colleagues of his promise that

"support for and application of science is right at the centre of our long term economic plan."

That support must, in my view at least, mean maintaining the science budget. I strongly encourage the Minister and Conservative Members to remind the Chancellor of that promise as the Government consider these important decisions.

11.17 am

**Ruth Cadbury** (Brentford and Isleworth) (Lab): I, too, congratulate the hon. Member for Pudsey (Stuart Andrew) on obtaining this important debate, and I agree with all the points he made.

Time is short and I will say just two things. GlaxoSmithKline's headquarters are in my constituency and it employs many local people. There are also many science-based employers down the road in Hammersmith. There have been comments today about universities' concern about the fact that there is to be no inflation growth in public spending on science, which is effectively a cut. I am also concerned about the lack of investment in and encouragement of science, technology, engineering and maths in schools. We need to invest in that—in schools and colleges—to support and encourage young people not only to start but to continue with STEM subjects.

11.18 am

**The Minister for Universities and Science (Joseph Johnson):** It is a pleasure to serve under your chairmanship, Sir Roger. I congratulate my hon. Friend the Member for Pudsey (Stuart Andrew) on securing the debate on a subject that is being explored in great detail at the moment by the Science and Technology Committee. I am glad to see the Chair, my hon. Friend the Member for Oxford West and Abingdon (Nicola Blackwood), here, along with other members of the Committee.

My hon. Friend the Member for Pudsey raised the issue of medical research and the contributions of the British Heart Foundation to that. I was pleased earlier this month to see BHF employees in Manchester during the Conservative party conference, and I enjoyed looking at their stand and hearing at first hand about the high-quality research that the organisation is doing on cardiovascular diseases. The BHF's research remains one of this country's great success stories, and it has a long history going all the way back to the pioneering heart surgery technique for babies developed by Professor Sir Magdi Yacoub in the 1970s, which is still used today, all the way through to the more recent and ongoing improvements in heart attack diagnosis that are helping to save lives in Britain and across the world.

Research investment in medicine and cardiovascular disease is an important illustration of the strength of our science base. The investment we are making as a country through charities, Government and pharmaceutical companies is helping to ensure that Britain remains at the forefront of science and research in Europe and throughout the world. I should like to point out a few examples of that investment. The Medical Research Council currently spends around £20 million a year.

That, coupled with the £49 million spent by the National Institute for Health Research, which is funded by the Department of Health, makes the UK the top contributor among EU member states to cardiovascular research. We are building on that base. This year, we committed to fund the Academy of Medical Sciences, alongside the other national academies, for the first time, granting it £0.5 million.

**Jo Churchill (Bury St Edmunds) (Con):** We are talking about what we are spending, but we are not talking about what we are saving. We are developing the life sciences, agritech—agritech is hugely important to rural constituencies such as mine, and my constituency is on the edge of the Cambridge phenomenon—biotech, digital health and so on, and we need to take those savings into consideration. If we lose that research abroad, we will lose the savings, too.

**Joseph Johnson:** Indeed, this is a good investment, which is why the Government have been supporting our science base over time. We recognise the huge economic benefits that it brings to the country.

I was in the middle of describing the investments we are making in cardiovascular and other medical technologies research. We have supplemented the ongoing spending of the MRC and the NIHR by announcing a couple of new innovation institutions, which will be extremely helpful to the sector in developing new medical technologies. We have just announced a new medicines technologies catapult, which will be based at Alderley Park in Cheshire. We have also announced the headquarters of the new precision medicine catapult in Cambridge, which will have one of its five centres of excellence in the north of England. The hon. Member for Cambridge (Daniel Zeichner) focused on excellence in Cambridge. I am happy to tell him that I was in Cambridge last week and saw the laboratory of molecular biology. I was as impressed as his comments would have led me to expect—it is an extraordinary centre, and we have every intention of continuing to ensure that it remains one of the world's leading research institutes.

The examples that Members have already cited, such as Cambridge and the scientific centres in the northern powerhouse, are good examples of why Britain is such a powerhouse in the world of science and why we want to ensure that we make Britain the best place in the world to do science. Our global scientific impact is completely out of proportion with both our population and the size of our research spend as a share of global research and development expenditure. The UK punches well above its weight.

**Carol Monaghan (Glasgow North West) (SNP):** Does the Minister agree that, although we are doing extremely well in science at the moment, there is concern in the scientific community that emerging markets in east Asia and India will overtake the UK's scientific research if funding is not continued and increased?

**Joseph Johnson:** We have discussed that question at great length in Select Committees and, of course, we understand that the impact of our science spend is a function both of the efficiency of our science base and of the inputs that go into it—the amount of money that we spend every year on science. The hon. Lady will

recognise that we underscored our commitment to science in the last Parliament by ring-fencing expenditure at £4.6 billion at a time of discretionary savings across the rest of Government activity to the tune of £98 billion. Furthermore, she will know from our previous discussions and from Government documents that we have committed to a road map for capital expenditure all the way to 2021 to the tune of £1.1 billion per annum, which will give businesses, researchers and charities the certainty they need about the role that the Government intend to play in investing in our science base.

**Nicola Blackwood:** The Minister is right to sing the praises of our science community. We are a science superpower in terms of quality and impact, but the Science and Technology Committee has heard widespread concerns about time lag and how historical investment is perhaps leading to our current strength. Does he share the concerns expressed on both sides of the House about the low level of current R and D investment? Will he commit to a long-term plan to raise that investment?

**Joseph Johnson:** We have set out a road map taking us all the way to 2021, and it provides considerable certainty on capital. Of course, a spending review is coming up 25 November, so it would be rash of me to embark on commitments here and now.

**Kit Malthouse:** Be bold!

**Joseph Johnson:** I would not want to do that for obvious reasons. I do not agree with the generally pessimistic tone of my hon. Friend the Member for Oxford West and Abingdon, because investment in science is increasing. The Government play their part, but we should not forget the important part played by the business community in R and D, nor the part that R and D tax credits play in enabling business to make that supporting investment.

I told the Select Committee the other day that the value of our R and D tax credits has now increased to £1.8 billion a year, enabling more than 11,000 businesses to do innovative research. That is significantly up on the previous year, when the figure was only about £1.4 billion. The taxpayer is making a substantial contribution to enabling R and D in this country; business R and D expenditure is also up. In 2013, UK businesses spent a total of £18.4 billion on R and D, an increase of 8% in cash terms on 2012, so it is wrong to focus only on the Government's share, which we protected in the last Parliament and for which we have outlined a trajectory to 2021 on the capital side. There will be a real-terms increase in capital spend. We are putting in place an ecosystem to make it possible for business and others to continue their investment.

**Nicola Blackwood:** I think the Minister has misunderstood me. I intended to ask for a road map for both public and private investment. I agree that one is useless without the other.

**Joseph Johnson:** The 3% target is an EU target that may or may not be relevant to the UK environment. Targets, in and of themselves, are abstract things. What is relevant is the policy levers that we have put in place to drive behavioural change in companies and charities in order to increase investment. A target in itself achieves nothing, and I do not want to indulge in such targets.

**Chris Green** (Bolton West) (Con): Does my hon. Friend recognise the capacity of British science to step up and increase the level of top-quality science? With 20% of excellent research grant applications currently being turned down, we have an opportunity in Britain to improve our productivity greatly over the next five years.

**Joseph Johnson:** Indeed. Our science base is productive and very efficient. For every £1 the Government spend on R and D, private sector productivity rises by 20p a year in perpetuity. We see clear public benefits in R and D, and we appreciate the important role of public investment in crowding in private investment.

The Chancellor appreciates the importance of science. As I told the Select Committee the other day, it is hard to think of a Chancellor who has spent more time in lab coats and high-vis clothing than he has. He has revealed his preferences over his chancellorship by ring-fencing science over the last Parliament. We in the Department for Business, Innovation and Skills are working hard to make the best possible case for science going into the spending review. Obviously, there are difficult decisions and a difficult settlement to be made, but science has a strong set of arguments to make, and we are reinforcing those arguments in our discussions with the Treasury.

*Motion lapsed (Standing Order No. 10(6)).*

11.30 am

*Sitting suspended.*

## Black History Month

[Ms KAREN BUCK *in the Chair*]

2.30 pm

**Angela Crawley** (Lanark and Hamilton East) (SNP): I beg to move,

That this House has considered Black History Month.

It is a pleasure to serve under your chairmanship, Ms Buck. It is important that the House recognises Black History Month. I do not intend to take up too much time today, because I am conscious that other speakers will have far more to contribute.

Marking the month of October as Black History Month is a long-standing tradition that allows us to consider the vital contributions made to the UK's culture and economy by ethnic minorities. Although I am not of ethnic minority origin, I represent many people from a range of backgrounds in my constituency. The same can be said for the vast majority of MPs—that is a testament to the success of our multicultural society. This year, 41 black and ethnic minority MPs were elected to Parliament. That is something to celebrate, but it is simply not enough. I believe that any Parliament should be representative of its people. When people see someone of their own race, colour, gender or sexuality in a position of power and influence, it lets them know that their opinions matter and that they, too, can achieve anything.

We must continue to strive for equality for everyone. We have a long way to go before men and women across the country are truly equal. We must continue to recognise Black History Month until we reach a point where everyone in society is equal, regardless of their race, colour, gender or sexuality. It is an opportunity to recognise the best and brightest people across the country who have experienced racism and overcome it. Overcoming racism is an incredible triumph, but they should not have experienced it and it is not something we should tolerate.

Black History Month has grown from its origins in the Harlem renaissance of the 1930s into an international institution. In 1976, the US Government expanded their existing informal tradition into Black History Month. President Gerald Ford set the tone of the event, urging Americans to

“seize the opportunity to honour the too often neglected accomplishments of black Americans in every area of endeavour throughout our history”.

So too is that relevant here. The United Kingdom adopted Black History Month in 1987, which has served to promote positive role models in the black community. Since then, the celebration of Black History Month has come to represent much more than its original purpose.

**Mr David Lammy** (Tottenham) (Lab): I am sure the hon. Lady recognises that Black History Month as a celebration is largely down to the endeavour of my predecessor as the Member of Parliament for Tottenham, who campaigned for many years for there to be a month in which we recognise black history.

**Angela Crawley:** Absolutely, and I thank the right hon. Gentleman for that statement.



The focus in the UK is on celebrating the contributions of all minority ethnic people in this country. Black History Month in the UK includes the history of African, Caribbean, middle eastern and Asian people. However, the sacrifices, contributions and achievements of those people are often mired in racism, inequality and injustice.

Fourteen years ago, Scotland adopted its own Black History Month. In 2001, Scotland was a changing place. This month is an opportunity to promote the contributions of black and minority ethnic Scots as part of a wide and diverse family, and we are proud to be a diasporic nation. With an increased number of people living in Scotland born abroad, minority ethnic groups represent 4% of Scotland's population. That compares with a much higher number in England, where minority ethnic people make up 15% of the population. However, the census also showed that minority ethnic groups in Scotland were less likely to live in deprived areas than their counterparts in England.

The Scottish National party Government in Scotland have consistently promoted multiculturalism, believing that diversity is our strength. Scotland aspires to be a place where people from all backgrounds can live and raise their families, and where people from all ethnic backgrounds can achieve their potential. We are making progress, but there is a long way to go. Figures show that 61.7% of black and minority ethnic Scots are employed, compared with the national figure of 70.7%. Black and minority ethnic Scots are still under-represented at senior levels in the boardroom and in politics. In fact, of the 129 MSPs, only two are black or of an ethnic minority. I hope that the election in 2016, and future elections to this House will allow for greater ethnic diversity and minority representation.

**Mr Lammy:** The hon. Lady raises an important issue that has come up in the Labour party, but I wonder if she might say whether the SNP is prepared to accept positive discrimination. The presence of women in this Parliament is largely down to positive discrimination. There has been a lively debate in the Labour party. Are the Scots Nats getting to a place where they believe that, in order to see black and ethnic minority people come forward, it is about positive discrimination, not just hope?

**Angela Crawley:** I am sure the Scottish National party will be keen to promote all forms of equality across the board. We believe people should achieve their full potential, regardless of their gender, race or sexuality. We are proud to be a party that promotes that. However, we still have a long way to go, and the House has a long way to go before it represents British society.

There is a huge commitment to the minority ethnic population in Scotland. Black and Ethnic Minority Infrastructure in Scotland—BEMIS—was established in 2001, in the same year Scotland began its own Black History Month. The organisation represents and supports the development of the ethnic minority voluntary sector. It aims to empower ethnic minorities and to ensure they are fully recognised and supported as a valued part of Scottish multicultural society. Most importantly, BEMIS does not act simply as an embodiment but aims to reach out to every single sector of our minority population and ensure they are represented. Its core aim is to invest in grassroots parties and to make a difference at a local level.

**Mr Andrew Smith (Oxford East) (Lab):** I congratulate the hon. Lady on securing this important debate. Does she agree that local events such as the one in Oxford this coming Saturday are a very good opportunity for local communities and people of all backgrounds to celebrate the enrichment of our culture, economy and daily life by the heritage of minority communities? I also invite her to answer the question from my right hon. Friend the Member for Tottenham (Mr Lammy): does the Scottish National party favour positive discrimination?

**Angela Crawley:** I thank the right hon. Gentleman for his question. As the spokesperson for equalities, women and children, I absolutely promote positive discrimination where necessary. However, such mechanisms alone do not tackle those problems. The barriers people face in their lives that prevent them from entering a political party or from aspiring to something greater are barriers we need to tackle at a grassroots level, and that will not be achieved by any one particular political party.

In terms of ethnic minority participation in apprenticeships, the figures in England show that, of the 15% target population, only 9% do apprenticeships. Training is an effective way out of poverty—a fact taken seriously by the Government, and one of the few policy areas on which I agree with the Prime Minister, who plans to introduce 3 million new apprenticeships by 2020. That is a huge target, and giving a helping hand to our young workforce is very welcome, but without a concentrated effort, I fear ethnic minority statistics will remain static and those who would benefit most from training will not be able to access apprenticeships.

Black History Month celebrates the very best of black and minority ethnic culture in this country, yet for many different sections of society, there is vast inequality. Twenty-eight years after the establishment of Black History Month in the UK, life is still more difficult for the black and ethnic minority community. Black History Month should allow us, as legislators, to consider the effects of our policies on ethnic minority communities and to remember the histories of the black and minority ethnic people in our constituencies and across the whole of society who we have been sent here to represent. We have a huge role to play in considering the policies that will shape Britain's future, and this month we celebrate the diversity and richness of this multicultural society. I look forward to joining other Members of the House in celebrating this opportunity.

2.39 pm

**Mr Chuka Umunna (Streatham) (Lab):** It is a pleasure to serve under your chairmanship for the first time, Ms Buck. I congratulate the hon. Member for Lanark and Hamilton East (Angela Crawley) on securing the debate. I applied for a debate on Black History Month and failed. I am very pleased that she was successful and that we are having this debate; otherwise we would not be marking Black History Month in Parliament this year, which would be a disgrace.

I am proud to stand here as a Member of Parliament of African heritage. My late father came to this country from Nigeria in the 1960s. I am proud to represent a constituency and a borough with one of the largest African and Caribbean populations in the country. I am one of three MPs who represent the Brixton area,

[Mr Chuka Umunna]

which is often referred to as Britain's black capital and is home of the Black Cultural Archives, of which I am a patron.

People often ask why so many people from Africa and the Caribbean settled in Brixton. Of course, the first wave of black immigrants arrived here from Jamaica in the late 1940s on the Empire Windrush, which arrived at Tilbury docks in Essex. Many new arrivals were first settled in the deep bomb shelters in Clapham South in Lambeth. The labour exchange, which we now call the jobcentre, was located on Coldharbour Lane in Brixton, which is why so many black people have settled in our area since. That point illustrates that the suggestion that we often read in the tabloid media and that emanates from certain political parties—the narrative that suggests that immigrants just want to come here to take advantage of our benefits system—is a complete myth. It is because black people were looking for work that they settled near that labour exchange in Brixton.

**Kirsten Oswald** (East Renfrewshire) (SNP): I agree with the hon. Gentleman that it is important to use the appropriate language to reflect the reality of the very positive contributions made by so many people who have come to our country. East Renfrewshire is one of the most diverse constituencies in Scotland. I am delighted to represent a constituency with such a rich heritage in so many ways. It is undeniable that that brings a huge amount to our society and our communities.

**Mr Umunna:** I could not agree more with the hon. Lady. Black History Month is important because it gives us the opportunity to celebrate not only the contribution of the Windrush generation, but further waves of immigration from west Africa, such as those of the '60s and '70s—when, as I have said, my father came here—and, more recently, those from Somalia and Eritrea. There are new burgeoning communities from those parts of the world in Lambeth.

The immense contribution of black people to this country's society is unarguable. I think of people such as Kanya King, the founder of the MOBO—Music of Black Origin—awards. She was the youngest of nine children, left school when she was 16, became a single mum and ended up establishing one of the world's leading music awards events, which is watched by more than 400 million people every year. I think of Mo Ibrahim, who came here from Sudan in 1974, started working as a BT engineer and ended up building the biggest telecommunications company that Africa has seen. I think of stars of screen and stage not just in the UK, but in Hollywood, such as my constituents, Doña Kroll, Ellen Thomas and, of course, David Harewood from the programme "Homeland". I think of Dame Linda Dobbs, our first High Court judge of black origin. I think of all the black people in the country who are not famous and make an immense contribution to the life of the United Kingdom. Black History Month is very important, particularly so that the younger generations, who did not experience the struggle of people such as Bernie Grant to be given the same opportunities as everyone else in the country, remember their heritage and the struggles that went before.

As the hon. Member for Lanark and Hamilton East said, despite of all the progress, a glass ceiling undoubtedly still exists for black people in our country. I am not going to talk about all the inequalities in the criminal justice system and the fact that someone is more likely to be arrested, to be stopped and searched and, as we learned recently, to be tasered if they are of an African or Caribbean background. I just want to look at a few areas where I think the glass ceiling is particularly prominent and then point to some solutions. I used to be the shadow Secretary of State with responsibility for higher education. It is a disgrace that, out of 17,900 professors, just 85—less than 1%—are black, when we make up 4.6% of the population. That is shocking, particularly given that education is supposed to unlock the door of opportunity.

Look at our media, which does so much to shape perceptions of black people. There are hardly any non-white faces around the boardroom tables of our major broadcasters or publishing groups. There is just one ethnic minority editor of a national newspaper—Amol Rajan of *The Independent*. There are no others. Our corporate boards generally have an extreme lack of diversity when it comes to ethnicity. Yes, we have seen progress with the gender make-up of boards, but there is an extreme lack of ethnicity.

I look—dare I say it?—at our own labour movement. The trade union movement, of course, led the charge for the equalities legislation of the 1960s and 1970s, but there are no prominent general secretaries of colour. We have to address that. Of course, we cannot pass up the opportunity to mention the situation in the House, as the hon. Member for Lanark and Hamilton East said. It is fantastic that we now have 41 black and minority ethnic MPs in the House of Commons, which is up from 27, but we have just 12 black MPs when there should be 30.

We think of football as one field that acts as a trailblazer for representation. Around 30% of players in the Football League are from a BME background—mostly black—but there are hardly any people of colour in the boardrooms. Of the 92 managers in the premier league and the Football League divisions, just six are managers of colour. That is utterly appalling.

The question is what to do about that situation. Some say—and we always hear this argument when we are talking about equalities issues—that, "You have to appoint on merit. These issues shouldn't impact on decisions made. We shouldn't worry about these things." If people are going to use that as an excuse, the logic follows that they are basically saying that the reason that we do not have sufficient representation in all those different fields is that there are not sufficient numbers of black people who merit appointment. That argument does not hold in 2015.

Our higher education institutions benefit from public funding. In the corporate sector, increasingly large corporates and business organisations are thinking, very carefully, who they procure to provide goods and services to their businesses and what their workforces look like. Organisations in the City are increasingly doing that. Almost all higher education institutions benefit from some form of public funding. Are the Government holding their feet to the fire on the lack of diversity, for example, among professorships?

Regarding our media and business organisations and their boards more generally, I congratulate the Government on the progress they have made on increasing

the gender diversity on corporate boards, but now we need to see the same political will and determination used to improve the ethnic diversity of boards. Lord Davies, the Labour Lord who was commissioned to carry out the report on gender diversity on boards, will produce his final report on 29 October. What are the Government looking to do in respect of ethnic diversity? In addition, I would like to see some of our major trade unions implementing the kinds of positive action measures that we have implemented in the Labour party to ensure that people of colour are coming forward for elected office.

More generally, I welcome the fact that, to some extent, there is an arms race among our political parties to become the most diverse in the UK. That is a good thing, but we need to look further at implementing positive action measures to ensure that we get better representation in this place. My right hon. Friend the Member for Tottenham (Mr Lammy) has been leading the charge and arguing for change for more than a decade.

Returning to football, there has been a lively debate on whether the Rooney rule should be introduced here. I am not talking about Wayne, but Dan Rooney, an American football club owner who led the way to the creation of a rule in the US that stipulates that at least one non-white candidate must be interviewed when a manager's job comes up. That has led to huge progress in the States.

In June, Greg Clarke, the chairman of the Football League, which does not include the premier league, tabled changes at the league's annual general meeting, which comprises all the owners and people who head up the clubs, following an inquiry into the lack of representation among Football League managers. He proposed making it compulsory for clubs to interview at least one BAME candidate, where an application has been received, for all youth development roles requiring a minimum of a UEFA B coaching licence. The application of the rule to first team roles is to be piloted by five to 10 clubs. If that pilot works, the rule for youth development roles will be applied to first team manager roles 12 months later.

I congratulate the Football League—Greg Clarke deserves huge praise for his leadership—but what is the Premier League doing? It is the most high-profile football league in the country. I understand that, in order for the Premier League to make progress, it will need a pipeline coming from the Football League, but it is not enough for the Premier League to say, “We’re going to sit around and wait for the Football League to make progress before we apply ourselves to increasing diversity in the most famous and exciting league in the world.” If that measure produces fruit in the Football League, the Premier League should set the goal of introducing in or by 2020 the same Rooney-style rules that the Football League has said it will implement. That will represent real progress in football.

We should celebrate, but we should not be complacent as progress still needs to be made. I very much hope that, when Black History Month comes about next year, we will have this debate in the main Chamber of the House of Commons, which is where it should be taking place, given the huge contribution of African and Caribbean people to our country.

2.53 pm

**Kate Osamor** (Edmonton) (Lab/Co-op): I thank the hon. Member for Lanark and Hamilton East (Angela Crawley) for securing this debate. Celebrating and raising awareness of black history through Black History Month has been shown to be urgently necessary in the light of the Prime Minister's recent comments on slavery and reparations. I want to use my speech today to address this issue.

At the end of September, on the first visit to Jamaica by a UK Prime Minister in 14 years, the Prime Minister told the people of Jamaica in his speech to “move on from this painful legacy” of slavery. Such language is disgustingly insensitive and inexcusable. Britain has absolutely no authority to dismiss outright Jamaicans' reactions to their history. The Prime Minister had the audacity to state of slavery:

“Britain is proud to have...led the way in its abolition”, propagating a dangerous simplification of history, which is wrong. He inaccurately glorified Britain's role in abolishing slavery, yet refused to address explicitly Britain's leading role in the atrocity itself.

The Prime Minister stressed the relationship between Britain and Jamaica as friends since independence, but he failed to address the fact that the fundamental relationship between the two countries has been one of exploitation, which is what Jamaican Ministers were calling on him to address. Using the aid budget to provide locks and chains and presenting that as an act of generosity is insulting. Expressing sorrow over the slave trade, as Tony Blair did in 2006, is not enough. I call on the Government to apologise publicly and formally for the British slave trade. Britain should be accepting accountability, engaging in the reparations debate and providing infrastructure for growth, not for the incarceration of those formerly held in Britain.

The language and narrative of the Prime Minister's speech and his outright rejection of reparations show a total lack of respect for and understanding of black history. It is totally at odds with the way that the tragedy of the holocaust has been dealt with—a tragedy that is ingrained in European social memory and embedded in the school curriculum. I do not believe for one second that the Prime Minister would have used the same language in a speech to the Jewish community. It is not my intention to rank oppressions; I simply wish to use a comparison to emphasise how unacceptable it is to tell formerly enslaved countries and colonies to move on from a legacy of horrific, state-sponsored, organised violence and exploitation.

We pride ourselves on being a multicultural country, which I am proud to be part of, yet black history remains on the periphery of British historical memory. That needs to change. Black history should be part of the school curriculum so that the young people coming up are aware of and proud of their history. Black people are still less represented in Parliament and positions of power. Black lives matter, not only here but internationally. Our lives are less valued than white lives. That needs to change. Structural inequalities and everyday racism remain as a result of the legacy of slavery. That must be addressed. Openly acknowledging the existence of lasting inequalities and accepting the historical role of the Government in propagating them is the first stage that will help to change the relationship and the power dynamics.



[Kate Osamor]

I thank Members for their attendance, but have to second the remarks of my hon. Friend the Member for Streatham (Mr Umunna): this debate should be taking place in the main Chamber, not on the sides, to give it the respect it warrants.

2.58 pm

**Mr David Lammy** (Tottenham) (Lab): I am grateful for the opportunity to speak under your chairmanship for the first time, Ms Buck. You have made a considerable contribution to the lives of black and ethnic minorities in your constituency over many years and to the broader debate within the Labour party, and you continue to do so. I congratulate the hon. Member for Lanark and Hamilton East (Angela Crawley) on securing this debate. I thank her for the manner in which she delivered her opening remarks and for all that she is doing north of the border.

I have a short opportunity to put on the record once again the work of my predecessor, Bernie Grant. Activists and campaigners are perhaps more prominent now than they have been in the past, particularly with the selection of my hon. Friend the Member for Islington North (Jeremy Corbyn) as the leader of the Labour party. He knows that campaigning and work often take place at the margins, with very few people paying attention and listening. For many mornings over many years, Bernie Grant campaigned outside the British Museum about the artefacts sitting inside that had been effectively stolen from Africa. He raised the issue consistently, day after day, with no one paying attention. There is now a lively debate on outreach and how to support museums and communities in Africa and the developing world, which is now a very real subject.

My predecessor campaigned for years to introduce these subjects to our national curriculum, and we have made progress. When I was a Culture Minister, I made the decision to introduce the abolition of slavery from the perspective of not only William Wilberforce, but Equiano and others, to the national curriculum, but we need to do more to ensure that our national curriculum tells a rich and complex story about the contribution of both different parts of the British Isles and the Commonwealth.

Many young people do not know that more than 1 million Indian young men died on behalf of this country in the first world war. They do not know that 200,000 young men from the Caribbean died contributing to this country in the same conflict or that, across the Commonwealth, people signed up to come to this country and other parts of Europe and gave up their lives. That is a rich story, and it illustrates why Black History Month is not just a moment when black and brown children in inner-city schools can focus on these issues; it is a national moment when all children in our country, whatever their background, draw inspiration from these stories and reflect on that coming together and those trials and tribulations.

**Kirsten Oswald:** I echo the right hon. Gentleman's sentiments about the soldiers from across the world who came to serve with forces from the UK; as the Scottish National party spokesperson on the armed forces and veterans, I associate myself with what he

says. I also wish our children to be as aware as possible of our diverse communities in Scotland and the UK and of the rich contribution they have all made.

**Mr Lammy:** I am grateful for the hon. Lady's words. Globally, we reflect on these huge heroes of black history. Of course, I think of Martin Luther King, Nelson Mandela and Rosa Parks, but this is also a moment to think of our homebred heroes such as Paul Stephenson, who organised the boycott of the Bristol buses because of their refusal in 1955 to employ anyone of a black background; that contributed to our getting the Race Relations Act 1965. This year, we celebrate 50 years since that Act was passed, and I hope Parliament will celebrate that occasion appropriately.

All those contributions led to a place in which my father, like the father of my hon. Friend the Member for Streatham (Mr Umunna), arrived in this country as part of the Windrush generation. Those were very different times, and my father would be proud to see me standing here—he is not alive today. That generation made a contribution, and the fight continues. We do not stand still, and huge challenges remain in these tough economic times.

We have heard about the tremendous challenges that exist in our boardrooms. Across the country there is a lack of diversity for black and ethnic minority people at the higher echelons of our companies, which is an issue. Progress was being made in the public sector, particularly in local government and the NHS, but to some extent that progress has stalled. My predecessor, Bernie Grant, was the leader of Haringey Council before becoming the Member of Parliament for Tottenham. We do not see that leadership replicated in the same way these days, although I recall that Muhammed Butt is the leader of Brent Council here in London.

Progress needs to be made in the judiciary and our universities. It is great to see Valerie Amos appointed the director of the School of Oriental and African Studies, adding to the panel of vice chancellors, but there is a considerable amount still to do. As you know, Ms Buck, there remain real issues in mental health and in relation to deaths in police custody. There are also real issues for young people in London, particularly given the unemployment figures.

This is a moment to celebrate, but it is also a moment to redouble our efforts. We must recognise and celebrate 50 years of the Race Relations Act, but we need to ensure that race remains on the agenda and that we do not just talk about diversity and equality but recognise that discrimination exists and that we have to act to address that discrimination. That sometimes means positive discrimination, but it also means that people's right to challenge in court and elsewhere must be ensured in future.

3.5 pm

**Anne McLaughlin** (Glasgow North East) (SNP): I was expecting to be the last speaker, so I might be a little all over the place. I had a prepared speech last time I responded to a debate, but now I will try to respond to what other Members have said.

It is a privilege to speak about Black History Month, a month when we in the UK join together in celebrating and valuing the countless inspirational individuals and historic achievements of our black and minority ethnic

communities. Since its British incarnation was launched in 1987, Black History Month has addressed a disgraceful blind spot in our national story: the contribution of people from BME backgrounds. There are events highlighting inspiring figures from the BME community who fought injustice and inequality over many years and in different times and places. It is wrong that we should need Black History Month, and the sooner we start honestly portraying our shared history, the less likely it will be that white children will grow up believing that everything happened because of their forefathers and foremothers, and the greater our chances will be of genuine racial integration. When that happens, when we all just see each other as people and when we accept that in history, as today, we all contributed and we all contribute to the development of this country and to the world, we will not need Black History Month.

In addition to its political side, Black History Month has a vital creative element, with the arts being used to tell some of the stories that we want people to hear. I loved “Record Breakers” as a child, and it horrifies me that there are people here who will not know what I am talking about. [*Interruption.*] The Minister should not pretend not to remember it. I always wanted to be a record breaker. That is perhaps why, in October 2012, my Jamaican partner and I organised 17 Black History Month events. It was exhausting, but I had a ball because, as well as history lectures and political debates, we had reggae, dancehall and soca nights, African films, Jamaican food and football games.

On football, I wonder how many people know the name of the Scotland footballer who captained the team when they beat England 6-1 in 1881 down the road at the Oval in Kennington. He captained the team on two more occasions, beating Wales 5-1 and, the following year, beating England again, this time only 5-1. I appreciate that it was a long time ago, but allow me to revel in it and to share the final sentence of the match report:

“In the ten matches now played, the Scotch have kicked 34 goals and the English 20.”

The captain of the team was an impressive chap in that he was not only a skilled sportsman but a marine engineer and a successful businessman. Given that this was the 1800s, he surely accomplished more than enough to be held up as a historical role model, yet until recently few people knew the name of Andrew Watson.

Andrew Watson was the Caribbean-born son of a Scottish slave owner. I have not been able to establish whether his mother was a slave or a free woman, but she was a Caribbean woman. The point of that story is that many children came from a slave and slave owner relationship. Many people in Scotland, including people with Scottish surnames, have ancestors who came from the Caribbean.

**Mr Lammy:** If the hon. Lady will indulge me, I am one of those people of Caribbean descent who took a DNA test a few years ago. I found out that part of my ancestry is indeed Scottish. How proud I was to find out that, like Bob Marley, I have Scottish genes running through me!

**Anne McLaughlin:** In that case, I would like to ask the right hon. Gentleman which team he would have supported in that 1881 football game.

I will turn to the slave trade in a little more detail later, but I absolutely concur with one comment from the hon. Member for Edmonton (Kate Osamor), who said that an apology is needed from not just the British Government, but the Government in Scotland, for the involvement of all parts of the country in what happened. Like her, I was also outraged when the Prime Minister told Jamaicans to move on.

I was in London during the summer, and I got caught up in a whole load of crowds and traffic. An annual event seemed to be taking place to celebrate—or certainly to mark—the bombing of another country. If we are not going to move on from such things, I do not see why Jamaicans should move on from thinking about this terrible time in their history, which impacts on their country today and will continue to do so until they get the reparations the hon. Lady spoke of.

I want to say a little about the wonderful Mary Seacole. For the life of me, I cannot understand why she is not at least as revered as Florence Nightingale. She was Jamaican born and half-Scottish. She was born Mary Grant, and Grant is one of the names in my family, so I am going to take some of the credit—no, I cannot. She did what women did not do in the 19th century: she travelled, she ran a business and she went to war. When she faced racism—and she did—she did not back down; she continued to risk her life to help others. How did she do that? She went to the Crimean war, and she risked her life helping soldiers—they called her “Mother Seacole”. She applied to be one of Florence Nightingale’s nurses, but was turned down. We know a little more about her now, but it astonishes me that I had not heard of her until four years ago. She is a bit of a hero of mine now, but why did I have to seek her out? I found out about her at a Black History Month event, which is why I think such months are so important.

I want to say a little about someone who is less of an historical figure—he will be pleased to hear me say that if he is listening—and more of a current figure. Professor Sir Geoff Palmer is absolutely passionate about bringing black history to the masses. He is Jamaican born—I appreciate that there are other nationalities, although we seem to be a bit obsessed with Jamaica today. He has lived in Scotland for the past 50 years and has become one of the top professors of brewing science—in other words, he teaches Scottish people how to make the best whisky. He is also the author of a number of books, including one called “Citizens of Britishness”. In it, he talks about the importance of education. He says that if children learned from an early age that the development of our country and our world was down to not just white people, but absolutely everybody, they might not see themselves as different from children in their class who have a different skin colour. I encourage people to read that book.

I want to come back to some of the things that other Members have said. I have not congratulated my hon. Friend the Member for Lanark and Hamilton East (Angela Crawley) on securing the debate, so I do so now. She said that 41 MPs are from a BME background, and the hon. Member for Streatham (Mr Umunna) said that 12 are of African or Caribbean heritage. I agree with them both that that is not enough. Both spoke about BME people being under-represented and about there being a glass ceiling. However, there are a number of glass ceilings, which are sometimes pretty low, and it

[Anne McLaughlin]

is difficult to break through them. There is lots of evidence to back that up—I am going to give anecdotal evidence, but I would not like anyone to think that there is not actual evidence.

I have a Cameroonian friend, and she is an incredible person. She is extremely articulate and very intelligent. She held down a really senior job in Cameroon, and she speaks about seven languages fluently. One day, she went into two temp agencies. Hon. Members will know the kind I mean—the ones with the posters in the window saying, “400 typists needed” or “25 telephonists needed”. There were posters all over the windows of these agencies, so my friend went in. Both of them said, “No, we don’t have any jobs,” when they clearly did. She said, “Could you put me on a waiting list for when you do?” They said, “No. We don’t have a waiting list. It’s closed.” The glass ceiling is not necessarily all that high, and it is difficult for people to break through.

The right hon. Member for Tottenham (Mr Lammy) spoke of the contribution of people from India, the Caribbean and other places to the British armed forces. People need to know that we white people, on our own, did not go round the world winning all these wars or bringing progress. That is a really important point.

To come back to the Caribbean slave trade, we in Scotland once tended to believe—I will blame this on the lack of education in the whole of Britain at the time—that we did not really have anything to do with the slave trade, that it was the English who were responsible and that we did not have any choice. It turns out that that is not true. It has come to light, however, that Scottish people are happy to face up to their past and want to know the truth about it. Professor Sir Geoff Palmer had a lot to do with bringing the issue to the fore. However, a historian by the name of Stephen Mullen also wrote a book about it. Its title—I do not know how many Members here have been to Glasgow, so I do not know how many will understand this—was “It Wisnae Us”. In other words, the Scottish thought they had nothing to do with slavery, although that is not true.

Two years ago, I was at a talk by Professor Sir Geoff Palmer. He was talking about compensation payments after the slave trade ended—again, this is something I did not know about. I was thinking, “How could you ever compensate somebody for having to live as a slave?”, but I suddenly realised that it was not the slaves who were being compensated, but the slave owners. I was absolutely horrified. Professor Palmer told us that Scotland made up 9% of the population of Britain at the time, but took 16% of the compensation package, which shows how enmeshed in the slave trade Scotland was. Books such as “It Wisnae Us” help us to face up to that.

Much as I love Black History Month, I cannot wait for there to be no need for it. I love history, but I do not want to read about black history. I just want to know our history—to have an honest assessment of our past, not a spin-doctored version where everyone who is not white is airbrushed out of existence. I want an honest history. We are all grown up now. Surely we can face up to the bits of our past that we are not so proud of. Surely we do not have to take the credit for absolutely everything.

As I said at the start, I really look forward to the day when Black History Month does not exist, because that will be the day when we are all equal, and our forebears are celebrated equally, regardless of skin colour, religion or gender. That is not the case right now.

As women, we often feel we are offered fewer role models than men, and nobody seriously argues that that is because women contribute less. It should be alarming to all of us that black children can go through school believing that all our heroes, inventors, revolutionary leaders and significant historical figures were white. What must it do to a child’s self-esteem to see no role models who look like them? How must it feel to be led to believe that even the black struggles and the black victories were really led by white people? I mentioned the example of the abolition of the slave trade. White people may have assisted in that, but it was the black slaves who freed themselves. Black History Month simply shines a light on that and other lies. As I said, I look forward to the day when we do not have to be disabused of the notions I have described because they will have long since left our history books.

3.19 pm

**Cat Smith** (Lancaster and Fleetwood) (Lab): It is a pleasure to serve under your chairship, Ms Buck, and I congratulate the hon. Member for Lanark and Hamilton East (Angela Crawley) on securing this important debate.

I want to mention some of the speeches that have been made. My hon. Friend the Member for Streatham (Mr Umunna) made some important points about the glass ceiling that black and minority ethnic people face. He raised issues about higher education institutions and the lack of diversity among professors, and that is incredibly important. The Government should take action and call on all the universities that take public funding to address the issue as a priority. I join my hon. Friend in congratulating Greg Clarke and the Football League on their excellent work to try to increase diversity in the league. They set a great example to encourage premier league clubs to follow suit.

My hon. Friend the Member for Edmonton (Kate Osamor) made a lovely speech and raised the important issue of slavery, a shameful chapter in Britain’s history, in which the port of Lancaster in my constituency played a significant role. I try to be very aware of that in the work I do. I hope that future chapters in the book of the history of Britain will make amends for the role that we played in the international slave trade.

My right hon. Friend the Member for Tottenham (Mr Lammy) has long been a campaigner for race equality, following in the footsteps of his predecessor, Bernie Grant, who was a pioneer at a time when black people did not have it easy. He led the way and was a shining example to everyone. I hope he is an inspiration to many young people today, who can look to figures like him and the hon. Members present in the Chamber to show that no door should be closed to them. I thank my right hon. Friend for reminding us of the role that Commonwealth countries played in the first world war, and of the fact that it is 50 years since the Race Relations Act 1965 was passed. My goodness, we still have a long way to go.

I also thank the hon. Member for Glasgow North East (Anne McLaughlin) for the lovely compliment she paid me as she looked at me when asking whether



anyone would remember “Record Breakers”. I must look younger than I am, because it finished airing in 2001, so I do remember it, and I enjoyed it very much. I am not that young.

It is often said that history is written by the victors. I certainly heard a lot about that when I was growing up, as my father was an enthusiastic lover of history. History is written by dead white men, because they were the people who had power and who wrote it down. Black History Month therefore offers an opportunity to learn more about history that has not been recorded and that is not talked about in the same way that the dead-white-men history is written about. We rightly celebrate many victories and achievements, but, sadly, the legacy of racism and discrimination remain in too many areas of public life today. The stories of many of those who fought for the advances that have been made have not yet been told properly, so Black History Month is as vital for children in schools as it is for Members of Parliament, to enable us to learn about the communities we represent.

I want to play particular attention today to the contribution that black and ethnic minority communities have made to the labour movement. The Labour party and the wider labour movement can be proud when it comes to fighting racism and discrimination.

3.24 pm

*Sitting suspended for Divisions in the House.*

3.48 pm

*On resuming—*

**Ms Karen Buck (in the Chair):** The debate may continue until 4.25 pm if necessary, but I stress that that is not mandatory.

**Cat Smith:** Labour Members took a leading role in the anti-colonial campaigns in the first half of the 20th century and in the anti-apartheid campaigns more recently. Labour Governments introduced the Race Relations Act 1968, the Race Relations Act 1976 and the Equality Act 2010 to ensure that all our communities receive equal treatment under law.

There are, however, episodes in our history of which we must be sadly less proud, particularly from the first half of the 20th century, when many black and ethnic minority workers were not welcomed into the labour movement in the way that they should have been. I therefore pay tribute to those who stood up for their rights and successfully changed attitudes and transformed the labour movement into the proudly anti-racist movement that we have today, although there is, as Members have mentioned, some work to do in respect of representation among its leadership.

Those who stood up for their rights include the black workers in Cardiff who formed the Coloured Seamen’s Union in 1936 to fight against the operation of the colour bar in Cardiff docks. The Indian Workers’ Association was also formed around that time in Coventry. It fought not only against racism, but for better employment rights and Indian independence.

In Bristol in the 1960s, black communities boycotted bus services owing to the refusal of the Bristol Omnibus Company to employ black or Asian bus crews. The boycott lasted four months and forced the company to back down and overturn its colour bar. In 1972, Pakistani

workers at Crepe Sizes Ltd in Nottingham went on strike over working conditions, redundancies and pay. They were supported by the local community and won union recognition and the reinstatement of workers made redundant.

More well known is the 1976 strike at Grunwick by Asian and West Indian women who walked out owing to poor working conditions and attempts to cut pay. Although the strike was ultimately unsuccessful, it represented one of the first times that a dispute affecting BME workers received the mass support of the trade union movement, with electrical workers, miners, electricians and Post Office workers all backing the strike.

Those episodes represent just a fraction of the contribution that BME workers have made to the labour movement during the 20th century. Those workers not only improved their own lives and those of their communities, but they transformed the labour movement into a more inclusive movement that today has equality at its heart. We owe all of those workers a huge debt of gratitude and we must learn from their example to address the challenges we face. It is shameful that, earlier this month, we learned that black people are three times more likely to have a Taser used against them than white people. It cannot be right that the number of black and Asian workers in low-paid jobs increased by 12.7% between 2011 and 2014 compared with a 1.8% rise for white workers in the same period.

As a society, we need to show solidarity and stand shoulder to shoulder with those fighting injustices today. I look forward to hearing the stories of victories over such forms of discrimination in Black History Months to come.

3.51 pm

**The Parliamentary Under-Secretary of State for Communities and Local Government (Mr Marcus Jones):** It is a pleasure to serve under your chairmanship, Ms Buck. I congratulate the hon. Member for Lanark and Hamilton East (Angela Crawley) on securing this important debate on Black History Month. We have had a very good and passionate debate.

Black History Month is an opportunity for us to celebrate the UK’s African, Caribbean and Asian communities and the enormous contribution they have made to our country. It is right that we should use Black History Month to look at the part that black people have played in shaping history. Too often, it is a part that has been ignored or forgotten. We remember the huge number of people from Africa, the Caribbean and Asia who gave their lives fighting for this country in the first and second world wars. Our commemorations of the centenary of the first world war rightly mark the contribution and sacrifice of thousands of men and women from across the Commonwealth.

We remember the bravery of Walter Tull, a black British footballer who played for Tottenham and Northampton. He was a soldier who died in 1918 in France and the first black officer to lead white British soldiers into battle. We also remember Eugent Clarke from Jamaica, who fought at the battle of the Somme, and Khudadad Khan VC, born in what is now Pakistan, who was the first Indian army recipient of the Victoria Cross. And we remember others who fought together, fell together, and together defended the freedoms that we enjoy today.

[Mr Marcus Jones]

We remember that, after the second world war, people from across the Commonwealth helped to rebuild our country. Many people came here with nothing, but they and their descendants have built successful and prosperous lives here in Britain. Today, we can claim to be a successful multi-ethnic and multi-faith country. In recent years, members of African, Caribbean and Asian communities have made their way to the top in many different areas: in business, in sport, in the arts, in Government, and in the House. I am thinking of people such as my right hon. Friend the Secretary of State for Business, Innovation and Skills and President of the Board of Trade—I had the pleasure of being his Parliamentary Private Secretary in the previous Parliament. I am thinking of the right hon. Member for Tottenham (Mr Lammy), who has taken part in the debate, and the hon. Members for Streatham (Mr Umunna) and for Edmonton (Kate Osamor), who are also in the Chamber.

Despite the strides that we have made in recent years, we know there is a long way to go, as hon. and right hon. Members have said in the debate. The Government want to create a genuine opportunity country, where ethnic origin and background are not allowed to become a barrier to getting to the top. As my right hon. Friend the Prime Minister recently pointed out, opportunity does not mean much if someone is facing discrimination or inequality—for example, when they do not get called for an interview because they have an ethnic-sounding name on their CV.

This December is the 50th anniversary of the Race Relations Act 1965, the historic legislation that opened the way to all subsequent equalities legislation. We can all be proud of the UK's world-class equalities legislation, but we know that, on its own, it is not enough. We must all champion equality and recognise and challenge discrimination.

We have set some ambitious goals to improve opportunity for black and minority ethnic people in our 2020 vision. We aim to get a 20% increase in black and minority ethnic people in employment. We want 20% more black and minority ethnic people going to university, 20% more taking up apprenticeships and up to 20% more entering our police forces and armed services. Those are stretching and challenging targets, but we are determined to do all that we can to meet them.

[NADINE DORRIES *in the Chair*]

The employment rate for black and minority ethnic groups is at a record high of 61.4%. Half a million more people from ethnic minorities are in work in Great Britain than in 2010. That is an increase of around 20% in the past five years, but we must go much further. That is why we have made a commitment to increase BME employment by a further 20% by 2020. That challenge is critical to achieving our full employment objective, ensuring that British business makes the most of the talent and potential that exists in all communities in the UK.

**Anne McLaughlin:** The Minister is talking about the targets to have more people from BME backgrounds employed, but the forthcoming Immigration Bill will make that difficult. If an employer is not sure whether someone is British, it will make it more difficult for anyone who might not look British, sound British, or

have a British-sounding name to get employment and somewhere to live. Does he agree that that will not help him to reach those targets?

**Mr Jones:** I note what the hon. Lady says. Further on in my speech, I will come to the measures that the Government are taking to support people to ensure they get into higher education and have the opportunities to get the skills to get the best jobs in the country. I will come to the points that she makes in a moment.

People from all communities want the police to fight crime while having confidence that their individual needs will be understood and respected. That is fair and effective policing. Police forces that reflect the communities they serve are crucial to cutting crime in a modern diverse society. The police have made real improvements in diversity and there are now more women and black and minority ethnic officers than ever before, but we are clear that forces need to do more. Police and crime commissioners and the College of Policing will play a key role in ensuring improvements in forces. New entry routes to policing are proving attractive, and are increasing the diversity of the police workforce.

Many black and Asian performers have excelled in the arts, but we are continuing to keep the spotlight on the main broadcasters and creative industries—the hon. Member for Streatham mentioned that. The Minister for Culture and the Digital Economy has been championing black and ethnic minority representation in the media. All the major broadcasters, along with the Arts Council and the British Film Institute, have launched projects to promote diversity in the past 18 months.

**Angela Crawley:** Does the Minister agree that the media have a responsibility to portray black and minority ethnic members of the community effectively and responsibly? That is all too often not the case.

**Mr Jones:** I agree with the hon. Lady's sentiment.

Moving on to the questions that hon. Members asked, the hon. Member for Lanark and Hamilton East mentioned apprenticeships. As I said earlier, the Government have ambitious plans to increase the number of apprenticeships available to black and minority ethnic people by 20% by the end of this Parliament. I can tell the hon. Member for Streatham that the Department for Business, Innovation and Skills has a high-level action plan for how to increase the number of apprentices from BAME backgrounds. I am sure that the Department will work hard during this Parliament to fulfil the Prime Minister's obligation. The hon. Gentleman also quite rightly mentioned stop and search, and the Home Secretary has been absolutely clear that no one should be stopped on the basis of their race or ethnicity alone. The Government have therefore revised the Police and Criminal Evidence Act 1984 regulations to prevent unnecessary stop-and-search procedures.

The hon. Gentleman also rightly discussed football coaching and management, an area where black and ethnic minority people have been under-represented, unlike among the players themselves. He mentioned Greg Clarke, not my esteemed right hon. Friend the Secretary of State for Communities and Local Government, but the chairman of the Football League. I welcome its work on this important issue and hope that that will spur the Football Association on to greater work. My right

hon. Friend the Chancellor set out in December 2014 plans to invest £2 million a year for the next five years in football coaching and grassroots development. To be fair to the FA, it is matching that funding and setting up bursary schemes to fund qualifications with specific targets for female coaches and coaches from the black and ethnic minority community. I hope that the hon. Gentleman will be pleased to hear that.

**Mr Umunna:** I agree with the Minister about what the Football League is doing, but the league that everyone knows and talks about the most, the premier league, is where we ultimately have to ensure that we see action. Chris Hughton, as the manager of Newcastle United, was I think the last black manager in the premier league, but since then there has been none.

**Mr Jones:** I completely agree with the hon. Gentleman. The premier league is the biggest and most recognisable league in the world. I accept what he said about the Football League and the lead that it has taken. I am sure that the FA will be listening to what has been said in this debate about what the Football League has done and I hope that it will look intently at the lead that it has taken.

Several Members, including the hon. Member for Lancaster and Fleetwood (Cat Smith), the Opposition spokeswoman, mentioned higher education. The Department for Business, Innovation and Skills has been successful in supporting participation in higher education by young people from ethnic minorities, with entry rates for English 18-year-old state pupils rising in every ethnic minority group. That said, far more still needs to be done, but we aim to continue that improvement as part of our 2020 vision. Universities plan to spend over £745 million on measures to improve access and success for students from disadvantaged backgrounds, and we sincerely hope that many young people from ethnic minority groups will gain entry to university as a result.

In response to the contribution from the hon. Member for Edmonton, I reassure her that the Government absolutely deplore the human suffering caused by slavery. There can be no doubt that the chapters relating to the slave trade are among the most dishonourable and abhorrent in the history of humanity. We regret and condemn the historical slave trade and slavery. They were shameful events that rightly belong in the past. I completely understand the hon. Lady's points. We can certainly agree that the horror of the slave trade should never be forgotten. She will probably know that the Prime Minister learned from the past before looking to the future when we introduced the Modern Slavery Bill in the previous Parliament, in particular to try to prevent people trafficking today. The Prime Minister cares deeply about the subject and has transformed my party's representation on our Benches in terms of not only gender but ethnicity. We should celebrate that and his 2020 pledges.

The right hon. Member for Tottenham commented on council leadership. It is quite rightly down to political

parties to do more to ensure that more local authority leaders are from black and minority ethnic communities.

In her contribution, the hon. Member for Glasgow North East (Anne McLaughlin), the SNP spokeswoman, alluded to the fact that I am old enough to remember "Record Breakers". I certainly am, but I am old enough to remember the Roy Castle and Norris McWhirter version—

**Anne McLaughlin:** Who?

**Mr Jones:** I am sure the hon. Lady knows exactly who they were! They were great people who are unfortunately no longer with us. The hon. Member for Lancaster and Fleetwood mentioned the 2001 version of "Record Breakers", and Kriss Akabusi and Linford Christie, the Great British black Olympians, were actually presenters during its last few series. I remember watching it many years ago, and I think I remember seeing several episodes in which they made a fantastic contribution.

Moving back to football, the hon. Member for Glasgow North East mentioned Andrew Watson, whose story contains valuable lessons. I am glad to say that I am not old enough to remember when Scotland used to beat England by five or six goals to one on a regular basis. As a proud England supporter, I hope that that does not happen during my lifetime. The hon. Lady was also among several Members who referred to Mary Seacole, and I join them in paying tribute to her. My Department now shares lodgings with the Home Office and the three wings of the building are named after three great figures from British history: Robert Peel, the former Home Secretary; Elizabeth Fry, the great prison reformer; and Mary Seacole. So my colleagues and I are reminded of Mary Seacole every day when we go into the Department for Communities and Local Government.

I again thank the hon. Member for Lanark and Hamilton East for securing this important debate on Black History Month. I am delighted that it has given Members an opportunity to celebrate the achievements of Britain's black communities. I take on board the comment that it would be good to have this debate in the main Chamber. That is obviously a job for Mr Speaker and his office, or for the Government at the time, but I would certainly welcome the opportunity to respond to a debate on the Floor of the House, if that were to happen.

We should celebrate the contribution of Britain's black communities and remember the part that they have played in building what is becoming a successful multi-ethnic society. I pay tribute to the contribution and sacrifice of so many African, Caribbean and Indian people in the two world wars. As a Government, we reiterate our commitment to bringing an end to discrimination and to building a society in which there is real opportunity for all.

*Question put and agreed to.*

*Resolved,*

That this House has considered Black History Month.

4.10 pm

*Sitting suspended.*



## Accessible Toilet Availability

4.25 pm

**Toby Perkins** (Chesterfield) (Lab): I beg to move,

That this House has considered accessible toilet availability for disabled adults and children.

It is a pleasure to serve under your chairmanship, Ms Dorries, and to have the opportunity to discuss the thorny issue of accessible toilets for disabled or incontinent adults and older children in general, as well as the Changing Places campaign in particular. I will take this opportunity to explain a little about what that campaign is all about and reflect on why it is needed, as well as on the tremendous, world-leading success we have already in Britain. I will discuss how it fits into a broader strategy on accessible tourism and its untapped economic potential, and then make a specific request for the Government to consider.

I was grateful to learn that today's debate would be a good while after people had eaten their lunch. This is not the most edifying of subjects, but perhaps it is appropriate that we should all feel a little uncomfortable while considering the daily indignities that incontinent adults and children, and their parents and carers, are forced to suffer.

I pay particular tribute to Jane Carver and Gillian Scotford, campaigners from my constituency who are doing tremendous work to raise the profile of accessible tourism and of Changing Places toilets. I will discuss that in more detail later. I also acknowledge the work of Mencap in campaigning for an increase in the number of Changing Places toilets, and the work of the British Toilet Association and the wider Changing Places consortium, which includes the Centre for the Accessible Environment and PAMIS—the Profound and Multiple Impairment Service.

This agenda is important not just because of human dignity but because of the huge strain that is put on the families of disabled older children and young adults. We should all be aware of the many challenges they face. Parents of disabled children are more likely to separate or divorce than the average. They live in an era when the support that was once there for families through embattled social services departments has shrunk, and respite care is scarce. On top of all those challenges, the parents of disabled or incontinent children face the additional weekly strain on the rest of their families of having a child who demands more attention than other children, with all the pressure that will bring.

Families with incontinent children have to organise all family outings around being able to have access to a toilet every two hours or so. It is impossible to overestimate the extent to which consideration of access to toilets is a dominant factor for someone with an incontinent child or adult in their family unit. Before every outing, those families have to consider how long they will be able to go until they need to change their loved one, and what the facilities will be like when they are out. Barely a single family affected will have avoided the experience of changing an adult or large child on a dirty toilet floor. Having to lie on a toilet floor as an adult or large child, being changed like a baby, is unimaginable for most of us, yet that is what life was routinely like for those families before Changing Places toilets.

**Jim Shannon** (Strangford) (DUP): This is a delicate but important issue. Although we are in a time of financial restraint—we are all aware of that, across the whole of the United Kingdom—does the hon. Gentleman agree that it is important that people with physical disabilities are not disadvantaged, however that may be, by financial restraints, and that the Government must be committed to delivering services for them across the whole country? It is important that we do not let those services disappear into the ether of financial restraints.

**Toby Perkins**: I agree entirely—that is precisely why I wanted to have the debate. We can and will have broader discussions in the House and in the other place about the extent to which the Government fulfil the test the hon. Gentleman has set. In that regard, delivering those services is vital. I intend to make the case today that not only do we have a moral obligation to get this right, but there are arguments that doing so is in Britain's economic interests.

Before there were Changing Places toilets, families were routinely forced to face the circumstances that I described, and, to expand on the point I was just making, child health experts have also spoken about the impact of inadequate toileting provision, with children or adults presenting with infections, skin disorders and mental health problems linked to urinal and faecal incontinence. We should be in no doubt that there is a significant cost to the Government, through increased healthcare costs, in continuing to fail these people and their families.

Changing Places criteria mean that toilet buildings are designed to have more room for equipment for people with multiple disabilities or people who need help to use the toilet. Each Changing Places toilet has a height-adjustable, adult-sized changing bench and a ceiling hoist and has enough space for a disabled person and two carers. Each is a safe and clean environment that includes a large bin and a non-slip floor. Changing Places toilets are utilised by and would make a difference to around 250,000 people in the UK. However, if we consider the impact that the lack of those facilities has on their family members, around 1 million people are affected.

**Nic Dakin** (Scunthorpe) (Lab): I congratulate my hon. Friend on securing this important short debate, which focuses on this key issue. I join him in congratulating those campaigners, such as Lorna Fillingham in my constituency, for the work that they have done to support the Changing Places campaign, which is so important.

**Toby Perkins**: My hon. Friend is absolutely right to give credit to those organisations and individuals, many of whom have fought very bravely for that. The Changing Places consortium, which I mentioned, involving PAMIS and a number of organisations coming together to work collectively, has made a really powerful case, which is why we have seen the progress that we have.

**Carol Monaghan** (Glasgow North West) (SNP): I thank the hon. Gentleman for allowing this intervention, and I congratulate him on securing this debate, but I would like to take this opportunity to share some sad news. Loretto Lambe, the founder of PAMIS, sadly passed away at the weekend, following a long illness.

The disabled community will know of Loretto's passionate and tireless campaigning for disability rights. Although Loretto officially retired last summer, it is to her great credit that she continued her work right up to the end of her life. I am sure the House will join me in paying tribute to Loretto's work and in passing on our condolences to Loretto's husband, James, and her family.

**Toby Perkins:** I am very glad that the hon. Lady was able to pay that tribute. She is absolutely right to say that the contribution that Loretto made is gratefully reflected on by people right across the country, and we all mourn her passing.

Let me remind the House of the number of people affected: there are 250,000 such people in the UK, and if we take into account their family members, too, that number rises to 1 million people. There also around 900,000 children—most of whom would not be included in the original figures—who are diagnosed as having continence problems, many of whom would not be considered disabled, but none the less require appropriate space for changing. What those numbers tell us, apart from simply the scale of the problem and the health-related cost implications, is the huge potential tourism market available to venues that are accessible to disabled people—not to mention the moral obligation that we have as a civilised society to disabled people and their families. The case for having Changing Places toilet provision as widely available as possible is utterly compelling.

Before I go on to talk about what more can be done to further the case for Changing Places toilet provision, it is worth reflecting for a moment on the successes that campaigners have already achieved in Britain.

**Dr Philippa Whitford** (Central Ayrshire) (SNP): I briefly mention that even ordinary toilets are under threat within local government areas. With an ageing population and more people with stomas and other problems of urinary or faecal support, I think the numbers that would be affected by high-quality toilets are even greater.

**Toby Perkins:** The hon. Lady makes an incredibly important point. The impact of local authority budget cuts on this and a huge number of other areas is something we return to time and again within the political arena. I thank her for making that point.

As I was saying, it is worth reflecting for a moment on the successes. Britain leads the world in provision of this sort; in no other country is the scale of provision of this kind of facility as advanced as it is here. The Prime Minister spoke today of the pride that we should feel in what we do for disabled people in this country. Although in some areas, that is questionable, huge strides have been made in our country, with legislative victories such as the Disability Discrimination Act 1995 and subsequently the Equality Act 2010. The progress on Changing Places means that we can justifiably argue that Britain is the leading disability-friendly holiday destination in the world.

We now have 770 Changing Places toilets in Britain, including 18 in Derbyshire. I would like to take a moment to highlight the work of Accessible Derbyshire, a ground-breaking charity with a mission to make Derbyshire the most disability-friendly county in Britain. It works with local tourist hotspots to advise them on

what more they can do to make their offer more accessible and it promotes those organisations on its website, which means that any families with disabled people can learn more about what Derbyshire has to offer.

In Derbyshire, we are of course spoilt for great tourist destinations, from the world-famous Crooked Spire church in Chesterfield—where, among other things, I was married—to Chatsworth house, which is one of the most visited tourist destinations outside London. We have other great country houses like Hardwick hall and Bolsover castle, and, of course, the majesty of the Peak district on our doorsteps. However, even a county not so naturally blessed as we are in Derbyshire must be able to see the huge potential that exists.

The more arithmetically talented Members will have observed that with 770 different Changing Places toilets, there is an average of just over one toilet per parliamentary constituency. I am proud to say that in Chesterfield we have four Changing Places toilets—at the Queen's Park sports centre, the Chesterfield Royal hospital, the new Chesterfield market hall and the Proact stadium, home to Chesterfield FC. Chesterfield football club may not currently be topping the league one table, but they are one of just six football clubs—alongside Arsenal, Liverpool, Brighton and Hove Albion, Tranmere Rovers and Preston North End—to have Changing Places toilets at their grounds, and Chesterfield's community hub is an exemplar in catering for disabled football fans. There is positive progress, therefore, but just imagine for a moment that I was standing here saying that there was only one public toilet in a constituency. There would be an outcry, yet practically, for some of our citizens, that is precisely the case.

I come to what can be done. In part M of the Building Regulations 2010, section 5.6 states:

"In large building developments, separate facilities for baby changing and an enlarged unisex toilet incorporating an adult changing table are desirable."

I would like to see Changing Places toilet provision move to being mandatory in all new large public buildings, rather than desirable as it is today. The cost of a Changing Places toilet is on average around £12,000 to £15,000, and it seems to me incongruous that in an era when we have the Equality Act, which is designed to ensure that disabled people are able to live in a fair and equal society, we can tolerate a situation where 1 million people have their choices so restricted by access to something as basic as toileting.

I would also like the Government, through the Minister's Department, to make available grant funding to support new and existing building developers to install Changing Places toilets. It would not necessarily need to cover all the cost, but I feel that any support would enable more installations to happen. For example, a grant fund that provided perhaps up to half the cost of Changing Places provision, up to a maximum of a £10,000 grant, would make a real difference to the number of Changing Places toilets available. I also commend the work that the Government are doing with the Changing Places consortium on a new website, which I believe will be launched on World Toilet Day—who knew?—on 19 November. It will provide a detailed map highlighting all the Changing Places toilets currently available.

May I ask the Minister to confirm whether there are any plans to consider amending the building regulations to make Changing Places toilets mandatory in large public buildings? Will he investigate setting up a fund to

[Toby Perkins]

support part of the cost of Changing Places toilets for developers and local authorities who include them in their design? Will he also advise what current sources of funding might be available to organisations that are considering making Changing Places toilets available in their premises?

Will the Minister say more about what the Government are doing to promote the importance of Changing Places toilets and make awareness of them more easy to access for families planning their trips? Finally, will he say a bit more about the steps that his Department are taking to market Britain as an accessible tourist destination? What opportunities does he envisage could be created to promote more effectively the steps that Britain takes to make our tourist destinations accessible to disabled visitors?

In closing, I should say that, to me, this is one of the really important civil rights issues of our time. It may be an unfashionable cause, but it is about justice and equality of access—a principle that I hope all of us would recognise. If there were five Changing Places toilets in every constituency, there would be reasonable access to appropriate toilet facilities for these families wherever they were. That should be our target in the coming years, and the measures I have outlined would help us to achieve that. One day, the misery that this issue has brought to families of disabled adults and children will be at an end. Why not let that time be now?

4.39 pm

**The Parliamentary Under-Secretary of State for Communities and Local Government (Mr Marcus Jones):** It is a pleasure to serve under your chairmanship for the second time this afternoon, Ms Dorries. I thank the hon. Member for Chesterfield (Toby Perkins) for bringing forward this important issue for debate. It is a matter that Members of both Houses have taken a keen interest in over the years. I will endeavour to answer the hon. Gentleman's questions.

It is important to recognise that there is no dispute about the importance of accessible toilets for disabled people. Most of us take the availability of toilets for granted. Part M of the Building Regulations 2010 sets out a minimum standard for accessible toilets in most public buildings, which helps to ensure that a wide range of needs is met. However, for adults and children whose needs are not met by the standard toilet provision, and for their families and carers, we recognise that the availability of facilities such as Changing Places toilets is central to planning any activity that takes place outside the home.

We can all agree that having more Changing Places facilities is a good thing, which is why my Department has worked with partners including the Changing Places campaign, PAMIS, Mencap and the British Toilet Association to improve the provision of Changing Places toilets, and we intend to continue. I pay tribute to Loretto Lambe of PAMIS. I send my condolences, on behalf of the Government, to her family and friends at this difficult time.

There has been a lot of success. The number of Changing Places toilets in the UK has increased from about 140 to more than 750—I think it is now 770—since my Department became involved in 2007, and more facilities are planned in new locations.

**Alex Chalk (Cheltenham) (Con):** Does the Minister agree that proper access to toilets for disabled people is not just a moral imperative, for the reasons we have heard? It also makes sense because it encourages more people to come into town centres, such as Cheltenham. That, in turn, is good for business.

**Mr Jones:** I agree. Cheltenham is a fantastic place; if disabled adults and people with disabled children are able to visit places across the country such as Cheltenham and Chesterfield, we will have a better society and more prosperous town centres.

Our success has been driven by local campaigners, with the broader support and backing of national organisations. Campaigners, including the constituents of the hon. Member for Chesterfield, who made this debate possible, deserve great credit for their dedication and success in ensuring that the number of Changing Places toilets continues to rise. I would like to take the opportunity to recognise the great work that those campaigners have undertaken in their local communities.

Alongside the work of campaigning groups, the Government have been active in considering what we can do to help. Before I come to the issue of Changing Places toilets and building regulations, I will explain what has already been done to support and increase the number of Changing Places toilets. For some years, the Department has hosted the Changing Places Charter Group, which brings together campaigning and business interests. It meets periodically to discuss how voluntary provision of Changing Places facilities can be improved, and it has had some notable successes. It has helped to identify problems that need to be resolved to improve provision, and it has worked to address those issues over time.

The group found that, although building more Changing Places facilities is important, it is only one aspect to be considered in ensuring that Changing Places toilets genuinely improve choice for disabled people and their carers. Changing Places toilets need to be located in the right place, and they need to be easy to find and access. This is a strategic planning issue that requires careful consideration to make the facilities effective. Building a Changing Places toilet in the wrong location is a missed opportunity. Changing Places toilets need to be well maintained, and building owners must ensure they remain open for use. There is no point in forcing a developer to build a Changing Places toilet if it is then locked or used for another purpose. The key is to ensure that building owners are willing hosts who recognise and embrace the importance of Changing Places toilets, and proactively support and promote their use.

**Carol Monaghan:** The Minister is talking about building Changing Places toilets in the correct locations, but one of the issues for my constituents and many disabled people who make long journeys by road is the lack of Changing Places toilets at motorway service stations. Does the Minister agree that those are sadly deficient at the moment?

**Mr Jones:** Over the years, motorway service stations have become an extremely important part of people's ability to travel—particularly people who need to use facilities when they are travelling. I agree that we should do whatever we can to encourage the development of



Changing Places toilets that are suitable for the people we have been talking about when service stations are built.

In addition to ensuring that Changing Places toilets are built, it is important that disabled people and carers know where their nearest Changing Places toilet is, when it is open, how to access it and what equipment is installed at each location. I am pleased to say that earlier this year, as the hon. Member for Chesterfield said, my Department gave a grant to Mencap, which, working with the Changing Places campaign and the British Toilet Association, has developed a web application that will transform the way in which people are able to find and use Changing Places toilets. That work was funded by the devolved Administrations, and it should be launched shortly.

The website will enable disabled people and their carers to find the nearest Changing Places toilet anywhere in the United Kingdom at the touch of a button. They will be able to navigate to the location using GPS, which has been precisely located; see photos of the outside and entrance, which will make the toilet easy to find; and find opening times and access arrangements. They will also be able to see photos from the inside and obtain all of the necessary details to be confident that the facility will be suited to their individual needs. It is important that people and their carers are not embarrassed when they go to a Changing Places toilet, as the toilets need to satisfy the needs of the people who use them.

The website will also provide a journey planner that will enable people instantly to find the location of every Changing Places facility along their proposed route. In addition, having an accurate map of every Changing Places toilet in the UK will enable Mencap and its partner organisations to identify geographical gaps in provision. Those areas can then be targeted to identify how Changing Places toilets can be provided. We believe that that will have a transformational effect on the lives of disabled people who rely on Changing Places toilets, and their carers. It will help to maximise the benefit of each Changing Places facility that is built.

As I said, it is important that more Changing Places toilets are built and successfully operated over time. The key issue, which brings me to the hon. Gentleman's question, is how that can be best brought about. The guidance in "Approved Document M", on accessibility and facilities in buildings, which supports the requirement in part M of the Building Regulations 2010, was amended in 2013 to include a reference to Changing Places toilets; it provides links to information on their installation and use developed by the Changing Places campaign. That important endorsement not only signalled the importance of such facilities but gave building owners and operators confidence that Changing Places toilets can be successfully integrated into their properties. However, that change in guidance does not mean that building regulations require that Changing Places toilets be provided. Instead, it indicates that they are desirable in large buildings and complexes.

There are a number of important factors to take into account when considering the use of building regulations in this context. I note that building regulations are a devolved matter and therefore I can speak only for England in this respect. It would be up to the devolved Administrations in Scotland, Wales and Northern Ireland to consider the issue with respect to their own building standards.

Building regulations apply only where building work is taking place. That means that building regulations are not necessarily best suited to ensuring that provision is made in the most important locations. The building regulations are not retrospective. That means that any requirement for Changing Places toilets would apply only in new buildings or to works involving major refurbishment. That means that the number of facilities likely to be provided would be low by comparison with the existing building stock overall.

The building regulations do not apply to all types of buildings. Railway stations, airports and ports are among the most relevant exceptions. More importantly, building regulations do not ensure that Changing Places toilets are retained in use or made available to the public once built. On that basis, it has been the Government's preferred approach to see voluntary provision coming forward, rather than introducing specific regulatory requirements. A partnering approach helps to ensure that Changing Places toilets are in the right place, are maintained to the right standard and continue to be available for use once built.

**Toby Perkins:** I want to press the Minister slightly on this point. We are talking about large public buildings, such as leisure centres and concert venues. We are talking about places that by definition will generally be accessible and in relevant places because the providers of those places want people to be able to get to them. I think that just a bit of a push would make a real difference to the number of these facilities that are built. It is really worth the Government's considering that.

**Mr Jones:** I thank the hon. Gentleman for putting that point. That brings me nicely on to saying that we will certainly keep an open mind about whether there is a role for building regulations. I am pleased to tell him that the Department for Communities and Local Government has already commissioned research into how well part M of the building regulations is working. That includes specific reference to consideration of the need for Changing Places toilets. We will consider the results of that research in deciding whether a review of the current guidance in relation to part M is necessary. As the hon. Gentleman can tell from that, we take this issue extremely seriously.

Let me pick up on a couple of the hon. Gentleman's other points. I completely agree with him about tourism. I mentioned that town centres would be beneficiaries if we had more Changing Places toilets available. Certainly many tourist attractions could benefit. It is great that his county of Derbyshire has a lot of Changing Places toilets compared with elsewhere in the country. That is good because much of Derbyshire is not that accessible as a result of the terrain. It is quite a hilly place, particularly up in the Derbyshire dales and so on. It is great to see the people of Derbyshire taking this issue so seriously.

On the fund that the hon. Gentleman mentioned with regard to encouraging developers, that perhaps would be an issue for after the spending review, when we will know the position that the Department is in on future spending. However, he can be assured that the Government take Changing Places toilets extremely seriously. I have listened intently to this debate and I can see so many

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hon. Members here who are concerned about the issue. It is certainly something that we will consider in the review of part M of the building regulations.

*Question put and agreed to.*

## Secondary Breast Cancer

4.54 pm

**Craig Tracey** (North Warwickshire) (Con): I beg to move,

That this House has considered secondary breast cancer.

It is a pleasure to serve under your chairmanship, Ms Dorries, in the first Westminster Hall debate that I have secured. As a co-chair of the all-party group on breast cancer, I am delighted to be able to raise the extremely important issue of secondary breast cancer. I thank all the people and organisations that have provided me with valuable information for today's debate, not least Breast Cancer Care and Breast Cancer Now, both of which provide vital support to the all-party group. I particularly welcome the volunteers from those charities who are in the Public Gallery, representing the approximately 36,000 people living with secondary breast cancer in the UK today.

Last Tuesday was Secondary Breast Cancer Awareness Day. It underlines the importance of the issue that, at an event held in Parliament, nearly 90 MPs from both sides of the House turned up to support. Cancer is a disease that will sadly affect us all in one way or another during our lifetime, but the subject of today's debate, secondary breast cancer, is often overlooked. Before making progress, I apologise to everyone for the number of acronyms that I will use, but given the number of hon. Members who want to speak, if I used the full names each time, we would never get through everyone.

Secondary breast cancer, also known as metastatic, advanced or stage 4 breast cancer, is where breast cancer cells have spread from the breast to other parts of the body—most commonly to the bones, lungs, liver and brain. It is incurable, but treatable. On average, people live with the disease for two or three years after diagnosis. However, that can vary considerably from person to person, with some living only months after diagnosis and others living many years longer. Unfortunately, research has shown that many secondary breast cancer patients receive inadequate care. All too often, it is much poorer than that which they received following their primary diagnosis. They do not always have access to palliative care, specialist nursing or the treatments that could extend their lives. Much of the current discussion and debate on cancer focuses on promoting early diagnosis and improving survival outcomes. That is extremely important and should be at the forefront of any cancer strategy. However, it is vital that it does not mean that people living with incurable secondary breast cancer are forgotten about. For them, efforts to improve early diagnosis rates will have no effect.

However, there are many things we can do, and for the purposes of today, I would like to focus on five key areas. First, one of the key issues underpinning many of the problems in care is the lack of data about the disease. At present, we have no idea how many people are being diagnosed with secondary breast cancer or how the disease progressively affects life over time. It is surprising that we still do not have an accurate figure for the number of people living with secondary breast cancer. Without that number, it is extremely difficult for the NHS to plan and commission services effectively to meet the needs of patients.

**Andrew Stephenson (Pendle) (Con):** I congratulate my hon. Friend on securing this important debate. He is making a powerful case—a case that has also been made to me by my constituent Jade Braithwaite from Colne, whose mother sadly lost her life to secondary breast cancer. Given that it is already mandatory for hospitals to collect the data on secondary breast cancer, does he agree that it is absolutely shocking how few data we currently have?

**Craig Tracey:** I thank my hon. Friend for that intervention. I am coming on to that point now—well anticipated! As I said, it is surprising that we do not have accurate figures and it is therefore difficult to plan and commission effectively. That is acutely demonstrated in the lack of specialist nurses and poor access to palliative care, which both Breast Cancer Care and the secondary breast cancer taskforce first raised in 2008.

In 2010, Breast Cancer Care, along with other breast cancer charities and the APPG, met the Prime Minister to discuss the issue. He agreed that data collection was necessary and committed to achieving that. As a result, in the 2011 cancer strategy, “Improving Outcomes”, there was a commitment to collecting data for the first time. It stated:

“During 2011/12 we will pilot the collection of data on recurrence/metastasis on patients with breast cancer with the aim of undertaking full collection from April 2012.”

The pilot was run by the National Cancer Intelligence Network, the NCIN, in collaboration with Breast Cancer Care, and it involved 15 breast cancer units across England. The pilot report published in March 2012 identified 598 patients with recurrent or metastatic breast cancer. Of those, only 53% were recorded as having been referred to a clinical nurse specialist, palliative care nurse or specialist keyworker at the time of diagnosis. The pilot recommended that all breast cancer units in England submit data on patients with recurrent and metastatic breast cancer using the existing data collection mechanisms, and in January 2013 that was made mandatory in all new diagnoses recorded in England. Unfortunately, the data have yet to be published, and I understand that hospitals are not collecting them consistently. Indeed, a report was due to be published by the NCIN on the topic earlier this year but, disappointingly, it has been repeatedly delayed.

An investigation with health professionals by Breast Cancer Care into why data are not being collected consistently revealed that many of the barriers lie in the practicalities. Time constraints mean that there is often not enough time to input data manually, because patients’ needs, rightly, come first. Structural constraints were cited. Many of the data are expected to be collected through discussion at the multidisciplinary team meeting, but healthcare professionals tell us that most secondary patients are not discussed at MDT level. I welcome the recommendation in the new cancer strategy to review the role and function of the MDT in relation to secondary cancers. IT constraints cause further problems, because online record forms are not set up to collect the data in the cancer outcomes and services dataset, and there is a lack of access to online systems in some hospitals, especially in tertiary centres outside main hospital sites. Finally, there is a lack of awareness about what data are required and confusion about who is responsible for inputting various data items.

Leadership is required to help to drive robust data collection in all hospitals, and we want the Minister, who has responsibility for public health, to make that a priority and lead the way in ensuring that data are collected in every hospital. The new cancer strategy, “Achieving world-class cancer outcomes”, which was published earlier this year, includes a recommendation that data should be collected on all secondary cancer patients. We urgently need the implementation of the plan for how that will happen. In theory, as I have said, breast cancer data should be submitted through the COSD, which replaced the previous national cancer dataset in January 2013 as the new national standard for reporting cancer data in the NHS in England. It has the potential to provide a much broader overview of the treatment, care and outcomes of secondary breast cancer patients. Unless that happens consistently across England, however, we will not see the data that we need to improve care.

**Julian Knight (Solihull) (Con):** I congratulate my hon. Friend on securing the debate and on the powerful case that he is forensically making. He knows as well as I do that, in our area of the west midlands, we were hit by the Ian Paterson scandal at Spire Parkway hospital. Does he believe that a greater ability to collect and collate statistics would have gone some way to alleviating that problem, because it could have been spotted earlier?

**Craig Tracey:** I agree completely. The lack of data is astounding, and they would help in so many different areas of treatment.

My second objective is access to specialist palliative care. For those living with a diagnosis of secondary breast cancer, such care can make all the difference in enhancing their quality of life, but for too many, support is not available. In many cases when support becomes available, it is too little, too late. Research for Secondary Breast Cancer Awareness Day in 2014 showed that 90% of people living with secondary breast cancer experience regular pain, and 78% find that it affects their ability to undertake everyday activities. For those reasons, palliative care is an absolute essential for secondary breast cancer. Hospices and community-based services can provide symptom management and pain control so that no one has to live with secondary pain. Furthermore, emotional support for both patient and family can help people come to terms with having an incurable disease, as well as ensuring that decisions are taken and adhered to about their choices at the end of life. Palliative care should come at the point of diagnosis, or at a timely point such as when a patient becomes symptomatic. It should provide both symptom control to help them live as well as they can for as long as possible, and emotional support to help them to cope with having an incurable disease and to make informed choices about the end of life.

The third area that I would like to mention is specialist nursing care. We know from the cancer patient experience survey that having a clinical nurse specialist as part of someone’s care is the biggest driver in improving patient experience. The National Institute for Health and Care Excellence quality standard states that everyone with secondary breast cancer should have access to a CNS. A CNS can help to co-ordinate care, provide emotional support and guide a patient through treatment and



[Craig Tracey]

beyond. However, we know that it is far less common for someone with secondary breast cancer to have a CNS than for someone who has primary breast cancer, mainly because only a handful of CNSs have specific experience of and expertise in secondary breast cancer. A 2010 study found that there were only 19 dedicated secondary breast cancer nurse post-holders across the UK—the current estimate is 25—as opposed to 600 conventional breast cancer care nurse posts. That number must be increased, given that we estimate that there are 36,000 people living with secondary breast cancer—that figure is likely to grow as the population ages and treatments improve.

We need to commit to training more secondary breast cancer CNSs. Anecdotal evidence from existing nurses and from patients who receive care from a CNS suggest that that measure could save money in the long term by keeping patients out of hospital and highlighting problems before they become crises in A&E. We would also expect someone who has a CNS to be more likely than someone who does not to be referred to palliative care when they need it.

My fourth point is about access to drugs and treatments. The cancer drugs fund, which was introduced in 2011, has been an important initiative to improve access to clinically effective drugs that have been deemed by NICE not to be cost-effective enough to be provided routinely on the NHS. Government figures show that, to date, 72,000 people have received life-extending cancer drugs as a result of the CDF. However, it was recently announced that two secondary breast cancer drugs would be removed from the list with effect from November this year. Although NHS England has stressed that any patient who is on a drug when it is de-listed will continue to receive it until it is no longer clinically effective, the change creates anxiety for people living with secondary breast cancer. Cancer charities hear from a lot of people who are concerned that their options for treatment in the future, when their current treatment is no longer effective, are being reduced.

I understand that new cancer drugs can be extremely expensive and it is important to remember that the NHS has finite resources, but there is a clear opportunity to reform the drug appraisal system and bring together pharmaceutical companies with healthcare professionals to ensure that secondary breast cancer patients can access new drugs at a price that is affordable to the NHS. The CDF was only ever meant to be a short-term solution to the problem, and it is vital that we find a long-term solution.

The final key area that I want to see addressed is co-ordinated and joined-up care. The role of a multi-disciplinary team is to bring together all the healthcare professionals involved in a patient's care to help to co-ordinate the support that that patient receives. For many primary breast cancer patients, it works very well, bringing together oncologists, nurses, radiotherapists and other professionals to ensure that the patient's care is joined up and integrated. However, the secondary breast cancer taskforce found that that was simply not the case for secondary breast cancer patients, largely because people living with the disease are under the care of only an oncologist rather than a team of professionals. Because of that gap, opportunities—for example, the opportunity to identify when palliative care would be

most beneficial—are being missed. The cancer strategy includes a recommendation that MDTs consider new pathways for secondary patients. The implementation of that recommendation would go a long way towards joining up care more consistently and ensuring that patients' holistic needs are more likely to be met.

To conclude, I ask the Minister to consider five clear steps: better data collection; greater access to palliative care; more specialist nurses; access to better drugs and treatment; and co-ordinated and joined-up care. To achieve the Government's aim of being the best in Europe for cancer care, we need to ensure that people survive cancer and that those who are living with incurable cancers like Sue, who I met at the event last week, and Dee, who I believe is in the Public Gallery, are getting the care and support they need to ensure that they can live as well as they can for as long as they can.

5.10 pm

**Jim Shannon** (Strangford) (DUP): Thank you for giving me the chance to speak in this debate, Ms Dorries. I congratulate the hon. Member for North Warwickshire (Craig Tracey) on bringing this matter to the House for consideration. This is an opportunity for all of us to participate and throw in our knowledge. We are all fond of the Minister and we know that her replies will be positive because of her knowledge of this subject, which we have discussed on many occasions. I look forward to her response.

This issue is of the utmost importance. I am my party's health spokesperson at Westminster, so I am well aware of these issues back home, which come much too close to many of us and indeed our constituents.

In yesterday's debate on the availability of cancer drugs, we discussed many issues. Today we are specifically discussing breast cancer and the hon. Member for North Warwickshire is right that we should take an interest in it. Almost 80 MPs attended the breast cancer function just over a month ago.

I would like to focus specifically on Northern Ireland. The Minister will know that health is a devolved matter, but I want to give some statistical evidence on how important it is to us in Northern Ireland and how much help we need for it in Northern Ireland and on the mainland. According to the Northern Ireland Executive, breast cancer is the most common form of cancer among Northern Irish women, excluding non-melanoma skin cancer. I am sure that Members will agree that the figures are worrying: some 1,200 women are diagnosed with breast cancer in Northern Ireland each year and one in nine is expected to develop the disease at some stage in their life.

We all know about the high-profile cases in the press every week—Angelina Jolie is one and Kylie Minogue is another. We think of them because they are household names, but, by speaking about their personal circumstances, they have raised the profile of this disease. In some cases, surgical operations have been done before the disease comes. When we hear about that sort of step, we know that we are talking about something most serious.

There have been welcome developments in breast cancer treatment and care in the Province, including free breast cancer screening for 50 to 70-year-olds every three years. That new initiative, announced by my colleague, Simon Hamilton, illustrates the need for specific action on diagnosis, and early diagnosis in particular, as the

hon. Member for North Warwickshire mentioned. We need to step up to the plate and instigate action wherever we can.

Breast cancer screening is an effective way to detect cancer in its early stages. Early detection is essential to increase survival rates. Just yesterday I tabled a question, asking “what steps” the Minister’s Department

“has taken to ensure that people diagnosed with cancer are (a) diagnosed early and (b) treated immediately.”

Early diagnosis and the availability of treatment are important issues. As the hon. Member for North Warwickshire outlined in his speech, there is a period of time in between them, but we need early diagnosis and early treatment—let us have the two of them together.

Complications arise and treatment is made more difficult when the primary cancer spreads to another part of the body. It is the secondary cancer that we are here—

**Nadine Dorries (in the Chair):** Order. More speakers have requested to speak in the debate than we realised at the beginning. Therefore, accounting for the winding-up speeches, the time available has narrowed considerably to just over five minutes each. I have to push you, Mr Shannon. Having now spoken for four and a half minutes, could you begin to wind up so that we can get everyone in? That would be fantastic. Thank you.

**Jim Shannon:** I appreciate that. I spoke to you earlier, Ms Dorries, and looked at the figures. I was not aware that we would be down to five minutes, so let me focus on these points.

It is estimated that over a third of those diagnosed with primary breast cancer will develop a secondary cancer within 10 years of their first diagnosis. Again, early detection is the issue. Advancing new treatments and improving those in existence is of the utmost importance, but we must also publicise and promote research and findings on what can be done to prevent both primary and secondary breast cancer and to reduce the risks of them developing.

I see that the hon. Member for Central Ayrshire (Dr Whitford) from the Scottish National party is here to make a contribution. I know of her interest in this issue from her previous job, so I look forward to hearing what she and her party have been able to do in Scotland. That is important for the debate.

We should also look at partnerships between Governments, universities and the pharmaceutical companies. In the Minister’s response, will she say what steps will be taken to review the NICE criteria? It seems that some new drugs on the market that could be used to reduce deaths from breast cancer are held up by those criteria. Will she look at that?

I do not believe that we can put a price on life and, when it comes to these issues, we cannot make decisions based on anything other than genuine human compassion and empathy. I hope that the debate will raise awareness for those with breast cancer.

The Minister always responds in a positive fashion. We need to look at the availability of drugs, early diagnosis and early provision of medicine and medical help. We also need to raise this issue with the pharmaceutical companies and review the NICE regulations, because, by doing so, I think we will get more drugs available.

5.17 pm

**Michelle Donelan (Chippenham) (Con):** I pay tribute to the Members who have made contributions so far on this important subject, which affects residents in all of our constituencies. Cancer is, as we all know, a harrowing illness for those who suffer from it and for their families and friends. Three million people will be living with cancer in the United Kingdom by the end of the Parliament.

Two of my close friends who helped me get into this place have fallen victim to cancer since the election. For their sake and that of the 550 people in Wiltshire under the age of 75 who die of cancer every year, cancer must remain at the top of the agenda. There must be a long-term strategy for combating this dreadful illness.

Cancer touches everyone’s lives at some point. Most people with cancer want to ensure that they have the best information as fast as possible. Many go trawling through the internet, looking at not just drugs, but other treatments that could help such as diet, exercise and complementary therapies.

Today’s cancer patients know that there are things they can do to improve their chance of survival. They want to increase their knowledge so that they can make personal, well informed decisions and create personal treatment packages around their doctors’ treatments.

No two patients wish for identical forms of care, which is why it is important that the Government have taken steps on personal support. There are now clinician nurse specialists for those with secondary breast cancer, which is a good step in the right direction.

As the Minister will know, Macmillan Cancer Support is calling on the Government to fund an independent review of choices for end-of-life care. I encourage them to look closely at what Macmillan has to say. I know that Ministers are committed to improving the detection and treatment of breast cancer, in particular to avoid the risk of secondary breast cancer developing. I am encouraged that breast cancer survival rates have increased, but there is a lot more to be done.

The only way I can foresee that we can combat secondary breast cancer is by focusing on reducing primary cancer. Survival time post-diagnosis depends on several factors, including the stages of diagnosis, the overall health of the patient and the quality of care they receive.

I have been concerned for a long time that one group of people is often overlooked: the older generation. Cancer is not part of old age, although it is seen by many to be. We need to consider how we reach our elderly through information and support, to give them the confidence to seek medical treatment. Too often, pensioners such as my grandmother are too afraid to go to the doctor because they fear they will end up going into hospital and never coming back, so they leave it until it is simply too late. It does not have to be that way.

One solution to combat that is providing more services at a community level, so that the fear of going to hospital is reduced. I am pleased to say that that has already been piloted in Wiltshire for chemotherapy services with the help of Hope for Tomorrow, a charity that provides mobile chemotherapy units and for which I am a regular fundraiser. That is just one example of how we can go much further in the field.

[Michelle Donelan]

There is work to be done to reduce the health inequality shown by higher rates of mortality in deprived areas. Assessing risky lifestyle behaviours such as smoking and poor diets, combined with active screening and symptom awareness programmes, is vital.

Last weekend, a close family friend of mine lost their battle and died of secondary breast cancer. I learned from first-hand experience that the most important thing we need to do is improve care across the entire cancer journey. We need to start looking at it as a journey and to ensure that a personalised and individual programme is developed, with the family playing a part. It is of the utmost importance that secondary breast cancer patients have access to appropriate services or are referred to specialist palliative care, which can provide more effective pain relief in the management of illnesses, if they so wish.

The cost of cancer will undoubtedly continue to rise during this Parliament. That is why I return to the need for a clear long-term strategy to address this problem. That includes investing in reducing the impact of primary cancers to save money and to save lives in the long run, as well as personal cancer care plans for those living with cancer.

In conclusion, I hope we will do even more to support those living with cancer because this disease touches so many of our lives and affects so many people. I hope the Minister will look closely at Macmillan's proposals to fund an independent review of end-of-life care choices.

5.22 pm

**Dr Lisa Cameron** (East Kilbride, Strathaven and Lesmahagow) (SNP): It is a pleasure to speak under your chairmanship, Ms Dorries. I congratulate the hon. Member for North Warwickshire (Craig Tracey) on securing this extremely important debate. I refer Members to my entry in the Register of Members' Financial Interests, having worked as a clinical psychologist in the NHS for 20 years.

A diagnosis of secondary breast cancer means that the cancer can be treated but not cured. In those cases, the aim of treatment is to control and slow down the spread of the disease, to relieve symptoms and to give the person the best possible quality of life for as long as possible. At present, there are many treatments that can keep the cancer under control, often for many years. However, when it comes to breast cancer, it appears that the focus has overwhelmingly been on primary breast cancer, and there has been a lack of awareness of and attention to secondary breast cancer. This is therefore an extremely important debate, particularly as this month is Breast Cancer Awareness Month.

There appear to be real problems with equity of care across the country. While there are examples of good practice, it appears that quality of care can depend upon location, and that people with secondary breast cancer often receive inadequate care. Access to a clinical nurse specialist from the point of diagnosis onwards has been highlighted as an extremely important development, as has a multidisciplinary team approach to people's care.

I would like to highlight the relevance of continuity of care between hospital and community services, alongside timely information on all aspects of treatment and care

for patients. Access to information, as has been described, about both local and national services is crucial, as well as access to expertise in palliative care for symptom control and ongoing management of troublesome symptoms. It is important that support is provided for the partners, families and children of patients, and I hope the Minister will comment on that in her response. Access to appropriate treatments is also important, as is being made aware of the availability of local clinical trials that may be pertinent.

There has to be a regular assessment of patients' emotional wellbeing and access to an appropriate level of psychological support. That support should be available whenever needed by the patient, particularly at diagnosis, when cancer progresses and at the end of each treatment. I am aware that Breast Cancer Now has highlighted the huge emotional toll for women living with secondary breast cancer in terms of the anxiety and uncertainty of having to go for regular scanning to monitor their condition. In a video on Breast Cancer Now's website, one patient describes her experience of going for scanning every three months and then having to wait two weeks to find out the result. During that period, she describes experiencing "scan anxiety" about the potential outcome. Before getting the results, she mentally prepares herself to expect the worst, so as not to be disappointed. She describes crying due to the emotional stress, even when the news is good, and then going away to live her life for another two months before having to start the cycle again.

I am aware of three important articles in *The Lancet* from 2014 that looked at the prevalence of depression and mental health problems in oncology patients, including those with secondary cancer, the majority of whom were receiving no form of treatment for their mental health difficulties. The recovery from and management of physical conditions is aided by people having good mental health and wellbeing, and that is corroborated by NICE guidance from 2009. There is therefore a need for greater access to psychological therapy provided by the NHS, which has often been inadequate. There should be increased training for clinical nurse specialists in psychological modes of therapy such as cognitive behavioural therapy, so that they can directly assist patients. Greater parity between physical and mental health services is key, alongside greater integration of those services for patients who have a dual diagnosis.

5.26 pm

**Jo Churchill** (Bury St Edmunds) (Con): I thank my right hon. Friend—sorry, my hon. Friend the Member for North Warwickshire (Craig Tracey); I just gave him a promotion—for securing the debate.

I come to this with a slightly different hat on. As I prepared to speak, I tried to decide whether the word "cancer" or "secondary" was the scariest. For me, it is "secondary". I have had cancer a couple of times, and the scan anxiety that the hon. Member for East Kilbride, Strathaven and Lesmahagow (Dr Cameron) talked of is so real, as is the need for joined-up services and clinical nurse specialists. We need to be able to be a person in the pipeline. Owing to the shortness of time, I will not say a lot of what I was going to say, but I will try to concentrate on what it feels like for the person.

We know the statistics. We know that 50,000 women and men—we must remember that there are men with breast cancer too—get breast cancer per year. The good



news for primary breast cancer sufferers is that many of those people are survivors. Victoria Derbyshire is a fine example to us only this morning, in the papers; good luck to her with her battle.

Some of my friends and constituents to whom I have spoken have had secondary or metastatic breast cancer. It sounds hopeless, but it is not. With improved drugs and more targeted and tailored treatment, survival time is longer. Yes, there are 36,000 people living with breast cancer, but it is better quality survival that most of us want. It is about the quality of survival.

I started my journey to becoming an MP by talking in 2010 in one of the rooms in this place about primary cancers and how we had some of the poorest outcomes in Europe. Things are not so much better in 2015. We need to keep our feet to the fire and ensure we push hard on this disease, so that we start to get real progress for primary, and particularly secondary, cancers.

My hon. Friend the Member for Chippenham (Michelle Donelan) mentioned old age but those from various ethnic minorities also have extremely poor outcomes. We must pay heed to that. How can we get better outcomes? The cancer strategy for England calls for improvements from pre-diagnosis to post-treatment. That is vital but we should ensure that patients receive optimum support and interventions so that they can get on with their lives. We need to think about lifestyles and lifetimes, and about which cancer services we need, to enable people to carry on working for as long as they want, so that they feel like people, not like cancer patients. That is the important thing for people living with this disease. We want people to lead healthy, fulfilled and productive lives, whichever stage of the disease they are at. The strategy proposes the development of a national metric of quality of life, underpinned by a robust approach to measurement, which will incentivise the provision of better aftercare interventions.

We want multidisciplinary teams. They really improve outcomes for patients and, when people are diagnosed, they want people other than oncologists. They want to talk to a psychologist as the disease sometimes messes with their heads more than it does with their bodies. That important pipeline is, oh, so needed. There should be robust surveillance systems, as my hon. Friend the Member for North Warwickshire said. It is important that we know what we know, so that we know how to get to the root cause of the problem.

Since 2011, six breast cancer drugs have been available. There was a debate in this place yesterday about the cancer drugs fund. We need sustainable funding to ensure that women and men get the treatment that they need. Treatment should not be a lottery. In my view, this pot is a sticking plaster that has gone a bit curly around the edges. It needs revising and refreshing. There needs to be an efficient way of moving drugs from the cancer drugs fund into positive and routine commissioning. Currently, it is out of date and not fit for purpose.

I welcome the accelerated access review, which reports at the end of the year, and the cancer drugs fund, but I urge the Government to make some speedy decisions because, as 4 November looms, people are sitting on the edge of decision making, not knowing whether they are likely to get treatment or not. Although we have said that women and men who are on their treatment programme will still receive that treatment, it is not so certain for those who are not yet on those drugs.

We could learn a little from the Scottish Medicines Consortium because, on this, it does some things a little better than we are managing to do. It commissions and moves more swiftly. We could also unblock our pipelines. We are potentially disabling innovative medicines. We need to trial innovative drugs that can be used to prolong life and have a conversation with pharmaceutical companies if England does not want to fall behind in the race to make the medicines of the 21st century.

Research is so important, as is this debate on secondary breast cancer because science will unlock the ability to fight the disease. Geneticists on the 1000 Genomes Project have already discovered more than 100 regions of the genome that contain genetic variants. Work goes on in labs, such as the Genesis Genetics research, targeting who is susceptible and why. If we know people are more susceptible, the better they can be treated. Evidence-based is good but it charges industry and researchers with helping to drive things forward.

As a survivor and someone who has held too many women for whom secondary breast cancer has not offered longevity, I dream of a day when immunotherapy, CyberKnife and the work of drugs companies means that this insidious disease is a has-been. We need a lifetime approach, preventive medicine and preventive care. We need to watch our weight, keep healthy and be active, and the drugs that we need when we need them—in hospital or in the community.

5.33 pm

**Dr Philippa Whitford** (Central Ayrshire) (SNP): I commend the hon. Member for North Warwickshire (Craig Tracey) for securing this debate, which marks breast cancer awareness month. Most Members know my interest. I was a breast cancer surgeon for 33 years. The hon. Gentleman said that secondary breast cancer does not gain from the focus that we put on primary breast cancer. I have to disagree with that. In Scotland, we collect the stage at diagnosis and one in five patients still have metastases at the time of diagnosis. That means that we still have a huge job to do to get earlier diagnosis through screening and raising awareness, which is what October is all about. We are limited for time and I will do my best to respond to as many points as possible.

Regarding audit, I chaired the discussions on quality improvement standards for breast cancer in 2001, at which time we discovered that about a quarter of units did not gather any data at all. By 2003, we had managed to change that and we were getting data on the primary treatment of patients. That was against the breast cancer standards that we had set for the entire journey that a patient would go through. In 2007, I was chair for the update of those standards and, at that point, it became a standard that all patients with recurrence or metastases must come back to the multidisciplinary team for discussion. At that point, those data are also gathered. As yet, we do not have a Scottish-wide, absolutely rock-solid way of providing the data. They are being collected through our cancer registry, from SMR01 data and from what we do in-house.

In my unit in Ayrshire, we had a follow-up page for the patient at the end of the data system. Every year when the patient came for the follow-up, a chitty was ticked, sent up to the office and on it went, showing that the patient was alive and well on whatever date they had come. For patients moving to mammographic follow-up,

[Dr Philippa Whitford]

if the mammogram is clear and there are no issues, the procedure is the same. The data on patients with recurrence or metastases must be collected at the multidisciplinary team. That is something that we were doing. We have to look at the systems to make it easy and not burdensome, but that requires that hospitals and trusts have an audit team. Our auditor sits in the multidisciplinary team, where she captures all the treatment of the primary and secondary patients. That is really important.

The hon. Member for North Warwickshire mentioned CNSs. There are different approaches. In our unit, we treat approximately 400 new breast cancers every year, which means that a significant number of patients have recurrent and secondary breast cancer. We talked about whether we should split our teams and have one for secondary breast cancer. We decided against that because we have a breast cancer team, which the patient will have met at the beginning. I felt that meeting the same team—a friendly face or someone the patient knew from three or four years ago—is a benefit.

Many units have surgical cancer nurse specialists, who do not move into chemotherapy or oncology. Obviously, that would not work that way. Our cancer nurse specialists travel the whole journey with the patient, looking after the patient in the surgical part of the journey and in the oncology clinic during chemotherapy. They are also there if the patient is unlucky enough to face recurrence or metastases. I believe that this linear approach—as long as enough nurses are provided for that support—gives the advantage of continuity.

My hon. Friend the Member for East Kilbride, Strathaven and Lesmahagow (Dr Cameron) mentioned looking at the wellbeing of patients. In Scotland, we use something called the distress thermometer, which is used for patients undergoing treatment for primary and secondary breast cancers. It is quite a quick, easy tool that, at least, allows us to pick out a patient who is not doing so well and therefore identify them for additional support. Our cancer nurse specialists have all had additional training. We have a specialist oncology psychologist on our health board, who provides additional training to the nurses. Therefore, for someone who needs it, that extra help and counselling is available. For someone with more complex needs, or where the diagnosis of breast cancer or metastatic breast cancer comes on top of mental health issues, the oncology psychologist would give us that back-up by taking on the patient.

The hon. Member for North Warwickshire mentioned palliative care. In Ayrshire, we are lucky enough to have a hospice. It is routine for us to refer patients at the point at which they are metastatic and symptomatic. We do not refer them as soon as they are metastatic because if a patient is hormone-sensitive, they have a 50% five-year survival with metastatic disease. That is because we have so many treatment options and breast cancer appears to behave quite differently from other cancers in that we can get it into a balance. The patient can be very well and active, yet the disease is sitting there. As soon as the patient starts to have symptoms, we have liaison nurses in our hospitals and we make a referral. Part of our GPs' quality outcome framework is that patients who are defined as palliative must be discussed regularly in primary care and be on a palliative care register.

We had the debate on assisted dying just last month. The clear decision of the House was that we would not go down that route. That throws back on to the Government, and us all, the responsibility to ensure that high-quality palliative care services are there. We cannot vote that way as convincingly as we did and then not step up to the mark. That is really important.

I do not have a lot of time to speak, but I should say that we are doing good things in Scotland. Because we are smaller, we have been able to create a single day when all the teams in Scotland come together—actually, they come together for two days: a trial and research day and an audit day. Our whole audit—all the dirty washing—is put up in a PowerPoint presentation and we have a completely open learning discussion about it. A one-year project is starting now, so hopefully the data, including detail on secondary, recurrence and survival, will be available in autumn next year.

5.41 pm

**Andrew Gwynne** (Denton and Reddish) (Lab): I congratulate the hon. Member for North Warwickshire (Craig Tracey) on securing this important debate and the laudable and worthwhile work he is doing as a member of the all-party group on breast cancer.

We have made huge progress on improving cancer services—in the past decade, five-year survival rates for nearly all types of cancer have improved—but we still lag behind other countries, and there is worrying evidence from the past five years that the progress we have been making on cancer care has stalled, or potentially even gone backwards. In government, Labour created 28 cancer networks to drive change and improvement in cancer services. The networks brought together the providers and commissioners of cancer care to work together to plan and deliver high-quality cancer services in their areas. They helped to oversee and drive up the quality of services delivered to cancer patients. By significantly changing their structure and cutting millions from their budgets, as well as by scrapping the highly regarded national cancer action team, the coalition Government disrupted those networks.

Our hard-working clinicians and staff are trying their best within the system; despite the challenges, they continue to deliver quality care, so we should all pay tribute to them. Early diagnosis is critical to improving cancer survival because treatment is more likely to be successful at an earlier stage. Naturally, far too many of those people diagnosed through the emergency route are in the advanced stages, meaning the prognosis is poor compared with that for cancer diagnosed through other routes.

The nature of cancer is changing. Just as with AIDS, rapid advances in technology have meant that for many cancer is no longer the death sentence it once was. Such welcome changes do, however, mean that cancer is increasingly being considered a long-term condition, which has its own requirements in terms of long-term care and support. The chance of recurrence, as in secondary breast cancer, underlines the importance of remaining vigilant. It is possible to reduce considerably the probability that people with cancer will experience long-term poor health following treatment by providing appropriate and co-ordinated support and intervention. That is what we must do.

No breast cancer patient should end up lost in our vast health system, unable to find the treatment to which they are entitled. Cancer survivors have to be properly supported once their treatment stops to help their recovery and minimise the impact of their illness on their overall health and wellbeing. The current formulaic approaches are not meeting the needs of cancer patients, and the current hospital-based follow-up service simply will not cope with the growing cancer population.

If implemented, the strategy developed by the Independent Cancer Taskforce in its report would be a huge leap forward. I am pleased that the Department of Health has already made some commitments, and we look forward to hearing more following the spending review, but we need to ensure that these things actually happen. Equally, the cancer strategy recommendation of a “living with and beyond cancer” programme to ensure that people are fully supported and their needs are met should be followed through. I commend those developing support networks in their local areas, but they deserve more backing from the Government. I welcome the Government’s commitment to ensuring that everybody has a recovery package by 2020. That is crucial, as one in three people experience moderate to severe unmet needs after their treatment.

We owe it to the families battling secondary breast cancer today to continue to have high ambitions. I thank all Members for their contributions. Despite political differences, we do all have the same ambition: to bring forward the day when this terrible disease is beaten.

5.45 pm

**The Parliamentary Under-Secretary of State for Health (Jane Ellison):** I congratulate all colleagues on an excellent debate. It is a shame that time has slightly beaten us. I fear it will beat me as well: if I am to allow a minute or so for my hon. Friend the Member for North Warwickshire (Craig Tracey) to respond at the end, I might not have the chance to make some of the points I would like to have made. Nevertheless, this debate in Breast Cancer Awareness Month is very timely for all the reasons mentioned. There have been some important contributions. I always enjoy listening to the hon. Member for Central Ayrshire (Dr Whitford); she brings incredible experience to debates of this nature.

As the cancer drugs fund was debated in this Chamber only yesterday with my hon. Friend the Under-Secretary of State for Life Sciences, I will not touch on that so that I save a little time. As others have said, we want to do a lot better in tackling cancer, and our aim is to lead the world. Survival rates are getting a lot better: for people diagnosed between 2011 and 2015, we are on track to save a projected 12,000 more lives a year. But we do want to go further. Nevertheless, as we ask what more we can do, we should acknowledge that we are making progress, although much of the rest of the world is too.

In January, NHS England asked the independent cancer taskforce to draw up a five-year strategy. It was published in July and recommends a range of improvements across the cancer pathway. Some Members were present in the House in July when the chair of the taskforce, Harpal Kumar, presented its conclusions to us. The strategy is an excellent bit of work and, as our manifesto made clear, we are working with the NHS, charities and patient groups to deliver it. It is important to tell the

House that to support the delivery of the strategy, NHS England has appointed Cally Palmer, chief executive of the Royal Marsden NHS Foundation Trust, as NHS national cancer director. While continuing in her current position, she will lead the implementation of the strategy, alongside work to test new models of care at the Royal Marsden hospital and University College London hospital, in partnership with Manchester Cancer. Those are important developments.

The importance of secondary breast cancer was acknowledged in the taskforce report, which noted that all NHS trusts should now be recording recurrent and secondary breast cancer patients, but we acknowledge that uptake has been variable thus far, as highlighted in the opening speech. I made the importance of data collection one of the strategic priorities in my letter to Public Health England earlier this year, so we know that we need to do better.

Following a 2012 pilot managed by the National Cancer Intelligence Network, all breast units have been required to submit information on all patients diagnosed with a new recurrence or metastatic disease through the cancer waiting times process. For breast cancer cases, that now includes a data item on cancer recurrence. Data have been submitted monthly since January 2013, but collection remains challenging because relapsed patients may re-present in many different ways and through many referral routes, as the hon. Member for Central Ayrshire mentioned. For example, they might re-present through a routine follow-up appointment, by contacting their GP with renewed symptoms or by presenting with another unrelated condition, at which point secondary breast cancer has been diagnosed. There are some practical barriers, but we do need to do better.

To drive up the quality and completeness of the data, trusts are sent monthly reports so that they can benchmark themselves against other trusts, which has been effective in driving up performance in other areas of cancer care. Over the next year, those reports will include data on recurrence of cancer. In addition, more work is being scoped by NHS England and Public Health England based on the recommendation from the cancer taskforce to establish robust surveillance systems to collect relevant data. We know there is more to be done on the detection of secondary breast cancer, which can be diagnosed many years after primary breast cancer, as other Members have said. Although survival rates are improving, the breast cancer clinical reference group of NHS England is determined to ensure that everything possible is done to reduce the risk of secondary breast cancer. The group is in the final stages of producing a guideline on breast cancer services to improve information given to patients about the risk of secondary breast cancer. Such information is currently variable and sometimes inadequate, as highlighted by my hon. Friend the Member for Bury St Edmunds (Jo Churchill).

**Mark Durkan (Foyle) (SDLP):** Will the Minister give way?

**Jane Ellison:** I will take the briefest of interventions.

**Mark Durkan:** The Minister touches on a point that reinforces the fact that, as a basic rule of thumb, policy makers and service planners should know the numbers and the needs. She addressed the numbers when she



[Mark Durkan]

spoke about data. Knowledge about needs is best developed by listening to the patients themselves, who expressed those needs forcefully in the five-point bucket list from Breast Cancer Care.

**Jane Ellison:** I am sure we would all agree with that important point.

I will finish by discussing the new guideline that the clinical reference group is developing. The guideline will state that all patients with primary breast cancer should have a consultation with a clinician at the end of treatment that will include advice on spotting signs and symptoms that might indicate secondary breast cancer. That information will be delivered together with an assessment of the patient's physical, psychological and social needs—I am interested in the distress thermometer that the hon. Member for Central Ayrshire mentioned, as well as in the contribution of the hon. Member for East Kilbride, Strathaven and Lesmahagow (Dr Cameron). The overall recovery package is being developed in partnership with Macmillan Cancer Support. The evidence is that that work is very effective where it has been done well. The advice that has been given will be recorded in the records of every breast cancer patient so that we know it has happened and so that we can track it.

NHS England hopes to publish the new guidance as a cancer resource on its website in the next few weeks. We will promote that guidance through the usual channels, but we would appreciate it if hon. Members with a particular interest, and particularly my hon. Friend the Member for North Warwickshire—I congratulate him on his appointment as co-chair of the all-party group—could draw this important document to people's attention.

The clinical reference group will also consider how the care and support of patients diagnosed with secondary breast cancer can be improved, including through the provision of clinical nurse specialists. Of course, we agree that clinical nurse specialists play an important role. The number of patients reporting that they have been given the name of a CNS rose from 84% in 2010 to 89% in 2014, including 93% of breast cancer patients. We are doing a lot better, but hon. Members are right to highlight that, in the case of secondary breast cancer, we have some distance to go.

Members have said that we need to step up on palliative care, particularly in the light of last month's debate—the hon. Member for Central Ayrshire made an important speech in that debate. We are committed to ensuring that everyone has access to high-quality, personalised palliative care. Breast Cancer Care's new report, "Too little, too late", is an important contribution

to the debate about what we need to do. The Government have introduced five new priorities for end-of-life care—those are five important new principles—and my ministerial colleagues will be taking that forward. Nevertheless, I welcome Parliament's new focus on palliative care and quality end-of-life care, which is important.

In the few seconds that I have remaining, I want to give people confidence that a lot of research is going on in this area. There is more research into cancer than any other disease in terms of National Institute for Health Research funding. In particular, the NIHR's clinical research network is currently recruiting patients for nearly 100 trials and studies in breast cancer. One is a global trial that aims better to control secondary breast cancer using a drug called a dual mTOR inhibitor. I am delighted to say that the network recruited the first patient in the world to this trial, which I hope is an indication of the importance of our research infrastructure.

**Dr Whitford:** Will the Minister give way?

**Jane Ellison:** I am afraid that I do not have time to give way. We can speak after the debate; I apologise.

A lot of other things are going on in that area, but I will leave just a few seconds to my hon. Friend the Member for North Warwickshire. However, I reassure Members that this subject is of huge importance to the Government.

**Nadine Dorries (in the Chair):** There are 30 seconds left for Mr Tracey.

5.54 pm

**Craig Tracey:** I will be very quick.

I thank the Minister for her response. I also thank the other Front-Bench spokesmen, especially the hon. Member for Central Ayrshire (Dr Whitford) who obviously brings a great deal of expertise to the debate. I thank all colleagues who have taken part in this debate, particularly my hon. Friend the Member for Bury St Edmunds (Jo Churchill) for sharing her experience.

It is clear from the debate that we all have the same objectives; we all want to get the same thing and there are many common arguments. However, the fact remains that 11,700 people still die from secondary breast cancer every year, so there is more that we can do. I ask the Minister to ensure that more is considered in relation to secondary breast cancer.

5.55 pm

*Motion lapsed, and sitting adjourned without Question put (Standing Order No. 10(14)).*

# Written Statements

Wednesday 21 October 2015

## ENERGY AND CLIMATE CHANGE

### Energy Investments

**The Secretary of State for Energy and Climate Change (Amber Rudd):** EDF and its Chinese partner China General Nuclear Corporation (CGN) have committed to Hinkley Point C during this week's landmark China state visit, confirming that Somerset will have the first new nuclear power station in the UK for a generation.

The companies have signed a strategic investment agreement which marks a critical moment for the site in Somerset. EDF has confirmed it will take a 66.5% stake in Hinkley with CGN taking 33.5%, demonstrating a clear commitment from both parties.

The Government and EDF have finalised the detail of the contract for difference which offers increased price certainty for the electricity produced from Hinkley Point C. The funded decommissioning programme will make sure that the taxpayer does not pick up the cost of decommissioning the plant in the future.

Hinkley Point C will provide low-carbon electricity to 6 million homes, twice as many as the whole of London, for around 60 years—and consumers will not pay a penny until the plant is up and running. It will provide a vital boost for the national and local economy—creating 25,000 jobs, with at least 5,000 people from Somerset expected to work directly on the project, providing a £40 million boost to the local economy every year. The Secretary of State for Energy and Climate Change will take her final decision on the contract for difference when EDF and GNI have signed the full investment documentation.

A departmental minute will be presented to Parliament today regarding the scale of the financial commitment associated with the CfD and the potential liabilities to arise in relation to those waste transfer contracts (WTC). I judge the likelihood of these potential WTC liabilities arising to be very low.

[HCWS257]

## HOME DEPARTMENT

### Police Custody: Deaths and Serious Incidents

**The Secretary of State for the Home Department (Mrs Theresa May):** I announced on 23 July my intention to commission an independent review of deaths and serious incidents in police custody.

I am pleased to announce to the House that the review will be led by Dame Elish Angiolini DBE QC.

I said that the chairman would be someone with the ability to work closely with victims, families and the police alike, and with a proven track record of being willing to ask difficult questions.

Dame Elish has all of these qualities. She was installed as Solicitor General for Scotland on 5 December 2001, and Lord Advocate on 12 October 2006. Since September 2012 she has been principal of St Hugh's College, Oxford. In June 2015, she concluded an independent review for the Metropolitan Police Service into how it and the Crown Prosecution Service investigate and prosecute rape cases. I am grateful to Dame Elish for agreeing to take on this important work.

Police custody is fraught with complex issues. It is the place where dangerous and difficult criminals are rightly detained, where officers and staff regularly face violent, threatening and abusive behaviour, and where the police use some of their most sensitive and coercive powers. But it is also a place where, unfortunately, vulnerable people, including all too often those with mental health problems, are taken because there is no other place to go.

Thankfully, deaths and serious incidents in custody are rare. No one—least of the police—wants such incidents to happen, and I know everyone involved takes steps to avoid them. When such incidents do occur, they are a tragedy that has the potential to undermine the relationship between the public and the police.

As Home Secretary, I have been struck by the pain and suffering of families still looking for answers. That is why I believe we need to do more, and why I announced the establishment of this independent review.

I can also inform the House of the terms of reference of the review. They will be:

To examine the procedures and processes surrounding deaths and serious incidents in police custody, including the lead up to such incidents, the immediate aftermath, through to the conclusion of official investigations. It should consider the extent to which ethnicity is a factor in such incidents. The review should include a particular focus on family involvement and their support experience at all stages.

To examine and identify the reasons and obstacles as to why the current investigation system has fallen short of many families' needs and expectations, with particular reference to the importance of accountability of those involved and sustained learning following such incidents.

To identify areas for improvement and develop recommendations seeking to ensure appropriate, humane institutional treatment when such incidents, particularly deaths in or following detention in police custody, occur. Recommendations should consider the safety and welfare of all those in the police custody environment, including detainees and police officers and staff. The aim should be to enhance the safety of the police custody setting for all.

Furthermore, I can announce that INQUEST—an organisation that has long campaigned on these issues—has agreed to have a formal role in the review to ensure that the voices of families who have lost loved ones in police custody are heard. Therefore I am also pleased to announce that INQUEST's director, Deborah Coles, will be a special adviser to the chairman of the review.

In addition, INQUEST shall:

Facilitate family listening days so that the chairman can hear evidence first-hand from those who have lost loved ones in police custody to ensure their views are taken into account.

Play a leading role on an advisory board which will offer expert advice to the chairman during the course of the review.

I wish Dame Elish every success as she delivers this important review.

[HCWS256]





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