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HOUSE OF COMMONS
OFFICIAL REPORT

PARLIAMENTARY
DEBATES

(HANSARD)

Monday 7 December 2015

House of Commons

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The House met at half-past Two o'clock

PRAYERS

[MR SPEAKER *in the Chair*]

Oral Answers to Questions

WORK AND PENSIONS

The Secretary of State was asked—

Workless Households

1. **Dr Phillip Lee** (Bracknell) (Con): What progress he has made on reducing the number of people in workless households. [902559]

The Secretary of State for Work and Pensions (Mr Iain Duncan Smith): With your permission, Mr Speaker, given the weekend's events in my borough, may I take the opportunity, on behalf of myself and colleagues in all parts of the House, to wish a speedy recovery to those who were injured by the tragic events at the tube station in Leytonstone?

When we took office, almost one in five households had no one in work and around 1.4 million people had been on benefits for most of the previous decade. Since 2010 the number of workless households has fallen by over 680,000 to its lowest level since records began.

Dr Lee: My constituency covers the major part of Bracknell Forest. In 2014 it had the second highest percentage of working households in the country. Does my right hon. Friend agree that continuing to encourage households into work is one of the most effective ways of improving the life chances of everyone in that family?

Mr Duncan Smith: My hon. Friend is right that growing up in a working family is crucial for the life chances of children. When this Government took office, there were more than 2.5 million children growing up in workless households. That has fallen by nearly half a million since 2010. By targeting worklessness, the five new life chance measures that we have introduced will make an enormous difference to children's lives. I understand that there are now almost no workless households in the south-east.

Mr Barry Sheerman (Huddersfield) (Lab/Co-op): I ask the Secretary of State to be a little careful—none of us should get complacent about worklessness. Has he seen the research in the United States on the Uberisation of work, when people cease to have good employers with pensions, rights and contracts, and are increasingly pushed into self-employment, where they have no rights?

Mr Duncan Smith: By the way, I welcome the hon. Gentleman back. It is good to see him back in his place; I understand he has had some difficulties with health treatments.

The hon. Gentleman would be right, if that were the trend and the direction in which we were going. It is interesting that there is a difference between us and the United States. The vast majority of the jobs that have been created here are white-collar and full-time. That is important. Although we think that people being self-employed is excellent for those who choose to do it, we are seeing a huge trend in supported jobs with full pay and full-time work.

Dr Eilidh Whiteford (Banff and Buchan) (SNP): The selling point of the Government's universal credit scheme was that it was supposed to increase work incentives. However, the reduction in work allowances in universal credit due to take effect in April next year will leave around 35,000 working households with no transitional protection and thousands of pounds worse off. Does the Secretary of State accept that these changes will actively disincentivise people to go into work, particularly lone parents?

Mr Duncan Smith: I do not. Universal credit is acting as a huge incentive to go back to work. Even the statistics published over the weekend show that universal credit means that people are 8% more likely to go into work than was the case with jobseeker's allowance. I remind the hon. Lady that jobseeker's allowance has been seen by many in the western world as one of the most successful back-to-work benefits. Universal credit performs even better than jobseeker's allowance by some considerable degree.

Dr Whiteford: With respect, the Secretary of State did not answer the question about the 35,000 households and about transitional relief coming into effect for April 2016, so I ask him again: what about those people who stand to be thousands of pounds worse off in April?

Mr Duncan Smith: As I said before, first, people are getting back to work. Secondly, those who are on universal credit at present will be fully supported through the flexible support fund, which will provide all the resources necessary to ensure that their situation remains exactly the same as it is today.

Emily Thornberry (Islington South and Finsbury) (Lab): I wonder whether the Minister has seen the figures that I have. May I take him from rhetoric back to reality? The figures show that although there has been a rise in employment in the past three months, the number of hours that we have worked as a country has fallen. It is a good thing that unemployment has gone down, but surely we need to address under-employment, particularly when there are 3 million people who say they are under-employed. I saw that over the weekend his Minister for Employment was flogging temporary part-time jobs for people to dress up as Santa Claus, but perhaps it would be better if his Department spent a bit more time trying to ensure full-time permanent well paid work for people.

Mr Duncan Smith: It is a bit rich for the hon. Lady to get up and start attacking the Government's record of getting more people back to work, more people in full-time work and more people in managerial positions. When we took over from the Labour Government, there was a complete collapse of the economy, with people lucky to get a job and even lucky to get part-time work. Two thirds of the rise in employment since 2010 has been in managerial, professional jobs, and permanent jobs are up over 476,000. That is not rhetoric; those are realities.

Youth Unemployment

2. **Mr Graham Allen** (Nottingham North) (Lab): What steps his Department is taking to reduce the number of young people who are long-term unemployed; and if he will make a statement. [902560]

The Minister for Employment (Priti Patel): Long-term youth unemployment has fallen by over a third over the past year, and our goal is to make sure that all young people are either earning or learning. We continue to provide extra support for young people on benefits and will introduce the new youth obligation in 2017.

Mr Allen: With the Cities and Local Government Devolution Bill, which is before the House today, will the Minister do more to devolve greater control of the Work programme to councils and more to empower local managers? When universal credit comes in, will she ensure that the DWP works closely with councils on that support in order to transform the delivery of services to vulnerable people?

Priti Patel: I thank the hon. Gentleman for his comments and congratulate him on the work he has been doing locally in his community with the DWP and other partners, and the local authority too. He is absolutely right. Through the Work programme, and under devolution, we are working with communities, local authorities, jobcentres and other partners and stakeholders—the specialist organisations that can provide the right kind of support to support employment and to help to get more people back to work. He is absolutely right to hold up his area as a good local example.

Amanda Milling (Cannock Chase) (Con): Does the Minister agree that helping young people to embrace work experience opportunities and encouraging employers to create those is essential if we are to tackle youth unemployment and bridge the skills gap?

Priti Patel: My hon. Friend is absolutely right. Of course we can never stand still in relation to employment and young people. I mentioned the youth obligation that we will bring in in 2017, but we are also developing skills and work experience. Supporting young people through work experience and traineeships is absolutely vital, and I know that she has promoted that in her constituency.

Margaret Ferrier (Rutherglen and Hamilton West) (SNP): As the Minister will be aware, we are now coming to the festive period, meaning that many people will find temporary jobs. Last year, from October to December, the number of young people in work in my constituency increased by about 15%, and after Christmas

it dropped by 10%. What measures is her Department taking to ensure that people are not trapped in a cycle of temporary work?

Priti Patel: The hon. Lady is right that this is obviously the time of year when there is more seasonal employment in the run-up to Christmas, but support is provided to continue employment after such seasons. Jobcentre Plus will be supporting those who may be in part-time jobs to secure longer-term jobs. I come back to the fundamental principle that it is better to be in work, and have the experience of being in work, so as to develop long-term career and employment opportunities afterwards.

Tom Pursglove (Corby) (Con): The opening of the new Primark warehouse at Islip will bring 1,000 new jobs to my area and help to reduce youth unemployment. Will the Minister join me in welcoming this jobs boost, and would she like to visit next year when it opens?

Priti Patel: I thank my hon. Friend for his very kind invitation. We are only getting these new jobs created because we have a secure and sound economy owing to our long-term economic plan. Importantly, employers such as Primark and many other retailers are creating great employment opportunities for our young people. I would be delighted to come to open the centre in his constituency with him next year.

Work and Health Programme

3. **Kate Hollern** (Blackburn) (Lab): Whether he plans for benefit sanctions to be applicable to people referred to the proposed work and health programme. [902561]

The Minister for Employment (Priti Patel): The Department is developing new provision to support people with health conditions and disabilities and those who are very long-term unemployed. We are currently developing the design of the programme, including the conditionality that will be a feature of it.

Kate Hollern: A survey by mental health charity Mind revealed that a shocking 83% of employment and support allowance claimants referred to the Work programme found that it made their mental health state worse. Will the Government's new Work and Health programme end the utterly shameful sanctions regime which often leaves those with mental illnesses less likely to access work?

Priti Patel: I am sure the hon. Lady will also recognise that more than 60% of individuals who are on the employment and support allowance say that they want to work as well. That is why we will launch the new Work and Health programme, to look at how we can deliver vital employment support, which I am sure the hon. Lady and all other Members will welcome, to those individuals who are furthest away from the labour market but who want to work. We will do that in conjunction with our stakeholders and better target the accompanying support to get them back into work. Additional funding was made available in the summer Budget for support for those who are furthest away from the labour market, particularly those with health conditions.

Mr David Nuttall (Bury North) (Con): Does my right hon. Friend agree that it is incumbent on anyone who suggests scrapping the existing sanctions scheme to propose an effective alternative, because there has to be some means of ensuring compliance with the rules?

Priti Patel: Of course, my hon. Friend raises a valid point about what the Labour party is now clearly saying, despite the fact that sanctions have been in place for a considerable time, including under previous Labour Governments. The purpose of sanctions is to support claimants and to encourage them back to work. Let us also remember that the sanctions are there for claimants to comply with reasonable requirements, which are developed with the claimant as well as the work coach.

Stephen Timms (East Ham) (Lab): In the Work programme, extra help has been given to jobseekers who have been out of work for 12 months, but under the new programme it will not be until two years have passed. Will Jobcentre Plus get extra resources to support people who have been out of work for between one and two years, given that the Work programme's successor will not be doing that?

Priti Patel: The new programme will be accompanied by a structural reform that will better target support for those individuals who are furthest away from the labour market. On top of that, as my right hon. Friend the Secretary of State has emphasised again today, universal credit in particular will provide support and engagement for those individuals who are furthest away from the labour market but who are looking for work. Alongside that, the new Work and Health programme will integrate services, particularly for those with mental health conditions or health barriers, to help them get closer to the labour market and back into work.

Debbie Abrahams (Oldham East and Saddleworth) (Lab): Shockingly, a number of people have died after being sanctioned and we are still waiting for the Government to publish the data on them. We do know, however, following the recent publication of an academic report, that between 2010 and 2013 the Government's work capability assessment process was associated with an additional 590 suicides. Given that Maximus, the company the Government contracted to deliver work capability assessments, has reported

"not being able to meet certain performance metrics",

when will the Secretary of State admit not only that his work capability assessment reforms are a danger to claimants' health, but that they are not fit for purpose and need a complete overhaul?

Priti Patel: Let me remind the hon. Lady that it was her party in government that introduced the work capability assessment—[*Interruption.*] Let me also point out, as she makes remarks from a sedentary position, that we have brought in a number of reforms, of which she and all other Members will be aware. We are very clear that sanctions are constantly under review, hence the five reviews we have had. Finally, on the data the hon. Lady has just presented to the House, she cannot justifiably or credibly extrapolate those figures and apply them to sanctions and this Government's policies, because they are completely incorrect.

Jobcentre Advisers: Food Banks

4. **Diana Johnson** (Kingston upon Hull North) (Lab): What assessment he has made of the effectiveness of the trial of locating jobcentre advisers at food banks. [902562]

10. **Mr David Hanson** (Delyn) (Lab): What assessment he has made of the effectiveness of the trial of locating jobcentre advisers at food banks. [902569]

The Parliamentary Under-Secretary of State for Work and Pensions (Mr Shailesh Vara): Jobcentre work coaches undertake outreach work every day in local communities and have recently been helping people with back-to-work support and advice at the Lalley Welcome Centre in Manchester, where a food bank sits alongside other support services. The test is at an early stage and the Department will make the findings public in due course.

Diana Johnson: Despite the fall in unemployment, many working families across the country will be relying on food banks this Christmas. I pay tribute to Sarah Sidwell and her staff at the food bank in Hull. Is putting jobcentre staff in food banks not actually an acknowledgement of the shambolic nature of the benefits system, which is affecting people? Should the Minister not think very long and hard about sorting out the system rather than applying a plaster and putting jobcentre staff in food banks?

Mr Vara: May I gently remind the hon. Lady that we were invited, at the request of Sister Rita, to go to Lalley Welcome Centre, which also hosts other agencies? I might also say to the hon. Lady that that particular centre has a job club, which makes eminent sense. I presume she does not object to that. If she is happy to have a job club there, why on earth does she object to our going there to help people when we have been invited to go there?

Mr Hanson: Will the Minister confirm whether Lord Prior will join in the evaluation of services at that job centre and food bank? As the Minister will know, Lord Prior has indicated that obesity seems to be a problem, rather than poverty. Will the Minister confirm whether the evaluation will include an examination of the reasons why sanctions and benefit delays cause problems for those going to food banks?

Mr Vara: There are now fewer delays in getting benefits than there were under the Government in which the right hon. Gentleman served. The number of JSA applications is down compared with 2009-10, as is the number of ESA applications.

Heidi Allen (South Cambridgeshire) (Con): From my point of view, there is great potential in co-siting jobcentres and food banks if it is done in the right way. On a related subject, can the Minister envisage a future in which jobcentres and councils are co-located across the country?

Mr Vara: I am happy to confirm to my hon. Friend that that is already happening.

Kevin Foster (Torbay) (Con): In relation to this trial, has the Minister noticed today's report in the *Western Morning News*, which says that food bank usage has dropped by 25% in Devon and Cornwall? Does he agree with the Trussell Trust that that is

"a sign that economic recovery is giving more people access to secure work"?

Mr Vara: It is always good to have external endorsement of what the Government are doing. That is just clear evidence that the Government's long-term plan is working.

Frank Field (Birkenhead) (Lab): May I report to the Minister the progress in Birkenhead? A benefits adviser has been working in the food bank there, and the number of people having to come back for a second bag of food has dropped by 65%. Whenever the Secretary of State refers to this experiment, he talks about "benefit advisers", while other senior people in the Department talk about "work coaches". Might the Minister persuade the Secretary of State to say that his phrase is not an offensive one? If someone who is hungry thinks that the person at the food bank is a work coach, it might put them off going to the food bank in the first place?

Mr Vara: Both terms are applicable. May I just say that we should not get bogged down in the terminology? The important thing is to make sure that people actually have support to get them back to work. As we just heard in the quote from my hon. Friend the Member for Torbay (Kevin Foster), our long-term plan is working. We want to make sure that as many people as possible are in work so that they do not have to resort to food banks.

Emily Thornberry (Islington South and Finsbury) (Lab): Is the Minister surprised that the Secretary of State has never bothered to visit a food bank? Presumably, people in his Department have spoken to people in food banks. The message we get loud and clear from people in food banks is that the most important thing the Department can do is to fix its broken system of sanctions and stop benefit delays.

Mr Vara: It is always helpful if, when Front Benchers say things at the Dispatch Box, they are accurate. My right hon. Friend the Secretary of State has visited food banks. As far as sanctions are concerned, may I just tell the hon. Lady that the Oakley review said that 71% of people found sanctions helpful in encouraging them to find jobs?

Low Pay and Training

5. **Neil Carmichael** (Stroud) (Con): What steps he is taking to encourage people on low pay to progress through training. [902563]

The Parliamentary Under-Secretary of State for Work and Pensions (Mr Shailesh Vara): For the first time, universal credit will support claimants in work to earn more. Work coaches will provide tailored support to claimants on low wages to improve their pay. To help to develop our package of support for people in work, we are implementing a comprehensive test and learn strategy to understand better the impact that labour market policies can have on helping people on low incomes to get jobs in which they earn more.

Neil Carmichael: Does the Minister agree that having a high-skill, high-pay economy is exactly the way to drive up productivity and, crucially, social mobility, which is the key thing underpinning the Government's strategy?

Mr Vara: I am most grateful to my hon. Friend for making that point. The latest figures show that the employment rate for young people who have left full-time education is above the UK average and is at its highest level for a decade at 74.3%.

Neil Coyle (Bermondsey and Old Southwark) (Lab): Low pay and training needs affect many disabled people. Two years ago, almost to the day, the Department announced the extension of the Access to Work programme to disabled people seeking training, internships and apprenticeships. How many people have benefited from that scheme and when will we hear about its progress?

Mr Vara: We are very close to record levels as far as that initiative is concerned. As I said earlier, our long-term economic plan is continuing. While I am at the Dispatch Box, may I say that the House has considerable sympathy with all that the hon. Gentleman and a lot of his colleagues are going through?

Stewart Malcolm McDonald (Glasgow South) (SNP): May I pay tribute to your office, Mr Speaker, for the way in which it has combated exploitative internships, which are often unpaid and are used to exploit many young people? Many people begin their career progression with an internship. Will the Minister outline what the Government are doing to ensure that young people are not exploited through long-term unpaid internships?

Mr Vara: As I have said, the facts prove that young people are getting into jobs a lot more than they did before—certainly more than when the Labour party was in government.

Benefit Reforms

6. **Mr Stephen Hepburn** (Jarrow) (Lab): What estimate he has made of the proportion of working families likely to be affected by the Government's reforms to benefits. [902564]

The Secretary of State for Work and Pensions (Mr Iain Duncan Smith): We are fundamentally reforming the welfare system to ensure that the benefits of work are always clear for all. As part of that, we are supporting working families who are on benefits to progress in work, increase their earnings and move away from welfare dependency.

Mr Hepburn: The Government's humiliating U-turn on tax credits is to be welcomed, but the Chancellor has confirmed that another £12 billion of welfare cuts will take place. Is it not a fact that those cuts will affect the poorest, the most vulnerable and those who are struggling to survive in society, like families?

Mr Duncan Smith: With respect to the hon. Gentleman, it was made clear at the Budget by the Chancellor that the total package of changes includes changes to the welfare budget of £12 billion, but that other Departments

are also involved in the process of getting rid of the deficit. I thought that the Labour party had said it was in favour of getting rid of the deficit, so the question is what it plans to do. I remind him that a huge amount of the savings are being made because more people are going back to work and fewer people are therefore claiming benefits.

Mr Peter Bone (Wellingborough) (Con): Following on from what the Secretary of State has just said, if the British people vote to come out of the EU, we will not be giving £350 million a week or more than £1 billion every three weeks to the EU. Would he welcome some of that money for his Department?

Mr Duncan Smith: My hon. Friend must not dare tempt me in that direction. What is really important is that we run our economy here in the UK for the benefit of citizens of the UK. We have made our position clear: we want to ensure that those who have not been here for a certain period of time and have not contributed are not able to draw upon our benefits system.

Mr Speaker: On the whole, because the hon. Member for Wellingborough (Mr Bone) is dextrous, he was just about within order, but I counsel colleagues that they should take great care, as a general principle, not to shoehorn their personal preoccupations into questions to which they do not obviously relate.

Mr Barry Sheerman (Huddersfield) (Lab/Co-op): That's the only thing he does!

Mr Speaker: No, no; he is a very versatile fellow in all manner of means.

Andrew Gwynne (Denton and Reddish) (Lab): The Government's forced U-turn on tax credits is very welcome to the families in my constituency who were set to be affected by the cut, but many people are being moved on to the universal credit system and will be similarly impacted. Young people will not qualify for the Government's so-called national living wage. How do the Government reconcile that with the aim of making work pay?

Mr Duncan Smith: The key thing is that, as the Institute for Fiscal Studies has said, there is nothing new in the spending review when compared with the Budget. It said that

"the long term generosity of the welfare system will be cut just as much as was ever intended".

In other words, the £12 billion of savings is pretty much exactly as was announced in the Budget. I say to the hon. Gentleman that universal credit has a huge effect. We published figures this week to show that universal credit means that more people go into work faster, stay in work longer and are likely to earn more money. That is a huge change and it will affect young people dramatically, as much as it will anybody else.

Victoria Atkins (Louth and Horncastle) (Con): The reforms to benefits, whereby work should always pay more than welfare, are welcome in Louth and Horncastle. As we roll out universal credit across my constituency, will the Secretary of State join me in my constituency to see the changes for himself, including the 40 new jobs just created in Louth at the supermarket Aldi?

Mr Duncan Smith: I know how hard my hon. Friend campaigns to get employment up in her constituency. I am more than happy to come and support her to show that more people are getting jobs as a result of our welfare changes. Unlike the previous Government who spent money and changed very few lives, we are spending less money but changing more lives for the better.

Owen Smith (Pontypridd) (Lab): The Secretary of State said yesterday that "nobody will lose a penny" under his changes to universal credit, which was a surprise to me. On Friday, the Office for Budget Responsibility published a report showing that the Government intend to cut £100 million from the universal credit work allowance next year, £1.2 billion the year after that, and then £2.2 billion, £2.9 billion and £3.2 billion by 2020. By my count, that is a trillion pennies. Will the Secretary of State clarify his remarks and tell us precisely which workers are going to lose them?

Mr Duncan Smith: I just wish the hon. Gentleman would actually go and visit a universal credit site to see the huge difference it is making. In answer to his question, as the IFS said

"no family will take an immediate...hit"

from being moved on to universal credit. *[Interruption.]* Hold on a second. I remember that it was the Labour party that got rid of the 10p tax starting rate and did not cash protect anybody at all. We are transitionally protecting those who are moving on to universal credit. Maybe the hon. Gentleman is against that. If so, would he like to say why?

Owen Smith: Again, the Secretary of State says this Budget made no changes. He is right, because the changes had already been passed in the summer Budget and in the statutory instrument. The truth is that the Chancellor bailed himself out of the hole he dug on tax credits by raiding the universal credit system, creating a deeply unfair two-tier system. A working mother on universal credit will next year be £3,000 worse off than her equivalent on tax credits. In all, 2.6 million families will be £1,600 on average worse off. It is the new IDS postcode lottery: it is arbitrary, it is unfair, and if you are a low-wage working mother, it could be you.

Mr Duncan Smith: The hon. Gentleman's party, which opposed universal credit from the outset, can hardly say that it is the slightest bit interested in how it works. The reality is that all those calculations for lone parents do not take into consideration—*[Interruption.]* No, they don't. The childcare package that comes with universal credit is dramatic. Unlike tax credit—*[Interruption.]* Perhaps he would like to just keep quiet and listen for once to somebody who knows what they are talking about. I say to him very simply that the childcare package for universal credit gives parents with children childcare support every single hour while they are in work. Under tax credit, they get next to nothing.

Universal Credit

8. **Helen Whately** (Faversham and Mid Kent) (Con): What progress he has made in rolling out universal credit; and if he will make a statement. [902567]

9. **Mr Jim Cunningham** (Coventry South) (Lab): What the cost to the public purse of implementation of universal credit has been to date; and how many people have been enrolled on universal credit. [902568]

18. **Nigel Mills** (Amber Valley) (Con): What progress he has made in rolling out universal credit; and if he will make a statement. [902577]

The Secretary of State for Work and Pensions (Mr Iain Duncan Smith): Universal credit is rolling out as planned: on track and on time. I can announce today that it will be in every jobcentre by April next year. Estimates of the total cost of implementation have fallen from £2.4 billion to £1.7 billion, with £0.6 billion having been spent to date. Over a quarter of a million people have now made claims to universal credit.

Helen Whately: I recently visited my local jobcentre in Sittingbourne. Job coaches told me how well universal credit is working, giving claimants more flexibility to work and coaches more time to support them. Does the Secretary of State agree that universal credit is helping people into work and making work pay? Will he press on with the roll-out so more people can benefit?

Mr Duncan Smith: Even on the figures we have published in the past 24 hours, it is a reality that people on universal credit are much more likely to get into work, work longer and earn more money—that is the key bit. Rolling out universal credit has a massive effect on the likelihood of people entering into decent work. I also remind my hon. Friend—the hon. Member for Pontypridd (Owen Smith) obviously did not want to listen to this fact—that under universal credit the childcare package is for every hour they work all the way up until the moment they leave the benefits system.

Mr Cunningham: What does the Secretary of State have to say about the value-for-money aspects of universal credit, given that only 2% of people have participated and it has cost £3.25 billion to introduce?

Mr Duncan Smith: The cost of universal credit implementation has fallen: it was originally forecast to cost £2.4 billion but is now due to cost £1.7 billion. To give Labour Members a concept of what value for money looks like—[*Interruption.*] The hon. Gentleman has no idea about value for money because he has been on the Labour Benches for too long.

Mr Cunningham: Me?

Mr Duncan Smith: With respect, I meant the Labour Member sitting just below him. The number of people getting back into work directly as a result of universal credit has had a net benefit to the Exchequer of £3 billion-plus. I call that a real benefit in real terms.

Nigel Mills: I welcome the fact that universal credit reached my constituency about five weeks ago, but for the benefit of constituents concerned about what will happen when they move from tax credits to universal credit, will the Secretary of State confirm when that move will now take place?

Mr Duncan Smith: It does not suit the Opposition to know it, but all those who transfer from tax credits, through the legacy system, into universal credit will be transitionally protected. That is critical. They do not want to know that, because, as I said, they are the party who failed to transitionally protect anybody when they abolished the 10p tax rate.

Neil Gray (Airdrie and Shotts) (SNP): We welcome the apparent tax credits U-turn, but it appears that the cuts to the work allowance, which will still go ahead under universal credit, will hit families just as hard. Will the Secretary of State assure us that the tax credits U-turn will also apply to the corresponding elements of universal credit, or will he confirm our suspicions that this so-called U-turn is merely a delaying tactic?

Mr Duncan Smith: The universal credit position is exactly as set out at the time of the summer Budget, which means, as we understand it and calculate it, and as figures released in the last 24 hours show categorically, there will be a huge improvement in the numbers of people going back to work, working full time and earning more money. I absolutely believe that, in the next few years, the hon. Gentleman will be one of the first to say, “Thank God we introduced universal credit.”

Universal Credit (Payment Arrangements)

11. **Owen Thompson** (Midlothian) (SNP): What assessment he has made of the potential effect of paying universal credit to households rather than individuals or women experiencing financial abuse. [902570]

The Parliamentary Under-Secretary of State for Work and Pensions (Mr Shailesh Vara): For a minority of claimants, including women who may be victims of financial abuse, alternative payment arrangements can be made. We can split payments to members of the household, where necessary, under universal credit. Furthermore, jobcentre staff are trained to identify vulnerable claimants and can signpost individuals, at their request, to local domestic abuse support organisations for further help and support.

Owen Thompson: Research carried out earlier this year by the Trade Union Congress and Women’s Aid, “Unequal, Trapped and Controlled”, found that universal credit had far-reaching implications for women experiencing financial abuse and, in particular, that the single household payment could leave women and their children in financial hardship. Current arrangements could make it difficult for victims to declare the need for a single household payment for fear of their abuser finding out. Will the Secretary of State commit to asking all claimants automatically if they require an alternative payment arrangement, including the choice of paying their landlord directly, to ensure that women and children are protected from destitution and homelessness?

Mr Vara: The hon. Gentleman raises an important point. I think we all agree that there is no room for domestic violence or abuse in a civilised society in the 21st century. Advisers are well trained and look out for victims. They look at who has care and responsibility for children and, where appropriate, can split payments

or make them more often than once a month—certainly they can be treated differently from those in normal circumstances.

Earnings Limits

12. **Kirsten Oswald** (East Renfrewshire) (SNP): What steps he is taking to ensure that earnings limits applicable to benefits are well publicised. [902571]

The Minister for Employment (Priti Patel): The way earnings are treated is different across the benefits, but the majority of benefits do not have an earnings limit. Individuals can find general information on benefit eligibility at gov.uk, or they can speak to their local jobcentre staff and work coaches.

Kirsten Oswald: My constituent, a dedicated carer for a member of her family, was awarded carer's allowance. She took on two small jobs to make up her earnings and to allow her to contribute to the community, while being careful to stay within the weekly and four-weekly earnings limits she had been advised of, so she was shocked to get a call telling her she had breached a monthly limit that she knew nothing about. Does the Minister think that laying that kind of tripwire for claimants is an appropriate way to deal with someone such as my constituent, who is trying her best to make a contribution to both her family and the community?

Priti Patel: I would make two points. I am happy to look at the case, but when it comes to the carer's allowance, we increased the earnings threshold in April 2015 by 8%. Importantly, this is about providing the right structured approach to support carers who want to work and get the balance right regarding their caring responsibilities.

Benefit Overpayments

13. **Kevin Brennan** (Cardiff West) (Lab): What recent representations he has received on the discretion which may be exercised by his Department's staff when recovering benefit overpayments. [902572]

The Parliamentary Under-Secretary of State for Disabled People (Justin Tomlinson): The Secretary of State has a duty to protect public funds and to ensure, wherever possible, that a benefit overpayment is recovered. Discretion is exercised where it is not cost-effective to recover an overpayment, or where recovery would cause undue hardship, and is subject to guidelines from Her Majesty's Treasury.

Kevin Brennan: Yes, I accept that completely, but since April it has been possible to recover benefit at a rate of 40% from jobseeker's allowance. There is much evidence that that is becoming the normal figure. There is no appeal, and on review, people are being told that even if they do not have enough money to eat, that is not a sufficient reason to be able to appeal against the benefit recovery. Will the Minister ask his officials to look seriously at this issue and how it is affecting the poorest people?

Justin Tomlinson: I thank the hon. Gentleman for his question, and I know he has been tenacious in working in this area, particularly on behalf of a number of his residents. There is discretion in the system applied to repayment rates, but the claimant must prove that there

is genuine hardship and talk to the debt management team. There is an appeals process, but I will look further into it further.

Youth Unemployment

14. **Mr Alan Mak** (Havant) (Con): What progress he has made in reducing the rate of youth unemployment. [902573]

The Minister for Employment (Priti Patel): Youth unemployment has fallen to its lowest level in over seven years. In addition, the proportion of young people who have left full-time education and are unemployed—5.9%—has never been lower.

Mr Mak: The Wheatsheaf Trust runs an employment access centre, helping young people off benefit and into work in my Havant constituency. Will the Minister join me in congratulating the trust on its work on the ground and confirm that the Government will continue to put young people at the heart of their aspiration for full employment and their long-term economic plan?

Priti Patel: Of course I congratulate the Wheatsheaf Trust on the work it does, and I know that my hon. Friend has made youth unemployment and getting young people back into work a priority in his own constituency. He is, of course, right that as a Government we are committed to helping more young people to secure employment opportunities, which is why we will continue to support work experience programmes and traineeships and will introduce a new youth obligation.

Bill Esterson (Sefton Central) (Lab): But too many of the apprenticeships have been going to older people who are already in jobs. Does the Minister agree that what is really needed is apprenticeships that provide intermediate and advanced high-level skills and qualifications that are valuable both for young people and the success of our economy?

Priti Patel: I view all apprenticeship skills as providing value-added to our economy. Let me provide the example of my visit to Pimlico Plumbers last Thursday. They are investing in young people and taking on young apprentices—[*Interruption.*] I hear Labour Members being disparaging about the employer organisation, but it is creating employment and career opportunities for young people, as does every other business and employer organisation that takes young people on at an apprenticeship level. Those organisations are the future; they are the ones investing in our young people, creating great career opportunities and passing on skills for our economy.

Unemployment

15. **James Morris** (Halesowen and Rowley Regis) (Con): What progress he has made in reducing the rate of unemployment. [902574]

The Minister for Employment (Priti Patel): The unemployment rate, at 5.3%, has fallen by a third since 2010—[*Interruption.*] I hear sighs from Labour Members, which shows that they have no interest in employment growth in this country.

Emily Thornberry (Islington South and Finsbury) (Lab): Grow up!

Priti Patel: The hon. Lady says, “Grow up”. Perhaps Labour Members should put aside the disparaging comments they make every time we speak about employment opportunities and growth in the economy. Unemployment is now at its lowest level for over seven years. In addition, the number of people in work has risen by over 2.1 million since 2010.

James Morris: Unemployment in my constituency has fallen by 50% since 2010, which has given a lot of security to a lot of people in my constituency. Does she agree that some individuals who might be suffering from long-term mental health conditions want to work, but encounter considerable barriers preventing them from getting back into employment? Does she therefore agree that we need to redouble our efforts to enable those people to get back into work because it is critical to their cure that they do so?

Priti Patel: My hon. Friend is absolutely right. He has drawn attention to two important facts: the fact that unemployment has fallen in his constituency and there are more people in work there, and the barriers—particularly mental health conditions—that prevent people from working. We will be launching a new Work and Health programme, and looking into how we can integrate services to provide the right kind of support to help such people to return to work.

Shabana Mahmood (Birmingham, Ladywood) (Lab): Between June 2011 and June 2015 there were 10,920 referrals to the Work programme in my constituency, 21% of which resulted in jobs. Those figures would improve, and employment would be further reduced, if the assessment of claimants that is carried out at the beginning of the process were more adequate and consistent, and ensured that crucial characteristics such as drug problems were not missed. When will the Government introduce changes to the assessment process?

Priti Patel: The Select Committee and many others have said that the Work programme has been one of the most successful employment programmes that the country has seen. Naturally, we constantly review our work in respect of assessments, but we are focusing on targeted support for individuals, because we all want the right outcomes for them. We all want to help them to return to work, and to give them the tailor-made support that they need. Rather than adopting the hon. Lady’s disparaging approach, we are saying that those people need help, and that we will give them help so that they can get back into work.

Work Capability Assessments: Veterans

17. **Jo Churchill** (Bury St Edmunds) (Con): What his policy is on requiring injured veterans to attend work capability assessments. [902576]

The Minister for Employment (Priti Patel): When a service medical board decides that a disabled person should be discharged from the forces, we will use its evidence to determine eligibility whenever possible.

Jo Churchill: I raise this matter on behalf of my constituent Private Troy Watkins, an ex-serviceman who receives payments from the war pensions scheme and who was also awarded a lifetime disability living allowance. Private Watkins is excluded from access to the armed forces independent payment scheme, which, unlike the war pensions scheme, requires just one assessment. Does the Minister agree that what we have at present is a two-tier system which discriminates against service personnel such as Private Watkins, and will she meet me to discuss the way in which it affects him?

Priti Patel: I thank my hon. Friend for raising that case, and I shall of course be happy to meet her. I think it right for the House to recognise the sacrifices made by all members of our armed forces who have been injured as a result of service to our nation.

People with Disabilities in Work

19. **William Wragg** (Hazel Grove) (Con): What progress he has made on increasing the number of people with disabilities who are in work; and if he will make a statement. [902579]

The Parliamentary Under-Secretary of State for Disabled People (Justin Tomlinson): In the last two years the number of disabled people in work has increased by 339,000, but we recognise that the gap between the employment rates of disabled and non-disabled people remains too large, which is why our ambition is to halve it.

William Wragg: May I invite the Minister to a Disability Confident event in my constituency, which will take place next spring? He will meet some brilliant charities, such as Independent Options and ARC, which provide work for, and teach life skills to, people with a range of disabilities.

Justin Tomlinson: I should be delighted to accept that kind invitation. Our reforms of the support that is given to people with disabilities who want to work will give local organisations great opportunities. On Friday I visited Foxes Academy, which has a success rate of more than 50% in providing work for people with learning disabilities; that contrasts with the national average of 6%. Local flexibility is vital.

Work Capability Assessments

21. **Tommy Sheppard** (Edinburgh East) (SNP): When his Department next plans to publish information on people who have died after undergoing work capability assessments. [902581]

The Minister for Employment (Priti Patel): There are no plans to publish such information.

Tommy Sheppard: That is a source of great regret. A recent study by Liverpool and Oxford Universities concluded that 590 suicides were linked to work capability assessments. When will the Department stop hiding behind excuses and publish the information that we seek, so that we can examine the effect of the claimant system on suicide rates?

Priti Patel: We do not agree with those claims, and the authors themselves caution that no conclusions can be drawn about cause and effect.

Housing Benefit

22. **Teresa Pearce** (Erith and Thamesmead) (Lab): What assessment he has made of the potential effect of changes to housing benefit announced in the spending review and autumn statement 2015 on people under 35. [902582]

The Parliamentary Under-Secretary of State for Disabled People (Justin Tomlinson): To introduce fairness, we will cap housing benefit at the appropriate local housing allowance rate for the area from April 2018 when a new tenancy is taken out or a tenancy is renewed after April 2016. That means that the housing benefit of single claimants under 35 who take on a new tenancy or renew a tenancy will be restricted to the local housing allowance shared accommodation rate.

Teresa Pearce: Research shows that it is fairly unusual for people under 35 without children to be given social housing, but the exception to that is care leavers. Can the Minister let the House know whether there will be any safeguards or exemptions for vulnerable care leavers?

Justin Tomlinson: To clarify, this will be a flow measure so there will be no cash losers among those already in the system. We will be looking at the protections in place, recognising those in the private sector which include protection for care leavers.

Topical Questions

T1. [902548] **Jo Stevens** (Cardiff Central) (Lab): If he will make a statement on his departmental responsibilities.

The Secretary of State for Work and Pensions (Mr Iain Duncan Smith): I am pleased to be able to update the House today on the next stage of universal credit roll-out. Universal credit is available now in three quarters of all jobcentres, and by April next year will be available nationally. Building on that, the digital service is already in a number of jobcentres, and I can announce that it is being extended to a further five jobcentres as early as next year—to Hounslow, Musselburgh, Purley, Thornton Heath and Great Yarmouth prior to May 2016, when the digital service will be rolled out nationally.

Jo Stevens: I invite the Secretary of State to confirm that current claimants of universal credit will face losses next April as a result of cuts to the work allowance. Can he explain to the House why there is no transitional protection for universal credit, as there is for tax credit recipients?

Mr Duncan Smith: I thought I had made this clear, but I will make it clear again. For those already on universal credit, advisers will support them through the additional resources and the flexible support fund to ensure that their status remains the same. Those moving from tax credit to universal credit are transitionally protected, as has already been stated.

T2. [902549] **Mark Menzies** (Fylde) (Con): What steps are being taken to support those with early onset dementia through the ESA process and, where appropriate, how do we support those who wish to continue in work to do so?

The Minister for Employment (Priti Patel): We fully recognise the devastating impact that a diagnosis such as early onset dementia can have on individuals and their families. That is why we have the work capability assessment, which is designed to ensure that any claimant who is severely affected can be identified at the earliest possible stages and is supported. They will of course be placed on to the highest rate of benefit, where there has been such a diagnosis, and they will be free from any conditionality.

Nick Thomas-Symonds (Torfaen) (Lab): At the election, the Conservative party promised to exempt pensioners from their proposed benefit freeze, yet as a consequence of the autumn statement some 400,000 of those on pension credit will see their benefits cut, and 800,000 will see it frozen. [Interruption.] There is no point in Ministers looking puzzled; I would have thought they would learn to read the small print of the Chancellor's economic statements by now. How can it be right, when three quarters of pensioners are facing a choice between heating and eating this Christmas, to be taking more than £100 a year away from so many older people?

The Parliamentary Under-Secretary of State for Work and Pensions (Mr Shailesh Vara): The hon. Gentleman really must move away from student politics. This Government have done more for pensioners than any other Government. They are benefiting more now than they would have under any system introduced by the Labour party. The triple lock is making sure they have more money. We have also maintained a lot of the universal benefits, so we on this side of the House will take no lectures from those on that side of the House.

T6. [902553] **Chris White** (Warwick and Leamington) (Con): I recently visited UK Interactive Entertainment to learn more about the work of Special Effect, a charity working with disabled people to make video games accessible to all. How can we further utilise technology to assist those with disabilities?

The Parliamentary Under-Secretary of State for Disabled People (Justin Tomlinson): I was delighted to join my hon. Friend on the visit to that fantastic charity, which has widespread support including from the Prime Minister and the deputy leader of the Labour party. Technology is key to removing barriers and I am delighted that we have the innovative technology prize—we will be announcing the winner in March—which shows that creating innovation and creating more opportunities will reduce more barriers.

T3. [902550] **Kate Osamor** (Edmonton) (Lab/Co-op): I have a constituent, a single mother of three, who was declared fit for work despite having ongoing complex mental and physical health problems. Since the verdict, she has phoned my office and she says she cannot take any more. Her doctor has also increased her medication for depression. Will the Government admit that in this instance and many others they are pushing the fit for work test too far and it is having an adverse effect on people's health?

Priti Patel: I would be very happy to look at the constituency case that the hon. Lady has just raised. I also remind her and the House that we have already had five reviews of the WCA.

T7. [902554] **Graham Evans** (Weaver Vale) (Con): Since 2010, unemployment in Weaver Vale has decreased by 54%. Will my right hon. Friend join me in paying tribute to the hard-working staff of Jobcentre Plus who have helped to make that happen? Is it not an example of this Government's long-term economic plan delivering for hard-working taxpayers in Weaver Vale?

Mr Duncan Smith: As my hon. Friend knows, I visited him the other day in his constituency, where he is doing an exemplary job, as is the jobcentre. Employment is improving and unemployment is falling, and that is happening nationally as well as with him. I would be very happy to visit him again.

T4. [902551] **Ruth Cadbury** (Brentford and Isleworth) (Lab): Hounslow Community FoodBox in my constituency is a food bank service that is, sadly, growing. A recent worrying trend has been the police bringing people into the FoodBox who have been caught shoplifting because they have no way of affording food. They have fallen through the net. Will the Secretary of State review past decisions to withdraw DWP emergency funds in the case of people who would otherwise be left destitute?

Mr Duncan Smith: We have actually gone in exactly the opposite direction. We are making sure that in all jobcentres, and in all correspondence, individuals are notified that if they have difficulty they will have full access to crisis loans and advance payments. There is no reason for anybody in the benefits system to find that they have no money. They need to go and speak to the jobcentre advisers or ring them on the telephone and they will find themselves supported.

Michael Tomlinson (Mid Dorset and North Poole) (Con): As a vice-chair of the all-party parliamentary group on youth employment, I welcome the unemployment figures in my constituency, but will the Minister tell me what more can be done to help the hardest-to-reach young people into work?

Priti Patel: I welcome the work that my hon. Friend is doing through the APPG. We recognise that we can never stand still in this area. There is always more to be done to support young people through work experience, traineeships and, importantly, working with employers to encourage them to take on more young people and get them into the labour market, invest in them and train them so that they have skills for the future.

T5. [902552] **Peter Dowd** (Bootle) (Lab): A devastating announcement has been made in the days before Christmas by Shop Direct, which covers the Littlewoods and Very brands, and its partner, Webhelp, that 400 call centre jobs in my constituency are to be lost. Those jobs are to be transferred 6,000 miles away to South Africa. What assurances can the Secretary of State give me that the people affected by those redundancies will get all the support and help they need from his Department?

Mr Duncan Smith: The hon. Gentleman is right to raise that. All support will be given by Jobcentre Plus. If it has not already done so, I will ensure that it puts a specialist team in to make sure that all those people are seen as a priority, that all their skills are assessed and that they are got into jobs as quickly as possible. If, however, he would like to come and see me about this or if he can think of anything else we can do, I can assure him we will do everything we can to help his constituents at this time.

Michelle Donelan (Chippenham) (Con): Will the Minister please inform the House of the specific plans for constituencies such as mine which have very high rates of employment but suffer proportionally high rates of long-term unemployment?

Priti Patel: I know that my hon. Friend is doing a great deal of work locally in the employment space through apprenticeship fairs and things of that nature. When it comes to supporting people who are suffering long-term unemployment, we are working with our jobcentres and employers and, importantly, Work programme providers to get people closer to the labour market, to support them through training schemes and to nurture them so that they have an easier, smoother journey into work.

T8. [902555] **Ian Blackford** (Ross, Skye and Lochaber) (SNP): I was delighted to hear from the Minister about all the work that the Government are doing for pensioners. In the light of the Pensions Minister's announcement that they have finally conceded and announced a review of how rises in the state pension age should progress, will they now right the wrong that has been done to hundreds of thousands of women in this country? Does he recognise that this issue has to be addressed, as the Women Against State Pension Inequality—WASPI—campaign has said, to ensure that women are not pushed into poverty?

Mr Vara: When the Pensions Act 2011 was passing through Parliament, the Government made a concession worth £1.1 billion that reduced the period concerned from two years to 18 months. For 81% of the women concerned, the period will not be extended, and will be a maximum of 12 months. I am sorry to tell the hon. Gentleman that this Government have no plans to make any further concessions.

Peter Heaton-Jones (North Devon) (Con): Does the Under-Secretary of State responsible for disabled people agree that, at a time when we are doing so much to encourage people with disabilities to participate in sport, it is a huge missed opportunity that not one of our inspirational disabled athletes is being honoured by the BBC Sports Personality of the Year awards?

Justin Tomlinson: I thank my hon. Friend for his question. I thought that decision was a disgrace. I was at the Barclays power of sport event on Thursday—on international day for people with disabilities—and there was collective disbelief among the great representatives of disability sport at that decision. We are not saying that people should always be guaranteed a win, but they should have been included as a consideration, because that is really important for inspiring the next generation.

Alison McGovern (Wirral South) (Lab): I was surprised to hear the Secretary of State say earlier that my party never supported universal credit. If that were the case, why would we have spent the past five years harassing him about how slowly he was going with it? However, that does not stop me worrying about the fortunes of the 30,000 lone-parent families in work in Merseyside. Is the Secretary of State for real: can he confirm that not a single one of those families will be a penny worse off?

Mr Duncan Smith: Universal credit actually improves the lot of lone parents dramatically, because the first person into work gets a huge amount more than they would have done under tax credits. Here is the key: I have already said that those who are on universal credit at the moment will be supported by their advisers through the flexible support fund, to ensure that their status does not change.

Jake Berry (Rossendale and Darwen) (Con): I congratulate my right hon. Friend on protecting the winter fuel payment, but although hundreds of thousands of letters are dropping through people's letterboxes, figures also show that those who are retired are disproportionately less likely to switch their energy supplier. Will he commit to work with colleagues in the Department of Energy and Climate Change to look at how energy switching details can be included with the winter fuel payment?

Priti Patel: I welcome my hon. Friend's suggestion, and I would be delighted to liaise and work with colleagues to make that point. The more that we all do to switch energy suppliers and producers, the more money we can all save in the long run.

Ms Tasmina Ahmed-Sheikh (Ochil and South Perthshire) (SNP): The latest figures from the Department show that a clear majority of the JSA sanctions imposed in April to June, and about half of the ESA sanctions, were on claimants who had already been sanctioned within the previous two and a half years. Why does the Minister think the sanctions process is failing to change the behaviour of so many benefit claimants, and why does she not accept the recommendation of the Work and Pensions Committee and instigate a full and independent inquiry forthwith?

Priti Patel: We know that sanctions are having a positive effect on securing employment, and the figures actually show that. In addition, the claimant commitment clearly outlines to the claimants and the work coach the requirements on supporting the individual back into work. As we are seeing, JSA sanctions have halved and ESA sanctions are down, and they are supporting more people in getting back to work.

Heidi Allen (South Cambridgeshire) (Con): I have a brief question on universal credit, as we continue to roll it out. Is there an opportunity to extend the dedicated

telephone line that housing associations enjoy direct to universal credit to citizens advice bureaux, which do an incredible amount of work but are struggling to make contact with the people who can help them?

Mr Duncan Smith: Under universal support, which is delivered locally, we are talking hugely to local authorities and all the local organisations in the area, and my hon. Friend will find that this will be swept up as part of that process; it is a dramatic improvement on where tax credits are right now, because it brings in all those other benefits as well.

Stephen Timms (East Ham) (Lab): The latest projections show that universal credit is running about four years behind the timetable that the Secretary of State originally set out. He has told us today that the new digital IT solution is to be rolled out from next April. How will he merge that with the prior IT system, which is already in use in quite a lot of jobcentres?

Mr Duncan Smith: The universal programme is on track and has been approved by the Major Projects Authority, which has said that it is delisted. I say to the right hon. Gentleman, who has been here long enough to remember, that I will take no lessons from a Labour Government who gave us a tax credit debacle—they rolled it out and more than three quarters of a million people failed to receive any benefit on the day it was launched. He should come to see this system; the live service and the digital service are merged because a lot of the digital service will use elements of the live service. They are therefore merging in the run-up to May and will then be rolled out together at the same time.

Alison Thewliss (Glasgow Central) (SNP): The Minister said earlier that there is no place for domestic violence in our country, and I firmly agree with him. When will he confirm how his Department intends to make women prove that they have had their third child by rape?

Mr Duncan Smith: I missed the question, Mr Speaker. There was a lot of noise, so I did not hear it.

Mr Speaker: The hon. Lady was asking about the treatment of someone who has a third child through rape.

Mr Duncan Smith: My apologies to the hon. Lady. May I say to her that we will come back with our exact reasons and rationale for how we will decide that? The reality remains, however—and this is, I believe, popular among the public—that those who make choices and take responsibility for them want everyone else to do the same as well.

Neil Coyle (Bermondsey and Old Southwark) (Lab): On a point of order, Mr Speaker.

Mr Deputy Speaker (Mr Lindsay Hoyle): Order. Points of order come after statements. I shall await with eager anticipation the hon. Gentleman's point of order.

Flooding

3.35 pm

The Secretary of State for Environment, Food and Rural Affairs (Elizabeth Truss): With permission, Mr Speaker, I wish to make a statement on the impact of Storm Desmond and flooding in the north of England.

As the House knows, this weekend has brought some enormously difficult and extreme weather conditions, and I begin by expressing my deepest sympathy to those who have been affected in all parts of the UK. I also wish to commend the Environment Agency, the emergency responders and volunteers who have been working tirelessly throughout the weekend, often in horrific conditions. People have come from all over the country—from as far as south Wales, Lincolnshire and Somerset—to help. I am sure that the whole House will join me in paying tribute to them for their work, and to those who have shown such generous community spirit in offering food, transport and even beds to neighbours.

Over the course of Friday 4 December, it became clear that Storm Desmond would bring an exceptionally high volume of rainfall across the UK. The Environment Agency responded by mobilising its people and assets, moving temporary defences and pumps to north-west England. On Saturday morning, it became clearer which counties would be affected and that we would see very high levels of rainfall that evening.

The Government mobilised a full national emergency response. At midday on Saturday, I held a cross-departmental meeting to assess the projected impacts, which was shortly followed by the mobilisation of 200 military personnel and supporting assets, including making available a Chinook helicopter.

Local commanders were able to call on more than 50 high-volume pumps as well as specialist tactical advisers and rescue boats from around the UK, adding to more than 200 emergency responders already on the ground. The Under-Secretary of State for Environment, Food and Rural Affairs, my hon. Friend the Member for Penrith and The Border (Rory Stewart), travelled to Cumbria on Saturday to ensure that the emergency responders on the ground got all they needed. He has remained in the north-west throughout.

On Saturday night, we saw an unprecedented amount of rainfall. More than a month's rain fell in one day. During Saturday night, main rivers all across Cumbria exceeded the highest levels ever recorded. There is a mark on the bridge in Carlisle showing the flood level in 1853. The 2005 flood was half a metre higher than that of 1853, which was the highest on record until then. This flood was half a metre higher again. It was 0.6 metres higher than previous records in Kendal, 0.7 metres higher in Keswick and 0.3 metres higher in Appleby.

Although more than 8,000 properties were protected by our flood defences, by Sunday morning, more than 3,500 properties had flooded across the country, the majority of which were in Cumbria. In Carlisle, more than 1,300 properties flooded. More than 600 properties flooded in both Kendal and Keswick, with more than 200 in Appleby. Flooding was also seen in Northumberland, with more than 60 properties flooded at Hexham. Some 55,000 properties lost power in Lancaster following the flooding of the electricity substation. Transport was

severely disrupted, with roads closed across the north-west and bridges damaged. The west coast main line was suspended.

Tragically, I also confirm that there were a number of weather-related fatalities, with a number of incidents caused or exacerbated by flooding or poor weather. I am sure that the House will want to join me in expressing our deepest sympathy to their families and friends. It is a tragic reminder of how dangerous these conditions can be.

On Sunday morning, I chaired a cross-Government Cabinet Office briefing room meeting to ensure that the emergency responders on the ground had all the resources that they needed and to address immediate issues, including the threat to the power supply in Lancaster and Carlisle. I spoke with gold commanders in the worst affected areas during the day to ensure they had sufficient national resources to deliver their emergency plans.

The Prime Minister chaired a further Cobra meeting this morning and is visiting the affected areas today. I am pleased to confirm to the House that progress is being made on recovering from some of the impacts. The number of homes affected by power outages has been reduced to fewer than 5,000 following the restoration of power at Lancaster substation. Electricity companies are working round the clock to restore power as soon as possible.

Transport remains disrupted across much of the area. Many roads remain closed and will need to be repaired. The west coast main line remains suspended to Scotland and service is unlikely to be restored until Wednesday at the earliest. The Government will continue to ensure that all resources are made available to support recovery from this flooding. Cobra will continue to meet daily to oversee recovery efforts and I will be travelling to Cumbria and Lancashire after this statement to continue to ensure that we are doing all we can to help those affected.

I know that local communities will want to know what action Government will be taking to support the recovery phase. I am pleased to confirm to the House that my colleague the Secretary of State for Communities and Local Government will shortly be opening the Bellwin scheme for local authorities affected by floods, and that 100% of eligible costs will be met by the Government. We will announce further support schemes over the coming days.

Since 2009 we have invested £45 million in new defences in Cumbria, but we will need to reflect on lessons that we can learn from this extreme weather event. In the last Parliament there was a real-terms increase in the investment in flood defences and in this Parliament there will be another real-terms increase in spending. We are investing £2.3 billion in 1,500 schemes throughout the country that will better protect 300,000 homes. The spending review has also confirmed that we are protecting flood maintenance spending throughout this Parliament as well as capital spending.

I am sure the whole House will join me in expressing our sincere sympathy to those who have been affected by this weekend's extreme weather conditions. I can assure the House that the Government will continue to do everything we can to support those affected and I commend this statement to the House.

3.42 pm

Kerry McCarthy (Bristol East) (Lab): I thank the Secretary of State for her statement. I have spoken this morning to my hon. Friends the Members for Workington (Sue Hayman), for Copeland (Mr Reed) and for Lancaster and Fleetwood (Cat Smith) for an update on what is happening in their constituencies. Understandably, they cannot be here this afternoon as they are with their constituents, and I appreciate that the floods Minister is, rightly, in his constituency too.

Our thoughts are with all the communities in Cumbria and Lancashire that have once again been devastated by flooding. Tragically, it now seems that a number of people have lost their lives; their friends and family have our deepest sympathy and condolences. I join the Secretary of State in paying tribute to the emergency services and the Army, who have once again responded superbly.

The immediate priority of course has to be help for all those who have been forced to evacuate their homes and businesses, and making sure that everyone is safe, warm and well. Communities such as those in Cumbria are getting used to rallying round and helping those who need shelter, food and clothing while they contemplate the state of their homes, and they have been magnificent this time, too. They are desperately worried that further rain is predicted for tomorrow, and I hope that the emergency response of which the Secretary of State spoke is geared up to respond to further bad weather.

With the last major floods of 2013-14, the Prime Minister declared that

“money is no object in this relief effort”,

yet it was months before residents, business owners and farmers received support from the Government, and much longer before they could return home. I was pleased to hear the Prime Minister say today that we must

“make sure everything is done to help in this vital phase of dealing with the floods”,

but it is not enough for the Prime Minister and the Environment Secretary to pledge to deal with the devastation and damage caused. We need a commitment from them to do all they can to try to prevent this from happening again.

It was just six years ago that Cumbria was hit by “unprecedented” flooding, described then as a once in a lifetime or a once in a century event, but it has already happened again. This time, as the Environment Secretary said, it is even worse. Her predecessor was, as we know, not someone who was prepared to acknowledge the risks posed by climate change. Does this Secretary of State agree that extreme weather events are unfortunately increasingly a feature of British weather and that Government policy has to adapt accordingly? World leaders in Paris are negotiating what, we hope, is an historic agreement on climate change right now, yet domestically the Government have repeatedly abandoned measures to reduce the UK’s carbon emissions, and climate adaptation appears to be a worryingly low priority for the Department for Environment, Food and Rural Affairs. When the Secretary of State travels to the north-west later today I hope that she will see that that cannot continue.

Until the 2013-14 winter floods in the south-west, DEFRA had downgraded flood defence as a priority, despite the fact that the Committee on Climate Change warned that flooding represented the greatest climate

change risk to the UK. Flood defence maintenance was cut by 20% in 2010. In one year alone, the coalition slashed flood spending by more than £100 million. Does the Secretary of State accept that that left the UK unprepared for extreme weather events? I know that capital expenditure has been announced and is protected, but DEFRA has said that it cannot tell us about the resource funding for flood defence maintenance from 2016-17 to 2019-20 until next summer. I should be grateful if she elaborated on that and gave us a bit more information.

Will the Secretary of State heed the warnings from experts that we need year-on-year investment in flood defences to meet the increased threat of flooding? Given that this year’s flood defence budget is £115 million lower than last year, and lower than flood defence expenditure in 2009-10, can she honestly reassure the communities affected by flooding that the Government are doing enough?

After the last floods in Cumbria, insurance pay-outs took months and, in some cases, years. Flood Re is not due to become operational until next year, so will the Secretary of State update us on her discussions with the insurance companies since the weekend? Has she managed to secure assurances that householders and businesses will be paid promptly and in full? Local people are finding it impossible to meet the cost of insurance premiums. What reassurance can she offer to people who fear that their premiums will increase even more?

The Secretary of State spoke, rightly, about the need for a cross-departmental approach, with issues such as road and school closures, and the role of hospitals. The point has been made by my colleagues in Copeland and Workington that it would be absolute folly to downgrade the West Cumberland hospital in Whitehaven, given that power shortages and the sheer distance that people had to travel meant that the hospital in Carlisle was not geared up to deal with the floods this time round. I am more than happy to confirm that we want a cross-party approach to the problem, working with communities and Government Departments to try to ensure that people in Cumbria and Lancashire are, wherever possible, back home, safe and well with a roof over their head, and as dry as possible before Christmas strikes. I offer the Secretary of State my support in that.

Elizabeth Truss: I can assure the hon. Lady that we have an absolute focus on making sure that gold commanders on the ground have every support they need to make sure that people are safe and homes are protected, and to aid the recovery effort. We have seen that in efforts to restore the power supply and to report issues on road and transport systems. We are vigilant about the weather outlook. Cobra will meet daily to make sure that we have all those forecasts, that they are taken into account and that we put our resources where they are needed. We remain vigilant on that at all times. We began the recovery and response effort on Friday by making sure that those resources were in place in Cumbria. We can do all we can by mobilising resources such as the Army to ensure that support is on the ground where it is needed.

We have seen an unprecedented weather event. The hon. Lady referred to previous flooding in Cumbria, but this flooding was more extreme—levels were exceeded by half a metre in some key towns and cities in Cumbria. Of course, it was absolutely devastating for people previously

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affected by flooding who believed that things would be better but who have been affected by flooding again. My huge sympathy goes to those business owners and local residents, and I hope to meet them later today and tomorrow.

The hon. Lady is absolutely right about the extreme weather patterns that we are seeing. As we say, that is consistent with climate change trends. Climate change is factored into all the modelling work that the Environmental Agency does, but in the light of this extreme weather we must look at that modelling and ensure that it is fit for purpose for future decisions. We constantly review investment in flood defences. It is important that we remain fair to people across the country, and that the people of Cumbria understand why decisions have been made and get the proper protection they deserve.

On flood defence spending, over the last Parliament we spent £1.7 billion in capital spending—a real-terms increase on the £1.5 billion spent between 2005 and 2010. Our next six-year programme is £2.3 billion, which again represents a real-terms increase. It is the first time a Government have laid out a six-year programme so that we do not have lumpy bits of flood spending, but commit to a long-term programme that helps to protect the country better. Including the impact of climate change, that is forecast to reduce flood risk by 5% over the next six years.

The hon. Lady asked about the maintenance budget. We spent £171 million last year on flood maintenance. In the autumn statement the Chancellor confirmed that that will be protected in real terms for the duration of this Parliament.

The hon. Lady also asked about the help that people will get from insurance and support schemes. My right hon. Friend the Communities Secretary and I are keen to see support schemes that are flexible and simple to operate, so we will work on that in the coming days. My right hon. Friend will host a discussion with the insurance companies to make sure that that support is provided.

These issues are all very important, but the immediate priority must be the rescue and response effort to make sure that we protect lives and families. It is such a terrible time of year, just before Christmas, for people to be out of their homes. Our absolute priority as a Government is making sure that we restore power supplies to homes, restore transport systems and protect lives.

Mr Nigel Evans (Ribble Valley) (Con): Parts of my constituency have been affected by the floods that have wrought so much damage throughout the north-west. May I reinforce the point about insurance claims? They should be met speedily, not in six or nine months' time. People's needs are now, not in six or nine months. Will my right hon. Friend also make it clear to insurance companies that they will be looked at very carefully if they start to withdraw cover from people who have been affected by these floods? Withdrawing cover blights people's homes, following the devastation that they have just suffered.

Elizabeth Truss: My hon. Friend makes an extremely good point. We will work with insurance companies to make sure that people receive prompt payments and that we can get people back into their homes as soon as possible.

Ian Blackford (Ross, Skye and Lochaber) (SNP): I thank the Secretary of State for her statement this afternoon and, with my colleagues on the Scottish National party Benches, send our condolences to families that have been affected over the weekend. Normally my hon. Friend the Member for Berwickshire, Roxburgh and Selkirk (Calum Kerr) would speak on behalf of the SNP, but he is in his constituency assisting with the work there.

We feel for the devastation across the north of England and for the clear-up that is under way across the borders in Scotland as well, after some of the worst flooding that the region has seen. At its height about 700 people were evacuated from their homes. Hundreds of houses and business premises have been flood-damaged. There was extensive flood damage across other parts of Scotland, including the most significant flooding on the River Tay in 12 years. Today flood alerts have been issued for Dumfries and Galloway and the Scottish borders again.

I note that David Shukman, the respected BBC science editor, wrote:

“Scientists always shy away from blaming any particular weather event on climate change. But they also point to a basic physical property of the atmosphere: that warmer air can hold more moisture. That means that rising temperatures are likely to lead to storms that may drop more rain—and in more intense bursts.”

In 2009 the Scottish Parliament unanimously passed world-leading climate change legislation. Using 1990 as a baseline, it committed itself to reducing greenhouse gas emissions by at least 42% by 2020 and at least 80% by 2050. In Scotland, we are doing what we can to foster renewable energy. It is a pity that this Government are removing support for onshore wind. Will the Secretary of State liaise with the Secretary of State for Energy and Climate Change to revisit this? We need to do more to protect our environment.

There is potential for extreme weather systems to continue to plague the UK. We are lucky in the UK that we have the resources to help as much as we can in preparing for them and helping communities in the aftermath, and I am grateful for the Secretary of State's comments on that. However, across the world, smaller and poorer countries are going to be far worse hit by the effects of climate change. Today the Scottish Government announced that they will double their climate justice fund by pledging a further £12 million for developing countries to lessen the impact of climate change. What are the UK Government doing to help in poorer countries?

Elizabeth Truss: I express my sympathy for the people affected in Scotland. We are working very closely with the Scottish Government on our response.

My right hon. Friend the Secretary of State for Energy and Climate Change is currently in Paris working to secure a good international deal so that we can deal with climate change on an international level. Of course, we have a very clear carbon budget system in place in the UK.

Seema Kennedy (South Ribble) (Con): I pay tribute to my local Environment Agency team in Lancashire and Cumbria, who worked all weekend keeping me up to date. My residents in Banks and Rufford are very concerned that in less than two years the flooding pumps at Alt Crossens are going to move away from the Environment Agency to another, as yet unnamed, body. Most of this water gives on to farmland. What is the Department doing to protect farmland?

Elizabeth Truss: I agree with my hon. Friend's tribute to the fantastic emergency service and Environment Agency staff who have been working round the clock to support people in the area. Our six-year programme will mean that an additional 420,000 acres of farmland will be protected. In the specific case of the flooding in the north over the weekend, we will look at what more can be done to help farmers.

Christian Matheson (City of Chester) (Lab): Over the weekend and this morning I have been in contact with my hon. Friend the Member for Workington (Sue Hayman), who remains in her constituency, and she has given me some thoughts on the situation in that part of Cumbria. She is extremely grateful, as are her constituents, for the response of the emergency services. There is concern that an unintended consequence of reductions in front-line services, as well as cuts to local authorities and the Environment Agency, is that those emergency responses may not be possible in future. Will the Government give some thought to whether cutting local authority and Environment Agency budgets might damage the ability to respond to these events in future?

Elizabeth Truss: The response efforts over the weekend and the preparations put in place by the Environment Agency, the emergency services and Army personnel have been fantastic. They have been working their socks off on the ground to protect people, and we are all very grateful for what they have done. My role is to make sure that we are co-ordinating those efforts and giving the local teams all the support they need. On Saturday and Sunday I spoke to the gold command to ask whether they needed any additional support and resources, and whether all those resources have been made available. Of course, we will continue to monitor the situation to make sure that the resources are available on the ground.

Mark Menzies (Fylde) (Con): May I put on record my thanks to the emergency services and to officials at DEFRA and the Department of Transport for the work they have put in over the weekend? Will the Secretary of State assure me that she will continue to work with farmers in my constituency to ensure that the devastation that some of them have suffered over recent days will be looked at with sympathy?

Elizabeth Truss: I absolutely agree with my hon. Friend. As well as making sure that farmland is protected as part of our six-year flood defence programme, we will look at the specific impacts on farmers. The farming Minister, my hon. Friend the Member for Camborne and Redruth (George Eustice), will do more work on that.

Rachael Maskell (York Central) (Lab/Co-op): This morning I met businesses in York who are over 4 metres under water. This is the second flooding they have had within a month. Will the Secretary of State ensure that basics like sandbags and pumps are available free for businesses, because they pay a heavy price when flooding occurs?

Elizabeth Truss: We are monitoring the situation in York very closely. There are defences in place in York, and the Environment Agency makes sure that the relevant equipment, such as sandbags and pumps, are moved to the area in question.

Rishi Sunak (Richmond (Yorks)) (Con): My North Yorkshire constituency has also been affected this weekend, so I welcome my right hon. Friend's earlier comments and pay tribute to those working hard in my area. My thoughts are with those affected elsewhere. I recently visited the village of Brompton, where the community has come together to create a set of natural flood defences, including a leaky dam and a series of holding ponds. Does my right hon. Friend agree that such schemes have a role to play in preventing floods, and will she urge the drainage boards and the Environment Agency to support them where appropriate?

Elizabeth Truss: I have great sympathy for those constituents of my hon. Friend who have been affected. I completely agree that natural defence schemes can play a very strong part in flood prevention. Indeed, I recently visited the Slow the Flow project in Pickering in Yorkshire, which is doing just that. Not only does it help to reduce flooding; it also contributes to the natural environment and biodiversity.

Mr Dennis Skinner (Bolsover) (Lab): It is at times like these that we begin to worry about the cuts that local government and the fire service have suffered for the last five years. Is there any opportunity for the Secretary of State to say from the Dispatch Box today that she will ensure that the fire service will have those cuts reversed and that it will be able to carry on without losing men and machinery from this day forward?

Elizabeth Truss: We have seen fantastic support from the fire service and other emergency services, and the co-ordination on the ground has been superb. We have kept in regular touch with the gold command in those local areas. On flood protection, I have confirmed today that we are seeing an increase in real terms in capital spending over this Parliament, and we are also seeing a protection in real terms of our flood maintenance budget. That is really important in preventing and reducing the impact of flooding.

Mrs Anne-Marie Trevelyan (Berwick-upon-Tweed) (Con): In the light of the floods in Cumbria and elsewhere, I am pleased to say that flood defences provided security and protection, as they were supposed to, in north Northumberland. Will the Secretary of State consider, as a matter of urgency, increasing the number of trees we plan to plant during this Parliament from 11 million, which equates to only one tree for every five people, to some 200 million, which equates to five trees for every person? They would cover some 50,000 hectares, much of which could be in the upland areas of river basins, to help nature to hold water and to reduce the risk of flooding in the long term.

Elizabeth Truss: I completely agree with my hon. Friend's point about the number of houses that were protected. Although my thoughts are with those who were flooded, 8,000 houses in the north of England were protected by our flood defences. I completely agree with her about looking at the environment on a catchment level and making sure that we put in place tree-planting programmes that can both reduce flood risk and improve the environment at the same time.

Angela Smith (Penistone and Stocksbridge) (Lab): May I put on the record my heartfelt sympathies for the people of Cumbria and elsewhere, and for the friends and families of all those who died as a result of the weekend's events? My constituency was badly flooded in 2007, and one has to live through such an event to be able to understand the devastation it visits on communities and families alike. The Secretary of State has made a great deal of play of the real terms increase in flood maintenance spending, but can she reassure the House that the flood maintenance budget has adequate funding to start with and that the Environment Agency is adequately funded to discharge its role in relation to flood prevention and flood response?

Elizabeth Truss: I know the hon. Lady has a lot of experience in this area. I have had such a discussion with the Environment Agency, and the budget is effective for the level of our plans at the moment. As I have mentioned, we saw an extreme weather event with the incidents in Cumbria, so although the flood defences in Cumbria delayed the impact, giving the emergency services an opportunity to operate and to evacuate people, and also reduced the impact, we clearly need to look at that area.

Mr David Nuttall (Bury North) (Con): With uncanny timeliness, a publication entitled "Responding to Major Floods" arrived in my postbox today from the Association of British Insurers. It is a useful guide to help those affected by flooding. Will my right hon. Friend speak to the ABI and ensure that copies of the booklet are distributed to everyone affected by this weekend's flooding?

Elizabeth Truss: In fact, I met the ABI a couple of weeks ago and saw the document. It is indeed a good document, which I encourage Members of Parliament across the House to use in helping their constituents.

Mr Speaker: The hon. Gentleman is doubling up as a helpful public information system, on top of all the other useful contributions—

Mr Nuttall: Always keen to help.

Mr Speaker: Indeed, the hon. Gentleman is always willing to help. We are grateful to him.

Liz McInnes (Heywood and Middleton) (Lab): Like everybody in the House, I pay tribute to all our emergency services for the magnificent work they have done and continue to do. At present, however, there is no formal expectation that fire and rescue services will actually attend floods in England and Wales. Does the Secretary of State agree that, to ensure an effective, safe and robust response to flooding, we should follow the example of Scotland and Northern Ireland and make it a statutory duty for firefighters in England and Wales to respond to flooding?

Elizabeth Truss: My view is that our procedures are working, with the gathering of Departments on Saturday to make sure that we had the right preparations in place for the emergency services, the Environment Agency and the Army. The Cobra system that we have to co-ordinate them when we have an emergency, as we have had for the past few days, has worked very effectively, and we have been able to mobilise people on the ground. I am interested in what works, in what is effective and in

how we protect the maximum number of people and the maximum number of homes from this extreme event.

David Rutley (Macclesfield) (Con): I, too, pay tribute to the emergency services. As an officer of the all-party groups on mountain rescue and on mountaineering, I pay particular tribute to the mountain rescue workers who have put in a huge amount of work to support the communities affected.

Given that tourism is such a vital part of the local economy, will my right hon. Friend assure the House that every effort will be made to support local businesses and communities in the run-up to Christmas and during the Christmas season in these very difficult circumstances?

Elizabeth Truss: My hon. Friend is absolutely right. Mountain Rescue has been a fantastic support, particularly in some of the remoter villagers across the north of England, especially in Cumbria. I pay tribute to it for its round-the-clock work. It has been absolutely fantastic.

I agree with my hon. Friend about rural tourism, which is already worth £10 billion to the economy. It is really important to get things up and running again, which is why I am working with my colleagues the Transport Secretary and the Energy Secretary to make sure we get transport and power up and running, not only so that residents can enjoy the area, but so that people can visit it.

Tom Brake (Carshalton and Wallington) (LD): I echo both the condolences expressed by the Secretary of State and her commendations of the emergency services and the volunteers for the invaluable work they are doing. Thousands of people across the north of England and Wales have been affected, including the leader of my party, my hon. Friend the Member for Westmorland and Lonsdale (Tim Farron). He has suffered the relatively minor inconvenience, compared with what other people have experienced, of having his car written off as a result of the floods. He cannot be in the Chamber today.

The Secretary of State is clearly focusing on the emergency. After the emergency, however, does she intend to apply to the EU solidarity fund to help rebuild the communities devastated by floods once the immediate emergency has been dealt with?

Elizabeth Truss: My understanding is that there is quite a high threshold to obtain that funding, but we will of course look at all potential sources of funding. As I have mentioned, my right hon. Friend the Communities Secretary will open the Bellwin fund, and we are also looking at specific schemes.

Edward Argar (Charnwood) (Con): Floods, as we have seen, can have a devastating impact on businesses, homes and individuals. Our thoughts are with those who have been affected. My right hon. Friend's Department has had a clear commitment to date to investing in flood prevention schemes. Will she reaffirm her continued commitment to investing in such schemes and to continuing the vital work that she has begun, which has spared many people from the plight of flooding—although, sadly, by no means all—and which has the potential to protect many more?

Elizabeth Truss: It is an absolute priority for my Department to improve our flood defences as much as possible, to reduce the flood risk and to make sure that we are constantly prepared for these extreme situations. That is why we acted early on Saturday by bringing the Departments together to prepare the response and why we held a Cobra meeting on Sunday to make sure that the Army was deployed to deal with the situation and protect as many lives and homes as possible.

Paula Sherriff (Dewsbury) (Lab): Much of my immediate family, including my parents, live in the Carlisle area. Thankfully, they are safe, but my thoughts and prayers go out to everyone who has been affected by this dreadful situation. Obviously, I thank the emergency services and the community volunteers.

Just six years after unprecedented flooding, Cumbria has once again been hit by unprecedented rainfall. Does the Secretary of State agree that, unfortunately, such extreme weather events are increasingly a feature of the British weather and that Government policy has to adapt accordingly?

Elizabeth Truss: I am pleased to hear that the hon. Lady's family are safe and well. The events in Carlisle were not just extreme weather events, but were significantly worse than those on the previous occasion. There was an additional half metre of water, which has had a huge impact on local communities. Of course, as with all major incidents, we will look at this one and see what lessons can be learned for the future.

Richard Drax (South Dorset) (Con): May I pass on my sympathy to all those who have been affected and my commendation to all those in the emergency services who, as always, have done a fantastic job? Given the pressure on housing, will my right hon. Friend ensure that she and the Government note the new levels of water that are arising around the country and ensure that no new housing is built in those locations?

Elizabeth Truss: That is very much part of our planning system.

Robert Ffello (Stoke-on-Trent South) (Lab): Like other hon. Members, my prayers and thoughts are with all those who have been impacted by these appalling scenes. The word "unprecedented" has been used time and again today, and we seem to be coming back to the House again and again to discuss these issues. Is it not time that we sat down as a nation and looked at all the infrastructure, at where the substations, roads and bridges are, and at the drainage systems—looked at everything—and involved the public in a national consultation, so that we can have a proper plan for how these so-called unprecedented events, which I am sure will become more and more frequent, can be dealt with once and for all?

Elizabeth Truss: We do have very clear national resilience plans to ensure that our key assets are protected. Of course, after every major incident, we review them to see what could be improved. We constantly review the modelling on our flood defences to make sure that it is as good as possible. Each time something different happens, we need to be able to adjust it. Our models are open and transparent. The public can look at the methodology the Environment Agency uses. We use sophisticated data from the Met Office. Of course, we will look at this issue and see what more can be done.

Dr Tania Mathias (Twickenham) (Con): I send my sympathies to everybody who has been affected by the flooding. Cumbria is in the recovery phase. Will the Secretary of State review the flood defence modelling for the lower Thames region, in which many of my residents have no confidence? In particular, will she consider Thames barrier 2, which civil engineers were calling for even before the high floods in 2013-14?

Elizabeth Truss: I would be very happy to discuss that issue with my hon. Friend and to meet the people who are working on the proposed scheme. It is helpful to have an open and transparent discussion about why decisions on flood investment are made. I would be happy to share the data and the modelling with her.

Diana Johnson (Kingston upon Hull North) (Lab): The people of Hull, who know only too well the devastation flooding causes, extend their sympathies to all those affected by flooding this weekend. We pay tribute to the emergency services and to local BBC radio, which has an important role to play when we face such situations. Has the Secretary of State given any consideration to increasing support to the National Flood Forum, which does so much, through practical support and good advice, to help families and households affected by flooding? Additional resources would really help at this time.

Elizabeth Truss: The hon. Lady is absolutely right about the National Flood Forum and local radio: we were able to ensure that people were evacuated from their homes and given adequate warning to keep them safe. It is also worth mentioning that the Environment Agency website has been a very useful resource. It has gone from having 400 hits on an average day to 650,000 hits on one day alone, so the public are able to access information. We have also been communicating on social media, enabling early evacuation to keep people safe.

Matt Warman (Boston and Skegness) (Con): According to the Association of British Insurers, my constituency is the most likely to flood in the entirety of the UK. The tidal surge of 2013 flooded hundreds of homes and my constituents are still living with the consequences. Will the Secretary of State go back and double-check that the coming Boston barrier is not only up to the job but will provide the much needed economic benefits of flood defences after devastating floods, such as those that we are seeing in Cumbria and saw in Boston?

Elizabeth Truss: I agree with my hon. Friend that the Boston barrier is an extremely important scheme not just for local businesses in Boston but for farmers in the surrounding area. I met a group of local internal drainage boards to discuss what more can be done in Lincolnshire. I am very happy to update him on the modelling we have done and the forecasts we have made.

Neil Coyle (Bermondsey and Old Southwark) (Lab): I join the Secretary of State and hon. Members in sending condolences to the families affected and in paying tribute to the extraordinary response of the emergency services. What message are the Government sending to the fire and rescue service personnel who are giving their all right now, and to the people so badly affected right now, when 40 firefighters face job losses and five stations face closure in Cumbria alone under the latest round of emergency service cuts? How will

[Neil Coyle]

this affect the Government's ability to respond to future extreme weather conditions that the Secretary of State said we must expect?

Elizabeth Truss: My message to the firefighters of Cumbria is to thank them for all the fantastic work they have done, alongside the police, the Army, other emergency services and the Environment Agency, to help local people.

Rehman Chishti (Gillingham and Rainham) (Con): Apart from the national interest in ensuring that Cumbria receives the support it needs, my researcher Nicholas Altham lives at Yanwath near Penrith and raised with me the collapse of nearby Pooley bridge. Will the Secretary of State look at having a commitment not just to rapid repair but to the provision of transport infrastructure in this area in future?

Elizabeth Truss: Pooley bridge was discussed at this morning's Cobra meeting, as part of our programme to ensure that bridges are restored as soon as possible. My right hon. Friend the Transport Secretary will be working on that.

Andrew Gwynne (Denton and Reddish) (Lab): The Secretary of State talked about assisting local authorities through the recovery phase with 100% of eligible costs. Will she outline to the House what she considers to be the recovery stage? Is it just the clean-up and recovery, or is it the future-proofing of the reconstruction and investment in new infrastructure? What does she consider to be an eligible cost for local authorities?

Elizabeth Truss: My right hon. Friend the Communities Secretary will be laying out more details of the scheme later this week, but the Bellwin scheme operates under well-established terms.

Marcus Fysh (Yeovil) (Con): On behalf of the people of Somerset, who know what flooding is like, may I extend my condolences and sympathies to all those

affected in the north-west and say how pleased I am to hear that expertise from Somerset is being used up there?

In Somerset, local authorities and national Government have come together with residents to fund the Somerset Rivers Authority to ensure adequate and ongoing funding and oversight for flood defences. Does my right hon. Friend agree that this is very welcome and that its decision to dredge this year is correct, despite the opposition of South Somerset's local Liberal Democrats?

Elizabeth Truss: It is fantastic that volunteers from Somerset are helping out in Cumbria, and I am delighted we have been able to establish the Somerset Rivers Authority to give local people control over local decisions such as on dredging. It is absolutely right that people who know the ground and understand the area are making those crucial decisions.

Tom Tugendhat (Tonbridge and Malling) (Con): I speak for many in west Kent—I see the Secretary of State for Communities and Local Government, my right hon. Friend the Member for Tunbridge Wells (Greg Clark), on the Front Bench—when I ask the Secretary of State, when she looks at the floods in Cumbria, to remember that we in west Kent not only feel huge sympathy for our compatriots in Cumbria but are keen to ensure that the defences required on the Medway and the Beult are put in place. I know that my hon. Friend the Member for Faversham and Mid Kent (Helen Whately), who is not here, would be urging me and others to say on her behalf that towns such as Yalding, Wateringbury, Tonbridge and Edenbridge absolutely need the defences planned only a few years ago when we suffered ourselves. I urge the Secretary of State not to forget the rest of the country.

Elizabeth Truss: Over this Parliament, we will be investing an additional £2.3 billion of capital expenditure on flood defences in real terms. I am committed to ensuring that this money is distributed and spent in a clear and transparent way so that people fully understand how it is being used.

Point of Order

4.21 pm

Neil Coyle (Bermondsey and Old Southwark) (Lab): On a point of order, Mr Speaker. In Work and Pensions questions earlier, I asked about the Access to Work programme, which helps disabled people to attain and retain work. In response, the Under-Secretary of State for Work and Pensions, the hon. Member for North West Cambridgeshire (Mr Vara), stated that Access to Work use was at record levels. According to DWP figures published in October, in 2014-15 there were 36,760 users, but in 2009-10 there were 37,270. Mr Speaker, will you encourage the Minister either to correct the record or provide the House with information on the statistics he was referring to, or encourage him to make a broader statement that might actually answer the original question?

Mr Speaker: A better recourse is for the hon. Gentleman to make the short journey to the Table Office and pose further questions. I do not know which baseline year the Minister had in mind when making his comparison, and nor—I gently add—is it my responsibility to know. The hon. Gentleman is an adroit and ingenious contributor to our proceedings, and his head will almost certainly now be filled with a series of follow-up questions that encapsulate his dissatisfaction with what he has heard so far. He should make full use of the questioning system, whether the Minister likes it or not, and I have a hunch that that is precisely what he will now do.

Cities and Local Government Devolution Bill [Lords]

[Relevant Documents: Oral evidence taken before the Communities and Local Government Committee on 12 and 26 October and 10, 23 and 30 November 2015, and written evidence to the Committee, reported to the House on 7 and 15 September and 12 October 2015, on the Government's Cities and Local Government Devolution Bill, HC 369, the Committee's First Report of Session 2014-15, Devolution in England, the case for local government, HC 503, and the Government response, Cm 8998.]

Consideration of Bill, as amended in the Committee of the whole House

New Clause 7

ENGLISH NATIONAL PARK AUTHORITIES: GENERAL POWERS

After section 65 of the Environment Act 1995 insert—

“65A English National Park authorities: general powers

(1) An English National Park authority may do—

- (a) anything it considers appropriate for the purposes of the carrying out of any of its functions (its “functional purposes”),
- (b) anything it considers appropriate for purposes incidental (whether directly or indirectly) to its functional purposes,
- (c) anything it considers to be connected with—
 - (i) any of its functions, or
 - (ii) anything it may do under paragraph (a) or (b), and
- (d) for a commercial purpose, anything which it may do under any of paragraphs (a) to (c) otherwise than for a commercial purpose.

(2) Where subsection (1) confers power on an English National Park authority to do something, it confers power (subject to section 65B) to do it anywhere in the United Kingdom or elsewhere.

(3) Power conferred on an English National Park authority by subsection (1) is in addition to, and is not limited by, the other powers of the authority.

(4) In this section, and in sections 65B and 65C, “English National Park authority” means a National Park authority for a National Park in England.

65B Boundaries of powers under section 65A

(1) Section 65A(1) does not enable an English National Park authority to do anything which it is unable to do by virtue of a pre-commencement limitation.

(2) Section 65A(1) does not enable an English National Park authority to do anything which it is unable to do by virtue of a post-commencement limitation which is expressed to apply—

- (a) to its power under section 65A(1),
- (b) to all of its powers, or
- (c) to all of its powers but with exceptions that do not include its power under section 65A(1).

(3) If exercise of a pre-commencement power of an English National Park authority is subject to restrictions, those restrictions apply also to exercise of the power conferred on it by section 65A(1) so far as that power is overlapped by the pre-commencement power.

(4) Section 65A(1) does not authorise an English National Park authority to borrow money.

(5) Section 65A(1)(a) to (c) do not authorise an English National Park authority to charge a person for anything it does otherwise than for a commercial purpose.

(6) Section 65A(1)(d) does not authorise an English National Park authority to do things for a commercial purpose in relation to a person if a statutory provision requires the authority to do those things in relation to the person.

(7) Where under section 65A(1)(d) an English National Park authority does things for a commercial purpose, it must do them through—

- (a) a company within the meaning given by section 1(1) of the Companies Act 2006, or
- (b) a registered society within the meaning of the Co-operative and Community Benefit Societies Act 2014.

(8) In this section—

“post-commencement limitation” means a prohibition, restriction or other limitation imposed by a statutory provision that—

- (a) is contained in an Act passed after the end of the Session in which the Cities and Local Government Devolution Act 2015 is passed, or
- (b) is contained in an instrument made under an Act and comes into force on or after the commencement of section (English National Park authorities: general powers) of that Act;

“pre-commencement limitation” means a prohibition, restriction or other limitation imposed by a statutory provision that—

- (a) is contained in an Act passed no later than the end of the Session in which the Cities and Local Government Devolution Act 2015 is passed, or
- (b) is contained in an instrument made under an Act and comes into force before the commencement of section (English National Park authorities: general powers) of that Act;

“pre-commencement power” means power conferred by a statutory provision that—

- (a) is contained in an Act passed no later than the end of the Session in which the Cities and Local Government Devolution Act 2015 is passed, or
- (b) is contained in an instrument made under an Act and comes into force before the commencement of section (English National Park authorities: general powers) of that Act;

“statutory provision” means a provision of an Act or of an instrument made under an Act.

65C Power to make provision supplemental to section 65A

(1) The Secretary of State may by regulations make provision preventing an English National Park authority from doing under section 65A(1) anything which is specified, or is of a description specified, in the regulations.

(2) The Secretary of State may by regulations provide for the exercise by English National Park authorities of the power conferred by section 65A(1) to be subject to conditions, whether generally or in relation to doing anything specified, or of a description specified, in the regulations.

(3) Before making regulations under subsection (1) or (2) the Secretary of State must consult—

- (a) such representatives of English National Park authorities, and
- (b) such other persons (if any),

as the Secretary of State considers appropriate.

(4) Subsection (3) does not apply to regulations under subsection (1) or (2) which are made only for the purpose of amending earlier such regulations—

- (a) so as to extend the earlier regulations, or any provision of the earlier regulations, to English National Park authorities, or
- (b) so that the earlier regulations, or any provision of the earlier regulations, cease to apply English National Park authorities.

65D Procedure etc. for regulations under section 65C

(1) The power to make regulations under section 65C—

- (a) is exercisable by statutory instrument;

(b) includes power to make different provision for different purposes;

(c) includes power to make incidental, supplementary, consequential, transitional, transitory or saving provision;

(d) may, in particular, be exercised by amending, repealing, revoking or otherwise modifying any provision made by or under an Act passed before the Cities and Local Government Devolution Act 2015 or in the same Session as that Act.

(2) A statutory instrument containing regulations under section 65C may not be made unless a draft of the instrument has been laid before, and approved by a resolution of, each House of Parliament.

(3) Subsection (2) does not apply to a statutory instrument that contains regulations only of the following kind—

- (a) regulations under section 65C(1) that make provision for the purpose mentioned in section 65C(4)(b);
- (b) regulations under section 65C(2) that make provision for that purpose or for imposing conditions on the doing of things for a commercial purpose;
- (c) regulations made by virtue of subsection (1)(c) that do not contain provision amending or repealing a provision of an Act.

(4) A statutory instrument to which subsection (2) does not apply is subject to annulment by resolution of either House of Parliament.

(5) If a draft of regulations under section 65C would, apart from this subsection, be treated for the purposes of the standing orders of either House of Parliament as a hybrid instrument, it is to proceed in that House as if it were not a hybrid instrument.”

—(James Wharton.)

This New Clause confers new general powers on National Park authorities for National Parks in England, along similar lines to those conferred on other authorities by Chapter 1 of Part 1 of the Localism Act 2011

Brought up, and read the First time.

4.23 pm

The Parliamentary Under-Secretary of State for Communities and Local Government (James Wharton): I beg to move, That the clause be read a Second time.

Mr Speaker: With this it will be convenient to discuss Government amendment 51.

James Wharton: First, I should put on the record my gratitude and that of my colleagues for the representations made by hon. Members who were keen to see the new clause included in the Bill, and to support and empower their local national parks authorities to do the best job they can and to continue to contribute to the communities they represent. In particular, I am grateful to my right hon. Friends the Members for New Forest East (Dr Lewis) and for New Forest West (Mr Swayne) and my hon. Friends the Members for Thirsk and Malton (Kevin Hollinrake), for Penrith and The Border (Rory Stewart), for Berwick-upon-Tweed (Mrs Trevelyan) and for Richmond (Yorks) (Rishi Sunak). I would like to add Councillor Gareth Dadd of North Yorkshire County Council, who made strenuous efforts to convince us of the merits of these changes and kindly arranged for me to meet representatives of the North Yorkshire national park authority and National Parks England.

In the light of this weekend’s flooding, I think it important to reiterate the comments of my right hon. Friend the Secretary of State for Environment, Food and Rural Affairs in the statement that we have just heard, and I offer my sympathy to the people of Cumbria

and other affected areas in recognition of the significant impact of what has happened there as a result of the unprecedented weather events.

Before speaking expressly to the content of the new clause and amendment, I would like to say a few words about the role of the national park authorities in water management in the context of what has happened this weekend, and about how the changes might assist them in further performing that role. Although national park authorities do not have responsibility for emergency planning, the planning decisions they make and the development control conditions they enforce can make a big difference to the demands placed on those who do have to respond during an emergency.

National parks have an important role to play in managing the water environment and helping with restoration work. For example, the floods of November 2009 caused severe damage to the rights-of-way network in Cumbria and the Lake District national park. Over 250 bridges were damaged or destroyed and 85 paths needed repair. The function-specific general power of competence that we are discussing with these amendments could be used to enhance the national park authorities' ability to respond to flood emergencies by enabling them to enter into partnerships, to develop skills and capacity within small rural communities and businesses to assist with the responses needed, to develop specific skills to combat future flood management, and to adapt the network to improve flood resilience.

Andrew Gwynne (Denton and Reddish) (Lab): Given that national parks might cover one or more metro mayor areas—for example, the Peak District national park is partly in Greater Manchester and partly in South Yorkshire, two areas that might well have metro mayors quite soon—is there not a case for having some co-ordination for emergency planning to make sure that there is the same resilience and the same emergency planning in the different parts of the national park?

James Wharton: The hon. Gentleman makes an important point. We want to see co-ordination, and there are already structures in place to deliver it and to ensure that different bodies work together to respond as efficiently and effectively as possible. From what I have seen happening in Cumbria and other areas over the weekend, a number of those bodies are working very hard to deliver for local communities. The hon. Gentleman puts an important point on the record. We absolutely want to see as much co-operation as possible, and we want to empower these public bodies to carry it out wherever possible. That underlies in many ways the purpose of devolution, so it is an apt time for the hon. Gentleman to put his comments on the record.

Mr Dennis Skinner (Bolsover) (Lab): In the east midlands, there is the D2N2—Derby Derbyshire-Nottingham Nottinghamshire—which may or may not have a directly elected mayor. There is also the Sheffield city authority, which includes Barnsley, Rotherham, Doncaster and various other district councils in North Yorkshire and indeed in North Derbyshire. In the middle of all that, there is Hardwick Hall and various other major buildings. What I want to know, now that the Minister has said that there should be the greatest co-operation, is how that can happen between the Sheffield people who are anxious to take over large areas of

North Derbyshire and D2N2, which is also part and parcel of the same area? My guess is that there will be many more situations like that in Tory shires. What is the Government's policy?

James Wharton: Devolution is a bottom-up process; it is done by consensus. I know that the hon. Gentleman will have a significant opportunity further to discuss some of the relevant provisions today, but where we see bodies that have the capacity to co-operate, we want to empower them to do so. We want to give them the levers they need to deliver such things as better public services and economic development. The first step towards that is to confer the powers that the bodies will need to achieve it. What the amendments do is to start the process of empowering our national parks authorities so that they can not only contribute on flooding and resilience, but better the offer that they can make to the public to improve the work they already do so well.

New clause 7 confers new general powers on national park authorities in England, along similar lines to those conferred on, among others, fire and rescue authorities and integrated transport authorities in chapters 2 and 3 of part 1 of the Localism Act 2011. I should make it clear to Opposition Front Benchers that those general powers are intended to enable a national park to do more and to do it better; they are not a back door to fracking or shale gas development, and will not affect the approach that we intend to take in that regard.

In England, our nine national parks include some of the country's finest landscapes, beautiful vistas and exciting wildlife. They are part of our national identity. National parks protect those landscapes for future generations so that we can all enjoy them. They are the cornerstone of many rural businesses. The new powers for national park authorities will allow an authority to act as an individual could—with certain limitations—in relation to its functions. For example, a functionally specific power of competence will allow a national park authority to act through a company, and will allow authorities to trade in a broader way than they currently can.

National park authorities have themselves asked for that power, because they consider that it will enable them to act in a more entrepreneurial and innovative way. For example, they consider that they will be in a better position to enter into partnerships to support growth across our rural economy. Jim Bailey, the chair of National Parks England, has said:

“We are pleased to see the Government introduce this amendment. This will help National Park authorities to maximise opportunities to fulfil our statutory purposes”.

The measure will allow national park authorities to participate fully in devolution deals—an example is Northumberland national park authority's request as part of the north-east devolution deal—and to seek additional sources of funding to assist further their work in supporting rural economies.

It is important to note that a power of competence does not override existing legislation. National park authorities will therefore be bound by their statutory purposes: conserving and enhancing the natural beauty, wildlife and cultural heritage of an area, and promoting opportunities for the understanding and enjoyment of the special qualities of the area. It is also important to note that the power will not be used by national park

[James Wharton]

authorities as an opportunity to start charging for entry. As all but a very small percentage of land in national parks is owned privately rather than by the national park authorities, they could have no legal basis for charging.

Let me also make it clear that the new powers will not be used to encourage or permit too much, or inappropriate, development. National parks are designated under the National Parks and Access to the Countryside Act 1949 for their natural beauty and opportunities for open-air recreation. Under the Act, they have the two statutory purposes to which I have just referred. The statutory framework of protection and consents will remain unchanged, and, in using their new powers, the park authorities will not be able to promote or permit activities that are incompatible with those statutory purposes.

The powers given to the Secretary of State, by regulation, to restrict the use of powers by national park authorities in a particular way relate solely to the new clause, and not to their existing powers. Other than those concerning the furtherance of national park purposes, which are retained, the new powers replace the existing general powers of national park authorities under the Environment Act 1995. The new powers are considered more extensive, but the old ones are being repealed to avoid overlap.

Amendment 51 is a minor and technical amendment to schedule 5. It contains consequential amendments to section 65 of the Environment Act.

We are making these changes in response to effective representations that we have received from a number of Members, and from National Parks England and national park authorities. I hope that they will be broadly supported by Members on both sides of the House.

Liz McInnes (Heywood and Middleton) (Lab): Our national parks are precious national assets. Millions of people use and enjoy them every year. They are areas of protected countryside that everyone can visit, and where people live, work, and shape the landscape. We have 15 national parks: 10 in England, three in Wales and two in Scotland.

In his autumn statement, the Chancellor included devolution to national park authorities in England, allowing them to lend, invest, trade, and set up co-operatives with businesses. That is legally known as the general power of competence. However, we know what is driving this change: cuts made by this Government. Since 2010, national park authorities in England have suffered cuts of up to 40% in their Government funding. Indeed, Northumberland national park is already renting out its spare office space—vacated by staff who have lost their jobs—where an enterprise hub has been set up.

New clause 7 would amend the Environment Act 1995 to provide English national park authorities with general powers to do anything they consider appropriate in carrying out their functional purposes. The new general powers in proposed new section 65A are similar to those conferred on other authorities by chapter 1 of part 1 of the Localism Act 2011. The new clause only applies to English national park authorities.

Proposed new section 65B limits the scope of the general power of competence in several respects. It does not allow English national parks to borrow money or charge a person for anything they do other than for a

commercial purpose. That immediately raises concerns. The coalition Government's attempt to privatise our forests was met with a public outcry. That plan was rightly defeated. This Government have attempted to open up our national parks to fracking, again causing a great deal of concern among the public, who value our precious national assets and have no wish to see them opened up to commercial ventures in that manner. We need strong assurances that the character of our national parks will be protected and that such important national institutions are maintained for the benefit of the public. We need a cast-iron assurance from the Government that fracking is not going to be allowed in our national parks.

We need more details on Government funding of national parks. We need more details on what the national parks are actually planning to do with the new powers. We cannot allow the commercialisation of our national parks by the back door. The future governance and accountability of our English national parks is an absolutely massive issue, which deserves proper debate. It does not belong here, in the Cities and Local Government Devolution Bill, inserted at the eleventh hour with no time for the weighty issues raised to have a proper discussion.

Robert Neill (Bromley and Chislehurst) (Con): Given that national parks are local authorities for these purposes, will the hon. Lady reflect upon the complete and deeply misleading red herring that she raises? After all, the fracking matter has nothing to do with the role of local authorities of any kind—national parks or otherwise—in relation to a general power of competence. Should she not welcome the ability of national parks to enter into joint agreements, for example with their district and county councils, which is precisely what this provision is aimed at? She is actually setting up a complete Aunt Sally in this matter.

Liz McInnes: Red herrings, Aunt Sallies: I am merely expressing the unsuitability of the new clause in application to this Bill. It has been brought in at the eleventh hour with the minimum of notice. It raises huge issues. I do not think the general public would agree with the hon. Gentleman that the worry about fracking in our national parks is a red herring. I certainly got a lot of correspondence about it when the Government were talking about it a few weeks ago, and I think we need a proper debate.

James Wharton: I do not know whether I could be clearer on this: the debate around fracking is perhaps for another day, but let me be absolutely clear that these clauses will not be a back door to fracking. They do not affect the issue of fracking with regard to national parks. I would also add very clearly that this is something that has been asked for by national parks. I would be interested if the hon. Lady could tell the House how many national park authorities she has spoken to before coming to oppose the new clause and amendment.

Liz McInnes: The Minister makes an important point. The Government have not given us time to respond correctly. I have not spoken to any national park authorities because the Government have not given us time to consult properly on this matter. No reference had been made to the new clause before now. Today the Bill's Third Reading debate will take place, and the new clause has been slipped in at the eleventh hour. The Minister is being disingenuous if he seriously expects us to have been able to do a

thorough consultation with all the national park authorities in England. If that is his approach, he is trying to set us up to fail. We value our national parks, and we want to ensure that we have a proper debate on their future. That is what we are asking for here.

Mrs Anne-Marie Trevelyan (Berwick-upon-Tweed) (Con): As the MP for the Northumberland national park, may I say to the hon. Lady that this issue has been ongoing for many months? The powers of competence that are dealt with more widely elsewhere in the Bill have been the cause of enormous concern to the national parks as they have tried to get themselves into the arena of discussion. It is a huge credit to the Minister that he has come up to the north-east and spoken to those in North Yorkshire and to some of my colleagues at the national park in Northumberland to ascertain just how important the new clause—which is just an extension of those general powers of competence—will be. I hope that the hon. Lady will talk to the national parks, because they are absolutely passionate about having this freedom to get on and expand what they do.

Liz McInnes: I am sure that, like me, the hon. Lady does not agree with the cuts that have been made to the Northumberland national park authority. I am sure, too, that she would rather we had a proper debate on this matter instead of discussing a new clause that has been snuck in at the eleventh hour.

Steve Brine (Winchester) (Con): I understand that the hon. Lady has not spoken to the national park authorities, but that is not necessarily a reason to oppose the proposal. I have spoken to members of the board of the South Downs national park authority—Margaret Paren, who leads it, and Councillor Barry Lipscomb, who is a Winchester City councillor—and they very much welcome it. They think that this general power of competence will allow them to be full players at the table in the devolution bids that are so important in my area. I do not know what “Aunt Sally” means, although I remember her on the television, but this is nonsense. It is opposition for opposition’s sake. The Government should get with the plan here. Just because the Opposition have not talked to the national park authorities does not mean that they should vote against the proposal. I have spoken to the national parks, and they want this.

Liz McInnes: I am sure the hon. Gentleman believes that the Government should get with the plan. However, we are the Opposition. I am not opposing the proposal for opposition’s sake; I am opposing it because I think we need a proper debate on it. It could have a far-reaching effect on our national parks, which are loved and valued by the general public.

Several hon. Members *rose*—

Liz McInnes: I will not take any more interventions. I have already given way to hon. Members.

The national park authorities are one part of the equation, and, as I have already said, we have not had time to consult them properly because this proposal was brought in at the eleventh hour. Surely any reasonable person would want—[*Interruption.*] Conservative Members had prior knowledge of it. I am sure that every reasonable person would agree that we need a proper debate on such an important issue. The national park authorities

are not the only stakeholders involved. The public are the real stakeholders. Millions of people use and enjoy our national parks every year, and they should have their say. They would not thank us if we allowed this measure in through the back door.

Neither I nor any of my team are opposing the new clause for opposition’s sake; we are opposing it because we have serious concerns about the way in which it has been introduced. We will not agree to such a huge change in the governance and accountability of our national parks at only a few days’ notice and without a proper debate. If the Minister thinks that we are going to let this go through without a proper discussion, he is very much mistaken.

It is totally inappropriate that the new clause, which could bring about major and irreversible changes to our national parks, should be slipped into the Bill in this manner. The national park authorities are there to protect the environment for the good of the nation and its people. I call on the Secretary of State to withdraw the new clause. It does not belong in the Bill. If a discussion is needed about the future funding of our national park authorities, so be it, but let us have a proper debate. Let us give our stakeholders, the people, a chance to have their say, and let us not try to introduce damaging changes to our national parks by the back door.

Robert Neill *rose*—

Peter Heaton-Jones (North Devon) (Con) *rose*—

Dr Julian Lewis (New Forest East) (Con) *rose*—

Mr Speaker: Ah, what a rich and delicious choice! I call Mr Robert Neill.

4.45 pm

Robert Neill: Thank you, Mr Speaker.

That was without any doubt the least-informed speech I have heard from a Front Bencher in the whole of my career in the House of Commons. I am sorry to say that to the hon. Member for Heywood and Middleton (Liz McInnes), but she has simply not read the new clause and understood what it is about. It extends the power of general competence that applies to local authorities, which her party supported as a welcome thing when I introduced it as a Minister, along with my colleagues, to local national parks authorities; it does not affect planning in any way whatever. I am horrified that an Opposition Front-Bench spokesman does not understand the difference between the role of a national parks authority qua local authority and its role as a planning authority, which is not changed in the slightest by any of this. The Opposition’s approach is therefore worrying.

Steve Brine: As the shadow Minister would not give way to me for a second time, I wish to put on the record the fact, which my hon. Friend will confirm, that we did have advance notice of the new clause. I met the South Downs national park authority on 13 November, when it made clear its support for the provision. It, like me, has had that much time to look at it. The Opposition may have been distracted by other matters, but that is a whole other matter—and, for the record, Aunt Sally was in “Worzel Gummidge”.

Robert Neill: My hon. Friend is absolutely right. The troubling thing is this: applications for fracking, licensing matters and all that regime are not governed by a power of general competence in the slightest. The new clause has no effect on fracking of any kind whatever, and I regret to have to say to the hon. Lady that to suggest otherwise is either wilful ignorance or a serious piece of misleading the public.

The new clause gives local authorities that are national parks the same powers to deal with things as their district councils and county councils have. The point has also been well made that it enables them to enter into devolution deals, which again I believe the Opposition supported. So far, they are against a power of general competence, which they supported when we brought it in, they are against devolution deals in national parks, which they have supported, and they have set up an Aunt Sally that has nothing to do with the case.

I appreciate that the Opposition Front Benchers have been shuffled so many times that they probably do not have time to read an Order Paper nowadays, but the most cursory reading of the amendment might have given them some idea that their approach is totally off the case, it is against the views expressed by the Select Committee rightly and properly and it is against devolution. I am sorry to say that we heard a bizarre speech from the Opposition and they are taking a bizarre approach. If they divide the House on this, they are simply—

Richard Graham (Gloucester) (Con): Is my hon. Friend aware that quite a campaign has been whipped up across the country about the possibility of fracking springing up in national parks as part of some dastardly plot by the Conservative Government to introduce fracking wherever they can find a national park? Does he think that perhaps the response from the Opposition is influenced in some way by that campaign?

Robert Neill: I have always taken the view in politics that the further left you go, the greater the conspiracy theories get; I suspect that may have happened, perhaps with one or two honourable exceptions, to the Opposition Front-Bench team. But that has nothing whatever to do with what we are about. It has nothing to do with their ludicrous scare campaign. A simple amendment, whose principle was not objected to when the Localism Bill was brought through, is suddenly being seized upon for the most bizarre bit of political grandstanding by a bankrupt Opposition. The best thing they can do is find something to agree upon. Their approach would prevent a national park authority from entering into a joint venture with its district and county councils, although that is a perfectly sensible and reasonable thing to do. Anyone who speaks to people who have represented areas in national parks will know that one of their concerns was the inability to join up the service delivery between the national parks authority, the district council and the county council. That sort of thing was a regular issue upon the desk of any Minister.

The new clause enables that to be done through a simple, legal structure. It has nothing whatever to do with applications for planning permission for fracking and with the licensing regime for fracking. It is a sad and sorry day when an important and useful technical amendment is hijacked by one of the more bizarre bits of political boulevardiering that I have ever seen in my time in the Commons.

Mr Clive Betts (Sheffield South East) (Lab): As chair of the all-party group on national parks, I do have some interest in this matter. Additionally, a third of Sheffield—the local authority in which my constituency is—is in the Peak District national park. The name “Sheffield” may conjure up past visions of lots of cutlery being produced, but much of it is very rural, very open and very beautiful.

I understand the concerns of my hon. Friends on the Front Bench about new clause 7, which is of some length and has been parachuted into the Bill right at the last minute. The Government had many opportunities to introduce it earlier, and to talk informally to my hon. Friends, which might have allayed some of their fears. In the end, though, it is the duty of the Opposition to oppose, and probably to be very suspicious of a Government who claim they have nothing but good intentions in proposing a four-page amendment.

Of course there is some suspicion, but let us look at what the national parks have been doing. They have told us at meetings that they would welcome the extension of the general power of competence to them—perhaps it was an oversight that it was not done in the first place. As I understand it, the new clause proposes that where national parks exercise functions in a national park area that are similar in nature to those exercised by a local authority in other places the local authority has the general power of competence, but a national park does not.

Everyone gets suspicious about fracking. Many people do not trust the Government on the issue. They think that, as the Government want to go fracking all over the place and national parks do not, the Government are probably happy to do it and have rather brought those suspicions on themselves. Perhaps the Government could make an absolutely clear statement that there is no way in which this proposed new clause gives any extension of planning powers or anything else that could possibly affect fracking in national parks.

Jon Trickett (Hemsworth) (Lab): I can assure the House that we had no idea that this new clause was coming. It is almost five pages long. The nub of our argument is this: the national parks should be single-mindedly protecting our environment, but this power of general competence allows them to engage in commercial activities to bridge the funding gap that the Chancellor has left them with. Does my hon. Friend not worry that that single-minded concentration on protecting the environment might be lost in the search for additional revenue as a result of the commercial powers that are being conferred on the national parks?

Mr Betts: I see my hon. Friend’s concerns in that regard, but the reality is probably that many national parks do look at ways to raise revenue to help support their budgets. I share his views that national parks are subject to cuts and that they are finding it more difficult to do the job that we expect them to do with their much reduced resources. I think that they will look at other ways to raise funds. That happens anyway. I am not sure whether this new clause widens that possibility greatly. I understand that it simply puts the national parks in the same position as a local authority to try to fulfil their functions.

James Wharton: I wish to clarify that this proposed new clause has no impact on planning as it would affect national parks. It has nothing to do with shale gas

extraction, or fracking. I hope that is clear enough for the hon. Gentleman, and that it will give him some reassurance about our intention, which is to deliver on a request from the national parks.

Mr Betts: I am aware that the national parks have been asking for it, and I accept the Minister's statement. Will he think about the comments made by my hon. Friend the Member for Hemsworth (Jon Trickett) on fundraising and the extent to which the powers of general competence could be used by national parks in any way that undermined their primary purpose, which is to look after the national parks, their beauty and the environment while ensuring they are a place where people can live and work? That is an important function of national parks authorities.

James Wharton: I thank the hon. Gentleman for generously giving way again, and I can offer that reassurance. The primary purpose remains, as I said in my speech, that anything that a national park does must be in line with its statutory obligations. There is no legal basis for charging, and we are not looking to allow it. I hope that we might move to a position of greater consensus on the new clause, which I felt would be uncontroversial. I recognise the concerns expressed by hon. Members and I thank the hon. Gentleman for accepting my interventions and giving me the chance to put some of these matters to bed.

Mr Betts: I thank the Minister for his helpful comment. Perhaps more discussion could have been had before we reached this point; that might be something that everyone could learn from. The Minister's intervention has been helpful to me and I thank him for it.

Dr Julian Lewis *rose—*

Peter Heaton-Jones *rose—*

Mr Speaker: Order. The right hon. Member for New Forest East (Dr Lewis) has for some minutes now been poised rather like a sprinter, but he suffers from one disadvantage relative to the hon. Member for North Devon (Peter Heaton-Jones), whose constituency houses Exmoor, namely that the right hon. Gentleman beetled into the Chamber a little after the hon. Gentleman. We will reserve the right hon. Gentleman as a specialist delicacy and reach him in due course.

Peter Heaton-Jones: Thank you, Mr Speaker, and I have never felt disadvantaged by my right hon. Friend the Member for New Forest East (Dr Lewis).

As you correctly point out, Mr Speaker, one third of Exmoor national park is in North Devon, and a beautiful part of the world it is. Before I go on with my prepared remarks, which I admit are pretty much a verbal tourist brochure, let me say that I do not recognise a lot of what was said from the Opposition Front Bench about the new clause, particularly the comments about its being slipped in and about insufficient time being given to speak to national park authorities. I, in common with all my hon. Friends, I am sure, had no notice at all. I was first alerted to the wording of the new clause on Thursday afternoon, and since then I have had time to have a detailed email correspondence with the chairman of Exmoor national park, Councillor Andrea Davis, my office has spoken at great length to managers at National Parks UK and two hours ago I came off the phone from

a lengthy conversation with the chief executive of Exmoor national park, Dr Nigel Stone. If I can do that, I am sure that with all the voluminous resources available to them, those on the Opposition Front Bench should surely have been able to make some cursory inquiries about what the new clause is all about. It appears that they failed to do so.

Having spoken to those people, I can say that it is the national park authorities and managers who want this to happen. Opposition Members do those national park managers a great disservice by alleging some of the things that they are. They imply that in asking for the new clause those managers will in some way use the powers for nefarious purposes. Nothing could be further from the truth. Opposition Members need to be careful about what they are alleging because in my experience national park managers have nothing but the best intentions for managing our national parks, particularly in Exmoor.

That leads me on to extolling the virtues of Exmoor and why new clause 7, in particular, will be so valuable. One third of the national park is in my constituency and it includes the beautiful, rugged coastline that not only provides opportunities for many leisure activities but is very important for our environment and ecosystem. In the conversations I have had with them, the chairman and chief executive of Exmoor national park have been absolutely adamant that Exmoor in particular would benefit from the measures included in the new clause. Let me give some specific examples of why they believe that it would be beneficial and why they welcome it.

First, there is great pressure on the provision of housing for local communities in Exmoor and other areas of North Devon. Until now, national park authority managers have been hamstrung in the conversations they have been able to have with developers to ensure arrangements for local, affordable housing. Nevertheless, the new clause is not a *carte blanche* to say that all development will be allowed, and, as the Minister rightly said, nothing in it will allow that to happen.

5 pm

Currently, it is difficult for national parks to enter into any sort of meaningful relationship with developers. For instance, they cannot set up a joint enterprise, and they could not engage with a developer who was seeking to undertake commercial activities in North Devon. The new clause will allow national park authorities to enter into an arrangement with a developer, so that land for commercial activity can remain in the ownership of the national park. That will mean that the park retains—and indeed gains—some financial advantage that has not been possible until now. I heard a sedentary comment from the Labour Front Bench that national parks want to make money, but what is wrong with that? What is wrong with national parks being able to raise funds to carry out further excellent work? Opening the commercial world in that way to national parks can only be good for Exmoor.

Another example is visitor attractions. Every year, Exmoor enjoys a large number of visitors who come for its rugged beauty and for the coastland and inland moor areas. The new clause will allow national park authorities to enter into commercial arrangements to ensure that more people enjoy those visitor attractions. It will attract people to the area and ensure that when they are there they have the best possible visitor experience. That is enormously important.

When I asked the chief executive of the national park to sum up for me in two sentences why he welcomes new clause 7—indeed, it is welcomed by all national park authorities—he said two things. First, at a time when we all have to save money, it gives national park authorities more options to ensure that they are viable going forward. Secondly, the new clause will give national parks the power to make things happen in a way that has not been possible until now.

I warmly welcome the new clause. It is also welcomed by the heads of Exmoor national park—I have spoken to them about this issue in great detail since Thursday. All other national park authority managers welcome it, and I know that they have been in conversation with the Minister. I warmly welcome that because the new clause will be good for Exmoor, and good for the rest of our national parks.

Dr Julian Lewis: I thank you, Mr Speaker, for drawing such attention to the fact that I “beetled” into the Chamber, as you put it, rather late, and I apologise for that. I also apologise for the fact that unfortunately I am going to beetle out of it again rather early, for the same reason that I was late, namely Defence Committee business. I am delighted to have the opportunity of this small window to try to reassure those on the Opposition Front Bench. I hope that they will take my reassurances seriously, as I was one of only three Conservative Members to vote against the scheme for privatising the forest estate, which the hon. Member for Heywood and Middleton (Liz McInnes) referred to in her remarks. I am not one to accept on trust everything about forests that the Government put forward.

Having said that, the Government deserve a big pat on the back for this measure. It is often said that the Government do not listen, but this is a classic case of their having listened. [*Interruption.*] I would be grateful if those on the Opposition Front Bench also listened for a moment, because I am directing my speech at them in an attempt to be helpful.

The chair of the New Forest national park authority, Mr Oliver Crosthwaite-Eyre, is a former official verderer of the New Forest and very highly thought of by all those who live and work in the forest and are concerned with its management and protection. He contacted me some time ago to ask if it would be possible to persuade the Government to include such a provision in the Bill in Committee. Sadly, that stage had just concluded, so it shows extraordinary flexibility and willingness to listen by the Government in general—and by the Under-Secretary in particular—to manage to include the provision.

I fully sympathise with the Opposition spokesmen, because new clause 7 is a lengthy provision, and it is their job to scrutinise measures, whether they are long or short, but particularly if they are long. I should therefore like to try to reassure them about new clause 7 by reading two brief extracts from a document supplied by National Parks England specifically for use in our debate. It says:

“National Parks England (the umbrella body for the NPAs) warmly welcomes the tabling of New Clause 7 by Ministers and hopes that you”—

meaning me—

“will be able to speak in support of it at the Report Stage debate of the Bill on Monday 07 December 2015.”

It then gives a long list of the reasons why it supports the extension of powers, which are similar, it points out, to powers given to many comparable bodies. It ends by referring specifically to the new clause:

“New Clause 7 follows the legislative format established for other public bodies. National Parks England supports this amendment and would encourage MPs to speak in support during the Report Stage debate on the Bill.”

I understand the difficulty in which Opposition spokesmen find themselves, given that a clause of such complexity has been tabled at short notice. I hope that I have been able to reassure them that national parks themselves warmly welcome the clause. I do not think that it is a conspiracy. I have had occasion in the past to point out conspiracies when they crop up, but I do not think that this is an occasion for concern about conspiracies—on the contrary, it is an opportunity to congratulate Ministers, including the Under-Secretary, on listening, being flexible and making a change at, indeed, the eleventh hour. That change deserves to be made if we are to show our trust in the judgment of the national park authorities themselves.

James Wharton: I do not intend to speak for long. I merely wish to record my thanks to hon. Members who have contributed to this debate. We began in a contentious place, but we have, I hope, moved towards consensus. I acknowledge the contributions of right hon. and hon. Members, including my right hon. Friend the Member for New Forest East (Dr Lewis), who has been vociferous in making the case and with whom I have exchanged a significant quantity of correspondence, for bringing this to the Government’s attention and suggesting that it be included in the Bill. The measure is welcomed by national parks and by many hon. and right hon. Members. I hope that it will be welcomed, too, by shadow Ministers and that we can move forward in a more consensual way in the rest of today’s debates. Regardless, I commend the changes to the House. They are welcome and they are important.

Question put, That the clause be read a Second time.

The House divided: Ayes 292, Noes 187.

Division No. 141]

[5.8 pm

AYES

Adams, Nigel	Boles, Nick
Afriyie, Adam	Bone, Mr Peter
Allen, Heidi	Bottomley, Sir Peter
Amess, Sir David	Bradley, Karen
Andrew, Stuart	Brady, Mr Graham
Ansell, Caroline	Brake, rh Tom
Argar, Edward	Brazier, Mr Julian
Atkins, Victoria	Brine, Steve
Bacon, Mr Richard	Brokenshire, rh James
Baker, Mr Steve	Bruce, Fiona
Barclay, Stephen	Buckland, Robert
Baron, Mr John	Burns, Conor
Barwell, Gavin	Burns, rh Sir Simon
Bebb, Guto	Burrowes, Mr David
Bellingham, Mr Henry	Burt, rh Alistair
Beresford, Sir Paul	Cairns, Alun
Berry, Jake	Carmichael, Neil
Berry, James	Cartlidge, James
Bingham, Andrew	Cash, Sir William
Blackman, Bob	Caulfield, Maria
Blackwood, Nicola	Chishti, Rehman
Blunt, Crispin	Churchill, Jo

Clark, rh Greg
Cleverly, James
Clifton-Brown, Geoffrey
Coffey, Dr Thérèse
Collins, Damian
Colvile, Oliver
Costa, Alberto
Crabb, rh Stephen
Crouch, Tracey
Davies, Byron
Davies, Chris
Davies, David T. C.
Davies, Glyn
Davies, Dr James
Davies, Mims
Davies, Philip
Davis, rh Mr David
Dinenage, Caroline
Donelan, Michelle
Dorries, Nadine
Double, Steve
Dowden, Oliver
Doyle-Price, Jackie
Drax, Richard
Drummond, Mrs Flick
Duddridge, James
Duncan, rh Sir Alan
Duncan Smith, rh Mr Iain
Dunne, Mr Philip
Ellis, Michael
Ellwood, Mr Tobias
Elphicke, Charlie
Eustice, George
Evans, Graham
Evans, Mr Nigel
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
Gibb, Mr Nick
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
Gyimah, Mr Sam
Halfon, rh Robert
Hall, Luke
Hammond, rh Mr Philip
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
Howell, John
Howlett, Ben
Huddleston, Nigel
Hunt, rh Mr Jeremy
Jackson, Mr Stewart
Javid, rh Sajid
Jayawardena, Mr Ranil
Jenkyns, Andrea
Jenrick, Robert
Johnson, Boris
Johnson, Gareth
Johnson, Joseph
Jones, Andrew
Jones, Mr Marcus
Kawczynski, Daniel
Kennedy, Seema
Kirby, Simon
Knight, Julian
Kwarteng, Kwasi
Lamb, rh Norman
Latham, Pauline
Leadsom, Andrea
Lee, Dr Phillip
Lefroy, Jeremy
Leigh, Sir Edward
Leslie, Charlotte
Letwin, rh Mr Oliver
Lewis, Brandon
Lewis, rh Dr Julian
Liddell-Grainger, Mr Ian
Lidington, rh Mr David
Lilley, rh Mr Peter
Lopresti, Jack
Loughton, Tim
Lumley, Karen
Mackinlay, Craig
Mackintosh, David
Main, Mrs Anne
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
Merriman, Huw
Metcalf, 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, James
Morton, Wendy
Mowat, David
Murray, Mrs Sheryll
Murrison, Dr Andrew
Neill, Robert
Nokes, Caroline
Norman, Jesse
Nuttall, Mr David
Opperman, Guy
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
Pritchard, Mark
Pugh, John
Pursglove, Tom
Quin, Jeremy
Quince, Will
Redwood, rh John
Rees-Mogg, Mr Jacob
Robinson, Gavin
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
Soames, rh Sir Nicholas
Solloway, Amanda
Soubry, rh Anna
Spelman, rh Mrs Caroline
Spencer, Mark
Stephenson, Andrew
Stewart, Bob
Stewart, Iain
Streeter, Mr Gary
Stride, Mel
Stuart, Graham
Sunak, Rishi
Swayne, rh Mr Desmond
Syms, Mr Robert
Thomas, Derek
Thrupp, Maggie
Timpson, Edward
Tolhurst, Kelly
Tomlinson, Justin
Tomlinson, Michael
Tracey, Craig
Tredinnick, David
Trevelyan, Mrs Anne-Marie
Tugendhat, Tom
Turner, Mr Andrew
Tyrie, rh Mr Andrew
Vaizey, Mr Edward
Vara, Mr Shailesh
Vickers, Martin
Villiers, rh Mrs Theresa
Walker, Mr Charles
Walker, Mr Robin
Warburton, David
Warman, Matt
Wharton, James
Whately, Helen
Wheeler, Heather
White, Chris
Whittingdale, rh Mr John
Wiggin, Bill
Williams, Craig
Williamson, rh Gavin
Wilson, Mr Rob
Wilson, Sammy
Wollaston, Dr Sarah
Wood, Mike
Wragg, William
Wright, rh Jeremy
Zahawi, Nadhim

Tellers for the Ayes:
Margot James and
Sarah Newton

NOES

Abbott, Ms Diane
Abrahams, Debbie
Ali, Rushanara
Allen, Mr Graham
Anderson, Mr David
Ashworth, Jonathan
Bailey, Mr Adrian
Barron, rh Kevin
Benn, rh Hilary
Berger, Luciana
Blackman-Woods, Dr Roberta
Blenkinsop, Tom
Blomfield, Paul
Bradshaw, rh Mr Ben
Brennan, Kevin

Brown, Lyn
Brown, rh Mr Nicholas
Bryant, Chris
Buck, Ms Karen
Burden, Richard
Burgon, Richard
Butler, Dawn
Byrne, rh Liam
Cadbury, Ruth
Campbell, rh Mr Alan
Campbell, Mr Ronnie
Carmichael, rh Mr Alistair
Champion, Sarah
Chapman, Jenny
Coffey, Ann

Cooper, Julie
Cooper, rh Yvette
Cox, Jo
Coyle, Neil
Creagh, Mary
Creasy, Stella
Cruddas, Jon
Cryer, John
Cummins, Judith
Cunningham, Mr Jim
Danczuk, Simon
David, Wayne
Davies, Geraint
De Piero, Gloria
Doughty, Stephen
Dowd, Peter
Eagle, Ms Angela
Eagle, Maria
Efford, Clive
Elliott, Julie
Elliott, Tom
Ellman, Mrs Louise
Esterson, Bill
Evans, Chris
Farrelly, Paul
Field, rh Frank
Fitzpatrick, Jim
Flelo, Robert
Fletcher, Colleen
Flint, rh Caroline
Fovargue, Yvonne
Foxcroft, Vicky
Glass, Pat
Glindon, Mary
Goodman, Helen
Green, Kate
Greenwood, Lilian
Greenwood, Margaret
Griffith, Nia
Gwynne, Andrew
Haigh, Louise
Hamilton, Fabian
Hanson, rh Mr David
Harris, Carolyn
Hayes, Helen
Healey, rh John
Hillier, Meg
Hodge, rh Dame Margaret
Hodgson, Mrs Sharon
Hoey, Kate
Hollern, Kate
Howarth, rh Mr George
Hunt, Tristram
Huq, Dr Rupa
Hussain, Imran
Irranca-Davies, Huw
Jarvis, Dan
Johnson, rh Alan
Johnson, Diana
Jones, Gerald
Jones, Graham
Jones, Helen
Jones, Mr Kevan
Jones, Susan Elan
Kane, Mike
Kaufman, rh Sir Gerald
Kendall, Liz
Kinahan, Danny
Kinnock, Stephen
Kyle, Peter
Lavery, Ian
Leslie, Chris

Lewell-Buck, Mrs Emma
Lewis, Clive
Long Bailey, Rebecca
Lucas, Caroline
Lucas, Ian C.
Mactaggart, rh Fiona
Madders, Justin
Mahmood, Mr Khalid
Mahmood, Shabana
Malhotra, Seema
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
Onn, Melanie
Onwurah, Chi
Osamor, Kate
Owen, Albert
Pearce, Teresa
Pennycook, Matthew
Perkins, Toby
Phillips, Jess
Pound, Stephen
Qureshi, Yasmin
Rayner, Angela
Reed, Mr Steve
Rees, Christina
Reynolds, Emma
Reynolds, Jonathan
Rimmer, Marie
Robinson, Mr Geoffrey
Rotheram, Steve
Ryan, rh Joan
Saville Roberts, Liz
Shah, Naz
Sherriff, Paula
Shuker, Mr Gavin
Siddiq, Tulip
Skinner, Mr Dennis
Slaughter, Andy
Smeeth, Ruth
Smith, rh Mr Andrew
Smith, Angela
Smith, Jeff
Smith, Nick
Smith, Owen
Smyth, Karin
Spellar, rh Mr John
Stevens, Jo
Streeting, Wes
Stringer, Graham
Stuart, rh Ms Gisela
Tami, Mark
Thomas, Mr Gareth
Thomas-Symonds, Nick
Thornberry, Emily
Timms, rh Stephen
Trickett, Jon
Turley, Anna

Twigg, Derek
Twigg, Stephen
Umunna, Mr Chuka
Vaz, rh Keith
Vaz, Valerie
Watson, Mr Tom
West, Catherine
Whitehead, Dr Alan

Williams, Mr Mark
Wilson, Phil
Winterton, rh Ms Rosie
Wright, Mr Iain
Zeichner, Daniel

Tellers for the Noes:
Jessica Morden and
Grahame M. Morris

Question accordingly agreed to.

New clause 7 read a Second time, and added to the Bill.

New Clause 1

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.” — (*Mr Graham Allen.*)

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.

Brought up, and read the First time.

Mr Graham Allen (Nottingham North) (Lab): I beg to move, That the clause be read a Second time.

Mr Speaker: With this it will be convenient to discuss the following:

New clause 2—*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 3—*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 4—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 5—Commission on devolution of fiscal powers and taxation—

“(1) The Secretary of State shall appoint a commission on devolution of fiscal powers and taxation to local authorities.

(2) The Commission shall consider the following issues—

- (a) the desirability, impact and process necessary to implement an Income Tax rate of 10p in the pound on English tax payers;
- (b) the desirability, impact and process necessary to give English Councils the same fiscal and taxation powers as those devolved to the Scottish Parliament in the 2012 Scotland Act, and
- (c) any other issues that the Commission considers relevant.

(3) The Commission shall produce a report covering the issues listed in subsection (2) no later than 31 December 2017, and shall make such recommendations to the Secretary of State as it deems necessary.”

This new Clause would establish a Commission to consider the possibility of England local authorities being granted the same fiscal and taxation powers already devolved to Scotland in the Scotland Act 2012.

New clause 8—Combined authority functions: cool off period—

“(1) The Secretary of State shall amend any order made under a provision of this Act which transfers a power to exercise of a function from a constituent part of a combined authority to a combined authority, to devolve responsibility for that function back to a constituent part of that authority, if the following conditions are met—

- (a) A constituent part of a combined authority requests that the Secretary of State amend an order to return responsibility for the exercise of a function to the constituent part of the combined authority from the combined authority, and
- (b) Such a request is made within one year of the first local government election held in the constituent part of the combined authority since the original order was made.”

The intention of this amendment is to create a cooling off period for the transfer of any power to the level of a combined authority. If a constituent part of a combined authority requests that a power is returned to it within one year of next elections held in the constituent part, then the Secretary of State must amend the relevant order to return power to the constituent part.

New clause 10—Governance arrangements for local government: entitlement to vote—

“In section 2 of the Representation of the People Act 1983 (local government electors), in subsection (1)(d) for “18” substitute “16””

This Clause would re-instate the provision in the Bill, as brought from the Lords, allowing votes for 16- and 17-year olds in local government elections.

New clause 11—Review of fire and rescue services in combined authorities—

“(1) The Secretary of State must, within 15 months of this Act being passed, publish a review of the fire and rescue services affected by the provisions of this Act.

(2) The review must make an assessment of the extent to which the provisions of this Act affecting fire and rescue services have worked safely and efficiently for the protection of the public over the first 12 months from this Act being passed.”

This Clause would require a review, after 12 months of the Bill being passed, of the fire and rescue services to make sure the new system is working safely and efficiently for the protection of the public.

New clause 13—Fiscal and financial powers—

“Within six months of the passing of this Act, the Secretary of State must publish plans for further devolution of fiscal powers to local authorities in England, including—

- (a) an equalisation model related to the retention of business rates, to ensure local authorities with lower business rate income are not negatively impacted;
- (b) greater local authority control over local tax rates and discounts;
- (c) provision for combined authorities to set multi-year finance settlements.”

This new clause allows the Secretary of State to ensure devolution continues beyond current devolution deals by setting out plans for further fiscal devolution and greater local freedom and stability in relation to budgets and tax rates. The clause also ensures a model is put in place to ensure authorities with lower business rate income do not lose out from the phasing out of central government grants.

New clause 14—Cooperation with peripheral authorities—

“No later than three months after the passing of this Act, the Secretary of State shall publish guidance to be considered by combined authorities while exercising a devolved function, in order to—

- (a) have regard for any significant direct impact of decisions taken by the combined authority on neighbouring authority populations;
- (b) encourage cooperation between combined authorities and their neighbouring authorities so as to encourage local growth;
- (c) enable greater economic cooperation between combined authorities and their neighbours within a travel-to-work area.”

This new clause asks the Secretary of State to publish guidance to ensure neighbouring authorities are considered when devolved functions are exercised, and encourage economic cooperation between authorities within a regional economy or travel-to-work area.

Government amendments 4 to 6.

Amendment 58, in clause 2, page 2, line 10, at end insert—

“() The transfer of local or public authority functions to combined authorities shall not be dependent on an order being made under subsection (1).”

This amendment makes clear that devolution deals must not be dependent on a combined authority having a mayor.

Amendment 2, page 2, line 13, 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 of that combined authority.

(2B) The Secretary of State shall, by regulations, establish the procedures to be followed in conducting a referendum under subsection 2A.

(2C) Before making a regulation under subsection 2B, the Secretary of State must consult the Electoral Commission.”

The intention of this amendment is that elected mayors will be introduced only if that proposal has been approved by a referendum of the residents of the combined authority. The rule for the conduct for such a referendum shall be made by the Secretary of State, in consultation with the Electoral Commission.

Amendment 57, page 2, leave out lines 21 to 26 and insert—

“(7) 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.

(7A) 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.

(7B) Where a combined authority has entered into a contractual arrangement with a third party and an order under this section is made to enable a constituent part of a combined authority to resume its existence as a separate local authority, that separate local authority shall be deemed to be a contracting party to that agreement unless an alternative agreement is reached with the third party.”

The intention of this amendment is allow for a constituent part of a combined authority to leave a combined authority without the combined authority being dissolved, with provision for “fair terms” for the leaving party (i.e. their resource is calculated on a per capita basis, or similar.) and the impact this may have on contractual arrangement with third parties.

Government amendments 7 to 25.

Amendment 59, in clause 10, page 12, line 32, at end insert—

“(1) Within 6 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 in relation to its use by combined authorities.”

This amendment introduces a review of the use of the general power of competence by combined authorities.

Government amendments 26 to 29.

Amendment 1, in clause 15, page 17, line 7, at end insert—

“() all local authorities in a mayoral combined authority commencing a community governance review of their whole local authority area within two years of this Act coming into force.”

This amendment introduces further measures to support the creation of new local councils with mayoral and combined authorities required to conduct a community governance review within two years of the Act coming into force.

Amendment 56, page 17, line 23, at end insert—

“(4A) Regulations under this section, so far as including structural or boundary provision in relation to a non-unitary district council area, may be made if at least one relevant local authority consents.

(4B) Local authority in this case is defined as—

- (a) a non-unitary district council whose area is, or forms part of, the non-unitary district council area;
- (b) a county council whose area includes the whole or part of the non-unitary district council area.

(4C) Relating to 4a and 4b

- (a) “non-unitary district council area” means the area or areas of one or more non-unitary district councils;
- (b) “non-unitary district council” means a district council for an area for which there is also a county council;
- (c) “structural or boundary provision” means provision about the structural or boundary arrangements of local authorities in regulations made by virtue of subsection (1)(c).”

The intention of this amendment is to allow the government to make changes to boundaries of local authorities if it has the consent of at least one relevant local authority.

Government manuscript amendment (a) to amendment 56, after subsection (4C), insert—

“(4D) Subsections (4A) to (4C) expire at the end of 31 March 2019 (but without affecting any regulations already made under this section by virtue of subsection (4A)).”

This amendment provides for the provisions in subsections (4A) to (4C) of clause 15, allowing structural and boundary provision in relation to a non-unitary district council area if at least one relevant local authority consents, to expire at the end of 31 March 2019.

Government amendments 30 to 33 and 36.

Amendment 3, in schedule 1, page 37, line 3, leave out paragraphs 4 and 5 and insert—

“4 (1) The mayor is to be returned under the simple majority system.”

This amendment would require the mayors of combined authorities to be elected using the simple majority system, also known as “first past the post”.

Government amendments 37 to 45, 50 and 52 to 55.

Mr Allen: One of the difficulties involved in the debates we have had on this so-called constitutional Bill is that they have taken place on the Floor of the House. If we were upstairs in Committee and having detailed debates about particular places and particular boundary issues, the Minister could say, “The hon. Gentleman has made a very good point. I will take it away, talk to one or two authority leaders and issue a few words of reassurance.” On the Floor of the House, however, given the rather clunky weapons at our disposal—such as a Division of the House—they become much bigger issues. I congratulate the Secretary of State and his team on bringing the devolution process to the House, but rather than it being seen as the first step of many, it is lapsing into the good old confrontational stuff that we seem to enjoy so much on the Floor of the House.

Even under that structure, however, we can do a number of things in the Chamber this evening. We need to seek a more consensual way forward and understand that devolution is an organic process and that it will evolve. Once the deals in England have been concluded, they will make progress and other demands will be made. People will see that they can do things that they could not do before. They will look at neighbours who have concluded deals and say, “I’d like to try a little bit of that. I think I’ll talk to the Secretary of State.” The Secretary of State may well suggest to some places, “Things have been done by another place that you could also do.” To other areas, the Secretary of State and/or councils may say, “Perhaps we bit off a little more than we could chew. Let’s take half a pace back, let this settle and then come forward with other proposals in the future.” That process is not very amenable to debate on the Floor of the House of Commons. Almost by definition, it is better done, first, in Committee, and secondly, by the key players—council leaders and Ministers—talking openly and transparently to take forward the process.

John Redwood (Wokingham) (Con): The hon. Gentleman is making a very thoughtful speech. Does he not agree that the fact that devolution is being driven at pace by the Scottish agenda means that there is no time to have such a convention on the big devolution to Scotland, and is it not time for England to have matching devolution if Scotland is going to get so much?

Mr Allen: The right hon. Gentleman talks about moving at pace and then immediately suggests that England should have what Scotland has. I would go with the latter of his contradictory points: in such devolution Bills, England should have everything that has been obtained by the Scottish people. To round out the package, England should in particular have not just the powers but the financial capability to make the powers real.

I will talk later about new clause 5, which says that we can have income tax assignment to England, in just the way it pertains to Scotland, without civilisation as we know it falling apart. I would add that that would renew and strengthen the Union, which will need to happen in future decades, as a federal entity in which the nations of the Union work together very closely as a family, but all retain a degree of income tax in their areas to make their own country work effectively.

Norman Lamb (North Norfolk) (LD): I share the hon. Gentleman's view about financial powers going alongside the responsibility for providing services, but does he not agree that there is a case for devolving responsibility for income tax to below the England level? Most local services in Sweden, for example, are run through tax raised locally, rather than at national level.

Mr Allen: I am delighted to hear the Liberal Democrats proposing something in opposition that, sadly, they did not propose when they were a key member of the coalition Government during the past five years. Before Labour colleagues smile too much, however, the previous, Labour Government also did very little on this matter. [Interruption.] My hon. Friend the Member for Blackley and Broughton (Graham Stringer) says that they did. Obviously, I would never be so disloyal as to underline such remarks by repeating them on the Floor of the House, but—

Mr Speaker: Order. At any rate, the hon. Gentleman would certainly not have done so in those almost forgotten days when he was a Whip.

Mr Allen: Indeed, Mr Speaker. We all have scars and sins that are best left unrevealed; otherwise that can turn into rather a destructive process. If we look at the constructive process initiated by the Secretary of State, there is a way forward. To finish my answer to the right hon. Member for North Norfolk (Norman Lamb), double devolution has repeatedly been raised by colleagues from all parts of the House in different ways. Let me restate that it would be ludicrous for England to go the way of Scotland, where there is devolution down to Holyrood, but we can hear the sucking sound—Ross Perot used to hear a “sucking sound” in the United States from Mexico—of powers being sucked up from the localities in Scotland into Holyrood. We do not wish that to be repeated in England, which means, as the right hon. Gentleman said, that there must be a proper localisation of power if the devolution bandwagon and evolution are to continue.

5.30 pm

I would like to put a number of items on the record, but I will not discuss my new clauses at length because we have gone around the houses on those issues before. I just want to say that if we are devolving in England; if we have devolved in Scotland; if a majority of people's votes in England do not count and perhaps ought to be made to count in a different way; and if we see, as we are seeing with the Strathclyde commission, an anxiety about the powers of the second Chamber: if all those things are happening and we did not have a Political and Constitutional Affairs Committee—imagine if such a thing existed—it makes a lot of sense to have a steady, careful, citizen-led convention that discusses all those issues. Party leaders should at least commit to give the views of a citizens convention airtime on the Floor of the House through the discussion of draft Bills.

It makes sense to take a slightly broader view when discussing these changes and to consider what our democracy ought to look like. The threats are considerable and the action we take should be swift in countering those threats. There should therefore be a broad-brush review of where our democracy lies. That is what is proposed in new clauses 1 to 4, which are in my name. New clause 5 takes up the point about having financial powers to go alongside that.

I turn to what is a difficult question, because it is a detailed question, in respect of amendment 27, to which the Minister will speak. I tempt him to respond to my view on what might be done with the amendment. Devolution deals are so important to those who run local authorities and those who care about local authorities that, because boundaries might change, functions might change and mayors might be imposed, there is a great deal of anxiety in certain places in the country about the precise detail of the deals and how they might work.

I fully understand why the Government tabled amendment 27. It makes sense within the terms of what they are trying to do. They are rightly trying to have a level of flexibility in respect of devolution deals. However, there are particular difficulties in and around Nottinghamshire and Derbyshire, and in respect of the Sheffield deal that is being discussed. I say to colleagues that we are at the beginning of a long road. It is not perfection that we seek today, but progress. We can secure progress, provided that we discuss this matter in a consensual way. The Minister may wish to respond to what I say now. If not, I hope that he will do so soon.

I am sure that the Minister and the Secretary of State will agree that any changes in local governance that are enabled by the Bill must be achieved through local consensus, with the relevant partners coming around the table to agree a negotiated position. Given that, I draw their attention to the suggestion in amendment 27 that districts that form part of a county could join a different combined authority, without the need for any negotiation with, consensus within or consent from the county council. That would be deeply divisive in many areas and undermine the very consensual approach the ministerial team has consistently advocated in this House. Will the Secretary of State or the Minister provide the House with a reassurance that the amendment will not give districts the right to walk away without local consensus and that any changes would be made through a negotiation between district and county, facilitated if necessary by the Secretary of State?

James Wharton: I intend to speak at greater length on this issue, but as the hon. Gentleman has given me the opportunity to do so I would like to make it clear that the amendment gives any council, including districts, the permission to request to be removed from or added to a combined authority. My right hon. Friend the Secretary of State will review the case put forward by a council and make a decision on whether the request can proceed, but I can reassure the House that any such decision would, where possible, be made only following consultation and negotiation with relevant parties. In all cases, we would endeavour to seek and secure the consensus that I think has characterised many of the discussions we have had in a range of places so far, and which is so important in underpinning the Government's approach to devolution more generally.

Mr Allen: I am sure that those words will have been heard throughout the Chamber and, more importantly perhaps, by all those who care about, or are in positions of authority in, local government. I very much hope that they take the message that the Government and the House are keen for there to be progress on devolution, and that it should occur on the basis of consensus, interaction and negotiation facilitated by the Secretary of State and the Government.

The people who have interacted with the Secretary of State and the Minister will make their own judgment on whether the Secretary of State can be trusted on these matters. As far as I am concerned, however, the Secretary of State has got us to this position on devolution, which, as I mentioned earlier, was not possible under the previous coalition Government or the previous Labour Government. Is it perfection? No. Is it genuine progress? I hope the answer to that is most definitely yes.

Chris Leslie (Nottingham East) (Lab/Co-op): All this consensus can sometimes feel a little bit disconcerting, but I think it is a good thing. The fact that the Minister has underlined and put it on the record, in respect of Government amendment 27, that consensus would have to be achieved—this is not about particular councils having vetoes or unilateral capability, but a negotiated process—is a very important step.

Mr Allen: I can barely believe that my hon. Friend would be anything other than consensual. In recent weeks he has perhaps been known as being on the provisional wing of the Labour party, but his innate character is that of seeking consensus. I agree very strongly, as I always do, with my constituency neighbour. I hope colleagues throughout the UK adopt a similar view and take us forward on this issue.

Jenny Chapman (Darlington) (Lab): Is my hon. Friend concerned that there are absent voices from the consensus thus far, in the shape of the public, who are not always involved or even aware that these kinds of deals are going ahead? I realise it is difficult, but do their voices not need to be captured somehow, too?

Mr Allen: To an extent, their voices have to be captured by those who seek elected office, whether in this House or in the locality. Devolution is just one part of a broader democratic settlement. It is essential that it is not just the great and the good who are involved. As I outline in new clauses 1 to 4, there has to be the most tremendous unprecedented outreach. A citizens convention

must go way beyond even what we saw in Scotland, either in the referendum campaign or in its own citizens convention, and use all the modern techniques of social media, technology and electronic polling, so that people can feel ownership. My hon. Friend is absolutely right that unless we build that in, and unless people feel that a proper debate has been had, the process could be stressed and fractured when people feel that the right thing has not been done. I would argue, therefore, as with new clauses 1 to 4, that we will need a broad-based exercise involving an unprecedented level of public participation in order to settle our democracy not just for the next four years but so that it holds for 100 years after that. That cannot be done on the back of us alone making these decisions.

Madam Deputy Speaker, I seek your advice on a matter of order, although I do not know if I am entitled to do so in the middle of a speech. There are amendments on health. Should we talk about those matters now or wait for a natural break?

Madam Deputy Speaker (Mrs Eleanor Laing): The hon. Gentleman asks a perfectly reasonable question, and, just for once, it is a question that the Chair can answer. The answer is no. The matters relating to health are in the next group, of which the lead amendment is new clause 9. We should discuss health at that point.

Mr Allen: That is very helpful, Madam Deputy Speaker. In that case, I will limit my final remarks to a brief consideration of manuscript amendment (a) to amendment 56, which bears my name. Amendment 56, which I wish well, seeks to provide some welcome flexibility to allow for the organic growth and development of our devolution proposals. The Secretary of State, who needs to be reassured that the process will not drag on forever, has proposed a manuscript amendment that puts an end date on discussion. Colleagues and local authorities will have an opportunity, a gateway, a window—whatever metaphor we wish to use—in which to make representations. That process will not drag on forever, but there will be a lot of time to make those representations, which seems very appropriate. On that basis, I am pleased to have added my name to amendment 56.

This large group of amendments covers many other areas, including issues on which I could speak at some length, such as votes for 16 and 17-year-olds and a governance review. The latter will be very important. I believe that there are now 34 or so devolution deals. As we develop those, there will be much best practice, which, by definition, we cannot learn from mid-process, around what has been devolved and how, and around how local authorities can use their powers. It will all be at different levels and different speeds—because, again, devolution means people doing their own thing, not taking a one-size-fits-all approach—but there will be a place for a gathering and sharing of best practice by local government so that the next set of deals, building on the pre-existing deals, can be done in the best way.

We do not currently have an institution that can do that. Despite the excellence of the officials in the Department, we do not have what local government might regard as an independent institution to take that forward. It makes a lot of sense, therefore, to have a review at an appropriate time. It might not look that way to the Secretary of State, who is battling through a

set of deals with lots of interested individuals—and that can only be his main priority—but, when the dust settles, it will make sense to have an adjunct to the Local Government Association, or whatever local and central Government come up with, to make sure that all the learning from the first set of proposals is carried over to the next set.

With that, I shall draw my remarks to a close. We now have a set of devolution deals, and the boulder is rolling forward. We need to keep the momentum going, so I hope that everyone will wish the Bill well.

5.45 pm

James Wharton: I begin with new clauses 1 to 4, which propose the establishment of a local government constitutional convention. We had the opportunity to discuss these provisions on our first day in Committee, and as the hon. Member for Nottingham North (Mr Allen) said then, they include the nuts and bolts of this body, as proposed by the Political and Constitutional Reform Committee, which the hon. Gentleman chaired in the previous Parliament. He now draws on the wealth of the knowledge that he acquired from his chairmanship during that time. His intention has been, in part at least, to ensure that some of his observations and experience could be read by anyone who feels that the concept of a constitutional convention is something that could be recommended to the House. I hope he feels that he has been successful in that aim. I have certainly enjoyed the debates we have had on the issue, and I recognise his tenacity and consistency in putting his case before us.

I do not consider it necessary to go through in detail every stage of the possible effects that new clause 1 could have, but it is important to recognise that the hon. Member for Nottingham North has made a number of points that draw on his experience and that inform the debate on devolution. However, as has been the case in previous debates and in Committee, I am not yet persuaded to go as far as to include new clause 1 in the Bill at this time.

John Redwood: Will the Minister confirm that as the talks on Scotland's money versus that of the rest of the United Kingdom make rapid progress, it will be the Government's aim to ensure that England has a block grant that it may choose how to spend?

James Wharton: My right hon. Friend tempts me to go further than I can in the specific context of the Bill, but I think he has been above averagely consistent on that point and very clear about his position. He has put it clearly on the record today, as he has before, and the fact that he has done so is welcome.

I look to the Chair, Madam Deputy Speaker, for advice on whether you would like me to comment on the other amendments in the group, which I would be happy to do, although I have not yet heard the comments of hon. Members on them.

Madam Deputy Speaker (Mrs Eleanor Laing): If the Minister would like to wait until the end of the debate, I shall, with the leave of the House, call him again.

James Wharton: Thank you, Madam Deputy Speaker. Given that we have had such a productive and healthy debate so far, it would be appropriate for me to respond later to the specific points that hon. Members raise. I therefore look forward to the opportunity to speak again as we progress through this stage of consideration.

Mr Betts: I shall speak specifically to Government amendment 27. The proposals for combined authorities are welcome. They are essentially about local authorities coming together where they wish to combine their approach, their workings and their functions to deliver better services and, hopefully, greater economic growth for the residents in their areas. The idea was pioneered in Manchester. The one fundamental difference between Manchester and some of the other areas that we are considering is that Manchester has had a number of authorities that have worked together over a period of time and these happen to be the authorities that were part of the old Greater Manchester metropolitan area. There were 10 districts that formed that old Greater Manchester metropolitan county, so they have always had a sense of being together and working together over a number of years. They are also unitary authorities that all have the ability to make their own decisions about whether they come together, how they do so and what they do to form the combined authority. It is a relatively simple and easy arrangement in constitutional terms.

The difficulty for some other areas is that the constitutional arrangements are slightly different. Obviously, I am now going to refer to my own area. Sheffield contains the four districts which used to form the old South Yorkshire metropolitan county, and which have worked together to varying degrees, and with varying degrees of success, since the counties were abolished. They came together to form what is now the Sheffield combined authority.

To an extent, the same applies to Leeds, which contains five districts that used to be the West Yorkshire metropolitan county, and which have been working together as a combined authority. There are, however, some differences, which have been recognised at various times by parties on both sides of the House. Sheffield contains not merely the four districts of south Yorkshire, but five other districts which form part of either Derbyshire county or Nottinghamshire county: Derbyshire Dales, Chesterfield, North East Derbyshire, Bolsover and Bassetlaw. They are not part of the old South Yorkshire county, but they are very much part of the local economy of the Sheffield city region—the travel-to-work area.

That has been recognised in a number of ways, and I remember when it was first recognised. I went to the first meeting between the leaders of those nine councils, which took place at Meadowhall shopping centre, and which had been called by David Miliband when he was number two in his Department. I am not sure which Department it was, but it was probably the Office of the Deputy Prime Minister. I expected a reaction from the districts outside south Yorkshire—I expected them to think that Sheffield Big Brother was going to take them over—but the leader of Bolsover district council said, "Actually, it is quite good that we are involved in this." He said, "I know that not everyone who lives in Bolsover will have a job in Bolsover, and that many people have to travel to work in Sheffield. What happens in Sheffield matters to us, and how people transport themselves from Bolsover to Sheffield matters to us. It is right that we are sitting round the table having discussions and being involved in the decision-making process." Those were wise words, which have stood the test of time.

The coalition Government adopted a similar approach. When they formed the local enterprise partnerships, they recognised that the historical regional boundaries

[Mr Betts]

were not always appropriate. I know that the previous Secretary of State had a thing about regions: people almost had to cross themselves, or put money in the Department's swear box, if they mentioned them. He was not always right in damning the regional spatial strategies and blaming them for every evil on the planet, but I think he had a point nevertheless, in that the old regions did not necessarily represent local economies and the way in which areas worked in day-to-day life.

The districts of south Yorkshire were in the Yorkshire and Humber region, but the districts in Derbyshire and Nottinghamshire were in the old East Midlands region, and that often did not work because the two regional development authorities did not always speak to each other. That was a fundamental problem for the Sheffield regional economy, which the last Government recognised when it created the LEPs and allowed them to create themselves across the old regional boundaries to reflect the travel-to-work areas and the local sub-regional city region economies.

We now face a challenge. So far, the districts in that position in North Nottinghamshire and North Derbyshire have, to an extent, been able to have it both ways. They can continue as districts, as part of the two counties, but they can also be non-constituent parts of the combined authority in Sheffield. Ultimately, however, the districts will have to make some sort of choice.

We are to have an elected mayor in the Sheffield city region. We have had discussions and arguments about that, but it is going to happen. Should the people of Chesterfield, Worksop or any other parts of those districts be able to vote for the mayor in Sheffield, who will be in charge of transport in that area, or should they not be able to vote for the mayor, who will then cover only part of the travel-to-work area with his or her transport responsibilities? That strikes me as illogical, because it will not bring about a combined authority that really covers the city region and the travel-to-work area.

Is it possible that the people of Chesterfield will not have a vote for the mayor because Chesterfield will not become part of the Sheffield city region combined authority—although, under the proposals, the mayor will be involved in discussions and decision making about economic development matters that affect Chesterfield, even if it is only a non-constituent part of the combined authority? I do not think it reasonable for an individual who has not been elected by the people of Chesterfield to have a say in what happens there.

What the amendment does is ensure that the districts of North Derbyshire and North Nottinghamshire will be able to make their own decision about the long-term position—about where they think they fit and where their future lies—without the county councils' having a veto. Like my hon. Friend the Member for Nottingham North (Mr Allen), I hope that that will be done by means of consensus and discussion. No one wants Chesterfield to feel that it is no longer part of Derbyshire county or Bassetlaw to feel that it is not part of Nottinghamshire county, for many other purposes.

Julian Sturdy (York Outer) (Con): The hon. Gentleman is advancing a powerful argument. He is absolutely right about consensus. He is also right about the fact

that businesses do not recognise local authority boundaries. Surely, when we talk about devolution, we must talk about it on the basis of economic rather than political areas, but there is a danger of our being sucked into those political areas.

Mr Betts: I entirely agree. In the end, of course, a district council as a whole will have to go to an area, but, as the hon. Gentleman says, the focus should be on what works for the economy in terms of job creation, growth and the development of skills, and on ensuring that the necessary transport links exist.

I hope that the Minister will clarify one important point. There may ultimately be a decision for the Secretary of State or the Minister to make on these matters. The districts in North Derbyshire and North Nottinghamshire, or some of them, may well decide to become part of the Sheffield city region—I hope that they will, because I think that it makes economic sense—but it is nevertheless possible that Derbyshire and Nottinghamshire will form another combined authority, an N2D2, and that there will then be a conflict between the two decisions.

I understand from the amendment that it will be up to the Secretary of State to decide which combined authority the districts should join, because they cannot join two; the people in those areas cannot have a vote for two elected mayors in different combined authorities. I hope when he decides that he will indicate that his key criterion will be what is right for the local economy—that point was made by the hon. Member for York Outer (Julian Sturdy)—and right for developing skills, for economic growth, and for the development of a proper transport strategy for those areas.

James Wharton: I absolutely hear what the hon. Gentleman says. We must do what is right. If devolution is to be successful, it must recognise the boundaries that are, as my hon. Friend the Member for York Outer pointed out, more than political: the economic boundaries and the community boundaries. We must take account of what local people want. I am sure that, in exercising whatever powers he has when discussions on the Bill have concluded, the Secretary of State will first seek to build that consensus, as he has throughout the devolution discussions, but will then seek to ensure that the deals that are done will stand the test of time.

Mr Betts: Standing the test of time is about what works economically and what works for growth, because that is the purpose of devolution in the first place.

Nigel Mills (Amber Valley) (Con): I think I agree with the main thrust of the hon. Gentleman's argument, but we might well grant the elected mayors powers to replace the police and crime commissioners, and if, for example, Chesterfield chose to join Sheffield rather than Derbyshire, the people would presumably lose the right to vote for the person who holds their police force to account. I am not sure that, in those circumstances, the Secretary of State could make his decision solely on the basis of economic powers.

Mr Betts: That is an added complication. At present, three separate police and crime commissioners cover the Sheffield city region: one for south Yorkshire, one for Derbyshire and one for Nottinghamshire. Those issues might be considered at some point way down the line, but the leaders of the Sheffield combined authority

have—sensibly, in my view—decided not to incorporate the police and crime commissioners’ powers in their devolution deal, probably because that would lead to exactly the sort of further complications to which the hon. Gentleman has referred. They have confined their deal to economic, transport, skills and growth issues, which are precisely the issues to which the Secretary of State will have to give particular consideration if there is a decision to be made about which combined authority the districts are to go into.

Graham Stringer (Blackley and Broughton) (Lab): I am sure my hon. Friend agrees that we live in an extremely complicated country both culturally and economically, and one of the things that has bedevilled attempts to devolve powers to local authorities has been searching for the perfect boundaries. The perfect boundaries do not exist. Does my hon. Friend agree that it is better to devolve than to spend for ever looking for those perfect boundaries?

6 pm

Mr Betts: Absolutely, and therefore I support the principles of the Bill, but having said that, and while agreeing with my hon. Friend, if we can do something to improve the devolution process, which this amendment does, we should be looking to do that as well. I want devolution to happen, but I want it to work. There is a danger in the Sheffield city region proposals that, without those North Derbyshire and North Nottinghamshire districts, and without a true reflection of the whole travel-to-work area, the devolution will not be as economically successful.

I accept in the end that it is a matter of consensus, however. This amendment allows those districts to express their own view about where they think their economic future lies without pulling out of the county for all other services. It allows devolution to go forward without a veto from the county over the particular issues of economic devolution and transport powers. It makes a lot more sense for the Sheffield city region. It also offers the same opportunities for the same way forward for the West Yorkshire combined authority and probably for the west midlands as well.

Mr Graham Brady (Altrincham and Sale West) (Con): I shall be brief. I am pleased to follow the Chair of the Select Committee, not least because I thought one of his closing lines summed up our objective here this afternoon: we want devolution to happen, but we want it to work. I want to speak to new clause 8 and amendment 57 in my name and also touch on amendment 2 in the name of my hon. Friend the Member for Hazel Grove (William Wragg), all of which share exactly that objective.

Dealing with the question of consent and the referendum contained in amendment 2, it seems to me that if this process is to work it is essential that it should have the consent of the people who are going to be governed under these new structures. If the argument can be made for the new structures and new form of governance, the Government ought to have the self-confidence to give people a direct say on the changes that are about to be introduced. From a Greater Manchester perspective, I think it is entirely possible that the Government could put a case that would persuade people that the new arrangements should be approved in a referendum, but

the very act of withholding that opportunity for them to express their will and to show real consent for what is being done in itself sows the seeds of difficulty and discord and makes it less likely that the new arrangements will work.

Mr David Nuttall (Bury North) (Con): In his speech on 14 May, the Chancellor of the Exchequer said:

“I will not impose this model on anyone.”

Does my hon. Friend agree that the best way to demonstrate that local people want the new system would be to hold a referendum?

Mr Brady: I agree wholeheartedly. I devoutly hope that Ministers even at this late hour will recognise that it is very much in their own interests and those of the Government, and entirely in the interests of the people of the combined authority areas which may face these new arrangements of governance, to accept the point. I am especially hopeful given the sterling work my hon. Friend the Minister did in the last Parliament trying to ensure that people had the opportunity to give consent on the arrangements surrounding our membership of the European Union. I know he will recognise that, given his deep commitment to democracy, it would be entirely consistent for him to recognise the wisdom of the proposal.

New clause 8 is in tune with the essence of the Bill and the essence of the Government’s intentions. There are very few of us on either side of the House who would argue with the proposition that it is generally better for power and decisions to be exercised as close to the people as possible. It is almost invariably better for decisions, including spending decisions, to be taken more locally, and new clause 8 seeks to place an extra protection in the Bill: a safeguard seeking to limit the occasions on which the legislation could be used to permit devolution in the wrong direction. That is not really devolution at all, of course. Rather, it is the opposite of devolution: it is the capacity that exists in the Bill as it currently stands for powers to be moved up, away from the people and away from local authorities which currently exercise powers, to the combined authority or to mayoral authority level. It is a very modest measure—[*Interruption.*] My hon. Friend the Member for Bury North (Mr Nuttall) endorses that view, and I was surprised at just how modest my aspiration had become during the course of this process, perhaps due to the endless courtesy and charm of the Secretary and State and the Minister.

All new clause 8 seeks to do is ensure that, if a local authority decides to transfer a power to the mayoral level, there would be a cooling-off period before it became permanent, and crucially that a local election must be held before such time that that transfer of power away from the people in the wrong direction—this anti-devolution—can become permanent. That is a modest but important safeguard, and I hope Ministers will accept it would be in their interests and the interests of good governance to incorporate it.

Perhaps the most important measure in this group is amendment 57, which sits, almost naturally, as a part of a couplet with the proposition for a referendum. In a way, if we do not have one of them, it becomes even more important that we have the other. If the Government are not going to consult the people directly on the new governance arrangements that will apply to them by

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allowing a referendum, it is even more important that the arrangements set out in amendment 57 should be incorporated, which would allow a local authority, in the event that the new arrangements do not work in the interests of that local authority area, to seek at a future date to leave, with a fair distribution of both the liabilities and assets of the combined authority.

I have sought to ensure proper fairness and a reasonable arrangement in the unlikely eventuality that a local authority would reach the point where it was convinced that the new arrangements were not in its best interests. That would provide the necessary reassurance to people that this is not an irrevocable step, and that if it does not work, there is a way out of it. Perhaps most importantly, it would also place a real discipline on an elected mayor and ensure that the holder of that office would at all times seek to behave reasonably and reflect the interests not just of the majority of the area of the mayoral authority, but of the whole of it. The risk that an elected mayor may at some point in the future seek to govern in a way that is clearly contrary to the interests of any one part of a conurbation would be massively greater if the Bill were to proceed unamended. Again, I very much hope Ministers will recognise that the Bill would be strengthened and improved by amendment 57.

Norman Lamb: I want to speak in support of new clause 10 and to make a brief comment on amendment 7. The new clause seeks to reinstate in the Bill, as brought from the Lords, the provision to allow votes for 16 and 17-year-olds in local government elections. As a matter of principle, I support the idea of votes for 16 and 17-year-olds, whether in national elections, local government elections or referendums. I supported the case for 16 and 17-year-olds to vote in the Scottish referendum. I have also argued the case, along with many others, for them to be able to vote in the European Union referendum, because it is their future that we will be debating.

In the context of the Bill, I strongly support the case for 16 and 17-year-olds having a say, for goodness' sake, in the election of their local councillor. I find it extraordinary that the Government oppose the proposal so strongly. I appreciate that the Secretary of State has indicated that there is a debate to be had on the subject, and that we might explore it more fully on other occasions, but how long does this have to take? Those 16 and 17-year-olds can join our armed forces to defend the country, they can marry and they can pay taxes on their income if they are in work, yet they cannot have a say on how those taxes might be raised, on the extent of them or on how they might be applied. As citizens they ought to have the same rights as the rest of us enjoy, and I urge the Government to think further on this.

We often make points about the low turnout among those young people who are entitled to vote, and about the low engagement in the political process. I made the point in our previous debate on the issue that young people are very interested in a range of political issues, but there is no doubt that in many cases many of them are disengaged from the political process. If we are to seek to change that, surely giving these young people the right to a say in the political process would help. The turnout among 16 and 17-year-olds in the Scottish

referendum, at about 75%, is indicative of a level of interest in the issues, which the Government ought to recognise.

David Willetts, the well respected former Minister in the coalition Government, has made a point about the breaking of the generational contract. This is a serious concern. Political parties tend to focus a lot of their attention on the interests of older people, who of course tend to vote. I would argue that there is a lack of attention being paid to the interests of young people, particularly 16 and 17-year-olds, who have no vote at all.

Mr Nuttall: I am getting confused. A few seconds ago, the right hon. Gentleman was trying to convince the House that 16 and 17-year-olds should be allowed to vote because such an enormous number of them had turned out to vote in the Scottish independence referendum. Now we are told that we are ignoring them because they do not turn out to vote. Will he just clarify which of those two arguments he would like us to accept?

Norman Lamb: We saw in the Scottish referendum that, if you seek to engage with young people, they will respond. They turned out in record numbers. I understand from the study that took place following the referendum that the turnout was 75% among that age group. I also made the point, however, that there is a lack of engagement with the political process as a whole among young people. I am sure that the hon. Gentleman would agree with me on that. I believe that it is incumbent on all of us to change that by getting young people to feel part of the process and to participate in it. If we give 16 and 17-year-olds the right to vote, it sharpens their minds and focuses their interest because they have an opportunity to participate in the political process.

6.15 pm

Sir Edward Leigh (Gainsborough) (Con): The right hon. Gentleman is making his arguments very well and I do not want to take him to task over them, but I want to ask him a question. Presumably the Bill will again end up in the House of Lords, as the European Union Referendum Bill has done. Does he think it is the place of unelected people in the House of Lords to make a decision on this question, or should it be reserved to the House of Commons?

Norman Lamb: I continue to argue strongly that we should have a democratically elected second Chamber, and we sought to achieve that during the coalition Government. Sadly, Conservative Members managed to block that long-overdue reform. [Interruption.] I think the hon. Member for Nottingham North (Mr Allen) is agreeing with me from a sedentary position. But we are where we are, and because Conservative Members ensured during the last Parliament that we still have to put up with an unelected second Chamber, it will just have to do the job as best it can. It is a revising Chamber and I hope that it will again make the argument that 16 and 17-year-olds should have the right to vote. I hope that I have responded adequately to the hon. Member for Gainsborough (Sir Edward Leigh).

David Willetts made the case strongly that there had been a break in the generational contract. I believe that it is incumbent on all of us to address that serious issue and to ensure that all political parties start to show a

real interest in the interests of young people. If 16 and 17-year-olds had a vote at local and national levels, there is no doubt that the parties would focus more attention on their interests.

Graham Stuart (Beverley and Holderness) (Con): The right hon. Gentleman said that the interests of young people are not properly reflected, partly because they do not vote, but he then said that giving the vote to even younger people who were even less likely to vote would somehow change the way in which the Government operated. I just do not understand the logic of that. Will he also tell us what is so special about 16? Why not choose 15? Is this about paying tax? We have to draw the line somewhere. What is the principle on which he is basing his argument?

Norman Lamb: On the hon. Gentleman's last point, I of course accept that this is an arbitrary line. The current age at which people can start to vote is also arbitrary. We have chosen to make it 18. My argument is that we can reduce it because people aged 16 and 17 have rights and play a significant part in society. For example, they can join the armed forces, they can work and pay taxes on their income and they can marry. Those are all significant rights and responsibilities, and if they have such rights and responsibilities they ought surely to have a say in the election of our national Government and in the election of local authorities as well.

Graham Stuart: If the right hon. Gentleman were charged with a serious offence, would he really want 16 and 17-year-olds serving on the jury and deciding on his guilt or innocence? I certainly would not. We are talking about a certain level of maturity, and the line we have drawn is an appropriate one. If we would not want a 16-year-old sitting on a jury deciding whether or not we went to jail for 10 years, I suggest that we would not want to let them play a part in the election of the Government of the country.

Norman Lamb: With all due respect, I think that that is a distraction from the issue we are debating today. I repeat my argument that if 16 and 17-year-olds are able to join the armed forces, pay taxes on their income and marry, which are big responsibilities and rights, they ought to have a say in the election of their Government, either at national level or locally.

Alison Thewliss (Glasgow Central) (SNP): Does the right hon. Gentleman agree that some of the Conservative Members' arguments do not quite stack up? Maturity is not necessarily to do with age, after all. People of any age can be deemed to be immature, yet they can still serve on a jury and vote in elections.

Norman Lamb: I absolutely agree with the hon. Lady about that. The argument made by Conservative Members could be used, by logical extension, to deny democracy entirely or to deny trial by jury. I seek to oppose both those logical extensions and to make the case again for 16 and 17-year-olds to have the right to vote. In this Bill, we are talking about their having a say in the election of their local councillors, for goodness' sake. If the Conservatives seek to deny 16 and 17-year-olds such a basic right, in their own local community, I strongly oppose them on that. The Government say this issue

deserves further discussion, and I welcome that, but why can they not just get on with it, accept the principle and legislate for it today?

William Wragg (Hazel Grove) (Con): I rise to speak to amendment 2, which stands in my name and those of a number of right hon. and hon. Friends. As a former councillor in Stockport, I draw people's attention to my entry in the Register of Members' Financial Interests.

The purpose of the amendment is clear: to ensure that a referendum is held in a combined authority area before any mayoral model of governance is adopted. I am pleased that a number of colleagues have felt able to support it by putting their names to it, and I know that a number of others have some sympathy with it. I thank the Secretary of State for his courteous understanding of my concerns. Such a generous and fair approach is, as colleagues from across the House will attest, typical of the thoughtful and decent man he is.

I extend a similar tribute to the Under-Secretary of State for Communities and Local Government, my hon. Friend the Member for Stockton South (James Wharton), who has handled my reservations with good humour and more than a degree of tenacity, and I thank him sincerely for that.

My motivations for tabling the amendment are several. First, this is very much a local issue of concern, given that my constituency is part of the Greater Manchester area, which has been earmarked for an elected mayor in 2017. I can discern no real demand for this innovation among my constituents—indeed, there is a certain degree of reservation. However, despite their and my scepticism, I am prepared, as I argued on Second Reading, to accept that perhaps there is some demand and so I am perfectly willing to let the people have their say at a referendum, in order to allow them to express their view emphatically. Of course, the outcome either way would be something I would respect entirely.

Although not wishing to prejudice the outcome of such a referendum, I remind the House that directly elected mayors were in recent memory rejected by a number of constituent boroughs of Greater Manchester—Bury and Manchester itself—and subject to widespread rejection across the country in 2012. I thought the Conservative party's policy at the time was absolutely right: mayors in metropolitan areas should be introduced only if there was a referendum and assent was given. The policy of holding a referendum was correct three years ago and I contend that the opportunity to have a democratic decision at a referendum remains equally valid today.

My overriding concern is, I expect, understandable to many colleagues with shared experience in local government: when new models of local government are seen to be imposed on areas, even if more carrot than stick is used, there the danger lurks. Some will still see the Local Government Act 1972 as an act of municipal desecration, with the break-up of centuries' old counties and the formation of false constructs, but, aside from mocking the quaint fustiness of those dinosaurs—I do not refer to anybody in this House—we should take a valuable lesson from it: people should feel a sense of belonging to the area in which they live. Furthermore, as this amendment proposes, they should feel a sense of ownership over the formation of entities that govern them.

Mr Betts: I am trying to work out what the hon. Gentleman is trying to achieve by this amendment. Is he just probing the Government? They have made it clear that devolution deals, as negotiated, will go ahead only with an elected mayor. Is he working on the assumption that if the population turn down an elected mayor in a referendum, the whole devolution deal for that area will fall?

William Wragg: I thank the hon. Gentleman for his intervention. My amendment seeks not to ensure that such devolution deals fail, but that the mayor is not a prerequisite of such a deal. I am at variance with the Government on this issue and I would like my amendment to be included in the Bill.

Alison Thewliss: I wish briefly to go through some of the new clauses and amendments. The hon. Member for Nottingham North (Mr Allen) makes points in new clauses that have been made before in previous debates. His new clauses 1, 2, 4 and 6 include Scotland, as part of the United Kingdom. As local government is entirely devolved to the Scottish Parliament, and the UK Parliament has no scope in that matter, he has perhaps made an oversight in his proposals. In new clause 6, he wishes to make local councils in England equivalent to the Scottish Parliament, which also is not quite appropriate—after all, they are not the same things. The Scottish Parliament is a Parliament, rather than a local authority, and they are very different items.

Mr Graham Allen: The hon. Lady is misunderstanding me and I need to clarify my remarks. I am not at all equating a local authority with the Scottish Parliament. I welcome the Scottish Parliament, which is one of the Labour party's greatest achievements. Donald Dewar and all those people who were in the citizens convention have created, often without the co-operation of the Scottish National party, a magnificent institution. I just have a degree of jealousy that the powers that have rightly gone to Scotland are not coming fast enough to England and to those of us in the rest of the Union. If we are Unionists, we think that the good things that can happen in one country can happen in all countries of the Union.

Alison Thewliss: I am not sure that the hon. Gentleman includes me in the statement that we are Unionists, because I am not necessarily—

Mr Allen: I say that only because the hon. Lady is elected now to the Union Parliament. This is not the Scottish Parliament and therefore we speak here, all of us, as part of the Union Parliament in Westminster.

Alison Thewliss: The hon. Gentleman's new clause 5 refers to

“the desirability, impact and process necessary to give English Councils the same fiscal and taxation powers as those devolved to the Scottish Parliament in the 2012 Scotland Act”.

That seems to me as though he is drawing a comparison between the two, and I am not convinced that is entirely appropriate.

The right hon. Member for North Norfolk (Norman Lamb) eloquently put the case for new clause 10, and I, too, absolutely support votes for 16 and 17-year-olds. It is a shame that the Government are not taking the opportunity at least to trial it in local government, as it would be a worthwhile trial. If they are not prepared to

bring forward comprehensive legislation to change the franchise for all elections, it would be nice if they were willing on this occasion at least to try it in this way, because it is very much worthy of examination. It has worked well in Scotland; the 16 and 17-year-olds who were given the vote on the referendum were very engaged and have remained engaged. Those who were younger were not able to participate but they still had greater interest in the democratic process as a result—they paid attention. A lot of them felt very aggrieved that they were not able to participate, but, as was said earlier, the bar has to be set somewhere and 16 is a reasonable place to put it. That has worked well in Scotland and I very much encourage it here.

On new clause 12, it seems reasonable to review how the NHS is treated in the devolution deals. It seems reasonable to see how that is working, and perhaps more powers need to go across if things could work better.

On amendment 2, tabled by the hon. Member for Hazel Grove (William Wragg), and amendment 58, I have lot of sympathy for his comments about the imposition of mayors on local authorities. Some of the evidence that we heard in Committee on this issue suggested that it is perhaps not being fair to local government to say, “You must take a mayor in exchange for these powers.” I have a lot of sympathy for the points he makes. As I said earlier in this process, the Glasgow and Clyde Valley city region deal did not require a mayor in Scotland, so it is not a blanket policy of the Government to apply this provision in every circumstance. I believe that the Duchy of Cornwall has not had a mayor imposed upon it at this stage. Evidence was given in that respect in Committee.

On amendment 3 and the supplementary vote system, I am not sure that that system is necessarily the best one for electing anybody. I have been elected under the single transferable vote in Scotland and under first past the post here, and I believe that the first- past-the-post system is far from ideal in terms of democracy. I cannot understand why anyone would want to put first past the post back into an electoral system—perhaps there will be more explanation of that later—when the majority of research suggests it is the least fair way of electing people to any system of government.

I thank you for your time, Madam Deputy Speaker. That is all I have to say today.

6.30 pm

Martin Vickers (Cleethorpes) (Con): I shall speak to amendment 56 and the Government manuscript amendment to it. Although I added my name to the amendment, the original proposal came from my hon. Friend the Member for Carlisle (John Stevenson), who apologises for not being present in the Chamber today. As the House will appreciate, his constituency has been very badly affected by the weekend floods.

I wish to make a few points on my hon. Friend's behalf. Amendment 56 provides for a very modest change that would give greater flexibility both to the Government and to local communities. Where there is a clear wish for change, a county could achieve it in a much more efficient manner and without too much delay. The amendment seeks to build on existing legislation in relation to changes to boundaries. I am talking about not radical change, but easier changes that both Government and local people support.

My hon. Friend hopes that these changes can be applied to his own county of Cumbria, where they are badly needed and widely supported, as they would improve local government and lead to cost savings. I note that the hon. Member for Nottingham North (Mr Allen) spoke in favour of this amendment. I hope that that sentiment will also be expressed by the Opposition Front Bench and that we can proceed on this matter with consensus. With that, I hope that the House will support this amendment.

Mr Jacob Rees-Mogg (North East Somerset) (Con): I wish to support some of the amendments tabled by my hon. Friend the Member for Hazel Grove (William Wragg) and to try to give more information to the hon. Member for Glasgow Central (Alison Thewliss) to explain why I am in favour of first past the post.

Briefly, let me talk about referendums and why I have attached my name to amendment 2. It seems that there is a slowly developing theory of referendums in this country that fits in with a parliamentary democracy. It is that those of us who sit in this House, who admire this House and who approve of how our constitution works, have a great affection for the understanding that we are representatives and not delegates, and that we are here to exercise sovereignty on behalf of the people for a five-year period before returning it to them in toto at the end of that period. That is the well-established constitutional position. Against that, and in sympathy with that, there is a developing view of where referendums are useful, and moving from useful to becoming essential; and that is to do with the structures of government. The reason for that is that there is a permanency in the structures of government that outweighs the normal level of legislation with which we deal.

It is quite right that Scotland had referendums on its decisions on independence and on establishing a Parliament in the first place, because those are effectively permanent decisions, irreversible and unchangeable without the consent of the Scottish people. Likewise in Wales, the Welsh have had referendums on their Assembly, as has Northern Ireland, too. With regard to local councils and changes, if the structures are to work they need to go with the grain of popular consent. Authority, when it is used, needs to have a legitimacy that is based in democratic consent. When that consent was not given in the Local Government Act 1972, there was a great deal of hostility to what was done because it did not meet the requirements of local people. Against that evolving doctrine of referendums there is, inevitably, the Government's view of referendums, which I characterise, perhaps unfairly, as being, "We will have referendums when we think we will win them, but if we think we won't win them, it is a bit too dangerous, so we won't take the risk." It is a pity that the Government have not taken the risk with these new structures. Let us take the Mayor of London as an example. The Mayor of London has enormous popular consent, even when it was Ken Livingstone, let alone now that it is the great man, my hon. Friend the Member for Uxbridge and South Ruislip (Boris Johnson).

William Wragg: The London example is a case in point. That system of mayoralty was assented to by the population at a referendum.

Mr Rees-Mogg: That is exactly the point I am making. That is why there has been affection for the Mayors, even from people who do not share their political

sympathies. It is felt that they have a legitimacy to do what they have done. I voted against having a mayor for London, because I thought that another tier of government was quite unnecessary; we already have far too many. However, because London had a referendum and the referendum was won, there is a legitimacy. The great city that I neighbour, the city of Bristol, elected a mayor, having decided to do so through a referendum. Therefore, the people of Bristol have invested in that office and given legitimacy to it. I cannot think of anything worse than having an elected mayor covering Somerset, and I would oppose it tooth and nail. The watchwords will be, "Somerset will fight, and Somerset will be right."

Nigel Mills (Amber Valley) (Con): May I suggest something that might be even worse to my hon. Friend? It is that the outcome of the amendment might be that there is no mayor, but a new combined authority with devolved powers being run by a politburo of leaders of other councils, the policies of which people will have no direct say in.

Mr Rees-Mogg: If Madam Deputy Speaker will indulge me, I compare that with the Council of Ministers in the context of the European Union. It has democratic legitimacy derived from its constituent parts, whereas a mayor imposed, without a referendum, lacks that fundamental legitimacy. It is more like the President of the European Commission. To have a system that has an imposed mayor is to move away from legitimacy.

Nigel Mills: Just to continue that thought, will my hon. Friend not join me in having some concern that the people who will be taking the decisions, spending the money and exercising the power will not have been elected for that purpose, but for some very different position on a very different authority that could be on a much smaller scale?

Mr Rees-Mogg: I do not accept that. I am not a big-is-good advocate. I think that small can well be beautiful. The individual leaders of councils are the doughty defenders of the interests of the population that has chosen them, and they are in their way like Members of Parliament in that they represent a specific area and a specific interest, and they can combine with others to see how decisions can be made. I see no lack of democracy in a group of people coming together, each one of whom has an individual mandate. Indeed that can be a better democratic mandate than having a highfalutin mayor.

Mr Graham Brady: I am enjoying my hon. Friend's speech very much and following it closely. He may be interested to know—he may already be aware of this—that in Greater Manchester, which is really the point of origin of many of the things that we are discussing today, the combined authority has worked extraordinarily well, and that those elected council leaders have worked very well together. It seems odd to many of us that we should move from a structure that is working well, and to which nobody has any objections, to the imposition of a completely different structure without popular consent.

Mr Rees-Mogg: I agree with my hon. Friend. Imposing structures does not give them legitimacy. What gives them legitimacy is that they should be built from the ground upwards. Fundamentally, that is a Conservative view of how Governments are constructed. I am talking

[Mr Rees-Mogg]

about the little battalions coming together to do big things jointly, rather than a hierarchical system that says, “We know what’s best for you.” That is the approach of those on the Opposition Benches. The socialist approach, as it is now, once again, a Socialist party, is about telling people what to do and giving them the figures who do it. The Conservative evolutionary approach is to allow people to come together, each one of whom individually has legitimacy to do things. I absolutely accept his point that combined authorities have worked by consent and that they do not necessarily need super-mayors or metro mayors put on top of them. If that is done without referendums, we will be back here in 20 years’ time—*[Interruption.]* I very much hope that the hon. Member for Bolsover (Mr Skinner) is still here in 20 years’ time so that we can discuss these important matters.

Mr Skinner: I have got a better chance of surviving a long number of years if we keep the NHS out of the hon. Gentleman’s and Tory hands. Keep the NHS public, and I have a chance—I am taking a gamble here—of making it.

Mr Rees-Mogg: I do not think the Prime Minister had any intention of making me the Secretary of State for Health, but now that he has heard from the hon. Gentleman, I am sure that he will not.

We will return to the legitimacy of these changes if there are no referendums. Although the Government might well push the provisions through and order these mayors to be appointed, if there is not that validation through referendums the component parts of the super-areas will chafe. They will say, “We are paying taxes to pay for the centre of a city to which we have no real link. We would rather be run from Whitehall than by these funny people in a town hall with whom we have no real link.” The referendum lock follows the grain of the developing referendum theory of government in this country and will ensure that the process is more successful in the long run. In opposing the amendment, the Government are probably being short-termist.

I promised the hon. Member for Glasgow Central that I would come on to the amendment about first past the post and why I have put my name to it. I am very grateful that my hon. Friend the Member for Hazel Grove proposed it, and had he not done so I would have tabled my own amendment. I believe in first past the post as the fairest electoral system. I think that people get what they vote for rather than what they do not vote for. They get what they most like, not what they least dislike. The fundamental problem with proportional systems is that nobody gets what they want. Everybody gets something else, because the votes go off in all sorts of different directions.

Mr Graham Allen: Does the hon. Gentleman feel that the 50% of people in Scotland who voted for non-separatist parties got what they thought they were getting when they received only three Members of Parliament to represent them whereas the other 50% got 56?

Mr Rees-Mogg: The hon. Gentleman makes my point for me. They got exactly what they wanted. They got a referendum that decided that they would remain part of the United Kingdom and then they voted for champions to come to this place and represent them constituency

by constituency. That is how first past the post works. I wish that they had all voted Conservative; it is a great shame that they did not. The system worked effectively to represent what most people in Scotland wanted. Sadly, most people in Scotland did not want the Conservatives to have 56 MPs. How that aberration could have come about, I do not know, and I am sure that in time it will change.

Nigel Mills: It was worse in '97.

Mr Rees-Mogg: It was indeed worse in 1997.

However, the majority in each constituency, or at least a plurality in each constituency, got exactly what they voted for and not one of the three Unionist parties in those constituencies was able to compete. That seems perfectly fair.

Alison Thewliss: Does the hon. Gentleman agree that the only reason why the Scottish Conservative party is present in the Scottish Parliament is proportional representation?

Mr Rees-Mogg: I was going to say that it was because of my efforts in Glenrothes in 1997, but I think that that would be untrue. I would be accused of misleading the House. I think it is to do with the fact that we have a fantastic leader of the Conservatives in Scotland and an inspired Secretary of State. The two combine to make Conservatism in Scotland the coming force. However, that strays from the main topic of why first past the post is a preferable system. It is important to have a victory for the most popular rather than the least unpopular. It encourages the most charismatic figures and people who have a strong party affiliation to stand. That is important.

I am not a great believer in having huge numbers of independents running our great cities. There is a danger that if we take people outside the party system they do not have a particular badge to stand under and it is not clear at the outset what they represent, other than independence. They have no fall-back as regards having someone senior in the political system to get in touch with to guide them.

Norman Lamb: I am very grateful to the hon. Gentleman for giving way, and I totally disagree with everything that he is saying. Does he not think that there is a risk that with first past the post in local government one can end up with a complete one-party state, as has happened in some Liberal Democrat councils, some Conservative councils and, indeed, some Labour councils? The net result is a sort of rotten borough with poor local government and no accountability.

6.45 pm

Mr Rees-Mogg: The right hon. Gentleman makes a very important point. Having one party in office forever can create its own difficulties, but I think that that is less likely to happen with a mayor than with a local council with individual councillors. A mayor stands both as a party figure and as an independent figure. That is undoubtedly the case with the mayoralty for London, and the Conservative and Labour figures who have fought successfully have done so by being semi-detached from their parties and building up their personal following.

That would happen in other places, but it clarifies the issue and is more straightforward if we have first past the post and whoever is most popular wins.

To go back to the developing theory of referendums, I also think that first past the post is what the British people voted for. We had a great referendum under the coalition Government of which the right hon. Member for North Norfolk (Norman Lamb) was a very distinguished part, and in that referendum the electorate blew a very large raspberry at electoral reform. They said that they did not want the alternative vote system but wanted to stick to first past the post.

For a Government who have an opportunity to correct what was previously put in place and to go for what the electorate not only want but have voted for is fundamentally democratic and proper, and ties in with my original theory of referendums. It is the right of the people to decide who governs them as well as the structures of government and how they relate to them. The individual Members, mayors and councillors are then entitled to operate those levers between elections. How people vote, for whom they vote and the regions for which they vote ought to be determined by referendums. We have had one in support of first past the post, and we have had one supporting a mayor for London and a mayor for Bristol. It is a mistake to ignore the very first of those votes and an error not to give people the right to vote on their own structures in future.

Several hon. Members *rose*—

Madam Deputy Speaker (Mrs Eleanor Laing): Order. Before I call the next speaker, I gently remind the hon. Member for Bolsover (Mr Skinner) that although I did not want to interrupt him when he was in such rhetorical form in his intervention, matters concerning the health service are in the next group of amendments. The House so much looks forward to hearing what he has to say then, but that will be after we have finished debating this group of amendments, having heard Sir Edward Leigh.

Sir Edward Leigh: It is of course a pleasure to follow my hon. Friend the Member for North East Somerset (Mr Rees-Mogg), with whom I normally agree. I quite understand his enthusiasm for referendums, which in one sense surprises me, because a traditionalist like him would normally have opposed the concept of referendums. He would have opposed them in the past because it was felt—this point has been made many times in the House of Commons—that they were a fundamentally unparliamentary device that has often been used by Governments who are dictatorships to impose extreme changes on society.

I understand where my hon. Friend is coming from, however, because in recent years referendums have been seen as a fundamentally conservative force. Generally, the people vote against change. I understand his arguments and I understand why the Government are wary of accepting any amendment promoting a referendum, because they have looked at what has happened in the past, particularly in the north-east, where people voted against change. The Government are determined to drive change forward and fear that if there is a proposal for a referendum, people will usually vote no. This is a very interesting argument.

I want to dwell on amendment 56, which was tabled by my hon. Friend—and indeed real friend—the Member for Cleethorpes (Martin Vickers). Normally I agree with him about most things, but on this occasion his amendment concerns me, and I want to make a few points about the situation in Lincolnshire and give the Minister the opportunity to reply.

My hon. Friend represents north-east Lincolnshire, and I represent Lincolnshire. Lincolnshire is a very conservative county. It is so conservative that the Gainsborough constituency—which I am proud to represent—has had only three MPs in 90 years, and all three have been Conservative. People do not like change in Lincolnshire, and they are wary of any device such as that in amendment 56. The Government appear to have accepted the amendment, albeit with a sunset clause, and it is quite unusual for a Back Bencher to table an amendment that the Government then accept.

People in Lincolnshire—and, I suspect, other rural counties—want to proceed by consent, which seems an admirably conservative point of view. Normally, proceeding by consent means dealing with the tried and tested, and taking things forward together. Many people are scarred—this has already been referred to—by the events of the 1970s, when ancient counties were swept away. There were different enthusiasms then. They may not have been in favour of elected mayors, referendums or unitary authorities, but everything was done on the basis of Heath-ite efficiency. We now know that that drive towards Heath-ite efficiency was fundamentally wrong and unpopular, and it imposed Whitehall centrist ideas on what local people wanted. I see that my hon. Friend the Member for Beverley and Holderness (Graham Stuart) is here. As a result of 1974, we created the ludicrous county of Humberside, destroying Lincolnshire, East Yorkshire—what madness. We know that is not the right approach.

Speaking as a Conservative—not just as a party politician, but as someone who tries to understand Conservative values—I appeal to the Minister to proceed with great caution and to take people with him on this matter. Now, elected mayors are all the rage, but a few years ago so were police and crime commissioners. We had a mixed history with that—low turnouts, lack of interest, and not necessarily democratic accountability.

Lincolnshire County Council is generally well run, popular, and has been in place for 130 years. The district councils have been in place for more than 40 years. It is not for me to speak for local councillors in Lincolnshire, but since they cannot speak in this place and have only me to say these things, I hope nobody minds if I say that we do not want a solution imposed on us. What worries me about the amendment—and the Government's ready acceptance of it—is that, as the county council and district councils recognise, in terms of unitary authorities, elected mayors and devolution, we do not want a bruising battle over many years between district and county councils about which should be abolished.

We want to proceed by consent and to get together. We are happy with the idea of central Government devolving more powers to a county such as Lincolnshire, but we recognise that we are not Manchester, Birmingham or London. We are a large, quite poor county with a low rate base and a scattered population. There is no question that we could run the NHS or anything like that; we are not in the business of devo-max. We want to leave the

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present structure in place with district councils and county councils, and perhaps form a new body on which those will be represented. We would then accept new powers for that body. That is how we want to proceed by consent. Given many of our discussions so far, I am worried that in our rush for change and innovation, we may ride roughshod over what local people and councillors want. Being sensible people and knowing their area, they generally want to proceed slowly, cautiously, and by consent. With that, I feel that I have made my arguments and I will let others speak. I am sure they will be far more interesting than me.

Nigel Mills: I am in the unfortunate position of not only having to follow my hon. Friends the Members for Gainsborough (Sir Edward Leigh) and for North East Somerset (Mr Rees-Mogg), but disagreeing with them both. I always thought that if I disagreed with my hon. Friend the Member for North East Somerset, I should sit down and think again. In this case, however, I disagree with his arguments, because I think that when electing an individual who will have significant powers, we should try to ensure that they are elected with a larger proportion of the vote than is required by first past the post.

I suspect that no one would want some kind of extremist to win a powerful mayoralty in a fluke election where there were 14 candidates and the winner ended up with 16% of the vote. I accept that that is unlikely, but it would be a horrible situation. I am sure that the people of France, having seen their election results over the weekend, are glad that they will have a run-off in their presidential election. If the Front National were to win the first round, people will get a chance to elect a non-extreme president. I disagree with my hon. Friend, because when electing an individual who will have power, I am not sure that first past the post is the right answer. We should have the system currently used for the London Mayor and police commissioners, where there is a run-off after the original vote to ensure that the person who wins commands 50% of the vote.

I also disagree with my hon. Friend that not having an elected mayor is the least worst thing. If we are to devolve significant amounts of money and power to a new body, that body must be accountable directly to the people. We need people standing and being elected on the basis of how they will use that power and money.

When people elect a leader of a district council that has a small £10 million budget and mainly does planning and refuse collection, I am not convinced that they will be thinking, "The party I am voting for will choose the leader of the council and will effectively have a veto over the new super body that covers at least two counties in my area." That is not accountable to the people, and I think it is bad for democracy. We risk recreating the police authority model that we did not think worked, but on a much larger scale and with more powers. That would be a retrograde step for our constituents' democratic accountability over key public services, and that is why I do not support the amendment.

On amendment 56, I am a supporter of devolution to English regions. The hon. Member for Sheffield South East (Mr Betts) made the right arguments, because areas such as Nottinghamshire and Derbyshire do not

have a long-standing, coherent geography that makes people think, "That's a natural body of government I identify with." We must proceed carefully, and ensure that we produce Government bodies that people identify with and say, "Yes, I see a coherent natural fit. That is where I look to for decisions to be taken."

The hon. Gentleman is right to suggest that some parts of north Derbyshire and north Nottinghamshire might feel better suited to the Sheffield region than to Nottinghamshire and Derbyshire. I am pretty certain that Amber Valley, which runs along the boundary between Nottinghamshire and Derbyshire and has the strapline "The Heart of Derbyshire" sees itself firmly in the Nottinghamshire and Derbyshire area, rather than somewhere else, but it is right for individual local districts to have the democratic right to say, "We represent our people, and we think that that region is the right place for us to be." If people vote for that, that is what should happen, and there should not be a veto from a higher authority that covers a different area.

In exercising that right and making that decision, the Secretary of State should try to achieve consensus, consider the broader picture, and ensure that we do not achieve some strange, farcical democratic situation where, if the people of Bolsover choose to go with Sheffield, they suddenly have no say in holding their own police force to account because that is handled by the elected mayor for Nottinghamshire and Derbyshire. We must proceed with caution regarding what powers go to the mayors. If they are mainly economic powers and interests, and perhaps transport, perhaps elected mayors should not replace the police commissioners if we are to vary the geography, as that could be a dangerous step.

I know that people in Nottinghamshire and Derbyshire are keen to replace their police and crime commissioners, but I am not sure how one person can hold to account two different police forces. That seems a little strange, because someone could be using one mandate to hold to account two forces with very different policies. We must think carefully about such functions. We ought to think properly about the geography, not just rely on some historical, centuries-old set of local government boundaries that may not make sense in the modern world. We should step back and think about what a good system of local government would look like if we added that extra tier. I am not sure that our constituents would thank us if we had four different tiers of local government.

My constituents in Heanor or Ripley elect 21 town councillors and 45 borough councillors. They elect two councillors to the county council, which has more than 60 councillors. I am not sure that they will fancy electing a new mayor and another tier of government, and paying for all that as well. I am not sure that many of them understand exactly what functions those three council tiers have, and what a fourth one on top would do. They would probably think that all four had some role in economic development and regeneration, largely because that features significantly in most of the election literature that we see.

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If we are going to have this devolution we ought to step back and consider whether it is a sustainable, effective and efficient system of local government that our constituents can understand and support. Should we use this Bill as the driver for looking at changing that

local government system, perhaps with unitary councils and a new elected mayor for a larger region? I put my name to amendment 56, which would make it easier, where there is consensus in an area, to create those new unitaries. It would not allow one small district to cross two counties to block the whole thing and reject the unitary authority. If there were consensus, that proposal should be allowed to proceed.

I am not sure about the drafting of the amendment, which would allow the Secretary of State to create unitaries if only one council wanted that. It would be perverse for the Secretary of State to have such a power if one of the nine districts in Derbyshire was in favour and the county council and the other eight district were against. Where the majority of districts and the county council are in favour, or if all the districts but not the county are in favour, the Secretary of State could use that power to create unitary authorities, which would be a more efficient, cost-effective and effective form of local government overall. I welcome the fact that the Government appear to have accepted amendment 56 with the change proposed in manuscript amendment (a). If the Lords accept the proposal, perhaps they should consider whether the consent of only one authority is the right model. Perhaps the power would be fairer if it were half the authorities, or two thirds. Apart from that, I commend amendment 56 to the House.

Mr Christopher Chope (Christchurch) (Con): I am concerned about amendment 56 and the Government's acceptance of it, albeit subject to the proposal in amendment (a).

The reasons for my concern go back some time. Twenty years ago, before I was privileged to be a Member of Parliament, I served on the Local Government Commission, which looked at structures of local government in England, including at whether councils should switch from a two-tier structure to a unitary one. The method we adopted in those days was to invite local people and councils to submit evidence, and to hold public inquiries and hearings on the evidence. It was very much a bottom-up process. That was decided by consensus in the commission. In due course, it made recommendations to the Government, which were adopted by Parliament if changes were involved.

In Dorset, which I have the privilege of representing in Parliament, there was a lively debate about whether Poole and Bournemouth should become unitary authorities, with Dorset County Council remaining a county council and a two-tier system operating in the rest of the county. In the end, it was agreed that Poole would become a separate unitary authority, as would Bournemouth, but the remainder of the county council area would be two-tier, with Dorset County Council dealing with the main services such as education and social services, and the borough or district councils dealing with the services closest to the people.

Nothing that has happened in the 20 years since leads me to believe that people in Christchurch, East Dorset or Dorset are anything other than content with the current arrangements. When there was all this talk about the possibility of change being forced through by the Government, I was assured by my right hon. Friend the Secretary of State that nothing would happen to change things in Dorset unless it had the wholehearted consent of the councils concerned. On that basis, a half-baked

proposal introduced by Poole, with support from Bournemouth, to try to set up a new unitary authority incorporating Christchurch and East Dorset, could not work. Dorset County Council understandably said that it would mean that part of its area, which enables it to provide good services and make economies of scale, would be taken away and no longer be included in Dorset county. The line, which the Secretary of State articulated to me very persuasively, was that there was no need to worry, because nothing would be imposed from the centre. It was something that would only come from the bottom up.

That is where we were until today and the inclusion of amendment 56 on the amendment paper. I assumed that the amendment did not have Government support, and I had not applied my mind to the question of opposing it. I assumed, on the basis of what I had been told, that it would be opposed by the Government. Much to my amazement, I found that a manuscript amendment had been tabled, suggesting that the Government were going to accept amendment 56, albeit on the basis that it would only be in operation until 31 March 2019, which coincides with the end of the current period for district councils. The terms of office for all the district councils that were elected last May expire at the end of March 2019.

That is the effect of the Government amendment, and they have not provided any detail about the criteria that they will use to exercise their significant power to intervene against the wishes of one or more local councils in, to take my county example, Dorset.

Sir Edward Leigh: I hope that the Minister is listening, because it is open to him to intervene on my hon. Friend, to make it clear that in areas such as Lincolnshire and Dorset we should only proceed towards a unitary authority by consent.

Mr Chope: Of course, it would be open to the Minister to do so. I understand—I have been told privately, not on the Floor of the House—that the Government are neutral on this. They do not have an agenda to try and create unitary authorities.

James Wharton: May I take the opportunity, as presented by my hon. Friend the Member for Gainsborough (Sir Edward Leigh), to confirm that it is indeed the Government's intention to build that consensus? We are not going to impose change on areas that do not want it. However, we have been persuaded, that, as proposed in amendment (a), areas should not at the same time be prevented from being part of devolution deals. We are seeking to build consensus, not impose change on areas, but we should have the flexibility to ensure that we can deliver the deals that local people want.

Mr Chope: I am grateful for that, so far as it goes, but will the Minister explain how he will deal with the situation in, for example, Dorset? The county council wishes to retain control over the area that it currently governs. If one or more district councils in that county council area wish to enter into a unitary arrangement with, for example, Poole and Bournemouth, who will prevail? Is it going to be the will of the county council or is it going to be the will of, for example, Christchurch Borough Council? In my constituency, a number of

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councillors serve on the borough council and on the county council. To which group will the Government pay heed, or will they say, “Because there is no agreement, there can’t be any progress”, which I understood was the Government’s policy?

James Wharton: Of course we want to find consensus. Tempted as I am to go down the route of discussing individual proposals in too much detail, there is no intention to set out here or at any other time some sort of rule that would allow districts always to determine what happens, or counties always to determine what happens. We want to talk with local areas, take representations from those local authorities and local people, from local enterprise partnerships and, of course, from hon. Members representing those areas to build a consensus as to how best we should go forward with this process. The Secretary of State will apply a statutory test, which I will talk about later, but I hope I can at least give my hon. Friend that reassurance.

Mr Chope: I am grateful to my hon. Friend, so far as it goes, but basically he is saying that the Government will now decide. A few months ago the process was to be bottom-up, driven by the local councils: if they wanted change, they would be able to introduce change. Now we are told that nobody will be able to dictate, neither a borough council nor the county council, but ultimately the Government will decide. This is a significant change of Government policy, announced in the form of a manuscript amendment to amendment 56.

Sir Edward Leigh: This is an interesting triangular discussion and it is terribly important. What I think my hon. Friend is looking for, and what I am looking for—again, the Minister can intervene on my hon. Friend—is an assurance that if either Dorset County Council or one of the district councils does not want change, that would effectively be a veto, and the same would apply to Lincolnshire and other rural areas. In other words, change would proceed only by consensus. The Minister says he wants to proceed by consensus, as I understand it, and that is extremely important. Again, he can intervene on my hon. Friend.

Mr Chope: I am grateful to my hon. Friend for his intervention and for his suggestion that we might be able to find a *modus operandi* between the two of us, who are very concerned about this, and the Minister, who I know is doing his best to give us assurances which will enable us to support amendment 56, as amended by the Government, rather than dividing the House on it. I am happy to give way once more to the Minister if he is able to give the sort of undertaking that my hon. Friend the Member for Gainsborough was suggesting he might like to give.

James Wharton: I thank my hon. Friend for giving way. I will talk more about this issue when I speak to the new clause and amendment later. It is important to be clear that this is not about allowing areas to veto. We want to allow flexibility to build that consensus. The Government’s intention is to work with local areas to deliver economically sensible areas of devolution, with structures that sit beneath them that allow those things to be delivered and that potential to be realised. So it is

not about giving one area or another a veto or taking a particular mandated approach; it is about having the flexibility to deliver what different areas need. That is what the amendment allows, which is why we are looking at it so closely and are keen to see it discussed further and delivered as part of the Bill.

Mr Chope: I am grateful to my hon. Friend for that intervention, but I am afraid that what he said goes against the position that we have already established, which was explained to me by the Secretary of State—namely, that the Government were not pushing any of this agenda, but that this agenda could be promoted by individual councils if they wished and if they had the agreement of their neighbouring councils. Now we are told that it no longer depends on their having the agreement of their neighbouring councils, but that the Government will intervene if they think the consent of a neighbouring council is, for example, being unreasonably withheld. That has not been spelled out yet in the legislation, but it is implicit in what the Minister says—a completely different proposition from what we had before.

This is a sensational change in the Bill, because up until now we had been told that the Government were neutral and that they were enabling councils to do what they want. If this measure goes through as the Government obviously want it to do, one of the consequences is that between now and 2019, in counties such as Dorset, instead of getting on and running local services for local people, the councillors and their officers will be preoccupied with arguing the toss about new structures—structures which, as I have already said, were established 20 years ago and have not been criticised at all. Small councils such as Christchurch Borough Council—the ancient borough—are threatened with losing their independence. Likewise, East Dorset District Council is threatened with losing its independence, ultimately at the whim of the Government.

This is all done, supposedly, in the name of devolution, but a district council is a highly devolved body because it is close to the local people. It decides those all-important planning applications in accordance with the wishes of the local people. I see my hon. Friend the Member for Bournemouth West (Conor Burns) in his place. He will know that one of the reasons that Bournemouth has great tower blocks on its cliff-top is that for many years it has had a different planning policy from that of Christchurch, which has an equally delightful cliff-top but has not wrecked it by allowing enormous tower blocks on it. That is why Highcliffe is still an attractive place in which to take a holiday, like Friars cliff and other places in Christchurch, which are gems on the south coast.

7.15 pm

Conor Burns (Bournemouth West) (Con): My hon. Friend is making a characteristically robust speech. I am slightly concerned that he does not seem to be taking account of the fact that there is a very good photograph of the four leaders of the four local authorities that he refers to, shaking hands about wanting to explore coming together in a new formation. Surely localism is exactly what the Government are doing—providing them with the opportunity to do that. True localism would be for us to let them get on with it.

Mr Chope: It is interesting that the opposition leader on Poole unitary authority said he thought it was important that this issue should be dealt with by the people of Poole and that there should be a local referendum. That was pooh-poohed by the leaders of Poole and Bournemouth. My hon. Friend refers to leaders, but we must ensure that the leaders accurately reflect the wishes of local people. At present they have no plans properly to consult the people of Christchurch, East Dorset, Bournemouth or Poole. They are just rushing into some discussions. If those discussions are given the extra momentum that the Minister wants to give them by accepting amendment 56, they will create enormous anxiety among the people in my area.

Christchurch and East Dorset have recently had a local plan inquiry. They now have a new local plan, under which they are able to preserve most of the green belt in their area. My constituents are very jealous of the green belt. Why is it that Poole and Bournemouth want to get their hands on the land in East Dorset and in Christchurch? It is so that they can impose their planning policies on the green belt and expand outwards into our area. That is the perception of my constituents and that is why they are so concerned about it. Up until today, I have been able to say, “Don’t worry. That is never going to make any progress,” because I know for a fact that Dorset county council regards as anathema the idea that it should have two boroughs within its two-tier system taken away from it, because that would make Dorset county council less viable. I had assumed up until now that that would give Dorset county council a veto and therefore that none of these half-baked ideas would make any progress.

Mr Skinner: The situation is very difficult, and it is pretty clear that the Government are making decisions on the hoof. It is almost a fag packet job. I live in and represent an area that is involved in two of these structures. One of them is dominated by Sheffield and the four adjoining council areas of Barnsley, Rotherham and so on. That is now attracting the attention of at least three, maybe four, councils in north Derbyshire—Bolsover, Chesterfield, North East Derbyshire and possibly Derbyshire Dales. On top of that, there is the D2N2 power structure which covers Nottinghamshire and Derbyshire. It is time that the Minister got to his feet and explained precisely what will happen if Sheffield demands the powers that currently reside with Derbyshire County Council around transport and takes them away from the county. We have got two power structures both vying for the same thing. Although Dorset is complicated, this is even worse.

Mr Chope: I instinctively think that the hon. Gentleman is right. I say that not only because I have on my wall at home a picture of his constituency that was presented to me by his council when I was a junior local government Minister—a picture that I chose—but because I think that his experience means that he understands the complexity of these issues and their potential impact on ordinary people.

The Government can sometimes give the impression that they get rather intolerant of those of us who want to raise issues such as this.

Graham Stuart: I have tried to follow this closely but I may not have understood amendment 56, which I am trying to square with the assurances from the Minister.

If his assurances are right, why would the Government support amendment 56, which will allow the imposition of this if only one affected local authority says so?

Mr Chope: My hon. Friend makes a good point, and perhaps the Minister will reply to it. If we are talking about genuine consensus—in other words, agreement between local authorities—then we do not need amendment 56, which is designed to enable the Government to intervene when some local authorities do not do as the Government think they should be doing. That is essentially what this is about. We might as well face up to the reality that this is a very centralising part of the Bill because it brings power back to the Government to enable them to change the structures of local government boundaries in areas such as Dorset.

Sir Greg Knight (East Yorkshire) (Con): Further to the point made by my hon. Friend the Member for Beverley and Holderness (Graham Stuart), if amendment 56 is accepted, could it not, despite the promises from the Minister, be used as a lever against a recalcitrant council to say, “You’d better fall into line or amendment 56 will be brought into play”?

Mr Chope: My right hon. Friend knows all about levers, having been a deputy Chief Whip. That is exactly how I envisage this power being used. I am sure that that is why there was an attempt to smuggle it through at the last minute. Now we are, I hope, exposing it for what it is, which is a power grabbed by the Government to try to ensure that they can have the final word and beat their stick against a council that is not doing as they wish it to do.

Bob Stewart (Beckenham) (Con): I am making the assumption that my hon. Friend would support the amendment proposed by my hon. Friend the Member for North East Somerset (Mr Rees-Mogg) to have a referendum.

Mr Chope: Absolutely. I am very supportive of that amendment, but I have not yet had a chance to talk about it because I am so concerned about amendment 56 and amendment (a). I am not going to restate the case about the referendum, but I think it is a necessary safeguard.

If we look at the history books we see the unintended consequences that can flow from local government reorganisation. It was only because Wandsworth council started a campaign to abolish the Inner London Education Authority that education was given back to the inner-London boroughs, which were then able to gain economic growth as a result of having good-quality education within their boundaries. The same thing happened with the Greater London Council. The Greater London Council was interfering in the lives of the boroughs in inner London and outer London, so those in charge of the boroughs at the time persuaded the Conservative Government to abolish it. As a result, parks such as Battersea park are run by the local authority—Wandsworth council—rather than by a remote authority for Greater London.

If we are not going to put proposals like this to the electorate, we must have the necessary safeguards. None of this stuff was in our manifesto. There was no suggestion that a Conservative Government were going to restructure local authorities so as to try to squeeze out small

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councils that are closest to the people. If we are not going to test this in a general election and amendment 56 is going to be on the statute book until the end of March 2019, it is all the more important that we should be able to have the safeguard of a referendum—the very safeguard that the Poole People party and the Liberal Democrats have sought, in vain, from the leaders of Poole, Bournemouth, East Dorset and Christchurch Borough Councils.

We are on the threshold of a big spat at local government level between different councils at different tiers and different councillors with different personalities and political parties. This threatens completely to preoccupy local government for the next three or four years. We will look back and say that this all started with the Government wanting to interfere in areas where they should not be interfering at all. They should be trusting local councillors and local people to decide what is best for them. They should not be taking away from Dorset County Council or East Dorset District Council, for example, the power to veto any proposals to change the boundaries in which they operate.

I very much hope that the House will not accept amendment 56 as proposed to be amended by the Government but will push them back to their previous position, which was that this is genuinely for local councils and local people to decide, and the Government are not going to interfere.

Graham Stuart: I will try to keep my comments brief, because contrasts are always a pleasant thing. It is a pleasure to follow my hon. Friend the Member for Christchurch (Mr Chope), who spoke powerfully about this issue.

Jon Trickett: And lengthily.

Graham Stuart: And at length, it has to be said.

I want to tell the House about something that happened in the East Riding of Yorkshire. For many years, people who think about these things have looked at the boundary of the city of Hull and thought it is too constrained and has too little of the hinterland within it. A lot of people thought that it would make sense for it to be expanded, but East Riding of Yorkshire Council is a very successful council and the residents are relatively happy with it. The city of Hull announced that it would set up a commission to look at the boundaries—in effect, at the possibility of Hull expanding outwards. It did so with little or no involvement from East Riding of Yorkshire Council. The response of the council was to call a referendum for the surrounding communities of Hull to see what they thought. This was a one-off referendum: nothing else was going on at the same time. One might think that the arcane issue of boundaries could occasionally capture the public imagination, but generally people would just accept a sensible top-down solution given to them by leaders and Governments and so on.

We need to be careful. I do not have the figures to hand, but, off the top of my head, there was a 75% turnout and a Ceau?escu-esque election result—96% said that they did not want the expansion to go ahead. I mention that in the context of amendment 56 and the argument that, because not all councils are quite in line, perhaps

all they need is a little push to get a sensible result. We should be remarkably sensitive to how strongly the population can feel about such things.

7.30 pm

Expanding Hull is not an utterly absurd idea—it is not necessarily evil. People sat quietly, the letters of the local papers were not full of it and nobody talked about it in my street surgeries, yet when they were asked 96% of three quarters of the population said, “No, no, no”, to the three questions. I add that to the debate to illustrate just how sensitive we ought to be and how easily this could spiral out of control and cause political difficulty and real dissatisfaction.

Sir Greg Knight: Does the experience of the East Riding and Hull referendum lead my hon. Friend to be in sympathy with amendment 56 or against it?

Graham Stuart: It leaves me in a position of having profound doubts about amendment 56. I really appreciated the Minister’s interventions setting out what the Government want to do. The police reorganisation under the previous Labour Government was top down and people did not like it. It is not that we are neutral—my hon. Friend the Member for Christchurch was wrong to say that the Government have always said they would be neutral. The Government have a position and a vision, but I think it is much smarter to offer reassurances and tell people that, whatever we think, we are not going to push it on them, because we have seen that that does not work. People have to consent to it. There will be difficult council leaders who we will think are being a pain because of their own individual interests, but we should bind our hands and restrain ourselves from just pushing them aside. We need to listen and say to everybody, “Unless you can bang heads together yourselves and get a consensus, we’re not going to come piling in, because we’ve seen where that ends up.”

It might be a Labour Government’s instinct to think that they know better than the people, but it should be a Conservative Government’s instinct to recognise that they do not know better and that even if, in their opinion, the people are wrong—and history might show that they were wrong—it is the people who get to decide, and if they feel strongly about something that should be respected.

Mr Chope: Will my hon. Friend give way?

Graham Stuart: My hon. Friend has had a fair crack and I am going to sit down.

Mr Steve Reed (Croydon North) (Lab): This group includes a number of new clauses and amendments, so I want to focus primarily on those in my name and those of my hon. Friends, although I will also touch on some of the others as I go along. I do not want to detain the House for too long and there is quite a lot of ground to cover, so I shall try to romp through it at a reasonable pace.

New clause 10 proposes votes at 16. The Government seem to be a little confused on this issue: the Secretary of State has said that there is a debate to be had; the Minister for the northern powerhouse says there is not; and the Prime Minister is against it altogether. Yet we

know that the Government are considering it for the European Union referendum and that they supported it for the Scottish referendum.

There are more than 1.5 million 16 and 17-year-olds in the UK. They can get a job or an apprenticeship, get married, pay taxes and join the armed forces, but apparently they are not responsible enough to be able to vote for their local councillor to take decisions about the local services in the area where they may well have bought a home and live with their family. The Bill is the ideal place to bring about change. Incremental change is how the British constitution develops, and allowing votes for 16 and 17-year-olds in local elections seems to me to be a good place to start.

The Electoral Reform Society argues that lowering the voting age will improve registration rates. Nearly 90% of eligible 16 and 17-year-olds registered for the Scottish independence referendum, and a high proportion of them took part in it. Research in other countries suggests that the turnout rate for 16 and 17-year-olds is higher than that for 18 to 34-year-olds. Establishing the habit of getting involved and voting in elections at an early age makes a lot of sense if we want people to continue voting throughout the rest of their adult lives. The Scottish referendum set the precedent. It is unreasonable to extend the vote in one part of the Union and not in another. Local elections suffer from low turnout, so that is a good place to start, but if the Minister thinks that this is not the time to introduce the change, perhaps he can answer the question: if not now, when?

On new clause 11, the Government have been very unclear about plans to devolve fire and rescue to mayors or police and crime commissioners, but we know that the Home Office is pushing for it and it is included in the Greater Manchester devolution deal. Our new clause calls on the Secretary of State to publish a review of how the Bill affects fire and rescue services. As we have seen over the weekend, and as we heard in the flooding statement earlier, the fire and rescue service is doing an incredible job, despite extremely severe cuts that have limited its capacity and reduced the number of jobs by almost a third. The cross-party Local Government Association believes there is “no pressing need” for police and fire services to merge. Any changes of the kind being considered will heighten public concerns about safety. The new clause would simply add a level of scrutiny and oversight to the provisions, so I hope that the Secretary of State and, indeed, the Minister will welcome and support the proposal.

Since 2010, local government has faced cuts of 40%, and last month’s spending review imposed a further 56% reduction in central support to councils. We know there will be changes to business rates once they are localised, and we were promised details in the autumn statement about how an equalisation mechanism would work, but no such details were given. Councils have simply been left to plan their future budgets in the dark, despite cuts on a scale that they have never been asked to deal with before. The LGA has warned that local authorities are struggling, and that is even before the spending review hits them. Lord Porter, the Conservative chair of the LGA, says:

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

They need to know what is going to happen to them in future if they are going to be able to avoid falling off the edge of that particular financial cliff.

The funding settlement is deeply unfair. The 10 most deprived communities have suffered cuts that are 18 times higher than those made to the least deprived communities. Councils with the highest rates of children in care have suffered cuts that are three times higher than those made to councils with the lowest number of children in care. Although Labour councils are disproportionately hit by the cuts, they are also the ones that are protecting front-line services. Tory councils have shut half their youth services since 2010.

The unfair funding settlements are made worse by England’s local government finance arrangements, which are among the most centralised anywhere in the industrialised world. Councils lack the freedom to innovate so that they can spend on local priorities. Even London, which currently is more devolved than anywhere else in the country, is reliant on central Government funding for three quarters of its revenue. That is far higher than 30% in New York and just 25% in Berlin. London is the world’s greatest city, and yet this Government insist on keeping it on far too tight a financial leash. The Communities and Local Government Committee concluded that local authorities in England

“have limited control over local taxation and, as a consequence, rely...disproportionately on central Government funding.”

Our new clause 13 does not prescribe a particular settlement, but calls on the Secretary of State to publish plans for a package of fiscal and financial devolution that addresses three areas. First, on business rate retention, councils need an equalisation mechanism to ensure that those communities with the least capacity for economic growth are not left to sink. Labour supports the localisation of business rates, but it has to be done in a way that incentivises areas to grow, without penalising areas that have less capacity to do so at the time or in the future.

Ministers promised at the Dispatch Box that details of the equalisation mechanism would be made available during the autumn statement, but that did not happen. It still has not happened and we have not been given a date by when it will happen. We simply cannot allow rich communities to get even richer while everywhere else struggles to provide basic services. The new clause calls on the Secretary of State to introduce an equalisation mechanism to ensure that the least well-off are not hammered by the change.

Graham Stuart: The hon. Gentleman, as an expert in this area, will be aware that people in rural areas are on average poorer than people in urban areas. He will also be aware that his Government—the Government of his predecessors—left a system in which there was 50% more support per resident in urban areas, which are wealthier than rural areas, than in rural areas, and that it is more expensive to deliver services in rural areas. It is no surprise that we are not seeing the same reductions in services in rural areas as in cities, because such services do not exist in the first place. His party left it that way. Are Labour Members now committed to a fairer system?

Mr Reed: The hon. Gentleman seems to support my case for a fair equalisation mechanism, which I am pleased to hear.

[Mr Steve Reed]

Secondly, on greater local control over tax rates and discounts, England has one of the most centralised funding arrangements anywhere in the world. Whitehall takes the key decisions on council tax, which means that it is barely local at all. The previous Secretary of State capped rises, while the Chancellor is now encouraging councils to push up council tax to make up for his cuts. Labour wants the Government to publish plans to introduce greater local freedom over tax rates, banding, valuation and discounts.

Thirdly, on multi-year finance settlements, every successful organisation needs to be able to plan for the future, and local authorities cannot plan complex services without knowing what level of funding is available to pay for them. As powers are devolved from Westminster, local authorities need to know that they have the resources to exercise those powers properly. Local enterprise partnerships could operate more effectively if they had longer-term funding streams. Indeed, the regional development agencies, which LEPs replaced, could make single, three-year funding agreements, while LEPs have access to a smaller budget, with too many small funding pots and with constraints on their use. We want to make sure that combined authorities do not suffer from the same problem. Our new clause 13 calls on the Secretary of State to publish plans to allow for multi-year funding agreements, which would give combined authorities the resources and time to ensure financial stability, and allow them to make better long-term decisions about local services.

On new clause 14, we welcomed in Committee the proposal that new sub-national transport bodies must consult adjoining authorities before taking decisions. On transport, the Government have recognised that the devolution of powers to combined authorities concerns neighbouring authorities that do not wish to, or cannot, join a combined authority. That is an important principle, but it extends to areas beyond transport, and the Minister's response to our amendment in Committee was disappointing. The Minister said it was not "necessary or appropriate", so perhaps he will reconsider and support this new clause. For example, local authorities on the periphery of the Greater Manchester combined authority have concerns about health service decisions that will affect them, but which they are unable to influence. We want to give them the right simply to be consulted. If the Government are prepared to concede that such authorities should be consulted on transport, then why not on health or other key services?

Whatever the Government say, they are imposing mayors by making them a non-negotiable condition of devolution for metropolitan areas. We believe that the spirit of devolution demands that local areas should choose their own model of governance instead of having it imposed from the centre. If areas want a mayor, that is fine, but it should also be fine if they do not want a mayor. Government amendment 7 and related amendments are disappointing. They will allow the Secretary of State to impose a mayor on a combined authority even if one or more constituent councils do not want one. It is no surprise that the *Local Government Chronicle* wrote about amendment 7 under the headline, "Boost to government powers to impose elected mayors". The Government are acting in opposition to their own claims to support local decision making in that respect.

If the powers are agreed to this evening, they must be used with extreme caution. Where a potential combined authority is divided on the details of a deal, which it may well be, local co-operation must be the preferred way forward. I would welcome a statement by the Minister or the Secretary of State to that effect. Our amendment 58 would reintroduce the change made in the Lords, stipulating that devolution deals cannot be made dependent on having a mayor. That view has support from Members on both sides of the House, as we have heard again this evening.

On amendment 59, we discussed the general power of competence earlier. The Localism Act 2011 introduced the general power of competence, which was intended to give local authorities more power and freedom to innovate. That is a good idea, but LGA research shows that the power is

"limited by significant constraints set by central government", and that local government needs far more independence from interference by central Government. The constraints the LGA identifies are financial, structural and regulatory. Our amendment encourages the Secretary of State simply to review the power of general competence to learn how to make it more effective and to encourage greater take-up than the disappointing level so far.

7.45 pm

Finally, on Government amendment 27 and associated amendments, amendment 27 would allow districts to join combined authorities without the consent of their county authority and vice versa. Our general approach to the Bill is that decisions should be in the hands of the local area and the local people affected. That has shaped our view on models of governance and on the amendment. Districts or counties should be free to join combined authorities if that is their preference.

We want the Secretary of State to confirm that he is aware of and understands the risks and will build in appropriate safeguards, especially in relation to manuscript amendment (a) to amendment 56, by which the Secretary of State will take the power to impose a decision. That seems a little draconian, and we need to hear that it would be used only in extreme circumstances. Authorities outside the arrangements need protection to ensure that they can remain viable after any change is made. We would welcome assurances from the Secretary of State that the powers will be used only in exceptional circumstances, and that seeking consensus will always be the priority. Will the Minister also confirm that where districts that are part of a county choose to participate in a neighbouring combined authority, their electors will still have a vote in elections for the county council, the authority in which the district lies?

I look forward to hearing the Minister's response on those points. I give notice of our intention to test the will of the House on amendment 58, which would allow devolution deals to be agreed without the pre-condition of accepting an elected mayor, and on new clause 10, which seeks to lower the voting age for local elections to 16. In our view, these changes would greatly strengthen the Bill, and I hope that they will succeed.

James Wharton: The watchword throughout the debate in Committee and, indeed, today has been "consensus", but I never thought that it would be consensus between the hon. Member for Bolsover (Mr Skinner) and my hon. Friend the Member for Christchurch (Mr Chope). That goes further than I anticipated we could achieve.

Mr Skinner: Will the Minister give way?

James Wharton: I will give way when I touch on some of the points discussed earlier if the hon. Gentleman wants to comment at that stage.

As I have already spoken about new clause 1, I want to talk about new clause 5. It proposes that a commission be set up to consider devolving tax and fiscal powers to local level. I well know that the hon. Member for Nottingham North (Mr Allen) is an advocate of devolving power from central Government, so he will be familiar with the successive inquiries that have covered similar ground to what he proposes. I therefore do not think that a further inquiry into tax power devolution to local government would serve a particularly useful purpose at this time, although I recognise, as always, his consistency and eloquence in bringing such matters before the House. I hope that he will not press his new clause 5 when we reach the end of this group of amendments.

Mr Graham Allen: Given that there is now no need for an inquiry, since there is a precedent in Scotland—I congratulate Scotland on being able to retain an element of income tax—there is nothing in the water in England to stop us having income tax assignment as well. On the basis that there is now something stronger than an inquiry in the form of a precedent, approved by the Treasury and by this House in the Scotland Act 2012, I gladly agree not to press new clause 5.

James Wharton: I thank the hon. Gentleman. I recognise what he says. There are complexities in devolving such matters to local government, but I am sure he will continue to argue, as such matters are discussed, that he wants those complexities dealt with in reality, rather than just in theory.

New clause 8, tabled by my hon. Friend the Member for Altrincham and Sale West (Mr Brady), would provide a cooling-off or probationary period for the conferral of functions from a local authority to a combined authority. I know that my hon. Friend has raised that matter in discussions during previous stages of the Bill, and that it is of great interest to him.

I can see the attraction that the flexibility to reverse a conferral of powers might have for an individual local authority, but there are considerable downsides. The very fact that the combined authority might be responsible for those powers for only a year or so might be conducive to little action being taken under what would perhaps be perceived as a temporary conferred function. The combined authority would almost certainly be reluctant to base any investment or other major activity on a function that it could lose in a few years' time. Moreover, partners, whether businesses or other public bodies, would almost certainly be reluctant to enter into arrangements that could so quickly be reversed. We consider, therefore, that it would be very doubtful that activity within that probationary or cooling-off period of any such conferral of powers would give a realistic picture of how a combined authority might operate in the future or of the full range of improvements that might be achieved.

We consider that a better alternative, if local authorities are not sure whether they wish to confer a specific power, would be for them to trial such joint working across the area of a combined authority through informal

arrangements, such as a shadow combined authority or joint committee. Those models are available to local authorities and combined authorities without the need for secondary legislation to be made. I therefore ask my hon. Friend the Member for Altrincham and Sale West not to press new clause 8 to a Division of the House.

New clause 10 seeks to reinsert the clause that was inserted in the other place to amend section 2 of the Representation of the People Act 1983 to lower the minimum voting age from 18 to 16 for the local government franchise in England and Wales. We debated that provision at length when we last met in Committee, after which we agreed to remove the clause by a significant majority of 95. The message was clear then and it remains clear now.

We have discussed quite widely the age of majority and the things that 16 and 17-year-olds are able to do or are prevented from doing by law. It has been suggested that because young people are politically engaged, and quite rightly so, they should be given the vote. That is a conclusion with which I do not agree. The debate has exposed the wider truth that there is a range of views, many of which are enshrined in legislation, that can best be described as encompassing the transition from childhood to adulthood. There is probably no clear point at which a person becomes an adult, but it is at 18, not 16, that society normally draws the line.

Any change to the entitlement to vote must be considered properly. We should not make piecemeal changes to the franchise. We cannot make changes and simply assume that there will be no implications for other areas where our laws and our society treat 16 and 17-year-olds differently. The voting age for UK parliamentary and local elections is set at 18. The age that is used in most democracies is 18. The Government have no plans to change it. Indeed, my right hon. Friend the Member for Wokingham (John Redwood) reminded the House last time we debated this matter that we have no manifesto mandate to do so. Recognising that the shadow Minister says that he intends to test the will of the House on this issue, I encourage all hon. Members to support the Government and oppose the reinsertion of this clause.

New clause 11 requires that the Secretary of State must, within 15 months of the Bill being passed, publish a review of the fire and rescue services affected by the provisions of the Bill. The new clause is not necessary. Devolution is about enabling local areas to determine how best their services are delivered. It is therefore only right that fire and rescue authorities, in agreement with local partners, should decide how and when to review and assess how the provisions of the Bill may affect fire and rescue services. I remind hon. Members that the requirements of the fire and rescue national framework will continue to apply. With those explanations, I hope the Opposition will not press the new clause.

Turning to new clause 13, we are already taking major steps to devolve local taxes and have only just set out plans for a radical devolution of fiscal powers. By the end of the Parliament, the local government sector will retain 100% of local taxes to spend on local government services. For the first time in decades, local areas will see the full direct benefit of business rate growth in their local area. We will also grant new powers to directly elected mayors and to authorities. We will give all local authorities the power to reduce business tax rates to support businesses in their areas. As was confirmed in

[James Wharton]

the spending review, we will set out detailed proposals in due course. In the light of that, I hope the House will agree that this new clause, which would require the Secretary of State to set out a framework for further devolution of fiscal powers, is unnecessary. I hope, therefore, that the shadow Minister will agree not to press it.

New clause 14, which was tabled by the Opposition, would require the Secretary of State to issue guidance to combined authorities on co-operation with peripheral authorities. I do not believe that it is necessary or appropriate. Before making orders establishing a combined authority and orders devolving new functions to such an authority, the Secretary of State must consider that to do so is likely to improve the exercise of statutory functions in the area or areas to which they relate. Additionally, Parliament must approve such orders.

The new clause seeks to provide a further requirement about how, once established, a combined authority should go about the exercise of functions devolved to it. As with local authorities, combined authorities must have regard to all relevant considerations in taking their decisions. Just as local authorities cannot be blind to the impact of their decisions beyond their boundaries, nor can combined authorities. Neither local authorities nor combined authorities can be ignorant of what happens beyond their borders. We do not have these provisions for local authorities and it is the position of the Government that we should not impose them on combined authorities. Therefore, the new clause is neither necessary nor appropriate. I hope that the House will agree.

Amendments 4, 5 and 6 were tabled in response to an amendment tabled in Committee by my hon. Friend the Member for Altrincham and Sale West. The first of those amendments will ensure that the Secretary of State's annual report on devolution to Parliament includes information on the extent to which powers that have been devolved to a mayor remain exercisable by a Minister of the Crown. Amendment 5 is a consequential amendment to amendment 4, while amendment 6 defines the phrases "combined authority" and "Minister of the Crown". Although it is the Government's intention that functions should be devolved as widely as possible, there may be circumstances in which they should be exercised either jointly or concurrently. With those explanations, I hope that hon. Members will accept amendments 4, 5 and 6.

If amendment 58 were accepted, it would mean that any transfer of functions to a combined authority must not be dependent on the combined authority having a mayor. In its intent, it is similar to the provisions of the old clause 3, which the Committee voted to remove from the Bill by a majority of 81. That provision imposed a specific requirement that a mayor could not be a precondition for transferring functions to a combined authority. As I told the Committee, that provision was at odds with our manifesto commitment, and amendment 58 is too.

In our manifesto, we committed to

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

We are not forcing this on anyone or on any place. Whether an area has a mayor is a matter of local choice.

However, if an area wants to have a devolution deal of the scale and ambition of Greater Manchester's, we do expect a mayor to be part of the deal. The effect of amendment 58 would be to stop our pursuing that manifesto policy. It would potentially put the whole future of devolution at risk of challenge. It is an amendment to which we are wholly opposed and that we hope will not be successful should the House choose to divide on it.

Amendment 2 provides that a combined authority mayor can be established only after a referendum. I listened with great interest to the comments of my hon. Friends the Members for Hazel Grove (William Wragg) and for North East Somerset (Mr Rees-Mogg). My hon. Friend the Member for North East Somerset was, as ever, persuasive and eloquent, but on this occasion, I am afraid to say, he was not quite persuasive enough. The amendment would require the Secretary of State to make regulations governing the conduct of such referendums and to consult the Electoral Commission before doing so. We had an interesting debate on the first day of Committee about this very matter. I recognise that I was repeatedly challenged by Members from both sides of the House about the degree of choice for local areas.

While I do not seek to reopen that debate, I must make it clear again that the Bill does not give the Government the power to impose devolution or a model of devolution in any area. The decision to approach the Government with a proposal for the devolution of powers and the decision on the degree of devolution required are entirely local ones. By the same token, we have always been clear that where areas make that approach to negotiate the significant transfer of powers, like the powers agreed with Greater Manchester, we would expect a mayor to form part of the mix, as that provides the levels of leadership and accountability that are necessary to ensure the effective delivery of such a deal.

Mr Rees-Mogg: Will the Minister clarify what he has said about nobody being forced to go down this route? Does that mean that, under amendment 7, an objecting constituent council would not be part of the mayoralty?

James Wharton: To clarify for my hon. Friend, areas will not be forced to be part of a devolution deal. If a mayor is part of a devolution deal and a local council does not want to be part of it, the council will not be forced by anything that the Government intend to do or can do to be part of that combined authority or devolution area. It is a matter of building local consensus and giving local people the choice.

Mr Rees-Mogg: So if a council is part of a combined authority and it objects to there being a mayor, but the majority of members of the combined authority vote for a mayor, the council will leave the combined authority and will not be any part of any combined authority or of the mayoralty.

James Wharton: My hon. Friend is correct. Where an existing combined authority and a number of the local authorities within it want to make a deal but one or more do not, we want flexibility so they are not forced in any way to enter into a deal with which they do not agree, but are instead able to leave and not be part of that devolution deal.

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. It also fails to recognise the role of those who have been elected by people of their area to represent them, and to make the necessary decisions to safeguard their wellbeing and the prosperity of the area. Of course, those democratically elected locally will want to have regard to the views of communities and businesses in their area, and of the voluntary sector and those who live and work there, but we should have the confidence in those who are elected in those areas to grasp the opportunities that the Bill makes possible, to consider the degree of devolved power that is appropriate and deliverable in each of their areas, to enter into negotiations with Government and, in what is a fast-moving environment, to take the decisions that will best deliver the economic growth and development they have already been mandated to deliver.

8 pm

Our democratic traditions do not demand the approach provided for by the amendment, although I recognise the ingenious way in which my hon. Friend the Member for North East Somerset argued that we were perhaps transitioning to a place where they would. I do not think we are in that place yet. Indeed, the approach we have in the Bill, on the choice for a combined authority mayor to be made by councils, is exactly the same approach that is open to councils for choosing a local authority mayor. For those reasons, we cannot accept the amendment.

Mr Andrew Turner (Isle of Wight) (Con): I am very concerned that the Isle of Wight and Hampshire may or may not be subject to the rule about a mayor. What are the Minister's proposals on that?

James Wharton: It is entirely a matter for the Isle of Wight whether it would like to be part of any devolution deal. That would not be imposed on any area. Which areas we would want to see a mayor in as part of a deal, would depend on the deal and what was being asked for in the discussions that took place. There is no single fixed model that we would look to apply, cookie cutter-like, to different communities, but I assure my hon. Friend that if the Isle of Wight did not want to be part of something and felt it would not serve its interests, there is nothing in the Bill that would allow us to compel it to do so.

Amendment 57, tabled by my hon. Friend the Member for Altrincham and Sale West, would enable a local authority to leave a mayoral combined authority, and, should that happen, provide for a fair division of resources. The existing combined authorities legislation, section 106 of the Local Democracy, Economic Development and Construction Act 2009, and the Bill already enable an order to be made to remove a local authority from a combined authority with consent from the area, agreement from the Secretary of State and approval from Parliament.

There would, of course, be a number of practical issues to deal with before making such an order: for example, setting up alternative operational arrangements, working out how to divide budgets and any contractual arrangements. However, the 2009 Act and the Bill provide for that. If an order is made to remove a local authority from a combined authority, it must specify an authority

to become the local transport authority. The Bill provides further powers to enable such an order to transfer combined authority functions to another public authority or to be ceased.

We consider that the provisions provide all the powers and flexibility necessary to enable a local authority to leave a combined authority, where that is wanted locally; where the Secretary of State considers that to do so is likely to improve the exercise of statutory functions, and has regard to the need to reflect the identities and interests of local communities, and to secure effective and convenient local government; and where Parliament approves the making of such an order. With those assurances, I look to my hon. Friend not to press the amendment.

I now turn to amendments 7, 8, 13, 15, 18, 19, 20, 26 and 54. The Bill already enables one local authority to be removed from a combined authority if it does not wish to agree to the combined authority's proposal to adopt a position of mayor. I look to my hon. Friend the Member for North East Somerset, who I know from his earlier comments has a particular interest in this matter. The amendments extend the provisions and would mean that, if one or more councils within a combined authority do not wish to adopt particular aspects of a devolution deal, but the combined authority and other councils within it do, then the area of the combined authority is changed to remove the council or councils that do not wish to participate.

Norman Lamb: I would like the Minister to reassure the House that the emphasis will be—I think the shadow Minister made the point in his contribution—on consensus and that we should only get to the point of imposing this if all else fails. Will the Government issue guidance to ensure that the emphasis is on local agreement?

James Wharton: The emphasis is absolutely on local agreement and consensus. There is no power to impose devolution structures on areas that do not want to be part of devolution. Indeed, the amendments will ensure that areas that do not want to be part of a deal are able to leave that combined authority should they wish to do so. The amendments give greater flexibility to existing combined authorities to implement devolution deals, and to build further on the flexibility of the enabling approach in the Bill.

On amendment 9 and amendments 11, 12, 14, 21, 22, 23, 24, 25, 27, 28, 29 and 50, they are designed to simplify and harmonise the Bill's provisions relating to the consents needed locally before powers can be conferred or exercised. We have tabled them in response to issues raised during earlier stages of consideration of the Bill in the House. They will standardise the provisions, so that the default position would require the constituent authorities and the combined authority to consent before secondary legislation is made. An exception is that for the dissolution of a combined authority, the consent of a majority of the constituent local authorities is required before such an order can be made. This simply retains the status quo.

I will now speak to amendments 27, 32, 33, 52 and 53, which further increase flexibility within the Bill's provisions to enable combined authorities to be established and functions conferred. We are bringing them forward in response to our discussions in Committee,

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where some hon. Members outlined particular challenges in their areas. As is clear, the amendments do not in themselves change any combined authority in any place, but provide the flexibility to allow agreements to be made and delivered.

Mr Skinner: The Minister will know I have already referred to the fact that there are two different contending authorities or joint authorities in our area. One is Derbyshire and Nottingham, D2N2, and the other is Sheffield and Barnsley. There are several unitary district councils associated with that bid. Sheffield may want to take highways and transport from Derbyshire County Council. The unitary authorities of Bolsover, North East Derbyshire, Derbyshire Dales and Chesterfield are all involved with that county council in relation to social services and various other matters. We therefore need an assurance from the Minister—I know he has just been talking to the Secretary of State—that makes it clear that for Derbyshire County Council the circumstances, in electoral processes or in any other way, will not change. Is it yes or no?

James Wharton: I think the assurance I can give the hon. Gentleman is that what is done will proceed by consensus. We will look to talk to local areas about the different deals they want. The temptation in debates on Bills such as this is to look at the individual deals in individual areas. The Bill will enable us to have maximum flexibility to respond to local demand and local desire for devolution to deliver deals that will stand the test of time. I am unable to talk in detail in this particular forum, given the amendments and new clauses we are discussing, on what is proposed specifically in individual areas or the hon. Gentleman's concerns, but I would be very happy to meet him to discuss any particular issues he wants to raise. I can assure him that the intention is to find consensus and build on it to deliver the devolution agenda.

Julian Sturdy: We need to ensure we get the safeguards and assurances on amendment 27, so that however well-meaning it is—I do not doubt what the Minister is trying to achieve—it will not have knock-on consequences for county councils in areas where we are trying to deliver devolution deals based on economic, rather than political, grounds.

James Wharton: My hon. Friend has discussed with me outside this Chamber some of the issues of interest to him in his area, for which he is an effective advocate. I can absolutely assure him that the intention is to find consensus and the right solutions for each area. We need flexibility in the Bill to deliver that. Where there are real concerns, far from being ignored they will very much be heard and acted on. I know some of the issues he raises in relation to his area. I am happy, as always, to meet him and his colleagues to discuss them as things progress, but there is no desire to do anything to areas—indeed, quite the opposite. This is about areas asking for things that we can then deliver. The Bill will give us the flexibility to deliver them.

Mr Skinner: Will the Minister give way?

James Wharton: I need to make progress as I am very conscious of the time.

I thank hon. Members for tabling amendment 59 relating to the Localism Act 2011. The amendment would not only impose a requirement to publish a report on the performance of the Act but require the Secretary of State to undertake a review of the general power of competence in relation to its use by combined authorities. The amendment is not necessary.

Jon Trickett: I am grateful to the Minister, who is making an articulate exposition of his position, for giving way. Were some districts in a county area to attach themselves to a great city, would he envisage the possibility of the county taking a different shape—in other words, Derbyshire or any other county in the same category ceasing to represent all the areas they currently do?

James Wharton: The intention is to deliver what local areas want, and therefore the Bill gives us the flexibility to ensure that the county would not need to be reshaped, but equally, where that was wanted, it would give us the flexibility to deliver it. That is the point of the Bill, as an enabling Bill. We want to proceed by consensus, because that is how devolution will last.

Amendment 1 would enable the Secretary of State to make provision in secondary legislation to require all local authorities in the area of a mayoral combined authority to undertake a community governance review within two years of the Act coming into force. Whatever the merits of “parishing” an area, I do not believe the amendment is necessary or appropriate. I recognise the desire for further devolution and for the devolution debate to continue, including on the role of more local decision making and parishes, but this is not the time or place to go down the route set out in the amendment. I hope, therefore, that hon. Members will agree not to press it.

Mr Allen: I will be delighted not to press amendment 1, if the Minister can tell the House what shape or structure will be in place to pull together the best practice from all 34 devolution deals for drawdown by those who wish to do further deals.

James Wharton: We will be talking about that with the LGA and other interested parties, but we are still in the process of delivering those deals and it would be against the spirit of devolution were we to announce the format for such a forum. I recognise the hon. Gentleman's comments, however, and the value that such a forum could bring. I am happy to put that on the record. It is our intention to have those discussions and to develop something that has broad agreement.

My hon. Friend the Member for Carlisle (John Stevenson), who cannot be with us today because of the terrible flooding that has afflicted his constituency, has tabled amendment 56, which would enable the Secretary of State to use a fast-track process for unitarisation or boundary changes in a particular area. I suspect I am going to take a few interventions on this amendment, but I wish to highlight this point: it enables a fast-track process and streamlines the use of existing powers; it does not bring in powers that do not already exist. He tabled a similar amendment on the first day of the Committee of the whole House, with a view to ensuring that no one council could effectively veto such a change, however sensible and supported such a proposal might be.

My hon. Friend wished to see a way of preventing one council from denying change that might be in the best interests of the wider area. We have heard further arguments today about the proposition, particularly from my hon. Friends the Members for Cleethorpes (Martin Vickers) and for Amber Valley (Nigel Mills). When we debated this last time, I made clear our approach: if such a governance change were to be made, there needed to be a level of consensus across the area and that we are not in the business of imposing change on any one. That remains our starting point and our intention.

Sir Edward Leigh: I know the Minister does not want to comment in detail, but, moving from the general to the particular, what would happen if Lincolnshire County Council, for example, wanted to use amendment 56 to fast-track the procedure, but one or more districts objected to a unitary authority? Do I take it that nothing in amendment 56 would make it easier for the district councils to be overridden by the county council?

James Wharton: The powers already exist for the Secretary of State to review and change local authority boundaries and create unitary authorities—to do many of those things that hon. Members have talked about with concern. This is a streamlining amendment that makes it more straightforward to deliver things where there is the desire; where it is important, as part of a deal; where there is consensus; and where the Secretary of State, having applied the statutory tests, is satisfied it is the right thing to do in the interests of that area. It is a welcome amendment, therefore, and I hope that hon. Members will support it.

8.15 pm

Graham Stuart: I am struggling to square the amendment with what the Minister has just said. There is no talk about streamlining or tests. The amendment simply states that if one council is in favour, all the others can be pushed aside. That is what the amendment says. Our job is not just to listen to reassurances from Ministers, however brilliant, but to look at the words of the Bill, and the Bill appears to give great power to the Secretary of State. If he has that power already, I do not see why we need it in an amendment; if he does not have it already, I am a little reluctant to give it to him.

James Wharton: I hear what my hon. Friend says, but it remains the case that a council or group of councils can now, regardless of the Bill, ask the Secretary of State to implement a proposal for structural change through the traditional processes of the Local Government and Public Involvement in Health Act 2007, even where not all councils agree or where there are competing proposals for different councils. He has those powers, but only as part of a convoluted and lengthy process. This is not about forcing unwanted change on areas just because we have the power to do so; it is about enabling the flexibility to deliver the right devolution deals for areas and in a timely and flexible way. I know that hon. Members have raised concerns, but there are none the less statutory tests that have to be satisfied in doing that. This place would need to approve any change, but the fast-track process, with its significant safeguards, is a welcome one.

The new process would still require the Secretary of State to lay before Parliament a report on the fast-track process, including on matters he has taken into account

when deciding to use it, and I reiterate that it could not be used without Parliament's approval. Having carefully considered and weighed the arguments; having listened to the comments of my hon. Friend the Member for Carlisle and others; and having considered the need to ensure flexibility if we are to make devolution last, we have decided to support the amendment. We have tabled a manuscript amendment so that it is for a trial period and not something that would necessarily last in perpetuity; none the less we welcome the flexibility in the amendment.

Mr Chope: Will my hon. Friend confirm that the Secretary of State would not, under any circumstances, force change on a local authority against its will, and is really only interested in encouraging local authorities to talk to each other? He said, at the beginning of his remarks, that the starting point remains that change will not be forced on any one but suggested that ultimately the Government wished to have the power to force it.

James Wharton: I remind my hon. Friend of my earlier comments: those powers already exist. The Government's intention is to find consensus, to build on the local desire for devolution and to deliver lasting devolution to areas that will benefit from it. Those powers are already there. This is about ensuring we can deliver, in a timely way, the devolution that local areas want, but I can absolutely reconfirm the Government's commitment to seeking and building on consensus. That is how devolution will stand the test of time.

Amendments 16, 30 and 55 ensure that criminal liabilities of a public authority can be transferred to either a local government or combined authority on the same basis as other liabilities when public authority functions are conferred. Amendments 17 and 31 amend clauses 7 and 16 respectively and allow references in a transfer order or regulations to be made to a formal document, such as guidance, which can be amended from time to time.

Amendment 36 is a technical amendment substituting the original word "jointly" with the new word "concurrently". The change is necessary to ensure that certain transport functions being carried out by strategic transport bodies and local authorities can be undertaken concurrently rather than jointly. Amendment 3 would change how mayors for combined authorities should be elected. We have debated this matter at length. We believe that, where we are electing an individual to exercise significant executive power, the voting system for which we have made provision is the right one, and that therefore the amendment should be rejected. Finally, amendments 10, 37 to 43, 45 and 44 are necessary to bring the Bill into line with the arrangement in London. They provide clarity and consistency in respect of mayoral deputies with police and crime commissioner functions.

I hope that hon. Members will accept the Government amendments and reject Opposition amendments and that the House will continue broadly to support the delivery of devolution, on which there is so much consensus and support.

Mr Allen: I beg to ask leave to withdraw the clause.
Clause, by leave, withdrawn.

New Clause 9

CONSULTATION ON CHANGES TO HEALTHCARE
PROVISION

“(1) Part 4 of the Local Authority (Public Health, Health and Wellbeing Boards and Health Scrutiny) Regulations 2013 is amended as follows—

“(1) In section 20 (Interpretation) insert after “for which there is a country council (a);”—

“(c) combined authorities and each constituent part of a combined authority””—(*Mr Graham Brady*.)

This amendment requires that constituent parts of combined authority are consulted on any major healthcare reorganisation in their area in addition to the combined authority being consulted. It also allows constituent parts of a combined authority to refer any such reorganisation to the Secretary of State for Health without such a referral having to be made by the combined authority to which they are part.

Brought up, and read the First time.

Mr Graham Brady: I beg to move, That the clause be read a Second time.

Mr Deputy Speaker (Mr Lindsay Hoyle): With this it will be convenient to discuss the following:

New clause 12—*Review of devolution of health services*—

“(1) The Secretary of State must, within 15 months of this Act being passed, publish a review of health services devolved under the provisions of this Act.

(2) The review must make an assessment of the extent to which the health services devolved under any of the provisions of this Act have maintained standards and, in particular, of the quality of services and outcomes achieved by those devolved health services over the first 12 months from this Act being passed.”

This Clause would require a review, after 12 months of the Bill being passed, of the impact of devolving health services in order to make sure that standards and the quality of services and outcomes have not declined.

Government amendment 34

Amendment 60, in clause 17, page 19, line 30, at end insert—

“(2C) The Secretary of State may revoke health functions from the relevant local authority under subsection (2A) only following advice from an independent panel, whose membership must include representation from local government and the NHS and which is to be convened as and when necessary.”

This amendment would safeguard the devolution of health functions by ensuring that any revocation of these functions is done under the advice of an independent panel, whose membership includes representatives from local government and the NHS.

Government amendments 35 and 46 to 49.

Mr Brady: It might help if I indicate now that at the appropriate time I shall seek the leave of the House not to press new clause 8 and amendment 57. Ministers should not take that as indicating that I am entirely satisfied with the responses I have received, but I may be able to find other ways of expressing that dissatisfaction.

The immediate reason for tabling new clause 9 and why I am so concerned about this aspect of the Bill is that we already have a live example in Greater Manchester. I shall not go into huge detail, but because of the difficulties relating to the Healthier Together proposals for the reorganisation of hospital services, the matter will be decided by judicial review this week.

The new clause was tabled in the hope that we can frame the legislation in such a way that proper protection can be given to local authorities and local communities to ensure that this sort of development is not necessary in future. Should, furthermore, the judicial review overturn the existing proposals, it is important to ensure that they cannot simply be imposed in a different way.

The crucial problem is that the existing combined authority arrangements have combined the overview and scrutiny functions of individual local authorities. With the potential downgrading of the University hospital of South Manchester, for example, the usual route of going through Trafford’s or Manchester’s overview and scrutiny committee and referring the matter to the Secretary of State, asking for it to be put to an independent reconfiguration panel, was not available because the overview and scrutiny function was exercised not at the individual local authority level but at the combined authority level.

The Minister for Community and Social Care looks confused, but I assure him that when I had discussions with the Secretary of State he advised me that this was the route to be taken. I then took it to Trafford council, which said that it did not have the overview and scrutiny function and that it was exercised at the combined level. That is the nub of the problem. Significant parts of a conurbation such as Greater Manchester, which may in due course become a mayoral authority, might have no recourse, should a significant reorganisation of health services be proposed that was evidently not in the interest of the local community.

It is a simple proposition that I make in new clause 9. The Minister and I have had some extremely constructive conversations prior to this point, and I hope that he will reassure me that some measure will be introduced—if not today, via a Government amendment in the House of Lords—given that changes to these aspects of the Bill might be made through Government amendment 34. There is, I understand, a peg on which to hang that provision. All I am looking for is the simple reassurance that the Government will ensure that there will always be a route for an individual local authority to make the kind of reference that would have saved enormous cost, uncertainty and trouble in Greater Manchester had it been in place as of today. I very much look forward to hearing the Minister’s response and any reassurance that he might give.

Mr Graham Allen: I would like to comment on this group, which includes my own amendment 60. It is relevant to what the hon. Member for Altrincham and Sale West (Mr Brady) has talked about in moving his new clause 9. My anxiety is that the welcome devolution that is taking place—the precedent of devolving health powers to localities is particularly welcome—suggests something of “the Empire striking back”, with the Whitehall Leviathan seeking to place a caveat on the devolution of health powers. What is being set up is the ability of the Secretary of State to revoke health functions from the relevant local authority.

I fear that somebody in the Department of Health might not approve of a devolution proposal within a given area. Let us say that the cities of Nottingham or Manchester—or indeed anywhere represented by hon. Members in their places for this evening’s debate—wished to do something innovative and interesting on public

health because it matched the demography in the area. What it might not match, however, is the view of people in the Department of Health. Such people might have a one-size-fits-all masterplan that they would like to impose on everybody.

My difficulty is that if we allow the Secretary of State to pull back to the centre any of these powers, there will be no safeguard in law to prevent that from happening. The Secretary of State could attempt to launch an effort at devolution, but we see again and again what can happen when the dead hand of Whitehall lies upon local government and the charitable and voluntary sectors. A year could be granted to get on with it, with a local authority either allowed to raise its own money or be given some money. If, however, the Department does not like it, it could be pulled up by the roots.

The Minister for Community and Social Care (Alistair Burt): I should not be, but I am tempted to respond. If that is the hon. Gentleman's concern, why should the Secretary of State sign the order agreeing the devolution in the first place if it does not fit in with his masterplan? If he is going to take back the powers in due course, why would he give them away in the first place?

Mr Allen: The Secretary of State does have the power to pull back those experiments and those efforts at devolution. That is why I am bringing forward my proposal. If the Secretary of State is not concerned, he would have no worry about the ability of an independent panel to say, "Hang on—give these guys the amount of time they need to experiment" rather than have to deliver to a Whitehall timetable. That amounts to a contradiction in terms: devolution on the one hand, with the Secretary of State pulling things back into the centre on the other hand. My proposal—which I am sure the Minister can understand—is for the establishment of an independent panel, which would not consist of the Secretary of State and his advisers, but would include representatives of local government where the devolution was taking place and representatives of the national health service. That would enable the medical side to be looked at effectively, and separately from the Secretary of State. It would end the constant process that has driven devolution: the interference of Whitehall, often in the very short term, because someone somewhere in the Department of Health—some unknown person—does not like what is being done in the locality.

Mr Graham Brady: Is not the fundamental point that the Bill that we are about to pass may remain on the statute book for many years? The current Secretary of State may be fully committed to devolving these powers, but a future Secretary of State might wish to suck all of them back to Whitehall.

Mr Allen: That is always a problem, but in that eventuality, if the amendment were passed, an independent panel would keep an eye on it to ensure that, if the Minister were not the one who is in the Chamber now but someone more malign than he, it would be possible for the independent panel to blow the whistle and say, "You have not given people in this particular area"—whether it was Enfield, Stoke or anywhere else in the country—"a chance to prove that this part of the devolution of the health service is working effectively. You have a particular view"—perhaps in connection with the need

to react to a scandal or a financial problem—"and you are not acting on the basis of the good of the people in the area, but retrieving from them their ability to devolve effectively and use health powers effectively."

8.30 pm

The Minister looks puzzled. I am at a loss to understand why he would not want that safeguard if he were not the Minister involved. If he were a humble Back Bencher like the rest of us—which he was, not so long ago—he might be a little concerned about the fact that someone in the Government might not have people's best interests at heart because he or she had a bigger, broader plan in mind. That is the opposite of devolution.

I am seeking to create an obstacle—it may be a flimsy barrier, but perhaps the mouse can squeak at the steamroller—to prevent this aspect of devolution from disappearing once again into the black hole of Whitehall, given the power of Whitehall and the massive centre of gravity that it constitutes in our tremendously over-centralised political system.

Alistair Burt: I am happy to respond to this short debate dealing with new clause 9, tabled by my hon. Friend the Member for Altrincham and Sale West (Mr Brady), amendment 60—to which the hon. Member for Nottingham North (Mr Allen) has just spoken—new clause 12, tabled by the hon. Member for Hemsworth (Jon Trickett), and the Government's three technical amendments.

New clause 9 would amend secondary legislation to require that each constituent part of a combined authority should be consulted on any major healthcare reorganisation in its area, as well as the combined authority's being consulted. Each constituent local authority would be able to refer any such reorganisation to the Secretary of State, without such a referral having to be made by the combined authority.

As my hon. Friend knows, proposals for reconfiguration must currently meet the Government's four tests for service change: support from local GP commissioners, clarity on the clinical evidence base, robust patient and public engagement, and support for patient choice. At present, any local authority has the right and, indeed, the responsibility to raise issues about a reconfiguration. My understanding is that that right remains. I take my hon. Friend's point about its having been given to the combined authority, but, because I do not know about the relationships between the local authorities in question, I do not know whether the combined authority would at any stage reserve the right back to itself if it wished to do so. In the meantime, however, I have one safeguard, and perhaps another, to mention to him. This also applies to the hon. Member for Nottingham North, because it is part of the same thing.

The Secretary of State is only going to accept a recommendation for devolution if it is in the best interests of health in the area and if it will improve health outcomes. He must do so by order. There is nothing in the Bill that requires an authority to take on a national health service function. Authorities can do so if they so wish, but the Secretary of State must be able to see a clear outcome, and he retains his duties and responsibilities for ensuring that the NHS mandate is maintained and that all his statutory duties and responsibilities are observed. The Secretary of State is not going to sign an

[Alistair Burt]

order, therefore, if he does not think that the health outcomes for the area will be improved. The Secretary of State is entitled to put in the order what he wishes. That order is then debated in the House and has to be passed as an order.

It would be possible for the Secretary of State to include in the order the fact that the individual authorities that make up a combined authority have the right to make representations to him about any reconfiguration. I can give my hon. Friend the Member for Altrincham and Sale West that assurance, and if we find that the legislation is not as I believe it to be, which is that it has retained that right for the local authority, an order in relation to his local authority will contain that safeguard.

I also offer this to my hon. Friend: if he will consider withdrawing the new clause, we will check, before the matter goes before the House of Lords again, to see whether the legislation is as I believe it is, because if it is, the new clause will not be necessary; but if it is not as I believe it to be, the safeguard—the double assurance—will be included in the order and the present Secretary of State would intend to deliver on it.

Mr Brady: My right hon. Friend is seeking to be very helpful. The difficulty that exists is that the safeguards he proposes apply at the moment of devolution. My concern is that a reconfiguration might happen when a power has been devolved, which might not be in the interests of one of the constituent parts of a conurbation. What can be done at that point is what is crucial.

Alistair Burt: At that point, the order that the Secretary of State has signed to allow the devolution in the first place will allow the authority to make a representation to that effect. The order does not just apply to the moment of devolution; it applies to the substance of the devolution, which is the exercise of the health powers the combined authority will have taken on. In respect of a reconfiguration that takes place under the combined authority, the order will safeguard the right of the local authority individually to make representations to the Secretary of State. It is guaranteed not just at the point of devolution, but in the exercise of powers under devolution.

Mr Brady: Might I press my right hon. Friend a little further? I am avoiding being too specific about the Healthier Together proposals for obvious reasons, but in the event that those proposals were to be set aside this week and new reorganisation proposals were to be brought forward, can he give me an absolute assurance that, either under the existing legislation or measures he would introduce in the House of Lords, the individual local authority would retain the freedom to refer any reorganisation to the Secretary of State? If he can do that, I would be satisfied.

Alistair Burt: I believe that that assurance is present in existing legislation. If it is not, we will make sure in the House of Lords that it is. I would also query why my hon. Friend's local authority has given up this right in the first place to the combined authority, because if it wants to retain that right, perhaps it might want to take it back from the combined authority.

Mr Brady: The Minister has to understand that this is endemic in the nature of the process. It will become more and more commonplace as we see more powers being transferred from the local authorities to combined authority level, and the new arrangements will become entrenched. That is why it is so important that we ensure that the safeguards are in place at this point—

Mr Deputy Speaker (Mr Lindsay Hoyle): Order.

Mr Brady: I am trying to assist the Minister, who I think needs just a moment longer.

Mr Deputy Speaker: Unfortunately it is me that makes the decisions—we could do this over two days—but I would have thought the Minister had at least some indication.

Alistair Burt: I rest my case with my hon. Friend: I believe that legislation currently provides the reassurance that he seeks. However, I undertake that, before the matter is concluded in the House of Lords, we will ensure that that assurance is there so that he is covered. He is absolutely right to make sure that his local authority has the opportunity to make representations when it needs to. I am sure that the legislation does that, but we will make doubly certain that it does.

Mr Graham Allen: It may well be that the current legislation covers this eventuality, but the Government's amendment 34 makes it very clear that local government will not be consulted. If the hon. Member for Altrincham and Sale West (Mr Brady) would like quickly to peruse that amendment, he will see that local authorities will have no say whatever if devolved powers are taken back to the Department.

Alistair Burt: I will happily cover amendment 34 in a moment. Indeed, perhaps I should speak to that amendment before I turn to amendment 60, which has been tabled by the hon. Member for Nottingham North (Mr Allen), just to make it clear what amendment 34 is about.

Amendment 34 mirrors part of amendment 19 and amends clause 17 to provide that the requirements for combined authority and local authority consent do not apply to regulations revoking previous transfers of health service functions under clause 16. Proposed new subsections 1E and 1F, which amendment 19 would add to section 105A to be inserted by clause 7 into the Local Democracy, Economic Development and Construction Act 2009, also have the same effect in relation to health functions transfers under section 105A which are revoked.

This means that in the event that it becomes appropriate to restore NHS functions in a local area to NHS bodies, this can be achieved without the need for consent of the combined authority and local authorities concerned. This reflects the fundamental principles for health devolution, as reflected in clause 18, which builds on an amendment moved by Lord Warner in the other place, that the key responsibilities for the Secretary of State for Health and the NHS remain unchanged in any devolution arrangements. We envisage using the powers to revoke only in those circumstances where it was clear that duties and standards such as those referenced in clause 18 were not being met and that revoking the transfer was the best option to achieve the necessary improvement in performance.

The Secretary of State's ability to use this power supports the key principle, which this House has already agreed and which the House of Lords was also insistent on, that nothing about devolution settlements will impinge on his duties in respect of the national health service, including the duty to promote a comprehensive health service, to exercise his functions with a view to securing continuous improvement in the quality of services and to have regard to the NHS constitution. The other procedural requirements and preliminary conditions will continue to apply, such as the requirement that the Minister making the regulations must consider that the instrument is likely to lead to an improvement in the exercise of the functions concerned, and that Parliament must approve the secondary legislation.

Let me explain in straightforward terms what this is about. The House has already agreed that it wants to retain the national health service, even if NHS functions are devolved to local authorities. That means that the duties of the Secretary of State in relation to the NHS remain absolute. As I said earlier, if the Secretary of State is to sign off these powers to commission services to a local authority, he has to be sure that doing so is in the best interests of healthcare and that the quality of healthcare will be improved. Otherwise, he just will not do it. There will not be any consent involved, or anything else; he just will not do it. However, if he signs it off, it means that he is satisfied that there will be an improvement in the quality of healthcare. Should that fail—should the NHS functions transferred to a new authority fail—it is the Secretary of State's duty to take those powers back, because he is responsible for the delivery of NHS standards. If he cannot be satisfied, he is going to have to take these powers back. In the circumstances, it is possible that local authorities might disagree and want to challenge that, but his duties are absolute. That is why the requirement for consent is coming out. We are talking about a circumstance that nobody expects to happen. The Secretary of State is not going to devolve unless he is certain, but if he needs to take powers back to maintain his duties, he must have the power to do so. Even if he has to do so, the matter goes before the House, which makes up its mind on it. That is the basis of Government amendment 34 and the answer to amendment 60.

8.45 pm

Mr Allen: That is exactly the difference between decentralisation and devolution. This proposal is the Secretary of State pushing some power to the locality, purely on the basis that he can suck it back; it is not giving power and, as of right, allowing the local authority to exercise that. There is no way in which the local authority can intervene in this process. It is a bystander, as an agent of central Government.

Mr Deputy Speaker (Mr Lindsay Hoyle): The interventions must be shorter, as I still have to get the Front Bencher in.

Alistair Burt: The hon. Gentleman is coming at this from the wrong point of view. He is coming at it from the point of view that the Secretary of State is deliberately pushing something towards an authority, but he is not—the authorities are asking him for something. He would not be doing that unless authorities came to him

and said, "We want to do this." The Secretary of State would not agree unless he thought it was in the best interests of healthcare, because it is not his personal judgment but his duty. If those functions are not performed properly, his ultimate duty, which the House has already agreed, must be to take the powers back. The hon. Gentleman is approaching it from the point of view that there is something malevolent about the Secretary of State which means he wants to challenge the authority. The duties he has, which are contained in statute and which the House says he must retain when NHS powers are devolved, are what impels the amendment, nothing else.

Mr Allen *rose*—

Alistair Burt: I will give way one last time, but then I must finish dealing with the rest of the clauses.

Mr Allen: The Secretary of State may be doing the right thing—I am sure he would be, just as I am sure the local authority would think it was doing the right thing—but my amendment 60 and our new clause would allow there to be a local government representative and a medical NHS representative judging who is right in the decision about central power and local power. They, too, would make the right decision.

Alistair Burt: Let me turn to the independent panel idea in amendment 60, which the hon. Gentleman has tabled. The Bill provides an effective framework to support a more devolved, place-based approach to health and social care, while ensuring that there are appropriate safeguards in respect of the NHS and a clear line of accountability back to the Health Secretary. Our objectives for health devolution must be to improve the health and care outcomes for people residing in a particular local area. Clause 18 requires that where health functions are conferred by an order or regulations on a combined authority, provision must be made about standards and duties to be placed on that authority, including standards in the NHS constitution.

The Secretary of State needs to be satisfied that revoking the transfer would lead to an improvement of statutory functions in that local area. He is under the same duties if he revokes as he is when he grants the powers in the first place. The revocation would need to be debated and approved by both Houses of Parliament, and the Secretary of State would be required to make available to Parliament a report concerning his decision, including what representations had been made to him in the process. That demonstrates that the decision to revoke transfer regulations would be taken only as a consequence of in-depth consideration, as well as engagement with local organisations, and with the support of Parliament. For that reason, I resist the requirement to convene a panel to review the decision, which would not only be unnecessary, but could be burdensome and costly, and could lead to delays just at the time when swift action was required to address fundamental performance issues.

The amendment is not necessary. The Secretary of State, in the exercise of his powers, already has to do what the hon. Gentleman is asking, but the need to move sometimes at speed means he needs to retain the powers; this is therefore covered, there is accountability to Parliament and the Secretary of State has to say exactly why he is doing it. It is straightforward: either he

[*Alistair Burt*]

has the power to deliver his duties, or he does not, and he can do it without convening an independent panel to second-guess him. It is his responsibility, and if he exercises those powers unreasonably, there is judicial review, which means that a local authority is doubly protected.

Mr Allen: If a local authority, which understands its own demography—it knows its people and its inner-city and rural areas—makes a decision on a public health matter, such as fluoridation or free dental checks for three-year-olds, and the centre does not like it, the Minister can pull back that power, which has been given in what is meant to be a devolution Bill.

Alistair Burt: It is not about the centre not liking the decision. The Secretary of State has statutory duties that Parliament has given him. He has to exercise his power both to grant and revoke power based on those duties, not because he likes or does not like a decision. It is that statutory duty for which he is responsible that is so important. The House of Lords pressed that matter, but the House of Commons has accepted it. It is the maintenance of those duties that is so important. Liking or disliking a decision does not come into it.

Let me make further progress on the other amendments that the Government wish to push through. Amendment 35 is a further amendment to clause 18, which applies valuable safeguards to local devolution of health functions, including where certain functions and duties should continue to be held nationally. The clause was inserted in the Bill by an amendment tabled by Lord Warner in the other place and was amended in Committee in the Commons to give further definition and clarity to support its valuable principles. Clause 18 provides that regulatory functions of national bodies held in respect of health services will not be available for transfer to a combined or local authority.

Amendment 35 makes it clear that, in addition to NHS England's responsibilities for assurance and review of clinical commissioning groups, all its supervisory and oversight functions set out in chapter A2 of part 2 of the National Health Service Act 2006 are out of scope of a transfer order. These include functions relating to CCGs' institutional and constitutional arrangements, including their establishment.

Briefly, amendments 46, 47, 48 and 49 amend schedule 4, which makes amendments to the 2006 Act to provide a wider menu of flexible, voluntary options for local bodies, including combined authorities, to work with each other and with NHS England in respect of health functions.

One of the amendments introduced by schedule 4 includes provision under proposed new section 13ZA of the 2006 Act for new "devolved arrangements", whereby NHS England is able to delegate its functions to a group of local commissioners exercising them together, or to make arrangements to exercise its functions jointly with that group. The group of local partners must consist of at least one clinical commissioning group and at least one combined authority or local authority, and the delegates or partners must exercise the function jointly.

Amendments 46, 47 and 48 are minor and technical amendments, which make it clear that "devolved arrangements" may relate to one or more of NHS England's functions.

New clause 12, which was tabled by the hon. Member for Hemsworth, says:

"The Secretary of State must, within 15 months of this Act being passed, publish a review of health services devolved under the provisions of this Act."

The review must include an assessment of how standards have been maintained, particularly of the quality and outcomes delivered by the devolved health service.

Maintaining the integrity of the NHS standards and ensuring that there is clear accountability for quality of outcomes is a key objective, as reflected by a number of vital safeguards provided for by the Bill. An order to confer health functions on a combined authority can only be made if a proposal to do so satisfies the Secretary of State that such a transfer will lead to the improvement of statutory functions.

As the House has debated a number of times, the requirements to monitor and regulate the functions that have been devolved remain exactly the same as if they had been with the NHS. It is the Secretary of State's responsibility to ensure that the quality of services devolved is of NHS quality. For that reason, a full formal review is not necessary. There will be constant review of the quality of work done locally, and putting a formal review in the legislation is therefore not necessary. It is inconceivable that the authority delivering the functions on behalf of the NHS would not keep up a full review and the quality of regulatory work and monitoring work ensures that a full review is carried out in any case.

I hope that the new clauses will not be pressed to a vote and that I have been able to satisfy the House about the functions that need to be retained by the Secretary of State. I hope that the technical amendments will also be agreed to.

Liz McInnes: I want to support new clause 12, although the Minister has made his case for turning it down. I think it is important that we build a review stage into the devolution of health simply because the implications of the Bill for the English NHS and social care system are not clear. The Bill regulates for important new powers to remove functions from NHS hospitals, commissioners and other bodies and to transfer them to the local regional authority. Depending on the implementation, interpretation and limits of the powers, such transfers might fundamentally reshape the health service in the years to come. We must ensure that the national health service stays national. We do not want a postcode lottery for healthcare.

Accountability and scrutiny remain crucial for a well-run national health service, delivering the best care it can for everyone no matter where they live. The Bill's light-touch nature and the pace with which the agenda is moving leave a number of crucial and unresolved questions, some of which I would now like to ask. Will central and regional government argue over the responsibility for meeting population needs and making difficult decisions, such as those on whether to close hospitals or prop up overspending healthcare providers? What will happen to neighbouring areas?

Deals permissible under the Bill create the possibility of NHS funding melting into wider regional authority budgets, making ring-fencing or protecting impossible. Given the importance of healthcare spending as an issue, it needs clarity and scrutiny. Devolution to combined authorities under the Bill might actually have a centralising effect for many health and social care functions, taking power away from councils that represent smaller communities and the clinical commissioning groups that represent clinicians. Although that might be desirable in some cases, it is also important to consider how the positive developments brought to health and social care by these bodies can be preserved.

Clauses 7, 16 and 17 allowed the piecemeal transfer of health care commissioning responsibilities from clinical commissioning groups and NHS England to local government. I am concerned about the impact that will have on the NHS, especially as regards local variation in service levels, further allocation of resources and the cross-border impact of decisions. The Opposition believe that there should be a statutory duty on the Secretary of State for Health to secure and provide universal health care and that core national NHS standards should remain in place.

Mr Brady: I want to make it very clear, and this might be helpful to the hon. Lady, that after the Minister's assurances to me I will seek the leave of the House to withdraw new clause 9. She might, of course, wish to do other things with her new clause.

Liz McInnes: I thank the hon. Gentleman for that intervention.

Although I see a range of possible potential benefits arising from the devolution agenda, particularly the opportunity for greater integration of services between health and social care and bringing public health and other areas under local government control, a number of outstanding questions will need to be resolved, largely focused on resolving the tension between local and national arrangements and the extent to which the "national" in the national health service will be preserved. What we are witnessing is not devolution. The models adopted in the deal so far appear to be closer to delegation than the formal devolution outlined in the Bill.

As the Opposition understand it, there are no plans to use the order-making power created through the Bill to transfer additional health functions to local authorities. Any health-related orders will be used only to enable combined authorities to share the health duty that already sits with local authorities. I seek the Minister's assurance that the devolution of health service will be reviewed in a year to ensure that standards and quality of services and outcomes have not declined. That is what new clause 12 outlines—it seems an eminently reasonable request given an issue as important as our nation's health.

Mr Brady: I beg to ask leave to withdraw the motion.
Clause, by leave, withdrawn.

9 pm

Debate interrupted (Programme Order, 14 October).

The Deputy Speaker put forthwith the Questions necessary for the disposal of the business to be concluded at that time (Standing Order No. 83E).

New Clause 10

GOVERNANCE ARRANGEMENTS FOR LOCAL GOVERNMENT: ENTITLEMENT TO VOTE

In section 2 of the Representation of the People Act 1983 (local government electors), in subsection (1)(d) for "18" substitute "16"—
(Liz McInnes.)

This Clause would re-instate the provision in the Bill, as brought from the Lords, allowing votes for 16- and 17-year olds in local government elections.

Brought up.

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

The House divided: Ayes 197, Noes 289.

Division No. 142]

[9 pm

AYES

Abbott, Ms Diane	Eagle, Maria
Abrahams, Debbie	Edwards, Jonathan
Alexander, Heidi	Efford, Clive
Ali, Rushanara	Elliott, Julie
Allen, Mr Graham	Elliott, Tom
Anderson, Mr David	Ellman, Mrs Louise
Ashworth, Jonathan	Esterson, Bill
Austin, Ian	Evans, Chris
Bailey, Mr Adrian	Farrelly, Paul
Barron, rh Kevin	Field, rh Frank
Beckett, rh Margaret	Flelo, Robert
Benn, rh Hilary	Fletcher, Colleen
Berger, Luciana	Flint, rh Caroline
Betts, Mr Clive	Fovargue, Yvonne
Blenkinsop, Tom	Foxcroft, Vicky
Blomfield, Paul	Glass, Pat
Bottomley, Sir Peter	Glindon, Mary
Bradshaw, rh Mr Ben	Goodman, Helen
Brake, rh Tom	Green, Kate
Brennan, Kevin	Greenwood, Lilian
Brown, Lyn	Griffith, Nia
Brown, rh Mr Nicholas	Gwynne, Andrew
Bryant, Chris	Haigh, Louise
Buck, Ms Karen	Hamilton, Fabian
Burden, Richard	Hanson, rh Mr David
Burgon, Richard	Harris, Carolyn
Byrne, rh Liam	Hayes, Helen
Cadbury, Ruth	Healey, rh John
Campbell, rh Mr Alan	Hendrick, Mr Mark
Campbell, Mr Ronnie	Hepburn, Mr Stephen
Carmichael, rh Mr Alistair	Hodge, rh Dame Margaret
Champion, Sarah	Hodgson, Mrs Sharon
Chapman, Jenny	Hoey, Kate
Coaker, Vernon	Hollern, Kate
Coffey, Ann	Hopkins, Kelvin
Cooper, Julie	Howarth, rh Mr George
Cooper, rh Yvette	Hunt, Tristram
Cox, Jo	Huq, Dr Rupa
Coyle, Neil	Hussain, Imran
Creagh, Mary	Irranca-Davies, Huw
Creasy, Stella	Jarvis, Dan
Cruddas, Jon	Johnson, rh Alan
Cryer, John	Johnson, Diana
Cummins, Judith	Jones, Gerald
Cunningham, Mr Jim	Jones, Graham
Dakin, Nic	Jones, Helen
Danczuk, Simon	Jones, Mr Kevan
David, Wayne	Jones, Susan Elan
Davies, Geraint	Kane, Mike
De Piero, Gloria	Kaufman, rh Sir Gerald
Doughty, Stephen	Keeley, Barbara
Dowd, Jim	Kendall, Liz
Dowd, Peter	Kinnock, Stephen
Eagle, Ms Angela	Kyle, Peter

Lamb, rh Norman
Lavery, Ian
Leslie, Chris
Lewell-Buck, Mrs Emma
Lewis, Clive
Lewis, Mr Ivan
Long Bailey, Rebecca
Lucas, Caroline
Lucas, Ian C.
Mactaggart, rh Fiona
Madders, Justin
Mahmood, Mr Khalid
Mahmood, Shabana
Malhotra, Seema
Marsden, Mr Gordon
Maskell, Rachael
Matheson, Christian
McCabe, Steve
McCarthy, Kerry
McCartney, Jason
McDonagh, Siobhain
McDonald, Andy
McFadden, rh Mr Pat
McGinn, Conor
McGovern, Alison
McInnes, Liz
Meale, Sir Alan
Mearns, Ian
Miliband, rh Edward
Morden, Jessica
Murray, Ian
Onn, Melanie
Onwurah, Chi
Osamor, Kate
Owen, Albert
Pearce, Teresa
Pennycook, Matthew
Perkins, Toby
Phillips, Jess
Pound, Stephen
Pugh, John
Qureshi, Yasmin
Reed, Mr Steve
Rees, Christina
Reynolds, Jonathan
Rimmer, Marie
Ritchie, Ms Margaret

Robinson, Mr Geoffrey
Rotheram, Steve
Ryan, rh Joan
Saville Roberts, Liz
Shah, Naz
Sherriff, Paula
Shuker, Mr Gavin
Siddiq, Tulip
Skinner, Mr Dennis
Slaughter, Andy
Smeeth, Ruth
Smith, rh Mr Andrew
Smith, Jeff
Smith, Nick
Smith, Owen
Smyth, Karin
Spellar, rh Mr John
Stevens, Jo
Streeting, Wes
Stuart, rh Ms Gisela
Tami, Mark
Thewliss, Alison
Thomas, Mr Gareth
Thomas-Symonds, Nick
Thornberry, Emily
Timms, rh Stephen
Trickett, Jon
Turley, Anna
Turner, Karl
Twigg, Derek
Twigg, Stephen
Umunna, Mr Chuka
Vaz, Valerie
Watson, Mr Tom
West, Catherine
Whitehead, Dr Alan
Williams, Mr Mark
Wilson, Phil
Winnick, Mr David
Winterton, rh Ms Rosie
Wright, Mr Iain
Zeichner, Daniel

Tellers for the Ayes:
Grahame M. Morris and
Angela Rayner

NOES

Adams, Nigel
Afriyie, Adam
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
Boles, Nick
Bone, Mr Peter
Borwick, Victoria
Bradley, Karen
Brady, Mr Graham
Brazier, Mr Julian
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
Cartlidge, James
Cash, Sir William
Caulfield, Maria
Chishti, Rehman
Chope, Mr Christopher

Churchill, Jo
Clark, rh Greg
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
Davies, Philip
Dinenage, Caroline
Djanogly, Mr Jonathan
Donelan, Michelle
Dorries, Nadine
Double, Steve
Dowden, Oliver
Doyle-Price, Jackie
Drax, Richard
Drummond, Mrs Flick
Duddridge, James
Duncan, rh Sir Alan
Duncan Smith, rh Mr Iain
Dunne, Mr Philip
Ellis, Michael
Ellwood, Mr Tobias
Elphicke, Charlie
Eustice, George
Evans, Graham
Evans, Mr Nigel
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
Gibb, Mr Nick
Gillan, rh Mrs Cheryl
Glen, John
Goodwill, Mr Robert
Graham, Richard
Grant, Mrs Helen
Gray, Mr James
Grayling, rh Chris
Green, Chris
Greening, rh Justine
Grieve, rh Mr Dominic
Griffiths, Andrew
Gummer, Ben
Gyimah, Mr Sam
Halfon, rh Robert
Hall, Luke
Hammond, rh Mr Philip
Hancock, rh Matthew
Hands, rh Greg

Harper, rh Mr Mark
Harrington, Richard
Harris, Rebecca
Hart, Simon
Haselhurst, rh Sir Alan
Heald, Sir Oliver
Heapey, James
Heaton-Harris, Chris
Heaton-Jones, Peter
Henderson, Gordon
Herbert, rh Nick
Hinds, Damian
Hoare, Simon
Hollinrake, Kevin
Hollobone, Mr Philip
Holloway, Mr Adam
Hopkins, Kris
Howarth, Sir Gerald
Howell, John
Howlett, Ben
Huddleston, Nigel
Hunt, rh Mr Jeremy
Jackson, Mr Stewart
Javid, rh Sajid
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
Latham, Pauline
Leadsom, Andrea
Lee, Dr Phillip
Lefroy, Jeremy
Leigh, Sir Edward
Leslie, Charlotte
Letwin, rh Mr Oliver
Lewis, Brandon
Lewis, rh Dr Julian
Liddell-Grainger, Mr Ian
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, Karl
McPartland, Stephen
Menzies, Mark
Merriman, Huw
Metcalfe, Stephen
Miller, rh Mrs Maria
Milling, Amanda
Mills, Nigel

Milton, rh Anne
Mordaunt, Penny
Morgan, rh Nicky
Morris, Anne Marie
Morris, James
Morton, Wendy
Mowat, David
Murray, Mrs Sheryll
Murrison, Dr Andrew
Neill, Robert
Newton, Sarah
Nokes, Caroline
Norman, Jesse
Nuttall, Mr David
Opperman, Guy
Parish, Neil
Patel, rh Priti
Paterson, rh Mr Owen
Pawsey, Mark
Penning, rh Mike
Penrose, John
Percy, Andrew
Perry, Claire
Phillips, Stephen
Philp, Chris
Pincher, Christopher
Poulter, Dr Daniel
Pow, Rebecca
Prentis, Victoria
Prisk, Mr Mark
Pritchard, Mark
Pursglove, Tom
Quin, Jeremy
Quince, Will
Redwood, rh John
Rees-Mogg, Mr Jacob
Robertson, Mr Laurence
Robinson, Gavin
Robinson, Mary
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

Solloway, Amanda
Soubry, rh Anna
Spelman, rh Mrs Caroline
Spencer, Mark
Stephenson, Andrew
Stewart, Bob
Stewart, Iain
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
Tugendhat, Tom
Turner, Mr Andrew
Tyrie, rh Mr Andrew
Vaizey, Mr Edward
Vara, Mr Shailesh
Vickers, Martin
Villiers, rh Mrs Theresa
Walker, Mr Robin
Warburton, David
Warman, Matt
Watkinson, Dame Angela
Wharton, James
Whately, Helen
Wheeler, Heather
White, Chris
Whittingdale, rh Mr John
Wiggin, Bill
Williams, Craig
Williamson, rh Gavin
Wilson, Mr Rob
Wilson, Sammy
Wood, Mike
Wragg, William
Zahawi, Nadhim

Tellers for the Noes:
George Hollingbery and
Margot James

Question accordingly negatived.

Clause 1

DEVOLUTION: ANNUAL REPORT

Amendments made: 4, page 1, line 10, at end insert—

“(ba) functions exercisable by a Minister of the Crown that have been devolved as a result of agreements so as to become exercisable by a mayor for the area of a combined authority (including information as to any such functions that remain exercisable by a Minister of the Crown as a result of an agreement providing for functions to be exercisable jointly or concurrently);”.

This amendment requires the Secretary of State to provide information on whether a Minister of the Crown has retained the ability to exercise a function of a Minister of the Crown which has been conferred on a mayoral combined authority which is exercisable by a mayor for the area of the authority.

Amendment 5, page 1, line 11, after “functions” insert
“(so far as not falling within paragraph (ba))”.

This amendment is consequential on amendment 4 and removes any overlap between the requirements imposed by new subsection (2)(ba) and subsection (2)(c).

Amendment 6, page 2, line 2, at end insert—

‘() In this section—

“combined authority” means a combined authority established under section 103 of the Local Democracy, Economic Development and Construction Act 2009;

“Minister of the Crown” has the same meaning as in the Ministers of the Crown Act 1975.’—(*Alistair Burt.*)

This amendment defines the phrases “combined authority” and “Minister of the Crown” in clause 1.

Clause 2

POWER TO PROVIDE FOR AN ELECTED MAYOR

Amendment proposed: 58, page 2, line 10, at end insert—

‘() The transfer of local or public authority functions to combined authorities shall not be dependent on an order being made under subsection (1).’—(*Mr Steve Reed.*)

This amendment makes clear that devolution deals must not be dependent on a combined authority having a mayor.

Question put, That the amendment be made.

The House divided: Ayes 195, Noes 290.

Division No. 143]

[9.14 pm

AYES

Abbott, Ms Diane	Creagh, Mary
Abrahams, Debbie	Creasy, Stella
Alexander, Heidi	Cruddas, Jon
Ali, Rushanara	Cryer, John
Allen, Mr Graham	Cummins, Judith
Anderson, Mr David	Cunningham, Mr Jim
Ashworth, Jonathan	Dakin, Nic
Austin, Ian	Danczuk, Simon
Bailey, Mr Adrian	David, Wayne
Barron, rh Kevin	Davies, Geraint
Beckett, rh Margaret	De Piero, Gloria
Benn, rh Hilary	Doughty, Stephen
Berger, Luciana	Dowd, Jim
Betts, Mr Clive	Dowd, Peter
Blenkinsop, Tom	Eagle, Ms Angela
Blomfield, Paul	Eagle, Maria
Bradshaw, rh Mr Ben	Edwards, Jonathan
Brady, Mr Graham	Efford, Clive
Brennan, Kevin	Elliott, Julie
Brown, Lyn	Ellman, Mrs Louise
Brown, rh Mr Nicholas	Esterson, Bill
Bryant, Chris	Evans, Chris
Buck, Ms Karen	Farrelly, Paul
Burden, Richard	Field, rh Frank
Burgon, Richard	Fiello, Robert
Butler, Dawn	Fletcher, Colleen
Byrne, rh Liam	Flint, rh Caroline
Cadbury, Ruth	Fovargue, Yvonne
Campbell, rh Mr Alan	Foxcroft, Vicky
Campbell, Mr Ronnie	Glass, Pat
Champion, Sarah	Glindon, Mary
Chapman, Jenny	Goodman, Helen
Chope, Mr Christopher	Green, Kate
Coaker, Vernon	Greenwood, Lilian
Coffey, Ann	Griffith, Nia
Cooper, Julie	Gwynne, Andrew
Cooper, rh Yvette	Haigh, Louise
Cox, Mr Geoffrey	Hamilton, Fabian
Coyle, Neil	Hanson, rh Mr David

Harris, Carolyn
Hayes, Helen
Healey, rh John
Hendrick, Mr Mark
Hepburn, Mr Stephen
Hodgson, Mrs Sharon
Hoey, Kate
Hollern, Kate
Hopkins, Kelvin
Howarth, rh Mr George
Hunt, Tristram
Huq, Dr Rupa
Hussain, Imran
Irranca-Davies, Huw
Jarvis, Dan
Johnson, rh Alan
Johnson, Diana
Jones, Gerald
Jones, Graham
Jones, Helen
Jones, Mr Kevan
Jones, Susan Elan
Kane, Mike
Kaufman, rh Sir Gerald
Keeley, Barbara
Kendall, Liz
Kinnock, Stephen
Kyle, Peter
Lamb, rh Norman
Lavery, Ian
Lewell-Buck, Mrs Emma
Lewis, Clive
Lewis, Mr Ivan
Lewis, rh Dr Julian
Long Bailey, Rebecca
Lucas, Caroline
Lucas, Ian C.
Mactaggart, rh Fiona
Madders, Justin
Mahmood, Mr Khalid
Mahmood, Shabana
Malhotra, Seema
Marris, Rob
Marsden, Mr Gordon
Maskell, Rachael
Matheson, Christian
McCabe, Steve
McCarthy, Kerry
McDonagh, Siobhain
McDonald, Andy
McFadden, rh Mr Pat
McGinn, Conor
McGovern, Alison
McInnes, Liz
Meale, Sir Alan
Mearns, Ian
Miliband, rh Edward
Morden, Jessica
Murray, Ian
Nuttall, Mr David
Onn, Melanie

Onwurah, Chi
Osamor, Kate
Owen, Albert
Pearce, Teresa
Pennycook, Matthew
Perkins, Toby
Phillips, Jess
Pound, Stephen
Pugh, John
Qureshi, Yasmin
Reed, Mr Steve
Rees, Christina
Reynolds, Jonathan
Rimmer, Marie
Ritchie, Ms Margaret
Robinson, Mr Geoffrey
Rotheram, Steve
Ryan, rh Joan
Saville Roberts, Liz
Shah, Naz
Sherriff, Paula
Shuker, Mr Gavin
Siddiq, Tulip
Skinner, Mr Dennis
Slaughter, Andy
Smeeth, Ruth
Smith, rh Mr Andrew
Smith, Jeff
Smith, Nick
Smith, Owen
Smyth, Karin
Spellar, rh Mr John
Stevens, Jo
Streeting, Wes
Stuart, rh Ms Gisela
Tami, Mark
Thomas, Mr Gareth
Thomas-Symonds, Nick
Thornberry, Emily
Timms, rh Stephen
Trickett, Jon
Turley, Anna
Turner, Karl
Twigg, Derek
Twigg, Stephen
Umunna, Mr Chuka
Vaz, Valerie
Watson, Mr Tom
West, Catherine
Whitehead, Dr Alan
Williams, Mr Mark
Wilson, Phil
Winnick, Mr David
Winterton, rh Ms Rosie
Wright, Mr Iain
Zeichner, Daniel

Tellers for the Ayes:
Grahame M. Morris and
Angela Rayner

NOES

Adams, Nigel
Afriyie, Adam
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
Barwell, Gavin
Bebb, Guto
Bellingham, Mr Henry

Beresford, Sir Paul
Berry, Jake
Berry, James
Bingham, Andrew
Blackman, Bob
Blackwood, Nicola
Boles, Nick
Bone, Mr Peter
Borwick, Victoria
Bottomley, Sir Peter
Bradley, Karen
Brazier, Mr Julian
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
Cartlidge, James
Cash, Sir William
Caulfield, Maria
Chishti, Rehman
Churchill, Jo
Clark, rh Greg
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
Davies, Philip
Dinagen, Caroline
Djanogly, Mr Jonathan
Donelan, Michelle
Dorries, Nadine
Double, Steve
Dowden, Oliver
Doyle-Price, Jackie
Drax, Richard
Drummond, Mrs Flick
Duddridge, James
Duncan, rh Sir Alan
Duncan Smith, rh Mr Iain
Dunne, Mr Philip
Elliott, Tom
Ellis, Michael
Ellwood, Mr Tobias
Elphicke, Charlie
Eustice, George
Evans, Graham
Evans, Mr Nigel
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
Gibb, Mr Nick
Gillan, rh Mrs Cheryl
Glent, John
Goodwill, Mr Robert
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
Gyimah, Mr Sam
Halfon, rh Robert
Hall, Luke
Hammond, rh Mr Philip
Hancock, rh Matthew
Hands, rh Greg
Harper, rh Mr Mark
Harrington, Richard
Harris, Rebecca
Hart, Simon
Haselhurst, rh Sir Alan
Heald, Sir Oliver
Heapey, James
Heaton-Harris, Chris
Heaton-Jones, Peter
Henderson, Gordon
Herbert, rh Nick
Hinds, Damian
Hoare, Simon
Hollinrake, Kevin
Hollobone, Mr Philip
Holloway, Mr Adam
Hopkins, Kris
Howarth, Sir Gerald
Howell, John
Howlett, Ben
Huddleston, Nigel
Hunt, rh Mr Jeremy
Jackson, Mr Stewart
Javid, rh Sajid
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
Latham, Pauline
Leadsom, Andrea
Lee, Dr Phillip
Lefroy, Jeremy

Leigh, Sir Edward
 Leslie, Charlotte
 Letwin, rh Mr Oliver
 Lewis, Brandon
 Liddell-Grainger, Mr Ian
 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
 McPartland, Stephen
 Menzies, Mark
 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, James
 Morton, Wendy
 Mowat, David
 Murray, Mrs Sheryll
 Murrison, Dr Andrew
 Neill, Robert
 Newton, Sarah
 Nokes, Caroline
 Norman, Jesse
 Opperman, Guy
 Parish, Neil
 Patel, rh Priti
 Paterson, rh Mr Owen
 Pawsey, Mark
 Penning, rh Mike
 Penrose, John
 Percy, Andrew
 Perry, Claire
 Phillips, Stephen
 Philp, Chris
 Pincher, Christopher
 Poulter, Dr Daniel
 Pow, Rebecca
 Prentis, Victoria
 Prisk, Mr Mark
 Pritchard, Mark
 Pursglove, Tom
 Quin, Jeremy
 Quince, Will
 Redwood, rh John
 Rees-Mogg, Mr Jacob
 Robertson, Mr Laurence
 Robinson, Gavin
 Robinson, Mary

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
 Soames, rh Sir Nicholas
 Solloway, Amanda
 Soubry, rh Anna
 Spelman, rh Mrs Caroline
 Spencer, Mark
 Stephenson, Andrew
 Stewart, Bob
 Stewart, Iain
 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
 Tugendhat, Tom
 Turner, Mr Andrew
 Tyrrie, rh Mr Andrew
 Vaizey, Mr Edward
 Vara, Mr Shailesh
 Vickers, Martin
 Villiers, rh Mrs Theresa
 Walker, Mr Robin
 Warburton, David
 Warman, Matt
 Watkinson, Dame Angela
 Wharton, James
 Whately, Helen
 Wheeler, Heather
 White, Chris
 Whittingdale, rh Mr John
 Wiggin, Bill
 Williams, Craig
 Williamson, rh Gavin
 Wilson, Mr Rob
 Wilson, Sammy
 Wollaston, Dr Sarah
 Wood, Mike
 Zahawi, Nadhim

Tellers for the Noes:
Margot James and
George Hollingbery

Question accordingly negated.

Amendment proposed: 2, page 2, line 13, 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 of that combined authority.

(2B) The Secretary of State shall, by regulations, establish the procedures to be followed in conducting a referendum under subsection 2A.

(2C) Before making a regulation under subsection 2B, the Secretary of State must consult the Electoral Commission.”—
(William Wragg.)

The intention of this amendment is that elected mayors will be introduced only if that proposal has been approved by a referendum of the residents of the combined authority. The rule for the conduct for such a referendum shall be made by the Secretary of State, in consultation with the Electoral Commission.

Question put and negated.

Amendments made: 7, page 3, line 1, leave out from “authority,” to end of line 3 and insert

“there are one or more non-consenting constituent councils but the combined authority and at least two constituent councils consent.”

This amendment enables an order to be made providing for there to be a mayor for the area of a combined authority if, in the case of an existing combined authority where there are one or more non-consenting constituent councils, at least two constituent councils consent.

Amendment 8, page 3, line 6, leave out second “the” and insert “each”.

This amendment is consequential on amendment 7 and enables more than one non-consenting constituent council to be removed from the existing area of the combined authority.

Amendment 9, page 3, line 8, leave out subsection (5).—(Alistair Burt.)

This amendment is consequential on amendment 27 (see in particular the new section 106(3D) that is inserted by that amendment).

Clause 4

FUNCTIONS

Amendments made: 10, page 4, line 20, leave out “PCC mayor” and insert “mayor for policing and crime”.

This amendment is consequential on amendment 37.

Amendment 11, page 5, line 7, at end insert—

“() include provision for general functions to be exercisable by the mayor subject to conditions or limitations specified in the order (including, for example, a condition for general functions to be exercisable only with the consent of the appropriate authorities (as defined by section 107B(6)));”.

This amendment provides that an order making provision for a function of a mayoral combined authority to be a general function exercisable only by the mayor may include conditions or limitations, such as the consent of members of the combined authority.

Amendment 12, page 5, line 29, at end insert “, and

() in the case of an order made in relation to an existing mayoral combined authority, the mayor of the authority.”

This amendment provides that an order under section 107D of the Local Democracy, Economic Development and Construction Act 2009 (inserted by clause 4 of the Bill), making provision for a function of an existing mayoral combined authority to be a function exercisable only by the mayor, requires the consent of the mayor of the authority.

Amendment 13, page 5, line 31, leave out “the” and insert “a”.

This amendment is consequential on amendment 7 and enables more than one non-consenting constituent council to be removed from the existing area of the combined authority.

Amendment 14, page 6, line 31, at end insert “, and

- (i) in the case of an order made in relation to an existing mayoral combined authority, the mayor of the authority.”

This amendment provides that an order providing for the mayor for the area of an existing mayoral combined authority to exercise functions of a police and crime commissioner in relation to that area must have the consent of the mayor of the authority.

Amendment 15, page 7, line 12, leave out “the” and insert “a”.—(*Alistair Burt.*)

This amendment is consequential on amendment 7 and enables more than one non-consenting constituent council to be removed from the existing area of the combined authority.

Clause 7

OTHER PUBLIC AUTHORITY FUNCTIONS

Amendments made: 16, page 10, line 6, after “liabilities” insert “(including criminal liabilities)”.

This amendment clarifies that criminal liabilities of a public authority can be transferred to a combined authority on the same basis as other liabilities when functions of a public authority are conferred on a combined authority.

Amendment 17, page 10, line 15, at end insert—

“(5A) Subsection (5B) applies where an order under subsection (1) contains a reference to a document specified or described in the order (for example, in imposing a condition by virtue of subsection (2)(a) for an authority to have regard to, or to comply with, a statement of policy or standards set out in the document).

(5B) If it appears to the Secretary of State necessary or expedient for the reference to the document to be construed—

- (a) as a reference to that document as amended from time to time, or
(b) as including a reference to a subsequent document that replaces that document,

the order may make express provision to that effect.”

This amendment allows a transfer order conferring public authority functions on a combined authority to include provision referring to a document as amended from time to time, or replaced. This may be necessary when imposing conditions referring to standards or policies which may be updated in light of technological or scientific developments (for example).

Amendment 18, page 10, line 38, leave out from beginning to “and” in line 39 and insert “the appropriate consent is given”.

This amendment provides that the consent requirement for an order under new section 105A is subject to the definition of “the appropriate consent” in new section 105B(1A) inserted by amendment 19.

Amendment 19, page 10, line 41, at end insert—

“(1A) For the purposes of subsection (1)(b), the appropriate consent is given to the making of an order under section 105A only if—

- (a) in the case of an order in relation to an existing combined authority, each appropriate authority consents;
(b) in any other case, each constituent council consents.

Paragraph (a) is subject to subsections (1B) and (1C).

(1B) Subsection (1C) applies where—

- (a) an order under section 105A in relation to an existing combined authority is the first such order to be made in relation to that authority,

- (b) the authority is not a mayoral combined authority, and
(c) there are one or more constituent councils who do not consent to the making of the order.

(1C) For the purposes of subsection (1)(b), the appropriate consent is given to the making of the order if the combined authority and at least two constituent councils consent to the making of the order.

(1D) Where an order under section 105A is made by virtue of subsection (1C) of this section, the Secretary of State must make an order under section 106 to remove the area of each non-consenting constituent council from the existing area of the combined authority.

(1E) The requirement in subsection (1)(b) for the appropriate consent to be given to the making of an order under section 105A does not apply where—

- (a) the order revokes (in whole or in part), or otherwise amends, a previous order under that section, and
(b) the only purpose of the order is to provide for a health service function of a combined authority to cease to be exercisable by the authority.

(1F) In subsection (1E)(b), “health service function of a combined authority” means a function which—

- (a) relates to the health service, as defined by section 275(1) of the National Health Service Act 2006, and
(b) is exercisable by the combined authority by virtue of an order under section 105A.

(1G) The requirement in subsection (1)(b) for the appropriate consent to be given is subject to section 106A.”

This amendment requires each constituent council and the combined authority to consent to orders under new section 105A which do not revoke the transfer of a health service function, and, for non-mayoral combined authorities, enables the removal of constituent councils which do not consent to powers being conferred under section 105A.

Amendment 20, page 11, line 16, at end insert—

“and a “constituent council” is a council within paragraph (a) or (b).”—(*Alistair Burt.*)

This amendment is consequential on amendment 19 and provides for a definition of “constituent council” for the purposes of new section 105B.

Clause 9

OTHER PUBLIC AUTHORITY FUNCTIONS

Amendments made: 21, page 11, line 34, leave out “so far as the constituent councils consent,” and insert “subject to subsection (10A).”.

This amendment removes the consent requirements in section 74(10) of the Local Government Finance Act 1988 (as inserted by clause 9(1) of the Bill), as they are remodelled by the provisions in amendment 22.

Amendment 22, page 11, line 36, at end insert—

“(10A) Regulations under this section by virtue of subsection (8) that include provision within subsection (10)(b) may be made only with the consent of—

- (a) the constituent councils, and
(b) in the case of regulations in relation to an existing combined authority, the combined authority.

(10B) Subsection (10A) is subject to section 106A of the Local Democracy, Economic Development and Construction Act 2009 (which enables regulations to be made without the consent of all the constituent councils in certain circumstances).”

This amendment provides that regulations made by virtue of section 74(8) of the Local Government Finance Act 1988, enabling a combined authority to levy in respect of functions other than transport functions, can only be made with the consent of the constituent councils and the authority, where there is an existing combined authority.

Amendment 23, page 11, line 40, leave out “(10) and” and insert “(8) to”.

This amendment is consequential to the changes made by amendments 21 and 22 and provides for a definition of “constituent council”.

Amendment 24, page 12, line 16, at end insert “, and
() in the case of regulations in relation to an existing combined authority, the combined authority.”

This amendment provides that regulations under section 23(5) of the Local Government Act 2003 require the consent of the combined authority, as well as the constituent authorities.

Amendment 25, page 12, line 16, at end insert—

“(6A) Subsection (6) is subject to section 106A of the Local Democracy, Economic Development and Construction Act 2009 (which enables regulations to be made without the consent of every authority within paragraph (a) and (b) of that subsection in certain circumstances).”—(*Alistair Burt.*)

This amendment is consequential on amendment 27 (see in particular the new section 106A inserted by that amendment).

Clause 10

GENERAL POWER OF COMPETENCE

Amendment made: 26, page 12, line 43, leave out “the” and insert “a”.—(*Alistair Burt.*)

This amendment is consequential on amendment 7 and enables more than one non-consenting constituent council to be removed from the existing area of the combined authority.

Clause 14

REQUIREMENTS IN CONNECTION WITH ESTABLISHMENT ETC. OF COMBINED AUTHORITY

Amendments made: 27, page 15, line 33, at end insert—

“() In section 104 (constitution and functions of combined authorities: transport), after subsection (9) (inserted by section 8(1) above) insert—

(10) An order under this section may be made in relation to a combined authority only with the consent of—

- (a) the constituent councils, and
- (b) in the case of an order in relation to an existing combined authority, the combined authority.

(11) In subsection (10) “constituent council” means—

- (a) a county council the whole or any part of whose area is within the area or proposed area of the combined authority, or
- (b) a district council whose area is within the area or proposed area of the combined authority.

(12) Subsection (10) is subject to section 106A.”

() In section 105 (constitution and functions of combined authorities: economic development and regeneration), after subsection (3) insert—

“(3A) An order under this section may be made in relation to a combined authority only with the consent of—

- (a) the constituent councils (as defined by section 104(11)), and
- (b) in the case of an order in relation to an existing combined authority, the combined authority.

(3B) Subsection (3A) is subject to section 106A.”

() In section 106 (changes to boundaries of a combined authority’s area)—

- (a) in subsection (2), omit paragraph (b);
- (b) omit subsection (3);
- (c) after subsection (3) insert—

“(3A) An order under this section adding or removing a local government area to or from an existing area of a combined authority may be made only if—

- (a) the relevant council in relation to the local government area consents,
- (b) the combined authority consents, and
- (c) the mayor for the area of the combined authority (if it is a mayoral combined authority) also consents.

(3B) For the purposes of subsection (3A)(a), the “relevant council” in relation to a local government area is—

- (a) if the local government area is the area of a county council, the county council;
- (b) if the local government area is the area of a district council whose area does not form part of the area of a county council, the district council;
- (c) if the local government area is the area of a district council whose area forms part of the area of a county council, the district council or the county council.

(3C) If there are two relevant councils in relation to a local government area by virtue of subsection (3B)(c), the condition in subsection (3A)(a) for the relevant council to consent is met if—

- (a) in the case of an order under subsection (1)(a), either or both of the relevant councils consent;
- (b) in the case of an order under subsection (1)(b), both of the relevant councils consent.

(3D) Subsections (2) and (3A) do not apply to an order under subsection (1)(b) that is made as a result of the duty in section 105B(1D) or 107B(4).”

() After section 106 insert—

“106A Section 106(1)(a) orders: consent requirements under other powers

(1) Subsection (2) applies where—

- (a) the area of a district council is added to the area of a combined authority by an order under section 106(1)(a),
- (b) the area of the district council forms part of the area of a county council,
- (c) the Secretary of State proposes to exercise a relevant power as a result of, or otherwise in connection with, the making of the order, and
- (d) (apart from subsection (2)) the relevant power is exercisable only with the consent of (among other authorities) the county council mentioned in paragraph (b).

(2) The relevant power is exercisable whether or not the county council consents.

(3) Subsection (4) applies where—

- (a) the area of a county council is added to the area of a combined authority by an order under section 106(1)(a),
- (b) the area of the county council includes the areas of district councils,
- (c) the Secretary of State proposes to exercise a relevant power as a result of, or otherwise in connection with, the making of the order, and
- (d) (apart from subsection (4)) the relevant power is exercisable only with the consent of (among other authorities) a district council within paragraph (b).

(4) The relevant power is exercisable whether or not the district council consents.

(5) In this section, “relevant power” means a power—

- (a) to make an order under section 104, 105 or 105A, or
- (b) to make regulations under—
 - (i) section 74 of the Local Government Finance Act 1988 (by virtue of subsection (8) of that section), or
 - (ii) section 23(5) of the Local Government Act 2003.””

This amendment requires the consent of the constituent councils and the combined authority to orders made under sections 104 and 105 of the Local Democracy, Economic Development and Construction Act 2009. It also provides that section 106 orders require the consent of the “relevant council”, the combined authority and the mayor (in the case of a mayoral combined authority). The consent requirements are subject to the new section 106A inserted by the amendment.

Amendment 28, page 16, leave out line 25.

This amendment is consequential on amendment 27 and removes the consent requirement in relation to orders made under sections 104, 105, 106 and 107 of the Local Democracy, Economic Development and Construction Act 2009 in the proposed amendment to section 113(1)(b) of that Act (as inserted by clause 14(4) of the Bill). The consent requirements are instead dealt with within each section.

Amendment 29, page 16, leave out lines 38 to 42.—(Alistair Burt.)

This amendment is consequential to amendment 28 and removes the definition of “constituent council” at section 113(2A) of the Local Democracy, Economic Development and Construction Act 2009 (as inserted by clause 14(4) of the Bill).

Clause 15

GOVERNANCE ARRANGEMENTS ETC OF LOCAL AUTHORITIES IN ENGLAND

Amendment proposed: 56, page 17, line 23, at end insert—

“(4A) Regulations under this section, so far as including structural or boundary provision in relation to a non-unitary district council area, may be made if at least one relevant local authority consents.

(4B) Local authority in this case is defined as—

- (a) a non-unitary district council whose area is, or forms part of, the non-unitary district council area;
- (b) a county council whose area includes the whole or part of the non-unitary district council area.

(4C) Relating to 4a and 4b

- (a) “non-unitary district council area” means the area or areas of one or more non-unitary district councils;
- (b) “non-unitary district council” means a district council for an area for which there is also a county council;
- (c) “structural or boundary provision” means provision about the structural or boundary arrangements of local authorities in regulations made by virtue of subsection (1)(c).—(Martin Vickers.)

The intention of this amendments is to allow the government to make changes to boundaries of local authorities if it has the consent of at least one relevant local authority.

Manuscript amendment made to amendment 56: (a), after subsection (4C), insert—

“(4D) Subsections (4A) to (4C) expire at the end of 31 March 2019 (but without affecting any regulations already made under this section by virtue of subsection (4A)).”—(Alistair Burt.)

This amendment provides for the provisions in subsections (4A) to (4C) of clause 15, allowing structural and boundary provision in relation to a non-unitary district council area if at least one relevant local authority consents, to expire at the end of 31 March 2019.

Amendment 56, as amended, agreed to.

Clause 16

POWER TO TRANSFER ETC. PUBLIC AUTHORITY FUNCTIONS TO CERTAIN LOCAL AUTHORITIES

Amendments made: 30, page 18, line 39, after “liabilities”, insert “(including criminal liabilities)”.

This amendment clarifies that criminal liabilities of a public authority can be transferred to a local authority on the same basis as other liabilities when functions of a public authority are conferred on a local authority.

Amendment 31, page 19, line 2, at end insert—

“(5A) Subsection (5B) applies where regulations under subsection (1) contain a reference to a document specified or described in the regulations (for example, in imposing a condition by virtue of subsection (2)(a) for an authority to have regard to, or to comply with, a statement of policy or standards set out in the document).

(5B) If it appears to the Secretary of State necessary or expedient for the reference to the document to be construed—

- (a) as a reference to that document as amended from time to time, or
- (b) as including a reference to a subsequent document that replaces that document,

the regulations may make express provision to that effect.”—(Alistair Burt.)

This amendment allows regulations conferring public authority functions on a local authority to include provision referring to a document as amended from time to time, or replaced. This may be necessary when imposing conditions referring to standards or policies which may be updated in light of technological or scientific developments (for example).

Clause 17

SECTION 16: PROCEDURE ETC.

Amendments made: 32, page 19, line 20, after “authority” insert

“by whom a function becomes exercisable by virtue of the regulations”.

This amendment clarifies that the reference to “relevant local authority” in clause 17(1)(a) is to the relevant local authority that would exercise a function as a result of regulations under clause 16(1).

Amendment 33, page 19, line 22, after second “the” insert “relevant”.

This amendment clarifies that the local authority mentioned in clause 17(1)(b) is the relevant local authority.

Amendment 34, page 19, line 30, at end insert—

“(2A) The requirement in subsection (1)(a) for the relevant local authority to consent to the making of regulations under section 16 does not apply where—

- (a) the regulations revoke (in whole or in part), or otherwise amend, previous regulations under that section, and
- (b) the only purpose of the regulations is to provide for a health service function of the relevant local authority to cease to be exercisable by the authority (which may include provision under subsection (2)(b) in relation to that purpose).

(2B) In subsection (2A)(b), “health service function of a relevant local authority” means a function which—

- (a) relates to the health service, as defined by section 275(1) of the National Health Service Act 2006, and
- (b) is exercisable by the authority by virtue of regulations under section 16.”—(Alistair Burt.)

This amendment removes the requirement for local authority consent to regulations revoking a transfer of functions to that local authority where the revocation relates only to health service functions. Incidental, supplementary, consequential, transitional, transitory or saving provision may be included in the revoking regulations.

Clause 18

DEVOLVING HEALTH SERVICE FUNCTIONS

Amendment made: 35, page 20, line 43, leave out from “under” to “are” in line 44 and insert

“Chapter A2 of Part 2 of the NHS Act 2006 (clinical commissioning groups).”—(Alistair Burt.)

This amendment ensures that all the functions of the NHS Commissioning Board in relation to clinical commissioning groups under Chapter A2 of Part 2 of the National Health Service Act 2006 (which includes Schedule 1A to that Act) cannot be transferred to local or combined authorities under clause 16 or section 105A of the Local Democracy, Economic Development and Construction Act 2009.

Clause 21

SUB-NATIONAL TRANSPORT BODIES

Amendment made: 36, page 27, line 42, leave out “jointly” and insert “concurrently”.—(*Alistair Burt.*)

This amendment would allow regulations under section 102J of the Local Transport Act 2008 (as inserted by clause 21 of the Bill) to provide for local transport functions to be exercised by a sub-national transport body concurrently with a local authority instead of jointly.

Schedule 2MAYORS FOR COMBINED AUTHORITY AREAS: POLICE
AND CRIME COMMISSIONER FUNCTIONS

Amendments made: 37, page 42, line 29, leave out “PCC mayor” and insert “mayor for policing and crime”.

This amendment, together with amendments 10, 38 to 43 and 45 make minor drafting changes so that a deputy mayor appointed in respect of police and crime commissioner functions under paragraph 3 of new Schedule 5C is to be known as the “deputy mayor for policing and crime” (rather than “deputy PCC mayor”).

Amendment 38, page 42, line 30, leave out “PCC mayor” and insert “mayor for policing and crime”.

Amendment 39, page 42, line 36, leave out “PCC mayor” and insert “mayor for policing and crime”.

Amendment 40, page 42, line 43, leave out “PCC mayor” and insert “mayor for policing and crime”.

Amendment 41, page 43, line 9, leave out “PCC mayor” and insert “mayor for policing and crime”.

Amendment 42, page 43, line 11, leave out “PCC mayor” and insert “mayor for policing and crime”.

Amendment 43, page 43, line 14, leave out “PCC mayor” and insert “mayor for policing and crime”.

Amendment 44, page 43, line 28, at end insert—

“4A (1) The Secretary of State may by order provide for a police and crime panel to have oversight functions in relation to any general functions of the mayor that are the subject of arrangements under section 107D(3)(c)(i) (power to arrange for general functions to be exercisable by deputy mayor for policing and crime).

(2) If it appears to the Secretary of State expedient for the police and crime panel also to have oversight functions in relation to other general functions of the mayor that are related to general functions in respect of which an order is made under sub-paragraph (1), the Secretary of State may by order provide for the panel to have oversight functions in relation to those other general functions.

(3) An order under this paragraph may disapply, or otherwise modify, the application of paragraph 1(3) of Schedule 5A so far as relating to general functions of the mayor in respect of which a police and crime panel has oversight functions.

(4) In this paragraph—

“oversight functions”, in relation to general functions of the mayor, are functions that are of a corresponding or similar kind to those that a police and crime panel has in relation to PCC functions of the mayor;

“police and crime panel” means a panel established by virtue of an order under paragraph 4.”

This amendment enables the Secretary of State by order to give a police and crime panel (established under paragraph 4 of new Schedule 5C) scrutiny functions over any general functions of the mayor where those functions are ones that the mayor has arranged for the deputy mayor for policing and crime to exercise under new section 107D(3)(c)(i) and also related functions.

Amendment 45, page 44, line 2, leave out from “mayor” to end of line 3 and insert

“and the deputy mayor for policing and crime”.—(*Alistair Burt.*)

Schedule 4AMENDMENTS OF THE NATIONAL HEALTH SERVICE
ACT 2006

Amendments made: 46, page 50, line 3, leave out “a function” and insert “one or more functions”.

This amendment makes a minor and technical revision to subsection (1) in section 13ZA to be inserted into the National Health Service Act 2006, to ensure it is clear that “devolved arrangements” as provided for in that section may relate to one or more functions.

Amendment 47, page 50, line 14, after “arrangements” insert “in relation to any functions”.

This amendment makes a minor and technical revision to subsection (3) in section 13ZA to ensure consistent language in this subsection with subsection (1).

Amendment 48, page 50, line 14, leave out “the function” and insert “such functions”.

This amendment makes a further minor and technical revision to subsection (3) in section 13ZA to ensure consistent language in this subsection with subsection (1).

Amendment 49, page 50, line 35, leave out “each eligible body” and insert “at least one clinical commissioning group”.—(*Alistair Burt.*)

This amends the requirements for membership of a joint committee exercising functions under devolved arrangements as provided for in section 13ZA to be inserted into the National Health Service Act 2006, so that the requirement in subsection (7)(b) in section 13ZA is met if at least one clinical commissioning group is a member.

Schedule 5

MINOR AND CONSEQUENTIAL AMENDMENTS

Amendments made: 50, page 55, line 34, at end insert—

“8A The Local Government Finance Act 1988 is amended as follows.

8B In section 74 (levies), omit subsection (9).”

This amendment is consequential on amendment 23.

Amendment 51, page 56, line 29, at end insert—
“*Environment Act 1995*

11A (1) Section 65 of the Environment Act 1995 (National Park authorities: general purposes and powers) is amended as follows.

(2) In subsection (5), after paragraph (b) insert—

“Paragraph (b) is subject to subsection (6A).”

(3) After subsection (6) insert—

“(6A) Subsection (5)(b) does not apply in relation to a National Park authority for a National Park in England (see instead section 65A for general powers of such authorities).”

This amendment contains consequential amendments of section 65 of the Environment Act 1995 as a result of NC7.

Amendment 52, page 57, line 16, leave out lines 16 to 18 and insert—

“(2A) But section 85 of that Act, in its application to a combined authority by virtue of subsection (2), is subject to subsections (2AA) and (2AB).

(2AA) If the area of the combined authority includes the area of the whole of a county that comprises the areas of one or more district councils, the representative councils for the purposes of section 85(1)(c) of that Act (as applied to a combined authority) are either the county council or the council for each of the districts (as determined by or in accordance with the order).

(2AB) In relation to a mayoral combined authority, section 85(4) of that Act is not to be taken as preventing the mayor from being a voting member of the authority.”

This amendment identifies representative councils which are required to appoint elected members as a member of the combined authority for the purposes of section 85(1)(c) of the Local Transport Act 2008, as applied by section 104 of the Local Democracy, Economic Development and Construction Act 2009.

Amendment 53, page 57, line 27, leave out paragraph (b).

This amendment is consequential on amendment 27.

Amendment 54, page 58, line 9, at end insert—

“20A In section 113 (requirements in connection with changes to existing combined arrangements), after subsection (3) insert—

(4) This section does not apply to an order under section 106(1)(b) that is made as a result of the duty in section 105B(1D) or 107B(4).”

This amendment disapplies the requirements imposed by section 113 of the Local Democracy, Economic Development and Construction Act 2009 in relation to orders under section 106(1)(b) of that Act, removing a local government area from an existing area of a combined authority, if made as a result of the duty to make such an order under section 105B(1D) or section 107B(4) of that Act.

Amendment 55, page 58, line 21, at end insert—

“22A In section 115 (transfer of property, rights and liabilities), in subsection (1) after “liabilities” insert “(including criminal liabilities).”.—(*Alistair Burt.*)

This amendment clarifies that criminal liabilities can be transferred on the same basis as other liabilities in connection with an order made under section 115 of the Local Democracy, Economic Development and Construction Act 2009.

Third Reading

9.27 pm

The Secretary of State for Communities and Local Government (Greg Clark): I beg to move, That the Bill be now read the Third time.

I would like to thank—[*Interruption.*]

Madam Deputy Speaker (Natascha Engel): Order. The Secretary of State is moving the Third Reading.

Greg Clark: I thank all hon. Members from both sides of the House who have contributed to the development of the Bill, particularly those who participated in the extensive scrutiny on the Floor of the House both in Committee and on Report. The House will observe that we have followed the principle of listening to the views of Members, both in Committee and on Report. We made several improvements to the Bill after having heard serious representations from those across the House. I want to put on the record my thanks to my officials and to the Clerks, who have guided us adroitly through every clause.

I also want to thank councillors of every party and business leaders from across the country who have helped to give this Bill the momentum it deserves by embracing the localism agenda that began in the last Parliament. Important though the Bill is, it is worth noting that it is not the only means by which devolution is being advanced. For example, the Chancellor’s announcement that 100% of business rates would be retained by local government, rather than sent to the Treasury, is a significant step forward for the greater independence of local government.

I want the Bill to commence several things. I want it to allow the often latent potential for economic growth across all parts of the country to be better unleashed. The Bill and the process that we have introduced have brought businesses right across the country into close collaboration with their local authority leaders. The degree of enthusiasm for this has been gratifying.

The Bill allows reform where civic leaders and councillors desire it. It is a Bill that proceeds from the bottom up, rather than the top down. That makes it a novel Bill in the history of legislation concerning local government that this House has considered. It is a Bill that does something that previous Governments have baulked at, which is to transfer deliberately powers that Ministers and Governments have held and exercised in Westminster and Whitehall to authorities across the land. The insight of the Bill is that those objectives can be achieved together if local people are given their voice and allowed to set their arrangements in their own way.

The breakthrough is the recognition that not all places need to be the same. One of the glories of this House is that we know that each of our constituencies is very different from the others. No two places are the same. A world in which policy is identical in every part of the country is a world in which policy is not well set for particular parts of the country. Each place has a different history, different strengths and different capacities.

In the past, proceeding at the speed of the slowest has hampered efforts to devolve. Therefore, the approach that we have taken has been to invite every part of the country to make its proposals to the Government from the bottom up and to encourage those with the most ambitious proposals to advance them, while encouraging other places to find their feet and take the powers that they want for themselves and their people.

Mr Chope: Will my right hon. Friend give the House an assurance that amendment 56 will not be used by the Government to force change on any local authority?

Greg Clark: I will indeed. My hon. Friend raises an important point. The whole process by which we have operated and negotiated with places has recognised that the best ideas come from local places themselves. Previous local government Bills have attempted, with unhappy consequences, to impose a Government view of how local government should be organised on reluctant local authorities. This Bill does not do that and the amendment that he mentions will not be used for that purpose either. Rather, it will bring local communities and local authorities into a discussion about what is best for their area.

Sir Edward Leigh: The Secretary of State, as usual, is handling difficult issues in a consensual and careful way. As I understand it, he wants to use amendment 56

to encourage a discussion. Discussions are fine, but, for the want of argument, if a county council wanted to use amendment 56 to drive for a unitary authority against the wishes of one or more district council, I take it that the county council could not use it to override the district councils.

Greg Clark: All of our negotiations have achieved consensus locally. That is my approach. Amendment 56 allows us to require that those conversations take place. No authority can reasonably refuse even to discuss the potential for reform. That is right. It is reasonable for neighbouring authorities to have conversations about what is the best way to proceed. As my hon. Friend the Minister said, the powers are already there.

In responding to the case that was made in Committee by my hon. Friend the Member for Carlisle (John Stevenson) and that was made again on Report, we thought that it was worth having in the Bill, as a pilot, the ability to, as it were, encourage authorities to have the conversation. Anything that is agreed needs to be agreed by the Secretary of State and by this House. My hon. Friend the Member for Gainsborough (Sir Edward Leigh) can be absolutely sure that, in exercising my authority in this area, I propose to maintain the preference for consensus that I have shown so far.

It is worth reflecting that, in the few years since we started negotiating, first with cities and then with local authorities and their businesses through the growth deals, there has been tremendous enthusiasm across the country. Members have spoken at various points during the debate about how the degree of collaboration and involvement of businesses and local authorities has been very much greater than that experienced in the past. That is absolutely the case. If we are to prosper and succeed as a nation, every part of the nation has to fire on all cylinders. This important Bill will help to drive that forward.

During the debate, many amendments have been made, resulting in the Bill's improvement. We have accepted a need for various reports on the progress of devolution to come to this House, so they can be debated. I am grateful to my hon. Friend the Member for Altrincham and Sale West (Mr Brady) in particular, as he made a very strong case that Members should be involved in the ongoing scrutiny of agreed deals. I am only too willing to have my feet held to the fire. As the Chairman of the Select Committee, the hon. Member for Sheffield South East (Mr Betts), has observed a number of times during these proceedings, in my earlier incarnation in the Department I published a progress report of all Government Departments on whether we were living up to our commitments on devolution. I fully expect that the scrutiny of the House will be equally exacting when it comes to the receipt of the reports.

It is important that we have devolution right across the country. We started with cities, but the enthusiasm in counties and districts right across the country has been very palpable. When we issued an invitation for places to come forward, 38 places, covering almost all the country, submitted proposals. The Bill enacts some of our manifesto commitments to create a metro mayor for Greater Manchester and to create mayoral authorities for the great cities that have concluded deals with the Government.

In response to proposals, again from the bottom up and starting with Greater Manchester, we have been able to enter into discussions about the devolution of health matters, so that the two sides of the same coin that are health and social care can be better administered locally, jointly between the NHS and local government. I am pleased we have been able to make amendments on those matters.

I am pleased that we have ended the Bill's proceedings with a degree of consensus between all parties. That was very much our intention from the outset. We started with a degree of discord on Second Reading, but I had high hopes that we would be able to persuade those on the Opposition Front Bench to move away from that. As we have scrutinised the Bill and accepted amendments from all sides of the House, including from the Back Benches, I think we have strengthened the Bill. I am grateful to those on the Opposition Front Bench for having, I think, modified their view. I hope we might even hear a degree of enthusiasm—I will be careful on that; I had better not count my chickens—from them.

This is an important moment. The Bill was in the first Queen's Speech and one of the first to be introduced in this Session of Parliament. On Second Reading, I said it was an historic Bill that would do something our predecessors have not done and that our successors will look back on. They will see this as a piece of legislation that changed the direction of policy and built up our cities, towns and counties across the country, so that their discretion, power and ability to set their own future becomes much greater than it has been in the past.

Julian Sturdy: Like many on the Government Benches, I praise my right hon. Friend for all his work bringing the Bill to the House, but does he accept that some areas might need more time to come to the right devolution deal, rather than rushing a bad deal? Will he assure those areas that they will not be penalised for taking their time over what might be, for certain areas, quite a difficult decision to get the right conclusion?

Greg Clark: I can certainly give that assurance to my hon. Friend, who has played an active role in talking to his local authorities and businesses to build a consensus. It is clear that different places will proceed at different paces, as they have done already, but I and my hon. Friends are completely committed to inviting every part of the country to put forward and negotiate a deal that is right for them. We invite all parts of the country to propose that which would make the biggest difference to local areas. To paraphrase Disraeli, the Bill exists to show areas their riches to themselves. We can, with the Bill, unleash the growth, the jobs, the homes and the futures that everyone across the country has a right to hope for, and because of that, I commend it to the House.

9.40 pm

Jon Trickett: The Bill is clearly a milestone in the direction of devolution, and we welcome the spirit in which the House has debated it—it was good to take the Committee stage on the Floor of the House. We also thank the civil servants, the staff of the House, the Speaker and Deputy Speakers, who presided over our hearings, and the councillors and Members who participated in our debates.

[Jon Trickett]

It is true that Ministers have sought to be consensual—mainly with their own Back Benchers, rather than with us, but we will draw a veil over that—and we have tried to be positive, but, despite the Bill being a milestone, we feel it has been scarred by timidity, and we are frustrated by the lack of ambition. It appears that much of the Bill was shaped by No. 11, rather than being created in the great cities, counties and villages of England, and it simply does not match up to our devolution achievements in Scotland, Wales and London.

I am sure we all agree that the UK is one of the most centralised countries in the world: 72% of all public expenditure is controlled directly by the Prime Minister and his Ministers, whereas Chancellor Merkel controls less than one fifth of Germany's total budget. There is a long way to go, yet the Bill does little to challenge this major problem, which we are all trying to grapple with. I think the Minister knows that. Does anyone really think that the Government's cuts to flood defences would have happened had the budget and decision-making powers for flood control been devolved locally? Of course not. The case for a proper, far-reaching political settlement for the devolution of power is overwhelming. It is a case based on economic and social justice as well as the more equitable distribution of political power. The case against over-centralisation is not made by the Bill, but none the less it remains a milestone in the direction we want to travel.

We have sought to engage with the Government and to improve the Bill by tabling amendments. Our amendments—for example, those decoupling a mayor from the ability to secure devolution, as well as those on finance offering stability to local councils, on multi-year funding and on the provision of greater fiscal autonomy—would have helped make local government more autonomous, more powerful and more relevant to local communities. We pressed the Government more than once on extending the franchise to 16 and 17-year-olds—no doubt, we will return to that in future years—and on Report we sought a debate on the general power of competence. After all, if local government is to govern, it has to have the competence to take action in any area relevant to its community.

We supported the Government on the amendment that gave local district councils the right to become associated with metro mayors in adjacent metropolitan areas. The truth is, however, that every single one of our amendments, which were designed to extend powers to local communities, was rejected by the Government. Not one was accepted—and that is the truth of it.

May I gently inquire—I do not suppose I will get an answer—whatever happened to the Chancellor's plans to scrap the national Sunday trading laws? They seem to have disappeared. Will we get some kind of assurance that that is the end of it for this Parliament? It is looking that way; there is simply not a majority for such a proposal in the House.

Looking forward, as the Bill becomes an Act after consideration in the other place, it poses a dilemma for councillors and councils across the land. Should they sign up to devolution deals with the Chancellor? Should they seek the limited new powers on offer while being simultaneously aware that part of what is on offer is in effect the delegation of cuts rather than the devolution of real fiscal independence?

The Opposition will not second-guess councillors' decisions. We will support them as they struggle to preserve vital public services at the same time as regenerating their local economies. The Bill represents one limited, top-down model of devolution because it insists on imposing a form of governance, metro mayors, on cities, even where the electorates have so recently rejected them. The fiscal/economic model on offer—the Bill seeks to encourage it—is one of cash-strapped local authorities competing with adjacent cash-strapped local authorities, probably by reducing business rates to try to attract investment. It allows for only a limited vision. In its place we would like to see a well-resourced, innovative, dynamic local state, working in partnership with business, civil society and all its citizens for the betterment of all. The Bill is silent on what has been described as double devolution, which involves empowering individuals in their often unequal struggle with state bureaucracy.

We are supporting and will support the Bill because it offers a faltering step forward, but I do not think the Chancellor's model of devolution as outlined in it will endure in the end. Indeed, I predict it will not long outlast the right hon. Gentleman's limited leadership ambitions. This is a view we have taken from the beginning and it was reflected in our reasoned amendment on Second Reading.

If this Parliament is serious about tackling inequality and creating a more balanced economy and society, I believe it should propose a radically different distribution of power and authority in our country, perhaps even moving towards a federal settlement. The very future of our Union may depend on such a proposal, so we will now begin our conversation with the British people about the right way forward. We will be immensely strengthened in this task by the arrival on these Benches of my hon. Friend the Member for Oldham West and Royton (Jim McMahon). His common sense and practical socialism in action, rooted in his own community and in the best that local government has to offer, points the way forward for Britain. I very much hope that before too much time elapses, the Labour party will be in a position to legislate for real and substantial devolution in England, just as it once did for London, Scotland and Wales.

9.48 pm

Mr Betts: I said on Second Reading that I supported the general principles of the Bill and its underlying intentions—and I still do. I have reservations about the pace and the extent of the change—I would like to go faster and further—and about certain details such as elected mayors and their imposition. I think imposition is the right word, despite Ministers' denials. Nevertheless, the Bill is important for its symbolism and its direction of travel. On that direction, when I was first elected in 1992 I never thought I would see this happening in this House of Commons. What we have here is a revelation by comparison with where thinking was in those days.

I thank the Secretary of State and Ministers for the way in which they have dealt with the debate in Committee and on Report. They have listened to the constructive comments made on both sides. Equally, I would like to place on record my thanks to local government leaders, particularly those on the Labour side who control most of the major cities. The reality is, as I am sure Ministers recognise, that while those leaders' budgets are being

cut to shreds by the Government, they are still prepared to sit down and work pragmatically with the very same Ministers to negotiate deals on devolution that will be to the benefit of the communities they represent. That says an awful lot for council leaders, and the way in which they have approached the offer that the Government have made to them.

I thank the Secretary of State and Ministers for recognising the concerns that I raised and tabling amendment 27. I shall not go into the details of the Sheffield city region again, but I think that the amendment demonstrates Ministers' understanding of a wider issue. If more growth, better economic performance and new jobs are to result from these deals, the bodies that we are creating must reflect the real economies of their areas rather than having regard to the old administrative boundaries of regions that existed for many years but did not necessarily reflect those local economies. The fact that Ministers were prepared to recognise that, and to help with the construction of bodies that will indeed reflect the economies of their areas, demonstrates a very important principle.

I think that, at some point, we shall have to return to the House and discuss what we have achieved with devolution, and I think that we shall have to discuss three issues. First, we shall have to discuss the deals that have been agreed, how successful they have been, and what lessons can be learned. Deals in one area can throw up either problems or successes from which other areas will want to learn. We shall need to subject the deals to scrutiny, on the Floor of the House or in the Select Committee, to establish how well they have worked in practice, whether they have achieved the success that we wanted them to achieve, and whether such success can be extended to other areas.

Secondly, I think that the House will want to examine the performance of different Departments—and I noted the Secretary of State's reference to his previous reports on performance. I suspect that there is still more enthusiasm in some parts of the Government than in others for the whole devolution idea. I am sure that the Secretary of State could not possibly say anything, but he knows exactly what the realities are from his experience of negotiating with his colleagues.

Finally, I think that after, say, two years of the workings of what are rightly disparate deals that reflect the particular needs of particular areas—for that is what the construction of these deals is all about—we shall want to examine the overall constitutional position of central and local government. We shall want to think about what the next stage should be, and about whether general principles that we have learnt from the deals need to be applied more widely. I am thinking particularly of fiscal devolution. If Members look at any of the local government systems in western Europe, they will find that those local authorities have the power not just to spend money that central Governments give them, but much greater power to raise their own revenues. I recognise that the Government have taken an initial step forward with the full localisation of business rates.

We shall obviously want to scrutinise the way in which that is done, but I hope that it is merely the first stage of fiscal devolution, as well as the spending devolution with which this Bill is mainly concerned.

9.52 pm

Mr Chope: I thank my right hon. Friend the Secretary of State for the thoughtful way in which he responded to the concerns that were expressed about amendment 56. I think that what he said will be very helpful in ensuring that the Bill is not just about devolution but evolution, and that changes happen gradually and work with the grain of what the people want locally, rather than being imposed top-down and from the centre.

What concerns people about local government—apart from the level of local taxes—is their wish to have some control over the way in which their own communities develop, and to control planning in particular rather than its being controlled by much more remote communities. For a short time I was a member of the Inner London Education Authority, which purported to make decisions on education matters throughout the inner-London boroughs. Most of its members had never ventured outside their own local authority areas, let alone visited all the other parts of London that were covered by ILEA. The danger with very large authorities is that they can lose touch with the sensitive issues that cause the greatest concern to our constituents and to local residents. I hope that as we evolve different administrative and representational models for local government we will bear in mind the need to retain the very powerful local involvement in planning. I speak on behalf of the people of Christchurch, an ancient borough with a priory church that goes back over 900 years where people enjoy the opportunity to elect their own local mayor. One of the downsides of some of the proposals is that they could result in people losing the power to be able to elect their own local mayor for their council—the person who could speak on behalf of the town. Councillor Spreadbury, who, sadly, died about a year ago, had the privilege of being the mayor of Christchurch in five successive decades, having welcomed Her Majesty in 1966 and then had four successive terms. He was typical of a local person brought up in the area and truly representing what the community felt.

Why not retain the distinctions between the different parts of our country? Why try and merge and homogenise the New Forest with Christchurch or Christchurch with East Dorset? A lot of change could be achieved by allowing back office services to be worked out together and by having single chief executives instead of multiple chief executives, but we must not lose sight of the fact that ultimately local government is for most people the body to which they look to take decisions in the best interests of the local citizens.

Question put and agreed to.

Bill accordingly read the Third time and passed, with amendments.

House of Commons Members' Fund

Motion made, and Question proposed,

That Mr Richard Harrington be discharged as a Managing Trustee of the House of Commons Members' Fund and Ian Blackford, Mrs Cheryl Gillan and Sir Alan Meale be appointed as Managing Trustees in pursuance of Section 2 of the House of Commons Members' Fund Act 1939.—(*Chris Grayling.*)

9.57 pm

Mr Christopher Chope (Christchurch) (Con): This gives us an opportunity to ask the Leader of the House: whither the House of Commons Members' Fund and the trustees whom we are appointing this evening? A number of us feel the members' fund and the statute that set it up has slightly lost touch with today's reality. I hope my right hon. Friend will be able to say, in a very brief response to this debate, that he is minded to have a look at the future constitution of the members' fund and whether it might evolve into a House of Commons benevolent fund to look after the dependants of former Members of this House. At the moment, the benevolent fund aspect of the members' fund plays too small a part and I think there is something to be said for establishing a proper benevolent fund that could then take over some of the responsibilities of the current members' fund.

9.58 pm

The Leader of the House of Commons (Chris Grayling): My hon. Friend makes an important point, and this issue is currently being pursued by our hon. Friend the Member for Mole Valley (Sir Paul Beresford). We do have to bear it in mind that one of the reasons this support has existed over the years is that for those unfortunate enough to lose their seats in this place at a general election, there can often be an immensely difficult transition. Often it is not as easy as some outside might think for them to move into employment, and of course they may run into difficulties later on in their careers.

This place has had a long and right tradition of paying due attention to, and looking after, those who have served this country and this House but who have ultimately found themselves in need. My hon. Friend's point about the need for this to be a benevolent fund in the future is well worth serious consideration. I understand the point he is making. We have three excellent appointments in the new trustees who are joining the fund, and they could play an active role in that.

I should also like to pay tribute to my hon. Friend the Member for Watford (Richard Harrington), who has done first-class work in this role and has now moved on, thanks to his recent appointment as the Minister with responsibility for Syrian refugees.

My hon. Friend the Member for Christchurch has made an important point, and I will make sure that his comments are drawn to the attention of the trustees. I encourage him to talk to my hon. Friend the Member for Mole Valley, but I will also ensure that the matter is

put on to the agenda of the House of Commons Commission, to be discussed at a meeting in the near future. This is an area in which the House has always done the right thing in the past, and there is good reason for us to carry on doing so in the future.

Question put and agreed to.

Business without Debate

DELEGATED LEGISLATION

Motion made, and Question put forthwith (Standing Order No. 9(6)),

BUSINESS OF THE HOUSE (8 DECEMBER)

That at the sitting on Tuesday 8 December the Speaker shall put the Questions necessary to dispose of proceedings on the Motion in the name of James Brokenshire relating to Cross-Border cooperation to tackle serious and organised crime: Prüm not later than three hours after their commencement; such Questions shall include the Questions on any Amendments selected by the Speaker which may then be moved; proceedings may continue, though opposed, after the moment of interruption; and Standing Order No. 41A (Deferred divisions) shall not apply.—(*Chris Grayling.*)

Question agreed to.

Motion made, and Question put forthwith (Standing Order No. 118(6)),

POLICE

That the draft Police and Criminal Evidence Act 1984 (Codes of Practice) (Revision of Code E) Order 2015, which was laid before this House on 9 November, be approved.—(*George Hollingbery.*)

Question agreed to.

EUROPEAN UNION DOCUMENTS

Motion made, and Question put forthwith (Standing Order No. 119(11)),

CAPITAL MARKETS UNION

That this House takes note of European Union Documents No. 12263/15 and Addenda 1 and 2, a Commission Communication: Action Plan on Building a Capital Markets Union, No. 12601/15 and Addenda 1 and 2, a Commission Proposal for a Regulation laying down common rules on securitisation and creating a European framework for simple, transparent and standardised securitisation and amending Directives 2009/65/EC, 2009/138/EC, 2011/61/EU and Regulations (EC) No. 1060/2009 and (EU) No. 648/2012, and No. 12603/15, a Commission Proposal for a Regulation amending Regulation (EU) No. 575/2013 on prudential requirements for credit institutions and investment firms; also notes that the Government supports the Commission's efforts to ensure that the Capital Markets Union action plan supports jobs and growth, and in particular that the Government welcomes the focus on helping small and medium-sized enterprises (SMEs) get the funding they need to grow and succeed; and further notes that the Government welcomes the Commission's proposals on securitisation, which provide a framework for the revitalisation of securitisation markets in a prudent and sound fashion, in order to improve access to finance across the wider economy and help to deliver on the objectives of Capital Markets Union.—(*George Hollingbery.*)

Question agreed to.

Domestic Oil Purchasing Syndicates

Motion made, and Question proposed, That this House do now adjourn.—(George Hollingbery.)

10.1 pm

Mr Mark Williams (Ceredigion) (LD): I am grateful for this opportunity to raise the issue of domestic oil purchasing syndicates in my own constituency and in many rural communities throughout the United Kingdom. This is apparently not the most scintillating of titles for a debate, but I believe that the subject is of significance, certainly for my constituents.

The Minister of State, Department of Energy and Climate Change (Andrea Leadsom) *indicated assent.*

Mr Williams: I am pleased to see that the Minister acknowledges that.

The development of domestic oil purchasing syndicates is an important and growing trend in many areas of the UK. [*Interruption.*] I welcome the hon. Member for Strangford (Jim Shannon) to his place; I was wondering where he was. Those syndicates are helping many communities to save substantial amounts of money by buying their off-grid fuel collectively. This is also helping to tackle the serious issue of fuel poverty in many parts of the country. That issue is not unique to rural areas, but I want to concentrate on those areas this evening.

When communities organise to combine their orders, whether they are communities of single numbers or hundreds, they can negotiate discounts with suppliers by decreasing the number of vehicles that the supplier needs to send to an area, and guarantee the purchase of all the fuel delivered. So there is a gain not only for our constituents but for the suppliers. These arrangements can help substantially to decrease the cost to each member of the syndicate or club, and help to tackle some of the most pressing problems associated with the cost of fuel. Fuel prices represent a serious problem for many rural communities, including not only the scattered hamlets but the bigger towns of my constituency.

In Wales as a whole, 20% of all households still have no access to gas from the grid and are reliant on more expensive forms of fuel, such as oil and coal, as their main source of heating. I have the privilege of representing Ceredigion, a vast tract of rural west Wales with 700 farms and 147 communities. That gives hon. Members an idea of the kind of rurality I am talking about. In my constituency, a majority of households—69%—do not have access to mains gas, and many people are therefore reliant on the more expensive means of heating their homes. This issue is not limited to Wales. Sizeable areas of the United Kingdom, from the west country to the highlands of Scotland—and, I dare say, Northern Ireland as well—have a substantial number of households that cannot access mains gas. The choices available to those households are therefore limited.

The higher cost of off-grid fuel is compounded by other factors such as the age of the housing stock and poor energy efficiency—something that is especially problematic in rural communities with large numbers of solid-wall detached houses. Beyond the image of the beautiful countryside with its thatched cottages and clotted cream, there lies a deeper problem relating to heating houses and keeping our residents warm. There is an

attractiveness to many of those isolated rural homes during the summer months, but it belies the reality of living in such old housing stock during the winter. Finding ways to ensure that families and vulnerable people living in rural areas are able to keep warm during the winter months is a major challenge that we must tackle on a cross-party basis.

The huge potential of oil syndicates in tackling fuel poverty was first brought to my attention by the late Jane Wakeham, a constituent of mine from the famous, or infamous, village of Llanddewi Brefi. I should declare an interest, as my home on the clifftops of west Wales is oil supplied and my wife, who manages these things on behalf of our household, actively seeks out syndicates wherever they are.

Jim Shannon (Strangford) (DUP): This is an important subject, and it is always nice to speak about these matters in Adjournment debates. In my area, if a group of elderly people or syndicates come together, they can buy together, get the delivery at the same time and save up to 8p a litre. Does the hon. Gentleman feel—perhaps the Minister will also reply to this—that we should put more focus and emphasis on the elderly, because people are living longer?

Mr Williams: I very much agree with the hon. Gentleman about that. He would also recognise that elderly people and less advantaged groups in our society are looking for the lead that somebody in a syndicate can give them so that they can get the benefits and reductions in their fuel bills to which he alludes.

Jane Wakeham got in touch with me some years ago as she was seeking my support in applying for funding from the Department of Energy and Climate Change to help set up a fuel club. Under the previous Administration and our coalition Government, there was a time when a small pot of money was available that people could apply for—it was described as a competition—so that best practice was encouraged around the country, and I will ask the Minister a little about that later. Were Jane still with us, I know that she would be greatly impressed by the work of Clwb Clyd—or Club Cosy—in my constituency. That project was funded over an 18-month period by the Welsh Government and run by Ymlaen Ceredigion—I commend the work of Rachel Lilley and her colleagues there—on behalf of Ceredigion County Council, which has brought together fuel clubs throughout the county.

It was through an attempt to tackle fuel poverty in the fuel poverty forum in my constituency that the Club Cosy project came about. With representatives from the county council, the local health board, local housing associations, the West Wales Credit Union, Age Cymru—this goes back to what the hon. Gentleman said about elderly people—Citizens Advice and others, the forum began to explore the work done by oil clubs in the county, and explore the benefits of bulk fuel purchasing and overcoming the problems of minimum purchase ordering. For people on a low income the issue of the minimum purchase order is very important, as it is very difficult for many people to purchase that minimum. There is a serious concern about the many reports of constituents filling their own containers at garages, and filling their own tanks in their yards or their gardens—we should be avoiding that at all costs.

[Mr Mark Williams]

Before the Club Cosy project, coverage in Ceredigion was patchy, the number of co-ordinators was small, and there was very little co-ordination between clubs covering different areas of the county to maximise and co-ordinate their purchasing power. Since the project started, the number of co-ordinators has increased, coverage has improved to cover the entire county, co-ordination has improved and the number of syndicate members has more than doubled. Crucially, awareness has been raised, so that people know that if there is a challenge to household budgets, and my goodness there is, there are alternatives that can be pursued. In addition, the project has included specific work with syndicate co-ordinators to target and identify the fuel poor. Co-ordinators are going out into the community, rather than waiting to be asked. We have had targeted roadshows with housing associations, energy advice being offered directly in the home, and work being done specifically with the most vulnerable households through joining a syndicate. The experience from the Club Cosy project has been used to develop a document, which I will send to the Minister, explaining how sustainable models for fuel syndicates can be established, which should be helpful to other parts of Wales and further afield.

There are thousands of fantastic schemes across the country. My right hon. Friend the Member for North Norfolk (Norman Lamb) has told me about the Thinking Fuel project in his constituency, which provides similar help to local communities to improve co-ordination, lower costs and help decrease the number of people living in fuel poverty.

One syndicate in my constituency has recorded savings of anything from £26 to £76 for every 1,000 litres ordered. That is a 10% saving over an 18-month period, making a substantial difference to many households. In many cases, this has helped people on long-term agreements with fuel suppliers to revisit and review their current arrangements, often finding that they have been paying substantially more than they should have been.

There are also other benefits to forming syndicates. A syndicate of just five households in one hamlet can reduce the number of tankers travelling to deliver their fuel from five to one—an obvious, but useful statistic—which is a fact that is not lost on the companies themselves.

We can see benefits to the local economy through the uptake in bulk-buying clubs. In Llanddewi Brefi, orders are placed via the local shop and pub, enhancing their status as real community hubs. In Siop Cletwr, Tre'r Ddol, the syndicate has added value to other services in the community shop, again helping to sustain the local economy, while in Tregaron, £1 charged per order is ploughed back into the community hall fund.

The project funding for Club Cosy has now come to an end, but the legacy is firm and rooted, and I think it will continue to prosper in the future. The principle behind oil syndicates is something that we can all endorse. I am talking about collective action on behalf of customers to realise economies and bring substantial benefits to people through lower fuel bills. These community-spirited individuals often work in disparate and isolated communities, and in the case of Club Cosy, work closely with fuel distributors as well.

This is an issue that potentially affects huge numbers of people throughout our country. Unashamedly, I want to use this opportunity to celebrate this great scheme in my constituency in the expectation that others will look closely at what has been done, and follow in its footsteps.

As I mentioned earlier, work was undertaken under the coalition Government to push oil clubs on to the agenda, and some minimal funding was made available. I look forward to hearing from the Minister that that work is continuing, because it is important. The support needs to continue because there are still some big unanswered questions. Connecting communities to the gas network may well negate the need for oil clubs, but fracking may assist in some areas.

The gas network as we know it simply does not allow for the distribution of piped gas in many rural areas. The choice available is an issue. Quite rightly, the Government talk about switching within specific forms of energy, but we do not have the choice in many rural areas. That presents a problem to Governments both at a Westminster and a Welsh level, and to the communities that are struggling to cope with bills.

I must commend the work of third-sector organisations, which are well equipped—they are not well resourced—to advance the cause of switching. The citizens advice bureau in Ceredigion and Age Cymru have made a real difference to helping people switch. That is important. Third-sector organisations need support in advancing that cause.

There are good and bad negotiators. Some of our fellow citizens, if they are provided with the right information, will be good at arguing their case for switching and for better tariffs. What better way of seeking a cheaper fuel tariff than having someone to take a lead in the negotiations? Again, that is one of the benefits of this scheme.

When I speak to syndicate co-ordinators, one issue keeps cropping up: funding. Funding is available through the Department of Energy and Climate Change for those attempting to save energy and keep their homes warm. Initiatives such as big energy saving week are laudable, but many syndicates find it difficult to access even the most basic core funding. The benefit of having a group of individuals taking the lead on this issue cannot be overstated and funding is therefore important. We need to continue to consider ways of disseminating best practice. Will the Minister look into this issue and ensure that oil syndicates can apply for that support and that those who choose which projects to fund, if funding is available, are particularly aware of the needs of rural communities?

Another important point, which again relates to the issue raised by the hon. Member for Strangford (Jim Shannon), concerns elderly people. Much of the switch agenda is advanced through the internet and through emails, and as I say in any debate that mentions Ceredigion, there are limitations in the broadband roll-out. There is also a demographic divide, as older people are less confident. Again, that points to the benefits of syndicates, as people do the work for their members. Will the Minister detail what action she can promise to help encourage and support the uptake of domestic oil purchasing syndicates more widely?

I am mindful of the time—we waited for this Adjournment debate—but I want to give just one example of a constituent of mine who has benefited from Clwb Clyd,

or Club Cosy. The Club Cosy coach visited my constituent at her home on a social housing estate in Ceredigion, an area where there is a high risk of fuel poverty. She was living in a cold and draughty house and her boiler was using excess amounts of oil owing to a thermostat fault. With high bills, paying for oil was a real worry, eating up a huge amount of her limited budget. Tailored advice was given on draught proofing, joining a syndicate and applying for a credit union fuel account. Her response, besides gratitude, was to become so interested in the fuel syndicate idea that she started one on her own with her neighbours on the social housing estate. She was included in Club Cosy's networking activities and events, and the club has gone from strength to strength. Many of her neighbours have benefited from her initiative. Yet again, that is a good example of an excellent community project making a difference for a lot of people in my constituency.

I hope that I have proved that what might have seemed at first to be a lofty subject for a debate—development of domestic oil purchasing syndicates—is an issue of great significance for a great number of people in my constituency and elsewhere. I commend the work to the Minister who, I know, is supportive. I look forward to hearing what she has to say.

10.18 pm

The Minister of State, Department of Energy and Climate Change (Andrea Leadsom): I congratulate the hon. Member for Ceredigion (Mr Williams). This is an important debate and I am interested to hear about Club Cosy and the initiatives in his constituency. As I am also off-grid, I, too, participate in an oil buying group, which has been of great personal benefit to me.

The debate is a welcome opportunity to discuss the importance of domestic oil purchasing syndicates. My priority is keeping all energy bills low for hard-working families and businesses, as well as keeping the lights on and moving towards a green energy future. Heating oil is a small but significant part of the energy sector. About 1.5 million households are dependent on heating oil to heat their homes and typically they are among the 4 million not connected to the gas grid in the UK. The Office of Fair Trading noted in its off-gas grid market study in 2011 a large variation between the four nations of the UK, with 80% of homes in Northern Ireland off the gas grid compared with 12% in England, 21% in Scotland and 19% in Wales. Proportionally, more off-gas grid households are single occupancy and/or house a person over the age of 60, so the hon. Gentleman is right to point out the effect on elderly people who are also among the fuel-poor.

Last year, nearly 4 billion litres of heating oil, which is primarily used for heating, was delivered into the UK market. As the hon. Gentleman said, heating oil is brought to consumers by a local distributor company from the refiners and importers. Some distributors have their own storage where they can keep a few days' supply, while those that do not have storage collect oil from a wholesale terminal and deliver it directly to their customers. The price they charge is dependent on how much they had to pay for the oil, the volume required, and the cost of delivery. DECC analysis suggests that on average, at national level crude oil price changes are fully passed through into heating oil prices within a month. At times, the wholesale price for heating oil may also be influenced by local supply and demand issues.

The average cost of heating oil is currently 34.51 pence per litre, which is down 18p from its peak in September 2014. I have been clear to the oil companies that we expect them to continue passing on any future oil price falls, bringing benefits to consumers and the wider economy.

Jim Shannon: It is always a pleasure to hear the Minister reply to a debate. How will her Department focus attention on those in fuel poverty? Many of those people are not elderly, because some people are on benefits and have a low income. How does the Minister hope to focus on those people?

Andrea Leadsom: The hon. Gentleman has raised that issue in a number of debates, and I agree that fuel poverty is a key issue for our energy support. Everything that we do to support fuel, energy efficiency and warm homes will be directed at fuel poverty.

We are keen for people to join an oil-buying group because they can benefit from reduced prices and the ability to negotiate for large volumes, meaning cheaper oil for all those in the group. Action with Communities in Rural England, Citizens Advice, and the Federation of Petroleum Suppliers have produced guidance on best practice for forming and operating oil buying clubs. ACRE is made up of 38 rural community councils across England. Those are charitable local development agencies—generally based at county level—which have a strong history of leading, supporting, and enabling community initiatives to help communities to help themselves. That includes running oil buying clubs.

Citizens Advice has produced guidance for consumers who experience difficulties with their heating oil suppliers, and set out what to do if people are struggling with their bills. It also has a website search function to find oil clubs, although that is not necessarily a comprehensive list. The sector trade association, the Federation of Petroleum Suppliers, has produced separate guidance on oil-buying groups and published a mandatory code of practice for its members, as well as a customer charter to engage with consumers on a fair and consistent basis and implement best practice to raise standards. The hon. Member for Ceredigion mentioned work by the previous coalition Government, and the Cheaper Energy Together scheme through which the Government funded three oil buying clubs. A decent amount of lessons were learned, and informed guidance allowed new clubs to form and meet to the benefit of consumers.

Some suppliers offer a means of spreading the cost, such as the option of paying by monthly direct debit with a fixed-rate payment scheme. That allows customers to know how much they will be paying for oil over the coming year, and to budget accordingly. Some suppliers offer a top-up scheme where, either through telemetry or distributor knowledge, customers' tanks are filled as required. Through the telemetry system, suppliers are automatically informed when a tank requires filling. As well as reducing the risk of customers running out of oil, that has the advantage of providing alerts for rapid drops in level, such as those that, sadly, are occasionally caused by theft or leakage. Most companies will inform customers of the price prior to filling their tank.

Although in their infancy, pay-as-you-go schemes linked with credit unions seem to have real potential for supporting vulnerable consumers. Such schemes provide flexibility of purchase, and ensure that when customers

[*Andrea Leadsom*]

need fuel they are able to purchase it. As the Federation of Petroleum Suppliers advises, it is always wise for people to check their fuel price against other retailers on a regular basis, and to ask their suppliers to confirm the price prior to delivery.

The Government are fully committed to reducing energy bills, and energy efficiency is a key part of that. The spending review announced our intentions for a long-term, better focused successor to the energy company obligation from 2017-18 which will run until 2021-22, with a maximum envelope of £640 million per annum, rising with inflation. That will support the insulation of 1 million homes over the course of this Parliament. Officials have engaged with stakeholders to design a successor to ECO, and we will consult on our proposals next year.

We are also committed to helping people move away from dependence on fossil fuels. The renewable heat incentive is the world's first long-term financial support programme for renewable heat. It provides financial incentives to instal renewable heating in place of fossil fuels. The scheme is designed to bridge the gap between the cost of fossil fuel heat sources and of renewable heat alternatives, with financial support for owners of participating installations. As of 31 October 2015, over 43,000 installations have been accredited on the scheme and over 481 GWh of heat has been generated and paid for.

I want to assure the hon. Member for Strangford (Jim Shannon), who made a point about fuel poverty, and the hon. Member for Ceredigion that my priority is keeping bills low for families and businesses while meeting our climate and fuel poverty goals and continuing to keep the lights on. I should like to draw attention to the work of my hon. Friend the Member for Suffolk Coastal (Dr Coffey), who used to chair the all-party group on

off-gas grid, and continues to raise the issue in government. I urge Members who are interested in the subject to join that all-party group. I am always keen to hear new ideas on how we can better support those who are off-gas grid.

One way in which individuals can keep their energy bills low is by joining domestic oil syndicates and, as I have said, I have personal experience of how successful such initiatives can be. I urge consumers who belong to those initiatives to buy early, particularly as winter is approaching.

Mr Mark Williams: I am grateful to the Minister for her response and the enthusiasm that she is sharing with us, because this is an important issue. She alluded to something that happened under the coalition Administration. Without wanting to be too nostalgic for those days, may I ask her to reflect on that scheme and the funding for those syndicates? A lot of work to publicise syndicates relies on the third sector. It is something that could captivate people. A lead from Government, with a little money, would go a long way.

Andrea Leadsom: I will certainly take that away and look seriously at what the hon. Gentleman says. Only recently, we conducted a small campaign in social media and in the general media to try to encourage people who are part of oil buying syndicates, and people who are not, to buy early in preparation for the winter and to try to grab prices while they are relatively low.

I hope that this debate has been helpful to the hon. Gentleman—and to the hon. Member for Strangford—and I sincerely congratulate him on raising it.

Question put and agreed to.

10.28 pm

House adjourned.

Westminster Hall

Monday 7 December 2015

[VALERIE VAZ *in the Chair*]

Neonicotinoids on Crops

4.30 pm

Ben Howlett (Bath) (Con): I beg to move,

That this House has considered e-petition 104796 relating to the use of neonicotinoids on crops.

It is a pleasure to serve under your chairmanship, Madam Chairman, and may I wish you a very happy birthday? [HON. MEMBERS: "Hear, hear."] Whoever said I was a suck-up?

Neonicotinoids are more easily referred to as neonics. As a dyslexic, I will use that phrase for ease. Neonics are a class of pesticides used on crops to control pests such as aphids and grubs. The petition, which received more than 90,000 signatures, was prompted by the effect that neonics have on pollinators in the UK, specifically bees. The petition states:

"Neonicotinoids, especially seed treatments of imidacloprid and clothianidin on arable crops, have become of increasing concern to beekeepers and bee researchers in recent years with many of them suspecting that they may be connected to current bee declines. These concerns have led to partial bans on the use of some neonicotinoids for specific crops in several European countries, including France, Germany, Italy and Slovenia. Bees are already facing sharp declines in their numbers and need help."

The EU placed a ban on three types of neonics just over two years ago. However, attention was returned to the issue when the Government permitted limited use of the substances as an emergency measure.

I want to discuss the importance of bees before continuing to discuss neonics, the EU approach and the recent permission granted by the Government for some farmers in Suffolk, Cambridgeshire, Bedfordshire and Hertfordshire.

Michael Tomlinson (Mid Dorset and North Poole) (Con): It is a pleasure to serve under your chairmanship, Ms Vaz, on your birthday.

Given the level of interest in this subject—it is clear from this room and from my inbox that the residents of Mid Dorset and North Poole and people around the rest of the country are concerned—perhaps my hon. Friend will comment on the revitalising of the all-party group to inform and discuss the issue further.

Ben Howlett: I thank my hon. Friend for that intervention. I welcome the creation of the all-party group by our hon. Friend the Member for Bexhill and Battle (Huw Merriman). I believe the APPG is meeting on Wednesday and he would like as many Members as possible to attend.

Nick Thomas-Symonds (Torfaen) (Lab): It is a pleasure to serve under your chairmanship on your birthday, Ms Vaz. I will continue the trend.

I warmly congratulate the hon. Gentleman on securing this debate. There has been a significant amount of interest in my constituency of Torfaen over the weekend,

and I echo the concern of all my constituents about the effect of neonicotinoids on the decline of bees. Does the hon. Gentleman agree about the potential effect on the decline of butterflies, which has been noted recently in research by the Universities of Stirling and Sussex?

Ben Howlett: I thank the hon. Gentleman for his intervention. I agree that not only bees, but a range of different insects are put at risk.

I must say that it was not me who secured the debate; it was the 90,000 people out there who signed the e-petition, which was taken forward by the Petitions Committee.

Mrs Cheryl Gillan (Chesham and Amersham) (Con): May I also say it is a great pleasure to serve under your chairmanship on your birthday, Ms Vaz, and on my 30th wedding anniversary?

I congratulate my hon. Friend on securing this debate. I wish to reflect the concern of people in Chesham and Amersham about the state of bees. The British Beekeepers Association's annual honey survey has shown a 34% drop in the honey crop this year, partly due to poor weather and windy conditions, and also queen issues in the hives.

Ben Howlett: I thank my right hon. Friend for that intervention; many a time I have ended up having to stand up and respond to queen issues. That is an in-joke. I am incredibly alarmed by the decline of the bee population in the UK. Climate change has had a serious impact.

Several hon. Members *rose*—

Ben Howlett: I want to make some progress, but I will bring in as many Members as possible during my speech.

On the importance of bees, apart from providing the summery buzzing sound that we hear, bees are crucial to our natural environment. They pollinate most of our crops and many wild flowers, as well as playing a crucial role in supporting wider biodiversity. However, this crucial part of our nation's wildlife is in danger from a combination of factors that have led some species to become extinct. In 2012, the Department for Environment, Food and Rural Affairs announced that England had seen the greatest decline in wild bee populations anywhere in Europe. That cannot be ignored.

Andy Slaughter (Hammersmith) (Lab): The hon. Gentleman mentioned the 94,000 people, I think, who petitioned. Does he agree that this is an issue across the country? In my very urban constituency, I have had 430 emails so far on this matter. Does he think the Government need to be consistent in their ban on bee-harming pesticides? They seem to be flip-flopping at the moment, and pesticides are damaging many crops.

Ben Howlett: I agree with the hon. Gentleman. I represent an urban constituency—we have two farms in Bath—but we have a lot of people who are beekeepers or members of the Beekeepers Association. This is a wider issue, but everyone in our country buys honey—or rather, most people buy it if they have a taste for it—and we need to ensure we give enough support to bees. I agree that the Government's line needs to be consistent.

Caroline Lucas (Brighton, Pavilion) (Green): I am grateful to the hon. Gentleman for giving way and I congratulate him on securing this debate. I was a member of the Environmental Audit Committee, which strongly recommended a moratorium in the previous Parliament. Does he agree that the Government should look again at that EAC recommendation? Earlier this year, the single study used to justify the UK's voting against current restrictions was widely discredited, and the key scientists behind it left to join the pesticides company Syngenta. Does the hon. Gentleman agree that, in the light of that, we need to revisit the UK's decision?

Ben Howlett: I agree there is a range of scientific evidence, which I have started to get my head round. I am looking at as much as possible, and I would like the Government to do something similar.

Mr Andrew Turner (Isle of Wight) (Con): I thank my hon. Friend for allowing me to intervene. On the island, Dave Cassell is chairman of the Isle of Wight Beekeepers Association. They would plead for farmers to be given more information from the Government about what the least damaging time of day to spray is. I am told that spraying in the evening is much less damaging than in the daytime.

Ben Howlett: I thank my hon. Friend for his intervention. I honestly do not know the answer, but I hope that I can pass the buck to the Minister.

Several hon. Members *rose*—

Ben Howlett: I want to make a little headway, but I will give way to hon. Members in a moment.

The decline in the British bee population is not solely caused by the use of neonics. A variety of factors combine to result in a severe decrease in the number of bees in the UK. Climate change is having an effect on the population, as is the loss of habitats, intensification on land use, the spread of pests and diseases, and the use of pesticides in farming. Those causes can be interlinked and all need to be addressed. However, today's debate focuses on the use of neonics.

Mr Jim Cunningham (Coventry South) (Lab): I congratulate the hon. Gentleman on securing this debate. As his right hon. Friend the Member for Chesham and Amersham (Mrs Gillan) mentioned earlier, the honey crop has fallen by about 30%. What does he think we can do generally about the situation? The problem does not apply only to Britain, but to other countries as well, and it has been going on for several years.

Ben Howlett: I thank the hon. Gentleman for his intervention. This is an international problem and it needs to be looked into at a European Union level as well. I understand the Government are doing so.

John Redwood (Wokingham) (Con): The issue that worries me and many of my constituents—and, I suspect, others around the country—is the decline of the bee population. I am grateful that my hon. Friend has pointed out there is not a single cause for the decline. Does he agree that we need a varied response from the Government that covers a number of issues in order to crack the real problem?

Ben Howlett: I absolutely agree with my right hon. Friend that a multifaceted approach and strategy must be considered. Hopefully my hon. Friend the Minister will set that out when he responds.

Simon Hoare (North Dorset) (Con): My hon. Friend will probably be aware that Robin Page of the Countryside Restoration Trust, who writes and speaks a lot of sense on these sorts of issues, has drawn attention to the parallel between the rise in the badger population and the decrease in the number of ground-nesting bees. Someone should do some extra research on that. Does my hon. Friend agree that whenever the Government and the EU apply science to these matters, science must always be front and centre when decisions are taken, but where there is uncertainty the precautionary principle should always come to the fore?

Ben Howlett: I agree that there should be more scientific research into this issue. I have not read the article to which my hon. Friend referred, but I am sure that he speaks with great eminence on the subject.

Huw Irranca-Davies (Ogmore) (Lab): I commend the hon. Gentleman for securing this debate. It is very well attended, which shows how important it is. It is important that there is openness and transparency on the science and evidence. Such transparency might well help the Government. The Environmental Audit Committee, which I chair, wrote to the Secretary of State on 1 September saying that she should publish all the evidence in a timely manner so that everyone can investigate. Things have moved on since then, but it would be good for all parties if, when decisions are made, the evidence is put out there so that everyone can interrogate it in a timely manner. Does the hon. Gentleman agree?

Ben Howlett: Yes. An open and transparent world would be an awful lot more useful for our constituents, who, to be frank, have struggled. I must admit that I, too, have struggled to find some of the information that is available.

Moving on, I am well aware that the farming community produces some good arguments for the necessity of pesticides and neonics, which in some instances are much more effective than other pesticides. Nevertheless, a balance needs to be struck. Crops are without doubt an essential part of our nation's agricultural sector, but bees also play an essential role in our natural environment as pollinators and otherwise.

Margaret Greenwood (Wirral West) (Lab): I congratulate the hon. Gentleman on securing this important debate. Like many other Members present, I have been contacted by lots of constituents, one of whom signed off with the line:

"If the bees go, we're all in trouble."

I think we would all agree.

Along with colleagues, I have just returned from the GLOBE International conference in Paris, which coincided with COP21. Environmental resilience was very much to the fore. Does the hon. Gentleman agree that, in a crucial week for climate change globally, this subject is part of a much bigger picture? We should take it very seriously.

Ben Howlett: I agree that we need to look at this issue much more strategically.

Mr Philip Hollobone (Kettering) (Con): My hon. friend is making an excellent speech. The most important part of it for me is that he said that the decline in the bee population in this country is the biggest in western Europe. Rather than concentrating on why bees are declining generally, we should ask what it is about this country that means we are doing worse than anywhere else.

Ben Howlett: I thank my hon. Friend for his intervention. I have to admit that I am not an expert on this subject. Hopefully, the Minister will answer that question in due course.

Moving on to the rest of my speech, neonics are of great concern to many of our constituents because of how they operate. As I have said, I am not a scientist, but I understand that neonics are rapidly absorbed when sprayed on plants or, more commonly, used to treat seeds to protect plants throughout their lives. As well as disrupting the neurological function of the pests they are meant to target, neonics are also toxic to bees and other pollinators. In 2013, the EU introduced a ban on the use of three types of neonics on crops that are particularly attractive to bees—namely, spring-planted cereals and flowering crops.

Caroline Nokes (Romsey and Southampton North) (Con): On the point about the three types of neonicotinoids that caused concern back in 2013, does my hon. Friend agree that the farming community and, indeed, retail can play a leadership role on this issue? The Leckford estate, which is owned by the John Lewis Partnership, is in my constituency. In response to the concerns in 2013, it stopped using neonics, and since then has done masses of work to increase the viability and sustainability of all pollinators on the estate.

Ben Howlett: I thank my hon. Friend for her excellent intervention. I agree that removing neonics from the chain of production has not caused some sort of massive collapse in the system. In many ways it has had a very limited effect. I agree that all producers have a responsibility.

Mims Davies (Eastleigh) (Con): I thank my hon. Friend for giving way before he moves on. He is showing expertise minute by minute and so should not worry; we will get there. I have a farming background. My hon. Friend touched on how long neonics can remain and the studies of the chemicals' long-term effects. There are conflicting conclusions. Many of those present, and many of the constituents who write to us, are confused by the science, the conclusions that are drawn and the warnings we are given, but we have just heard from my hon. Friend the Member for Romsey and Southampton North (Caroline Nokes) that there can be alternatives. I do not believe that all the options are being explored.

Ben Howlett: Yes, there is a mix of evidence out there. We do not yet have a definitive answer, but hopefully we will hear one from the Minister. I empathise greatly with the view that much more evidence should be put out there, because it sometimes feels as if one is going through the process but the information is just not readily available.

Moving on quickly, there are still types of neonics whose usage is not controlled. The three banned types can still be used as a seed dressing on crops such as sugar beet and winter cereals. Earlier this year, the European Commission asked the European Food Safety Authority to collect information on the risks posed to bees by the three banned neonics. The authority is currently reviewing the data it collected and will soon provide conclusions as to the risks. It collected information from more than 370 contributors, which will increase our understanding of the effects of neonics, so I hope that the Government listen to the findings.

David Warburton (Somerton and Frome) (Con): I congratulate my hon. Friend on securing this important debate and also wish you, Ms Vaz, a happy birthday. Many of my constituents are very concerned about this issue, which is important to the whole of Somerset and the west country, and I share many of those concerns. Does my hon. Friend agree that it is important to understand the criteria on which the Government will make their decision, if they ever do?

Ben Howlett: I would not possibly speak on the Government's behalf, but I hope the Minister will answer that question by explaining the criteria that will be under consideration.

The EU allows member states to authorise the usage of the banned neonics products to deal with emergency situations that are temporary, limited in scale and controlled, in order to address a danger that cannot be contained by any other reasonable means. The Government granted permission for their use on oilseed rape where the crops are in greatest risk of pest damage. The area that was granted permission, which extends across Suffolk, Cambridgeshire, Bedfordshire and Hertfordshire, represents just 5% of the UK oilseed rape crop area. The Government rejected two earlier applications that would have covered 79% of the crop area. I am pleased that the Government accepted the application only for a far smaller area, but I am still concerned about the potential impact of neonics on the bee population in that area.

Field studies have suggested that the levels of exposure experienced by bees in the wild are not sufficient to cause any negative consequences for the pollinators. The problem with relying on that assertion is that there have not been experiments of a significant scale to provide definitive evidence on which to base our approach to neonics. The usage currently authorised by the Government provides a good chance to ascertain on a bigger scale what their impact might be.

Mike Wood (Dudley South) (Con): I thank my hon. Friend for giving way and join others in wishing you a happy birthday, Ms Vaz. Is my hon. Friend familiar with the study by the European Academies Science Advisory Council that shows that, even at sub-lethal doses, the impact of neonicotinoids on pollinators can be such that the reduced crop yields actually offset any benefits from using them as a pesticide in the first place?

Ben Howlett: Yes, I have seen that report, and I agree with my hon. Friend about its findings.

The Government have frequently and rightly stated that they will base their future policies on scientific evidence. They admirably said that decisions need to be

[Ben Howlett]

ruled by science, but if they are committed to that, then proper data must be collected from the crop areas that have been granted permission to use neonics. Because neonics are absorbed so well by plants, residues are found on the pollen and nectar, which consequently affects pollinators. Evidence about the effect of such residues is crucial for future conservation work, so I encourage the Government to consider using approved plots to help to shape future decisions.

The high number of signatures on the petition shows how concerned the public are about the harm that neonics cause to bees and other pollinators. I urge the Government to gather more scientific evidence from the EU's research and from sites that currently use the banned neonics. I also urge them to consider other types of neonics that are currently authorised but may have a detrimental effect. Since 1990, the UK has lost about 20 species of bees. We cannot afford to keep losing those crucial pollinators.

4.50 pm

Daniel Zeichner (Cambridge) (Lab): I congratulate the hon. Member for Bath (Ben Howlett) and the many petitioners on raising this important subject; I can report that many of my constituents are positively buzzing with excitement at the prospect of this debate.

We all agree that we need bees: they pollinate our food crops and wild flowers and play an essential role in supporting wider biodiversity. As we all know, however, their numbers have declined dramatically. DEFRA described the trend as “severe” and admitted that the sharp decline in England is greater than that experienced by any other country in Europe. We have lost more than 20 species of bees in just over a century, and 35 bee species are considered to be under threat of extinction. This is clearly a very serious issue.

The reasons for the problem are complex and many. They include habitat change, the spread of pests, diseases and invasive species, and climate change. The list goes on, and its breadth is intimidating to lay people. Those multiple pressures and stresses are sometimes linked and interrelated, so our responses must be sophisticated, but there is one contributory cause that could and should be tackled now: the use of pesticides, and in particular of neonicotinoid pesticides.

As we have heard, neonicotinoids have been used widely by farmers in the UK for pest control purposes on a range of agricultural and horticultural crops—in particular, as seed treatments on oilseed rape, cereals, sugar beet and maize. Neonicotinoids act on the brains and nervous systems of insects, including bees, and affect motor function, feeding, learning, homing, foraging and reproduction.

Two years ago, the European Union restricted the use of three types of neonicotinoid pesticide—a move supported by the majority of EU member states, but, ironically, not by the “greenest ever” coalition Government, who were one of just a handful of member states to oppose the measure. That decision flew in the face of hard, sound evidence. Indeed, the European Food Safety Authority concluded that the three commonly used neonicotinoids posed an unacceptable danger and

“A high acute risk to honey bees”.

It recommended a full ban on all neonicotinoids.

Stephen Timms (East Ham) (Lab): My hon. Friend is making a very good case. As he said, it was disappointing that the UK opposed the ban. Does he agree that the scientific evidence gathered since then has strengthened the case in favour of a ban?

Daniel Zeichner: I very much agree. Those of us who have ploughed through the detailed report find it overwhelming. It was disappointing that, after opposing the earlier advice, the coalition Government published a 10-year national pollinator strategy for bees and other pollinators that did not go nearly far enough. Specifically, it ignored the challenge that neonicotinoid use poses to pollinators.

This autumn, the Government, despite the growing evidence demonstrating the adverse impact of neonicotinoids on pollinator numbers, granted an emergency authorisation for their use. In my county of Cambridgeshire, it allowed farmers to plant oilseed rape with neonicotinoid-treated seeds, which sparked many protests across my constituency and contributed to half a million people across the country signing petitions.

Catherine West (Hornsey and Wood Green) (Lab): Does my hon. Friend agree that that decision was made a little too soon, as not enough research had been done?

Daniel Zeichner: I thank my hon. Friend for that point. Many people felt that at the time. We all agree that the challenge is how best to take a science-led approach to the use of pesticides. We must balance the need to support farmers and protect food security with the need to protect wildlife and reverse the decline of pollinators.

Rob Marris (Wolverhampton South West) (Lab): As a former vice-chair of the all-party group on honey bees, I welcome this debate but I caution my hon. Friend that it is difficult for farmers and those of us who are not scientists. On 26 August, the European Food Safety Agency put out a press release stating that neonicotinoids should continue to be banned, even though it was still gathering evidence on a procedure that did not close until 30 September. It is now considering that evidence and looking at whether the ban should continue. That does not help, and makes the issue more confusing for people.

Daniel Zeichner: My hon. Friend makes a very good point. These issues are complex, and we are trying to balance the various risks. The Government said that they will listen to the scientific evidence to inform any changes to their position, but despite the strong evidence they still seem to be sticking their fingers in their ears. Since the EU restrictions were introduced two years ago, many peer-reviewed studies have been carried out in lab and real-world settings that underline how damaging such chemicals are for bees.

Neil Carmichael (Stroud) (Con): I just want to fly in on this debate with the observation that the Environmental Audit Committee published a powerful report in the previous Parliament on this very issue. The new Chair of the Environmental Audit Committee is here—or at least he was. That report is well worth reading.

Daniel Zeichner: I thank the hon. Gentleman for that intervention. Bees are the gift that keeps on giving to parliamentarians.

I understand farmers' concerns. Local farmers have explained to me that they have lost crops when they have not been able to use such pesticides. But taking a wider view, there is no really compelling evidence showing widespread crop failure since restrictions on neonicotinoids were introduced. In fact, the 2014 DEFRA report found that in the immediate aftermath of the banning of neonicotinoid pesticides in 2013, the net yield for rapeseed actually increased by 16%. Furthermore, bees have a crucial role to play in improving crop yields and quality. A decline in pollinators as a consequence of neonicotinoids will paradoxically harm the very crops that farmers are trying to protect, and many farmers appreciate that fact.

Mrs Gillan: Would the hon. Gentleman welcome the countryside stewardship scheme that, ultimately, the Government announced earlier this year? I understand that the scheme, which will amount to £900 million, will be open to people competing for projects, with particular emphasis on bees and pollinators. Extra points will be given to agreements that work to support bees, pollinators and other farm wildlife. Surely that is a really good opportunity for people in the countryside—farmers and others—to bid for projects under the scheme and, hopefully, to produce the evidence we need to keep our bee population healthy.

Daniel Zeichner: Stewardship schemes have always been important in rural areas. I strongly support them and, as someone who believes in intervention, I will continue to do so.

New research suggests that neonicotinoids might be damaging food production. There is some evidence that apples pollinated by bumblebees exposed to neonics are of a lower quality to those pollinated by neonic-free bumblebees. Although I sympathise with and understand the concerns of farmers who argue that they need such chemicals to grow their crops, it is worth bearing in mind that, given the rate at which bee colonies are collapsing, before long many existing crops will be at risk unless farmers take the very expensive action of pollinating their crops themselves—a service currently provided free of charge by bees across the country.

Mr Hollobone: The hon. Gentleman is making an excellent speech. Members on both sides of the Chamber would agree that the decline in the bee population in this country is higher than in any other country in western Europe. The hon. Gentleman is contending that the reason for that decline is the use of such pesticides. If that is not correct—I do not know whether it is or not—can he suggest a possible alternative reason, or does every route that he has used to explore this issue lead him to conclude that such pesticides are the cause of the decline in the bee population in this country?

Daniel Zeichner: The hon. Gentleman comes to the sensible conclusion—the one that I am coming to—that the use of neonicotinoids is the prime problem that we should be acting against. When all is said and done, pollination services are critical for both ecosystem function

and crop production and are estimated to be worth between £430 million and £603 million a year to UK agriculture.

In conclusion, bees have been the unhappy victims of neonicotinoid use. Their decline is not only devastating for wildlife, but damaging to food production and our agricultural economy. It is time that the Government ended what some of us fear might be a slight case of knee-jerk anti-Europeanism, listened to the public pleas and scientific sense and ensured that our bees and farmers can flourish.

5 pm

Rebecca Pow (Taunton Deane) (Con): I thank you for calling me to speak and wish you a happy birthday, Ms Vaz. I also thank my hon. Friend the Member for Bath (Ben Howlett) and the 90,000 people who signed the petition for creating such a buzz around the subject, which affects us all indirectly. I had my usual Somerset honey for breakfast, but there is sadly a lot less of it right now.

I wanted to speak in this debate for a whole range of reasons. As a member of the Environment, Food and Rural Affairs Committee, I have an interest in sustainably producing safe food for the nation for the long term and in support of the Government's 25-year food and farming plan. DEFRA fully understands the need to produce more food at home, and I am delighted that the Department has highlighted its understanding of the significance of bees through the bee pollinator strategy mentioned earlier. I speak to represent the farmers in my constituency, with whom I have had many discussions about the issue and who are, after all, vital custodians of our countryside, which needs to be a functioning ecosystem, as the Environmental Audit Committee has highlighted. I also speak as a promise to the many hundreds of people who have contacted me about the issue. They are truly passionate about the plight of our bees and followed my campaign, during which I made the topic a major point.

Simon Hoare: They made a beeline for you.

Rebecca Pow: They made a beeline for me, yes. It is telling that I have had more emails about this subject than about the Syria debate, and I had an awful lot of those.

I am also speaking up for the bees today, as I am sure we all are, because we owe them a great debt, as my hon. Friends have mentioned, and we must not underestimate their value. What they do for us worldwide is in the region of £360 billion-worth of services, pollinating 90% of our crops. They are unbelievable unpaid workers. As a former environmental and gardening broadcaster and journalist, this subject is close to my heart. My key message to the Minister is a call for balance and for scientific evidence. Neonicotinoids and their effect on bees must be taken seriously in light of the aforementioned need to produce food more sustainably. This is about not taking risks and weighing up the benefits of pesticides against their collateral damage. In 2013, the EU suspended the use of three types of neonics due to concern about the impact on bees. It was a political decision and politicians can only make decisions based on the science available at the time.

The UK went along with the suspension, but was sceptical about the evidence. The Minister may expand on this later, but I think it was more about concerns

[Rebecca Pow]

regarding the alternative pesticides that might be used—the old ones—were people not able to use neonics. The UK has since lifted the suspension of two of the offending pesticides on 5% of England's oilseed rape crop, to which my hon. Friend the Member for Bath referred. This December, however, the EU will be reviewing the neonic pesticide restrictions, which is what makes this debate so timely. Since 2013, much new evidence has come to light, which is why I am at pains to make it clear that the new evidence must be considered by the EU, the European Food Safety Authority and, in particular, by our Government.

Mrs Gillan: I am most grateful to my hon. Friend for giving way. Is she aware that the matter is of great international concern? In the USA, the Environmental Protection Agency is currently reviewing neonics and the risk assessments associated with such pesticides. Would it not be good if our Government co-ordinated with the evidence base that the American review will produce?

Rebecca Pow: I could not agree more with my right hon. Friend. It is an international issue, but people on the doorstep are also concerned. We should all work together. I think something like 90% of some produce in the US comes from California and it would be devastating if bee pollination crashed so much that all those crops had to be pollinated by hand, as they now are in some parts of China.

Mr Hollobone: My hon. Friend is making an excellent speech. All of us here would agree that the issue is international. Given her extensive experience in this subject in this country, can she tell us why the bee population here is declining faster than anywhere else in western Europe?

Rebecca Pow: My hon. Friend gives me more credit than I am due. I have read widely, but I am not an absolute expert. I cannot answer that question except by saying that that is why we need more research. People used to think that the damage caused by the varroa mite was the reason for population crashes, but the problem is clearly much bigger and must be related in some way to pesticides. The weather also comes into play, but many factors are involved.

I call on the Minister to ensure that everything is taken into account when decisions are made relating to the world's most widely used insecticide on the world's most widely managed pollinator and on Europe's most widely grown mass flowering crop, namely oilseed rape. No one can argue that insecticides are not designed to kill insects. They are acute toxins. Bees and other important pollinators are bound to be killed by insecticides targeted at, for example, the flea beetle, which attacks oilseed rape and which farmers want to control. I will outline some of the concerning new evidence.

One study found that bee numbers have not actually been declining where neonics have been applied, but that clever bees are trying to compensate by reproducing more. More eggs were laid, but more worker bees were produced, not the drones that are necessary for breeding, so numbers gradually start to go down. Is the pesticide

causing that effect? Is it working on the wild flowers in the hedgerows adjacent to fields? Are the bees being affected?

Simon Hoare: I think my hon. Friend attended with me a reception hosted by Friends of the Earth on this issue in the summer. I was struck by the clear lack of control regarding run-off and the build-up of residue in field margins, watercourses and field drains, which is beyond any form of measurement but allegedly has a negative impact on bee numbers and their health and environment. Should the Government and producers be doing more to try to arrest the situation?

Rebecca Pow: My hon. Friend makes a good point. Many studies are now starting to look at the effects on field margins. During the first trials, quadrats were laid only in the fields where the spray had been applied, but it is now realised that we must look much wider and at what happens in the next year and the year after.

5.9 pm

Sitting suspended for a Division in the House.

5.24 pm

On resuming—

Rebecca Pow: We have all buzzed back from voting. I will try not to drone on for too much longer.

On a serious note, not so long ago everyone had dire memories of the pesticide DDT. The lesson to learn from that is that we must not take risks. In the 1980s I remember sitting in the Agriculture Select Committee's inquiry into agricultural pesticides which looked in particular at the effects of sheep dip on human health, and this issue is as serious as that, as I think hon. Members would agree.

I want to refer to research on apple tree pollination, as did the hon. Member for Cambridge (Daniel Zeichner). We know how important bees are for pollinating the apple crop. Recent research at the University of Reading found that bumblebees who had been exposed to neonics visited fewer trees and collected less pollen than those who had not been exposed. When the researchers cut the apples open, they found a third less pips than would be expected. Pips are an important sign of good pollination, and good pollination and lots of pips means good quality fruit, which is not just good for us and our health, but valuable to the farmers.

Interestingly, it was discovered that bees exposed to neonics spent much longer foraging but were less effective than those who had not been exposed. That is odd, because that means that those bees were not looking for food, which is what bees should be doing.

Victoria Prentis (Banbury) (Con): As a producer of cider, the health of apple trees is terribly important to me. What sort of research into neonics and its effect on bees does my hon. Friend think would be useful?

Rebecca Pow: Lots of research is still going on, which is why more and more evidence is coming forward, which is heartening. The chief scientific adviser has commissioned a lot of field trials, which I expect we will hear about later. However, research must cover the

whole countryside including the hedgerows, ditches and streams and not just the specific areas where rapeseed and maize crops are grown.

Back to those bees who were exhibiting rather odd behaviour, that they were foraging away but not being effective suggests that their behaviour had been changed, possibly, it is alleged, by pesticides. It is worrying if that affects the bee's memory and ability to learn about and do productive foraging.

Marcus Fysh (Yeovil) (Con): It is a great pleasure to speak in the debate. Does my hon. Friend agree that bees are particularly important to our ecosystems, and that nothing is more important than following a precautionary principle when we look at pesticides? Does she not also think that we can all play our part by trying to encourage growth in the bee population by planting wild flowers in our meadows and gardens? Will she congratulate two constituents of mine, the Cordwell family in East Coker, who every year run a wonderful community event?

Rebecca Pow: My hon. Friend has obviously been looking over my shoulder at my script, because I am coming on to that point. I know of that field of wild flowers, which is truly a heaven for bees. Individually, we can all play our part to help the bees and I urge everyone, including all those who signed the petition, to do that in our green spaces and gardens. If we add all our gardens up, they come to 1 million hectares of land, which is a huge habitat.

Dr Lisa Cameron (East Kilbride, Strathaven and Lesmahagow) (SNP): Will the hon. Lady join me in congratulating the local trust in Calderglen, in East Kilbride, which helps my constituents, including local children, to learn about beekeeping and the importance of bees' contribution to our environment and the ecosystem?

Rebecca Pow: I will congratulate it. That is exactly the sort of work we should encourage. I think the new all-party group on bees—I hope I am not giving anything away—is going to try to set up a House of Commons apiary. How exciting would that be? That would be really good—we could all learn about beekeeping.

As I was saying, all our gardens together make up 1 million hectares of land, which would be a very valuable habitat if we all did things that helped bees and other insects. I do those kinds of things in my garden; indeed, before I came to this place, I gave talks about this subject and invited people to my garden to show them what I had done.

We do not need to use chemicals in our gardens. People should leave their borders long all winter—I do. People might think that that will look a mess, but solitary bees and other over-wintering insects can take shelter there in the winter and hibernate in all those lovely hollow stems. People should not cut their borders down until February.

People should also have lots of flowers from January to December. That is quite possible—I photographed all my flowers yesterday, and I am putting the pictures on my website. We should do that because some bees are still around. Those solitary bees have not gone to hibernate yet—they have not gone into those little

stems yet. They still need some nectar, and if they wake up early, they will need some nectar. We can all do things to help.

In summary, I call on the EU and the Government, through the chief scientific adviser and DEFRA, to give all new evidence regarding the effects of neonics on bees the utmost attention.

Simon Hoare: I appreciate that my hon. Friend is summing up, but she has hit the nail on the head. Everybody is concerned. The farmers want to see the bees, and so does everybody else. However, the huge difficulty for all concerned is finding out which body, with which methodology for garnering research, they can have faith in. Some people will be suspicious of work supported, sponsored or commissioned by the pesticide manufacturers, while others will be concerned if it is sponsored or commissioned by environmental groups, which are believed to be unfriendly towards farmers. Can my hon. Friend indicate who might best commission such research?

Rebecca Pow: I am going to leave that to the Minister. There are many scientific bodies involved, and it would take a long time to answer that question. The Centre for Ecology and Hydrology, the Environment Centre in York, Reading University and some Scottish universities are doing work on this. That work is invaluable, and we must look at the assessments that are made.

I ask the Minister please not to take unnecessary risks with the environment and with human health. Will he please invest in innovation and science so that we can find new, non-toxic ways of controlling pests and disease—ways that that will work and that will ensure that our precious farmers can produce our food in a healthy fashion, while our important bees can go about their daily work in a similarly healthy fashion?

5.33 pm

Drew Hendry (Inverness, Nairn, Badenoch and Strathspey) (SNP): It is a pleasure to serve under your chairmanship, Ms Vaz. I hope today is everything you wished for.

I congratulate the hon. Member for Bath (Ben Howlett) on his excellent series of sentences. I also congratulate the petitioners on securing the debate. I am here in place of my hon. Friend the Member for Berwickshire, Roxburgh and Selkirk (Calum Kerr)—indeed, I am something of a plan B—but I do have a personal interest in bees, in that I once had a hive in my bedroom. I did not want it there, but the bees had decided that my chimney was a great place to create a hive. That gave me an interest in bees, which I have kept to this day.

Kirsten Oswald (East Renfrewshire) (SNP): Would my hon. Friend agree with the interested residents of East Renfrewshire, many of whom have been in touch with me to raise their concerns? They believe it is vital that we take account of all available research into the decline of bee populations and into changes in bee behaviour, and that we take a precautionary approach.

Drew Hendry: My hon. Friend is exactly right. We should take the most cautious approach we can in looking after not only bees, but other pollinators. The International Union for Conservation of Nature estimates that nearly

[Drew Hendry]

10% of bee species are under threat. The intensification of agriculture and seasonal crops have reduced food for bees, creating an ongoing problem.

Neonicotinoids are thought to transfer chemicals through crop growth to various pollinators. Protection for bees, and encouragement for a friendly environment, should be something we are all concerned about. However, the Government caused outrage in July, when they lifted the EU ban for 120 days. They now say they will follow the best advice. The background is that there are concerns about the efficiency of DEFRA-funded trials. That message is too weak to allay citizens' concerns about bees.

Margaret Ferrier (Rutherglen and Hamilton West) (SNP): I hope my hon. Friend agrees that that is why it is critical that we proceed with caution. On the use of neonics, the Scottish Government have taken a cautious, evidence-based approach, as they do on many issues. They take the view that if the science is not clear, there is a need for further research. Scotland's current position complies with EU legislation, which does not allow the three neonics to be used on crops, especially ones with flowers that are attractive to bees.

Drew Hendry: I thank my hon. Friend. Indeed, the Scottish Government view is that the EU does not allow the three neonicotinoids to be used on crops attractive to bees.

Bees and pollinating insects are vital to our health, wellbeing and future. The pesticides we are talking about are rightly banned in the EU while full scientific tests are carried out to see whether they are harmful. The decision by the Scottish Government and the Cabinet Secretary, Richard Lochhead, that they will not support any relaxation of restrictions unless there is clear evidence that neonicotinoids pose no threat to those species is the right way to proceed. I hope the Minister will come back with some strong measures to back up the Scottish Government's approach.

5.37 pm

Danny Kinahan (South Antrim) (UUP): I am pleased to be speaking today. Like many here, I am a new boy when it comes to learning about bees. However, I followed a wild bee nest at home for about 20 years. Every year it was there; every year it was buzzing. Then, suddenly, it was gone—a badger had climbed up the tree and cleared it out. That is another risk. However, at least that taught me the importance of bees.

I wish you happy birthday, Ms Vaz; I hope you have a more exciting time this evening than you are perhaps having at the moment. I am pleased that those behind the petition have raised the issue before us.

Like everyone else, I want to call for a balanced approach. At home, many farmers come to me saying that the pesticides they use do not work, and that they cannot get the growth they need. On the other side, I have 25 beehives at home—they are not mine—and the man who looks after them is complaining about insecticides, but also about many other things. The neonics are not one of the things he has complained about, although he has complained about the varroa mite among many other issues. We need to concentrate on a whole approach.

I hope the Minister will find a way of balancing what the EU and all the groups here are doing. Equally, I hope he will look at the joint Irish approach being taken north and south of the border; in that way, we will be learning all the time. I am really looking for us to take a dynamic approach so that we are constantly looking at everything, learning all the time, making decisions and, as the hon. Member for Taunton Deane (Rebecca Pow) said, taking no risks. We should make our decisions based on the knowledge we have—if we do not know enough, we should not make the decisions.

Tristram Hunt (Stoke-on-Trent Central) (Lab): The hon. Gentleman is making a passionate speech. Does he agree that this is one area of public policy debate that unites urban and rural? In Stoke-on-Trent, I have a lot of correspondence, particularly from people with allotments. They live in a highly urban area, but they are just as passionately concerned about this issue as people in more rural communities.

Danny Kinahan: I certainly agree. I know that both a rural and urban approach are needed, and there are ways of doing that. If we consider what we know today, we can make decisions and move things forward.

I was keen, as a new boy in this place, to set up an all-party group on bees, so I am fascinated to hear that that has been done. I knew very little about the subject, so I started exploring it. When I went to one of its events in September, people from the Royal Society for the Protection of Birds said to me, "Please don't just go on bees alone; go on all pollinators—the butterflies and everything else. Fine, call it the 'all-party group on bees', but we should be looking after all the different insects involved in pollination."

I had never heard of the solitary bee; what intrigues me about it is that it apparently covers itself in an oil so that it can hide in damp ground. I come from Northern Ireland, where we have lots of damp ground, particularly at the moment, so I imagine we have plenty of solitary bees. The more I got involved in this issue, the more I realised there was to learn.

It has been mentioned today that we have lost 20 species of bee. Let us all learn from that. We need a system that teaches everybody, so that we are all learning about this—children in schools, parents and people in later life, in clubs and in community groups. Let us get everybody involved and learning. That might mean getting councils to use more of their land for beehives and planting the right plants, perhaps at roundabouts and in verges. There are plenty of places we can use.

Hannah Bardell (Livingston) (SNP): Does the hon. Gentleman agree that a key part of this debate is food security and food supply? In Scotland, crop pollination by bees and other insects is of particular importance for oilseed rape, tomatoes and strawberries, which we hold dear. On the matter of engagement and education, would he join me in congratulating organisations such as the West Lothian Beekeepers Association in my constituency, which does its best to support beekeeping at a grassroots level?

Danny Kinahan: I certainly congratulate the West Lothian Beekeepers Association. I know there are many such organisations. In Northern Ireland, we have a

huge apple-growing, cider-making county in County Armagh, so we know the importance of pollinators.

The petition hardly touched Northern Ireland. I did not have more emails about bees than about Syria over the weekend, but it was pretty close. There is massive interest in the bees issue, but sadly not many people knew about the petition. All of us—including Northern Ireland, Ireland and Scotland—need to work together and learn from one another. There is an all-Ireland strategy; we need to learn from that, and I need to find out more about it.

We need to look at all the other things that affect bees, right the way through to the husbandry and how we all work. I would like to see the all-party group up and running, with us all being part of it, and the Minister using it as a way to sound people out and hear different concerns and ideas. That is the way forward. This is a wonderful thing to be part of. It is nice to have something from Northern Ireland that is not orange or green; if I can make a really bad joke, we did have B Specials, but they are extinct.

5.43 pm

Margaret Ferrier (Rutherglen and Hamilton West) (SNP): It is an honour to serve under your chairmanship, Ms Vaz. Happy birthday to you. I thank all the people who secured the debate by public petition; I believe their number sits at 90,000 at the moment—that is quite a lot of people who are interested in bees. I thank the hon. Member for Bath (Ben Howlett) for bringing this debate forward. There have been a lot of good contributions. If you will indulge me, Ms Vaz, I will make some observations.

Although we are not in full possession of all the facts, we have to tread carefully. Mankind has a poor track record when it comes to environmental and ecological protection, and the loss of pollinators from the ecosystem and the knock-on effects of that on the food chain should cause serious alarm. That has serious implications. In a world with an ever-increasing population, we must forward-plan to ensure the challenges of tomorrow are not realised in hindsight. Significant changes must be made to how we live on the planet if we are not only to survive but thrive.

We need to recognise that we may not be fully aware of the effects of neonics on humans. Bread sold in the UK has been tested and shown to contain pesticide residues in 60% of cases—three out of every five loaves, which is utterly astonishing. The potential health impacts concern me greatly. The American National Institutes of Health finished a landmark 20-year study last year, which indicated that seven pesticides—some of which are very widely used—may be causing clinical depression in farmers. The study showed a significant correlation between depression and the pesticides studied.

Christina Rees (Neath) (Lab): While the human population is increasing, the bee population is plummeting. Does the hon. Lady agree that the continued use of neonics will not allow the bee population to recover? My constituents in Neath—a beautiful rural area, made for bees—and the West Glamorgan Beekeepers Association are very concerned about that.

Margaret Ferrier: I concur with the hon. Lady and take her point on board.

We simply do not know the long-term effects of these toxins on our bodies. We must recognise the other measures that need to be taken in order to plan for the future. We have heard that bee numbers are rapidly dropping. We heard from the hon. Member for Bath that neonicotinoids have been banned in countries such as France, Germany and Slovenia, to name a few. We would be here until half-past 7 tomorrow evening if I went through all the excellent interventions there have been today. We heard about the 34% drop in the honey crop and about queen issues in the hives.

Tulip Siddiq (Hampstead and Kilburn) (Lab): My constituents have been writing to me about the worrying decline in the honeybee population. One thing they have raised is whether we should have more programmes explicitly designed to improve the situation. Two of the initiatives mentioned, which are bolder than the ones we have at the moment, are the healthy bees plan and the insect pollinators initiative. Both were agreed under the previous Labour Administration. Does the hon. Lady agree that such programmes need to be put in place, and that we should work in a cross-party way to urge the Government to do so?

Margaret Ferrier: I am sure the Minister will answer that question when he sums up. Today's debate has proved that many Members are interested in bees, and we want to work in a cross-party way. I am glad to see that the APPG has been set up, and I will be joining it.

Like the hon. Member for Bath, I am not an expert on bees, but we all wish to learn about this issue. As the hon. Member for South Antrim (Danny Kinahan) said, the issue is about education—educating ourselves and young people in schools. We have heard throughout the debate that the moratorium should stay in place. Farms and farmers need more information from Government. One question raised was about the best time to spray crops, which can perhaps be answered.

This is an international and European Union issue. We need a varied response from the UK Government. We need to look at the scientific research and do more research. We heard that we need an open, transparent, evidence-based approach and that we must interrogate the evidence in turn. It is clear that lots of MPs have attended this debate because of the amount of lobbying they have received.

The hon. Member for Stoke-on-Trent Central (Tristram Hunt) made the point that this issue is not just rural but urban as well. We need to look at environmental resilience and climate change—the bigger picture—and at the length of time that pesticides are exposed in the air and around crops. There are alternatives, but the issue is all about evidence and building an evidence base. We heard that 20 species of bees have already been lost because of habitat change and climate change, so we need to look at that. As I mentioned, in Scotland we have a ban in place, and we have to keep that. It is too soon for a decision, but we need to take a science-based approach. The situation is still confusing and a few people are saying that the UK Government are still not listening on this complex issue.

One of the best interventions we heard was from the hon. Member for Stroud (Neil Carmichael), who said that bees were the gift that keeps on giving to

[Margaret Ferrier]

parliamentarians. It is also important to keep the stewardship schemes in place in rural areas. We may need to pollinate crops if we lose bees.

The hon. Member for Taunton Deane (Rebecca Pow) said that we cannot take risks and looked back to the '80s and the effects of sheep dip on human health. There are issues to do with people's health, so we need to be very careful. We heard from her that bees spend longer foraging, but are not as effective, and how that has impacted on apple trees. Interestingly, she said that bees' memories were being affected and asked whether neonicotinoids were why. Again, it all comes back to us wanting to produce food in a healthy fashion and to take an evidence-based approach.

My hon. Friend the Member for Inverness, Nairn, Badenoch and Strathspey (Drew Hendry) mentioned that he had had a hive in his bedroom, which was very interesting to hear. Perhaps he could get involved in the APPG in Parliament as well. The hon. Member for South Antrim mentioned that we need to look at the joint Irish approach. He said that we should not take risks and that we should take decisions once we know enough. He added that we should all learn together and work together to find out more.

I would like a couple of questions to be answered. Will the UK Government undertake to adopt the same sensible, cautious, evidence-based approach shown by the Scottish Government? Will the Minister also address some of the concerns raised, such as the suggested link between pesticides and depression? Everybody has contributed fully to the debate today. It has been great. All constituents and the people who have signed the petition will see that we are taking their concerns forward.

5.52 pm

Nick Smith (Blaenau Gwent) (Lab): I thank the Petitions Committee, the thousands of petitioners and the hon. Member for Bath (Ben Howlett) for introducing the debate this evening. I also thank the many colleagues who have intervened and made contributions. Let me also say that it is of course a pleasure to serve under your chairmanship, Ms Vaz. Many happy returns of the day to you.

This debate is timely. The public are very engaged on this issue; I have received more correspondence on this than on many other parliamentary matters in recent years. We are all in no doubt about the importance of pollinators to our food supply, biodiversity and our economy, but they are in very serious decline. In 2012, the Department for Environment, Food and Rural Affairs said that England had seen the greatest decline in the diversity of wild bees of anywhere in Europe. It stated:

"Since 1900, the UK has lost 20 species of bees...A further 35 bee species...are considered to be under threat of extinction."

This debate is a chance for the Government to reassure the public that those concerns are being taken seriously, as they review the evidence underpinning the 2013 EU ban over the next year. I am pleased that the Government now seem to have an open mind to considering the best available scientific information, given their previous opposition to the ban.

Debbie Abrahams (Oldham East and Saddleworth) (Lab): I wish you a very happy birthday, Ms Vaz. Was my hon. Friend as disappointed as I was when the Government did a U-turn on their implementation of the 2013 EC regulations in full? I had a letter on 17 July saying that the regulations would be implemented in full and then, two days later, they decided to approve the usage of two neonics on 5% of the national winter oilseed rape crop area.

Nick Smith: Yes I was, and I thank my hon. Friend for her intervention.

The Government still have not clarified what their current assessment of the latest evidence is and whether they consider it sufficient to support the EU ban. Since the ban, more scientific evidence has appeared emphasising the risk to bees. Examples include a link between the use of neonics and the decline of UK butterfly species, an impact on the pollination that bees provide, resulting in lower-quality apples, as others have mentioned, and emerging evidence that neonics could also affect the soil in which seeds are planted and the wild flowers that grow in it.

The more conservative analysis provided by Professor Charles Godfray and Angela McLean to the Government found a strong scientific consensus that bees exposed to these pesticides in fields suffer harm. However, it could not yet assess whether that harm ultimately leads to falls in overall bee populations. Professor Godfray's paper highlighted one "gold standard" field study from Sweden, showing significant damage to the bumblebee populations. There was no effect on honeybees, but it is worth noting that honeybees pollinate only 5% to 15% of insect-pollinated crops. I would argue that the lack of a conclusive link with population decline should not, however, be used as a reason for ending EU restrictions. Where are the Government in their judgment of that evidence? Can the Minister give us an insight into how evidence-based policy will be applied?

Everyone here will have sympathy with farmers who are facing considerable difficulties establishing oilseed rape crops in areas under high pressure from cabbage stem flea beetle. In April, it was estimated that 5% of the winter oilseed rape crop had been lost to CSFB.

I appreciate the understandable desire to have every tool available in the toolbox to respond to CSFB, but although 70% of the oilseed rape crop was previously treated with neonics, this is the first harvest without neonics and DEFRA's statistics for this year's harvest have shown no change in oilseed rape yield. Waitrose has reported that, since it stopped using the pesticide on oilseed rape in 2012, it has not picked up any differences in yield, other than those attributed to seasonal, field and soil differences. Declines in yields in the eastern region, which have suffered the most from CSFB, have mirrored drops in other areas where that pest is not a problem. It would be good if the Minister said what assessment the Department had made of the effect of restrictions on yield. What amount of loss is considered an emergency warrant authorisation for the use of these pesticides?

There are concerns that farmers are having to resort to pyrethroid, an older pesticide, which is worse for pollinators and honeybees in particular. However, research seems to show that there has not been an increase in the use of that pesticide in the spring, which is the time of

the highest risk to bees. The farming press have been publicising guidance from the Rothamsted institute on using sprays only when absolutely necessary, alongside other measures for avoiding flea beetle damage, including reducing cultivations and delaying drilling. *Farmers Weekly* has even advised farmers that spraying pyrethroid for flea beetles is a “waste of time” and could kill beneficial insects that prey on the pests, as well as fuelling insecticide resistance.

It seems that the farming community has responded to those calls. A Newcastle University study found that 19% of farmers had changed their practices to take account of the non-availability of neonics. New technologies and redesigning crop rotations have been shown to reduce reliance on pesticides by 50%. There has also been valuable work in promoting beneficial insects, some of which are predators for the pests. I hope the Minister will outline what assessment his Department has made of the impact of using alternatives to neonics, which is one of its reasons for opposing the EU ban. What work is the Minister doing with the farming industry to ensure that independent advice is provided to farmers on sustainable pest management approaches?

Although today’s debate has focused on neonics, there are, of course, many reasons for the decline of pollinators, including habitat loss, climate change and pests and diseases. There are many positives about the national pollinator strategy in addressing those causes, most critically the way in which it provides a call to action for many amazing local projects across the country to increase food, shelter and nesting sites. This has rightly tapped into what the Environmental Audit Committee describes as

“an invaluable and committed resource”,

but is this enough? I agree with the Buglife assessment that the national pollinator strategy is more of a framework than a programme. I would like to see more effort from the Government in creating better farm habitats. With three quarters of our land used for agriculture, our agri-environment policy is the best tool we have for effecting large-scale change.

There are concerns about the way in which the new greening requirements of the basic payment scheme are being implemented and there is no guarantee that it will deliver improvements for pollinators and other wildlife in the farmed landscape. What assessment has the Department made of implementation of the greening requirements of the basic payment scheme, particularly its effectiveness in delivering improvements for pollinators in the farmed landscape?

The new countryside stewardship scheme has targeted support for pollinators, but it has been a real worry that while 11,000 farmers have come out of entry-level stewardship agreements, only just over 2,300 applications were made by the deadline for the mid-tier stewardship scheme that replaced them. Will the Government agree to the NFU’s request for an urgent review of the Government’s implementation of the countryside stewardship scheme?

[PHIL WILSON *in the Chair*]

Ms Vaz—[*Interruption.*] The Chair has changed. Mr Wilson, in 2013, the last Government were found to be failing in the majority of their environmental commitments, with 30% of UK ecosystem services, such as pollination, found to be in decline. They comprehensively failed to deliver on their biodiversity strategy and their

promise at the beginning of that Government to leave the environment in a better condition than they found it. Over the next five years, with their 25-year plan to restore the UK’s biodiversity, they have an opportunity to start to put that right.

6.1 pm

The Minister of State, Department for Environment, Food and Rural Affairs (George Eustice): Thank you for calling me, Mr Wilson—and also for your stealth entrance, which went unnoticed by some Members in the Chamber.

I congratulate my hon. Friend the Member for Bath (Ben Howlett) on leading this debate. The scale of the petition on this issue shows just how much people care about it. Many hon. Members have received many emails about it. When I was about to make the decision early in the summer, I received some 50,000 emails and regret that it was impossible to reply to all of them. However, I understand that there is a lot of public concern about the matter.

I commend my hon. Friend for his generosity in giving way to so many hon. Members who wanted to speak. I did not anticipate the luxury of having time at the end of this debate, given the numbers present at the beginning; nevertheless, those numbers show just how important this issue is. I have been passionate about it throughout my time as an MP. I worked in the farming industry—we were fruit farmers and we had beehives on the farm—and three years ago I attended an event at which Friends of the Earth launched its “Bees Needs” campaign. It was a great campaign aimed at encouraging schools and people in towns and across the country to invest and help habitats for bees. I may have differences with Friends for the Earth about elements of the neonicotinoid debate, not least the emergency authorisations that I approved earlier this year—I will return to that—but I commend its work to raise awareness of the plight of our bees.

A number of hon. Members have talked about the reasons for the decline. The hon. Member for Cambridge (Daniel Zeichner) suggested that the evidence was absolutely clear that the decline in the bee population could be linked directly to neonicotinoids, and neonicotinoids alone. That is an over-simplification. The reality is that we have seen declining bee populations since the mid-1950s. The reasons for the decline in our bee populations are many, varied and complex. We believe that a large element is loss of habitat, particularly the loss of wild, traditional flowering meadows. We have lost hedgerows, which are an important habitat for bees, particularly bumblebees.

We have also seen problems with disease, and sometimes stress makes bees more susceptible to disease. We have had varroa and hive mites, and a linked problem is that many of our honeybees are imported from countries such as Italy. Those bees are not genetically disposed to survive winters here in the UK so we often have winter losses. Indeed, in Cornwall—my hon. Friend the Member for Truro and Falmouth (Sarah Newton) is nodding—there is a project to reintroduce the native black bee. It is more resilient and produces less sugar, but keeps more of it for itself during the winter months so that it can survive.

Neonicotinoids are a relatively recent group of chemicals so we cannot directly attribute the decline in the bee population just to them. If hon. Members are serious

[George Eustice]

about wanting to help bees, as I am, we must look at the wider picture, which is exactly what we have sought to do with our pollinator strategy. Just a few weeks ago, I launched the implementation plan to start moving that strategy forward. It includes a range of issues, such as commissioning new evidence so that we can better understand the pressures on our bees, and looking at integrated pest management.

Some hon. Members have suggested a different approach that does not rely on pesticides. I absolutely agree. In the decades ahead we are likely to see reduced reliance on chemical pesticides, probably the use of genetic technologies so that we can breed disease resistance directly into crops, and an alternative approach to husbandry, sometimes going back to the skills of rotation, which to some extent have been lost in modern farming, to reduce the build-up of pests, disease and weeds in the first place. We call that integrated pest management, and DEFRA hosts the voluntary initiative organisation, whose primary focus is encouraging the development of integrated management so that over time we will be able to reduce our reliance on chemical pesticides.

On neonicotinoids and authorisation of pesticides more generally, it is important to recognise that pesticides are tightly regulated. Active substances are approved at EU level only if they meet safety requirements. The UK is responsible for authorising products containing approved active substances and we carry out thorough assessment of the scientific evidence, drawing on advice from the UK's independent expert scientists on the Advisory Committee on Pesticides, which I will return to later. The risks to species such as bees form a key part of the assessment before products are authorised, and the regulatory regime also provides for regular reviews to take account of the latest information and scientific knowledge.

On the specifics of neonicotinoids, the EU introduced restrictions from late 2013 on the use of three neonicotinoids—clothianidin, imidacloprid and thiamethoxam. This debate is nothing if not challenging on diction. The restrictions apply to a wide range of crops that are attractive to bees and cover amateur use—for example, in gardens. Other uses, such as seed treatment for autumn-sown cereals and sugar beet, remain approved. The restrictions are not time limited and remain in place unless the European Commission decides to change them. The Government have implemented the restrictions in full. When imposing them, the Commission acknowledged that the evidence is incomplete and promised to review the science relating to neonicotinoids and bees. That review is now under way and provides an important opportunity to produce an up-to-date assessment of all the scientific evidence. The European Food Safety Authority is carrying out the review and we anticipate that it will conclude its work next summer. The UK will contribute fully to the review as it progresses. We have said throughout that we want it to be firmly grounded on a strengthened scientific evidence base.

The shadow Minister mentioned the very good paper by Professor Charles Godfray and others, which was published in September and was a restatement of all the recent evidence on neonicotinoid insecticides and their effect on pollinators. I commend that report to any hon. Member interested in this issue. It is a very thorough

examination of all the research that has been done—laboratory research that looks at the impact on bees of acute poisoning through very high levels of neonicotinoids, but also the beginnings of some of the field trials that have been taking place. There was an interesting field trial in Sweden, for instance. The people involved believed that there could be an impact on bumblebee populations, but not necessarily on honeybee populations.

The paper concludes that this is a very complex issue. Some of the work in Canada, for instance, concludes that there is no big impact on bee populations. However, the big conclusion from the paper is that we need more field-scale trials. That is why the Centre for Ecology and Hydrology is at the moment in the UK doing a very large, comprehensive trial, the results of which we should have next spring, and those results will feed into the review currently being carried out by EFSA. The Centre for Ecology and Hydrology is also doing work in other European countries, so that we can better understand this disease.

Our position is that we will not remove the existing restrictions if the evidence points to the fact that those restrictions should remain. A number of hon. Members have talked about the precautionary principle. We are adopting a precautionary, evidence-based principle. We are very clear, though, that it should be a precautionary principle based on an assessment of risk, not theoretical hazard. That is where sometimes we have a difference of opinion with other European countries, because some of them look just at theoretical hazard rather than a true assessment of risk.

I want to turn now to the emergency authorisations that we made earlier this year, because this is a crucial point. If we want to make a precautionary restriction work, it is essential that we allow there to be some use in extreme cases—some use of emergency authorisations. That is now an established approach that we have. If we want a precautionary approach, over time fewer pesticides will be available on general licence, but as pesticides are removed as a precaution, it is important that we make available the opportunity to grant emergency authorisations. Otherwise we have all sorts of unintended consequences. We force farmers to start to use other chemicals that perhaps have escaped the attention of the scientific community, but are even more damaging. For instance, when the ban first came in, there was some evidence of a shift to using another chemical, called Mesurool, which was dangerous to birds. We then moved to ban that chemical, so we have to consider unintended consequences. We also have to consider the problem of resistance building up to other vital insecticides. For instance, there was growing resistance to overuse of pyrethroids. That is an issue to which we have to be sensitive.

To assess applications for emergency authorisations, we have a group of experts called the Expert Committee on Pesticides. That is a group of 15 academics. They are entomologists, toxicologists, professors and doctors, with unrivalled expertise in pesticides, toxicology and the environment. They give us advice on the applications that we receive for emergency authorisations.

It might be worth my pointing out that the use of emergency authorisations has grown in line with the withdrawal of pesticides for use on a general licence. In 2012, member states of the European Union granted a total of 193 emergency authorisations. Just 14 were from the UK in that year, making 7% of the total. In 2015, the number of emergency authorisations in the

EU grew to 414, but only 11 emergency authorisations were granted in the UK, representing just 3% of all emergency authorisations made in the European Union. I therefore put it to hon. Members that far from being cavalier about this, the UK has a proven track record of showing more caution and being more thorough in the way it assesses those applications. The growth in applications is no surprise, because if products are withdrawn from the market, there will be an increase in the number of emergency authorisations.

Bob Stewart (Beckenham) (Con): Has my hon. Friend the Minister any idea, in forecast terms, when we might know definitively what is killing off our bee population?

George Eustice: My general experience of these things is that the more science we have, the more evidence gaps get identified, so we never actually have a perfect picture and all we can ever do is make the best judgment we can with the science that we have. However, I do believe that much of the work that is being done—for instance, by the Centre for Ecology and Hydrology—will mean a big increase and big improvement in our understanding of neonicotinoids in the future. Some of the work that we are commissioning as part of our national pollinator strategy will also assist in that process.

I want to turn now to the specific emergency authorisations in relation to the three neonicotinoids. We had two applications: one for Cruiser and one for Modesto; they were the products in question. The first application from the National Farmers Union asked for an authorisation covering 79% of the area of England. The conclusion, which was published, of the Expert Committee on Pesticides was that although it acknowledged that there was a problem with cabbage stem flea beetle in particular that could not be controlled by other means, it believed that an authorisation covering 79% of the country did not satisfy the requirement of its being strictly confined and restricted. For that reason, it recommended refusal of the first application. I accepted that: I refused the first application.

There was subsequently a second application from the NFU, bringing much more detailed evidence from agronomists of the impact on the ground of cabbage stem flea beetle in particular, county by county. On the basis of that, it put in an application for use over 5% of the English area, which roughly represented the area of Suffolk, which had suffered particularly badly. The Expert Committee on Pesticides assessed that second application and concluded that it satisfied all the requirements, so it recommended that we approve that emergency authorisation and that is what we did.

Jo Churchill (Bury St Edmunds) (Con): Will my hon. Friend the Minister explain whether we are doing impact assessments that will directly look, in terms of an evidence base, at whether the four counties that have been given an exemption have in fact suffered greater degradation of their bee population, because that gives us a perfect example to look at? From talking to beekeepers, it appears that they have not experienced that, so are we looking at the results before last year and after these past 120 days in 2015?

George Eustice: One point that I will make to my hon. Friend is this. We have granted an authorisation for 5% of the area; it is predominantly in Suffolk, but

also in the surrounding counties. I was going to come on to this point, because my hon. Friend the Member for Bath also raised it. It is actually quite difficult to get a scientifically robust evidence base when one has a mixture of fields around. Far more important is the work being done by the Centre for Ecology and Hydrology. That is scientifically robust; the right controls are in place; and we will get a much clearer picture.

I want to move on to some of the points made by hon. Members. My hon. Friend the Member for Isle of Wight (Mr Turner), who was here earlier, made a point about the benefits of spraying in the evening. He is absolutely right. When I worked in the industry as a farmer, it was always good practice to ensure that one sprayed at night, for two reasons. There tends to be a slightly more still environment—less wind and less drift—but also, crucially, bees do eventually go to bed. If people spray in the evening, most of them will have returned to their hives, so that is good advice, and advice that is pushed strongly by the voluntary initiative that I mentioned.

The chairman of the Environmental Audit Committee, the hon. Member for Ogmere (Huw Irranca-Davies), raised the issue of the publication of minutes. I know that it was a criticism made of us that we were trying to hide something. Let me be clear: we were hiding nothing. The summary of the minutes of the 20 May meeting, which was the first one—the one at which the first application was discussed—was actually published on 7 July, and the detailed record of the 7 July meeting, the second meeting, was actually published on 24 September. There is no conspiracy reason for the delay in that publication; it is simply that the subsequent meeting where the minutes were agreed by the ECP took place on 22 September. They had their minutes, they agreed the minutes and they published them thereafter. There is no attempt on the part of the Government to hide anything; the reasons for the authorisations are there and clear for all to see.

My hon. Friend the Member for Taunton Deane (Rebecca Pow) asked whether chemicals might come off seed treatments and end up in hedges. She is right; concern has been expressed in some of the science that there may be leaching, which may affect wildflowers in hedges. I am sure that that is something that the European Food Safety Authority will look at as part of its evidence.

I was also pleased to hear mention of the fact that the APPG on bees will have its own apiary. In the Department for Environment, Food and Rural Affairs, we have our own hive on the roof of Nobel House, and we harvested our first honey this year.

James Berry (Kingston and Surbiton) (Con): Does not what the Minister has said about beekeeping in DEFRA underscore the fact that this is not just a rural issue, but an urban and suburban one? It affects my constituents in Kingston and Surbiton just as much as it does his constituents who live in rural areas. Our pollinator strategy needs to deal with the countryside, towns, cities and suburbs.

George Eustice: I completely agree with my hon. Friend. I heard one of the most distressing anecdotes I have ever heard on the matter when I attended a Friends of the Earth event three years ago. Somebody at the event talked about an old brick wall adjacent to a garage in an urban area, which was—excuse the pun—

[George Eustice]

a hive of activity, from which, at a particular time of year, all the solitary bumblebees who made their home in it would emerge. The local wildlife trust told people in its newsletter that if they went to the wall at the beginning of the summer, they would see all those bees emerging, which would be a sight to behold. When everyone went there, however, they found that the owners of the garage, completely oblivious to the sanctuary that it offered to the bumblebees, had knocked the wall down to rebuild the garage. Raising awareness of the fact that even things such as stone walls are important habitats is absolutely crucial.

I want to move on to a few of the other things that have been mentioned. Several hon. Members have asked why we are doing worse than other countries, and I think a lot of that might be down to the intensification of our farming during the second part of the 20th century. In addition, we cannot dictate how many people will be willing to become beekeepers. Several hon. Members mentioned the fact that oilseed rape yields increased in 2014 by 16%, but the point is that during 2014, seeds that had been treated with neonicotinoids were still being used. It is too early to predict the impact of the loss of those chemicals on yields. The situation is complex, because when people suffer severe crop damage as a result of cabbage stem flea beetle, they often go on, effectively, to replant the crop.

The British Beekeepers Association has suggested that the 30% drop in honey yields has been predominantly down to poor weather. I want to say a little bit about the study that revealed that if bumblebees were exposed to neonicotinoids, there would be fewer seeds in apples. Although we think that that is useful evidence, we do not think it necessarily proves a direct correlation between the loss of those seeds and the use of neonicotinoids.

Finally, I want to move on to some of the key points made by the shadow Minister. I believe I have covered many of the points he made, but I want to mention our countryside stewardship scheme. We have had strong uptake of the pollinator package, which we made clear would be a key part of that scheme. The number of applications this year was slightly below what we expected—that is not surprising, given the difficulties we had with the computer—but not that far below; we expected around 3,000 applications, and we had around 2,500. We will work to see whether we can improve uptake next year by getting a simpler application process

online so that farmers can be guided to the right measures and put together agreements more easily. If we can get agreement from the European Union to simplify some of the over-burdensome regulation and reporting requirements that it insists on, I hope we will also be able to remove some of the bureaucracy from the schemes. They have been very successful and they have got a strong track record, and we would like to see more of them taken up.

6.24 pm

Ben Howlett: First, I thank Elizabeth St.Clair, who tabled the petition on the petitions section of the Parliament website, and the 90,000-plus people who signed it. It says a great deal for democracy in this country that people's views are heard, listened to and responded to by the Government. I also say a massive "thank you" to the Minister for his comprehensive answer to an awful lot of questions and speeches. I also thank all the Members who put forward their views and intervened, including the hon. Member for Cambridge (Daniel Zeichner), my hon. Friend the Member for Taunton Deane (Rebecca Pow), the hon. Members for Inverness, Nairn, Badenoch and Strathspey (Drew Hendry) and for South Antrim (Danny Kinahan), and the shadow Minister, the hon. Member for Blaenau Gwent (Nick Smith).

One thing is absolutely clear: we cannot allow the number of bees in our country to keep falling. We have heard about the range of measures that the Government are looking at to stop that trend, but we need more information and much more research. I hope that the Government will come before the House again after the publication in the summer of the European journal and the research, so that we can find out the reasons for the decline in the bee population. Neonics are a part of that, but it is a wider problem. On behalf of the Petitions Committee, I thank all hon. Members for turning up and I thank the 90,000 people who signed the petition. I hope that more people will bring forward petitions in due course.

Question put and agreed to.

Resolved,

That this House has considered e-petition 104796 relating to the use of neonicotinoids on crops.

6.26 pm

Sitting adjourned.

Written Statements

Monday 7 December 2015

CULTURE, MEDIA AND SPORT

Education, Youth, Culture and Sport Council

The Minister for Culture and the Digital Economy (Mr Edward Vaizey): A meeting of the Education, Youth, Culture and Sport Council was held in Brussels on 24 November. Fiona Hyslop, Scottish Government Minister for Culture, Europe, and External Affairs, represented the UK for the cultural and audio-visual section of the Council and Shan Morgan, the UK's Deputy Permanent Representative, represented the UK for the sport section of the Council.

Culture and audiovisual

The overarching theme of this ministerial Council was the relationship between culture and foreign policy, within the context of the destruction of cultural heritage in Syria by ISIS, and the recent attacks in Paris.

The Council adopted Conclusions on culture in the EU's external relations, with a specific focus on development co-operation: as well as conclusions amending the EU work plan for culture 2015-18 to add a new priority of intercultural dialogue, so as to address the current migration crisis.

Ministers debated how best to act together against the destruction and illicit trafficking of cultural heritage in conflict areas, with the focus on the international community, and the need to mitigate the effects of the fragmentation of competences and legislation in this area.

The UK confirmed its determination to play a full part in the protection of cultural heritage, and highlighted its work on the establishment of a cultural protection fund. It also drew attention to the significant experience that has been built up in digital documentation and visualisation of the historic environment through the Scottish Ten programme.

Overall the UK policy in this area is to preserve, to prevent, and to protect, and we underlined the importance of targeted EU interventions or actions that played to its area of competence and avoided duplication with other international bodies.

During the course of the ensuing discussion on culture and digitisation the UK noted the importance of digitisation as a powerful tool which can help deliver many cultural, social, and educational initiatives.

On the specific issue of the Europeana digital cultural portal, we noted the need to develop a sustainable funding model which did not exclude the participation of private-sector organisations, including those which were in a position to either contribute content, or to introduce Europeana to a wider audience.

Under other business, the European Commission updated on the current situation concerning the regulatory fitness and performance (REFIT) exercise in the audio-visual sector, and other relevant initiatives of the Digital Single Market Strategy.

Its public consultation on the audio-visual media services directive had revealed a very strong majority in support of maintaining the country of origin principle for regulating broadcast media, as well as for extending the scope of the instrument to include new types of services.

There was divergence on how to enhance protection of minors, commercial works and communications. The Commission confirmed that the first of the copyright regime proposals, on portability and unjustified geoblocking, would be published in the first half of 2016.

Finally, under this part of the agenda, the Council took note from the Netherlands delegation of its main priorities in the field of culture when it takes over the presidency for the period January - June 2016. These will include the importance of digitisation for the preservation and dissemination of culture, and the need to establish a sustainable funding model for the Europeana digital culture portal.

Sport

The Council adopted conclusions on EU representation in the World Anti-Doping Authority (WADA): and also on the promotion of motor skills, physical and sport activities for children.

These were followed by a policy debate on the educational potential of sports: in helping disadvantaged youth find their place in society. The debate was introduced by two external speakers, of which Olympic champion Ed Moses described the struggle to build an evidence base for convincing media and Government that the sports sector was credible in playing a role, and appealed to Governments to think longer-term and fund research. He was followed by the Premier League, which introduced a video of its Crystal Palace FC project, from which two participants had since built careers in Premier League clubs.

The UK described several of its projects in this area, such as Get on Track, and was the only member state to emphasise the importance of including young people with disabilities.

Under other business: The Council was subsequently briefed by the presidency on the state of play regarding the European Union's signing of the Council of Europe Convention on the manipulation of sports competitions.

The Council was also briefed by the EU representatives on the outcome of the World Anti-Doping Agency (WADA) meeting which took place in Colorado Springs on 17 - 18 November 2015. The UK's Sports Minister, Tracey Crouch, has been named as the newly elected EU representative on the WADA Foundation Board for the UK-Estonia-Bulgaria presidency trio, and will take up her post in 2016. Two of the three EU member states that were not yet fully code-compliant, Greece and Spain, (the third being the Czech Republic) intervened to stress they were preparing the required amendments to national legislation.

This was followed by information on the informal meeting of Ministers for Sport, held in Luxembourg from 06 - 07 July 2015: and guidelines presented by the European Commission on next year's European week of sport.

Finally, under other business the Council took note of information from the Netherlands delegation of its main priorities in the field of sport when it takes over

the presidency for the period January - June 2016. These will include the promotion of good governance and education in and through sport, with specific attention paid to international major sports events, sport diplomacy and voluntary activities.

[HCWS363]

EDUCATION

Education and Adoption Bill

The Secretary of State for Education (Nicky Morgan):

We have today announced that we will table a substantive Government amendment to the Education and Adoption Bill.

The Bill fulfils the Government's manifesto commitment to raise standards across the country by speeding up the process by which failing maintained schools become sponsored academies, as well as introducing new measures to allow us properly to tackle coasting schools for the first time. The Bill seeks to improve the life chances of every child and ensure that all children have the same opportunities to fulfil their potential, wherever they live. These principles are at the heart of the Government's education agenda.

As currently drafted, the Bill focuses on ensuring Regional Schools Commissioners (RSCs)—acting on my behalf—have the powers they need to tackle failing and coasting maintained schools. The Bill does not apply to academies and free schools as they are governed by a different legal framework—they are held to account through a legally binding contract known as a funding agreement.

The vast majority of academies are performing well and the academy programme is central to our commitment to extending opportunity through delivering educational excellence in every part of the country. I am clear, however, that underperformance is unacceptable wherever it occurs—whether that is in a maintained school or an academy. We have already shown that we are tough on underperforming academies and that RSCs take robust action where needed—we have issued 122 formal notices to underperforming academies and free schools and moved to change the sponsor in 118 cases of particular concern. Our formal powers in relation to underperforming academies can, however, vary depending on the terms of an academy's funding agreement. In a minority of cases, this can hinder our ability to intervene as swiftly as we would like. This is unacceptable and at the heart of this Bill lies our belief that a single day spent by a child in an underperforming schools is a day too many. We have also taken the views of some of our leading sponsors, who tell us they are frustrated that not being able to act swiftly in a few cases of high-profile failure creates a misleading picture of the work that is being done by academies across England to raise standards and transform young lives.

I am responding with an amendment to the Bill designed to ensure that RSCs always have the power to act whenever or wherever they encounter underperformance in our schools. I propose to amend the Bill so that when an academy or free school's performance meets one of two triggers in legislation—an inadequate Ofsted judgement

or performance that falls within the coasting definition—then their funding agreement will be read as having the latest provisions around failing and coasting schools. The amendment will not impinge on academy freedoms; on the contrary, it reinforces the central principle of the academy programme—trusting heads to run their schools through freedom and autonomy, but at the same time holding them to account for the results their pupils achieve. This amendment will not lead to any interference from central Government in the academies and free schools that are performing well.

In practice, the amendment will ensure that we can move any failing academy swiftly to a new sponsor. The amendment will also subject academies to the same coasting definition as maintained schools and where a coasting academy does not have a credible plan, further action will be taken by RSCs. This could ultimately include terminating the funding agreement and bringing in a new sponsor if necessary.

The amendment will create a more consistent framework for tackling underperformance across all types of schools and stands as another example of our determination to create a world class education system. The amendment will be tabled this week and first debated when the Bill returns to the House of Lords for Report Stage (currently scheduled to take place on 16 December 2015).

[HCWS362]

HEALTH

NHS: Charging Overseas Visitors and Migrants

The Secretary of State for Health (Mr Jeremy Hunt):

The visitor and migrant National Health Service cost recovery programme was established in July 2014 to design and implement improvements in the systems for charging patients who are not resident of the United Kingdom. The programme has focused so far on improving identification and cost recovery from chargeable patients in hospitals.

I am pleased to announce the Department of Health will now be seeking the public's views on extending charging of overseas visitors and migrants who use the National Health Service. We have proposed a number of changes to enable overseas visitors and migrants to be charged for NHS healthcare they receive, in addition to the existing system for cost recovery for hospital treatment. The proposed extension of charging will not affect free healthcare at the point of use for permanent residents of the UK.

The consultation seeks opinions on proposals affecting:

- Primary Medical Care
- NHS Prescriptions
- Primary NHS Dental Care
- Primary NHS Ophthalmic Services (Eye Care)
- Accident and Emergency (A&E)
- Ambulance Services
- Assisted Reproduction
- Non-NHS providers of NHS Care and Out-of-Hospital Care
- NHS Continuing Healthcare
- EEA National's residency definition
- Overseas visitors working on UK-registered ships

The consultation also seeks views on any further areas that could be considered for charging.

The proposals explored within the consultation aim to support the principle of fairness by ensuring those not resident in the United Kingdom who can pay for National Health Service care do so. The proposals we are consulting on do not intend to restrict access, but aim to ensure everyone makes a fair contribution for the care they receive.

We propose that the most vulnerable people, including refugees, remain exempt from charging. Furthermore, the National Health Service will not deny urgent and immediately necessary healthcare to those in need, regardless of residency. We also propose that exemptions from charging will also remain in place for illnesses that pose a risk to public health.

The potential income generated through the extension of charging will contribute towards the Department of Health's aim of recovering up to £500 million per year from overseas migrants and visitors by the middle of this Parliament (2017/18). The recovery of up to £500 million per year will contribute to the £22 billion savings required to ensure the long-term sustainability of the National Health Service.

Attachments can be view online at:

<http://www.parliament.uk/writtenstatements>.

[HCWS360]

HOME DEPARTMENT

Stalking Protection Order: Consultation

The Secretary of State for the Home Department (Mrs Theresa May): On Saturday 5 December, I launched a public consultation on introducing a new stalking protection order. Stalking is an insidious crime which traumatises its victims and, at its most extreme, can lead to the loss of innocent lives. We are addressing stalking as part of our wider work to tackle violence against women and girls (VAWG) and the work we are driving in this area will be captured in our refreshed VAWG strategy to be published in due course.

We introduced new legislation in 2012 to fill a gap in the law to tackle stalking and have driven a programme of training for police and prosecutors to ensure that stalking is recognised and dealt with effectively. Prosecutions are rising which is encouraging. However, I want to be absolutely sure that we are doing all we can to protect victims from this frightening act, which can cause considerable distress and alarm.

The nature of stalking can be delusional and obsessive and while the actions of a stalker can seem innocuous on the surface, there is a risk that the developing fixation may be missed. Early identification of stalking behaviour is crucial and I am determined that this Government will do everything possible to protect victims and deter perpetrators, even before the stage is reached to commence prosecution.

We know that stalking can take place in the context of an ongoing pattern of domestic violence and abuse and we have introduced a range of measures to protect victims in these circumstances, including the domestic violence disclosure scheme, and the domestic violence protection order. Our stalking legislation, along with the new offence of coercive or controlling behaviour, is already helping to protect victims from this abuse.

However, in around half of cases, stalking occurs where only a very casual acquaintanceship exists between the perpetrator and their victim. While existing injunctions or orders may place restrictions on a stalker, this alone will often not deter them from their behaviour. Stalking needs to be recognised for what it is to ensure interventions are effective and meaningful.

A new stalking protection order could ensure that pre-charge options are available to the police to protect these victims of 'stranger stalking' to the same level that victims of domestic violence and abuse can be protected. The consultation will explore whether 'positive requirements' can be placed on perpetrators at this early stage to help stop their behaviour in its tracks.

I launched the consultation on 5 December during the 16 days of actions following the international day for the elimination of violence against women on 25 November. The consultation can be accessed at: <https://www.gov.uk/government/consultations/introducing-a-stalking-protection-order>.

A copy will also be placed in the House Library.

[HCWS361]

Petition

Monday 7 December 2015

OBSERVATIONS

COMMUNITIES AND LOCAL GOVERNMENT

Parking restrictions in Scunthorpe

The petition of residents of Scunthorpe County Constituency,

Declares their objections to the parking restrictions which have recently been imposed by North Lincolnshire Council on Newland Drive, Scunthorpe.

The petitioners therefore request that the House of Commons urges the Secretary of State for Communities and Local Government to request North Lincolnshire Council to review the new parking restrictions and the impact on local residents.

And the petitioners remain, etc.—[Presented by Nic Dakin, *Official Report*, 4 November 2015; Vol. 601, c. 1082.]

[P001552]

Observations from The Parliamentary Under-Secretary of State for Communities and Local Government (Marcus Jones): The Department is aware of the views of the residents of Scunthorpe in relation to the parking restrictions imposed on Newland Drive by North Lincolnshire Council.

Parking is ultimately the responsibility of local authorities, and it is up to them to decide the best approach for their areas. However, traffic regulation orders need to meet the best interests of road users, communities and businesses. Inappropriate and over-zealous parking rules make it unnecessarily harder for people to park responsibly and go about their everyday lives.

Government are aware that traffic regulation orders can appear not to factor in the opinions of local residents, which is why we published guidance on this issue in March 2014, entitled 'Right to challenge parking policies'.

ORAL ANSWERS

Monday 7 December 2015

	<i>Col. No.</i>		<i>Col. No.</i>
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