

Monday
10 December 2018

Volume 651
No. 220



HOUSE OF COMMONS
OFFICIAL REPORT

PARLIAMENTARY
DEBATES

(HANSARD)

Monday 10 December 2018

HER MAJESTY'S GOVERNMENT

MEMBERS OF THE CABINET

(FORMED BY THE RT HON. THERESA MAY, MP, JUNE 2017)

PRIME MINISTER, FIRST LORD OF THE TREASURY AND MINISTER FOR THE CIVIL SERVICE—The Rt Hon. Theresa May, MP
CHANCELLOR OF THE DUCHY OF LANCASTER AND MINISTER FOR THE CABINET OFFICE—The Rt Hon. David Lidington, MP
CHANCELLOR OF THE EXCHEQUER—The Rt Hon. Philip Hammond, MP
SECRETARY OF STATE FOR THE HOME DEPARTMENT—The Rt Hon. Sajid Javid, MP
SECRETARY OF STATE FOR FOREIGN AND COMMONWEALTH AFFAIRS—The Rt. Hon Jeremy Hunt, MP
SECRETARY OF STATE FOR EXITING THE EUROPEAN UNION—The Rt Hon. Stephen Barclay, MP
SECRETARY OF STATE FOR DEFENCE—The Rt Hon. Gavin Williamson, MP
LORD CHANCELLOR AND SECRETARY OF STATE FOR JUSTICE—The Rt Hon. David Gauke, MP
SECRETARY OF STATE FOR HEALTH AND SOCIAL CARE—The Rt Hon. Matt Hancock, MP
SECRETARY OF STATE FOR BUSINESS, ENERGY AND INDUSTRIAL STRATEGY—The Rt Hon. Greg Clark, MP
SECRETARY OF STATE FOR INTERNATIONAL TRADE AND PRESIDENT OF THE BOARD OF TRADE—The Rt Hon. Liam Fox, MP
SECRETARY OF STATE FOR WORK AND PENSIONS—The Rt Hon. Amber Rudd, MP
SECRETARY OF STATE FOR EDUCATION—The Rt Hon. Damian Hinds, MP
SECRETARY OF STATE FOR ENVIRONMENT, FOOD AND RURAL AFFAIRS—The Rt Hon. Michael Gove, MP
SECRETARY OF STATE FOR HOUSING, COMMUNITIES AND LOCAL GOVERNMENT—The Rt Hon. James Brokenshire, MP
SECRETARY OF STATE FOR TRANSPORT—The Rt Hon. Chris Grayling, MP
LORD PRIVY SEAL AND LEADER OF THE HOUSE OF LORDS—The Rt Hon. Baroness Evans of Bowes Park
SECRETARY OF STATE FOR SCOTLAND—The Rt Hon. David Mundell, MP
SECRETARY OF STATE FOR WALES—The Rt Hon. Alun Cairns, MP
SECRETARY OF STATE FOR NORTHERN IRELAND—The Rt Hon. Karen Bradley, MP
SECRETARY OF STATE FOR INTERNATIONAL DEVELOPMENT AND MINISTER FOR WOMEN AND EQUALITIES—The Rt Hon. Penny Mordaunt, MP
SECRETARY OF STATE FOR DIGITAL, CULTURE, MEDIA AND SPORT—The Rt Hon. Jeremy Wright, QC, MP
MINISTER WITHOUT PORTFOLIO—The Rt Hon. Brandon Lewis, MP

DEPARTMENTS OF STATE AND MINISTERS

Business, Energy and Industrial Strategy—

SECRETARY OF STATE—The Rt Hon. Greg Clark, MP

MINISTERS OF STATE—

Rt Hon. Claire Perry, MP (Minister for Energy and Clean Growth)

Chris Skidmore, MP (Minister for Universities, Science, Research and Innovation) §

PARLIAMENTARY UNDER-SECRETARIES OF STATE—

Kelly Tolhurst, MP

Richard Harrington, MP

The Rt Hon. Lord Henley

Cabinet Office—

CHANCELLOR OF THE DUCHY OF LANCASTER AND MINISTER FOR THE CABINET OFFICE—The Rt Hon. David Lidington, MP

PARLIAMENTARY SECRETARIES—

Oliver Dowden, MP

Chloe Smith, MP

Defence—

SECRETARY OF STATE—The Rt Hon. Gavin Williamson, MP

MINISTERS OF STATE—

The Rt Hon. Earl Howe §

The Rt Hon. Mark Lancaster, MP (Minister for the Armed Forces)

PARLIAMENTARY UNDER-SECRETARIES OF STATE—

The Rt Hon. Tobias Ellwood, MP

Stuart Andrew, MP

Digital, Culture, Media and Sport—

SECRETARY OF STATE—The Rt Hon. Jeremy Wright, QC, MP

MINISTER OF STATE—Margot James, MP (Minister for Digital and the Creative Industries)

PARLIAMENTARY UNDER-SECRETARIES OF STATE—

Lord Ashton of Hyde

Michael Ellis, MP

Mims Davies, MP

Education—

SECRETARY OF STATE—The Rt Hon. Damian Hinds, MP

MINISTERS OF STATE—

The Rt Hon. Nick Gibb, MP (Minister for School Standards)

The Rt Hon. Anne Milton, MP (Minister for Apprenticeships and Skills)

Chris Skidmore, MP (Minister for Universities, Science, Research and Innovation) §

PARLIAMENTARY UNDER-SECRETARIES OF STATE—

Lord Agnew of Oulton

Nadhim Zahawi, MP

Environment, Food and Rural Affairs—

SECRETARY OF STATE—The Rt Hon. Michael Gove, MP

MINISTER OF STATE—George Eustice, MP (Minister for Agriculture, Fisheries and Food)

PARLIAMENTARY UNDER-SECRETARIES OF STATE—

Thérèse Coffey, MP

Lord Gardiner of Kimble

David Rutley, MP §

Exiting the European Union —

SECRETARY OF STATE—The Rt Hon. Stephen Barclay, MP

MINISTER OF STATE—Lord Callanan

PARLIAMENTARY UNDER-SECRETARIES OF STATE—

Robin Walker, MP

Chris Heaton-Harris, MP

Kwasi Kwarteng, MP

Foreign and Commonwealth Office—

SECRETARY OF STATE—The Rt Hon. Jeremy Hunt, MP

MINISTERS OF STATE—

The Rt Hon. Sir Alan Duncan, MP (Minister for Europe and the Americas)

The Rt Hon. Alistair Burt, MP (Minister for the Middle East) §

Lord Ahmad of Wimbledon (Minister for the Commonwealth and the UN)

The Rt Hon. Mark Field, MP (Minister for Asia and the Pacific)

Harriett Baldwin, MP (Minister for Africa) §

Health and Social Care—

SECRETARY OF STATE—The Rt Hon. Matt Hancock, MP

MINISTERS OF STATE—

Stephen Hammond, MP (Minister for Health)

Caroline Dinenage, MP (Minister for Care)

PARLIAMENTARY UNDER-SECRETARIES OF STATE—

Jackie Doyle-Price, MP

Steve Brine, MP

Lord O'Shaughnessy

Home Office—

SECRETARY OF STATE—The Rt Hon. Sajid Javid, MP

MINISTERS OF STATE—

The Rt Hon. Caroline Nokes, MP (Minister for Immigration)

The Rt Hon. Ben Wallace, MP (Minister for Security and Economic Crime)

The Rt Hon. Nick Hurd, MP (Minister for Policing and the Fire Service)

Baroness Williams of Trafford (Minister for Countering Extremism and Minister for Equalities) §

PARLIAMENTARY UNDER-SECRETARY OF STATE—Victoria Atkins, MP §

Housing, Communities and Local Government—

SECRETARY OF STATE—The Rt Hon. James Brokenshire, MP

MINISTER OF STATE—Kit Malthouse, MP (Minister for Housing)

PARLIAMENTARY UNDER-SECRETARIES OF STATE—

Jake Berry, MP

Heather Wheeler, MP

Rishi Sunak, MP

Lord Bourne of Aberystwyth §

International Development—

SECRETARY OF STATE AND MINISTER FOR WOMEN AND EQUALITIES—The Rt Hon. Penny Mordaunt, MP

MINISTERS OF STATE—

The Rt Hon. Alistair Burt, MP §

Harriett Baldwin, MP §

The Rt Hon. Lord Bates

PARLIAMENTARY UNDER-SECRETARIES OF STATE—

Victoria Atkins, MP §

Baroness Williams of Trafford §

International Trade—

SECRETARY OF STATE AND PRESIDENT OF THE BOARD OF TRADE—The Rt Hon. Liam Fox, MP

MINISTERS OF STATE—

George Hollingbery, MP (Minister for Trade Policy)
Baroness Fairhead (Minister for Trade and Export Promotion)

PARLIAMENTARY UNDER-SECRETARY OF STATE—Graham Stuart, MP

Justice—

LORD CHANCELLOR AND SECRETARY OF STATE—The Rt Hon. David Gauke, MP

MINISTER OF STATE—Rory Stewart, MP

PARLIAMENTARY UNDER-SECRETARIES OF STATE—

Lucy Frazer, QC, MP
Edward Argar, MP

ADVOCATE GENERAL FOR SCOTLAND—The Rt Hon. Lord Keen of Elie, QC

Law Officers—

ATTORNEY GENERAL—The Rt. Hon. Geoffrey Cox, QC, MP

SOLICITOR GENERAL—Robert Buckland, QC, MP

ADVOCATE GENERAL FOR SCOTLAND—The Rt Hon. Lord Keen of Elie, QC

Leader of the House of Commons—

LEADER OF THE HOUSE OF COMMONS AND LORD PRESIDENT OF THE COUNCIL—The Rt Hon. Andrea Leadsom, MP

Northern Ireland Office—

SECRETARY OF STATE—The Rt Hon. Karen Bradley, MP

MINISTER OF STATE—John Penrose, MP

PARLIAMENTARY UNDER-SECRETARY OF STATE—Lord Duncan of Springbank §

Scotland Office —

SECRETARY OF STATE—The Rt Hon. David Mundell, MP

PARLIAMENTARY UNDER-SECRETARY OF STATE—Lord Duncan of Springbank §

Transport—

SECRETARY OF STATE—The Rt Hon. Chris Grayling, MP

MINISTER OF STATE—Jesse Norman, MP

PARLIAMENTARY UNDER-SECRETARIES OF STATE—

Andrew Jones, MP
Baroness Sugg, CBE §
Nusrat Ghani, MP §

Treasury—

PRIME MINISTER, FIRST LORD OF THE TREASURY AND MINISTER FOR THE CIVIL SERVICE—The Rt Hon. Theresa May, MP

CHANCELLOR OF THE EXCHEQUER—The Rt Hon. Philip Hammond, MP

CHIEF SECRETARY—The Rt Hon. Elizabeth Truss, MP

FINANCIAL SECRETARY—The Rt Hon. Mel Stride, MP

EXCHEQUER SECRETARY—Robert Jenrick, MP

ECONOMIC SECRETARY—John Glen, MP

PARLIAMENTARY SECRETARY—The Rt Hon. Julian Smith, MP

LORDS COMMISSIONERS—

Mike Freer, MP
Paul Maynard, MP
Craig Whittaker, MP
Rebecca Harris, MP
David Rutley, MP §
Jeremy Quin, MP

ASSISTANT WHIPS—

Nusrat Ghani, MP §
Iain Stewart, MP
Jo Churchill, MP
Amanda Milling, MP
Michelle Donelan, MP
Gareth Johnson, MP
Wendy Morton, MP
Nigel Adams, MP §

UK Export Finance—

SECRETARY OF STATE FOR INTERNATIONAL TRADE AND PRESIDENT OF THE BOARD OF TRADE—The Rt Hon. Liam Fox, MP
 MINISTER FOR TRADE AND EXPORT PROMOTION—Baroness Fairhead

Wales Office

SECRETARY OF STATE—The Rt Hon. Alun Cairns, MP

PARLIAMENTARY UNDER-SECRETARIES OF STATE—

Lord Bourne of Aberystwyth §

Nigel Adams, MP §

Work and Pensions

SECRETARY OF STATE—The Rt Hon. Amber Rudd, MP

MINISTERS OF STATE—

Alok Sharma, MP (Minister for Employment)

Sarah Newton, MP (Minister for Disabled People, Health and Work)

PARLIAMENTARY UNDER-SECRETARIES OF STATE—

Guy Opperman, MP

Baroness Buscombe

Justin Tomlinson, MP

Office of the Leader of the House of Lords

LEADER OF THE HOUSE OF LORDS AND LORD PRIVY SEAL—The Rt. Hon. Baroness Evans of Bowes Park

DEPUTY LEADER OF THE HOUSE OF LORDS—The Rt Hon. Earl Howe §

Her Majesty's Household—

LORD CHAMBERLAIN—The Rt Hon. Earl Peel GCVO, DL

LORD STEWARD—The Earl of Dalhousie

MASTER OF THE HORSE—Lord Vestey KCVO

TREASURER—Christopher Pincher, MP

COMPTROLLER—Mark Spencer, MP

VICE-CHAMBERLAIN—Andrew Stephenson, MP

CAPTAIN OF THE HONOURABLE CORPS OF GENTLEMEN-AT-ARMS—The Rt Hon. Lord Taylor of Holbeach CBE

CAPTAIN OF THE QUEEN'S BODYGUARD OF THE YEOMEN OF THE GUARD—Earl of Courtown

BARONesses IN WAITING— Baroness Vere of Norbiton, Baroness Sugg CBE §, Baroness Goldie DL, Baroness Stedman-Scott DL, Baroness Manzoor CBE

LORDS IN WAITING—Viscount Younger of Leckie, The Rt Hon. Lord Young of Cookham CH

§ *Members of the Government listed under more than one Department*

SECOND CHURCH ESTATES COMMISSIONER, REPRESENTING CHURCH COMMISSIONERS—The Rt. Hon. Dame Caroline Spelman, MP

REPRESENTING THE SPEAKER'S COMMITTEE ON THE ELECTORAL COMMISSION—Bridget Phillipson, MP

REPRESENTING THE SPEAKER'S COMMITTEE FOR THE INDEPENDENT PARLIAMENTARY STANDARDS AUTHORITY—Mr Charles Walker, MP

REPRESENTING THE HOUSE OF COMMONS COMMISSION—The Rt Hon. Tom Brake, MP

CHAIRMAN OF THE PUBLIC ACCOUNTS COMMISSION—Sir Edward Leigh, MP



HOUSE OF COMMONS

THE SPEAKER—The Rt Hon. John Bercow, MP

CHAIRMAN OF WAYS AND MEANS—The Rt Hon. Sir Lindsay Hoyle, MP

FIRST DEPUTY CHAIRMAN OF WAYS AND MEANS—The Rt Hon. Dame Eleanor Laing, MP

SECOND DEPUTY CHAIRMAN OF WAYS AND MEANS—The Rt Hon. Dame Rosie Winterton, MP

PANEL OF CHAIRS

Sir David Amess, Ian Austin, Mr Adrian Bailey, Sir Henry Bellingham, Mr Clive Betts, Mr Peter Bone, Sir Graham Brady, Ms Karen Buck, Sir Christopher Chope, Sir David Crausby, Geraint Davies, Philip Davies, Ms Nadine Dorries, Mr Nigel Evans, Sir Roger Gale, Mike Gapes, The Rt Hon. Dame Cheryl Gillan, James Gray, The Rt Hon. David Hanson, Mr Philip Hollobone, Stewart Hosie, The Rt Hon. Mr George Howarth, Sir Edward Leigh, Mrs Anne Main, Steve McCabe, Siobhain McDonagh, Mrs Madeleine Moon, Albert Owen, Ian Paisley, Mark Pritchard, Mr Laurence Robertson, Andrew Rosindell, The Rt Hon. Joan Ryan, Mr Virendra Sharma, Mr Gary Streeter, Graham Stringer, Mr Charles Walker, Phil Wilson

SECRETARY—Colin Lee

HOUSE OF COMMONS COMMISSION

The Rt Hon. The Speaker (Chairman), Ian Ailles (Director General of the House of Commons), Sir Paul Beresford, MP, The Rt Hon. Tom Brake, MP, Stewart Hosie, MP, The Rt Hon. Andrea Leadsom, MP (Leader of the House), Dr Rima Makarem (External Member), Jane McCall (External Member), Valerie Vaz, MP, Sir David Natzler KCB (Clerk of the House), The Rt Hon. Dame Rosie Winterton, MP

SECRETARY OF THE COMMISSION—Marianne Cwynarski

ASSISTANT SECRETARY—Robert Cope

ADMINISTRATION ESTIMATE AUDIT AND RISK ASSURANCE COMMITTEE AND MEMBERS ESTIMATE AUDIT COMMITTEE

Dr Rima Makarem (Chair), Sir Paul Beresford, MP, Mr Clive Betts, MP, The Rt Hon. Tom Brake, MP, Jane McCall, Bob Scruton

SECRETARY—John-Paul Flaherty

COMMONS EXECUTIVE BOARD

Ian Ailles (Director General of the House of Commons), Carlos Bamford (Managing Director, In-House Services), Myfanwy Barrett (Managing Director, Corporate Services and Finance Director), John Benger (Clerk Assistant and Managing Director, Chamber and Committees), David Hemming (Managing Director, Strategic Estates), Eric Hepburn (Director of Security for Parliament), Tracey Jessup (Director of the Parliamentary Digital Service), Sir David Natzler KCB (Clerk of the House and Head of the House of Commons Service), Penny Young (Librarian and Managing Director, Research and Information, and Managing Director, Participation)

SECRETARY OF THE BOARD—Sarah Petit

SPEAKER'S SECRETARY—Peter Barratt

SPEAKER'S COUNSEL—Saira Salimi

SPEAKER'S CHAPLAIN—Rev. Rose Hudson-Wilkin

PARLIAMENTARY COMMISSIONER FOR STANDARDS—Kathryn Stone

THE PARLIAMENTARY DEBATES

OFFICIAL REPORT

IN THE FIRST SESSION OF THE FIFTY-SEVENTH PARLIAMENT OF THE
UNITED KINGDOM OF GREAT BRITAIN AND NORTHERN IRELAND
[WHICH OPENED 13 JUNE 2017]

SIXTY-SEVENTH YEAR OF THE REIGN OF
HER MAJESTY QUEEN ELIZABETH II

SIXTH SERIES

VOLUME 651

TWENTY-SIXTH VOLUME OF SESSION 2017-2019

House of Commons

Monday 10 December 2018

The House met at half-past Two o'clock

PRAYERS

[MR SPEAKER *in the Chair*]

Oral Answers to Questions

HOUSING, COMMUNITIES AND LOCAL GOVERNMENT

The Secretary of State was asked—

Land Value Capture

1. **Scott Mann** (North Cornwall) (Con): What his policy is on land value capture. [908086]

The Secretary of State for Housing, Communities and Local Government (James Brokenshire): The Government have recently published their response to the Housing, Communities and Local Government Committee's report on land value capture. We have committed to using existing mechanisms of land value capture as effectively as possible and are bringing forward significant changes to developer contributions in order to do so.

Scott Mann: Given that many challenges on housing delivery rely on the availability of land, will the Government consider introducing a Bill to make it easier for sites that have not been earmarked for existing development to be provided for local housing developments and have value captured?

James Brokenshire: I certainly recognise the need for more homes, including more rental and affordable homes for people, as we deliver against our agenda. The best way to do that is through local plans, which allow local councils to provide housing in suitable locations. Local plans will certainly ensure that local communities get the houses they need, but I take on board the point my hon. Friend rightly makes about communities and making sure that value is felt.

Mr Clive Betts (Sheffield South East) (Lab): The Secretary of State will accept that, according to the Government's own figures, when planning permission is given for housing to be built on agricultural land, that land increases in value, on average, by about 100 times. Does he accept that more of that increase in value should go to pay for public infrastructure and general community benefit? Will he therefore go further than he has promised and agree to look at again at the Land Compensation Act 1961, to which the Select Committee on Communities and Local Government recommended a change, which was supported by a wide range of organisations and by hon. Members right across the political spectrum?

James Brokenshire: I am grateful to the hon. Gentleman and the Select Committee for the work that they have done in rightly highlighting an important issue. It is worth bearing in mind the fact that section 106 planning obligations and the community infrastructure levy levied in 2016-17 provided an estimated £6 billion of value. However, the point he makes is an important one. We wanted to see better utilisation of the existing rules, and the Letwin review makes further proposals, and we will be reflecting on those and coming back to the House in the new year.

Mr Mark Prisk (Hertford and Stortford) (Con): Part of the Government's policy is to enable large urban councils to establish a strategic infrastructure fund of their own, but at present this excludes smaller councils such as mine in East Herts. May I therefore urge the Secretary of State to amend his proposals so that any

council with a local plan that is planning to deliver a new settlement is included in that and can establish such a fund? May I meet him to discuss that further?

James Brokenshire: I am grateful to my hon. Friend for raising this issue. I recognise the concerted work and effort that is going on to deliver homes and infrastructure through the local plan in his area. He rightly says that combined authorities with strategic planning powers will be able to introduce a strategic infrastructure tariff, but charging authorities can already pool their community infrastructure levy receipts to fund infrastructure jointly. We are updating the guidance to make that clearer, but I would be happy to continue that discussion with him.

John Healey (Wentworth and Dearne) (Lab): In the midst of today's political chaos, I wonder whether it is worth questioning the Secretary of State at all, as Cabinet members do not seem to be told what Government policy really is. Just as this Government are failing on Brexit, they are failing other big tests, such as taking on vested land interests and fixing the housing crisis. As my hon. Friend the Member for Sheffield South East (Mr Betts), the Select Committee Chair, has just said, the Secretary of State's own figures show that the price of land can soar hundredfold when planning permission is granted. That profiteering by landowners and agents pushes up the cost of the homes we buy and the rents we pay, and it blocks building the new low-cost homes we need on a big scale. After nearly nine years in government, why has the Secretary of State not put a stop to this?

James Brokenshire: It is a bit rich for the right hon. Gentleman to talk about policy, given that his own side has very little policy to show at all on a range of issues. He asks a fair question about building the homes that our country needs, which is why it is right to highlight to the House the 222,000 additional dwellings in the past year. That is profoundly about not only building the homes our country needs, but about ensuring that we are looking at viability and getting these issues of land value capture addressed—

Mr Speaker: Order. It is impossible to describe the extent of my gratitude to the Secretary of State, who is among the most courteous Members of the House, but I say very gently to colleagues that we have a lot of questions to get through. We therefore need short questions and short answers so that we can reach people lower down the Order Paper, because I am more bothered about the Back Benches than I am about the Front Benches.

John Healey: The Secretary of State tells us to wait till next year, but he may not be in government next year. In truth, this is a Government who delay and duck the big decisions on housing because they are too dysfunctional and too divided, just as they are on Brexit. His own Members know that their policy is failing and want action taken on land costs, so will he change the law so that the Government can work with councils to compulsorily purchase land without paying for landowner speculation, then use the savings to cut the costs for first-time buyers and renters? Even if the Secretary of State cannot get the backing of the House

for his Brexit deal, he would get it for a radical plan to make the land market work for the benefit of the many, and not the few.

James Brokenshire: Our policies are not about the many, not about the few; they are for everyone in terms of delivering on our housing agenda. Yes, we will consult on the new draft amended community infrastructure regulations, and I look forward to having the debate on them. It is this Government who are taking action to build the homes that our country needs. We will certainly take no lessons from the other side.

Local Government Funding

2. **Dr Caroline Johnson** (Sleaford and North Hykeham) (Con): What steps his Department is taking to ensure fairness in the allocation of funding to local government. [908087]

4. **Robert Courts** (Witney) (Con): What steps his Department is taking to ensure fairness in the allocation of funding to local government. [908089]

The Secretary of State for Housing, Communities and Local Government (James Brokenshire): We are undertaking a review of local authorities' relative needs and resources to address concerns about the fairness of the current system. That will determine the new baseline funding allocations for local authorities through a more up-to-date, transparent and fairer funding formula

Dr Johnson: My right hon. Friend will be aware of the extra pressures on local authorities in rural areas with sparse populations and many miles of road network. Will he assure me that the Government will factor in those pressures when allocating funding to rural areas such as Lincolnshire?

James Brokenshire: I recognise my hon. Friend's point about remoteness and accessibility, and the impact of journey times on things like labour costs. My officials are working with the Department for Transport to look at how the extra costs can be taken into account.

Robert Courts: Fifty per cent. of Oxfordshire County Council's budget is spent on social care. Many of the things that my constituents discuss with me, such as potholes and school funding, are directly or indirectly related to local government funding. What steps are being taken to ensure that regional differences are addressed so that rural areas like West Oxfordshire get the funding that they need and deserve?

James Brokenshire: We will use the best available evidence to ensure that the relative needs and resources of councils up and down the country are properly taken into account to reflect a number of the important points that my hon. Friend and others have made. We are working closely with representatives across local government to do that.

Helen Hayes (Dulwich and West Norwood) (Lab): Lambeth Council and Southwark Council have lost £6 in every £10 of Government grant they had to spend in 2010, yet across London the population is rising faster, levels of deprivation are greater, and the cost of

delivering services is higher than anywhere else in the country. Will the Secretary of State guarantee that the fair funding review will restore funding to London councils and not result in further cuts?

James Brokenshire: We will certainly look at the available evidence on how the relative review of resources is affected throughout the country, and we will take account of evidence from London councils and others. Equally, I hope that the hon. Lady will recognise the announcement in the Budget of additional funding for things like social care. An extra £650 million will go around to councils to help to make that difference.

Jack Dromey (Birmingham, Erdington) (Lab): Reeling from the biggest cuts in local government history of £650 million, with another £123 million to come, Birmingham has put forward a powerful case for fair funding. Now, an announcement has been delayed. When will the Secretary of State make his announcement? Will he listen to Birmingham, because frankly Birmingham has had enough?

James Brokenshire: I am sure that the hon. Gentleman will be able to make his points in relation to the provisional settlement for local government, which I look forward to delivering very shortly. He will have an opportunity to make representations for Birmingham and others on the fair funding review, and there will be further opportunities. I look forward to engaging with the hon. Gentleman and others in that regard.

Martin Vickers (Cleethorpes) (Con): The budgets of the local authorities that serve my constituency are under particular strain because of the increasing number of looked-after children. What additional resources are likely to be made available to cover that need?

James Brokenshire: We are very conscious of the pressures on areas such as children's social services, which my hon. Friend highlights and, equally, of some of the differentials that exist around the country. He will, however, note the additional funding that was committed in the Budget to these issues and we therefore continue to work with him and others and look forward to the spending review next year.

Alison Thewliss (Glasgow Central) (SNP): The *Daily Record* reported recently that councils in Scotland have set aside £24 million to deal with the impact of universal credit, including £2.5 million in Glasgow, £3 million in Edinburgh and £4.5 million in South Lanarkshire. How can it possibly be fair that, when central Government decisions are having a huge impact on local government funding, we can do nothing about it?

James Brokenshire: A clear mechanism is in place in relation to what are known as the new burdens on local government and therefore we take that into account and reflect further on the costs that local authorities may have in relation to other governmental activities, and that is what we do.

Andrew Gwynne (Denton and Reddish) (Lab): The record is clear: Northamptonshire bust; other councils edging towards the cliff edge; and no end to austerity, with cuts to council budgets continuing. Last week,

senior officials told the Public Accounts Committee that their measure of a council's financial sustainability is now based solely on the delivery of statutory services. Our councils are at breaking point. Is the Secretary of State not even slightly embarrassed that his Ministry has let the cat out of the bag on the decimation of local public services on his watch?

James Brokenshire: Yes, local authorities have had to bear a cost and have made some incredible efficiencies and savings as a consequence of the need to deal with the problems that we inherited from the previous Labour Government. I say to the hon. Gentleman that, when we come to the discussion over the settlement, he will see that our work will ensure that local councils have a real-terms increase in their funding and services and therefore what we are doing to ensure that councils are viable and have a positive future.

Leasehold Reform

3. **Justin Madders** (Ellesmere Port and Neston) (Lab): When his Department plans to publish a response to its consultation on implementing reforms to the leasehold system. [908088]

The Secretary of State for Housing, Communities and Local Government (James Brokenshire): The Department's consultation on implementing reforms to the leasehold system closed on 26 November with almost 1,300 responses. It set out how the Government intend to tackle excessive and unjustifiable practices in the leasehold system. We are currently analysing responses and plan to publish the Government response in due course.

Justin Madders: I know that the Secretary of State has, on numerous occasions, met developers, freeholders and other industry stakeholders as part of the consultation process, but he has not met representatives of the National Leasehold Campaign, the very people most affected by this scandal. Is it not time that he did so?

James Brokenshire: I certainly recognise some of the appalling practices that have taken place in the leasehold market, which is why we have made it clear that anyone with doubled ground rent should be able to get it changed to one linked to inflation. I look forward to engaging with leaseholders and everyone across the sector to see that reform happens.

Sir Peter Bottomley (Worthing West) (Con): The House will welcome what my right hon. Friend has said. On another day, we can deal with the statutory instrument recognising leasehold associations.

Today, I ask him to note the Law Commission's proposals on getting commonhold working properly. May I draw his attention to the post on the Leasehold Knowledge Partnership website, which says that the Government's Help to Buy team advised a builder that flats cannot be bought under commonhold because that does not apply within its rules? Can he get the rules changed so that commonhold, which we all want, can work?

James Brokenshire: I am grateful to my hon. Friend, and I will certainly look at the point that he has raised. I highlight the fact that the Government support the use

of commonhold and we are considering all the options for reinvigorating it. We certainly recognise the publication of the Law Commission's consultation and want everybody to take part in it.

Fiona Onasanya (Peterborough) (Lab): Will the Government back Labour by announcing an inquiry into the mis-selling of leaseholds?

James Brokenshire: What we need to do is to get on and get things changed. Having a review in the way that the hon. Lady has suggested is about deferring things, so we want the industry to take steps to take action. Labour can talk in that way, but it is this Government who are intent on actually bringing about reform.

Mr Richard Bacon (South Norfolk) (Con): The leasehold problem is an abiding scandal, and the Secretary of State does need to fix it. When he is reforming it will he consider being imaginative enough to copy the city of The Hague, which allows people on the housing register to go onto a register to get a serviced plot of land, which, if they cannot afford to buy it, they can lease at a peppercorn rent and then elect to buy later. If we are going to have reform, let us have imaginative reform.

James Brokenshire: I look forward to discussing that issue with my hon. Friend, because there is a sense of a need for change. Some of the abuses that we have seen are unacceptable. Although we have already put forward proposals to make that difference, I will certainly continue to talk to colleagues who may have some further imaginative thoughts.

Seema Malhotra (Feltham and Heston) (Lab/Co-op): I was shocked to hear that A2Dominion has sent leaseholders of a block in my constituency a landlord water bill of £900 per flat payable within 30 days, with the only explanation being that it had not read the water meter for two years. This has caused huge stress for residents and is the latest in the long line of unacceptable, sudden invoices with little or no explanation. Does the Secretary of State agree that there needs to be a change in the transparency and standards of housing association service charges, because leaseholders are treated like cash cows and the law is weighted in favour of landlords?

James Brokenshire: I am grateful to the hon. Lady for highlighting that particular example. It is especially appalling that leaseholders should have been presented with such a significant charge in that way. If she can send me some more details, I will look into the matter further.

Adult Social Care

6. **Paul Blomfield** (Sheffield Central) (Lab): What assessment his Department has made of the adequacy of the new grant funding for the delivery of adult social care announced in Budget 2018. [908091]

21. **Jeff Smith** (Manchester, Withington) (Lab): What assessment his Department has made of the adequacy of the new grant funding for the delivery of adult social care announced in Budget 2018. [908110]

The Parliamentary Under-Secretary of State for Housing, Communities and Local Government (Rishi Sunak): We have listened to the sector's concerns. The Government will provide an additional £240 million for winter pressures next year, as well as a further £410 million to address pressures in social care.

Paul Blomfield: I recently met local carers, whose unpaid work for loved ones takes enormous pressures off budgets, but inadequate funding for adult social care is putting additional strains on them. Some gain support from local councils and others from local groups such as Sheffield Carers Centre, but most are invisible. What support is the Department providing to local authorities to identify carers so that they can get the help that they need?

Rishi Sunak: The hon. Gentleman is absolutely right to highlight the valuable work that those carers do in our society, and that should be recognised. It is for individual local authorities to decide how best to support carers in their areas. As the Secretary of State previously said, £650 million of incremental funding for social care was announced in the Budget. That funding could be used to provide support in the way the hon. Gentleman suggests.

Jeff Smith: Councils are predicting that an additional £3.6 billion will be needed by 2025, just to maintain current levels of care. Does the Minister think that it is either sensible or economically sustainable that councils are having to use their dwindling reserves to deliver care to people? That is what many of them are doing and what many more will have to do.

Rishi Sunak: Speaking of reserves, reserves in the hon. Gentleman's constituency and area have actually increased by 40% since 2011. Beyond funding, the delivery of social care is a function of joined-up thinking with the NHS. I was delighted to meet the chief officer for Greater Manchester Health and Social Care Partnership in Manchester recently, and I am glad that almost all local authorities agree that our better care fund has improved join working between health and social care.

Kevin Hollinrake (Thirsk and Malton) (Con): Does my hon. Friend agree that the adoption of a German-style social insurance premium, as recommended by the joint inquiry of the Select Committees on Health and on Communities and Local Government, would ease funding pressures on local authorities and ensure that everyone had access to the social care that they needed?

Rishi Sunak: I thank my hon. Friend and all members of the two Select Committees for their thoughtful and detailed work in this area. I know that my colleagues in the Department of Health and Social Care are seriously considering all options in advance of the social care Green Paper, and the Committees' recommendations are very much a part of the those deliberations.

Kate Green (Stretford and Urmston) (Lab): Social care is characterised by low pay and poor employment conditions, and is heavily dependent on EU labour to meet labour force needs. The Migration Advisory Committee says that only by raising pay in the sector

will it be possible to replace EU labour with UK workers. Will the Minister commit to the additional £3 billion of funding that will be needed to do that?

Rishi Sunak: Immigration matters are obviously for the Home Office, which is shortly to bring out its White Paper. With regard to the funding, as I just said, the Department of Health and Social Care is working on a long-term sustainable funding settlement for social care that we look forward to seeing in due course.

Carbon-neutral Housing

7. **Mr Laurence Robertson** (Tewkesbury) (Con): What steps he is taking to increase the amount of carbon-neutral housing; and if he will make a statement. [908092]

The Minister for Housing (Kit Malthouse): As set out in the Government's clean growth strategy, we plan to consult in the spring of next year on an uplift to the energy efficiency requirements for new homes and other buildings where there are safe, practical, cost-effective and affordable opportunities to do so.

Mr Robertson: I thank the Minister for that response. At a time when the Government are urging more house building and looking at climate change as well, would it not be a good time to change building regulations so that all houses are self-sufficient in electricity? That would have the dual benefit of reducing utility costs and saving the planet.

Kit Malthouse: My hon. Friend is a persistent and effective advocate for renewable energy and for energy self-sufficiency. He is quite right that technology is currently emerging that may well enable domestic self-sufficiency in the future. I would be more than happy to explore the possibilities with him in the spring.

Mr Barry Sheerman (Huddersfield) (Lab/Co-op): Do the Minister and the rest of the Ministers on the Front Bench not understand that those in local government are so demoralised by a lack of funding that they cannot get their heads round carbon-neutral housing or almost anything else because they are struggling to meet the basic needs? In my own local authority area, we do not even have a youth service any longer.

Kit Malthouse: The hon. Gentleman is doing a disservice to local authorities, which have grasped the raised energy standards for new homes over the past few years, increasing them by 30% and saving all our electors, on average, £200 on their energy bills.

New Homes

8. **Luke Graham** (Ochil and South Perthshire) (Con): What assessment he has made of his Department's progress on delivering more new homes. [908094]

The Minister for Housing (Kit Malthouse): The latest figures show that over 222,000 new homes were delivered in England last year—clear progress towards our ambition of delivering 300,000 a year by the mid-2020s. This brings the total number delivered since 2010 to more than 1.3 million.

Luke Graham: House building in Scotland has plummeted under the Scottish National party, which, since 2015, has also slashed UK-wide schemes like Help to Buy. What steps is my hon. Friend taking to work with the devolved Administration to make sure that UK-wide schemes are accessible to my constituents so that they do not miss out?

Kit Malthouse: As my hon. Friend will know, my writ does not run north of the border. However, I note that in the autumn Budget of 2017, the Scottish Government received Barnett consequentials of almost £1 billion as a result of increased allocations to MHCLG for Help to Buy. I urge him and his colleagues north of the border to keep campaigning—to keep the pressure up—because Help to Buy is enormously popular and is helping many tens of thousands of first-time buyers, in particular, on to the housing ladder. At the very least, they should join him in campaigning for a Conservative victory in the Scottish elections in 2021 to make sure that people will get the homes they need.

Clive Efford (Eltham) (Lab): Why has home ownership fallen to the lowest level in 30 years under this Government?

Kit Malthouse: Home ownership has been on a gradual decline for some time—the hon. Gentleman is quite right—under Governments of all types. The main reason, frankly, that it has declined very significantly is that Labour crashed the economy in 2007-08, as he well knows. The coalition Government and this Government inherited a housing crisis of enormous proportions. After the crash, net additions to the housing stock fell to a low of 134,000. We have thankfully now got it up to 222,000, with more yet to do, and made an enormous financial, technical and practical commitment to the housing market and to building the homes that the country needs, unlike Labour, which was so complacent that it ran us into a brick wall.

Sir Mike Penning (Hemel Hempstead) (Con): Unemployment in Hemel Hempstead is at the lowest level it has ever been since the new town was built, so we would think that there would be more right to buy in the case of the 18,000 council houses that we still have in the stock. Unfortunately, though, because there is a £77,000 limit on the amount of discount we can get, people working in the local community—nurses and firemen—cannot afford mortgages as the properties are very highly priced. Can we look at the £77,000 limit, particularly in the south-east, because it just not does work for right to buy?

Kit Malthouse: As my right hon. Friend will know, home ownership is extremely important to the Government, as it is to him. Affordability is an issue in areas such as his, on the fringe of the capital. We have kept right-to-buy discount under review, and it was reinvigorated back in 2012, to address the issue that he raises. I urge him to speak to his local council, to explore other ways within the affordable housing envelope to address that issue. If he had been at questions last time, he would have heard a very good question from my hon. Friend the Member for Thirsk and Malton (Kevin Hollinrake) about discounted market sales, which may well be a route to ownership for many people.

Tim Farron (Westmorland and Lonsdale) (LD): Will the Minister meet me to discuss funding new affordable homes in rural communities such as mine in Cumbria by allowing councils to increase council tax on second homes? Excessive second home ownership robs our communities of a permanent population. A second homes tax could help to fund affordable homes for local families and keep our communities alive.

Kit Malthouse: It would give me enormous pleasure to meet the hon. Gentleman to discuss that matter. As he will know, we have been looking at that in some detail, and the Under-Secretary of State for Housing, Communities and Local Government, my hon. Friend the Member for Richmond (Yorks) (Rishi Sunak), tells me that we are consulting on tightening up some of the loopholes, particularly around business rates and council tax. I recognise that in some parts of the country—not least my own—second homes can be an issue, and I would be happy to meet the hon. Gentleman to discuss that.

Alison Thewliss (Glasgow Central) (SNP): I would like to draw the attention of the hon. Member for Ochil and South Perthshire (Luke Graham) to an article in *Inside Housing* by Jules Birch called “England could learn a few things from Scotland when it comes to affordable housing”. Since 2007, the SNP Scottish Government have delivered 78,000 affordable homes, including more than 50,000 for social rent, because we have made it a priority. As this Government have fallen so far short of every target they have set, may I encourage the Minister to meet Kevin Stewart, the Scottish Government’s Housing Minister, to ask what he has done to achieve housing targets?

Kit Malthouse: I am always happy to meet anybody who will help us to build more of the homes that Britain needs, and if someone from the SNP can spare some time from stoking grievance to meet constructively, I would be more than happy to do so. As I said, we are making an enormous effort to raise the output of the house building industry of all types of home, both public and private, in this country. We have managed to get up to 222,000 new homes, which is the largest expansion in house building for many decades—it is the highest level of output in all but one of the last 31 years. We are making good progress towards our target of 300,000 new homes a year of all types, including affordable, private and social.

Local Government Funding

9. **Richard Graham** (Gloucester) (Con): What steps his Department is taking to review the distribution of funding to local government. [908096]

20. **Maggie Throup** (Erewash) (Con): What steps his Department is taking to review the distribution of funding to local government. [908109]

The Parliamentary Under-Secretary of State for Housing, Communities and Local Government (Rishi Sunak): With permission, Mr Speaker, I would like to answer Question 9 with Question 17.

We are undertaking a review of local authorities’ relative resource and needs. We are making good progress in collaboration with the sector and are considering

many topics that hon. Members have raised as we look to introduce a simple, accurate and transparent new funding formula.

Richard Graham *rose*—

Mr Speaker: Before the hon. Gentleman puts his question, I appreciate that the Minister is probably operating on earlier intelligence, but Question 17 has gone, and therefore the grouping is merely with Question 20—a point that I am sure other Members instantly knew and of which I am merely reminding them.

Richard Graham: As the Minister knows, small urban areas have limited space to generate increased new homes bonus. If my hon. Friend could announce that Gloucester and Cheltenham were to be pilot projects for retaining all business rates revenue, that would be a welcome Christmas present, but in the absence of that, what advice would he give to good urban councils that are keen to maintain their services and regenerate their city or borough centres?

Rishi Sunak: I was delighted to meet recently my hon. Friend and those in his local authority. It was inspiring to hear their ambitious plans to grow the local economy, and I commend them for their vision. I would urge them to look at the recently announced high streets fund, which can help them to ensure that their town remains a vibrant and prosperous community.

Maggie Throup: As part of the review, will my hon. Friend ensure that councils such as Erewash have the funding necessary to properly support residents affected by High Speed 2 and mitigate the impact that this line will have on our towns?

Rishi Sunak: My hon. Friend is right to raise that. The review relates to the distribution of funding for core services that are funded through the local government finance settlement, but the Government have introduced a number of statutory and non-statutory compensation schemes along the HS2 route, including in my hon. Friend’s constituency, which are designed to compensate those whose properties are affected.

Stephen Pound (Ealing North) (Lab): It is neither hysterical nor alarmist to say that local government faces an existential threat to its very being when even sensible, efficient and serious councils such as Ealing are having to cut their services to the bone and beyond. It is quite right that the Local Government Association’s current campaign is called “Breaking Point”. Has the Minister met the LGA, and if so, what succour can he offer it and councils such as Ealing?

Rishi Sunak: I meet the LGA on almost a weekly basis, I am pleased to tell the hon. Gentleman. I can also say that the LGA, the County Councils Network and many other part of the local government sector warmly welcome the announcements in the recent Budget providing a substantial increase in funding for social care. They believe enormously in the confidence that this Government have shown in local authorities, when it comes to the future high streets fund and others, and in their ability to deliver for their communities and their residents.

Lucy Powell (Manchester Central) (Lab/Co-op): The Minister may have read the article on the front page of today's *Manchester Evening News*, which is both powerful and harrowing. It is a truly awful account of what it is like for homeless families in Manchester today by the brilliant journalist Jennifer Williams. When will the Government come forward with a proper comprehensive plan for funding for local government so that it can serve families and, when they are in desperate need, house them in decent homes?

Rishi Sunak: I thank the hon. Lady for bringing to my attention that article, which I will be sure to look at later today. I know the Under-Secretary of State for Housing, Communities and Local Government, my hon. Friend the Member for South Derbyshire (Mrs Wheeler), who has responsibility for housing and homelessness, is hard at work tackling this difficult issue, with over £1 billion committed over the next few years. Indeed, I believe Manchester is a pilot for the Housing First schemes as well.

Voluntary Right to Buy Pilot Scheme

10. **Steve McCabe** (Birmingham, Selly Oak) (Lab): What progress has been made on the voluntary right to buy pilot in the midlands. [908097]

The Minister for Housing (Kit Malthouse): The midlands pilot was launched on 16 August, with over 9,000 households registering for the ballot. Successful tenants are now applying to their housing association to buy their home. Our £200 million investment in the pilot will help thousands of housing association tenants to realise the dream of home ownership.

Steve McCabe: I realise this is a pilot, but if the Government do not know how many properties are available for sale and how many of the Mayor's 6,000 lottery winners will actually be able to buy their own home, how is this the best use of scarce resources—£200 million—in the part of the country with the worst homelessness problem outside London and the south-east?

Kit Malthouse: The whole purpose of a pilot is to answer the questions that the hon. Gentleman quite rightly raises. As for whether this is the best use of resources, I think that 9,146 housing association tenants in the area might agree it is, given that they applied for the funding. He is quite right that 6,000 were successful in the ballot, and we expect a smaller number than that to proceed to take advantage of buying their own home. Following the completion of the pilot, we will assess and answer those questions about where we go next.

Mark Pawsey (Rugby) (Con): My constituent Joanne Betts of Cawston in Rugby was very disappointed not to be successful in the ballot. When does the Minister think she may have an opportunity to buy her home? She has of course contributed a large proportion of its cost through the rent she has paid over many years.

Kit Malthouse: My hon. Friend is quite right to raise the disappointment of his constituent. I am sorry that there were winners and losers in the ballot, but it was laid out early on in the pilot that the £200 million was capable of funding only a certain number of sales.

We reckon that will be less than 6,000; we over-programmed it because not everybody will be able to proceed. Once the pilot is completed, and we can assess the results and the demand, we will be able to take a view on where we go next.

Mr Jim Cunningham (Coventry South) (Lab): Will the Minister clarify the Government's position in relation to the right to buy in the voluntary sector? As he knows, the voluntary sector is under a lot of pressure.

Kit Malthouse: As the hon. Gentleman will understand, the pilot is a voluntary pilot. We agreed with the National Housing Federation that the midlands was a good place to do it to assess, from both the housing association sector and the Government side, how we can best effect and fulfil the aspiration of the majority of housing association tenants who want to own—from a financial point of view but also from an effectiveness point of view. We want the pilot to bed in, to see how it performs over the next couple of years and then to reach some conclusions after that.

Rough Sleeping

11. **Jess Phillips** (Birmingham, Yardley) (Lab): What steps his Department is taking to support people sleeping rough at Christmas 2018. [908098]

The Secretary of State for Housing, Communities and Local Government (James Brokenshire): The rough sleeping initiative has allocated £30 million to 83 local authorities, which are working to deliver 500 additional support workers and 1,750 extra bed spaces to support people off the street. The Government have also made available a £5 million cold weather fund for all areas to provide additional support this winter.

Jess Phillips: I thank the Minister for his answer. I wonder whether he could answer me a simple question. I would appreciate a one-word answer, as I am sure Mr Speaker will. The rough sleeping headcount in Birmingham took place last week. The figures are yet to be revealed. Does the Minister think that they will have gone up or down?

James Brokenshire: I am not going to predict, because—[*Interruption.*] I am sorry to disappoint the hon. Lady. I want to see the figures coming down, because it is about helping people off the street and changing their lives. No one chooses to be out on the street. That is why we are taking all the action that we are.

Crispin Blunt (Reigate) (Con): What is the Government's estimate of the proportion of those sleeping rough who are not addicted to drugs, including alcohol?

James Brokenshire: We recognise that there is a significant issue with what is known as dual diagnosis of mental ill health and alcohol addiction and how the two are intertwined, along with the use of novel psychoactive substances, which has compounded the issue. That is why we have asked the national health service to provide an additional £30 million to address those issues and get better data on them.

Paula Sherriff (Dewsbury) (Lab): There cannot be a Member in this House who has failed to notice the exponential rise in people sleeping on our streets, and not just in cities such as London, but in places such as Dewsbury, which I represent. Will the Secretary of State tell us what progress has been made on the Government pledge to end homelessness?

James Brokenshire: It is our intent to see rough sleeping ended. I highlighted in my earlier answer the additional beds, the additional workers and the funding support that has been put in place, because it is about progress over the next few years, but also action now, which is what the rough sleeping initiative is all about: saving lives and seeing more people come off the street.

Homelessness and Social Housing

12. **Wera Hobhouse** (Bath) (LD): If he will make an assessment of the effect of social housing providers' allocation policies on levels of homelessness. [908100]

The Parliamentary Under-Secretary of State for Housing, Communities and Local Government (Mrs Heather Wheeler): Access to social housing is managed locally, but certain people must be given priority, including homeless households. The social housing Green Paper announced an evidence collection exercise to understand how the allocations framework is working and whether it is striking the right balance of fairness, support and aspiration.

Wera Hobhouse (Bath) (LD): Two hundred and eighty-nine young people are presenting themselves as homeless in Bath and North East Somerset Council alone. Will the Minister's Department use the current review of social housing regulation to ensure that social housing allocation policies do not lock out young people, who are especially disadvantaged by the current policy?

Mrs Wheeler: Yes.

Mr Speaker: We are very grateful.

Bob Blackman (Harrow East) (Con): What assessment has my hon. Friend made of local authorities assisting rough sleepers into a home of their own following the Homelessness Reduction Act 2017 coming into law?

Mrs Wheeler: I thank my hon. Friend for his question. Unfortunately, I did not hear the very beginning of it, but I think the gist was that the Homelessness Reduction Act 2017 is a very welcome new Act. We are grateful for everybody's hard work on it earlier this year. We will review it after 24 months, but so far my understanding is that local councils are impressed with how well it is being embedded.

Shared Prosperity Fund

13. **Steve Double** (St Austell and Newquay) (Con): What progress he has made on plans for the UK shared prosperity fund. [908102]

The Parliamentary Under-Secretary of State for Housing, Communities and Local Government (Jake Berry): Leaving the European Union offers great opportunity to the country, including coming up with a shared prosperity

fund that aligns our national priorities. Good progress is being made, and we intend to consult on the design of the UK shared prosperity fund shortly.

Steve Double: I am sure the whole House will agree that Cornwall is unique in many ways—we have our own heritage and culture, including our own language—but we also face a number of unique economic challenges, particularly from our geography as a peninsula and after decades of under-investment. Will the Minister confirm that the shared prosperity fund will continue to support the Cornish economy, so that we can all continue to say, “Kernow bys vyken!”?

Jake Berry: If I may respond in Cornish, I take the opportunity to wish my hon. Friend and all his constituents Nadelik lowen. With only 109 shopping days to Brexit, I can reassure my hon. Friend that the UK shared prosperity fund will be simplified and targeted, and will tackle the challenges of our whole country, including those facing Cornwall.

Jim McMahon (Oldham West and Royton) (Lab/Co-op): This weekend, the mayor of Liverpool, Joe Anderson, resigned from the Northern Powerhouse Partnership. He says he no longer sees the benefit, given that it was set up by a Government who just do not want to listen to it. At the same time, the Institute for Public Policy Research North paints a stark picture, where the north gets £2,500 less per head in investment on transport than London. The northern powerhouse Minister literally has one job to do. What's going on?

Jake Berry: As Harry Enfield and his chums would say about anyone from Liverpool, including me: “Calm down, calm down.” I can confirm today that we have announced £38.4 million for Liverpool. I completely refute the IPPR figures. They exclude 60% of spending across regional boundaries. They do not apportion spending where the benefit is felt. If the hon. Gentleman wants to give some advice to his chums in the left-wing IPPR think-tank, he might say that next time they produce such figures they should print them on softer paper.

Grenfell Tower

14. **Andrew Rosindell** (Romford) (Con): What steps his Department is taking to support people directly affected by the Grenfell Tower fire. [908103]

The Secretary of State for Housing, Communities and Local Government (James Brokenshire): The Government remain committed to ensuring that the survivors of the Grenfell Tower tragedy receive the support they need. This includes financial, practical and health support, as well as making sure that all survivors are permanently rehoused by the Royal Borough of Kensington and Chelsea as quickly as possible.

Andrew Rosindell: It is 18 months since the tragedy of Grenfell Tower. Will the Secretary of State tell us what process is in place to deal with psychological and trauma problems still faced by the survivors of that horrific occasion 18 months ago?

James Brokenshire: My hon. Friend is right to highlight the continuing psychological and mental health issues. The NHS continues proactive outreach—there is a screening for trauma programme—and NHS support is available 24 hours a day for all who require it. NHS England has committed up to £50 million to fund long-term health checks and treatment for all those affected by the Grenfell Tower fire.

Emma Dent Coad (Kensington) (Lab): Latest figures this morning showed that households in hotels and in temporary accommodation add up to 107 households: 107 households will be homeless at Christmas. These are people from the Tower, the walkways and nearby buildings who are unable to come home. Some of those people have had no money. We had one case last week where someone had no money for five months. Somebody else was seen begging at Ladbroke Grove because they have no money. They are not getting the help the Secretary of State believes. Why should we believe a single word he says?

James Brokenshire: The hon. Lady rightly challenges on behalf of her constituents. What I would say to her very clearly is that 201 households from Grenfell Tower and the Walk need rehousing; 193 have accepted permanent offers and seven have accepted temporary offers; and 179 households have moved in. I accept that there needs to be more effort in relation to emergency accommodation and getting people out of hotels. Progress is being made and we will continue to support the Royal Borough of Kensington and Chelsea to do that and get people into permanent homes.

Sarah Jones (Croydon Central) (Lab): It is 18 months after Grenfell and a quarter of families are still not in permanent homes. The problem goes wider. We have found out that 16 out of the 20 tall tower blocks in Kensington, several within full view of Grenfell Tower, still do not have sprinklers, and only 4% of council blocks in London have sprinklers. Sprinklers are mandatory in new tall buildings because they keep people safe, but councils do not have the funds to retrofit social housing blocks. The Government have brushed away every single request for help as non-essential. Why do the Government continue to stigmatise and discriminate against social housing tenants?

James Brokenshire: The hon. Lady will know that one of the key elements of our social housing Green Paper was to break stigma, and I challenge very firmly to ensure that people in social housing are treated fairly and appropriately. She highlights the issue of sprinklers and is right that in relation to new builds, we have put firm requirements in place. We have said that if local councils require flexibilities to be able to assist with that and the management of those buildings, we will certainly consider that fairly, because our priority is to ensure that people living in high-rise blocks are safe.

Local Government Funding

15. **Dr Rupa Huq** (Ealing Central and Acton) (Lab): Whether his Department has received representations on local authority funding from the UN special rapporteur on extreme poverty and human rights. [908104]

The Parliamentary Under-Secretary of State for Housing, Communities and Local Government (Rishi Sunak): We took the opportunity to share our work with the special rapporteur and are considering his specific findings as they relate to the policy responsibilities of this Department.

Dr Rupa Huq (Ealing Central and Acton) (Lab): The 14 million that the UN identified as in poverty in our country are not just in the Hovis adverts of the industrial heartlands, but in leafy west London. How would the Minister advise Ealing Council to resource the five extra adult social care cases a week that come across its desk and the rising number of child social services cases, when it has had a 64% cut in its budget since the Government came to power?

Rishi Sunak: What I would say to Ealing Council is that it will shortly receive several million pounds extra to spend on its social care priorities. I would also point out that its reserves have increased in the last few years and are available for it to spend as it requires.

Topical Questions

T1. [908111] **Dr Caroline Johnson** (Sleaford and North Hykeham) (Con): If he will make a statement on his departmental responsibilities.

The Secretary of State for Housing, Communities and Local Government (James Brokenshire): Housing remains the Government's top priority and the work of my Department continues at pace. The latest figures show that we have delivered more than 222,000 new homes—the highest for a decade—but especially as the temperatures drop, we are taking decisive action to support vulnerable people without a home and have published our rough sleeping strategy delivery plan. Shortly, I will publish our draft local government finance settlement with a new fairer method for allocation to help our councils to deliver high-quality services. Finally, as Jewish families across the country gather to light the candles of Hanukkah, I want to wish everyone celebrating a happy and peaceful Hanukkah.

Dr Johnson: When I find time to do my Christmas shopping, I will do my best to support the local high streets in Lincolnshire. Will my right hon. Friend tell the House what his Department is doing to ensure that our high streets have the support to survive and thrive in our communities?

James Brokenshire: High streets are the hub of our communities, which is why I am delighted that we have announced a £675 million future high streets fund to invest in our high streets, as well as, for example, launching an open doors pilot to bring empty properties back into use, and matching landlords of vacant premises with local community groups to ensure that our high streets are vibrant community places.

Yvonne Fovargue (Makerfield) (Lab): Some debt collection practices, particularly the heavy-handed use of bailiffs, make matters worse, not better, so what is the Secretary of State doing to promote the recent Money Advice Service toolkit initiative? How is he making sure that the way council tax debt is collected does not lead to further financial hardship and stress?

The Parliamentary Under-Secretary of State for Housing, Communities and Local Government (Rishi Sunak): I would be happy to look further into that for the hon. Lady. On council tax debt collection, the Government's position is clear: enforcement should be a last resort, and there is strict guidance in place to ensure the proper collection of council tax, done in a proportionate and civil manner.

T3. [908113] **Bob Blackman** (Harrow East) (Con): Following the ban on combustible cladding on new or refurbished buildings on 1 October, it has emerged that over 543 buildings are being built or refurbished with combustible cladding. Worse still, 1,338 buildings have combustible cladding. What is my right hon. Friend doing to ensure that the ban is enforced and that leaseholders do not pay the cost?

James Brokenshire: Nothing is more important than making sure that people are safe in their homes. I have made it clear that building owners are responsible for the safety of their buildings and they should protect leaseholders from costs. Local authorities have our full support to take enforcement action to make buildings safe, and it is our priority to ensure that people are safe and secure in their homes.

T2. [908112] **Kerry McCarthy** (Bristol East) (Lab): I thank the supported housing Minister for the letter she has just sent me about the case in my constituency. Can I urge her to talk to as many colleagues as possible, because although the case in my constituency, where several residents died, might be one of the worst examples, it is not unique? There is a real problem in this sector.

The Parliamentary Under-Secretary of State for Housing, Communities and Local Government (Mrs Heather Wheeler): The hon. Lady is absolutely right. It was appalling what was happening in Bristol in that hostel. The Government are committed to protecting vulnerable people. We are developing robust oversight of all supported housing, including homelessness hostels, and are undertaking a review of housing-related support services to ensure that all provision is of good quality and that appropriate support is provided. We are working with local government to support those experiencing rough sleeping and homelessness including with safety measures.

T4. [908114] **Jack Brereton** (Stoke-on-Trent South) (Con): I was very pleased to welcome the high streets Minister to Stoke-on-Trent South recently. Would he agree that towns such as Longton and Fenton in my constituency are exactly the sorts of places that should benefit from the future high streets fund?

The Parliamentary Under-Secretary of State for Housing, Communities and Local Government (Jake Berry): It was a pleasure to join my hon. Friend shopping on his local high streets. The Government's future high streets fund will help high streets to thrive, adapt and change. We will publish the prospectus shortly, and I would encourage Longton and Fenton, as well as the other towns that make up Stoke-on-Trent, to express their interest in the fund.

T6. [908116] **Mr Tanmanjeet Singh Dhese** (Slough) (Lab): The Government's recently announced leasehold consultation is the 53rd announcement on this topic since 2010, and among those previous announcements

was a consultation on these exact same issues just 16 months ago. Can the Secretary of State confirm when leaseholders will finally see action, rather than just warm words?

James Brokenshire: We are determined to take action, and the consultation actually contains the technical elements to make sure we get it right and see a practical impact.

T5. [908115] **Robert Courts** (Witney) (Con): Plans for the Oxfordshire Cotswolds garden village will see 2,200 homes built near Eynsham on the A40—an already congested road—in west Oxfordshire. Can the Minister please assure me that garden villages are indeed free-standing settlements with their own schools and GP provision and that their connected infrastructure upgrades happen before, not after, the new homes are completed?

The Minister for Housing (Kit Malthouse): I congratulate my hon. Friend and his local authority colleagues on their ambition in welcoming this new garden community to their area. I can confirm that all such communities should be well planned, and include appropriate infrastructure, both hard and soft, so that they are of benefit to the local area, rather than a subtraction.

T7. [908117] **Sandy Martin** (Ipswich) (Lab): Given that the Department for Work and Pensions is relying on citizens advice bureaux to deliver universal credit, what conversations has the Secretary of State had with local authorities about their proposed cuts to CABs' core funding, and has he warned his colleagues that many CABs may cease to exist?

James Brokenshire: I am sure the hon. Gentleman will be able to discuss this and other issues when we have the provisional settlement. He will see the support we are giving to local authorities, giving that commitment to local communities and ensuring high-quality services.

Nigel Huddleston (Mid Worcestershire) (Con): What support is the Department giving to councils such as Worcestershire trying to improve services through the enhanced use of technology?

Rishi Sunak: My hon. Friend's commitment to using technology and public services is well known to the House and is a passion I share. I was delighted that his council, Worcestershire, was involved in three winning bids to our £7.5 million local digital innovation fund. I congratulate it and look forward to seeing the fruits of its innovation.

T8. [908118] **Christian Matheson** (City of Chester) (Lab): Cheshire West and Chester Council activates its severe weather protocol for homeless people on the first night of bad weather. Share, the homeless charity in my constituency, would like this to be extended across the country. Will Ministers provide the funding for this extension to happen?

James Brokenshire: I commend the work of the charity in the hon. Gentleman's constituency. We have a £5 million fund open to all local authorities to ensure that more accommodation is now available for these winter months.

Michael Fabricant (Lichfield) (Con): Lichfield, Tamworth and Burton Councils are members of two local enterprise partnerships—the Greater Birmingham and Solihull LEP

and the Staffordshire LEP. Why is my right hon. Friend the Secretary of State trying to abandon localism and force them to join just the Staffordshire LEP?

Jake Berry: Our LEP review is about putting our LEPs on a permanent footing as we leave the European Union. Abolishing overlaps is about creating accountability for all LEPs and is part of a wider suite of reforms ensuring that LEP boards reflect the diverse communities they represent by asking them to have at least 50% of their boards made up of local businesswomen.

T9. [908119] **Martyn Day** (Linlithgow and East Falkirk) (SNP): The UN rapporteur on racism looked at the impact of Brexit, and highlighted

“the growth in the acceptability of explicit racial, ethnic and religious intolerance.”

What are the Government doing to tackle that, and does the Secretary of State agree that recent comments from the Prime Minister have been deeply unhelpful in this regard?

James Brokenshire: It is right that we challenge and tackle religious intolerance, whatever form it takes. I look forward to continuing to work with the Scottish Government and others to underline the positive approach that we take to integration, and ensuring that if there is intolerance and bigotry, it is challenged and shown to be completely unacceptable.

Robert Neill (Bromley and Chislehurst) (Con): My right hon. Friend referred to the power that he has given local authorities to carry out emergency work to replace dangerous cladding and charge the owners. However, many owners are able to claim against the leaseholders for the costs under the terms of their leases, and that anomaly defeats the Government's policy. Will my right hon. Friend meet me to discuss how the position might be rectified?

James Brokenshire: I shall be happy to discuss that with my hon. Friend. Many people are meeting those costs, but where that is not happening, I shall also be happy to challenge those concerned and make the point clear.

T10. [908120] **John Mc Nally** (Falkirk) (SNP): The Minister recently attended a meeting of the all-party parliamentary group for disability, and answered a variety of questions. One particular concern that was raised was the need for Changing Places toilets to become more available in

everyday work and leisure amenities, such as football grounds. Such a facility was offered recently at Glasgow Celtic's—[*Interruption.*]

Mr Speaker: Order. I am trying to help the hon. Gentleman, in an excessively noisy House. Project! Speak up, man.

John Mc Nally: I am standing as tall as I can, Mr Speaker.

Can the Minister give me an update on the Government's progress in helping to improve the provision of those much-needed facilities?

Rishi Sunak: I pay tribute to the hon. Gentleman's personal leadership on this issue. I commend Celtic football club on its forward thinking, and, indeed, commend all other football clubs that have done the same. I recently met the Changing Places consortium and the campaign group. I share the hon. Gentleman's passion for ensuring that those with complex disabilities have every opportunity to enjoy a dignified and fulfilling life, and installing more Changing Places is something that we should all support.

Tom Pursglove (Corby) (Con): Northamptonshire's police and crime commissioner, Stephen Mold, is very kindly lending Corby's former police station to Corby Nightlight to help its invaluable work in supporting homeless people in our community. Will my right hon. Friend commend that collaboration, so that when Nightlight moves to its new premises next year, there will be no interruption in service?

James Brokenshire: I am happy to commend that collaboration, and the incredible work that is taking place in Northamptonshire and elsewhere to meet the important challenge of getting people off our streets and dealing with issues relating to homelessness.

Bambos Charalambous (Enfield, Southgate) (Lab): In my local borough of Enfield, children's services are at breaking point. Can the Secretary of State assure me that adequate funds will be found in the local government financial settlement for those services, and for child and adolescent mental health services?

James Brokenshire: I hope that when the hon. Gentleman hears the statement on the provisional settlement, he will recognise the commitment that we make to children's as well as adult social services. However, I recognise the pressures that exist. We want to see innovation, and we want to see those services improve. I look forward to discussing the issue with the hon. Gentleman.

Exiting the European Union

3.33 pm

The Prime Minister (Mrs Theresa May): With permission, Mr Speaker, I will make a statement on exiting the European Union.

We have now had three days of debate on the withdrawal agreement setting out the terms of our departure from the EU, and the political declaration setting out our future relationship after we have left. I have listened very carefully to what has been said, in the Chamber and out of it, by Members on all sides. From listening to those views, it is clear that while there is broad support for many of the key aspects of the deal, on one issue, the Northern Ireland backstop, there remains widespread and deep concern. As a result, if we went ahead and held the vote tomorrow, the deal would be rejected by a significant margin. We will therefore defer the vote scheduled for tomorrow, and will not proceed to divide the House at this time.

I set out in my speech opening the debate last week the reasons why the backstop is a necessary guarantee to the people of Northern Ireland and why, whatever future relationship you want, there is no deal available that does not include the backstop. Behind all those arguments are some inescapable facts: the fact that Northern Ireland shares a land border with another sovereign state; the fact that the hard-won peace that has been built in Northern Ireland over the last two decades has been built around a seamless border; and the fact that Brexit will create a wholly new situation.

On 30 March the Northern Ireland-Ireland border will for the first time become the external frontier of the European Union's single market and customs union. The challenge this poses must be met not with rhetoric but with real and workable solutions. Businesses operate across that border. People live their lives crossing and re-crossing it every day. I have been there and spoken to some of those people; they do not want their everyday lives to change as a result of the decision we have taken. They do not want a return to a hard border. And if this House cares about preserving our Union, it must listen to those people, because our Union will only endure with their consent.

We had hoped that the changes we have secured to the backstop would reassure Members that we could never be trapped in it indefinitely. I hope the House will forgive me if I take a moment to remind it of those changes. The customs element of the backstop is now UK-wide; it no longer splits our country into two customs territories. This also means that the backstop is now an uncomfortable arrangement for the EU, so it will not want it to come into use, or to persist for long if it does.

Both sides are now legally committed to using best endeavours to have our new relationship in place before the end of the implementation period, ensuring the backstop is never used. If our new relationship is not ready, we can now choose to extend the implementation period, further reducing the likelihood of the backstop coming into use. If the backstop ever does come into use, we now do not have to get the new relationship in place to get out of it; alternative arrangements that make use of technology could be put in place instead. The treaty is now clear that the backstop can only ever be temporary, and there is now a termination clause.

But I am clear from what I have heard in this place and from my own conversations that these elements do not offer a sufficient number of colleagues the reassurance that they need. I spoke to a number of EU leaders over the weekend, and in advance of the European Council I will go to see my counterparts in other member states and the leadership of the Council and the Commission. I will discuss with them the clear concerns that this House has expressed.

We are also looking closely at new ways of empowering the House of Commons to ensure that any provision for a backstop has democratic legitimacy and to enable the House to place its own obligations on the Government—*[Interruption.]* To enable the House to place its own obligations on the Government to ensure that the backstop cannot be in place indefinitely.

Mr Speaker, having spent the best part of two years poring over the detail of Brexit, listening to the public's ambitions, and, yes, their fears too, and testing the limits of what the other side is prepared to accept, I am in absolutely no doubt that this deal is the right one. *[Interruption.]* It honours the result of the referendum. *[Interruption.]*

Mr Speaker: Order. The remainder of the statement must be heard, and I invite the House to hear it with courtesy. And for the avoidance of doubt, and also for the benefit of those attending to our proceedings who are not Members of the House, I emphasise that, as per usual, I will call everyone who wants to question the Prime Minister, but meanwhile please hear her.

The Prime Minister: It honours the result of the referendum. It protects jobs, security and our Union. But it also represents the very best deal that is actually negotiable with the EU. I believe in it, as do many Members of this House, and I still believe there is a majority to be won in this House in support of it if I can secure additional reassurance on the question of the backstop, and that is what my focus will be in the days ahead.

But if you take a step back, it is clear that the House faces a much more fundamental question. Does this House want to deliver Brexit? *[HON. MEMBERS: "No!"]* That is a clear message from the Scottish National party. If the House does want to deliver Brexit, does it want to do so through reaching an agreement with the EU? If the answer is yes, and I believe that is the answer of the majority of this House, then we all have to ask ourselves whether we are prepared to make a compromise, because there will be no enduring and successful Brexit without some compromise on both sides of the debate.

Many of the most controversial aspects of this deal, including the backstop, are simply inescapable facts of having a negotiated Brexit. Those Members who continue to disagree need to shoulder the responsibility of advocating an alternative solution that can be delivered, and do so without ducking its implications. So if you want a second referendum to overturn the result of the first, be honest that this risks dividing the country again, when as a House we should be striving to bring it back together. If you want to remain part of the single market and the customs union, be open that this would require free movement, rule taking across the economy and ongoing financial contributions—none of which

are in my view compatible with the result of the referendum. If you want to leave without a deal, be up front that in the short term, this would cause significant economic damage to parts of our country who can least afford to bear the burden. I do not believe that any of those courses of action command a majority in this House. But notwithstanding that fact, for as long as we fail to agree a deal, the risk of an accidental no deal increases. So the Government will step up their work in preparation for that potential outcome, and the Cabinet will hold further discussions on it this week.

The vast majority of us accept the result of the referendum and want to leave with a deal. We have a responsibility to discharge. If we will the ends, we must also will the means. I know that Members across the House appreciate how important that responsibility is. I am very grateful to all Members on this side of the House—and a few on the other side, too—who have backed this deal and spoken up for it. Many others, I know, have been wrestling with their consciences, particularly over the question of the backstop. They are seized of the need to face up to the challenge posed by the Irish border, but genuinely concerned about the consequences. I have listened. I have heard those concerns and I will now do everything I possibly can to secure further assurances.

If I may, I will conclude on a personal note. On the morning after the referendum two and a half years ago, I knew that we had witnessed a defining moment for our democracy. Places that did not get a lot of attention at elections and did not get much coverage on the news were making their voices heard and saying that they wanted things to change. I knew in that moment that Parliament had to deliver for them. Of course that does not just mean delivering Brexit. It means working across all areas—building a stronger economy, improving public services, tackling social injustices—to make this a country that truly works for everyone—[*Interruption.*]

Mr Speaker: Order. The Prime Minister must be heard.

The Prime Minister: It means working across all areas to make this a country that truly works for everyone, and a country where nowhere and nobody is left behind. These matters are too important to be afterthoughts in our politics. They deserve to be at the centre of our thinking, but that can happen only if we get Brexit done and get it done right.

Even though I voted remain, from the moment I took up the responsibility of being Prime Minister of this great country, I have known that my duty is to honour the result of that vote. And I have been just as determined to protect the jobs that put food on the tables of working families and the security partnerships that keep each one of us safe. That is what this deal does. It gives us control of our borders, our money and our laws. It protects jobs, security and our Union. It is the right deal for Britain. I am determined to do all I can to secure the reassurances this House requires, to get this deal over the line and deliver for the British people. I commend this statement to the House.

3.45 pm

Jeremy Corbyn (Islington North) (Lab): I thank the Prime Minister for providing a copy of the statement before we met here this afternoon. We are in an extremely

serious and unprecedented situation. The Government have lost control of events and are in complete disarray. It has been evident for weeks that the Prime Minister's deal does not have the confidence of this House, yet she ploughed on regardless, reiterating "This is the only deal available." Can she be clear with the House: is she seeking changes to the deal, or mere reassurances? Does she therefore accept the statement from the European Commission at lunchtime, saying that it was the

"only deal possible. We will not renegotiate—our position has...not changed"?

Ireland's Taoiseach, Leo Varadkar, has said it is "not possible" to renegotiate the Irish border backstop, stating that it was the Prime Minister's own red lines that made the backstop necessary. So can the Prime Minister be clear: is she now ready to drop further red lines in order to make progress? Can the Prime Minister confirm that the deal presented to this House is not off the table, but will be re-presented with a few assurances? Bringing back the same botched deal, either next week or in January—and can she be clear on the timing?—will not change its fundamental flaws or the deeply held objections right across this House, which go far wider than the backstop alone.

This is a bad deal for Britain, a bad deal for our economy and a bad deal for our democracy. Our country deserves better than this. The deal damages our economy, and it is not just the Opposition saying that; the Government's own analysis shows that this deal would make us worse off. If the Prime Minister cannot be clear that she can and will renegotiate the deal, she must make way. If she is going back to Brussels, she needs to build a consensus in this House. Since it appears that business has changed for the next two days, it seems not only possible but necessary that this House debates the negotiating mandate that the Prime Minister takes to Brussels. There is no point at all in this Prime Minister bringing back the same deal again, which is clearly not supported by this House.

We have endured two years of shambolic negotiations. Red lines have been boldly announced and then cast aside. We are now on our third Brexit Secretary, and it appears that each one of them has been excluded from these vital negotiations. We were promised a precise and substantive document, and we got a vague 26-page wishlist. This Government have become the first Government in British history to be held in contempt of Parliament.

The Government are in disarray. Uncertainty is building for business. People are in despair at the state of these failed negotiations, and concerned about what it means for their jobs, their livelihoods and their communities. The fault for that lies solely at the door of this shambolic Government. The Prime Minister is trying to buy herself one last chance to save this deal. If she does not take on board the fundamental changes required, she must make way for those who can.

The Prime Minister: I will respond fairly briefly. The right hon. Gentleman appears to argue, on the one hand, that it is not possible to change the deal because the EU has said that this is the only deal and, on the other hand, that the only thing he would accept is the deal being renegotiated. He quoted the European Union as saying this is the only deal, and he went on to say that the whole deal needs to be renegotiated.

[The Prime Minister]

The fundamental question that Members of this House have to ask themselves is whether they wish to deliver Brexit and honour the result of the referendum. All the analysis shows that, if we wish to deliver Brexit, if we wish to honour the result of the referendum, the deal that does that, and that best protects jobs and our economy, is the deal the Government have put forward. [Interruption.]

Mr Speaker: Order. Everybody will have his or her chance, but the questions have been put and the answers must similarly be heard.

The Prime Minister: That is the fundamental question for Members of this House: to deliver on and honour the result of the referendum, but to do it in a way that protects jobs and our economy. That is what this deal does.

The Leader of the Opposition talks about a number of issues. He wants to be in the customs union such that the single market and free movement would have to be accepted. He refuses to accept that any deal requires a backstop, because that is our commitment to the people of Northern Ireland. He claims that he wants to negotiate trade deals, yet he wants to be fully in the customs union, which would not enable us to negotiate those trade deals. Finally, he talks about the uncertainty for British business. I can tell him that the biggest uncertainty for British business lies not in this deal but on the Front Bench of the Labour party.

Several hon. Members *rose*—

Mr Speaker: Order. Before I look to the Father of the House, and then other colleagues, I want to say the following. Although the Government's intention to halt the forthcoming debate at this inordinately late stage has been widely leaked to the media in advance, I felt it only appropriate to hear what is proposed before advising the House. Halting the debate, after no fewer than 164 colleagues have taken the trouble to contribute, will be thought by many Members of this House to be deeply discourteous. Indeed, in the hours since news of this intention emerged, many colleagues from across the House have registered that view to me in the most forceful terms.

Having taken the best procedural advice, colleagues should be informed that there are two ways of doing this. The first and, in democratic terms, the infinitely preferable way is for a Minister to move at the outset of the debate that the debate be adjourned. This will give the House the opportunity to express its view in a vote on whether or not it wishes the debate to be brought to a premature and inconclusive end. I can reassure Ministers that I would be happy to accept such a motion so that the House can decide.

The alternative is for the Government unilaterally to decline to move today's business, which means not only that the House is deprived of its opportunity to vote upon the substance of the debate tomorrow but that it is given no chance to express its view today on whether the debate should or should not be allowed to continue.

I politely suggest that, in any courteous, respectful and mature environment, allowing the House to have its say on this matter would be the right and, dare I say it,

the obvious course to take. Let us see if those who have assured this House and the public, over and over again, that this supremely important vote is going to take place tomorrow, without fail, wish to rise to the occasion.

Mr Kenneth Clarke (Rushcliffe) (Con): On the question of Europe, this House is divided not just into parties; it is divided into factions. It becomes clear that, at the moment, there is no predictable majority for any single course of action going forward. Does my right hon. Friend the Prime Minister agree that no other Governments are going to start negotiations with us on any new arrangement while the British continue to explore what exactly it is they can get a parliamentary majority to agree to?

Furthermore, we are strictly bound, quite rightly, to the Good Friday agreement and the issue of a permanently open border in Ireland. Does my right hon. Friend agree that it is particular folly for a large faction in this House to continue with their argument that we should insist to the other Governments that the British will have a unilateral right to declare an end to that open border at a time of their choosing? That is why the backstop remains inevitable.

The Prime Minister: I certainly agree. I think none of the alternative arrangements that have been floated and suggested in this House would actually command a majority of this House. My right hon. and learned Friend is also right that we retain our absolute commitment to the Belfast/Good Friday agreement and to the commitments that the United Kingdom Government made within that agreement. Any agreement that was being negotiated with the European Union, be that either of the other two options that are normally quoted—the Norway option in some form and the Canada option in some form—would require negotiation, could risk the possibility of there being a period of time when that relationship was not in place and, therefore, would indeed require a backstop.

Kirsty Blackman (Aberdeen North) (SNP): I thank the Prime Minister for advance sight of the statement, and I thank you, Mr Speaker, for the benefit of your words on how we could proceed.

The events of the past few hours have highlighted that this is a Government in a total state of collapse. The Prime Minister has been forced to pull tomorrow's vote in a stunning display of pathetic cowardice. The vote tomorrow night would have shown the will of this House, but this Government are focused on saving the Prime Minister's job and her party. Instead of doing what is right for these countries, she is abdicating her responsibility.

The Prime Minister's deal will make people poorer. It will lead to years of further uncertainty and difficult negotiation, with no guarantee that a trade deal can even be struck. It does not have the support of those on her Back Benches; indeed, it has no support from the majority of those on the Benches across this place, no support from the Scottish Parliament and no support from the Welsh Assembly. Why has it taken the Prime Minister this long to face up to reality? Her deal was dead in the water long before this morning. Last week, it was this deal or no deal. She now needs to be clear with this House about what has changed.

Scotland voted overwhelmingly to remain in the EU, but yet again our views are being ignored, as they have been throughout this disastrous and incompetent Brexit process. Back in 2014, Scotland was promised the strength and security of the UK, but the reality has been Westminster collapse and chaos. We were promised an equal partnership, but we have been treated with contempt.

The Prime Minister has lost the confidence of those on her own Benches, and she has failed to convince this House of her plan for exiting the EU. We simply cannot go on like this. It is clear that the Prime Minister is incapable of taking decisions about the future and that Downing Street cannot negotiate any more—either with the EU or with those on the Tory Back Benches. What the Prime Minister is really scared of is allowing this House to determine the way forward and allowing the public the opportunity to remain in the EU. She knows she has lost, but she is still wasting precious time. We need the Prime Minister to be clear about when the House will vote on this deal.

This Government and the Prime Minister have failed. It is time they got out of the way. Prime Minister, Members across this House do not want your deal. The EU does not want to renegotiate. Is not the only way to break this deadlock to put it to the people?

The Prime Minister: The hon. Lady asked what I have been doing. What I have been doing is listening to Members of this House who have identified a very specific concern with the deal that was negotiated. As I said, we negotiated within that deal a number of aspects to address the issue around the permanence or otherwise of the backstop. I had hoped those would give sufficient confidence to Members of this House. It has proved, in discussions, that they have not, and therefore we are going to work to get those further reassurances that I want to ensure, with other Members of the House—

Emily Thornberry (Islington South and Finsbury) (Lab) When's the vote?

The Prime Minister: If the shadow Foreign Secretary would just have a little patience. The date of the vote was one of the questions asked by the Scottish National party and I am going to address that matter. The responsibility of this Government is to deliver on the result of the referendum and do so in a way that is good for the whole of the United Kingdom, and that is what this deal does. We are deferring the vote and I will be going to seek those assurances. Obviously, there are two parties in this—the United Kingdom and the EU—so we will be holding those discussions. Members will know that there is in legislation the issue of the 21 January date—*[Interruption.]* The shadow Foreign Secretary shouts “21 January” as though it is the first time she has heard of it. I suspect she actually voted for it when it went through this House, but there we are.

The key point of the remarks made by the hon. Member for Aberdeen North (Kirsty Blackman) was that this should go back to another vote of the public. I have said, and she will not hear me say anything different from what I have said previously, that I believe it is important to honour the result of the referendum. I believe it is a matter of the duty of Members of this House to honour that referendum result. I believe also

that it is a matter of faith in politicians that those many people who for the first time ever or for many decades went out and voted for leaving the European Union are able to have the confidence that the politicians in this House delivered for them.

Mr Iain Duncan Smith (Chingford and Woodford Green) (Con): I would like to focus my right hon. Friend the Prime Minister on the issue of the backstop, as it is critical to whatever she conducts with the European Union. Does she not agree that now that she has, in essence, suspended the remaining part of this debate, it is incumbent on her and the Government to go forward boldly to the EU and remind them that they have already said that no matter what arrangements would be in place there would be no hard border on the border of Ireland, and so have the Irish? Given that, will she now commit to going back to them to say that they need to reopen the withdrawal agreement, and to insert into it a commitment to open borders and take out those restrictions that would take away the power and control from this Parliament to decide its future?

The Prime Minister: I say two things to my right hon. Friend. He is right that the EU has been clear, as we have, about ensuring there is no hard border between Northern Ireland and Ireland. Actually, the EU has also been clear, as it is in the withdrawal agreement, about the temporary nature of the backstop. So he is right that we should go boldly back to the European Union on these issues. We have been rigorously and robustly debating with the EU on this, and achieved a number of changes to the withdrawal agreement in order to ensure that there could be that reassurance of the temporary nature of the backstop. However, it is now for me and this Government to go back to Europe, and to make the point that those assurances have not been sufficient for Members of this House. Nothing should be off the table, but everybody should be very clear that in calling for a reopening of the withdrawal agreement there are issues that would then be put back on the table, including the Northern Ireland-only customs territory.

Sir Vince Cable (Twickenham) (LD): After the fiasco today, the Government have really lost all authority. Let me just say that my colleagues and I will fully support the Leader of the Opposition if he now proceeds to a no-confidence vote, as duty surely calls. Specifically on the statement, may I ask the Prime Minister: how many of the Heads of Government whom she telephoned over the weekend have indicated that they would consider the Irish backstop dispensable?

The Prime Minister: The discussions that we have consistently had, as I have indicated in my references to other arrangements, are that there should be a backstop to ensure that there is no hard border between Northern Ireland and Ireland. The concern that has been raised predominantly by colleagues is the question of the permanence or otherwise of that backstop, and the need to ensure that it can be brought to an end and will not continue indefinitely. A number of the European leaders I have spoken to have indicated that they are open to discussions to find a way to provide reassurance to Members of this House on that point.

Sir William Cash (Stone) (Con): The Prime Minister knows that the withdrawal agreement and the political declaration both cover many legal issues beyond the backstop, important and vital though that is. Those issues include the European Court, control over our own laws and questions relating to compatibility with the European Union (Withdrawal) Act 2018. Under the ministerial code, there is an absolute obligation to consult the Attorney General formally and in good time before committing to critical decisions that involve legal considerations. Under the order of the House of, I think, 4 December, the Government must publish in full the Attorney General's advice on both the withdrawal agreement and the framework. So far, the only advice that has been published is on the Northern Ireland protocol. Did the Prime Minister seek the Attorney General's advice, under the code, on both these matters in good time, or did she not? If she did seek his advice, why has it not been published?

The Prime Minister: I think my hon. Friend has asked me variations of that question each time I have made a statement recently. I am clear that the Government undertake their responsibilities in relation to the seeking of legal advice entirely properly and appropriately. Of course, the Government published a full legal position on the withdrawal agreement, and that contained more detail than Governments have previously published on any such occasion or in any similar event. Not only have we done that, but the Attorney General came to the House, made a statement and took many questions from Members on these issues.

Nigel Dodds (Belfast North) (DUP): Frankly, what the Prime Minister says today simply is not credible, is it? This is an impossible position for the Government to find themselves in. The Prime Minister says that she is listening, but she talks about reassurances and assurances. Does she not get by now that the withdrawal agreement legally binding text is unacceptable to this House? She cannot pretend and go on defending the deal when she knows that had the vote been taken tomorrow, the deal would have been overwhelmingly defeated. Please, Prime Minister, really do start to listen and come back with changes to the withdrawal agreement, or it will be voted down.

The Prime Minister: The purpose of the announcement today that we will defer the vote and return to this matter is precisely to be able to go and discuss with other European leaders, the Council and the Commission those further reassurances that the House requires on the issues that Members are concerned about, notably whether or not the backstop, should it ever be used, can be brought to an end. That is exactly what we will be doing.

Dame Caroline Spelman (Meriden) (Con): I encourage my right hon. Friend to ignore the Opposition's mockery; I would always prefer a Prime Minister who will listen. Has she also heard the concern of West Midlands manufacturers that leaving with no deal would cause unnecessary economic damage? The best way to avoid that is to leave with a deal.

The Prime Minister: We did indeed listen to manufacturers in the West Midlands and up and down the country as we were putting the deal together. That desire to protect people's jobs and livelihoods while

respecting and delivering on the result of the referendum has underpinned the deal that we have, and this deal does exactly that.

Hilary Benn (Leeds Central) (Lab): The Prime Minister challenged others to be up front about what they want, but she needs to be up front, too, about the fact that it was her red lines that created the problem with the border in Northern Ireland, which led to the backstop and which has brought her to the House of Commons today in such a weak position. Given the answer that she gave a moment ago, will she tell the House whether, of the EU leaders that she spoke to over the weekend, there was a single one who indicated that they were prepared to renegotiate article 20 of the backstop protocol, because, in the absence of any such commitment, is not cancelling tomorrow's vote merely postponing the inevitable?

The Prime Minister: The issue on which we were very clear with the European Union in relation to the Northern Ireland border was that there could not be a customs border down the Irish sea. In February, the EU's proposals were that exactly that should happen. By October, we had persuaded it to enable a UK-wide customs territory to be in the protocol rather than a Northern Ireland-wide customs territory. That was the key issue in relation to the border that we had set as something that was unacceptable to the United Kingdom and we negotiated that out of the proposal.

Mr Dominic Grieve (Beaconsfield) (Con): I entirely share my right hon. Friend's concern about the maintenance of the Belfast agreement, the peace process in Northern Ireland and an open border, but is not the reality of what has happened, which this Brexit that is being negotiated highlights with total starkness, that, far from recovering sovereignty as has been proclaimed, we are in fact about to part with it, replacing a bilateral agreement with the Irish Government, sustained by referendums on both sides of the border, with an arrangement on which no one has been consulted and that ruthlessly undermines our sovereign rights? In those circumstances, and mindful of the fact that she faces many difficulties here that are not of her making, surely we should go back to the public and ask them whether that is what they want, and offer them the alternative of remaining in the EU.

The Prime Minister: Every Member of this House who has raised this issue of going back to the public on this matter needs to consider very carefully the impact that that would have. I believe that it would lead to a significant loss of faith in our democracy, and to many people questioning the role of this House and the role of Members within this House. We gave people the decision. The people have made that decision; we should deliver on it.

Yvette Cooper (Normanton, Pontefract and Castleford) (Lab): Nothing has changed in the level of parliamentary concern about the Prime Minister's deal since last week, but she still sent her Ministers and her official spokesperson out at 11 this morning to say that this vote was 100% going ahead, and yet we still, even now, do not know when she wants to bring this vote back, or even what she wants the deal to be. Does she not realise how chaotic and ridiculous this makes our country look? Given the

importance of trust and credibility in this entire process, how can she possibly talk about duty and honour, and faith in politicians, when we cannot even trust the most basic things her Ministers are saying?

The Prime Minister: No, I should be clear with the right hon. Lady and with the House that I consulted the Cabinet late-morning about the decision to defer the vote. That decision was taken because of an understanding of a concern that Members of this House have expressed in relation to the backstop. It was taken, having discussed with Members of the House whether the reassurances that had previously been negotiated by the UK Government were sufficient to allay those concerns. It is that issue on which we will be going back to European Union and it is that issue on which we will be seeking those further reassurances. I say once again that this House has a responsibility, and there will come a point when it will be up to every Member of this House to determine whether they will accept the result of the referendum and deliver a deal for the British people that ensures a smooth exit from Brexit and that protects jobs and livelihoods.

Damian Green (Ashford) (Con): Mr Speaker, as one of the 164 Members you referred to who have already spoken in this debate, may I assure the Prime Minister that I think that it is more important that we end up with the right deal for this country? What is most important for Parliament is that it is seen to take its responsibility and, if possible, agree a deal. Given that, as she rightly identifies, the Irish backstop has been the one element that has discouraged very many people across the House from supporting this deal, will she give the House an update on her conversations with European leaders over the last few days on whether progress is possible on that, and therefore can she give us some assurance that Parliament will be able to fulfil its responsibilities and agree a deal?

The Prime Minister: I thank my right hon. Friend for his comments. Of course, the speeches of all Members who have already participated in the debate continue to be an important contribution to the debate on this subject. Having spoken to European leaders, I can give my right hon. Friend the assurance that they are open to discussions with us on this issue. I am confident that we will be able to see some further changes. Of course, that will be the matter for further negotiations.

Mr Dennis Skinner (Bolsover) (Lab): Does the Prime Minister realise that she has handed over power not to people in this House, but to the people she is going to negotiate with over there in Europe? She looks very weak, and she is. They want to be able to demonstrate their power to every other country that might be thinking about getting out of the EU, and she has handed them that power by demonstrating what Britain is doing. The British Prime Minister does not know whether she is on this earth or Fuller's because of the actions she has taken. Mrs Thatcher had a word for what she has done today. F-R-I-T—she's frit.

The Prime Minister: And I have every confidence that if I had not listened to Members of this House, the hon. Gentleman would have stood up and complained that I was incapable of listening to Members of this House.

Mr David Davis (Haltemprice and Howden) (Con): The control of the timing of the backstop by the European Union hands enormous amount of negotiating power to the other side in this negotiation. Without change, it jeopardises the control of our money, borders, regulatory independence and, yes, our constitution too. It must therefore be time-limited under our control, and that must be legally enforceable. Is that what the Prime Minister is seeking?

The Prime Minister: The issue of the length of time for which the backstop could or should be in place, if it is ever used—once again, it is the intention of neither side that it be used—is a matter that is already addressed in the withdrawal agreement. People here are concerned about the extent to which they can trust those assurances within the withdrawal agreement, which is why it is important to go back and get further reassurances.

Caroline Lucas (Brighton, Pavilion) (Green): The Prime Minister has changed her mind about the vote and about whether the backstop can be amended. If she can change her mind, why will she not just check whether the British people have changed their minds since they voted two years ago?

The Prime Minister: Does the hon. Lady honestly think that if we were to have a further referendum and it came out with a different result, people would not then say that we should have a third referendum to find out exactly what the result was? And if we had a second referendum with the same result, I also wonder whether the hon. Lady would still be asking for a third referendum. This Parliament gave people the choice and the people decided. They voted; we should deliver on it.

Dame Cheryl Gillan (Chesham and Amersham) (Con): Far from being frit, I think this Prime Minister has great courage in coming back to face this House and delay the vote in an effort to get the best possible deal for this country. Quite frankly, some people who voted in the referendum did so for the first time, and they decided to accept the result no matter on which side they voted. Surely we should not be letting them down; they will see little point in exercising their vote again if the result is not honoured and we call a second referendum.

The Prime Minister: My right hon. Friend is absolutely right. Those people, many of whom voted for the first time at all or the first time in decades when they voted in the referendum in 2016, will indeed question why they should vote in future if this Parliament does not deliver on that vote. As she says, people across the country, whether they voted leave or remain, are saying, "This was the result: let's just get on with it; let's deliver it."

Mr Chris Leslie (Nottingham East) (Lab/Co-op): In the light of this morning's European Court judgment pursued by the hon. and learned Member for Edinburgh South West (Joanna Cherry), the right hon. Member for Carshalton and Wallington (Tom Brake) and myself, which clarified that all options are available for our country, may I make the Prime Minister a sincere offer in the hope that she will at least keep her options open? If she takes her Brexit proposal back to the British public for a final say, and also allows the public the

[Mr Chris Leslie]

chance to stay in the European Union, she can be assured of significant support from many Opposition Members.

The Prime Minister: I appreciate the sincerity with which the right hon. Gentleman has put his question and made his point, but I do genuinely feel absolutely that it is important for this House to deliver on the vote that took place in 2016.

Mr Speaker: The Prime Minister has just rather generously, but I fear erroneously, elevated the hon. Gentleman to the Privy Council. I fear that it is probably not a bankable assurance, but you never know.

Anna Soubry (Broxtowe) (Con): Prime Minister, you will recall how a number of us on these Benches urged you—indeed, begged you—to reach out across these Benches, across this House and, indeed, across our country and find a compromise and a consensus before you laid down your red lines and before you began your negotiations. After three days of debating, and given the statement of the Commission this lunchtime, it is clear that nothing has changed and nothing will change. But the thing that is changing is the view of the British people. [HON. MEMBERS: “No, it’s not.”] I know it is nearly the pantomime season, but oh yes, it has. [HON. MEMBERS: “Oh no, it hasn’t.”] That is why honourable—
[Interruption.]

Mr Speaker: Order. The right hon. Lady is giving eloquent and full expression to her views, which is not entirely unknown, but she must be heard and she will be heard. I am not having any Member of this House shouted down. That is not acceptable and it will not happen. Amen.

Anna Soubry: That is why the hon. Members for Houghton and Sunderland South (Bridget Phillipson) and for Redcar (Anna Turley)—two of the highest voting leave areas—are now supported a people’s vote, and rightly so, because their constituents are entitled to change their minds and young people are entitled to have a say about their future, because, at the end of the day, they will bear the burden of Brexit most. I would urge the Prime Minister: we have found an impasse in this House; it is time now to take this back to the people and have a people’s vote.

The Prime Minister: The United Kingdom does not have a long tradition of holding referendums. There was the Scottish referendum. There was a referendum back in 1975 on joining the European Economic Community. There was a referendum in 2016 on whether or not to leave the European Union. In all those votes, the Government have taken a very clear view that the result of those referendums should be respected, and I believe that this referendum should be respected as well.

Liz Saville Roberts (Dwyfor Meirionnydd) (PC): The people outside these walls see a shambles of a Government. With that in mind, we will support the Leader of the Opposition if he, as he should, tables a motion of no confidence. As of this morning’s European Court of Justice ruling, it is within the Prime Minister’s gift personally to take no deal off the table. Will she today rule out the threat of no deal and, should it prove necessary, be prepared to revoke article 50?

The Prime Minister: The European Court of Justice clearly has determined that it is possible to unilaterally revoke article 50, but the point it has made is that nobody should think that revoking article 50 is a short-term solution or short-term extension of article 50. Revoking article 50 would mean going back on the vote of the referendum and staying in the European Union.

Sir Oliver Heald (North East Hertfordshire) (Con): When I spoke in the debate, I made it clear that I was supporting the Prime Minister but had concerns about the backstop and its indefinite nature. Given that the EU has already recognised that this is a temporary arrangement, and our Attorney General has said that it would not be forever and there are means of challenging it legally, does she agree that it would be helpful if our European partners gave more clarity about how long it would take for us to leave the backstop in the event that talks break down?

The Prime Minister: My right hon. and learned Friend is absolutely right. The European Union has already indicated that the backstop is temporary in nature. It is therefore entirely reasonable to ask the EU to give further clarification about that temporary aspect of the backstop and the ability to bring it to an end.

Ms Angela Eagle (Wallasey) (Lab): In my 27 years in this House, I have rarely seen a Government in such a farrago of chaos as the Prime Minister has caused with her negotiations. Last week, she said:

“I caution hon. Members that not only has the EU made it clear that the withdrawal agreement cannot be reopened—we have agreed the deal and the deal is there”.—[*Official Report*, 4 December 2018; Vol. 65, c. 755.]

She has now abandoned the vote and come back to the House to tell us that somehow the unopenable deal is open again. She is seeking assurances that will not be worth the paper they are written on, because she has done her legal deal already. Why on earth does she not just abandon this dancing on the head of a pin and let us vote on this appalling deal?

The Prime Minister: We have negotiated with the European Union a deal in two parts: the withdrawal agreement and the political declaration on our future relationship. One aspect of the withdrawal agreement has raised particular concerns. That aspect is already dealt with in the withdrawal agreement through various assurances about the temporary nature of the backstop. In discussions with colleagues, it is clear that those assurances are not sufficient, and we therefore go back to seek further reassurance on the temporary nature of the backstop.

John Redwood (Wokingham) (Con): Many people think that signing away large sums of money would badly undermine our negotiating position on the Irish backstop and the future partnership. Will my right hon. Friend reassert the House of Lords findings that we do not owe this money, and nothing is agreed until everything is agreed?

The Prime Minister: My right hon. Friend has pressed that point before. I recognise that the House of Lords came out with an opinion, but there are other legal opinions in relation to the application of various aspects

of international law on the treaty that say that we do indeed have legal obligations in financial terms. I believe that, as a country, we should meet those obligations.

Joanna Cherry (Edinburgh South West) (SNP): The Prime Minister has said that she does not want a second vote because it risks dividing the country again, but I remind her that the United Kingdom is not a country; it is a Union of four nations. That Union is already divided, because two out of those four nations voted to remain. She has conceded this afternoon that she cannot get the House to support her deal. If she really believes in the deal, why will she not have the courage of her convictions and put that deal to the four nations of the UK, giving them a choice between her deal or remaining in the European Union, which the Court of Justice said this morning is possible? Why not put it back to the people, Prime Minister?

The Prime Minister: I can recognise why somebody representing the SNP might have a desire to try to change the result of a referendum when it has taken place, but I say to the hon. and learned Lady that I have answered the question in relation to going back to the people on a number of occasions this afternoon and on other occasions. I have not been lax in coming to this House and standing up in this Chamber to answer questions on this matter. I also point out to her that we entered the European Economic Community as one United Kingdom, and we will be leaving as one United Kingdom.

Sir Patrick McLoughlin (Derbyshire Dales) (Con): May I say to my right hon. Friend that I think leaving without a deal will be incredibly bad news for this country, not least for manufacturing businesses across the midlands? Will she confirm that the only way that will happen is if people refuse the deal that is on offer—we do leave on 29 March?

The Prime Minister: My right hon. Friend is absolutely right. The only way to ensure that there is no deal is to have a deal. The deal on the table is a good deal for the UK, and we will be leaving on 29 March next year.

Kate Hoey (Vauxhall) (Lab): The Prime Minister has said that she is going back for more reassurances on the backstop. Does she accept that those reassurances, no matter how strong, will not be legal? Does she not think that she would be better able to negotiate if the EU knew that this House had overwhelmingly voted against the deal?

The Prime Minister: I think the fact that I have indicated that it is necessary to go back has sent a clear message to the European Union about the importance of engaging on this particular issue and ensuring that there is the level of assurance that is required by Members of this House that is sufficient for Members of this House to believe that they can have the confidence that the backstop is not indefinite. It is that indefinite—potentially indefinite—nature of the backstop, should it come into place, that has been raising concerns for all Members of this House, and I believe that it is that that we should be addressing particularly.

Mr Owen Paterson (North Shropshire) (Con): On 7 March, President Tusk offered the UK a wide-ranging free trade agreement, which foundered on the issue of

the Northern Ireland border. It is therefore exasperating, today, that the Prime Minister is still talking about the backstop as the only solution to this border. She has heard from the right hon. Member for Belfast North (Nigel Dodds). This is a breach of the Belfast agreement principle of consent, and it is even a breach of the articles of the Act of Union in 1801. Since then, she has met international customs experts and she has met a Nobel prize winner, my right hon. Friend Lord Trimble. She knows that existing techniques and existing customs procedures can continue to deliver a seamless border. Will she please, at this late stage, put the backstop and all its horrors behind her, go back to the European Union and take up the offer made by President Tusk, using these modern, seamless customs techniques?

The Prime Minister: The offer that the European Union put to the United Kingdom was for a Canada-style free trade agreement for Great Britain, because to deal with the seamless border between Northern Ireland and Ireland, it wanted to separate Northern Ireland away from the customs territory of Great Britain and therefore not have a single UK customs territory. In relation to the technical issues—the technical solutions—that my right hon. Friend refers to, yes, indeed, and we continue to engage with those who put these forward. The question is not just about no physical infrastructure on the border; the question is about the extent to which people on both sides of the border are able to continue to lead their lives as they do today, with no increased barriers or encumbrances to their leading their lives in that way. That is what I believe delivers on the seamless border, which does indeed underpin the Belfast/Good Friday agreement.

Mr Ben Bradshaw (Exeter) (Lab): The Prime Minister said in her statement that this is the best deal and the only deal, and it is time for all of us in this place to face up to our responsibilities. We are ready to do that, Prime Minister, so put this deal to a vote in this House, and if you are not prepared to do that, put it to a vote of the people.

The Prime Minister: I have made it clear that we are deferring the vote. We will seek these further—[HON. MEMBERS: “Till when?”] We will seek these further reassurances. On the vote of the people, the right hon. Gentleman has heard my answer to that question several times already this afternoon.

Dr Julian Lewis (New Forest East) (Con): How do we know that the exit date of 29 March will not be put off as well?

The Prime Minister: We have put it into legislation, and this Government are committed to delivering exiting on 29 March.

Emma Reynolds (Wolverhampton North East) (Lab): Will the Prime Minister be clear that she is seeking an exchange of letters of reassurance with the EU, not a change to the text of the withdrawal agreement?

The Prime Minister: I said earlier that nothing is off the table. There are a range of ways in which I believe we can find assurances for Members of this House. The task is to find sufficient reassurance that gives the confidence to Members of this House that the backstop will not be indefinite.

Andrew Bridgen (North West Leicestershire) (Con): Successful renegotiations require trust and credibility. Given the Prime Minister's breathtaking U-turn today, I put it to her that she has lost the trust and credibility of the House, lost the trust and credibility of the country and, most importantly, lost the trust and credibility of the European Union.

The Prime Minister: No. What was very clear in my discussions with European leaders is that we will be able to have discussions with them—myself and the UK Government—on this issue.

Liz Kendall (Leicester West) (Lab): The Prime Minister told MPs to be honest about the options we face, but she has never spelt out to her Back Benchers or the public that any type of Brexit deal has always been a choice—damaging our economy and having a hard border in Northern Ireland or ending up as a rule taker. Is it not this failure that has led to this crisis? And she only has herself to blame.

The Prime Minister: No. We have been clear about the need for what we believe is right for the United Kingdom, which is to negotiate a bespoke deal that is neither the Norway/EEA option, which is at one end of the spectrum that the European Union offered in the first place, nor the Canada-style deal for Great Britain, with Northern Ireland carved out in a separate customs territory, which is the other end of the spectrum that the EU proposed. The political declaration does indeed include a trade agreement with a free trade area at its heart, with no tariffs, no quantitative restrictions and ambitious proposals in relation to the customs border.

Theresa Villiers (Chipping Barnet) (Con): The Prime Minister will be well aware that the backstop was just one of a number of grave concerns that Back Benchers have about the draft withdrawal agreement, so can she assure the House that she will seek to reduce, for example, the role of the European Court of Justice and change the text of the withdrawal agreement accordingly?

The Prime Minister: I hope I can give some further reassurance to my right hon. Friend. In discussions with a number of colleagues, there seems to be a misunderstanding about the role of the European Court of Justice. What we will have in our future relationship is that we will end the jurisdiction of the European Court of Justice. The European Court of Justice will not be the final arbiter of the withdrawal agreement. There has been, I think, some misunderstanding of the reference in the withdrawal agreement to the point that the arbitration panel that deals with disputes will be able to ask the European Court of Justice for its opinion on its interpretation of EU law, but the dispute would be determined by the arbitration panel and not by the European Court of Justice.

Mr Barry Sheerman (Huddersfield) (Lab/Co-op): The Prime Minister might not know, but I have been in this House for nearly 40 years. If I had made my speech later today, I would have told her that my sacred duty as a Member of Parliament, overriding everything else, is to come here and look after the health, welfare and future prosperity of my constituents. I have been sympathetic to the situation that she finds herself in, but I have lost that sympathy because what I understand now,

from today's decision, is that she has actually been captured by the far-right, Brexit wing of her party—the so-called European Research Group, which does not believe in research. She is a captive of this unpleasant, nationalist, populist group in the Conservative party.

The Prime Minister: No. The concern about the potential indefinite nature of the backstop is one that has been expressed by a wide range of Members of Parliament, including some on the Opposition Benches.

Sir Oliver Letwin (West Dorset) (Con): I very much hope for the sake of this country that the Prime Minister will prevail in the difficult negotiations that lie ahead. I hope that as she enters those negotiations she will be sustained by the widespread admiration—not just on these Benches, not just among Conservatives, but in the country as a whole—for the dignity and the perseverance she has shown.

The Prime Minister: I think the best answer to my right hon. Friend is to say thank you. And I will be.

Jess Phillips (Birmingham, Yardley) (Lab): Does the Prime Minister think that going back and changing minutiae about the backstop will actually make any difference to the kind of people on the Government Benches who like to go around calling themselves Aslan and circle around her head caring nothing for this country, only their own position? This backstop rejig can-kicking will make absolutely no difference to those people and they know it, so what is the plan?

The Prime Minister: What people are concerned about is the potential indefinite nature of the backstop. There is no intention for it to be indefinite. There is no intention for it to be used in the first place. That is a genuine concern that is held by people across this House. I think it is entirely right that the Government address it.

Dr Sarah Wollaston (Totnes) (Con): The Prime Minister rightly talks about listening to young people and first-time voters. Does she accept that they voted overwhelmingly to remain? They look at what is happening in this House and they see that this deal is Brexit, warts and all—this is as good as it gets. Is it not time, now that we know what Brexit actually looks like as opposed to some fantasy version of Brexit, that those people get the chance to vote on Brexit reality rather than Brexit fantasy?

The Prime Minister: I think my hon. Friend has heard my response in relation to a people's vote, a second referendum, before. I genuinely believe that we should recognise that the referendum in 2016 was the biggest exercise in democracy in our history. We should respect the many people who went out to vote, including many who had not voted before. I believe that if we then go back to people and say, "Have another think, think again," they will question the value of democracy and the value of the vote.

Lucy Powell (Manchester Central) (Lab/Co-op): This is a political challenge for the Prime Minister, not a substantive one. It seems that the Prime Minister's strategy is now to try to placate further the ERG wing

of her own party. Is it not the truth that they are insatiable? They will never be satisfied. Given that the parliamentary maths are now so difficult, to really break the deadlock requires different parliamentary maths and a general election.

The Prime Minister: What the country requires is for us to continue to work to get a good deal over the line, so we can deliver on Brexit in a way that honours the referendum, and protects jobs and livelihoods across the country. Further uncertainty and division will do nothing to help people who are looking to their futures.

Sir Desmond Swayne (New Forest West) (Con): Essential to any successful negotiator is the ability to walk away. The backstop takes that from us. How can the Prime Minister change that?

The Prime Minister: First, we are continuing with the no deal preparations. As I said earlier, the Cabinet will meet to discuss those further. Secondly, in any circumstance we need to ensure there is no hard border between Northern Ireland and Ireland. It is finding ways we can do that in a way that enables us to be free in a future relationship which is the best possible deal for this country. That is what we are looking for and striving to achieve.

Stephen Doughty (Cardiff South and Penarth) (Lab/Co-op): The Prime Minister talks about faith in democracy, but I think a lot of people looking at this shambles today, whether they voted leave or remain, will see a Prime Minister who has tried to keep economic advice from this House and from the public, has tried to keep legal advice from this House and the public, and a Government who have been found in contempt. She is trying to prevent us having a vote on her own deal and she is trying to prevent us having a vote on whether or not she should be able to have a vote on that deal or not. People will be looking at this aghast. I have spoken to many leave voters in my constituency. I deeply respect and understand the reasons why they voted leave in 2016, but many of them have changed their minds. They are looking at this and they are saying to me that they want a chance to have a say on what is before them: Brexit reality, not Brexit fantasy. That is why we need a people's vote.

The Prime Minister: The hon. Gentleman is wrong, of course, because we did provide an economic analysis for this House. We published an economic analysis, and we published the legal position in relation to the withdrawal agreement and the political declaration. That has been available for Members of this House. He talks about the vote as if there is no vote in the future—[HON. MEMBERS: "When?"] We are deferring the vote while we have these further discussions with the EU.

Mrs Anne Main (St Albans) (Con): The Prime Minister cannot fail to have noticed that there are plenty of challenges—legal challenges—surrounding Brexit, including whether or not the referendum was legally binding and whether or not we could take article 50 off the table. My concern is that any reassurances or assurances given will only be subject to legal challenges down the road if they are not legally binding. Therefore, assurances and reassurances will not make a difference to how I feel about the flaws in this particular withdrawal.

The Prime Minister: I entirely recognise the point that my hon. Friend is making about the legal position in relation to any assurances that are achieved. Obviously, we are at the beginning of the discussions with the European Union on this matter, but what I want to ensure is that Members like my hon. Friend are able to have the confidence in those assurances when they come back from the European Union.

Mr David Lammy (Tottenham) (Lab): There is no one currently in the House who has been Prime Minister. Does she appreciate that other Prime Ministers under pressure did not delay their legislation? Margaret Thatcher did not delay after poll tax. Tony Blair did not delay the Iraq war decision. John Major did not delay Maastricht. Prime Minister—[*Interruption.*] She knows that when the politics of this place are broken, you either resign or go back to the people in a general election or a referendum. No one gets to play for extra time before the game is over.

The Prime Minister: I say to the right hon. Gentleman that I think the whole premise of his question was wrong, and if he looks back at the history of Governments in this country, he will see that.

Greg Hands (Chelsea and Fulham) (Con): The Prime Minister in her statement said that the Government will step up their work in preparation for a possible no-deal outcome, and this is very important. She said the same last month, so I am wondering whether my right hon. Friend could tell us at least one action that is now taking place that was not taking place last month.

The Prime Minister: Yes, I am very happy to say to my right hon. Friend that we have indeed been stepping up the action that has been taken. Since I said that, Her Majesty's Revenue and Customs has taken action in writing to over 140,000 businesses, and the Department of Health and Social Care has written to pharmaceutical companies, for example, on the potential impact of no deal on medicines and devices.

Mr Pat McFadden (Wolverhampton South East) (Lab): The Prime Minister has come to the House to talk to us about honesty on the day when she is trying to pull a vote which she said would not be pulled in order to try to change a deal which she said could not be changed. Is it not time to be honest about the commitments that this country has made to no hard border, to the Good Friday agreement and to not doing huge damage to our economy? She can talk to the European Union about the backstop all day, but any deal that respects those commitments will require us to sign up to a set of common European rules over which we will no longer have any say by dint of the fact of Brexit. Is it not time to be honest both with her Back Benchers and the public about this, instead of trying to square un-squareable circles or even worse, hide the facts of this fundamental choice until after we are out?

The Prime Minister: We are committed to no hard border between Northern Ireland and Ireland. We are committed to the Belfast/Good Friday agreement. We are committed to a deal which actually delivers on the protection of people's jobs and livelihoods. That is the deal that we have negotiated. The right hon. Gentleman refers to the issue of how one can operate on a trading

[*The Prime Minister*]

basis with the European Union in relation to rules that the European Union set. Of course, what the Government set out was a proposal, and this is reflected in the balance identified in the political declaration—that if you want to restrict, reduce, or remove customs checks, it is necessary to make commitments in relation to the obligations that you are willing to sign up to. What we proposed in the proposal that the Government put forward in the summer was to do just that, but to ensure that Parliament had a lock on those votes—but of course, there would be a consequence, and we were honest that there would be a consequence if Parliament chose not to accept those rules. That is being open with people about the consequences of their decisions.

Justine Greening (Putney) (Con): The Prime Minister has not yet confirmed when the meaningful vote will be held. My understanding from the House of Commons Library is that now that the Government have made a statement, as she has done, that the political agreement on the withdrawal agreement and future framework has been reached, the requirement on the Government to make a statement to the House by 21 January on no deal has been superseded because of her statement today. In its view, in practice, the latest date we could have a meaningful vote is 28 March. Is this what she intends? Can I get an assurance that the delay she is talking about is a matter of days, not weeks and months?

The Prime Minister: I do not believe that the scenario my right hon. Friend sets out is the correct one. The date of 21 January has been set in legislation—the vote on that took place last week—and we are conscious of the requirement that that places on the Government. It is right, however, that we recognise the concerns expressed in the House and attempt to find a way through them and to resolve them.

Seema Malhotra (Feltham and Heston) (Lab/Co-op): Could the Prime Minister confirm reports that more than £100,000 has been shelled out by the Government on Facebook ads in the last week promoting a deal that even she is not now happy with? Is this not now an even bigger farce, as, with uncertainty around UK business access to EU trade arrangements and many other issues, she seeks to sideline Parliament once again and make social media companies richer, while the country pays the price?

The Prime Minister: No. We have recognised that a specific aspect of the deal is raising concerns here in this House, and we will seek reassurances on that specific aspect of the deal, but I continue to believe that overall this deal is the right deal for the United Kingdom.

Conor Burns (Bournemouth West) (Con): The Prime Minister has been consistent since she assumed the premiership in stating that a bad deal would be worse than no deal, and we have had the time since June 2016 to prepare for leaving on WTO terms, yet Ministers consistently refer to the eventuality of our leaving without her deal as chaos. Are our preparations really so woeful?

The Prime Minister: We have been making those preparations, we continue to make them, and, as I indicated earlier, we have been stepping them up, but on

the impact of no deal, it is not just a question of what preparations we make in the UK; what happens at the border also depends on others, and we cannot determine what action others will take. There will be consequences if we leave with no deal, particularly if we leave with a sense of ill will between us and the European Union and without having made any decisions to mitigate the impact of no deal. It is not just about what we do here; it is about what others do.

Steve McCabe (Birmingham, Selly Oak) (Lab): If the only thing the Prime Minister has heard is that a few tweaks to the backstop arrangement will do the trick, is it not obvious that once again she is not listening hard enough?

The Prime Minister: As I said earlier, I recognise that the issue raised about the backstop is a genuine concern for many Members across the House. That is why I believe it is right that we address it.

Crispin Blunt (Reigate) (Con): On Friday, the Treasury confirmed to me that the House has approved £4.2 billion of planning for no withdrawal agreement and, in terms, that stability in a no-deal scenario partly depends on the EU taking a similar non-disruptive approach to planning. With the economic prosperity of one of its members—the Republic of Ireland—very closely engaged, and with £39 billion at stake, as well as the interests of the EU businesses that sell twice as much to us as we sell to them, why on earth would it not be planning with us a non-disruptive move to the certainty of WTO terms and the certainty of our having control over our economy and the ability to make future trade arrangements?

The Prime Minister: My hon. Friend asks “Why on earth would it not?” The fact is that the European Union has been making some of its own preparations for no deal. It has sent out certain notices in relation to certain matters. However, it has not been engaging with us on the aspect of determining, or mitigating, the impact of no deal on both sides of the border.

Hannah Bardell (Livingston) (SNP): I ask this on behalf of the many Livingston constituents who have been in touch with me, and, I am sure, many people across the United Kingdom. What the heck is going on? This is a complete and utter clusterbùrach. Why is the Prime Minister more concerned with her own self-preservation, and with narrow party unity, than with the lives and livelihoods of my constituents? How dare she postpone this vote, just because she was going to lose? Downing Street and her team have spent the last few days saying that the vote was happening. How can anyone in the House, or indeed anyone in the countries of the United Kingdom, trust a single word that she or her Government speak ever again?

The Prime Minister: I will tell the hon. Lady what is going on. What is going on is that the Government are working to ensure that we can get over the line through this Parliament a deal that is good for the whole of the United Kingdom.

Mr Peter Bone (Wellingborough) (Con): May I return to what my right hon. Friend said at the beginning of her statement? The House passed a very detailed Business

of the House motion, which even specified how many hours of debate there would be, the days on which it would take place, and when the vote would be. Ministers were sent out all over the country in relation to that debate. More than 100 MPs have already spoken, and 140 wanted to speak today. It may well be that the Prime Minister is right and the House would like to put off the vote, but it needs to be the House that decides that. I do not think that the Prime Minister has so far answered this question: will the procedure to be used be a motion to adjourn the debate, in which case the House would have a vote, or will one anonymous Whip just say “Tomorrow”?

The Prime Minister: I believe that it is important for the Government to be listening to the comments that have been made to us in relation to this specific issue, and to be responding to those comments. If we want to ensure that we get a deal over the line that is good for the British people, I believe that that is absolutely the responsible approach for the Government to take.

Mary Creagh (Wakefield) (Lab): The Prime Minister’s negotiating strategy seems to be “Fail again. Fail better.” It is not going to revive her zombie Brexit deal. Whenever she decides to bring it back to the House—on Christmas eve, Christmas day or Boxing day—it will be voted down. She talks of the will of the people, but the will of the people cannot be undermined by a vote of the people. Is that not what she must now do?

The Prime Minister: The hon. Lady has heard my response to the question of a further vote—a second referendum or a people’s vote on this issue. May I gently remind Opposition Members that every one of them stood on a manifesto commitment to deliver on the referendum?

Joseph Johnson (Orpington) (Con): The problem with the deal goes far beyond the backstop. May I ask my right hon. Friend what she intends to do about the fact that the Government’s own analysis shows that every region of the country will be left poorer, and that we will end up with less say over the rules governing huge swathes of our economy than we have at the moment?

The Prime Minister: Actually, the Government’s economic analysis shows that in delivering on the referendum, this deal does not make us poorer than we are today. What it does—[*Interruption.*] Read it. What the economic analysis shows is that if we want to honour the referendum, the best deal for doing that and delivering for jobs and the economy is this deal.

Mr Kevan Jones (North Durham) (Lab): I not only respect the result of the referendum, I accept it. The Prime Minister said in her statement that she wants “a country that truly works for everyone, a country where nowhere and nobody is left behind.”

She has been in government for nearly eight years now, and in that time both the previous coalition and this Government have had a deliberate policy of moving resources from poorer, most disadvantaged areas to some of the wealthiest areas. That is continuing today in public funding for public health in County Durham, which will be the worst-hit area anywhere in the country, while leafier parts of Surrey gain. People do not want

warm words, Prime Minister; what they want is action, and action, irrespective of what happened with Brexit, is in her hands now.

The Prime Minister: We have been putting more money into our health service: we are going to give the health service the biggest cash boost in its history and a long-term plan that ensures the sustainability of the health service. In the eight years that I have been in government, under both the coalition and this Conservative Government, we have seen 3.3 million jobs being created across our country; that is good for the right hon. Gentleman’s constituents and good for constituents elsewhere.

Mr John Whittingdale (Maldon) (Con): My right hon. Friend said in her statement that alternative arrangements making use of technology could be put in place that would render the backstop unnecessary. Will she therefore incorporate those arrangements and go back to the EU and ask for a free trade agreement along the lines that Michel Barnier proposed and said was the only way to ensure her red lines were not breached, and which would deliver on what the British people voted for?

The Prime Minister: The alternative arrangements are specifically referenced in the withdrawal agreement, and of course what we are looking for, and have set out in the political declaration and the proposals the Government have put forward, is indeed a wide-ranging free trade area; it is just a better one than the EU was proposing to us.

Diana Johnson (Kingston upon Hull North) (Lab): I spoke in good faith on Thursday—one of the 164 Members of Parliament who did. I cannot understand why the Prime Minister did not hear before that debate started the concerns that Members had about the backstop and other issues, so which part of the shambles we are in today does she most regret, and when will I be able to vote against her deal, as most of my constituents are asking me to do?

The Prime Minister: We will indeed, of course, be bringing the matter back when we have sought the reassurances from the EU, but I also say to the hon. Lady that it was right that we listened. In negotiating, we listened to concerns raised by Members of this House; that is why we negotiated a number of changes to the withdrawal agreement, before it was agreed, that recognised the temporary nature of the backstop. Those have proved not to satisfy Members of this House, and it is on that basis that I will seek further assurances.

Dr Andrew Murrison (South West Wiltshire) (Con): The Prime Minister’s grit and determination to get the best deal available is truly remarkable. Does she agree that in the event that the EU fails to give anything meaningful in relation to the backstop or a hard border that we all agree is not necessary and will not happen, it will not have demonstrated a scintilla of the good faith referenced in the political declaration?

The Prime Minister: My hon. Friend makes an interesting point about good faith. I believe it is important that both sides move together at this point with that good

[The Prime Minister]

faith and do negotiate, and that the EU recognises the need for further reassurance on this matter and responds to that positively.

Dame Louise Ellman (Liverpool, Riverside) (Lab/Co-op): The Prime Minister told the House this afternoon that this is

“the very best deal that is actually negotiable with the EU”,

yet she now tells us she plans to go back to Brussels to plead with the EU to help her and get her out of this hole. This is not a Government in control; surely we should put this issue back to the people to ask if they really want to continue with this perilous journey that will make the UK poorer.

The Prime Minister: We have a deal agreed with the EU. There is one aspect of it on which people require further reassurance, and it is on that basis that we are going back.

Mr Shailesh Vara (North West Cambridgeshire) (Con): The United Kingdom is at the forefront of advocating democracy on the international stage. Indeed, colleagues on both sides of the House have regularly spoken in Parliament of the need for democracy in other countries, and Members on both sides regularly instruct MPs and legislators from other countries at seminars held by the Commonwealth Parliamentary Association and the Inter-Parliamentary Union on the importance of listening to the people they represent. Does my right hon. Friend agree that to have a second referendum now would ensure that the UK would lose all credibility on the international stage when speaking up for democracy?

The Prime Minister: My hon. Friend makes an important point. We do speak to others about the importance of democracy, and it is important that we show an example ourselves and respect the vote that the people took.

Tom Brake (Carshalton and Wallington) (LD): I should like to ask the Prime Minister to do three things. First, will she rule out no deal, because she knows that it would be extremely damaging? Secondly, will she support a people's vote, if only to save herself the embarrassment of having to do so in a couple of weeks' time? Thirdly, will she instruct her Chief Whip to make time available for a debate on the no-confidence motion that I know the Leader of the Opposition is going to table?

The Prime Minister: The right hon. Gentleman asks me to support a people's vote, but he has heard me answer that question on a number of occasions. The Government will continue with their no-deal preparations, because that is the reasonable thing to do. On the question of time for debates in this House, there are accepted protocols in relation to that.

Robert Halfon (Harlow) (Con): I respect the efforts being made by the Prime Minister, but will she tell me how many extra billions we would be paying per year if the transition period were to be extended by two years? Will she give the House a real say in determining how much money goes to the EU in that extra transition period, if it happens?

The Prime Minister: First, the terms of that further extension of the transition period/implementation period, were it to be the way forward, would have to be negotiated. There would be an expectation on the part of the EU for a sum of money, and we would consider it necessary for that to be fair and proportionate. Of course, this is one of the differences between the backstop as it appears in the withdrawal agreement and the extension of the transition period, in that, in the backstop, no financial obligation is required from the United Kingdom.

Chuka Umunna (Streatham) (Lab): The Prime Minister says that a people's vote would not reflect the will of the people and that it would be divisive, but we do not know what the will of the people is in 2018 and we are already a divided country. Nothing would divide us more or fuel the far right more than a deteriorating economy. Is it not the case that, notwithstanding any tweak that she makes to her backstop, her withdrawal agreement will still leave us poorer, relative to the deal that we have now?

The Prime Minister: The vote took place in 2016 and people voted to leave the European Union. I believe that it is our duty to deliver on that.

Douglas Ross (Moray) (Con): I am one of the hundreds of Members who was hoping to participate in the debate this evening and tomorrow, and I hope that the Government have listened closely to your guidance, Mr Speaker, and that they will allow Members the opportunity to explain their views. I would like the opportunity to explain to the people of Moray why I came to the conclusion that I could not support the Prime Minister on her deal. But may I ask the Prime Minister a question that has so far been evaded across the House? Not only the Members in this Chamber but our constituents deserve to know when the vote will finally be taken. When will it be?

The Prime Minister: We are going to discuss with the European Union, the other party to this negotiation, the requirements that we are putting forward. Until those discussions have properly started, it is not possible to say the length of time that will be necessary for them. Reference has already been made to 21 January, which is within the legislation that this House has passed. I want to work as quickly and as urgently as possible—*[Interruption.]* My hon. Friend the Member for Moray (Douglas Ross) says, “When?” As I have just said, we need to enter those discussions with the European Union, and until we have done that, it is not possible to give a date.

Wera Hobhouse (Bath) (LD): An Opposition Member said only last week that the Government always say no before they say yes, so I am holding my breath about the people's vote.

In 2016, 17.4 million people voted to leave the EU. The Prime Minister says that her deal delivers Brexit and the will of the people, but the hon. Members in her own party who also want to leave the European Union—such as the right hon. Member for Uxbridge and South Ruislip (Boris Johnson), and the hon. Members for North East Somerset (Mr Rees-Mogg) and for Wycombe (Mr Baker)—do not believe that her deal delivers on

Brexit and on the will of the people. How many of the 17.4 million people who voted in 2016 voted for her deal?

The Prime Minister: The message that I get from people up and down the country, regardless of whether they voted leave or remain, is very simple: deliver on the vote, get on with it and let us move on.

Giles Watling (Clacton) (Con): I speak as a remainer, which is probably a dangerous thing to do in this corner of the Back Benches. I respect the result of the referendum. However, I would like to ask my right hon. Friend what the point has been of all the pain and uncertainty of the last two years if, in the final analysis, the arbitration panel remains under the dominion of the European Court of Justice.

The Prime Minister: This is, I believe, a misunderstanding of the situation. The arbitration panel does not remain under the dominion of the European Court of Justice; the arbitration panel will make its own decisions. But if a dispute involves the interpretation of European Union law, there is only one body that can interpret European Union law, and that is the European Court of Justice. The arbitration panel will be able to ask the ECJ for its opinion on that particular point, and the arbitration panel will then determine the dispute. The European Court of Justice will not be the arbiter of that dispute.

Sammy Wilson (East Antrim) (DUP): Shortly after the Prime Minister announced that there would be no vote on this issue, Michel Barnier and the Taoiseach of the Irish Republic slapped down the idea that there would be any renegotiation of this deal. The Prime Minister may be prepared to be humiliated by arrogant EU officials and Irish politicians, but does she not realise that, every time she comes back here with her tail between her legs, she humiliates the British people? When will she stand up to the EU? If she is not prepared to stand up to the EU, let her have a vote of this House to tell them what we think of their rotten deal.

The Prime Minister: We have stood up to the European Union. Perhaps a good example of our doing so was our absolute refusal, as a Government, to accept a customs border down the Irish sea, separating the United Kingdom into two customs territories. In February, that was what the European Union wanted, and they stuck to that until we argued them out of it in October. We have stood up to the European Union. We have got a good deal for the UK.

Richard Drax (South Dorset) (Con): It is the duty and responsibility of every single Member in this House to take our country out of the EU. My right hon. Friend's deal does not do that, and many MPs on both sides of the House are intentionally thwarting that intention. May I ask her to go back to the EU, offer a free trade agreement and, if that is not acceptable, fall back on WTO terms and then deal with the EU outside the EU, where I am positive that a deal will be struck and this poison and division will be gone?

The Prime Minister: I agree with my hon. Friend that every Member of this House has a duty to deliver on the result of the referendum and take the United Kingdom out of the European Union. The Government have

been working to ensure that on the table, as part of this deal, there is a free trade agreement with the European Union—but a better one than the basic free trade agreement that was proposed by the EU in the early stages of the negotiation.

Helen Goodman (Bishop Auckland) (Lab): The Prime Minister said in her statement, and I agree with her, that the majority of people in this House do not want no deal. She also knows that the ERG is a small minority in this House. Rather than writing a side letter, which will not satisfy the ERG, why does she not do what my right hon. Friend the Leader of the Opposition said and agree the next set of negotiating objectives across the House?

The Prime Minister: As I have explained to Members previously, this question of the backstop, and the concern about the backstop, is one that is not just held by a small number of Members of this House; it is held by a wide range of Members on both the Opposition Benches and the Government Benches. In that circumstance, I believe we are taking exactly the right action.

David Tredinnick (Bosworth) (Con): Could my right hon. Friend please not bring this back to the House before Christmas? That would give Members in an entrenched position the chance to reflect over the recess.

The Prime Minister: I hear what my hon. Friend says. As I said earlier, the timing of this is rather better determined by the nature of the discussions we have with the European Union.

Peter Kyle (Hove) (Lab): The Prime Minister started this process by going to the Supreme Court to stop the House of Commons having a say in starting the Brexit process. We are only having a vote tomorrow—or were only having a vote tomorrow, because she was defeated last year on the amendment to the European Union (Withdrawal) Bill. Is it not true that she has barefaced cheek to come before the House and lecture us about our duty to this House and our Parliament? Is not it true that no Prime Minister is better than a bad Prime Minister?

The Prime Minister: What I have pointed out today to Members of this House is the duty that each and every one of us has, having stood, as the hon. Gentleman did, on a manifesto to deliver on the result of the referendum, to do exactly that.

Lee Rowley (North East Derbyshire) (Con): Can the Prime Minister give me one example of how a political reassurance, in law, can ever supersede the binding words of an international treaty?

The Prime Minister: My hon. Friend is making an assumption about what will come back from the European Union. It is the task of the Government, obviously, to look to negotiate something that will be sufficient to give confidence to Members of this House in relation to the backstop not being able to be indefinite.

Luciana Berger (Liverpool, Wavertree) (Lab/Co-op): I have listened very closely to the Prime Minister's responses so far this afternoon. Does she truly believe

[Luciana Berger]

that the people who voted to leave two and a half years ago did so in order to make our country poorer? Did they want Brexit at any cost? If she is so sure that the majority of our country want this actual deal, rather than the false promises they were mis-sold, why does she not do the most democratic thing and take her deal back to the country, giving it the final say?

The Prime Minister: I think people voted to ensure that we bring an end to free movement, which the deal does; that we bring an end to sending vast annual sums to the European Union, which the deal does; and that we bring an end to the jurisdiction of the European Court of Justice, which the deal does.

James Cleverly (Braintree) (Con): My hon. Friends and Members across the House have been expressing anecdotal and unscientific assessments of their voters' change of mind about the referendum result. In that spirit, I would like to highlight the conversations I have had both with friends and constituents who voted remain but are now determined that we leave the European Union in good order. Will the Prime Minister give me an assurance that she will go back to the EU, bang on the table, if that is what it takes, and get a deal that will have the support of this House and get us out of the European Union on 29 March 2019?

The Prime Minister: I can assure my hon. Friend that that is exactly what we intend to do. He is absolutely right, and I see many messages coming to me from people who voted remain but now say, "Actually, we accept the result of the vote. Let's get on with it and let's leave the European Union."

Mike Gapes (Ilford South) (Lab/Co-op): The European Commission has made it absolutely clear that it is not going to reopen the 585-page withdrawal agreement. If the Prime Minister was able to get an aspirational addendum to the political declaration—a piece of paper that she could wave when she came back—would that mean we would definitely have a vote on Monday or Tuesday next week?

The Prime Minister: As I said earlier, the timing of the vote will be determined by the extent and nature of the discussions with the European Union.

Bob Stewart (Beckenham) (Con): Changing tack a little, will my right hon. Friend assure me that the proposed new deep and special relationship on defence, security and intelligence matters mentioned in the draft withdrawal agreement will not affect our special dealings with other "Five Eyes" nations, especially the United States?

The Prime Minister: Yes, I am very happy to give my hon. Friend that absolute assurance.

Angela Smith (Penistone and Stocksbridge) (Lab): Surely the Prime Minister realises that this House must be given a reasonable period in which to reflect on the vote and take its decision. The new year is too late—

7 January is just 14 days before the all-important deadline. Surely the vote must come before this House before the end of next week.

The Prime Minister: As I said earlier, we will obviously be working hard in relation to the negotiations. I am sure hon. Members of this House, as a number have indicated, would want to make sure that we are putting our case in the most forceful way.

Helen Whately (Faversham and Mid Kent) (Con): On Friday I visited a haulage business in my constituency, and the owner told me how worried he is about the possibility of no deal and how it will affect his business. Does my right hon. Friend agree that, when we come to vote on the withdrawal agreement, we must remember the importance not only of honouring the referendum result but of the jobs and livelihoods that depend on trade with the European Union?

The Prime Minister: It is very important both that we deliver on the result of the referendum and that we recognise the need to do that in a way that enables us to leave in a smooth and orderly way and that does, indeed, protect those many jobs that depend on the trading relationship with the European Union.

Peter Grant (Glenrothes) (SNP): I have been reflecting on the referendum that I took part in as an 18-year-old first-time voter in 1979, in which Scotland voted on returning its Parliament. If the EU referendum had been subject to the same rules, we would not be leaving now. However, does the Prime Minister not accept that the difficulty in getting an acceptable trade deal and in resolving the problem of the Irish border is not the fault of the Irish, north or south, and is not the fault of Europe? It is the fault of the red lines that she unilaterally and unnecessarily set right at start. If the Prime Minister will not accept that it is time for the red lines to go, surely it is time for the Prime Minister to go.

The Prime Minister: What this Government have been negotiating, and what is present in the deal, is a good future relationship in trading terms in relation to the border and, in relation to not being a member of the customs union and not being a member of the single market, delivering on the vote of the referendum. I believe that is what we should be doing for the people of this country.

Bim Afolami (Hitchin and Harpenden) (Con): I agree with my right hon. Friend the Prime Minister when she says no deal would be bad for the UK, but it would also be bad for the European Union. With that in mind, would she agree that the European Union, as it and its diplomats watch this debate, needs to decide whether it wants a deal or not, because without changes to the backstop, a deal will not pass this House?

The Prime Minister: My hon. Friend has made an important point. I believe, from all my discussions with European Union leaders, that they do indeed want a deal, but he is absolutely right: it is about recognising the concerns that remain in relation to the backstop to ensure there is a deal that this House will accept.

David Simpson (Upper Bann) (DUP): I remind the Prime Minister that assurances will not deliver the people of Northern Ireland on this deal—no assurances will. Will she go further and admit that to get the deal as far as she has got it, Northern Ireland had to be made the sacrificial lamb to placate the Irish Republic and the EU?

The Prime Minister: No, that is absolutely not the case. Throughout these negotiations, this United Kingdom Government have been very aware of the responsibility we have to the people of Northern Ireland. It is that responsibility that leads us to want to ensure that in the circumstances set out in the withdrawal agreement it will be possible to assure people in Northern Ireland that there is no hard border between them and Ireland.

Andrew Percy (Brigg and Goole) (Con): As somebody who represents a heavy leave-voting northern constituency and who actually lives in their constituency in the north, let me say that my voters—leave voters—are sick to the back teeth of being told by remainers, people who lost the referendum, what it was they voted for. We have been told that we are racists, that we are bit stupid and that we are a bit too northern, and now we are being told that we did not know what we voted for. My constituents are none of those things, and what they can see going on in this place is a stitch-up by people who said they accepted the result of the referendum but who are using every trick in the book to deny the people what they voted for.

The Prime Minister: My hon. Friend speaks with passion on behalf of his constituents and he is right to do so. It is frankly unacceptable for Members in this House to try to suggest to people that they simply did not understand what they were voting for. The people of this country understood what they were voting for; they knew what they wanted in terms of leaving the European Union, and we should listen to that and deliver on it.

David Hanson (Delyn) (Lab): Given that the Prime Minister's red lines originally caused the problem in Northern Ireland, can she give some assurances that she will turn those lines pink to ensure that we have free and frictionless trade?

The Prime Minister: I say to the right hon. Gentleman that this is a theme that has been raised by a number of Members on the Opposition Benches, but it is not the case. What we have said on Northern Ireland is that we remain committed to the Belfast Good Friday agreement, and that we remain committed to no hard border between Northern Ireland and Ireland, and that we refuse to accept the European Union's approach of carving Northern Ireland out as a separate customs territory from the rest of the United Kingdom.

Huw Merriman (Bexhill and Battle) (Con): The Prime Minister has been on her feet taking questions for 11 hours with regard to this deal. It may not have escaped her attention, and it will not have escaped my constituents' attention, that Members across the House are saying, on the one hand, that they speak for the people with a second referendum and, on the other hand, that they speak for the people when they want a

no deal. Obviously, that cannot be correct. Does she agree that when it comes to leadership we need the art of compromise? She has shown that and the European Union has shown that. If Parliament wishes to take control, we need to show compromise as well, otherwise we will be responsible for the damage that ensues to our constituents.

The Prime Minister: My hon. Friend is absolutely right. In any negotiation, it is necessary to compromise; it is necessary to know what your vital interests are and to stick to them, but also to be willing to compromise in order to achieve those vital interests. It is for all of us to recognise the damage that can be done to our constituents if this House does not deliver on the referendum and do so in a way that protects people's jobs and livelihoods.

Owen Smith (Pontypridd) (Lab): Since the Prime Minister has been on her feet this afternoon, the pound has fallen to its lowest level since early 2017. The FTSE 250 has fallen to its lowest level for two years, as a direct consequence of the uncertainty caused by this failed brinksmanship. Is it not grossly irresponsible of the Prime Minister to tell the country that we do not know when we will have a vote on this and that this uncertainty may continue indefinitely?

The Prime Minister: Of course, people look at this House and hear people talking about the possibility of a second referendum or of a general election, all of which would increase uncertainty, increase division and increase the problems for this country.

Julian Knight (Solihull) (Con): The parts in an average Land Rover cross the continent 37 times. My 9,000 car workers need an orderly withdrawal from the EU. Does my right hon. Friend agree that if the withdrawal agreement is rejected, we may get no deal, a "permanent Norway", not a temporary one, or—a stain on the soul of this House—a second referendum?

The Prime Minister: My hon. Friend puts it very well. Members of this House need to consider the importance not only of delivering on the referendum but of doing it in a way that, as he says, protects people's jobs and their and their children's futures.

Mr Sam Gyimah (East Surrey) (Con): The Prime Minister is right to say that the House needs to honour the result of the 2016 referendum, and that need was why many of us in this House voted to embark on the article 50 process. The Prime Minister then set her red lines in January 2017, after which we went into a general election. The direct consequence of that general election was the loss of our Conservative majority and the gridlock that we see in Parliament today. If there is no majority in this House for any option and the Prime Minister, having gone back to renegotiate, has not got anything that the House can accept, we should not be boxed in again by our own red lines. Parliament is not frustrating the will of the people; the general election produced an outcome that cannot lead to a clear decision, so we should not be afraid to give the choice back to the people.

The Prime Minister: I hear the argument that that my hon. Friend is making, but I have answered the question about the people's vote on several occasions. He talks

[*The Prime Minister*]

about the views of people across the House; when the time comes it will be for people across the House to recognise the importance of delivering on the vote that took place in 2016.

Wes Streeting (Ilford North) (Lab): The Prime Minister talks about trust, faith in politics and the importance of honouring the 2016 vote, but what does she think it will do to trust in politics when those voters realise that the deal she has negotiated bears so little resemblance to what they voted for? What will it do when people realise that we will be subjected to EU rules but with no say over them? What will it do when people realise that initially we cannot trade with the rest of the world, and that even when we can it will not substitute for the trade that she has sacrificed around the negotiating table? Worst of all, what will it do to trust in politics when people are feeling the pain and are subjected to what the Prime Minister has negotiated, but were given no say over it whatsoever? If she believes that her deal is in the national interest and commands public support, why will she not ask the people?

The Prime Minister: People voted to end the jurisdiction of the European Court, to end free movement and to end sending vast annual sums to the European Union every year, and that is what this deal delivers.

Richard Graham (Gloucester) (Con): I respect the Prime Minister's efforts to try to get the reassurances on the backstop to deliver on the referendum, and let us remember that delivering on it was a manifesto commitment for Conservative and Labour Members. Does she agree that those Members who hope that this situation leads to no deal should realise that the House will not support that outcome and that any other deal will not honour the referendum in a meaningful way? Snatching parliamentary defeat out of the jaws of referendum victory would be bad for trust, but not impossible if enough Members fail to get behind the Government's proposals.

The Prime Minister: My hon. Friend has put the facts clearly to the House. In my statement I spoke of the responsibility that the House has to deliver on the referendum, to do that in a way that protects people's jobs and futures, and to recognise the importance of the vote that people will take and its impact on people's trust in our politics.

Lilian Greenwood (Nottingham South) (Lab): This morning, a prominent Nottingham business warned me that a no-deal Brexit could put it out of business. This afternoon, the Prime Minister raised the threat of an accidental no deal. It is crystal clear that her deal cannot command a majority in this House, whenever we vote on it. Is not her time-wasting delay simply reckless?

The Prime Minister: No, and hon. Members of this House who do not wish to have no deal need to recognise that the only way not to have no deal is to have a deal and to agree a deal. There is no agreement on any alternative deal in this House.

Alberto Costa (South Leicestershire) (Con): There is one part of the agreement that it is incontestable must be legally binding sooner rather than later: the issue of citizens' rights. Will the Prime Minister reassure the House that if the ugly spectre of no deal arises when she speaks to EU leaders, she will reinforce her efforts to ensure that a legally binding agreement on citizens' rights can be brought before the House as soon as possible?

The Prime Minister: I thank my hon. Friend for his question. He has consistently championed the rights of EU citizens living in the UK throughout this process. I assure him that we have been stepping up to the plate in relation to citizens' rights and a no-deal scenario. My right hon. Friend the Secretary of State for Exiting the European Union has reminded me that a notification was issued last week on that matter, but we should also remember that there are 1 million UK citizens living in EU27 member states, and that we should encourage those member states to extend the same generosity to them.

Kevin Brennan (Cardiff West) (Lab): Will the Prime Minister tell the House straight whether this is true: when she comes back with her assurances, it will still be the case that not a single word in the 585 page withdrawal agreement will have been changed. Is that correct?

The Prime Minister: I have answered that question previously. We are going into negotiations with the European Union. We have negotiated a deal with the European Union. We are looking at ways in which it will be possible to provide the necessary reassurance for Members of this House, and we will explore the options.

Matt Warman (Boston and Skegness) (Con): My constituency voted more heavily to leave the European Union than any other. When I talk to constituents, the feeling that I get is that more people now would vote to leave than when they first had the vote in 2016. For the sake of democracy, I would be one of them now as well. Does the Prime Minister agree that it should fill our constituents with horror when Members of Parliament who stood on manifestos to deliver Brexit now talk of a second referendum?

The Prime Minister: I absolutely agree with my hon. Friend. Indeed, I receive messages from across the country from people who voted to remain who say, exactly as he has, that they would now vote to leave because they believe in the importance of recognising and honouring the result of the referendum.

Layla Moran (Oxford West and Abingdon) (LD): The Prime Minister today asks whether this House wants to deliver Brexit. Well, I am more interested in whether my constituents do. Since she brought this deal to the House, 85% of the letters that I have received are in favour of a people's vote with the option to remain. She also says that we need to be honest about the risks. I can tell her that my constituents know very well those risks. They are dismayed at the mess here, and they now consider it the least worst option. By denying the will of the people of Oxford West and Abingdon and of others across this country, is she suggesting that they do not know what they are asking for?

The Prime Minister: No, what I am saying to the hon. Lady—many Members of this House from across the country will also be receiving such responses—is that people are making the point that they voted in the referendum and that they expect Parliament to deliver on the result of the referendum rather than having a second vote.

Chris Philp (Croydon South) (Con): In the Prime Minister's statement earlier, in relation to the backstop, she made it clear that she had listened to the views of the House. That is a mark of true leadership, and she has done exactly the right thing. However, she will also acknowledge that, following the Attorney General's statement last week, many Members of the House, on both sides of the Chamber, have concerns about the legally binding nature of the backstop and the fact that we require European Union consent to get out of it. Does she therefore agree that any changes to the arrangements that are designed to reassure the House must be legally enforceable?

The Prime Minister: I am well aware of the concerns of the House about the legal enforceability of this issue. What people have been saying is that they want to ensure that the backstop can be brought to an end, and there are various ways in which we can do that. What we will be discussing with the European Union is the whole question of how we can do that in a way that gives sufficient reassurance and confidence to Members of this House that they will not be faced with a situation where they have one aspect of this, which is under one determination, and another aspect, which is less secure. It is about giving that confidence to Members of this House that we will be negotiating.

Paula Sherriff (Dewsbury) (Lab): I believe that the Prime Minister, who, incidentally, just last year promised us a strong and stable Administration, attended a lunch today where she said that her deal was the best available. What does she know now that she did not know then?

The Prime Minister: I have been very clear that we are looking at one aspect of the deal, and that we had negotiated ways of addressing it within the withdrawal agreement. What has been proved is that the way that we negotiated it in that withdrawal agreement has not been sufficient to give confidence to Members of this House. The European Union has been clear that the backstop is only temporary, but people want further confidence that it will be only temporary and that it can be brought to an end. That is what we will be negotiating and discussing with the European Union.

Kevin Foster (Torbay) (Con): I welcome the general tenet of the Prime Minister's remarks today. When she meets European leaders, will she be making it clear that this is not about anyone wanting to return to the borders of the past in Ireland, but that it is about ensuring that we will have the sovereign ability to choose our own trading destiny and that we will not be subject to potential vetoes on extraneous issues that are nothing to do with keeping a border open in Ireland?

The Prime Minister: My hon. Friend puts it very well. It is important that we remind the European Union that we are committed to no hard border between Northern

Ireland and Ireland, but that we are also committed to having an independent trade policy, as the EU has reflected and respected in the political declaration. It is important that our policies to deliver on no hard border enable us to operate that independent trade policy.

Stewart Malcolm McDonald (Glasgow South) (SNP): The art of diplomacy is known as allowing someone else to have your way. Given that failure on the Government's part, when a Government cannot get through their central piece of legislation, should they not stand aside? If they do not, should not the Leader of the Opposition table a no-confidence motion? I suspect that if the Prime Minister were sitting where the right hon. Member for Islington North (Jeremy Corbyn) is sitting, she would do exactly the same.

The Prime Minister: The hon. Gentleman talks about legislation. The meaningful vote is not in itself legislation. The legislation follows with the withdrawal agreement Bill that we will put before the House. *[Interruption.]* He says he did not mention it, but he did use the term "legislation" for what the Government are doing. We are ensuring that we have listened to Members of this House, and we are holding further discussions with the European Union to deliver on the views on this House.

Rachel Maclean (Redditch) (Con): I would like to speak up for something that seems to be going out of fashion—that is, compromise and pragmatism to bring the country back together. Does the Prime Minister agree that Opposition Members need to respect the manifesto that they stood on, which was to deliver the result of the referendum, stop playing party politics with their own constituents and back the deal, because they say they do not favour a no deal—*[Interruption.]*

Mr Speaker: Order. There is a lot of noise. The hon. Lady must be heard.

Rachel Maclean: Thank you, Mr Speaker. I merely asked the Prime Minister whether she agrees that the Opposition need to support her deal to deliver what they promised to their constituents.

The Prime Minister: My hon. Friend is absolutely right. The official Opposition, as the Conservative party did, stood on a manifesto to deliver on the referendum, and they should do exactly that.

Rachael Maskell (York Central) (Lab/Co-op): Given that the Prime Minister and her Government have led these negotiations for 29 months, what are the exact terms that the Prime Minister wants to negotiate with the EU this week?

The Prime Minister: I think I have answered this question on several occasions. I want to negotiate in relation to the backstop—ensuring that it is not permanent or indefinite and can only be temporary.

Bill Grant (Ayr, Carrick and Cumnock) (Con): All Members of this House are here as the result of a democratic vote. Does my right hon. Friend agree that it is at best mystifying that many such Members refuse to honour or respect the democratic outcome of the referendum—and, in some cases, two referendums?

The Prime Minister: I absolutely agree. Sadly, there are Members of this House who appear not to want to deliver on the result of the referendum in 2016 and there are also Members of this House who seem not to want to accept the result of the referendum that took place in Scotland in 2014.

Jack Dromey (Birmingham, Erdington) (Lab): The Government's mishandling of the negotiations has thrust the country into chaos, with growing uncertainty and deep concern in our automotive sector, including the Jaguar plant in my constituency. We are but three months away from the cliff. Whatever the ultimate way forward agreed by this House is in the next stages, will the Prime Minister today rule out any question of a no-deal Brexit? The jobs of tens of thousands of workers depend on it.

The Prime Minister: I have been clear that I believe that the best route forward for the UK is to leave with a good deal with the European Union. That is what we have negotiated, and that is a deal that recognises the importance of the trading relationship to many jobs across this country, including in the automotive industry. But if this House desires not to have no deal, then this House needs to accept a deal, and the best deal on the table is the one that the Government have negotiated.

Andrew Bowie (West Aberdeenshire and Kincardine) (Con): Earlier on, the hon. Member for Pontypridd (Owen Smith) spoke about his concerns for the economy and what has happened to the pound today. Does my right hon. Friend not agree that this is as nothing compared with what would happen to our economy under the economically illiterate, destructive and chaotic policies of a Labour Government propped up by the SNP?

The Prime Minister: Yes, my hon. Friend is absolutely right. The flight of capital and the run on the pound that Labour Members themselves accept would be the impact of their economic policies would be the worst damage that could be inflicted on this economy.

Dr Roberta Blackman-Woods (City of Durham) (Lab): I am one of the few people in this House brought up in Northern Ireland during the years of conflict, and I do not ever want to see a return to that time. So how is the Prime Minister going to ensure no hard border in Ireland now or in a few years' time and absolutely no undermining of the Good Friday agreement that brought such welcome peace? Surely, this negotiation should not be about the Prime Minister trying to placate enough people on her own side to heave this bad deal over the line: it should be about the long-term peace and prosperity of Northern Ireland and the rest of the UK, too.

The Prime Minister: It is that long-term peace and prosperity not only of Northern Ireland but the whole United Kingdom that has underpinned the approach the Government have taken to the whole of these negotiations. We remain firmly committed to ensuring that the peace process that has been so important to the lives of people in Northern Ireland, the peace that has been achieved and the development in Northern Ireland that has been achieved can continue into the future and give the people of Northern Ireland the bright future

that we can also give to people across the whole United Kingdom. Having no hard border between Northern Ireland and Ireland is an important part of maintaining that process into the future.

Alex Chalk (Cheltenham) (Con): Are not the public entitled to a grown-up acknowledgement across this House that the issue of the backstop affects both policies? Whether it is the Prime Minister's proposal or, indeed, the Opposition proposal to stay in the customs union or outside the single market, both require a backstop. Does she agree?

The Prime Minister: My hon. Friend is absolutely right. Any of the alternative arrangements that are being put up by contrast to the Government's deal also require a backstop. The backstop is there in the circumstances where the negotiations fail to achieve the future relationship in time at the end of the transition period, and that could happen in the negotiation of any of the agreements.

Ian Murray (Edinburgh South) (Lab): This ongoing farce would be funny if it was not so serious for the jobs and prosperity of my constituents. The Prime Minister rightly says that she wants to be honest with the public, so can she be honest: is her deal non-negotiable?

The Prime Minister: We have negotiated the deal with the European Union that covers many aspects over and above the issue of the backstop. The one that Members of this House have raised concerns about is the particular aspect of the backstop in relation to whether or not it can be indefinite or is only temporary. It is that specific point on which we are seeking these reassurances.

Rehman Chishti (Gillingham and Rainham) (Con): Like many other colleagues, I was hoping to speak in the debate and outline my reasons why I would be opposing this deal and voting against it. Can the Prime Minister clarify this specific point for me? She has talked about manifesto commitments. May I refer her to page 36 of the Conservative party manifesto, which says:

"As we leave the European Union, we will no longer be members of the single market or customs union?"

How does that reconcile with the deal that we have and the Attorney General's advice at paragraph 7 on the customs union and the single market?

The Prime Minister: It is indeed reconciled with the fact that the future relationship we will have with the European Union will ensure that we are not in the single market and not in the customs union. Indeed, in the withdrawal agreement, in relation to the backstop in Northern Ireland, Northern Ireland will not be in the single market. The point about the backstop is that it is only intended to be temporary. Coming out of the single market, coming out of the customs union and coming out of all the other aspects of the European Union membership that people voted against and wanted to see us come out of is delivered in the future relationship we have with the European Union.

Christine Jardine (Edinburgh West) (LD): I wonder whether the Prime Minister could clarify two points. First, in anticipation of speaking in this afternoon's

debate, like many other Members, including those on the Government Benches, I gauged my constituents' opinion. Implicit in that, as in the Prime Minister's statement that she has listened to the House and will review the backstop, is an acknowledgment that people can change their mind. That being the case, why is she not prepared to let the country say whether it has changed its mind? Secondly, could she clarify the point raised by the hon. Member for Wellingborough (Mr Bone) about the mechanism she will use for this afternoon's debate?

The Prime Minister: There will be a business statement after this statement. In relation to the hon. Lady's first question about going back to the country in a second referendum, I refer her to the answer I gave to the same question earlier.

Simon Hoare (North Dorset) (Con): In all my discussions with businesses and farmers in my constituency, they have said that they desperately want a deal, so I support my right hon. Friend's instincts. Given that we are told that the technology exists in the world to deliver a robust, non-hard, policy-compliant border within the transition period, does she believe that the backstop is potentially being overblown as anything other than the insurance policy that all parties require to safeguard the precious peace of which so many Members have spoken?

The Prime Minister: My hon. Friend is absolutely right; the withdrawal agreement now references the possibility of those alternative arrangements that can deliver on no hard border, which is so important for the peace he references, and could mean that the backstop genuinely does not need to be used. There has been a lot of focus on the backstop, but the possibility of extending the transition period and the existence of alternative arrangements both make it even less likely that the backstop would ever come into force.

Christian Matheson (City of Chester) (Lab): The tactic employed by the Prime Minister of trying to foment division between this House and the country outside is to be deeply regretted and will only add to the problems that she described in her statement. Is the deal that is currently on the table now dead, since she is trying to renegotiate something that was previously unnegotiable?

The Prime Minister: First, we are not trying to foment division between this House and the people. [HON. MEMBERS: "Yes you are!"] No. Every Member of this House has a responsibility to understand the duty to deliver on the vote of the referendum. A number of Members are indicating that they would prefer to follow a different route than delivering on the referendum vote. I believe that we have a duty to deliver on the referendum vote. As I have explained, I believe the deal that has been negotiated is the right deal for the UK. There is the aspect in relation to the backstop, on which we will be going back to the European Union.

Jim Shannon (Strangford) (DUP): I said during one of the Prime Minister's previous statements that Northern Ireland

"will not be your sacrifice."—[*Official Report*, 15 November 2018; Vol. 649, c. 474.]

She has stated that there must be compromise, but the state of Northern Ireland is an absolute, and the tinkering that has taken place is not acceptable. Regrettably, none of her words today have reassured the House. The gap of mistrust between her and the Democratic Unionist party and myself has grown into a chasm; it is clear that it has never been so wide. I support the majority of the UK in asking her to do what was asked—to leave the EU as we entered it, with no backstop, on our own merits, confident of our ability as a global power and no man's slave.

The Prime Minister: We do indeed want to deliver on leaving the European Union, but in doing that, I want to ensure that there will be no hard border between Northern Ireland and Ireland. I believe that that is important, as I am sure the hon. Gentleman does, for his constituents and for the future of Northern Ireland. That is one of the commitments we have given, and it is one that I intend to deliver on.

Alison Thewliss (Glasgow Central) (SNP): Over the weekend, hundreds of constituents have got in touch with me asking me to vote down this terrible, woeful deal that the Prime Minister has come back with. There is no—[*Interruption.*]

Mr Speaker: Order. I say to the Government Minister standing at the Bar: be quiet. I have not the slightest interest in hearing you yelling in the background. Sit down, be quiet and listen, and if you are not able or inclined to do that—[*Interruption.*] Order. Do not look at me and tell me what's what or imply that you can. Be quiet and do not be discourteous to the Member on her feet. If you cannot be quiet, Mr Stuart, you are most welcome to leave the Chamber, and we are perfectly capable of coping without you.

Alison Thewliss: There is no confidence in this Prime Minister's deal. She does not have the confidence of her Back Benchers, my constituents or the majority of Members of this House. She cannot even tell us the date when the vote will return to the House. Is it not the case that this Prime Minister has bottled it and should go?

The Prime Minister: If I was bottling it, I would not have come to the Chamber and been on my feet for nearly two and a half hours answering questions.

Clive Efford (Eltham) (Lab): The Taoiseach Leo Varadkar is quoted today as saying:

"We have already offered a lot of concessions...We ended up with the backstop because of all the red lines the UK laid down". EU leaders know that we have the backstop designed by the Prime Minister. Exactly what is she going to renegotiate?

The Prime Minister: This is not a backstop designed by the United Kingdom. The one aspect of this backstop that was required by the United Kingdom was that the customs territory was UK-wide and that we did not see a Northern Ireland customs territory, which was what the EU wanted. We stood up against it, and we delivered.

Carol Monaghan (Glasgow North West) (SNP): The Prime Minister and many on her Benches have demonstrated an astounding ignorance of the history of these isles. Attempting to bully Ireland into perceived

[Carol Monaghan]

compliance by threatening food supplies is utterly abhorrent. Can she assure the House that in any conversations, negotiations or interactions, Ireland will be considered an equal?

The Prime Minister: The Government have not suggested that. Ireland is currently a fellow member of the European Union. We, in the future, will not be a member of the European Union. One of the things that I have discussed with the Taoiseach is how we can ensure that our bilateral relations, which have been growing much stronger in recent years, continue to grow, in the interests of the whole of the United Kingdom, including Northern Ireland.

Andy Slaughter (Hammersmith) (Lab): Dragging the decision on the Prime Minister's deal into the new year for what looks like tactical advantage is unfair on everyone, but it is particularly unfair on businesses trying to plan for their future and for EU citizens who want to know their rights. Will she at least promise to bring the vote before the Christmas recess?

The Prime Minister: One of the important elements of the deal that we have negotiated is being able to give EU citizens confidence about their rights, even should there be no deal. What is important for certainty for the future, and what will deliver all these things, is this House agreeing a deal.

Kerry McCarthy (Bristol East) (Lab): I have had hundreds of constituents emailing me to express their unhappiness with the Prime Minister's deal, and they are not troubled by the backstop; they are worried about their jobs, the economy, whether they will be able to get their hands on life-saving medicines and whether food prices will go through the roof. It is self-indulgent in the extreme for us to put off this decision day after day, while the Prime Minister tries to save her own skin. She will not be able to come back with a deal which satisfies me that my constituents will not be worse off. Can she just get on with it?

The Prime Minister: That is what I am doing. I am getting on with finding a way through—[*Interruption.*] I am listening to Members of this House and then going back to negotiate on that basis. The deal has been negotiated with the European Union. If the hon. Lady wants to avoid no deal, she has to accept a deal. This is the deal that is on the table.

Alex Norris (Nottingham North) (Lab/Co-op): It was clear after the Chequers agreement was announced that there was not a majority in Parliament for it. It has been clear since the withdrawal agreement announcement was made that there is not a majority in Parliament for it. It has been clear after three days of debate that there is not a majority in Parliament for the Prime Minister's plan. In that time, we have wasted months. Now the Prime Minister proposes to waste further weeks. Is the Prime Minister's new strategy to run the clock down to the very last minute to give us a false choice between her deal and the catastrophe of no deal?

The Prime Minister: Hon. Members of this House will need to face the fact that there will be a choice between a deal, no deal and no Brexit—[*Interruption.*]

Between a deal—a deal—no deal and no Brexit. There is no majority in this House for any of the alternative arrangements that have been put forward by Members of this House.

Daniel Zeichner (Cambridge) (Lab): The Prime Minister told us earlier that she had been listening, but I am afraid she has been a touch selective in what she has actually heard, because it is not just about the backstop. Will she level with the country and tell people that the political declaration is not actually a deal, but a series of shared aspirations, and the negotiations are likely to drag on for years and years?

The Prime Minister: The political declaration makes it very clear that what will be negotiated will give effect to what is in the political declaration. If you like, it is instructions to the negotiators. What is also clear within the deal that has been agreed is that both sides will use their best endeavours, acting in good faith, to achieve that negotiation by the end of December 2020.

Dr Rupa Huq (Ealing Central and Acton) (Lab): Nine times, the Prime Minister assured us that there would be no early general election, and still it happened. As recently as this morning her hapless, ever-changing band of Ministers were out on the airwaves assuring us that there would be a meaningful vote tomorrow before this latest twist—a sort of premature parliamentary ejaculation—that has put the lie to the claim that she sticks to her guns. When she will not even tell us when the vote is deferred to and as it appears the lady is for turning, how can we or anyone trust anything she says again?

The Prime Minister: I am tempted to say to the hon. Lady that, if she looks carefully, I think she will see that I am not capable of a parliamentary ejaculation. [*Laughter.*]

Deidre Brock (Edinburgh North and Leith) (SNP): Hard to follow that one, Mr Speaker.

At a quarter to four this afternoon, I received a written answer that stated:

“The Northern Ireland Protocol guarantees that even in the event that the UK's future relationship with the EU is not in place by the end of the implementation period, there will be no hard border between Northern Ireland and Ireland and no splitting of the UK's customs territory. In so doing, the agreement preserves the economic and constitutional integrity of the United Kingdom, upholds the Belfast (Good Friday) Agreement, and ensures people and businesses that rely on an open border between Northern Ireland and Ireland can continue living their lives and operating as they do now.”

Does the Prime Minister agree?

The Prime Minister: Yes. That is what we have negotiated—to ensure there will be no hard border between Northern Ireland and Ireland.

Anna McMorrin (Cardiff North) (Lab): World leaders are gathering in Katowice in Poland this week to agree action on climate change, the single biggest issue facing us in the world today. Instead, here we are embroiled in a massive act of self-harm, with us unable to move forward, the pound at its lowest point in 18 months and locked in a stalemate. Without any majority in Parliament for a deal, please put this back to the people—not for the second time, but for the first time on this deal.

The Prime Minister: I refer the hon. Lady to the answer I have given earlier. I also point out to her that if she wants the Government to be able to get on and focus on the issues that she is talking about—we have representation in Katowice, and we are still working on the issues of climate change and other things—going back for a second referendum will not help that process.

Nic Dakin (Scunthorpe) (Lab): The Prime Minister admits that if she put the deal to this House tomorrow, it would be rejected, in her words, by “a significant margin”, so why is she behaving like the shopkeeper in the dead parrot sketch and insisting that this dead deal is not yet deceased?

The Prime Minister: Because, as I have pointed out, there is a specific reason why people have raised concerns about the negotiation. It is about the issue of the temporary nature or otherwise of the backstop, and that is what we are going back to the European Union to discuss.

Dr Philippa Whitford (Central Ayrshire) (SNP): At the beginning of this process, the Prime Minister said she would reach out right across the UK to the devolved nations, across the divide, and agree a negotiating position before going to Europe, but she did not. She has made all the decisions herself and painted herself into a corner with her red lines, and what we have in front of us is a blind Brexit. We will not be putting this behind us for years because those 26 pages are just blather—it is nothing. It is clear from the fact that the Prime Minister will not allow MPs to vote and will not allow the people to vote that she has no faith in this deal herself. Is that not closer to the case?

The Prime Minister: No, it is not, and it is not the case that MPs are not going to be allowed to vote. There will be a vote in this House—[HON. MEMBERS: “When?”] There will be a vote in this House, but we will be negotiating on the issue of the backstop.

Brendan O’Hara (Argyll and Bute) (SNP): I spent much of the weekend reassuring worried farmers, fishermen and distillery workers in my constituency that the stark choice being forced on them between the Prime Minister’s deal and a hard, no-deal Brexit was a false choice. Today, the Prime Minister has confirmed that I was right—it is a false choice. Will she now accept that this was one cruel bluff too far, and that today, in the eyes of the public, she and her hopelessly divided Government are taking self-serving political cowardice to a whole new level?

The Prime Minister: Two of the things that will be delivered by this deal are coming out of the common agricultural policy and coming out of the common fisheries policy. Those are both important, for our agricultural sector and for our fishermen, because we will be able to deliver improvements for both those sectors in the future.

Mrs Sharon Hodgson (Washington and Sunderland West) (Lab): Even by this Government’s standards, the events of today have been extraordinary. My constituents will be looking on today in horror at what the Prime Minister is doing. There are just 109 days to go until we

are due to leave the EU and the Prime Minister does not have the confidence to put her own deal to a vote of this House. Every day this chaos continues, it damages the country. As the Prime Minister does not command a majority in this House any longer, will she step aside?

The Prime Minister: No. What we are doing is ensuring that we can have a deal. For the confidence and certainty that the hon. Lady’s constituents want, I believe that it is important that this country agrees a deal that delivers for them on their jobs and livelihoods in the future, and that is what this deal does.

Kate Green (Stretford and Urmston) (Lab): The Prime Minister said that it was disquiet about the backstop in this House that is leading her to return to the European Union, but many of the 164 speeches that we have heard so far in the debate indicate that it is not just the backstop that is of concern, and my constituents have many other concerns about the deal that is on the table. Will the Prime Minister tell us when she is going to put this intrinsically unsatisfactory deal before this House so that we can vote on it?

The Prime Minister: I refer the hon. Lady to the answer I gave earlier.

Liz McInnes (Heywood and Middleton) (Lab): The Prime Minister has rather given the game away with her statement today, for as long as we fail to agree a deal, the risk of an accidental no deal increases. It would be monumental folly for any Government accidentally to stumble into no deal. We have had three days of debate. Let us have the next two, and let us have a vote on her deal.

The Prime Minister: It is a responsibility of Members of this House, when they come to look at the deal that the Government put before them, to recognise what the potential alternatives are in relation to no Brexit or no deal.

Drew Hendry (Inverness, Nairn, Badenoch and Strathspey) (SNP): What we have witnessed today is the evaporation of any lingering vapours of credibility from this Prime Minister and a Government that she leads in name only, after the cowardly decision to postpone or stop the vote. After more than two years of pandering to Tory Back-Bench infighting and coming up with this mess, is it not time that she took responsibility? If the Leader of the Opposition has the backbone to press a no-confidence vote tomorrow, will she abstain or will she do the honourable thing beforehand and resign?

The Prime Minister: No.

Lloyd Russell-Moyle (Brighton, Kemptown) (Lab/Co-op): Last year the Prime Minister called an election, because she understood clearly that in democracies we regularly go back to the people and have a vote. After losing three votes in Parliament last week, she seems to have gone a bit cold on democracy. She does not want a people’s vote, but now she does not even want votes in the House of Commons. When will we get to vote? What date will the Prime Minister set for a vote? I have no trust in this Prime Minister, and I do not think the country does either.

The Prime Minister: I refer the hon. Gentleman to the answer I gave earlier.

Mr Paul Sweeney (Glasgow North East) (Lab/Co-op): Will the Prime Minister accept that the fundamental premise of this deal is not going to change and that no amount of sugar-coating is going to build a majority in this House for a fundamentally dead deal? Will she face up to the reality of democracy, face the House of Commons, put it to a vote and allow Parliament to decide what happens next, instead of holding us all hostage to her own misfortune?

The Prime Minister: The fundamental premise of this deal is that it delivers on the referendum, respects the decision taken by the British people and does so in a way that protects people's jobs and livelihoods for the future. I believe that is the right premise for the deal.

Stuart C. McDonald (Cumbernauld, Kilsyth and Kirkintilloch East) (SNP): I have heard absolutely nothing that justifies halting our debate, because if the red lines are not going to change, the deal is not going to be changed materially either. In the last few minutes, Donald Tusk has confirmed that the deal and the backstop cannot be renegotiated. If the Prime Minister is intent on listening to this House, will she confirm that we will have a vote on whether to halt our debate?

The Prime Minister: I have set out the position in my statement, and there will be a business statement to the House later.

Janet Daby (Lewisham East) (Lab): It is good to hear that the Prime Minister is listening. If she is indeed listening, what would she say to my constituent who voted leave, but who said that he feels he was miserably misled and misinformed by the leave campaign and has since said, like many others, that he would like the opportunity to make an informed decision through a people's vote?

The Prime Minister: I have given an answer in relation to the people's vote on a number of occasions. Some 17.4 million people voted to leave the European Union. She cites her constituent; there are many other constituents who, having voted to remain, would now vote to leave the European Union, because they believe it is important for Government and Parliament to deliver on the referendum.

Graham P. Jones (Hyndburn) (Lab): Prime Minister, was this the easiest deal in history?

The Prime Minister: I think if the hon. Gentleman looks back on the various statements I have made about tough negotiations and difficult choices being made, he will know the answer to that question.

Chris Elmore (Ogmore) (Lab): The only thing that the Prime Minister has been consistent about in recent months is that her deal is the only deal on the table, so the reality is that tweaking bits and pieces will change nothing, as has been confirmed by the Taoiseach for a start. In that vein, will the Prime Minister confirm that her decision to delay tomorrow's vote does not mean that the requirement under the EU withdrawal Act for the Government to make a statement by 21 January if this House has not approved a deal has changed?

The Prime Minister: The legislation is clear on the position, and the Government understand that.

Ms Marie Rimmer (St Helens South and Whiston) (Lab): The referendum was honoured when this House voted article 50 through. The deal on offer and no deal are seriously detrimental to this country, with the most vulnerable set to be the worst hit again. Truth and honesty are desperately needed in this country now; the people are entitled to it. It takes a brave person to be a true leader. Will the Prime Minister rise to the challenge, tell the House and the public that this deal and no deal are seriously detrimental, and get out to the people? We cannot lead them over a cliff like lemmings.

The Prime Minister: The hon. Lady started her question by saying that this House respected the result of the referendum when it triggered article 50. What triggering article 50 did was start the process of negotiation. We will honour the result of the referendum when we leave the European Union.

Debbie Abrahams (Oldham East and Saddleworth) (Lab): I have no confidence whatsoever in the Prime Minister renegotiating or amending the deal, the backstop or anything else. Given that she has refused to date to say when we may have a vote on the amended deal, will she at least stop the clock on the article 50 process? Or is this really a threat, as it seems to have been from the response to many of my colleagues, of her deal or no deal?

The Prime Minister: We have triggered the article 50 process. I believe that we have a responsibility to deliver on the vote in the referendum. This Parliament put the exit date into legislation, and we will be leaving on 29 March next year.

Ruth George (High Peak) (Lab): The Prime Minister says that she wants certainty and protection for jobs and prosperity, but seeing as she is about to try to ditch the only legally binding part of the future relationship and her party is seeking to ditch her and take us into a hard Brexit, what guarantee does her deal give to businesses and people in my constituency of the jobs and prosperity that they want?

The Prime Minister: The hon. Lady seems to have misunderstood what I said in my statement and appears to think that we are abandoning in total the legally binding aspect of the deal that has been agreed. She talks about protecting jobs, and that is exactly why we have negotiated and set out clearly the ambitious free trade agreement for the future and the free trade area that would enable us to protect jobs up and down the country.

Alan Brown (Kilmarnock and Loudoun) (SNP): After two years of telling us that no deal is better than a bad deal, it is an insult to our intelligence to tell us that no deal is so catastrophic that we have to vote for the Prime Minister's bad deal, yet at the same time she says, "Don't worry, we've prepared for a no deal." When it comes to no deal, the reality is that she had a Brexit Secretary who did not know how important the port of Dover was and a Transport Secretary who did not bother to visit the port of Dover from June 2016 to October 2018. That is how far behind the Government

are in their no-deal preparations. Is the Prime Minister not insulting our intelligence further by saying that she is ready, and is it not the case that she has never had control of this situation?

The Prime Minister: The no-deal preparations will continue, as I said earlier in my statement.

Martin Whitfield (East Lothian) (Lab): Donald Tusk has just tweeted that he “will not renegotiate” anything, “including the backstop”, but will discuss how the UK can facilitate ratification. Given that a no deal would be a disaster and the article 50 ruling this morning stated that we could revoke it, is it not in the Government’s power, if we reach a point where we risk no deal, to revoke article 50?

The Prime Minister: Revoking article 50 means staying in the European Union. That was not what people voted for in 2016.

Hugh Gaffney (Coatbridge, Chryston and Bellshill) (Lab): On Postal Workers Day, I thank all MPs for the extra Brexit mail.

Prime Minister, earlier you said:

“On the morning after the referendum two and a half years ago, I knew that we had witnessed a defining moment for our democracy.”

Prime Minister, this is a defining moment in our democracy. Your deal has failed, so will you call a general election or will you resign, just like David?

The Prime Minister: No.

Several hon. Members *rose*—

Mr Speaker: Order. Let me gently say to Members that in some cases it may be done for emphasis, in which case it is an abuse, and in some cases it may be inadvertent, but there is a dangerous tendency developing on both sides of the House, which we have witnessed today, for Members to use the word “you”. Debate goes through the Chair and “you” refers to the Chair, so Members should not use it. I have been trying to educate the extraordinarily diligent and amiable hon. Member for Strangford (Jim Shannon) for several years not to say, “Minister, will you do this, that or the other?”, and I do not want the infection to spread, if I can put it that way.

Justin Madders (Ellesmere Port and Neston) (Lab): Many constituents have contacted me about the withdrawal agreement. I had hoped to speak in the debate later to

put forward their views, as well as my own. The Prime Minister said earlier that she wanted to take Members’ concerns back to the EU. How can she do that if she shuts down the debate tonight—or do my constituents’ views not count?

The Prime Minister: I set out the position the Government are taking in the statement I gave earlier.

Matt Western (Warwick and Leamington) (Lab): The Prime Minister said in her statement:

“Those Members who continue to disagree need to shoulder the responsibility of advocating an alternative solution that can be delivered”.

I came here today to make a speech in the debate to advocate an alternative position and to vote tomorrow. The Prime Minister is clearly running down the clock, playing a game of brinkmanship that is dangerous for our businesses, such as Jaguar Land Rover. Does not she accept that, by denying Parliament a vote tomorrow, she is preventing any alternative solution to be proposed unless article 50 is extended?

The Prime Minister: There are a number of alternatives that Members of this House have already put forward in debate, and not just in the debate that has taken place during the three days so far. But so far there has clearly not been any consensus across the House for any alternative arrangement. The House will have to come to a decision about whether to go forward with a deal or not in due course.

Martyn Day (Linlithgow and East Falkirk) (SNP): The Prime Minister has warned the House of the risk of dividing the country and a loss of faith in our democracy. Does not she recognise that, if we press on regardless, if we take Scotland out of the EU against its will on the back of a UK-wide vote that was only narrowly won and won with extensive rule breaking by the leave campaign, she will do exactly that? If she has not got the guts to put a vote before this House or the people, is not it time for her to resign?

The Prime Minister: As I explained in the statement, we are deferring the vote so that we can have these further discussions with the European Union. But as I have pointed out to the hon. Gentleman and to his right hon. and hon. Friends on a number of occasions, from the point of view of the economy of Scotland and jobs in Scotland, the most important element for Scotland’s economy is to stay within the internal market of the United Kingdom.

Business of the House

6.22 pm

The Leader of the House of Commons (Andrea Leadsom): In the light of my right hon. Friend the Prime Minister's statement, I would like to make a short business statement confirming the business for the remainder of this week:

TUESDAY 11 DECEMBER—Consideration of Lords amendments to the Ivory Bill—[*Interruption.*] Followed by a general debate on fuel poverty.

WEDNESDAY 12 DECEMBER—Remaining stages of the Courts and Tribunals (Judiciary and Functions of Staff) Bill [*Lords*].

THURSDAY 13 DECEMBER—General debate on the public health model to reduce youth violence. [*Interruption.*]

Mr Speaker: Order. The hon. Member for Brighton, Kemptown (Lloyd Russell-Moyle) is burbling away from a sedentary position and has been doing so on a recurrent basis throughout the past couple of hours. He is displaying delinquent tendencies and I want him to curb them.

Andrea Leadsom: FRIDAY 14 DECEMBER—The House will not be sitting.

I will make a further business statement in the usual way on Thursday.

6.23 pm

Valerie Vaz (Walsall South) (Lab): May I just clarify something with the Leader of the House? Did she say that there would be a further debate after the Ivory Bill? We did not quite hear that properly. I thank the Leader of the House for her statement and for the business for the next few days.

Before I get to the matter of the deferred debate and the vote, I would like to register our deep dissatisfaction that the Government have announced a substantive debate on the remaining stages of the Courts and Tribunals (Judiciary and Functions of Staff) Bill for Wednesday. This is an important Bill and proper notice should have been given to the House to ensure that Members had proper time to table amendments and to prepare to scrutinise the Bill. By giving less than two sitting days' notice, it is now impossible for Members to table amendments that will not be starred. But I suppose the Leader of the House is quite grateful that she will not have to vote on the withdrawal agreement, because it has been widely briefed that she never supported the proposals.

On Tuesday 4 December, this House unanimously agreed a business of the House motion, which sets the rules and timetable governing the meaningful vote debate. The Prime Minister has today unilaterally announced that she will, in her words:

"defer the vote scheduled for tomorrow and not proceed to divide the House at this time".

Neither the Prime Minister nor the Leader of the House have today confirmed the date for the conclusion of the debate or the votes. That shows a complete disregard for Parliament and for the rights of the House, as well as for the 164 hon. Members who have already spoken in the debate, and I think almost the same number of hon. Members—perhaps more—planned to speak today and tomorrow. Once again, the decisions of

Parliament are being ignored. It is clear, as the Prime Minister admitted in her statement, that she has decided to avoid a heavy defeat on her deal in the House of Commons tomorrow. Again, Parliament is being given no opportunity to express its view on her negotiation.

Mr Speaker, you earlier set out two options available to the Government to alter the business. The first "infinitely preferable" option is for a Minister to propose moving to the Adjournment so that the House has an opportunity to vote on this proposition. The second is that the Government Whip does not move the debate on the meaningful vote for today. It cannot be right that the Government can unilaterally alter arrangements once this House has agreed on a timetable without the House being given an opportunity to express its will. The public will look at the behaviour of the Government and how they treat their democratically elected representatives and despair—the Government are denying the vote because they are going to lose.

Our constitution works on the basis that the Government control the business of the House of Commons because they have a majority in this House. However, the Government appear to be avoiding a vote on a change to the business because they fear they do not command a majority. Can the Leader of the House confirm whether the debate will be resumed and completed this side of Christmas? Does she think it is reasonable to wait until Thursday before confirming the business for the final sitting week before Christmas? Can she also confirm that the House will rise for the Christmas recess on Thursday 20 December and return on Monday 7 January—2019? [*Laughter.*] Can she confirm that Parliament will be given an opportunity to debate and inform the Government's negotiating strategy with the EU? Can she confirm that they will not bring forward the implementation Bill next week before Parliament has made a decision on a section 13 approval motion? Most importantly, can the Leader of the House please confirm that the Government will treat Parliament with respect, honour the terms of the original business of the House motion as agreed, and therefore seek to move a motion for the adjournment after the statements today, so that this House, not the Prime Minister, agrees whether to defer the meaningful vote?

Andrea Leadsom: I am grateful to the hon. Lady for her questions. She asks about the business on Tuesday 11 December. Consideration of Lords amendments to the Ivory Bill will be followed by a general debate on fuel poverty.

The hon. Lady asks about the business of the House motion. What I can say is that, in strict procedural terms, our intention this evening after the ministerial statements is to defer the debate until "tomorrow". Members will be aware that this is a very common procedure. The Government often name "tomorrow" as the next date in deferring an order of the day—for example, we do this at the end of a Second Reading debate. It is then for the Government to decide when to bring that order back for debate. That is in line with the normal convention that the Government decide on the order of business.

The hon. Lady asks whether the House will still rise for Christmas on 20 December and return on 7 January. What I can say to her is that the House has agreed—that that recess is accepted. It is therefore a matter for the

House. So the House will rise for Christmas as planned. She asks whether—*[Interruption.]* She asks whether there will be time for debate—*[Interruption.]* I can say to the hon. Lady—*[Interruption.]* Mr Speaker, would you like to call for order?

Mr Speaker: I cannot actually hear what the Leader of the House is saying. If she wants to repeat the last sentence, because it was not remotely audible to me—I am not suggesting that is her fault, but it simply was not heard. It is important that what is said in this Chamber is heard, so perhaps she would care to return to the Dispatch Box and repeat what it is she was saying.

Andrea Leadsom: Thank you, Mr Speaker. Obviously, I will be dependent on you to keep order in the Chamber so that I can be heard—

Mr Speaker: Order. I have no difficulty whatsoever doing that, and I will continue to do that. What I am asking the Leader of the House to do is to furnish the House with the information that was requested. I am inordinately grateful to her.

Andrea Leadsom: Thank you, Mr Speaker. The hon. Lady asked whether the House will rise for the Christmas recess as planned. What I said is that the House has already decided that it will rise for the Christmas recess on 20 December and return on 7 January.

The hon. Lady asks about time to debate Brexit. I can absolutely assure her, as she will know, that the Government have a very good record in making sure that the House has plenty of time to debate Brexit—*[Interruption.]* During the passage of the European (Withdrawal) Act 2018, both Houses played an essential role in scrutinising and improving the legislation, with 37 days of debate spanning 11 months, and with over 1,400 amendments debated and almost 280 hours given for time to debate. We have ensured that there are regular debates in Government time, including the two-day debate on European affairs in March and the debate on legislating for the withdrawal agreement in September, so I can assure all hon. and right hon. Members that the Government will make sure that there is plenty of time for further debates on Brexit, including on the meaningful vote—*[HON. MEMBERS: “When?”]* What I can say to the House is that the Government are under a statutory obligation under section 13(1)(b) of the EU withdrawal Act to have the withdrawal agreement approved by a motion in this House. In such circumstances, the business of the House motion agreed on 4 December will need to be updated through a further business motion.

Sir Desmond Swayne (New Forest West) (Con): How firm should any plans we might make for the first week in January be?

Andrea Leadsom: As I just said to the hon. Member for Walsall South (Valerie Vaz), the House has already decided that it will return on 7 January next year.

Pete Wishart (Perth and North Perthshire) (SNP): I thank the Leader of the House for this hastily arranged and paltry business statement. It is absolutely no wonder whatsoever that this statement was given to shrieks of laughter from Members on these Benches. This is the ultimate humiliation for the Leader of the House and

for this Prime Minister. How they can look this House in the eye and try to suggest and pretend that this is business as usual is quite extraordinary. Our constituents are watching this farce with bewilderment and bemusement, with no idea how this country is being run, and the Leader of the House comes up with no way forward for all of this.

This is the most extraordinary moment in our political life—a moment when people will ask, “Where were you on Brexit crisis day?” We have now reached the single biggest political crisis since Suez, with the biggest capitulation since Napoleon’s retreat from Moscow. I asked the Leader of the House last week if this vote would go ahead, regardless of what emerged or how much they feared defeat. She said that it most definitely would. Even one hour before this huge U-turn, the Government were still briefing that there would be a vote. Now, of course, there is no vote and there might not be one until 21 January—a monumental act of political cowardice.

What we want to hear from the Leader of the House tonight is that this House, and this House alone, will determine whether we have the vote tomorrow. It must be No. 1 of what the Speaker set out on how we address this. There must be a Minister coming to that Dispatch Box and asking for this motion to be adjourned. We cannot have it any other way. It is up to this House to decide whether the vote should go ahead or not. So far, 167 Members have spoken and half as many again were due to speak tonight or tomorrow. This is a huge disrespect to all honourable colleagues in this place.

The one other thing that we need to see on a business motion is an opportunity to test the confidence of the House in this Government. There must now be a motion put forward after all that we have had—after this humiliating climbdown and after things being withdrawn that we should be voting on. That is what this country now expects us to do—have a vote of confidence in this Government, which almost certainly will and should be defeated.

Andrea Leadsom: The hon. Gentleman suggests that somehow this is a lack of respect. I think that what this demonstrates is that the Prime Minister has very carefully listened to the many hundreds of colleagues who have already expressed their grave concerns—myself included—on the issues around the backstop. The Prime Minister has taken those views on board, and she has ensured that she will now go away and seek further reassurances from the European Union before coming back to this place, so that she can seek an agreement that this House can accept. I believe that that shows absolute respect for this Parliament.

Sir Patrick McLoughlin (Derbyshire Dales) (Con): When we come to resume this debate, whenever that will be, will it be a continuation of the debate over the last three days, or will it be a new debate?

Andrea Leadsom: My right hon. Friend is right to point out that we will require the business of the House motion that was agreed on 4 December to be updated through a further business motion. In terms of precisely how that will take place, that is something on which I will be keen to hear from all hon. and right hon. Members, and it will, of course, be discussed through the usual channels.

Mr Ben Bradshaw (Exeter) (Lab): This Government are once again showing complete contempt for this sovereign Parliament. Why will she not put the shabby idea of taking this vote away from us—this sovereign Parliament—to a vote in this House, rather than doing it unilaterally? This can only end very badly for the Government if they continue to ignore the will of this House.

Andrea Leadsom: The right hon. Gentleman makes it clear that he wishes to undermine the will of the people of this country—[*Interruption.*] What the Government are making clear is that we are determined to bring a withdrawal agreement to this House that the House can support in the national interest and abiding by the will expressed by the people in the referendum.

Mr Mark Francois (Rayleigh and Wickford) (Con): What the Government have done today is shameful. It is a complete abuse of this House. Having been found in contempt recently for the first time in living memory, they have now gone for a “buy one, get one free.” The whole House wanted to debate this. We wanted to vote on it. The people expected us to vote on it, and the Government have gone and run away and hidden in the toilets. People watching this on television will be confused and bemused, and very, very angry at the way their own Parliament has let them down. The Government Front Benchers should literally be ashamed of themselves.

Andrea Leadsom: I simply do not agree with my right hon. Friend’s assessment. What the Government are seeking to do is to go back to the European Union to get further reassurances, so that this House can support a deal that is in the national interest. As the Prime Minister said in her almost three-hour statement just now, she recognises that the House—many hon. and right hon. Members—have grave concerns about the backstop arrangements, and she is determined to see that resolved and to come back to this place as soon as possible to resume the debate and have that vote.

Kate Hoey (Vauxhall) (Lab): I have the greatest respect for the right hon. Lady and I am sure that she is feeling very uneasy about what she is doing today. Given that Parliament has already decided that the Government were in contempt, can she now bring back the legal advice for the rest of the withdrawal agreement—not just the backstop—which was what Parliament asked for?

Andrea Leadsom: The advice published was the final advice the Attorney General gave to the Cabinet on 14 November. That was the legal advice that fulfilled the terms of the Humble Address. On the hon. Lady’s point about the Government not abiding by procedures, I have to say that the Government are absolutely abiding by procedures. As hon. Members will know, we always at the end of a Second Reading debate name “tomorrow”, which in parliamentary terminology means “not now”. It is either now or another time, for which the terminology is “tomorrow”. That is normal House procedure, and there is nothing unusual about it.

Justine Greening (Putney) (Con): The Prime Minister says she did not want to go back to square one, but that is precisely what she has done in attempting to terminate this debate. Like many other Members, I represented

my community last week, and my constituents will be shocked to see that this debate has now been curtailed. Will the business motion the Leader of the House plans to introduce respect the amendment passed by the House to last week’s business motion, and does she agree that it should be incorporated into that business motion when the Government are finally ready to introduce it?

Andrea Leadsom: As I have already said, the Government are under a statutory obligation, under section 13(1)(B) of the EU withdrawal Act, to have the withdrawal agreement approved by a motion in this House. In these circumstances, the business of the House motion agreed on 4 December would need to be updated through a further business motion. [*Interruption.*] If the hon. Lady would allow, I will answer the question. The Government have never disputed the fact that any motion to approve the deal is amendable. That has not changed.

Rachel Reeves (Leeds West) (Lab): Following on from the question from the right hon. Member for Putney (Justine Greening), can the Leader of the House be clear? The right hon. and learned Member for Beaconsfield (Mr Grieve) proposed an amendment, which was passed by this House, that meant that the motion under the withdrawal Act would be amendable. When they bring back the business motion, whenever that is, will the Government ensure that the amendment is incorporated into that business motion so that it is amendable by the House?

Andrea Leadsom: As I said to my right hon. Friend the Member for Putney (Justine Greening), the Government have never disputed the fact that any motion to approve the deal is amendable. That has not changed. That means that, when the vote comes back to the House, the business of the House motion agreed on 4 December would need to be updated through a further business motion, and that in itself would be amendable.

Hilary Benn (Leeds Central) (Lab): On a point of order, Mr Speaker.

Mr Speaker: I will happily take the point of order afterwards.

Hilary Benn: It is on this very issue.

Mr Speaker: I still think it preferable to take it at the end of the statement. I will be happy to take it then, if it is of procedural relevance, which I am sure it is.

Sir William Cash (Stone) (Con): Will the Leader of the House tell us whether the resolution of the House passed on 4 December relating to the Attorney General’s advice will apply to any further arrangements that may be offered to the House as a result of any further negotiations over the next week or so? If it is not the same withdrawal agreement, there must be a question about whether that motion stands, because it relates to something that happened beforehand and not to anything that might emerge afterwards.

Andrea Leadsom: My hon. Friend will recall that the Attorney General answered significant questions and wrote a large document setting out the whole legal position on the withdrawal agreement. Should there be

significant changes, I think that the Attorney General would certainly set out the legal position on those changes but, in direct response to my hon. Friend, he will appreciate that the terms of the Humble Address he refers to were met with the production of the Attorney General's advice.

Ms Angela Eagle (Wallasey) (Lab): The Leader of the House was extremely coy in her answers to the questions from the right hon. Member for Putney (Justine Greening) and my hon. Friend the Member for Leeds West (Rachel Reeves) about whether the amendment to the motion that we were discussing—before the Government decided to pull it today—which was passed ahead of the debate and which replaced the neutral and unamendable motion that the Government were planning to put to this House, would be replaced with one that was amendable. She has been asked twice now, and she has been very coy and not forthcoming in her responses. Will she now confirm—and not just read out the phrase she has read out twice already—that when we resume this debate, the Government's motion will not be neutral and will be amendable, and that the Government will accept the spirit of the vote we had before we began the debate?

Andrea Leadsom: I repeat to the hon. Lady that any business of the House motion brought forward will be amendable.

Mr Speaker: Order. I should say—and I am trying to help the House, but what others seek to do is a matter for them—that, so far as I am concerned, it is very clear that the amendment in the name of the right hon. and learned Member for Beaconsfield (Mr Grieve) was agreed to by the House and that that amendment stands unless it is specifically repealed by a subsequent decision of the House. Unless I am mistaken—colleagues will correct me if I am wrong—that was the assurance that Members were seeking. I say on advice—and I do say so on advice—that it is a very straightforward point, the thrust of which I think I have pretty easily confirmed.

Mrs Anne Main (St Albans) (Con): It is a shame we did not conclude much earlier that the vote was not going to be passed, because we would not have had to go two thirds of the way through the debate. It cannot be right that we do not have a further five days when it is brought back. Everybody puts in to speak in a debate at the time, and, in theory, if we only tag on another couple of days, some colleagues will get to speak twice and some will not get to speak at all. Several hundred people have already spoken and several hundred more wish to speak. It cannot be right for the debate to be limited to two days—potentially—because it will mean that some colleagues will never have a bite at that cherry, whatever side of the House they are on.

Andrea Leadsom: I am grateful to my hon. Friend for her points. I can absolutely assure her that I am committed to representing the views of Parliament to the Government, and I will listen very carefully to the needs of hon. Members across the House. The exact arrangements going forward will be subject to the provisions of a business of the House motion that the House itself will have to agree.

Kirsty Blackman (Aberdeen North) (SNP): Businesses and business organisations are hugely concerned about a Tory Immigration Bill that will not allow them to

attract new skilled migrants to fill jobs here. Can the Leader of the House tell us when the Immigration White Paper and Bill will come forward?

Andrea Leadsom: I certainly share the hon. Lady's desire to see that Bill as soon as possible, and I can confirm that we expect to publish the White Paper before the end of the year. It is vital that we have an immigration system going forward that is fair to businesses that need to attract employees from overseas, but also fair to those people in the UK who voted for the UK Parliament to be able to control our borders.

Mr Speaker: Order. May I gently say, and with good humour, to the hon. Member for Aberdeen North (Kirsty Blackman) and to the House that this is a relatively narrow business statement from the Leader of the House, and that the questioning on it should be similarly narrow or focused—focused, that is to say, on the business of the House for this week and changes thereto? It should not be an occasion for general inquiries about future business at some unspecified point in time. The Leader of the House signalled that there will be that regular business statement on Thursdays. I appeal to colleagues now to focus their inquiries on the more specific and narrow subject matter.

Vicky Ford (Chelmsford) (Con): The items just put on the agenda—on addressing fuel poverty, reducing youth violence, the workings of the courts and helping endangered species—are all very important issues to our constituents, so can the Leader of the House confirm—*[Interruption.]*

Mr Speaker: Order. As usual, everyone will have a chance to put a question. The hon. Lady is now putting her question, which she is entitled to do, and she must be heard with courtesy.

Vicky Ford: I do not laugh about issues such as the need to address youth violence. Can the Leader of the House confirm categorically that the House will have time to debate and to have the meaningful vote?

Andrea Leadsom: My hon. Friend is exactly right: important issues will be debated during the rest of the week, and I know that Members care a great deal about them. I can absolutely confirm that, under the European Union (Withdrawal) Act, the Government have a statutory obligation to ensure that the withdrawal agreement is approved by a motion in the House. Without such approval, the Government would be legally unable to ratify the agreement.

Gavin Robinson (Belfast East) (DUP): I find today's events wholly unsatisfactory. I refer not only to the rescheduling of today's and tomorrow's debates, but to the suggestion that I should set some store by the aspiration of receiving a meaningless assurance, which I do not. As one who was due to speak in today's debate and to represent the wishes of those who support my view and those who do not, may I ask what efforts will be made to ensure that those of us who have not contributed thus far will have the opportunity to do so, and to honour our constituents' views, wishes and aspirations as well as those of the House?

Andrea Leadsom: I completely understand and appreciate the hon. Gentleman's decision to represent his constituents' views, whatever they may be, and I applaud that. I am listening carefully, and when it does come to resuming the debate, all efforts will be made to ensure that enough time is provided for all Members who have not yet spoken to be able to do so.

Maggie Throup (Erewash) (Con): Some 62% of my constituents voted to leave the EU, and I am sure that they meant us to leave with a good deal and not just any deal. Does my right hon. Friend agree that the steps that the Government have taken today will ensure that they get what they voted for?

Andrea Leadsom: I completely agree with my hon. Friend. It was vital for the Government to listen carefully to the grave concerns that were expressed about the backstop. The Prime Minister has spent the best part of three hours assuring the House that she intends to go and seek reassurance about those important points, so that the House will then be able to support the deal which, in the Government's opinion, will be in the best interests of the whole United Kingdom.

Mr George Howarth (Knowsley) (Lab): This afternoon, the Prime Minister said that she had been heavily influenced by speeches that had been made in the debate. The difficulty is that there are many more Members who wish to speak and whose voices have not yet been heard. Does the Leader of the House not accept that that is very discourteous to those Members, and does she not accept that the habit of contempt seems to be becoming hardwired in the Government?

Andrea Leadsom: This is the opposite of contempt. This is a Prime Minister who is listening. Since the House returned from recess in October, she has spent more than 20 hours at the Dispatch Box, which is more than equivalent to a 30-minute session of Prime Minister's Question Time on every day that the House has sat since then. She has listened carefully to concerns, and Members should appreciate the fact that she will now seek to address those concerns before returning to the House for that meaningful vote.

Matt Warman (Boston and Skegness) (Con): In these extraordinary times, is it not obvious that it is in the national interest for the Prime Minister to spend a few extra days getting a deal that is in the national interest?

Andrea Leadsom: My hon. Friend is absolutely right. It is vital for us to take into account the concerns that have been raised in the House. An enormous decision is before us, and we must address all those concerns and come back to the House when we have something that we feel Members in all parts of the House will be able to support.

Alison McGovern (Wirral South) (Lab): This is a farce. Along with other members of the Treasury Committee, I have spent days toiling to produce a report for the biggest vote for a generation, only for it to be pulled at the last minute in favour of Lords amendments to the Ivory Bill. However, this is also a farce that has

real costs. Sterling is tumbling, and we face a crisis. I must say to the Leader of the House: bring forward the vote. It has to happen.

Andrea Leadsom: I assure the hon. Lady that it will happen.

Peter Grant (Glenrothes) (SNP): I cannot be the only Member who has turned down a number of requests to attend pre-Christmas constituency events this week. People understood that I had to be here because of the business, but now they understand that none of us needed to be here today.

Not for the first time, for purely party political advantage, the Government have played fast and loose with parliamentary business by making last-minute changes. All that comes at a cost—the significant cost of unnecessary travel and accommodation booked by Members who would not have made those bookings had the Government come clean about their plans last week. Given that this week's business has inexplicably and unexpectedly become much lighter, will the Leader of the House find time for a short debate on how much of that additional cost should fall on the taxpayer and how much should be refunded by the Conservative and Unionist party?

Andrea Leadsom: These are sitting days, and the hon. Gentleman's duty, like that of all Members, is to be in the Chamber. If he chooses not to be here, that is a matter for him, but these are sitting days, and important business of the House will be dealt with tomorrow. We will consider the amendments to the Ivory Bill, and there will then be a very important debate on fuel poverty.

Ian Murray (Edinburgh South) (Lab): Perhaps the Leader of the House would consider changing the name of her party to the "Conservative and Contemptuous party", given the way in which it has treated this sovereign Parliament over the past few days. I was due to speak today, not so that Parliament could hear my voice but so that it could hear the voices of my constituents, many thousands of whom have emailed me over the past few days asking me to speak and to make their voices heard. Will the Leader of the House come to the Dispatch Box and offer them an apology?

Andrea Leadsom: We will ensure that there is time for all Members to express their views. [HON. MEMBERS: "When?"] It is absolutely vital for the Prime Minister to be given a little time to go back and look again at the backstop issues, so that all Members will be able to support this deal.

Gavin Newlands (Paisley and Renfrewshire North) (SNP): May I channel what was said by the right hon. Member for New Forest West (Sir Desmond Swayne) about a matter of huge parliamentary and procedural significance, and ask "Is this it?"

Andrea Leadsom: The hon. Gentleman will be aware that the Government have decided that the Prime Minister should seek to address the concerns raised by Members further before coming back to the House with a meaningful vote, so that we can also address those concerns. I believe that that shows complete respect for this place.

Mr Richard Bacon (South Norfolk) (Con): A few moments ago, the Leader of the House said that the Prime Minister had spent three hours reassuring us that she would seek some reassurances. Does the Leader of the House understand that when a motion is brought back for us to vote on the withdrawal agreement, the only thing that will make a difference is for changes to be made to the text of the agreement? Does she understand that?

Andrea Leadsom: Let me first point out to my hon. Friend that the Prime Minister was here answering questions on all aspects of the withdrawal agreement. She was not here simply to reassure people; she was listening to all Members. In answer to the second part of my hon. Friend's question, let me say that I think the Prime Minister fully understands that there are serious questions about the backstop, and a desire on the part of Members to see changes in the legal text.

Chris Bryant (Rhondda) (Lab): It is sad, really: we often boast about our historical freedoms and liberties and we often preach to other countries about how to run parliamentary democracy, but, to be honest, this is a prime example of how not to do it. I would have had respect for the Leader of the House and the Government if they had come forward with a motion saying, "All right, we'll put it to the House that we are not going to put it to the House," but they are instead relying on a shabby little trick, where a Government Whip will just shout "Tomorrow," which in this Parliament does not mean tomorrow: it means mañana; it means never. It is a shabby little trick, and is not the ultimate irony that the Government are preventing the people from having a vote on it and preventing the Commons from having a vote on it, but the House of Lords is going to vote on it tonight? What is good enough for earls and barons is good enough for us.

Andrea Leadsom: The hon. Gentleman knows that that is a bit of parliamentary pantomime. He knows full well that the Government often name tomorrow as the next date for deferring an Order of the Day. So after a First Reading, when naming a date for the Second Reading debate if it is not "Now" then it is "Tomorrow," and then the Government decide. There is nothing unusual about that at all.

Helen Goodman (Bishop Auckland) (Lab): The Leader of the House knows that:

"Tomorrow, and tomorrow, and tomorrow
Creeps in this petty pace from day to day."

Will it also be:

"To the last syllable of recorded time"?

Andrea Leadsom: As I have said to a number of hon. Members, we will bring the meaningful vote back to this House. There will be a further business motion that will be amendable, as soon as the Prime Minister has been able to seek the reassurances that will enable this House to support a motion that will be in the national interest. That is in the best interests of the whole United Kingdom, and it is vital that we get it right.

Alison Thewliss (Glasgow Central) (SNP): My constituents sent me here this week to vote against this deal. I spent the weekend trying to explain to people the

processes of this House, the process that would happen and what might occur afterwards; what am I to tell them now?

Andrea Leadsom: That the Prime Minister is seeking the reassurances that will enable the House to support a deal that works for the whole United Kingdom.

Mike Gapes (Ilford South) (Lab/Co-op): The Leader of the House has announced that we will be debating the Ivory Bill. Is not the reality that the big elephant in the room is the statement this afternoon by the European Union Council President Donald Tusk that the EU is not prepared to renegotiate the withdrawal agreement at all? So is not that the reality, and does it not show that this whole proceeding is a total farce?

Andrea Leadsom: In congratulating the hon. Gentleman on a proper piece of parliamentary pantomime, I say that the basis of his argument is flawed. He will appreciate that this is a negotiation. The UK has a strong hand; it is vital that the EU understands that the UK needs reassurances about the backstop.

Alan Brown (Kilmarnock and Loudoun) (SNP): First, I wonder whether the Leader of the House can tell us if an abandoned debate is like an abandoned football match, whereby people's names are expunged from the records. Secondly, who is going to take responsibility for this farce first—the Prime Minister or the right hon. Lady as Leader of the House—and who is going to walk first?

Andrea Leadsom: As I have said to many hon. Members, the purpose of changing the date of the vote is to enable the Prime Minister to address the very real concerns expressed by many Members.

Nick Thomas-Symonds (Torfaen) (Lab): I was hoping to speak on the withdrawal agreement on behalf of my constituents this evening, and I will now be denied that chance. Can the Leader of the House tell me if it is now Government policy to reopen negotiations on that withdrawal agreement and change its text, something many Ministers have said in recent weeks was not possible?

Andrea Leadsom: The Prime Minister intends to seek to address the concerns expressed about the backstop and our inability to unilaterally get out of it. That is what she is seeking to address, and she will absolutely do her best in the national interest.

Anna Turley (Redcar) (Lab/Co-op): In the previous statement, the Prime Minister's only argument against the people's vote was that it will make people lose faith in democracy. What on earth must the British public be thinking about our democracy on the day the Prime Minister runs away from losing a vote when she has had Ministers out defending her deal for days and days and hundreds of MPs are unable to speak to represent their constituents? Who is making a mockery of our democracy now?

Andrea Leadsom: The hon. Lady has it exactly the wrong way around: the Prime Minister is listening to this House and is acting on what she is hearing from

[*Andrea Leadsom*]

this House. It is an entirely different matter from a second referendum that simply tells all those 17.4 million people that they got it wrong.

Wes Streeting (Ilford North) (Lab): Can we just put paid to the nonsense that the reason why we are in this mess is that we have a listening Prime Minister? The Prime Minister has come to the House today and made out that she wants to go back to the negotiations because the speeches on the first few days have been the biggest surprise to her since the Immaculate Conception. This is absolute nonsense. If she had listened from the outset, she would have realised that the Chequers agreement did not command a majority of this House. Why are the Government determined to repeat the same mistake by rushing back to the negotiating table not to renegotiate the withdrawal agreement, but just to try and get a few paper-based compromises? Why can we not have a substantial debate in this House this week about what our negotiating objectives should be, so that we have the support of the whole House before the negotiations, rather than the Government losing to the House after the negotiations?

Andrea Leadsom: First, I think the hon. Gentleman could at least appreciate the number of hours the Prime Minister has spent in this place listening and the fact that it is precisely because she has been listening to this House that she is going back to the EU to seek to address the concerns raised by this House. Hon. Members should appreciate that fact.

Thangam Debbonaire (Bristol West) (Lab): Tomorrow will be 108 days until the date of Brexit. If the Prime Minister and the Leader of the House intend to put this off for perhaps another month, that will mean we are down to 77 days. What then? Will the Prime Minister simply pick up the goalposts, run down the football pitch and position them then where she thinks the ball might land, and if it does not, pick them up again and run a bit further for another 31 days? How long will this farce continue, because frankly I can hear the sound of belief being beggared in Bristol West from here?

Andrea Leadsom: The Prime Minister will return to this House to resume the debate to pass a meaningful vote once she has sought those reassurances.

Dr David Drew (Stroud) (Lab/Co-op): It is the role of the Leader of the House to present the Government's case to this Chamber, but it is also the role of the Leader of the House to reflect what this Chamber says and does. Will the right hon. Lady now go back to the next Cabinet and really reflect on the anger being felt across this whole House and give us a meaningful vote?

Andrea Leadsom: The hon. Gentleman makes an important point. I take my role of reflecting Parliament's views in the Government very seriously, as much as I do my role of reflecting Government's views in Parliament, so, yes, I most certainly will take that very seriously. But on the question of the vote, I think equally that all hon. Members must appreciate that it was clear that the will of the House was that further work should be done to ensure the UK could not be held in a backstop against

its will, and therefore the Prime Minister is seeking to address that before we come back to this place to resume the vote.

Stephen Doughty (Cardiff South and Penarth) (Lab/Co-op): Is the Leader of the House not a little ashamed to be here today, running away from the Government's own major policy? It is a Government who are showing complete contempt for this House—for all views in this House. There are many Members who do not agree with me on Brexit, but they are going to be stifled as well by not being able to speak and not being able to vote on this, and we are not able to represent our constituents properly. Let us be clear about what is really going on here: the Prime Minister is playing for time—a few more days into next week—to go away and get some sort of exchange of letters. She cannot renegotiate the withdrawal agreement; Donald Tusk has made that very clear—it is a legally binding document. So why do the Government not just accept the reality, put this question before this House, and if this House does not agree, put the question back to the people?

Andrea Leadsom: First, the hon. Gentleman is obviously quite wrong. I am not running scared; I am actually here at the Dispatch Box. On his point about what the Prime Minister is seeking to do, he will appreciate that for the Government to ratify the withdrawal agreement, the meaningful vote must be passed in this House. The Prime Minister is seeking the means by which to ensure that she can win the vote in this House.

Dr Philippa Whitford (Central Ayrshire) (SNP): It cannot have come as a surprise to the Prime Minister that so many people spoke against her deal. It has been clear for months, if not a whole year, that that was going to happen. As one of the 164 people who have spoken in this debate—indeed, I sat here for eight hours and was called to speak at 25 to 1 in the morning—I should like to know whether we are talking about a continuation of the debate, or whether the speeches of the 164 will fall? Will we need to apply to speak again to count as having spoken on the meaningful vote?

Andrea Leadsom: The hon. Lady will appreciate that there are discussions through the usual channels about exactly what the business motion of the House will look like. The question of calling speakers is a matter for the Chair.

Ian C. Lucas (Wrexham) (Lab): The Prime Minister has told us repeatedly today that there is no new deal and that the text of the deal will not be changed. Donald Tusk has confirmed that, so the deal will not change. She is preventing Members from speaking in a debate on the deal. What is the purpose of deferring the vote on the deal when the deal will not be changed?

Andrea Leadsom: The Prime Minister has been clear that the vote will take place when she believes she has the legal assurances that Parliament needs that the backstop will not be permanent.

Maria Eagle (Garston and Halewood) (Lab): I was also one of the people who was going to speak in the debate today, to reflect the wishes and views of my constituents, so I am extremely disappointed that the

Leader of the House and the Prime Minister have decided to pull the rest of the debate and to cancel the vote tomorrow. The Leader of the House also appears to be ensuring that this is done in such a way that the House will be unable to vote on whether or not this should happen, despite the fact that Mr Speaker said earlier that it would be infinitely preferable to allow the House to make its views known in a vote. It seems to me that the Leader of the House and this Government are increasingly trying to avoid votes in this House. Does the right hon. Lady not realise that that is untenable, that it will not stand and that the House will assert its rights over this appalling Government?

Andrea Leadsom: The hon. Lady will be aware that scheduling business is a matter for the Government and that the proposal for the rescheduling of the meaningful vote is therefore, under normal procedures, a matter for the Government. That is what we intend to fulfil.

Lloyd Russell-Moyle (Brighton, Kemptown) (Lab/Co-op): The Government have already been found in contempt of this House, and now they wish to be in contempt of the British people. I was due to speak later today, but I and my constituents will be denied that. When will the debate be rescheduled? Give us a date, or at least a timeframe; otherwise, based on past practice and without details, there is not much else that I can believe about the Leader of the House's promises.

Andrea Leadsom: As I have said a number of times, we will resume the debate as soon as possible once the Prime Minister has sought the reassurances that the backstop will not be permanent, which the House has made it clear that it requires.

Mr Paul Sweeney (Glasgow North East) (Lab/Co-op): The Leader of the House's job is not only to bring Government business to the House but to uphold the integrity of the institutions of the Government and of Parliament in the wider country. How is it going to look to my constituents, hundreds of whom have written to me in the past few days in anticipation of the debate and the meaningful vote, when they see this spectacle of gerrymandering and this tawdry, arcane manipulation of parliamentary rules to suit a Prime Minister who is failing and dead on her feet? Can the Leader of the House actually stand here with any degree of integrity and uphold that situation?

Andrea Leadsom: There is really nothing unusual in using the deferral of a vote to tomorrow. It is used every time we have a First Reading when scheduling a Second Reading.

Debbie Abrahams (Oldham East and Saddleworth) (Lab): It is unacceptable for the Government to change business of this magnitude with so little notice. It is equally unacceptable that we still have no date for a meaningful vote, so will the Leader of the House commit to come to the House on Thursday with a date for this vote?

Andrea Leadsom: As I have said to a number of hon. Members, the Prime Minister is determined to address the expressed concerns of many Members of this House, and once she has been able to do so, she will return to the House. That will be as soon as possible.

Clive Efford (Eltham) (Lab): The Prime Minister wanted to take us out of the European Union without a meaningful vote in this House. The Leader of the House has talked on several occasions about resuming the debate. Will the 164 Members, of whom I am one, get the opportunity to make another contribution to a new debate, or will we be resuming the old debate?

Andrea Leadsom: The hon. Gentleman is asking about who will be called to speak, and I can tell him that that is a matter for Mr Speaker.

Kevin Brennan (Cardiff West) (Lab): The Leader of the House is making a mockery of the procedures of the House of Commons. This is not the same as a First Reading and a Second Reading. The difference here is that a motion of the House is already in existence for the debate to take place today and tomorrow, yet she is going to ask her Whips to perpetrate the fiction of saying that the debate will continue tomorrow when she has already announced that we are going to debate the Ivory Bill, because she is afraid that if she put the question to a vote of the House, she would lose. She knows that she would lose, so why will she not just be honest with the House and admit that?

Andrea Leadsom: I have been absolutely clear with the House that the Prime Minister has listened to the views of the House as expressed in recent weeks and that she is determined to address the concerns that have been raised. The House needs to be presented with a withdrawal agreement and a political declaration that Members across the House can support. The Prime Minister made it quite clear that she did not feel confident that Members would be able to support it and that it would therefore not be in the national interest to go ahead with it until she had managed to address those very real concerns.

Vernon Coaker (Gedling) (Lab): Does the Leader of the House not realise the level of fury that exists in Parliament about the way in which she has changed the business? Does she also not realise that, as Leader of the House—one of the great offices of state—she is supposed to speak for Parliament? She is supposed to be the voice of Parliament to the Cabinet, not the voice of the Cabinet to Parliament. Will people outside not look at her statement with incredulity? A vote that every person in this country was expecting tomorrow is to be denied, and the people of this country will feel disfranchised and feel that the Leader of the House speaks for the Government and not for Parliament.

Andrea Leadsom: I take my duties as Leader of the House extremely seriously. They are to be Parliament's spokesman in the Government as much as to be the Government's spokesman in Parliament. I can absolutely assure the hon. Gentleman of that. I am listening very carefully, but it is nevertheless in the national interest that we go away and seek further reassurances before coming back to the House for the meaningful vote.

Diana Johnson (Kingston upon Hull North) (Lab): I wish the Leader of the House would stop talking about the national interest when what she is actually talking about is the Conservative party's interests. This House passed a business motion with specific dates and times

[Diana Johnson]

for the debate to take place. Of course the Government can choose when to schedule business, but we have agreed a business motion proposing a debate and a vote at a certain time, and I fail to understand how she can stand there today and say that it will be acceptable later on for one of the Whips to shout “Tomorrow” for the continuation of the debate, when we are in fact going to be debating the Ivory Bill tomorrow and not the motion that we in this House all agreed we wanted to debate.

Andrea Leadsom: I understand the hon. Lady’s concerns, and I can assure her that the Government will return with the meaningful vote once the Prime Minister has addressed the concerns expressed by hon. Members right across the House. It is simply not right to say the Government are looking at Conservative party interests. The Government are looking at delivering on the will of the people expressed in the referendum in 2016, where a significant number of people voted to leave the European Union. That is the absolutely essential task of this Government in bringing back this meaningful vote.

Drew Hendry (Inverness, Nairn, Badenoch and Strathspey) (SNP): It cannot be comfortable for the Leader of the House to come here to front up this sorry act of political cowardice. Has she heard today the voices of the majority of hon. and right hon. Members in this House, who see it as a further contempt of this place?

Andrea Leadsom: I always listen very carefully in this place, and I will continue to do so. I simply do not agree with the hon. Gentleman. I think it is essential that we bring back a withdrawal agreement that Members can support.

Andy Slaughter (Hammersmith) (Lab): The Government have, in the middle of the debate, pulled the most important business this House has debated for a very long time. That is extraordinary. More extraordinary is the fact that the Leader of the House has given no indication about when the debate will be resumed. “As soon as possible” is not good enough when the futures of millions of people in this country, particularly EU nationals, depend on it. If she will not give us a day or a week, will she give us a month when the debate will take place?

Andrea Leadsom: The hon. Gentleman will appreciate that the Government are under a statutory obligation to have the deal approved via a motion in this House. Without such approval, the Government would legally be unable to ratify the withdrawal agreement. In order to bring forward the legislation that would enable us to enter into that withdrawal agreement, we will need to make that as soon as possible, so he can rest assured that that will be the case.

Susan Elan Jones (Clwyd South) (Lab): I do not wish to be disrespectful, but the Leader of the House sounds more like somebody who is telephoning to postpone a dental appointment than somebody who is changing our schedule. That is incredibly serious. Also incredibly serious is the fact that the theme for today’s debate, which will now not happen, was the Union. Many people across the length and breadth of the United Kingdom,

with very different views, have really important perspectives on that. Can she assure us that that matter will be discussed again, and when will that happen?

Andrea Leadsom: I can assure the hon. Lady that that matter will be discussed again as soon as possible.

Chris Elmore (Ogmore) (Lab): The Leader of the House has been reminded several times that her role is to represent Parliament at the Cabinet, and not the other way around. I politely say to her that this was not about amending anything; it was about this House wanting to vote down the deal tomorrow. She previously confirmed that the Government would follow the recommendations in the report by the Procedure Committee, of which I am a member. Whenever this farce comes back, can she confirm that there will be five days of continuous debate, as has been set out? That is the only thing that the House will accept.

Andrea Leadsom: I point out to the hon. Gentleman that my job is indeed to represent Parliament in Government, but it is also to represent Government in Parliament. It is in the interests of this House that we get a deal that all hon. and right hon. Members can support. Regarding the exact arrangements, there will be a business of the House motion, which the House itself will have to agree.

Matt Western (Warwick and Leamington) (Lab): Whether our constituents voted to leave or to remain, they want to hear this debate, and they demand and expect decisiveness from this place. I therefore ask the Leader of the House to ensure that we are given at least five minutes each in the future debate, in view of its importance to the country’s future. Will she also confirm whether the debate and vote will be before or after the publication of the new year honours list?

Andrea Leadsom: The debate will come back to this House once the Prime Minister has been able to reassure hon. and right hon. Members who have concerns about the backstop arrangements. That will be as soon as possible.

Graham P. Jones (Hyndburn) (Lab): Following on from the question asked by my hon. Friend the Member for Kingston upon Hull North (Diana Johnson), last Tuesday the Prime Minister brought to the House a business of the House motion for this debate that included the words “Tuesday 11 December”. Can the Leader of the House explain why the Government introduced that motion, which she and the Prime Minister voted for, but the debate today and tomorrow will be cancelled?

Andrea Leadsom: The Prime Minister has explained clearly that she has listened to the House over the last three days of debate and concluded that she needs to do more to reassure Members prior to having a final meaningful vote. A business of the House motion will be needed to amend the prior business of the House motion so that we can have a meaningful vote after she has sought those reassurances.

David Hanson (Delyn) (Lab): The Leader of the House is becoming a bit of a serial offender when it comes to moving business around. Three weeks ago,

she delayed the Offensive Weapons Bill on two occasions because Conservative Members would not support it. Today, using a shabby device, she will curtail business that was down for today, when people—including me—who promised their constituents that they would speak on the matter have not had the chance to do so. Will she make me just one promise? When she stands at the Dispatch Box, will she keep to her word?

Andrea Leadsom: I assure the right hon. Gentleman that I always keep to my word. The issue with the Offensive Weapons Bill was that some significant statements were made on that day, meaning that there would not have been adequate time to discuss the various important sets of amendments that were subject to particular knives. That is why that business was pulled. The current business is being changed so that the Prime Minister can seek the assurances that many right hon. and hon. Members would like her to seek.

Carol Monaghan (Glasgow North West) (SNP) *rose*—

Stewart Malcolm McDonald (Glasgow South) (SNP) *rose*—

Mr Speaker: I call Carol Monaghan.

Carol Monaghan: Good choice, Mr Speaker. I was due to speak tonight to represent the views of my constituents, and I am extremely frustrated that I will not be given that opportunity. I am also suspicious about the timing of the return of the debate. Can the Leader of the House assure us that it will not return to the House in the week beginning 24 December?

Andrea Leadsom: I can give the hon. Lady that assurance.

Stewart Malcolm McDonald: As they say in Glasgow, the game's a bogey. When the Government are scared of their own shadow, they do not deserve to be in office. Given that a confidence vote is surely inevitable in the not-too-distant future, can the Leader of the House confirm that there is no parliamentary instrument or trickery that she can deploy on behalf of the Government to prevent that from taking place when it is called?

Andrea Leadsom: I do not agree with the hon. Gentleman. The Government are taking action to address the expressed concerns of hon. and right hon. Members. With regard to the Fixed-term Parliaments Act 2011, the Government have the confidence of the House. If the Opposition wish to dispute that, it is for them to test it via a motion under the terms of the Act.

EU Exit: Article 50

7.27 pm

The Secretary of State for Exiting the European Union (Stephen Barclay): With permission, Mr Speaker, I will make a statement on the judgment issued by the European Court of Justice this morning on the Wightman case.

Today, the European Court of Justice has delivered its judgment on the question of the revocability of an article 50 notice. The Court has found that the UK has the right, in accordance with its constitutional requirements, unilaterally to revoke the notification of its intention to withdraw from the EU. We note the judgment from the European Court, the role of which is to provide rulings on the interpretation of EU law. The judgment clarifies the law, but it does not in any way change our policy. That the Government know this course is possible, just as many undesirable actions are possible, does not change the fact that such an approach is hypothetical and the Government have no intention of doing so.

The Government's firm and long-held policy is that we will not revoke the article 50 notice. That position has not changed. To do so, or to hold a second referendum, would be to undermine the result of the 2016 referendum and the professed will of this House to give effect to that result. The House voted to hold the referendum and promised to deliver it. Five hundred and forty-four Members of this House voted to give the British public their say, with just 53 opposed. Almost three quarters of the electorate then took part in the 2016 referendum, resulting in 17.4 million votes to leave the European Union. That is the highest number of votes cast for anything in UK electoral history, making this referendum the biggest democratic exercise in our history. The House then voted again to empower the Prime Minister to notify under article 50, and voted yet again to repeal the European Communities Act 1972.

The Government remain focused on their task, on their mandate and on delivering a deal that honours the 2016 referendum result. We will be leaving the EU on 29 March 2019. I commend this statement to the House.

7.30 pm

Jenny Chapman (Darlington) (Lab): I thank the Secretary of State for advance sight of his statement.

Yesterday, Andrew Marr asked the Secretary of State whether the meaningful vote was going to be delayed, and the Secretary of State said:

“The vote is on Tuesday. That is what we're focused on.”

I know he is the new boy on the block and is very keen to impress his new boss but, like his two predecessors, I fear he has been left out of the loop. Seeing as we all have a bit more time this evening and tomorrow, can I ask when he learned that the meaningful vote would not take place tomorrow?

It has been reported that the requirement for the Government to make a statement to this House on no deal by 21 January will no longer apply following the Prime Minister's decision to defer the vote. Can the Secretary of State clarify whether this is or is not the case? If he has not already done so, will he seek legal advice on this matter and make an urgent statement to the House tomorrow? The Government's incompetence is not an excuse to threaten this country with no deal.

[Jenny Chapman]

Turning to the substance of the Secretary of State's statement, this is an important and clear judgment from the European Court of Justice and it makes three points. First, that article 50 can be unilaterally and unconditionally revoked. Secondly, that doing so would mean the terms of our European Union membership are unchanged. Thirdly, that revocation could bring the withdrawal procedure to an end. We welcome the clarity this ruling has brought.

The Government sought to block the case from even being heard by the European Court. Can the Secretary of State confirm how much taxpayers' money was spent on trying to obstruct this predictable decision? Can he also make it clear that, if article 50 is extended due to the Government's failure to negotiate a deal by the end of March, the Court ruling states that the UK could still unilaterally revoke article 50?

We have always been clear that the revocability of article 50 is a political matter, not a legal one. Today's ruling underlines that. This country is yearning for political leadership from Ministers. Is it not the case that a Government cease to function when they are too scared to put votes to this House? This is a Government in name only.

Stephen Barclay: The Prime Minister addressed the first point in full detail over the course of two and a half hours. On the substance of the remarks by the hon. Member for Darlington (Jenny Chapman), she will know the judgment is very clear that revocation would need to be unequivocal and unconditional. The question for her and for the Labour Front Bench is how serving such a notice could be in any way compatible with the manifesto on which Labour stood at the last election. Labour made a clear commitment to its electorate, many of whom voted to leave, that it would not seek to revoke article 50 and that it would honour the terms of the referendum. The Government's policy has not changed. What Labour needs to address is whether its policy has changed.

It is a matter of policy that we will not revoke article 50, and therefore this is a hypothetical question. Of course the Government made their case, as they always will, in the courts, but our policy has not changed. The question for the Labour Front Bench is: has yours?

Mr Kenneth Clarke (Rushcliffe) (Con): As I have listened to today's proceedings, the chances of the Government ever getting their withdrawal agreement approved by this House seem to me to be quite slight. I cannot think of any assurances the Prime Minister will get in Brussels that would change that most unfortunate situation.

I am sad that the whole thing has not been contrived to save the House from my making a speech tomorrow, in which I would have supported the withdrawal agreement. The situation is grave because, with no withdrawal agreement, we are going towards 29 March and we will leave with no agreement at all, because there are no signs of any alternative emerging. Article 50 has to be looked at.

Does my right hon. Friend agree that article 50 could only be suspended for two or three months? There are legal problems in deferring it any longer. Although the

majority of Members regard themselves as bound by the opinion poll, or referendum, we held in 2016, in which absolutely none of the circumstances we are now talking about were remotely discussed with the public before the vote was taken, is it not obvious that the Government should start considering revoking article 50 to save us from the disastrous consequences of leaving with no deal? It would be disastrous for our economy, our businesses, our employment and many other things. If anybody can ever put this shambles back together again and wants to resume the process of leaving the European Union, they could go ahead and see if a future House of Commons is more receptive than this one has been.

Stephen Barclay rose—

Mr Speaker: Order. Before the Secretary of State replies. Can I just say to the right hon. and learned Member for Rushcliffe (Mr Clarke) that I hope he derives some succour from knowledge of the fact that he has, at least, delivered a fair share—it is not for me to say precisely what share—of the speech to which he would have treated the House tomorrow if he had had the opportunity to do so?

Stephen Barclay: I am sure that I and many in the House would have much enjoyed hearing the remarks of my right hon. and learned Friend the Member for Rushcliffe (Mr Clarke). To be fair, he has always been consistent. He did not vote for the referendum, and he has always taken the view that this House should decide, but many others in this House did vote for the referendum, and they also voted by a very substantial majority to trigger article 50.

The crux of the issue is that the Government's policy has not changed. We are not going to revoke article 50, but if the Labour party is flirting with doing so, it needs to square that with the manifesto on which it stood at the last election.

Joanna Cherry (Edinburgh South West) (SNP): I thank the Secretary of State for his statement.

I am proud to be one of the six Scottish parliamentarians who took this action through the Scottish courts and all the way to the Court of Justice of the European Union. I did it with an SNP colleague, two Labour colleagues and two Scottish Green colleagues, which shows the strength of cross-party working and what can be achieved when the Opposition work together. I also thank Jo Maugham, QC—he was also one of the petitioners—the Good Law Project and those who crowdfunded this litigation.

The UK Government fought us every inch of the way, including attempting an unconstitutional appeal to the UK Supreme Court. No appeal to the Supreme Court lies in Scots law for an interim decision of the Inner House, so quite a lot of money was wasted on that unconstitutional appeal.

I have a number of questions for the Secretary of State. First, why were the Government so desperate to prevent parliamentarians and the public from knowing what we now know, which is that article 50 can be revoked and we can stay in the European Union on our current terms and conditions? I invite him again to answer the question asked by the hon. Member for

Darlington (Jenny Chapman). How much taxpayers' money was spent attempting to keep this House and the public in the dark? I sat through a fair number of the court hearings, and I can tell hon. Members and the public that the UK Government had a veritable array of silks lined up on a daily basis, which does not necessarily come cheap.

The Secretary of State keeps saying that the question is hypothetical. If he has read any of the judgments of the Court of Justice or the Scottish courts, he will see that it has been ruled that the question is not hypothetical. It has been ruled that it is not for the UK Government to decide whether to revoke article 50 and that, as a matter of the British constitution, it is for this House to do so. Does he accept the view of Scotland's most senior judge, the Lord President, Lord Carloway, that constitutionally it is for the House of Commons to revoke article 50, not the Government? The Secretary of State also says it is not Government policy to revoke article 50, but can he tell us what Government policy is at present? It is not at all clear to me today.

Finally, if the Prime Minister really does believe in this deal and that it is such a great deal for the United Kingdom, why do she and her Government not have the courage of their convictions and put it to a vote so that people across the United Kingdom can choose between it and remaining in the European Union on our current terms and conditions?

Stephen Barclay: The hon. and learned lady started by asking why the Government took this position. The position taken by the Government was the same position as taken by the Commission—

Joanna Cherry: On a point of order, Mr Speaker.

Mr Speaker: Order. We cannot have a point of order at this stage. I will come to the hon. and learned Lady at a suitable juncture, and she will have an opportunity to make her point.

Stephen Barclay: We will come further to that point.

The second point the hon. and learned Lady made was that legal fees are not cheap. She needs to answer, therefore, why a case was brought on something that clearly is not Government policy and that the Government have no intention of applying. Therefore, it is a hypothetical case; this is something that the Government do not intend to pursue.

The hon. and learned Lady also asked what Government policy is on this issue. The Government's policy is extremely clear: it is to deliver on the biggest democratic vote in our country's history and ensure that we leave on 29 March next year.

Mr Iain Duncan Smith (Chingford and Woodford Green) (Con): I do not think many people were really in much doubt that this was going to be the judgment of the Court; it was always pretty clear, and I was a little surprised that we spent any time on it. Notwithstanding that, it is intriguing that the Court has managed, arguably for the first time, to have an advocate-general's opinion, followed four or five days later by the full Court's decision—I can remember, when in government, spending three or four years waiting for the Court to come to a judgment. Does my right hon. Friend think this may

have something to do with the fact that there could have been a vote tomorrow? There is a delicious irony, is there not, in the fact that we can revoke article 50 but we cannot revoke our backstop? Does he not find that funny?

Stephen Barclay: My right hon. Friend is correct to draw attention to the fact that this was an expedited process. The typical length of time for such cases is three to six months, and on this occasion it was just over two months, but that was a reflection of the fact that the Scottish Court requested that proceedings be dealt with on this expedited basis, and the President of the Court agreed with that request.

Hilary Benn (Leeds Central) (Lab): For two years, the Prime Minister has told the House that the only alternative to a withdrawal agreement is leaving the European Union with no deal. Can the Secretary of State confirm that today's ruling by the European Court means that there are now two potential ways in which that could be avoided? The first is by extending article 50, and the second is by revoking it. Therefore, the Prime Minister's threat—it would be disastrous for the country anyway—no longer has any credibility in law, does it?

Stephen Barclay: On the first point, the judgment from the Court today does not cover extension—that is addressed in article 50. It was about revocation, not extension.

Actually, I think the Prime Minister has always been clear that there is an alternative, which is to go back on the referendum result and have no Brexit. The Government do not support that option, which is why one is then left with the choice of the deal, with the certainty that the Prime Minister offers, or the uncertainty of no deal.

Dr Julian Lewis (New Forest East) (Con): Will the Minister confirm that under no circumstances whatever will the 29 March exit date be altered?

Stephen Barclay: As I said in my statement, the Government are clear that we will not be revoking article 50, and we are committed to leaving the European Union on 29 March next year.

Yvette Cooper (Normanton, Pontefract and Castleford) (Lab): If the Government do not come forward with their future plan before Christmas, Government Departments and businesses across the country will be shifting staff and huge amounts of resources into preparing for no deal. To prevent that from happening, will the Secretary of State now rule out no deal and commit to seeking an extension of article 50?

Stephen Barclay: As I said in an earlier answer, the judgment of the Court does not actually deal with extension; that is a separate point. It deals with revocation, and it is that to which my statement refers. I am very happy, Mr Speaker, to stray into areas beyond the statement, such as no deal, but I do not want to fall foul of a ruling from the Chair, and I want to focus on the issue of revocation.

Mr Speaker: Well, it is principally about revocation, as the Secretary of State rightly states. Matters that appertain to article 50 would obviously be thought to

[Mr Speaker]

be within scope. If it were thought that a Member were out of order, I would have received advice to that effect, and the House will have noted that I have not—I have received no such indication at all. I know that the Secretary of State—he is a most courteous individual—would not for one moment suggest that he should be the arbiter of scope. He can tell us what is in his statement, but he cannot tell us what should be raised by other Members. As I say, I have had no indication that anything that has been said so far has been in any way disorderly, but I am always alert, and if I find something that is, I shall rule on it accordingly.

Henry Smith (Crawley) (Con): Further to the question from my right hon. Friend the Member for Chingford and Woodford Green (Mr Duncan Smith), it is certainly interesting that the ECJ has been able to hand down this judgment with great speed. The Brexit Secretary is far too diplomatic to agree with me that it is, of course, a political court. However, will he say that this is yet another reason why we need to comprehensively leave the European Union, including the jurisdiction of the ECJ?

Stephen Barclay: I agree with my hon. Friend that the Prime Minister has always been clear that we are coming out of the jurisdiction of the European Court. That is a key part of the deal that she has secured, and it is a key part of us delivering on our commitment to take back control of our money, borders and laws.

Mr Ben Bradshaw (Exeter) (Lab): The Secretary of State has been asked twice now how much British taxpayers' money has been wasted fighting this case, and he has failed to answer. He could show the House some courtesy by answering that question. If he does not know the answer, he should just say so. However, is he honestly telling the House that if it instructed the Government to revoke article 50, they would simply ignore the will of the House?

Stephen Barclay: As the right hon. Gentleman will understand from his time as a Minister, the judgment was only today, so some of those costs for lawyers' fees are still to come in. Costs such as that are declared, as is always the case, in the Department's accounts. That is the standard way in which such accounts are itemised. This was a judgment that was reached today.

Rachel Maclean (Redditch) (Con): Does the Secretary of State agree that it seems from the contributions of Opposition Members that it may now be their position to seek to revoke article 50? Will he confirm that it remains the Government's policy—and that I can go back and tell my constituents in Redditch categorically—that we will not seek to revoke article 50?

Stephen Barclay: I am happy to give my hon. Friend that assurance.

Angela Smith (Penistone and Stocksbridge) (Lab): Will the Secretary of State confirm that, in the circumstance that this House voted to revoke article 50, his Government would go along with the view expressed by the House and recognise the House's sovereignty?

Stephen Barclay: The reality is that this judgment has just been reached today. We will need to take it away and consider what the legal implications are. The hon. Lady will know that the triggering of article 50 was subject to significant legal dispute and discussion. We will need to analyse this to understand what the implications are.

Vicky Ford (Chelmsford) (Con): It is in everybody's interests to try to find an amicable solution. Can the Secretary of State confirm the rumours going around on social media that the Prime Minister is due to meet the Dutch Prime Minister in the morning and to have further discussions with Michel Barnier and team during the week?

Stephen Barclay: It is for the Prime Minister to address whom she will be having discussions with, in the usual way. The key issue in terms of this statement is that this Government have no intention of changing their policy on article 50.

Mr Chris Leslie (Nottingham East) (Lab/Co-op): The Government fought against this case tooth and nail, every stage of the way. Will the Minister now accept that it is clear to the British public that they have the right to stay in the EU if that is their choice, with no Schengen, no euro—they can keep the opt-outs. We can keep all our current privileges of European Union membership. Is it not wrong that Ministers fought against the hon. and learned Member for Edinburgh South West (Joanna Cherry), the right hon. Member for Carshalton and Wallington (Tom Brake) and myself, as petitioners in this case, for which we had to take significant personal financial risk? We put our necks on the block to prove to our colleagues that they have the right to make this decision on behalf of our constituents if they seek to do so. Will the Minister now at least acknowledge that the Government expended public money to contest this case and they were wrong to contest it?

Stephen Barclay: I very much respect the position the hon. Gentleman takes and has consistently taken on his desire for a second referendum, but the people did have a people's vote in 2016 and this Government are committed to honouring it—the Prime Minister addressed that in her remarks. On his second point about whether the Government spend money pursuing their policy in the courts, that was the approach when he was a Minister and it has been the approach of all Governments that I can recall.

Mr Peter Bone (Wellingborough) (Con): The Minister, with his excellent skill, is pumping out the Government line on article 50. He did that on Sunday on television, and we all believed him then—I expect he believed what he said then—but the Government changed their mind on that. So how do we know they are not going to change their mind on article 50?

Stephen Barclay: My hon. Friend and I have known each other a long time. The policy of the Government has been clear on article 50, and we made that clear in the case. I hope that the criticism from Opposition Members about the fact that the Government fought this case gives him some reassurance as to our commitment to that point.

Luciana Berger (Liverpool, Wavertree) (Lab/Co-op): The public watching this will be disappointed that the Secretary of State has not been able to share with this House how much his Government have spent on the case thus far. It will only require one of us to put in a parliamentary question tomorrow to get some sort of answer. I listened to him, and he said that he notes the judgment. Can he confirm that the Government accept the judgment? Will he also confirm that he will not be going to the Scottish courts to overturn this ruling?

Stephen Barclay: Of course the Government accept the judgment of the Court, as would always be the case. As for whether we will look to appeal in the Scottish court, this judgment was reached today and we will need to consider that in due course.

Luke Graham (Ochil and South Perthshire) (Con): Today's judgment does provide more clarity to the debate, but I think my right hon. Friend would agree that many parties here will use it to drag us back, to keep us in purgatory and to try to frustrate our country and the Brexit process. Will he please give the House some assurances that after the delay today we will get certainty in the coming weeks, which my constituents and so many of my local businesses so badly need?

Stephen Barclay: My hon. Friend is absolutely right to say that businesses up and down the country want certainty, and that is what is on table; we have the certainty of the Prime Minister's deal versus the uncertainty of no deal or the risk of going back on the biggest vote in our country's history. I am happy to give him that assurance, and that is why this House should back the Prime Minister's deal—it gives businesses the certainty they seek.

Meg Hillier (Hackney South and Shoreditch) (Lab/Co-op): The Public Accounts Committee has produced eight reports in the past year raising serious concerns about the Government's preparedness for Brexit, whether there is a deal or not. I did not vote to trigger article 50, partly for that practical reason, but also because of my love of the EU. The Secretary of State is a thoughtful man and a former member of the PAC, so does he really believe it is possible to deliver Brexit by 29 March? Surely this ruling—even if I were to agree with the Government's policy—gives them a way of negotiating and taking us forward in a much more measured way.

Stephen Barclay: First, let me pay tribute to the hon. Lady for her work as Chair of the PAC, for which she is respected across the House, and for her consistency on this point. She rightly says that she did not vote for article 50, and I understand her position. As the Prime Minister set out this afternoon, the Government have done a huge amount of no-deal planning to prepare, but not all of that is within their control. For example, it relies on the response of businesses to technical notices and on the response of other member states. The Government, through the Under-Secretary of State for Exiting the European Union, my hon. Friend the Member for Daventry (Chris Heaton-Harris), the no deal Minister, have done a huge amount to prepare for no-deal planning, but obviously some of these issues are outwith the Government's control.

Tom Brake (Carshalton and Wallington) (LD): First, may I, too, welcome the cross-party nature of this legal case and take this opportunity to thank the legal team who helped me and the hon. Member for Nottingham East (Mr Leslie)? By the sounds of it, we may need their help again, as the Minister has not ruled out appealing. I must admit that the timing of this judgment was exquisite. Can the Secretary of State confirm that even if the Prime Minister tries to run down the clock to seek to force no deal on the House, thanks to this judgment Parliament could, at any point until 29 March, stop the Brexit process—or could do so if people vote to stay in the EU after a people's vote?

Stephen Barclay: There was a time when the right hon. Gentleman used to believe in the democracy bit of the Liberal Democrat name. He will recall that this House voted in favour of triggering article 50, with 498 for to 114 against. One would hope that as a democrat, he would respect that decision.

Chris Bryant (Rhondda) (Lab): I did not vote to trigger article 50 because I did not think that the Government knew what it was about, and lo and behold we now know that they did not know what it was about. Is not the real danger of delaying making a decision now that businesses up and down the land will have to make enormous contingency plans against the danger of no deal? That will involve wasted money and will lower productivity in this country. The Government will be hard-pressed to get the legislation through in time for 29 March, so I give the Minister one tiny bit of advice: stop making categorical statements, because so far every one of those he has had to make he has had to withdraw afterwards. I bet he will end up withdrawing this one when he issues the revocation of article 50.

Stephen Barclay: It is always interesting to have advice from the hon. Gentleman. He talks about giving businesses certainty. What they want is the certainty of a deal that will give us a period up until the end of 2020 to leave in good order, which he says he is against. Yet there is a lack of certainty here, because he stood on a manifesto that said he would honour the referendum result—*[Interruption.]* He is signalling that he did not stand on that manifesto, but I thought he stood as an official Labour party candidate. If he is saying he stood on a different manifesto from his Front Benchers he should have made that clear to his electorate.

Owen Smith (Pontypridd) (Lab): The Government have spent the past two years saying that article 50 could not be revoked, but we know now that that is not true. They spent the past two weeks saying that we were definitely going to have a vote tomorrow on their Brexit deal, but we know now that that is not true. Is the Secretary of State not worried that the country might start to mistrust the Tories on Brexit?

Stephen Barclay: What is clear is that on the key issue of whether the referendum result is respected, we are clear in this House that it is our policy to deliver it—we are committed to leaving on 29 March. To protect the jobs in the hon. Gentleman's constituency and the supply of goods, and to give businesses the confidence to invest, we need to give businesses a deal. It is the Prime Minister's deal that delivers that.

Peter Grant (Glenrothes) (SNP): First, I warmly congratulate my hon. and learned Friend the Member for Edinburgh South West (Joanna Cherry) and her colleagues on this thoroughly deserved and epoch-making victory. May I gently advise the Secretary of State that it is not a good look for a Minister and a Government who claim to abide by the rule of law to seek to impugn the motives of the winners in a serious court case, or to appear to agree with colleagues who want to impugn the professionalism and integrity of the court that has delivered the verdict?

The Secretary of State has confirmed that the judgment does not change the law but clarifies it, and that it does not change Government policy. Does it change the Government's understanding of the law? He has carefully avoided the question that has been asked twice, which I will ask a third time: how much has this cost the British taxpayer? Was that money spent because the Government were badly advised and thought they could win, or was it spent criminally negligently by a Government who knew they were going to lose and continued to spend our money just for the hell of it?

Stephen Barclay: I have answered the question about the money several times. The Court judgment was reached just today, so not all the costs associated with the case will have accrued as yet. We will need to work that out in the normal way. The hon. and learned Member for Edinburgh South West (Joanna Cherry) will know about that from her time practising at the Bar. Again, I have already answered the question about respecting the process. We respect the Court's decision, but the facts of the matter do not change, and they are that this Government are committed to honouring the referendum, we will ensure that we leave on 29 March next year, and we have absolutely no intention of revoking article 50.

Kate Hoey (Vauxhall) (Lab): On behalf of the millions of Labour supporters who voted to leave, I welcome the Government's commitment to not revoking article 50. Does the Secretary of State agree that many of the people who want to see it revoked really just want to reverse the decision of the 17.4 million? By legal means or by any means, they want to stop the British people getting what they voted for.

Stephen Barclay: The hon. Lady hits the nail on the head: that is the intention of some Members. To be fair, some Members are quite explicit about that. The point I am alluding to is whether that is now the official policy of those on the Labour Front Bench, because it is at odds with what Labour voters were told at the most recent general election.

Martin Whitfield (East Lothian) (Lab): Purely hypothetically, will the Secretary of State say whether it is in the national interest to have no deal or to revoke article 50?

Stephen Barclay: Instead of getting into hypotheticals, I would rather deal with reality. *[Interruption.]* Members on the Opposition Benches may wish to go down the hypothetical route, but I would rather deal with the reality, which is that we had the biggest vote in our country's history, and at the most recent general election two parties stood on manifestos that said they would deliver on that vote. Any revoking of article 50 would

be a huge betrayal to those voters, including those referred to by the hon. Member for Vauxhall (Kate Hoey) in her question a moment ago.

Angus Brendan MacNeil (Na h-Eileanan an Iar) (SNP): I congratulate my hon. and learned Friend the Member for Edinburgh South West (Joanna Cherry) on her work. Is it not a great irony that the ECJ has given us much vaunted controls, but we still have Tory Brexiteers complaining? The UK now has a choice: either revoke article 50, or we in Scotland will have our second independence referendum, as Scotland voted to remain. Will the Government table a motion to revoke article 50, or do we in the Scottish National party get going with indyref 2? When they crash the economy, we are getting the lifeboat out of here.

Stephen Barclay: It was a good attempt to shoehorn the indyref debate into the one on this referendum, but the reality is that the hon. Gentleman's party lost in that referendum. That is why it is a UK decision and the referendum in 2016 was on the basis of a United Kingdom decision. He might not like democracy—he might not like the way the vote goes—but unfortunately his side lost in 2014. One would have thought that he might have come to terms with that four years on.

Mr Barry Sheerman (Huddersfield) (Lab/Co-op): I know that the Secretary of State is quite new in his post, but has he looked at the impact of today's events on the financial markets and the value of the pound? Has he met, as I have today, a major manufacturing company with worldwide markets that is desperately worried about staying in the United Kingdom? Does he not realise that many people think we are on the cusp of an economic and financial meltdown now—not in the distant future, but now? The revocation of article 50 could help to sort that out.

Stephen Barclay: As I am sure that you, Mr Speaker, and the House recall, the hon. Gentleman voted to trigger article 50. He himself voted for it, so if he is now saying that he has changed his mind, perhaps that is the sort of uncertainty about which the financial markets have expressed concern. They look to the House for a response that will deliver them certainty for their investment and see Members like the hon. Gentleman changing their mind.

Jo Stevens (Cardiff Central) (Lab): Today marks exactly 900 days since the outcome of the referendum in 2016. The Secretary of State says that there will be no article 50 revocation, but if between this morning and this afternoon the Prime Minister can change her mind about us having a vote tomorrow, why will his Government not allow the people to have a vote in a second referendum?

Stephen Barclay: One would have thought, after 900 days, that we would be clear as to what the Labour party's policy is. It is still unclear as to whether the Leader of the Opposition thinks that we can stop Brexit or not—he said it could not be stopped and then his shadow Brexit Secretary, the right hon. and learned Member for Holborn and St Pancras (Keir Starmer), said that it could—and he was unclear as to how he would vote in a second referendum. It is unclear today whether he would actually seek to revoke article 50 and go back on the manifesto commitment that he gave.

Mr Pat McFadden (Wolverhampton South East) (Lab): Were the Government to act on today's legal judgment, it would mean no backstop, no hard border between Northern Ireland and the Republic of Ireland, and no need for any border down the Irish sea with new trade barriers between Northern Ireland and the rest of the United Kingdom. The Secretary of State's problem is that last week he said to the Exiting the European Union Committee that the vote tomorrow would go ahead, but it will not, and the Government said that the deal was not renegotiable, but they are now trying to renegotiate it, so why should we believe him when he says that the Government's policy is that we will not revoke the article 50 notice, when we could not believe them on those other two matters?

Stephen Barclay: What the right hon. Gentleman omitted from that question was that his own constituency voted to leave and he himself voted to trigger article 50. It is a little rich to come to the Chamber to say that there is inconsistency when he himself voted to trigger article 50 and is now suggesting that we should revoke the very article that he voted to trigger.

Liz McInnes (Heywood and Middleton) (Lab): Given the delay to the meaningful vote and the fact that there is no clarity at all as to the timescale from now on, how confident is the Secretary of State really that we will leave the EU with a deal on 29 March 2019?

Stephen Barclay: Very.

Stewart Malcolm McDonald (Glasgow South) (SNP): At the weekend, the Secretary of State said that the vote this week would definitely be happening, and in response to my hon. and learned Friend the Member for Edinburgh South West (Joanna Cherry) he wrongly said that the Commission had taken the same view as the Government in the article 50 case. Either he is auditioning for a minor part in an Orwell production, or he is hopelessly out of his depth. Which is it?

Stephen Barclay: I thought we were going to wait for the point of order to deal with the substance of the comments of the hon. and learned Member for Edinburgh South West (Joanna Cherry), but we can deal with that now. The point is that the European Commission did raise doubts about whether the proceedings were admissible, and that was the case that the Government put. It was our view that it was hypothetical and we raised similar doubts. We put these issues to the Court and the Court formed its view. There is no inconsistency there.

Danielle Rowley (Midlothian) (Lab): Hundreds upon hundreds of my constituents have contacted me in the past few weeks, and even more have done so today, after this ruling. They hoped that I would speak tonight and represent them in the debate on the withdrawal agreement, but I will not be able to do that now. They have many different opinions on Brexit, but the one thing that unites them is their frustration at the lack of clarity and at things being changed. Now, after I told them that I would speak in the debate tonight and vote tomorrow, that is not happening. Can the Secretary of State say anything to reassure my constituents, or does he agree with quite a lot of them that under this Government the agreement is doomed?

Stephen Barclay: The hon. Lady says that she wants certainty; it is the certainty of a deal and leaving in good order that is what most businesses—most of the people who employ people in jobs—want to see, and that is what the Government are offering.

Andy Slaughter (Hammersmith) (Lab): Like his predecessors, the Secretary of State is kept in the dark about a lot, but he must know when he was first told that tomorrow's vote was off. We know that it was not yesterday, when he said the vote would be on Tuesday. Did he know it was off when at 11.07 this morning the Prime Minister's spokesman said that it was definitely on? Or did he know only when the conference call with the Cabinet happened at 11.30?

Mr Speaker: I will let the Secretary of State respond, but then let us get back to the revocation of article 50.

Stephen Barclay: I will take your guidance, Mr Speaker. I think the Prime Minister covered the chronology this morning.

Helen Goodman (Bishop Auckland) (Lab): In July 2016, I asked an urgent question on whether Parliament's agreement was needed to trigger article 50 and the Minister did not know the answer. After everything that has happened, is the Secretary of State saying today that he does not know whether the decision to revoke article 50 is purely for the Executive or for Parliament?

Stephen Barclay: No, it is quite the opposite. What I am saying is that we have a very clear Government policy, which is that we will not revoke. We are absolutely clear on that and that is where the Government stand.

Geraint Davies (Swansea West) (Lab/Co-op): Is the Secretary of State aware of the case of *Wilson and others v. the Prime Minister* currently in the High Court, which argues that the EU withdrawal Act empowers the Prime Minister to trigger article 50 based on an advisory referendum and, if that referendum is found to be legally flawed, which it was because of the leave campaign, then the advice is void and, in the case of a general election, that would be ruled void? Therefore, will he look at that ruling, take guidance from it and, if they find in favour, revoke article 50, which they will be asking for?

Mr Speaker: Order. I am not sure whether the case is currently in the High Court—I do not know whether I heard correctly the hon. Gentleman's reference to court proceedings—but if that be so, the Secretary of State will want to weigh his words carefully in any response that he gives us. If there are current legal proceedings, I know that he will be cautious.

Stephen Barclay: I always take your guidance on these matters, Mr Speaker. The point of substance is that, regardless of where the court case is or is not, the Government's policy is firm, as I have already set out.

Jim Shannon (Strangford) (DUP): Does the Minister not see the absurdity or the irony of the ruling today, which underlines the absolute sovereignty of the UK to make constitutional decisions, being debated on the same day as the Prime Minister tried to sell us a deal

[*Jim Shannon*]

which removes sovereignty from the UK with reference to Northern Ireland? Will he return to the PM and press on her that an assurance is not satisfactory and only a legal change in the withdrawal agreement as it pertains to Northern Ireland will be acceptable?

Stephen Barclay: I know that the hon. Gentleman takes these issues very seriously and I am always happy to discuss points with him further. However, this was a hypothetical issue taken before the courts because it is not Government policy to revoke. So it has been an interesting court case but it does not, for one iota, change the intention of this Government, which is to maintain their policy of not revoking article 50.

Seema Malhotra (Feltham and Heston) (Lab/Co-op): Irrespective of one's view on the second referendum or the people's vote, what is at stake here is a very important constitutional principle. We are not here to debate the Government's policy on the revocation of article 50. We are here asking the question of whether, if Parliament were to vote to revoke article 50, the Government would honour that vote. So further to the questions from my hon. Friends, can we have an answer to that question—yes or no?

Stephen Barclay: That is a question for Parliament. It is for Parliament to decide what it does or does not do. My role as a Minister is to answer on behalf of the Government. That is what I am doing and it is the Government's clear policy—it has not changed; I say that again—that we will not revoke. The question for Opposition Members is: are they potentially going to look to revoke article 50? That is what people want to know, particularly, as the hon. Member for Vauxhall alluded to, those people who voted for a Labour manifesto that said that it would honour the referendum result.

Wayne David (Caerphilly) (Lab): If the European Council unilaterally decided to say that it wanted to extend the implementation period for article 50, would the Government automatically oppose that?

Stephen Barclay: Again, we have covered this several times. The Court case dealt with the issue of revocation; it did not deal with the issue of extension. Extension requires the consent of the other EU27 countries. That is an unchanged position from the Court. It is outside the jurisdiction of this case.

Thangam Debbonaire (Bristol West) (Lab): The Secretary of State keeps telling us that the Prime Minister's deal offers certainty, but the Prime Minister has removed the opportunity for us to vote on that certainty tomorrow. He has said that he will not revoke article 50. We on the Labour Benches are opposed to no deal because we know that that is a bad deal, but will he not admit now that refusing even to countenance revoking article 50 is tantamount to holding a no-deal Brexit gun to our collective heads?

Stephen Barclay: Again, we risk straying beyond the scope of the statement, but the point is that the Prime Minister made it clear that we will have a vote, so it is delayed; it is not withdrawn.

Clive Efford (Eltham) (Lab): In the event that the House votes down the deal in the meaningful vote and that there is no majority in the House for no deal, in order to deliver on the will of the House, will the Government consider suspending article 50?

Stephen Barclay: Part of the difficulty for the House of working out the will of the House is that Opposition Members keep changing their minds. [*Interruption.*] I am sure—[*Interruption.*]

Mr Speaker: Order. I want to hear the Secretary of State's mind—or the contents of it—and what he wants to say.

Stephen Barclay: I am sure that it will come as a huge surprise to you, Mr Speaker, and to other Members that the hon. Gentleman himself voted to trigger article 50. Having triggered it, he now seems to want to revoke it.

Mr Paul Sweeney (Glasgow North East) (Lab/Co-op): It is the will of this House that there is a no-deal Brexit and the Government's policy is also that, so the Secretary of State is perhaps premature in saying that it is not Government policy to revoke article 50. Surely, if faced without option, where there is only going to be a no-deal Brexit, ruling that out of hand would be supremely reckless for the Government.

Stephen Barclay: Again, the Prime Minister covered this at length. It is simply not the case that it is the Government's policy to have a no-deal Brexit. The Government's policy is to have a deal. That is what the Prime Minister set out in around two-and-a-half hours of debate this afternoon and the hon. Gentleman is simply misquoting what is the Government's policy.

Points of Order

8.16 pm

Joanna Cherry (Edinburgh South West) (SNP): On a point of order, Mr Speaker. In response to my questions earlier, the Secretary of State said—at least I understood him to say this—that the United Kingdom Government had taken the same position as the Commission before the Court of Justice. My hon. Friend the Member for Glasgow South (Stewart Malcolm McDonald) challenged him on that. I am sure that the Secretary of State has now had the opportunity to familiarise himself with the Court's opinion, where he will see that the Council and the Commission took the position that article 50 could be revoked, but it would need the unanimous consent of the other member states. Curiously—I can say as a senior counsel that I have never seen this happen before—the British Government refused to take a position on whether article 50 could be revoked. They refused to answer the question. I am very anxious that the record be corrected as this is a decision of the highest court in the European Union. If the Secretary of State is not prepared to acknowledge that he was wrong and that I am right about this, can you, Mr Speaker, assist me in how I might put the record straight?

Mr Speaker: The Secretary of State might choose to respond, and I think it quite proper that he should be able to do so.

The Secretary of State for Exiting the European Union (Stephen Barclay): Further to that point of order, Mr Speaker, what I was making clear was the similarity in position between that taken by Her Majesty's Government and that by the Commission. Similar arguments were made by the Commission to those of the Government. Indeed the European Commission raised doubts as to whether the proceedings were admissible. That was the point that I was seeking to make to the House and I am very happy to clarify any comments if that is helpful

Joanna Cherry *rose*—

Mr Speaker: Well, I will indulge this for a short period.

Joanna Cherry: Further to that point of order, Mr Speaker. It really is very simple. If the Secretary of State looks at paragraph 38 of the Court's judgment, he will see the position taken by the Council and the Commission. If he looks at paragraph 43, he will see that the UK Government did not take a position. Now, I know that we are in a parallel universe here at the moment, but is the Secretary of State seriously disputing what the judgment says? If not, will he simply acknowledge that I am right about this and he is wrong?

Stephen Barclay: Further to that point of order, Mr Speaker. As I say, there is a similarity in positions. We can all cherry-pick different bits out of the judgment in isolation. What matters is the substance of the article and the substance of this. There was a similarity in the points raised and that is what I made clear.

Mr Speaker: To the hon. and learned Member for Edinburgh South West (Joanna Cherry), who effectively asked me what restitution was available to her in the

event that the Secretary of State did not clarify the matter to her satisfaction—that is to say, did not issue a correction—I would simply say that on this point, we have to leave it there. It is not for me to seek to insist on a correction; that is not within the power of the Chair. Perhaps I may say, in a moderately jocular spirit as we approach the festive season, that for my own part—this view may be more widely shared by colleagues—I greatly welcome the free legal advice provided by the hon. and learned Lady, as she is a QC, not least in the light of the fact that she referred to QCs earlier and the fact that their services tend not to come cheap.

Mr Chris Leslie (Nottingham East) (Lab/Co-op): On a point of order, Mr Speaker. Before the Secretary of State scarpers from the Chamber—[HON. MEMBERS: “Come back!”] Under the procedures of the House, it would obviously be wrong for me to accuse the Secretary of State of deliberately misleading the House, but what are Members to do if the Secretary of State has inadvertently misled the House? I was in Luxembourg at the time of the ruling, and there was no similarity between the Government's case and that of the European Commission. What are we supposed to do if he has inadvertently misled the House today and if he perhaps inadvertently misled Andrew Marr on “The Andrew Marr Show” on Sunday because he thought the vote was taking place on Tuesday and it is not going to?

Mr Speaker: I will say two things to the hon. Gentleman. First, although I understand his disappointment, not to say irritation, that the Secretary of State has not remained in the Chamber, strictly speaking, points of order are raised with the Chair. It is not a formal obligation for Ministers to remain for the duration of points of order. Whether the Secretary of State thought that points of order appertaining to him were at an end, I cannot know because I do not know what was in his mind, but the situation is that the point of order is raised with me.

Secondly, I have a sense that the hon. Gentleman and the hon. and learned Member for Edinburgh South West are not going to let this issue go, and I dare say it will be played out and replayed out in days to come. I think we should leave it there for now.

Stephen Doughty (Cardiff South and Penarth) (Lab/Co-op): On a point of order, Mr Speaker. It may interest the House to know that while Ministers are fleeing the Front Bench, the Prime Minister has apparently left the country in the last few minutes; apparently she has gone to Berlin, Brussels and The Hague. Is this not rather strange when this House has not yet actually taken a decision as to whether to continue with the debate? Have you had any notice that the Prime Minister intends to return to this House after these visits in order to explain what she has been doing and what she has been seeking? I am told that she is seeking a political statement that the backstop is not enforceable—extraordinary.

Mr Speaker: First of all, I am not responsible for the whereabouts of the Prime Minister. It is not customary for the Prime Minister to copy me in on her travel plans and I have made no request for her to do so. Related to that, I would say that whatever the House may decide in the course of this evening, that would not carry an implication for the presence of the Prime Minister

[Mr Speaker]

because there was no expectation that she would be here to take part in any vote this evening. There was only an expectation that she would otherwise have been here tomorrow. Nevertheless, the hon. Gentleman has made his point with his usual force and vigour, and we are grateful to him for that.

Chris Bryant (Rhondda) (Lab) *rose*—

Mr Speaker: Yes, I am saving the hon. Gentleman up, but we look forward to his constitutional exegesis with due anticipation.

Christian Matheson (City of Chester) (Lab): Further to that point of order, Mr Speaker. Has the Prime Minister given you any indication as to whether she will be back in time to face this House at Prime Minister's questions on Wednesday? By the sound of things, she has a pretty arduous itinerary for just one day.

James Heapey (Wells) (Con): She went to Argentina for eight hours.

Hon. Members: Oooh!

Mr Speaker: Order. I am grateful to the hon. Member for City of Chester (Christian Matheson) for his point of order. I have received no intelligence about arrangements for Wednesday, but I have no reason to suppose the Prime Minister will not be here. I dare say the hon. Gentleman will receive knowledge of the situation in due course. I think we should leave it there.

Mr Pat McFadden (Wolverhampton South East) (Lab): On a point of order, Mr Speaker. Given the events of today, I wonder whether you could guide the House on if and when, in the absence of the vote that was scheduled for tomorrow night, the Government have to come back to put a meaningful vote before the House; or are there mechanisms by which they may try to avoid doing so, given the mood that has been expressed in this House over the past week or so?

Mr Speaker: It is up to the Government when to arrange for the debate and the vote or votes that would flow from it, but the fact that it is incumbent upon the Government to come forward with a new date is very clear. That cannot be gainsaid. It has been made very clear from the Treasury Bench on several occasions—I will not say innumerable, but they are innumerable for me now because I do not know exactly how many there were. The Leader of the House has made clear repeatedly in response to questions that the debate, and the vote or votes flowing therefrom, would be rescheduled as soon as the Government felt that they were in a position, as they see it, beneficially to update the House. There is therefore no reason to suppose that that debate and votes flowing from it will not take place and every reason to believe that that debate and votes flowing from it will take place. It would be literally unconscionable if there were any thought to the contrary.

Several hon. Members *rose*—

Anna Soubry (Broxtowe) (Con): Oh, come on.

Mr Speaker: I am sick of people saying, “Oh, come on.” These are points of order, of which the Chair must treat. Members must choose whether they wish to raise

points of order. If they do, the Chair must respond. These are, if I may say so, somewhat unusual circumstances, so it is not entirely surprising that Members wish to raise points of order.

Clive Efford (Eltham) (Lab): On a point of order, Mr Speaker—and this might actually be a point of order. In the business statement earlier, the Leader of the House referred several times to “resuming” the debate. Now, if the Prime Minister comes back with any amendments to the agreement, will it constitute a new debate? Some of us have contributed to the previous debate and, given that the Prime Minister said that our contributions were so influential, we would like to contribute again to the new debate.

Mr Speaker: As far as I am concerned, the answer is that it depends on what is brought back to this House. If what is brought back to this House is a new agreement and framework document, the expectation would be that a new motion would be required. Flowing from that, effectively a new debate would need to take place. If, on the other hand, what comes back is different from what I have just said—and, in a sense, less than what I have just signalled—then that would not necessarily follow, so it depends what comes back. What I do want to say to the hon. Gentleman and to other Members who are quizzical on this front—I am very confident that there are Members on both sides of the House who take these matters extremely seriously—is that the Chair, within the powers of the Chair, will do everything possible to facilitate the fullest debate in and votes by the House. There can be no escape from that reality.

Yvette Cooper (Normanton, Pontefract and Castleford) (Lab): Further to that point of order, Mr Speaker. House of Commons Twitter, under #AskTheCommons, said this afternoon:

“Now the Government has made a statement that political agreement on withdrawal agreement & future framework has been reached, the requirements for the Government to make a statement to the House by 21 Jan on ‘no deal’ has been superseded.”

If the Government now do not bring back any vote because their position unravels and we end up in a no-deal situation again, does that mean we still will not get a vote by 21 January, or has the Commons revoked that advice?

Mr Speaker: That was not advice from the House; it was a Twitter feed. Moreover, I am authoritatively advised—do not forget that I have been in the Chair since 2.30 pm, so I have not been attending to those matters—that the record has since been corrected. I believe it has been corrected, or certainly that the intention is to correct it. I have been advised that it has been corrected, so that is no longer the situation. I do not think I need to elaborate further, although if there is concern or anxiety, or even confusion, I am sure that the right hon. Lady will return to the matter tomorrow. However, the concern that I think she had, quite understandably, should now be allayed by what I have just said. It was, I think, an innocent error, but it was an error.

Sir William Cash (Stone) (Con): On a point of order, Mr Speaker. The agreement appears to have been initialled by the Prime Minister about 10 days ago. Am I right in

construing what you have just said as meaning that if there is a new withdrawal agreement so initialled a second time with a new signature, then effectively the entire procedure—whether with regard to the question of the contempt motion or, for that matter, with regard to the question of section 13 and its effectiveness—is that we have to go back to square one?

Mr Speaker: Broadly speaking, the answer is yes. We would have to treat it as a discrete item that was beginning and needed to be continued and completed, and I would expect that that which had applied to the existing, but as yet by the House unapproved, agreement would be sought in respect of the new agreement. That would be the premise from which I would work.

Mr Clive Betts (Sheffield South East) (Lab): On a point of order, Mr Speaker.

Chris Bryant (Rhondda) (Lab): On a point of order, Mr Speaker.

Yvette Cooper: On a point of order, Mr Speaker.

Mr Speaker: I will take the point of order from Yvette Cooper and then come to Mr Betts and Mr Bryant.

Yvette Cooper: I am grateful, Mr Speaker. As I understand it, there has been a clarification on the House of Commons Twitter feed, but it simply says:

“Further proceedings under section 13 of the European Union (Withdrawal) Act 2018 are a matter of legal interpretation and not for the House to determine.”

That seems to raise huge questions about whether this House could be guaranteed a vote if the Government were to end up slipping into no deal. Given the seriousness of this, it would be very helpful to have formal clarification from you or from the Clerks.

Mr Speaker: The Clerks’ advice is that where there is a statutory issue, it would not be for the House to rule on that, and that it is not for the Chair to seek to give a ruling on that matter. In so far as the right hon. Lady is concerned about the prospects of debate on these matters in the light of evolving circumstances and the pursuit of a revised agreement, I have sought to reassure her that debates will happen, because the commitment to those debates is manifest, explicit, and, it seems to me, to all intents and purposes irrevocable. What I do not feel I can pronounce upon is matters of law. I certainly would not be in a position to do that, if I were required to do it at all, now. But in so far as the right hon. Lady and others are seeking assurance that the debates that they thought they were about to get will still be forthcoming, with votes flowing therefrom, I think I can, without fear of contradiction, give those assurances to Members, whatever their political opinion on the matter.

Yvette Cooper: So are you confirming, then, Mr Speaker, that there is no guarantee that this House would have a vote on a no-deal situation if the Government slipped into that, and that that would simply be a matter for the courts to decide rather than this House being able to ensure that it had a vote under the withdrawal agreement legislation?

Mr Speaker: I do not feel that I can rule on that now. I am certainly expecting that there will be debate and votes on that very specific and, I accept, extremely important point. I do not want to give an incorrect answer or a misleading impression, and I think it is better for me to reflect on that, and, if it would be appropriate, to come back to the right hon. Lady or to report to the House, because it is an extremely salient issue. I think that otherwise I stand by the rest of what I have said, and on that particular point I would like to take stock.

Mr Clive Betts (Sheffield South East) (Lab): On a point of order, Mr Speaker. Further to the point of order raised by the hon. Member for Stone (Sir William Cash), if there were to be any changes to the agreement and the motion, would the assumption be that this House would be entitled to see any changes to the advice that the Attorney General gives on that?

Mr Speaker: Well, that is hypothetical. That does not mean that it is not an important question, but it is hypothetical at this stage. I am not sure that I could give such an automatic assurance to the hon. Gentleman. It may be that efforts would have to be made to secure a commitment to the release, or publication, of that advice. I think there would be a strong moral basis for expecting that that advice would be published, in the light—

Keir Starmer (Holborn and St Pancras) (Lab) *indicated assent.*

Mr Speaker: I am very heartened to see a former Director of Public Prosecutions nodding vigorously in assent to my proposition, considering that he is a distinguished lawyer and I am not. There is a strong moral basis for believing that that to which the Government eventually acceded last week would be something to which they would accede in the new circumstances, especially as the new circumstances were the result of failure to reach agreement on the earlier proposals and their own actions thereafter.

Chris Bryant: It may not be worth waiting for after all this, Mr Speaker, but on a point of order. You said earlier that you thought that it would be better and more courteous to the House if there was a proper process of preventing the debate later tonight and tomorrow, and preventing the vote. I get that the mood in the House today has been that it would prefer the Government to proceed with the debate today and tomorrow, and that if they are not going to, then at least we should be allowed to vote on whether we are voting or not. As I understand it, what the Government are intending to do is that when it comes to the Order of the Day, when you say “What day?”, one of the Whips will shout “Tomorrow”—which here does not really mean tomorrow but some other day as yet unspecified. It is within the gift of the Government, if they wanted to, to allow any Member of the House to move the Order of the Day, because it can be moved by any Member of the House, as was decided in decisions of the House in 1860, 1886, 1907 and 1908, and on many other occasions. I just wonder, if many Members of the House were to shout today, would you not be well advised to take one of them rather than the Whip?

Mr Speaker: If they are not Ministers, I am not in a position to do so. If the Government themselves were content for another Member to shout “Now” and for the debate to take place, that debate could take place. However, I must say to the hon. Gentleman that over the last five hours or so—just under five hours—since the Prime Minister’s initial statement, the Leader of the Opposition’s reply and her reply to him were completed, I have had no indication from the Government that they are minded to adopt the approach that I thought would be preferable and more popular with the House—namely, putting the Question on a motion that the House should adjourn and allowing it to be voted upon. Given that the Government have not done that, which they could do, and just accept the democratic will of the House, it seems rather improbable that they would want to share their privilege in respect of moving an Order of the Day. They know that they have the exclusive right to move an Order of the Day in relation to their own business, so I cannot see that they are likely to indicate otherwise.

This whole proceeding has been extremely regrettable—that is manifest; it is palpable and incontrovertible. This is not the way that the business of the House is ordinarily conducted. It is a most unfortunate state of affairs, but we must all act within our powers and not ultra vires. I have sought to do everything I can for nearly nine and a half years, and I will go on doing so, to support the House and Back Benchers in particular, holding ministerial feet to the fire as necessary, but I have to operate within the powers that I have, not those that some Members perhaps would like me to have.

Simon Hoare (North Dorset) (Con): On a point of order, Mr Speaker. I was in the Chamber earlier when you wisely set out the two options available to Her Majesty’s Government on how they could postpone a debate. One can only presume, from earlier interventions, that they have chosen one of those two options. Can you confirm my understanding of what you said earlier—that both options available to the Government were in order and therefore that whichever route the Government decide to take will not be disorderly?

Mr Speaker: Nobody suggested that anything was disorderly. I do not want to be unkind to the hon. Gentleman—[HON. MEMBERS: “Go on!”] No, I do not want to be unkind to him. I have known him for probably 30 years, and he is a very dedicated public servant, so I certainly do not wish to be unkind to him, but it is rather a red herring that he is raising. Nobody has suggested that there was anything disorderly. I am merely suggesting that this is a most unusual circumstance, and I am not aware of any precedent for the handling of a matter of this magnitude in this way.

Reference was made earlier to how relatively frequently Ministers choose not to proceed with the business, and a Whip on duty will say, “Not moved.” It is perfectly true that that happens relatively frequently. It certainly does not happen frequently and has not happened in my memory at all in relation to a matter of this magnitude, in respect of which a business of the House motion was passed six days previously. That is my point. It is a simple point. I think it is a powerful point, and I am certain it is a point that the hon. Gentleman will grasp.

Mr Peter Bone (Wellingborough) (Con): On a point of order, Mr Speaker. You are right that these are probably unique circumstances. I certainly have moved a motion from the Back Benches that the Government have not chosen to move, and we have proceeded to debate and vote on it, so that clearly can be done. I understand your point about this being Government business, but did that argument not fall when the business of the House motion was passed and it became the business of the House? It is no longer for Government to decide; it is for the House to decide.

Standing Order No. 46 on page 45 certainly gives you discretion in relation to suspension of debate. I was going to shout “Now”, but unfortunately the hon. Member for Rhondda (Chris Bryant) spoiled my fun by putting that suggestion on the record. It seems to me that there is some discretion in these unique circumstances, and it is clear from the tone of the House that it is very unhappy with the way the Government are proceeding.

Mr Speaker: It is clear that there is much unhappiness. It is important that we be accurate about these matters. I am afraid that I cannot take an instruction to the House in relation to a Government Order of the Day from other than a Government Minister. The hon. Gentleman will know, from his extensive experience as a Member in charge of a veritable raft of private Members’ Bills, that it is, in those circumstances, for him and him alone to decide whether to proceed with or defer an Order of the Day where he is in charge.

I know what the hon. Gentleman has said, and I have explored all this with the Clerk of the House many a time and oft over the last 48 hours. In this instance, even though the business of the House motion was agreed by the House, the Order is the property of the Government, and it is therefore for the Government to decide whether or not to move the business. If Members find that unsatisfactory, it is perfectly open for Members to change the procedures of the House, but I cannot change them on the hoof.

Tom Brake (Carshalton and Wallington) (LD): On a point of order, Mr Speaker. You have rightly said that today has been an exceptional day. I can certainly confirm that, in 21 years as a Member of Parliament, I have never experienced a day of this nature. Clearly, this is the sort of day on which a motion of no confidence in the Government should be moved. Can you help me, Mr Speaker? Is an Opposition party that is not the official Opposition in a position to move such a motion of no confidence?

Mr Speaker: It is open to a representative of a party other than the principal Opposition to table such a motion. The ordinary working assumption is that such a motion is taken if it is proffered by the official Opposition. I will leave it there for now. I am not saying whether this is desirable or undesirable. I am the custodian of the rights of the House and of the rigorous application of correct procedure. I am sure the right hon. Gentleman, who is a former Deputy Leader of the House, readily acknowledges that. I will not duck my duty—I did not duck my duty on the contempt motion, and would not in comparable circumstances again—but I come back to the point that one has to operate within one’s powers.

Pete Wishart (Perth and North Perthshire) (SNP): On a point of order, Mr Speaker. Anybody observing these proceedings today would say that you have played a blinder in trying to get this House to demonstrate what it wants and to say exactly what is happening with this meaningful vote. It looks likely—it is almost certain—that the Government will have their say, which means that we will not be able to vote on their cancelling this meaningful vote, but I wonder whether we may have an indicative vote of this House. When the Order of the Day is read and the Whip responds, if enough of us shout “Now” while Government Members shout “Tomorrow”, would that express the indication of this House, and how would we get that formally recognised?

Mr Speaker: I have heard what the hon. Gentleman has said—he is an experienced parliamentarian and a passionate one—and I would say to him that we rule in this place by rules, not by shouting. That said, I have periodically over the years exhorted the hon. Gentleman not to shout, and on the whole my efforts to that end have been spectacularly unsuccessful. I have no reason to expect that if I were to exhort Members not to shout when they are minded to do so this evening, I should be any more successful. The hon. Gentleman and other Members will do what they wish to do at the appropriate moment.

Exiting the European Union: Meaningful Vote

Application for emergency debate (Standing Order No. 24)

Mr Speaker: In a moment, I will call the Leader of the Opposition to make an application for leave to propose a debate on a specific and important matter that should have urgent consideration under the terms of Standing Order No. 24. He has up to three minutes in which to make such an application. I call Mr Jeremy Corbyn.

8.47 pm

Jeremy Corbyn (Islington North) (Lab): I wish to apply for an emergency debate on a specific and important matter that should have urgent consideration: the Prime Minister’s unprecedented decision not to proceed with the final two days of debate and the meaningful vote, despite the House’s order of Tuesday 4 December 2018; her failure to allow this House to express its view on the Government’s deal or her proposed negotiating objectives; and her doing so without the agreement of this House.

I recognise that, under Standing Order 24, this should be a specific and important matter, and I will very briefly set out my reasons for this debate. On Tuesday 4 December, the House unanimously agreed a business motion that sets out the rules and timetable governing the meaningful vote debate. The Prime Minister has today unilaterally announced that she will

“defer the vote scheduled for tomorrow, and will not proceed to divide the House at this time.”

That is a quote from her. Neither the Prime Minister nor the Leader of the House has confirmed the date for the conclusion of the debate or the votes. This shows a disregard for Parliament and the rights of the House, as well as of the 164 Members who have spoken in the debate and those who are planning to do so. Once again, the decisions of Parliament are being ignored. It is clear, as the Prime Minister admitted in her statement, that she has decided to avoid a heavy defeat on her deal in the House of Commons tomorrow. Again, Parliament is being given no opportunity to express its view on her negotiation.

As you set out from the Chair, there are two options available to the Government to alter the business. The first and infinitely preferable option is for a Minister to propose moving the Adjournment so that the House has an opportunity to vote on this proposition. The second is that the Government Whips do not move the meaningful vote debate for today. It cannot be right that the Government can unilaterally alter the arrangements once this House has agreed on a timetable without the House being given the opportunity to express its will.

The public will look at the behaviour of this Government and how they treat their democratically elected representatives with despair. Our constitution works on the basis that Governments control the business of the House because they have a majority in the House. The Government appear to be avoiding a vote on a change of business because they fear that they do not command a majority. We have no indication when the debate will be resumed or completed; neither does it seem reasonable that the Government will wait until Thursday before confirming the business of the final

[Jeremy Corbyn]

sitting week before Christmas. The Government have failed to confirm whether they will bring forward the implementation Bill next week.

Finally, it is vital that the Government treat Parliament with—[*Interruption.*]

Mr Speaker: Order. Members can shout as much as they like. I will be the judge of when the speech is completed and I will put the application to the House. This is being done at short notice, and it does not serve the interests of the House for Members to shout their heads off from a sedentary position. If they want to do so, so be it, but it will not make the slightest difference to the procedure that we follow.

Jeremy Corbyn: Thank you, Mr Speaker. I was actually just coming to a conclusion.

The Government's incompetence cannot be used as an excuse to threaten the country with no deal. It is vital that the Government treat Parliament with respect, honour the terms of the original business of the House motion as agreed and therefore seek the approval of the House, not act by Prime Ministerial fiat, to defer the meaningful vote. I would therefore be grateful, Mr Speaker, if you gave this application your most urgent consideration.

Mr Speaker: I am grateful to the right hon. Gentleman. I have listened carefully to the application from him. I am satisfied that the matter raised is proper to be discussed—[*Interruption*]*—it is absolutely proper—under Standing Order No. 24. The assumption must be that the right hon. Gentleman is supported by Members, but if Members wish to stand in their place to indicate such, it is up to them to do so.*

Application agreed to.

Mr Speaker: The right hon. Gentleman has obtained the leave of the House. Members should now resume their seats. Strictly speaking, there is no requirement for Members to stand. It is up to somebody to object, and nobody did object, so the right hon. Gentleman had secured his debate anyway, but the display of support makes it very clear that it is a widely held view in the House.

The right hon. Gentleman has obtained the leave of the House. The debate will be held tomorrow as the first item of public business. The debate will last for up to three hours and it will arise on a motion that the House has considered the specified matter set out in the right hon. Gentleman's application.

European Union (Withdrawal) Act

[4TH ALLOTTED DAY]

Resumption of adjourned debate on Question (4 December 2018),

That this House approves for the purposes of section 13(1)(b) of the European Union (Withdrawal) Act 2018, the negotiated withdrawal agreement laid before the House on Monday 26 November 2018 with the title 'Agreement on the withdrawal of the United Kingdom of Great Britain and Northern Ireland from the European Union and the European Atomic Energy Community' and the framework for the future relationship laid before the House on Monday 26 November 2018 with the title 'Political Declaration setting out the framework for the future relationship between the European Union and the United Kingdom'.

Mr Peter Bone (Wellingborough) (Con): Now.

The Comptroller of Her Majesty's Household (Mark Spencer): Tomorrow.

Hon. Members: Now.

Mr Speaker: As I explained, I am governed by the rules. The order is in the possession of the Government. The Whips on duty are sitting saying absolutely nothing, as tends to be the case on these occasions, and the Whip who has said something has said something that is unpopular with a lot of other Members, but that he is empowered to say. Colleagues have registered their view on the matter. [*Interruption.*]

Debate to be resumed tomorrow.

Mr Speaker: Order. Put it back. [*Interruption.*] I am grateful to a dedicated servant of the House for bringing forward the Mace and restoring it to its place. I am sorry, but under the power given to me by Standing Order No. 43—I think the hon. Gentleman will know the implications of his action—I must order the hon. Member for Brighton, Kemptown (Lloyd Russell-Moyle) to withdraw immediately from the House for the remainder of this day's Sitting. Mr Russell-Moyle, please leave the Chamber. Thank you. I am grateful. [*Interruption.*] He must leave or he will be escorted. He should leave. I am most grateful to the hon. Gentleman for complying with my instruction.

We come now to motion no. 2 on Exiting the European Union (Competition). Not moved.

We come now to the presentation of a public petition. [*Interruption.*] I gather Mr Patrick Grady has withdrawn his notice of intention to present his petition.

Patrick Grady (Glasgow North) (SNP) *indicated assent.*

Mr Speaker: I find it quite extraordinary that very large numbers of—Mr Howarth! A statesmanlike figure like you stretching your arms in a moderately eccentric manner. I find it quite extraordinary that Members are apparently leaving the Chamber before the hon. Member for Croydon Central (Sarah Jones) has aired the important issue on the Adjournment of tram safety, to which I hoped there would be a full and attentive House. If Members—I am playing for time—insist on leaving the Chamber at this point I should be most obliged to them, and I know the hon. Lady would, if they were to do so quickly and quietly so that we can proceed.

We come now to something that I think the Whip on duty will be willing to move, and we are deeply obliged to him for that.

Tram Safety

Motion made, and Question proposed, That this House do now adjourn.—(Mike Freer.)

8.57 pm

Sarah Jones (Croydon Central) (Lab): I rise to speak slightly earlier than I had anticipated. These are momentous days, but at 6.7 am on 9 November 2016 a far more momentous tragedy occurred, one that would change a community forever, one that would bring horror to the lives of many and one that took the lives of our loved ones. Seven families will never be the same. In one tragic moment, the Croydon tram crash ripped away fathers, sons, mothers and daughters: Dane Chinnery, Donald Collett, Robert Huxley, Phil Logan, Dorota Rynkiewicz, Phil Seary and Mark Smith. Their friends and family members join us in the Gallery this evening. The tram crash at Sandilands junction in my constituency was the worst tram accident in a century. It was the worst rail tragedy for 17 years. Along with those who died, 62 people were injured, several with life-changing injuries.

I want to be clear at the outset of this debate that there is an ongoing criminal investigation into the Croydon tram crash and a coroner's investigation. It would not be appropriate for me or other colleagues to pre-empt the findings of those investigations by commenting today on the possible causes of the crash or who was to blame. What we know is that a tragedy like this cannot be allowed to happen again on our tram networks. This should have been a wake-up call, and we know what needs to happen. Almost exactly a year ago on 7 December 2017, the Rail Accident Investigation Branch—RAIB—published a detailed 180-page report into the crash, which made a series of important recommendations to improve tram safety across the country's tram networks in the future.

On that same day a year ago, I asked a question to the Leader of the House about when the Department for Transport would come to the House to make a full statement on how the Government would ensure that the RAIB recommendations were implemented as swiftly as possible. In the year since, no Minister has come to the House to update us on tram safety. Not a single written ministerial statement has been made. In fact, not a single Minister has made a statement in this place on the Croydon tram crash since 14 November 2016, two years ago.

Jim Shannon (Strangford) (DUP): I congratulate the hon. Lady on bringing this matter to the House for our consideration. The fact that nothing has been done, as she outlined, is very worrying. Does she agree that the lessons that need to be learned from the Sandilands train crash cannot be learned without vital funding and that that is a key factor, as well as safety? It must never come to further loss of life before the Government—I say this with respect for the Minister—step up to the mark and do the right thing.

Sarah Jones: I thank the hon. Gentleman for his comments. I agree, and I will come on to what has been done and what is yet to be done.

This is not just an issue for Croydon: it is a national issue. There were 267 million tram and light rail journeys made last year. Clearly, the industry, the regulator and

local transport bodies have a responsibility to deliver the improvements that we need. I have met the Office of Rail and Road, the deputy Mayor of London, Transport for London and others, and I am grateful to TfL executives for meeting me and families of the victims today in Parliament. But there is also a responsibility on central Government; the ultimate responsibility for people's safety stops with them.

Mr Steve Reed (Croydon North) (Lab/Co-op): I am very grateful to my hon. Friend for giving way and for raising this very important issue in the House today. She will know, as I do—as a fellow Croydon Member of Parliament—of the high levels of public concern and anxiety about the Government's failure to act on the recommendations. There has been another speeding tram incident since the fatalities at Sandilands and another crash involving a bus. We really need to know what the Government intend to do and what lessons they intend to implement—having listened to what went wrong—to keep people safe and reassure them that they are always safe on public transport.

Sarah Jones: I thank my hon. Friend for his comments. He is absolutely right. That has to be on all of us, and we need to make sure that the Government are doing what they can.

The Department for Transport has a duty to ensure that work is being done and to keep Parliament updated on progress. The silence in this place over the last year suggests that the Government have not been as active as they should have been. In fact, a month ago, I learned that they were actively delaying RAIB's core recommendation—the creation of a new UK tram safety body—because they were failing to release the required funding. If this new body, currently operating in a basic “shadow” form, does not receive the required funding by the end of the year, it will cease to function at all. Other recommendations, which I will come to, have also not seen enough progress, in part because this body is not in place.

Families of the victims are frustrated. All of us are frustrated and all of us are touched by that terrible tragedy. I wrote to the Secretary of State about this and I asked again in the House two weeks ago for a statement or a debate in Government time. Yet again, there was silence from Government. We deserve better than this, so I hope that this evening, the Minister can tell me why the Government have yet to confirm the funding for a new tram safety body; when the funding will be signed off by his Department; and crucially, what actions the Government are taking to ensure that the remaining RAIB recommendations are delivered as soon as possible.

Tramways have a proud history in the UK. In the early 1900s, tram networks stretched the length and breadth of the land, connecting not just our cities, but towns large and small. There were 14,000 trams in 1927, and London alone had 30 tram routes across the city. The majority of those were lost in post-war redevelopment, but tram networks still connect eight of our greatest cities and regions: London, Greater Manchester, the west midlands, Edinburgh, Sheffield, Nottingham, Blackpool and Newcastle. Trams create no pollution, are fully accessible and have greater capacity and better punctuality than buses. Trams connect our communities and are conduits for local growth.

[Sarah Jones]

When the Tramlink was introduced in Croydon, it brought our community closer together and made a particular difference in New Addington in the south of my constituency. It helped to attract inward investment into Croydon and offered residents the mobility to find jobs across the borough. But when a tragedy of this significance occurs, it shakes people's confidence in tram networks. The number of tram and light rail passenger journeys across England fell by 0.2% last year—the first drop in almost a decade. Over half of all tram and light rail journeys last year happened in London, where the number of journeys dropped by the bigger margin of 2.1%, while the number of London Tramlink journeys fell by 400,000 to 29.1 million. If that is in any part due to a loss of confidence, we must rebuild that trust, and that starts with showing clear and decisive action on tram safety.

RAIB carried out a 13-month investigation into the Croydon tram crash, and I thank it for its comprehensive work. The RAIB report comes to its own conclusions about the possible causes of the crash, which I will not mention because of the ongoing investigations. Looking to the future, the report makes 15 important recommendations to prevent such a tragedy from happening again. In the year since then, we should have heard from Ministers about how the different agencies, organisations and operators are progressing with their respective responsibilities. I sincerely hope that the Minister can deliver a comprehensive update to the House tonight.

The majority of the 15 recommendations are yet to be fully implemented. The first and foremost of them was to set up a dedicated UK-wide tram safety body to drive improvements across the UK's tram networks. It is likely that many of the subsequent recommendations on national tram safety cannot be fully implemented without this new body, so it really is a failure that one year on we are still waiting. I understand that the Government funding for the body will be split between the Government and industry. The industry has already allocated its funding and a shadow board has been in place and ready to get to work for months, yet as of last month the funding from Government had still not been signed off. I wrote to the Secretary of State about this over a month ago, and I am yet to receive a reply.

The Department for Transport has, however, given a statement to the media stating that

“final decisions are being made on funding for the Light Rail Safety Board.”

I understand that if full funding is not confirmed by the Government by the end of this year, even the limited work the board is doing in shadow form will cease. Can the Minister therefore confirm whether that funding decision has been made? If it has not, can he explain to me and to the families here today why the Government are delaying?

Recommendation 2 requires tram operators, owners and infrastructure managers to

“jointly conduct a systematic review of operational risks and control measures associated with the design, maintenance and operation of tramways”

and to “publish updated guidance”. That updated guidance has yet to be published. I understand the new light rail safety standards board will be responsible for publishing this, but it does not yet exist. Can the Minister can give us a timetable for the publication of this guidance?

Recommendations 3 to 5 involve changes to trams and tramways to significantly reduce the risk of future accidents. Those changes are very important and include installation of automatic braking systems; technology to monitor the attention state of drivers; and improved signage, lighting and information for drivers. Automatic braking systems have not yet been installed on any tram system. TfL has confirmed that it plans to fully implement a system by next December—more than three years after the crash.

I understand that this is complicated work, that TfL has confirmed that it will award a contract to start it very shortly and that many other operators will look to the work TfL is doing before making a decision on implementing their own systems, but three years feels too long for those of us worried about safety now. I wonder whether the Government could be doing more to work with TfL to prioritise this important work. TfL and Tram Operations Ltd have successfully implemented a guardian device on London Tramlink that can monitor the attention state of drivers and help with fatigue management, but it is unclear whether it has been picked up across other tram networks.

The recommendation on signage and lighting again appears to have been only partially implemented and with a lack of consistency. TfL has implemented a new lower speed limit on the London network, with new restrictions at certain sites such as Sandilands and new junctions, and will be introducing a new system called iTram, which gives in-cab alerts, but again the iTram system will reportedly not be in place until December 2019—more than three years after the crash. Moreover, there is a lack of clarity about whether the speed restrictions or the iTram system will be consistent across the industry, and whether they will be required or optional. In all those areas, progress seems to be too slow and too inconsistent across the country, which, again, may be a sign of a lack of co-ordination owing to the lack of a UK-wide co-ordinating body.

Recommendations 6, 7 and 8 relate to greater protections for passengers and means of escape should a tram have an accident. Understandably and obviously, the families of those who died are frustrated about the difference between the current requirements for the strength of tram windows for side-facing windows and front windscreens. The side windows are required to be the same strength as those of passenger-carrying vehicles on roads, but the front windows are required to be stronger, with shatterproof safety laminated glass—the type required for trains. Recommendation 6 seeks to improve the strength, but, again, there are yet to be changes across the sector. Other tram networks appear to be waiting for TfL, which has been undertaking testing. Last month the Mayor of London said that work to strengthen the windows was due to start shortly, and would be completed by March 2019.

The process is complex. The weight of the stronger glass has clear implications for the ability of trams to go around corners safely. The last thing we want to do is make the glass stronger but, in doing so, increase the risk of another derailment. Nevertheless, I feel that more progress could have been made on window strength, because that would have demonstrated to passengers that clear action had been taken to keep them safe. Two years after the accident, we still do not know when the recommendation will be delivered for tram networks outside London.

Recommendations 7 and 8 relate to emergency lighting and improved evacuation for overturned trams. TfL has issued a tender for improved emergency lighting, while other tram networks seem to be waiting for the creation of the national light rail safety board before acting. The work on evacuation is being led by UK Tram, but it appears that no clear solution has been identified, and it seems unlikely that that recommendation will be implemented at all.

Recommendation 9 requires the Office of Rail and Road to carry out a review of the regulatory framework for trams, which I understand is in progress. It sets out options and recommendations for changes in the regulation of the sector in June. They include options for certification schemes, which could be mandatory or voluntary. The ORR says that it

“would not resist the introduction of mandatory or voluntary certification schemes if demanded by Ministers and/or the sector”.

Perhaps the Minister could update us on his conversations with the ORR about certification. The ORR says that a certification scheme would give it stronger regulatory levers to press for implementation of the Sandilands recommendations. Given the lack of progress and the lack of consistency across the UK tram networks in respect of those recommendations, that might be an advisable course of action for the Government to take.

The final six recommendations are aimed at TfL and Tram Operations Limited, and have specific implications for the London Tramlink network. They seek a marked improvement in the safety culture in London trams, including better mechanisms for driver fatigue management, improved CCTV, operational expertise, and the reporting and resolving of concerns. Several of them, including recommendations 10, 13 and 14, have already been implemented; the implementation of others is still in progress, and is the subject of ongoing reviews. They include a detailed review of fatigue risk management, in respect of which some improvements have already been made, but the full programme is not yet complete.

Mr Reed: My hon. Friend is reminding us powerfully of the important recommendations that were made in the aftermath of the crash. I recall being in the Chamber in the days following it, and hearing the Minister speak, in my view, convincingly and well about how the Government would learn the lessons and take action. May I invite my hon. Friend to speculate on why, a year after receiving the recommendations, the Government have done absolutely nothing to follow them up?

Sarah Jones: I struggle to understand why more has not been done, and I wonder why this has not been a top priority for the Government. In the last year the Department for Transport has had to deal with many other issues that may have been subject to more attention and focus, but I nevertheless think it a great shame that more has not been done.

Two years on from the tram crash there is one clear fact that should motivate all of us: trams across the country are still without a consistent level of safety to avoid a repeat of the tram crash. There is still no consistent means by which to monitor and manage driver fatigue. If a tram is going too fast there is still not an automatic braking system. If a tram overturns the windows are not yet consistently shatterproof along the sides of the vehicle. Most importantly, the body to

co-ordinate and deliver safety improvements is still not in place. The Government could act upon that right now, and I urge the Minister to do so. I also urge him to work with Transport for London, the Office of Rail and Road and the rest of the industry to make sure the host of outstanding safety recommendations—as many as 11 still outstanding—are delivered upon as soon as possible.

The Government can drive this process forward; we just need the political will. We want something good to come from that dreadful day on 9 November 2016. The victims, their families and all tram passengers across the UK deserve nothing less.

9.15 pm

The Minister of State, Department for Transport (Jesse Norman): I congratulate the hon. Member for Croydon Central (Sarah Jones) on securing this important debate, and I know the whole House would wish to join me in offering our condolences to the families and friends of all who lost their lives or were injured, many of them very seriously, in the tram crash of November 2016. It has been suggested that the Government have not been active and energetic on this issue, and I am happy to respond in detail to rebut those suggestions. Let me remind the House of the incident and describe the follow-up actions we have taken.

On Wednesday 9 November 2016, the London Tramlink tram No. 2551 travelling from New Addington towards East Croydon overturned on the approach to Sandilands tram stop on a curved track that has a permanent speed restriction of 20 kph. The tram at that time was travelling at approximately 73 kph. Of the 70 people on board, seven lost their lives and 62 people were injured, 19 of them seriously. Following this tragic accident, the Rail Accident Investigation Branch undertook an investigation, as is normal practice in these types of incidents. RAIB is independent and its investigation and report do not apportion blame or liability. Its sole purpose is to ensure lessons are recorded and learned in order to improve safety and prevent future such accidents occurring.

RAIB published its report into the tram-overturning incident at Sandilands on 7 December 2017. Its investigation identified that the immediate cause of the tram overturning was that it was travelling too fast to negotiate the curve, and the causal factors for that were that the tram did not slow down to a safe speed before entering Sandilands south curve because the driver did not apply sufficient braking. RAIB's report states that, although some doubt remains as to the reasons for the driver not applying sufficient braking, RAIB concluded that the most likely cause was a temporary loss of awareness of driving task due to a period of low workload. It is also possible that, when regaining awareness, the driver became confused about his location and direction of travel. RAIB found no evidence that the driver's health or medical fitness contributed to what happened, but stated that, although highly unlikely, an undetected medical reason cannot be discounted. Of course, as the hon. Lady made clear, further investigations are continuing and I know the House will understand that it would not be appropriate to say anything further on this issue.

The RAIB investigation did, however, find that the risk of trams overturning on curves was not properly understood and so there were insufficient safety measures

[*Jesse Norman*]

in place. It also found that many of the fatalities and serious injuries were as a result of falling through the windows or doors as the tram overturned.

As the hon. Lady made clear, the RAIB report made 15 recommendations to help to improve safety on UK trams. These recommendations relate to action in five main areas: the need for modern technology to intervene when trams approach hazardous features too fast or when drivers lose awareness of their driving; the need for operators to promote better awareness and management of the risk associated with tramway operations; the need for work to reduce the extent of injuries caused to passengers in serious tram accidents and to make it easier for them to escape; the need for improvements to safety management systems, particularly to encourage a culture in which everyone feels able to report mistakes, including their own; and the need for greater collaboration across the tramway industry on matters relating to safety.

That is why one of the main recommendations in the RAIB's report was for the Office of Rail and Road to work with the UK tram industry to develop a body to enable more effective UK-wide co-operation, in what is inevitably a varied sector, on matters related to safety and on the development of common standards and good practice guidance. UK Tram, which is the voice of the light rail sector, and the Office of Rail and Road called a meeting of the industry in London last year at which it was agreed to establish an independent review group to consider the RAIB recommendation regarding setting up such an industry body to be responsible for ensuring better co-operation on light rail safety and standards.

At a further meeting held in Manchester in January this year, the Department for Transport, the Office of Rail and Road, tram system owners, operators and infrastructure managers convened to discuss the way forward and how the sector as a whole could take responsibility for and ownership of proceeding with the recommendations arising from the RAIB report. At that meeting, the independent review group reported its proposals for a light rail safety and standards board to be formed. The review group also proposed that there was a need properly to scope the new organisation and its function, structure and budget, particularly with regard to funding.

The board has now been created to provide expert support to the light rail industry in this country and to take forward sustainable improvements in the safety and efficiency of tramways and light rail systems. It will also oversee the work to undertake the recommendations from the RAIB report, and its primary functions will include risk analysis, informing industry decisions and sharing best practice; codification and development of standards and guidance; establishing relationships with other light rail jurisdictions around the world; light rail innovation and research; collaboration with other industry safety bodies; safety, accident and near miss reporting, collation and analysis; reviewing industry dissemination of information and lessons learned; and oversight of competent persons and accreditation.

The hon. Lady suggests that the Department for Transport has not provided funding or been active in ensuring that the recommendations from the RAIB

report have been implemented, but let me assure the House that that is not the case. While the board was being set up, the Department allocated £250,000 to UK Tram in July this year as an interim payment to ensure that progress on working through the recommendations could begin quickly. I am pleased to report to the House that work on the recommendations is being taken forward by the sector. The light rail safety and standards board steering group has now developed a business plan setting out the functions of the full board. A board of directors has been elected and a chief executive officer has been appointed. The Department received a further funding proposal from the board in late October—that is, five or six weeks ago—and I am pleased to say that we are looking closely at this request and I expect to make an announcement shortly.

Meanwhile, a range of other work is under way. UK Tram has defined a programme to develop a light rail risk analysis model that can be applied to all UK tramway systems and, where appropriate, to other light rail systems. UK Tram has let a contract with consultants after the steering group agreed the terms of reference for this project, and work has now commenced on the development of this risk model. UK Tram has also reviewed the availability of technical devices for automatically monitoring and/or controlling the speed of a tram on the approach to junctions and other key locations. We expect a full report to be published by UK Tram next week. Building on work undertaken by Transport for London, UK Tram has reviewed the availability of driver vigilance devices—also named driver inattention devices—which could monitor the alertness of a driver and detect when they are likely to lose concentration. Again, a full report is due to be published for UK Tram members next week. I am also pleased to inform the House that all tramway operators in the United Kingdom have reviewed all bends and curves on their systems and introduced countdown speed restrictions and chevron signs on the approaches, where required.

In order to identify means of improving the passenger containment provided by tram windows and doors, UK Tram and the operators have been in discussions with manufacturers to see whether improvements can be made. The information that they have gathered so far indicates that laminated windows could be fitted—albeit, as the hon. Lady has mentioned, at extra cost and, more problematically, extra weight—to new vehicles. For current tram fleets, fitting a protective film to the windows would help to reduce risk.

Regarding doors, most UK tramway systems have more modern vehicles with doors that have fully welded construction, which offers far more structural integrity and should aid containment in the context of a crash. Operators have also reviewed their emergency lighting, and suppliers have been able to offer a cut-off switch that is covered and not exposed in the event of an impact. Most suppliers stated that they could also offer as an option internal lighting with integral energy storage in the lighting units, if required. Progress is being made on the recommendations from the RAIB report.

This is an important issue at an important moment. Light rail is popular, as can be seen from the statistics: more than 267 million passenger journeys were made on the eight light rail and tram systems in England in 2017-18. The sector prides itself on being one of the safest modes of public transport, and it strives to maintain high standards in safety. The safety record speaks for itself.

Until this accident occurred in 2016, no passenger had been killed on a tram since January 1959. The Government are committed to ensuring that industry and the regulator apply the lessons that have been learned so that a tragedy of this kind can never happen again.

Question put and agreed to.

9.26 pm

House adjourned.

Westminster Hall

Monday 10 December 2018

[PHILIP DAVIES *in the Chair*]

Palm Oil

4.30 pm

Luke Hall (Thornbury and Yate) (Con): I beg to move,

That this House has considered e-petition 219758 relating to the sale of products containing palm oil.

I was hoping for and expecting a bigger turnout for the debate, because a lot of colleagues mentioned to me how passionate they were about the subject. However, I think other events may have overtaken us. Also, I beg forgiveness: my voice has only just returned, so I may have to cut my remarks short to ensure that it lasts the whole three hours of the debate.

Palm oil is an edible vegetable oil derived from the fruit of the oil palm tree. It can be found in a range of household products, from foods such as pizza and chocolate, to cosmetic products, including leading brands of shampoos and lipsticks. In recent decades, global demand for products containing palm oil has increased substantially. The World Wide Fund for Nature estimates that palm oil is present in as many as 50% of packaged products purchased in the UK each week.

The debate is taking place in response to a petition calling for a ban on the sale of products in the UK containing unsustainably sourced palm oil. It was created by Jessica Wilkinson after she watched the BBC documentary series “Orangutan Diary”, which was first broadcast back in 2007. Support for the petition skyrocketed after an Iceland advert detailing the effects of the palm oil industry on orangutans became a viral sensation online. It went from just a few thousand signatures to almost 100,000 in just a few days. Iceland’s initial tweet presenting the video received more than 92,000 retweets and 100,000 likes, and the advert has been viewed 5.6 million times on Iceland’s YouTube channel.

Clearcast, the body responsible for clearing adverts on behalf of the four major commercial broadcasters, ruled that the advert was not suitable to air. That actually helped bring attention to this cause, because the advert was viewed millions more times than it would have been had it not been banned. I thank Clearcast for bringing attention to the debate, which I will use to highlight a number of issues about the impact of the palm oil industry on biodiversity, the wider environment and human life in affected areas, and what we legislators can do to improve the situation.

On animals, oil palm trees can be cultivated only in tropical climates; consequently, rain forest environments across regions of Asia have become prime locations for palm oil production. Areas of Latin America and west Africa also contribute to global production, with Indonesia and Malaysia in particular becoming the world’s main exporting countries; they alone account for as much as 90% of the world’s oil palm trees. These areas are some of the most species-rich habitats on the planet, and the implications of palm oil production for animals there

are devastating. The jungles of Borneo and Sumatra are home to thousands of unique animal species, and are the only place on earth where certain species of tigers, rhinoceroses and pygmy elephants can be found.

The orangutan has suffered the greatest impact. A 2015 United Nations Environment Programme report said that Bornean orangutans face extinction due to the unsustainable rates of deforestation across the island, while the International Union for Conservation of Nature now describes orangutans as critically endangered. A scientific study published in *Current Biology* indicated that in the past 16 years, more than 100,000 of these beautiful creatures—more than half their overall number—have died as a direct result of deforestation due to palm oil. Many other species are also affected by these developments, including the sun bear and the clouded leopard.

On the environment, deforestation for the purpose of planting oil palm trees has substantial implications for the future of climate change. In Indonesia and Malaysia alone, the area of forest cultivated for growing oil palm trees and palm oil production has increased from 2.6 million hectares in 1990 to more than 15 million hectares in 2014. One of the most direct consequences of that is the damage done to the environment through the increased emission of greenhouse gases. The general consensus, arrived at on the basis of scientific evidence and fact, is that tropical forests account for the storage of approximately 46% of all terrestrial carbon on earth.

Consideration must be given to the environmental impact of the production process, and the emissions associated with plantation management and mill operations. One of the most effective methods of deforestation of the tropical jungle is burning down trees and replacing them with oil palm plantations. Equatorial Asia alone accounts for more than 10% of all global emissions caused by burning vegetation.

That brings me neatly on to the effect on people. Those fires have severe consequences for human life; air pollution is a major problem across the region. In 1997 alone, hospitals in Singapore recorded an increase of as much as 30% in hospital admissions for haze-related conditions. Haze events occur as a direct consequence of extensive forest fires. In 2015, Malaysia and Singapore experienced the longest haze event on record, which lasted as long as three months. A 2017 European Commission study estimated that those countries may have experienced more than 100,000 excess deaths in 2015 alone, as a direct consequence of that event.

Secondly on the industry’s effect on people, there has been a rising number of disputes over land ownership. Several cases have been reported of large palm oil producing companies being given preferential access to areas of land over indigenous populations, who have been displaced despite their long-standing generational and cultural ties to the area. That has been a global issue, with cases documented in Malaysia, Papua New Guinea, Cambodia, the Philippines, Nigeria, Liberia, Cameroon and Colombia, and specifically Indonesia; its national land bureau estimates that disputes relating to the palm oil industry in 2012 alone accounted for as many as half of the country’s land conflicts.

Finally, the industry, while providing employment for many people and being a huge part of local economies, has been connected with alleged exploitation of child and forced labour for the purpose of profiteering. The

[Luke Hall]

United States Department of Labour lists palm oil produced in Malaysia as a product of forced labour; in Malaysia, Indonesia and Sierra Leone, the industry also exploits child labour.

As legislators, we need to ask what our response to this issue should be. It is important to remember that criticism of industry in and of itself is not universal. It is a vital component of the economies of those countries, and the livelihoods of many people are supported and maintained by the production and export of palm oil and associated goods. Academics and anthropologists have suggested that a total ban on all products containing palm oil, such as the one implemented by supermarket chain Iceland, may in fact be detrimental to addressing the damage that unsustainable palm oil production causes. They argue:

“Environmentally conscious consumers should demand palm oil from certified sources, but avoiding it altogether runs the risk of putting pressure on other crops that are equally to blame for the world’s environmental problems.”

In fact, Greenpeace has argued that it is not opposed to palm oil in and of itself. The solution has to be to look at how, specifically, we can reduce the impacts of deforestation, and consequently support more sustainable approaches.

WWF has been in discussions with me about the recommendations that it has put forward: first, to work with the private sector to address the deforestation risks in its global supply chains—the Government should consider demanding high environmental standards in any future trade deals with countries across the world that are harvesting palm oil—and, secondly, to bring forward an environment Bill that sets out a strong legal basis for the recovery of our environment and the reduction of our global impacts.

I have described the impact that unsustainable palm oil has on animals, the environment and people, and how legislators and the Government could proceed. It is clear that greater global effort must be made to end the practice of producing unsustainable palm oil, so I would like to put some points and questions to my hon. Friend the Minister before I conclude. First, although the Government have made considerable progress in relation to ensuring 100% sourcing of credibly certified palm oil, there is still progress to be made. That is despite the excellent work that the Minister has been doing, so can she outline when the 100% threshold is likely to be met? Secondly, what steps are the Government taking to build on the work of the Roundtable on Sustainable Palm Oil and encourage those nations to address the issues associated with unsustainable palm oil through international aid, diplomatic measures and other tools that Governments have at their disposal? Thirdly, how are this Government highlighting the commitments of countries to create reductions in greenhouse gas emissions under the 2015 Paris climate change agreement, and highlighting how that can be achieved in short order?

I say to the Minister that there is support for the Government taking action to ensure that this vital industry is sustainable for the long term, and to protect animals, the environment and the people around the world who rely on it. We will never be forgiven if we allow the extinction of more species on our watch. I look forward to hearing from the Minister what more the Government can do.

4.42 pm

John Mc Nally (Falkirk) (SNP): It is, as always, a pleasure to serve under your chairmanship, Mr Davies. I express many and sincere thanks to the hon. Member for Thornbury and Yate (Luke Hall) for securing this debate on the sale of products containing palm oil, and congratulate him on getting through his speech.

I thank the hon. Gentleman for his contribution to such an important discussion. He has much more in-depth knowledge than me, although I am glad to have this opportunity to speak on an issue that is becoming more and more apparent in everyday life. What comes over loud and clear is that, for the planet’s sake, we must say no to palm oil. At a time when it is more important than ever to protect our environment, we have a widely used substance that is directly linked to catastrophic deforestation, habitat degradation, climate change, animal cruelty and indigenous rights abuses in the countries in which it is harvested.

As a highly versatile conditioning agent, palm oil is the world’s most commonly used vegetable oil and roughly half of all packaged products in our supermarkets contain it, yet most people will have little idea of how it is produced. I believe that palm oil could be described as “the new plastic”, because of the damage that its production and everyday use do to the environment. Phasing it out will be a victory in the fight to save our rainforests and to protect wildlife—in particular, orangutans and Sumatran tigers, both of which are endangered species. It is estimated that there are only about 400 Sumatran tigers left in the wild. Both those wonderful species are put at needless risk through the production of palm oil.

The production of this substance epitomises all the worst things that humans are doing to the planet, and I hope that we are beginning to take notice. I applaud the frozen food retailer Iceland for its stance: it is committed to phasing out palm oil from 130 of its own-brand products until such time as there is a reliable global certification scheme that prevents deforestation. What struck me about this issue is the need to raise public awareness of it. That is why high-profile campaigns such as Iceland’s are crucial. It encouraged people to sign a petition on the use of palm oil. This petition was a worthy one to sign, as we can all see from the amounts of correspondence that we have had from our constituents.

As consumers, we can help to stop palm oil expansion by sourcing products that do not contain this substance and we must continue to put pressure on the companies that use it. Research by YouGov in March 2017 found that although 77% of respondents had heard of palm oil, there was a huge lack of clarity among the majority of people on whether it was being produced sustainably. Although palm oil may be all around us in everyday products, consumer awareness of its impact on the environment is scarce.

Some digital tools are being produced to allow shoppers to avoid palm oil or choose brands that use oil from certified sources—a huge step in the right direction. One example is the World Wildlife Fund palm oil buyers scorecard. On the awareness front, we can only applaud a company such as Iceland for its pledge to ban products with palm oil from its stores, but we need more big brands and suppliers to follow its lead. Last week, I met representatives of Waitrose at Westminster and I

brought up the subject of palm oil in its products. Although it is doing everything it can to produce a reliable supply chain and it is making strides, it still has concerns about where it sources its goods from. Additional good news is that the Norwegian Parliament has voted to make Norway the world's first country to ban its biofuel industry from importing this substance, starting in 2020. Green campaigners have celebrated that move as a victory, but as the hon. Member for Thornbury and Yate said, there is still much more to do. We are at a pivotal moment and we must strike now.

Thanks to respected environmentalists such as David Attenborough—I hope we find another one very quickly—there is a willingness to take conservation very seriously. As we have touched on today, palm oil is a vegetable oil extracted from the fruit of oil palms and used in everything from food to cleaning products and fuel. By the way, I do not mean that there is anything wrong with David Attenborough; I just think that we need more people out there. He is doing an awful lot of work on his own and I think that he needs the support of many other people. I know that, on the ground, there are people coming through. I think that we need to promote them more and more, to get the message out.

The oil palm is mostly grown in Africa, Asia and North and South America. Thank goodness that in January 2018 the European Commission decided that the use of palm oil in biodiesel was to be phased out and banned as of 2021. Indonesia and Malaysia have voiced great displeasure, as this has been a huge market for them. They are the largest and second largest producers in the world respectively, producing 85% of the world's palm oil, and the EU is one of the world's largest importers. As of 2018, half the EU's palm oil imports were being used for biodiesel. Such has been the outcry that the Malay Government lobbied the UK Government to oppose the ban, threatening to withdraw arms orders from UK companies. I think that I am right in saying that since the ban was announced, the UK has been lobbying for a planned EU-Indonesia trade deal. Perhaps the Minister can comment on that later.

Meanwhile, companies such as Unilever, the world's largest palm oil buyer, use it for pharmaceuticals, chemicals, animal feed and processed foods and ingredients. It is looking into a sustainable palm oil strategy for its entire supply chain, which of course is good news. It plans to source all its raw palm oil from sources that meet RSPO certification standards, or standards that have been verified as equivalent by an independent third party, by 2019. That is crucial; it must be done by more companies and done in a hurry.

Cargill is, I believe, a company that uses palm oil in animal feed and processed food ingredients. It is an early member of the RSPO and implements a full supply chain sustainability plan with the help of The Forest Trust. Meanwhile, Fairtrade palm oil production has begun. There is a non-profit collaboration between stakeholders from the palm oil industry, and environmental and social non-governmental organisations, to develop and implement global standards for sustainable palm oil.

While it is good that the palm oil problem is being looked at and ways forward discussed, we must ensure that there is no room for companies to find a way around green safeguards. The RSPO certification scheme has been criticised for its loopholes. For example, forest

areas can still be cleared so long as they are not designated “high conservation value forest,” but the definition is far too vague and subject to interpretation. Companies can also buy sustainability credits, which let producers of unsustainably produced oil sell it as sustainable if they contribute towards an agricultural training fund. About 21% of the world's production was covered by this arrangement in 2017. In addition, the EU is the only market where certified oil has been in high demand. Most of the oil produced is consumed in Asia.

Other hurdles include the risk that focusing on palm oil alone will only drive manufacturers to use other edible oil sources that are just as bad. Like the EU biomass ban, it could also send a message to producers that there is no point in adopting sustainable practices. This is a complex situation and difficult conversation, but we must face up to it. It urgently needs our attention and a solid plan to combat the assault on our planet. It must be brought to public attention that everyday choices made while shopping have a much wider impact. The message to producers must be that the mass use of palm oil cannot continue as at present, and a greener way must be found for the good of us all and future generations.

The world wants to change. More young people than ever are engaged in green issues, but we, the decision makers in this place, need to continue to raise awareness and make demands. We must never assume that big companies will adhere to doing the right thing. I look forward to the Minister's reply.

4.51 pm

Sandy Martin (Ipswich) (Lab): It is a pleasure to serve under your chairmanship, Mr Davies. I congratulate the hon. Member for Thornbury and Yate (Luke Hall) on his excellent speech. I agreed with much that was said by the hon. Member for Falkirk (John Mc Nally). I welcome the debate engendered by this e-petition, and congratulate its proposers and everyone who signed it.

We have heard plenty of evidence that the amount of palm oil being produced is increasing, the amount of land used for its production is increasing, the amount of deforestation taking place in order to make that land available is increasing, and the environmental, biodiversity and health effects of that deforestation are increasing. If we care about having an area of rainforest the size of a football pitch cleared every 25 seconds in Indonesia alone; if we are at all troubled by the race to extinction of the orangutan and a whole host of other creatures, some of which are probably yet to be identified; if we are sickened by the bullying, intimidation and violence that are driving inhabitants off their land, and poisoning their water and their air, we must first ask ourselves what we can do differently.

Whatever regimes and arrangements are currently in place to attempt to ensure that palm oil comes only from sustainable sources, and whatever the various reports from various bodies might say, the evidence is there in plain sight that the depredation on the world's rainforests continues. We can all be delighted that in 2012, the Department for Environment, Food and Rural Affairs pledged to work towards 100% UK sourcing of credibly certified, sustainable palm oil by the end of 2015. However, while the Government's response to this e-petition claims that “substantial progress” has been made—there is a fairly impressive list of declarations

[Sandy Martin]

signed and commodity user groups set up—I do not think that the Minister will try to claim that all the palm oil used in all the products consumed in the UK is currently sourced from genuinely sustainable palm oil plantations.

Palm oil is by far the most prevalent form of oil in processed foods in this country. Many people and organisations would like to campaign for a total ban on all palm oil in this country. Those of us who have had the opportunity to watch the advert promoted by Iceland as part of its decision to rule out palm oil would feel moved to agree as an initial reaction, but under the present circumstances it would not be feasible to halt the production and use of all palm oil, at least in the short term. There does not appear to be conclusive evidence that palm oil cultivation is inherently more damaging to the environment than any other crop. Serious, in-depth analysis of the total sustainability of various cultivation regimes, in order to identify which practices in the cultivation of palm oil are more damaging than others, would help to achieve more sustainable international agriculture.

It is certainly not the case that deforestation is the only reason why palm oil might have an unacceptable effect on the environment. I am certain that those who are campaigning against all use of palm oil will not be satisfied with any so-called sustainable palm oil accreditation that is not based on scientific and objective measurement of all the possible detriments that palm oil cultivation might involve.

The current definition of sustainable palm oil is based on the standards and criteria laid down by the Roundtable on Sustainable Palm Oil. That body has over 400 members, the majority of which are from the palm oil industry—businesses involved in the import of palm oil or businesses involved in the sale of products that contain palm oil—as well as banks and other organisations that are investors in the palm oil industry. So far as I can tell, of the 400 members, only five have no vested interest in the continuation of the palm oil industry. I am not suggesting that the roundtable is not genuine in its concerns about the environment or that its definition of sustainability is not motivated by a deep concern for the environment, human rights or the biodiversity of our planet, but I am certain that some considerations have not been made, because those organisations that would have been able to consider them, including scientific bodies that monitor environmental detriment, have not been involved. However genuine the concerns of the RSPO might be, environmental campaigners who are opposed to the use of palm oil will not believe any definition of sustainability that emanates from such a body.

I have a few questions for the Minister. What more have the Government done to try to reach the 100% goal, which was laid down by DEFRA to be achieved by 2015? What plans does her Department have to reform the RSPO or to set up an additional body to produce a definition of sustainable palm oil that might command the respect of campaigners and the general public? How can her Department ensure that an effective, independently-led and scientific audit trail is done of the current sources of palm oil consumed in this country, rather than relying on the assurances of those who have

a vested interest in giving assurances? Will her Department investigate the effectiveness of other nations' adherence to their promises, so that we can determine where the responsibility for the continuing destruction of our rainforests lies?

The Government say that they wish to halt deforestation by 2030. The world is not even going in the right direction. Following the current trend, if deforestation does halt in 2030, it will be because there are no forests left to deforest.

4.58 pm

The Parliamentary Under-Secretary of State for Environment, Food and Rural Affairs (Dr Thérèse Coffey):

Thank you, Mr Davies. It is a pleasure to respond to this debate. I congratulate my hon. Friend the Member for Thornbury and Yate (Luke Hall) on leading this debate on behalf of the 89,802 signatories of e-petition 219758. The Petitions Committee was generous to grant a debate on a petition that did not meet the threshold of 100,000 signatures.

We have heard some good points about the unsustainable trade in palm oil, its links to deforestation, and the associated loss of habitats and species. I want to make it clear that the Government are absolutely committed to taking the action that is needed and to showing the required leadership to support business, Governments and civil society to tackle deforestation and the associated impacts on some of the most iconic species and habitats on Earth.

Between 1990 and 2015, it is estimated that the world's forest decreased by an area equivalent to 11 times the size of England. It is the tropical forests that are most in decline, predominantly in south-east Asia, Africa and South America. Palm oil development causes less than 0.5% of global deforestation, but in parts of the tropics it can account for as much as half. It is suggested that more than 90% of global industrial-scale oil palm planting is in Malaysia and Indonesia. The increasing global demand for palm oil has led to rising production and rising deforestation rates. We recognise that that demand is unlikely to decrease.

I understand and share the concerns of my hon. Friend the Member for Thornbury and Yate about the use of palm oil and the impact of its use on biodiversity—specifically the impacts he mentioned, such as the loss of forest habitat for orangutan populations. Such impacts are well known, but other impacts such as air pollution and greenhouse gas release caused by using fire to clear land, while discussed less regularly, are no less serious.

Despite those impacts, palm oil offers many benefits and is incredibly versatile. It is solid at room temperature so it can be used for spreads; it is resistant to oxidation so it can give products a longer shelf life; and it is odourless and colourless, which gives it a huge range of uses, as has already been said.

Palm oil also has an extremely high yield, which is six to 10 times higher than other vegetable crops. Although it uses just 10% of the area used globally to grow vegetable crops, it produces more than one third of the world's vegetable oil. That high productivity means that if palm oil were replaced with alternative vegetable oils, it would result in a significant increase in the global area used to grow vegetable oils, with a correspondingly worse effect on biodiversity. For those reasons, I agree

with my hon. Friend that a ban is not the answer. Palm oil can be produced in a more sustainable way and the UK is helping to bring about that change.

What are we doing domestically? The UK has been one of the leading importer countries in terms of encouraging the move to the certified sustainable sourcing of palm oil. Since 2011, we have worked with trade associations, non-governmental organisations and others to encourage the switch to the sustainable sourcing of palm oil. During that time, significant improvements have been made.

Hon. Members will be aware of the UK statement on the sustainable production of palm oil, which was signed by trade associations, NGOs and the Government in 2012. It aimed to achieve the 100% sourcing of credibly certified sustainable palm oil. I have been trying to get an accurate figure about where we are on that from my officials. My understanding is that the latest report from the UK roundtable suggests that it has increased from 16% to 75% in 2017. We will continue to report annually on progress.

In response to the concerns of UK companies, the Government have widened our support of industry-led efforts to cover other commodities. Earlier this year, we launched a roundtable on sustainable soya, which reflects the UK's imported land footprint from that globally traded commodity.

In reality, if we are going to sort the issue out, we will have to work internationally. The UK Government are actively engaging internationally to improve the sustainability of palm oil production. We are a member of the Amsterdam declarations partnership, which aims to eliminate deforestation from agricultural commodity chains with European countries. We support the ambition of a 100% sustainable palm oil supply chain in Europe.

We also support the Tropical Forest Alliance, which is a public-private initiative with more than 140 member organisations that is taking deforestation out of supply chains for palm oil, pulp and paper, beef and soya. It is having a significant impact on enabling the conditions for sustainable palm oil development and the realisation of zero deforestation sourcing and production commitments. In west Africa, the Tropical Forest Alliance's support has resulted in the engagement of 10 countries in its Africa palm oil initiative, which sets out a framework for the sustainable development of the palm oil industry in the west and central Africa regions that addresses the environment, jobs, rights, gender equality and other core sustainability issues.

The Government's 25-year environment plan sets out our ambition to support and protect the world's forests by supporting sustainable agriculture and zero deforestation supply chains, including for palm oil. In line with the commitments set out in the plan, I launched the global resource initiative in October, which is a joint departmental project to tackle the UK's impact on the global environment. We are working with stakeholders, including the private sector and key NGOs such as the WWF, to create demand-side incentives for sustainable international sourcing at home, while supporting supply-side improvements and better resource governance in trading partner countries.

Through the UK's Partnerships for Forests programme, we are providing support for sustainable trade in palm oil. A lack of operational standards has been a significant barrier to realising corporate zero deforestation commitments. The support provided through the programme to the high carbon stock approach has helped to define a standard that is supported by industry and civil society. To date, the application of the high carbon stock approach by palm oil companies has resulted in the assessment of more than 2.4 million hectares of land in west Africa and south-east Asia. More than 0.5 million hectares of high carbon stock forest have been identified for conservation. This year, the high carbon stock approach was integrated into the Roundtable on Sustainable Palm Oil, which will further accelerate its uptake as an industry standard and ensure that the RSPO can certify palm oil to a deforestation-free standard.

The UK is doing more than ever to support the production of sustainable palm oil, but we can always do more and we seek to do more. I reiterate that we take individual action. This weekend, in Katowice, I met the Minister from Indonesia and we discussed this issue, among several others. I was reassured that they are trying their best to make sure that they can honour the commitments that they are signing up to, but none of us underestimates the challenge that they face.

On the other questions, I would be grateful if my hon. Friend and other hon. Members present recognised that we cannot do this singlehandedly. We are acting domestically, but we will continue to press for global and concerted action across all areas to ensure that we are successful. That is why we will continue to support business, other Governments and civil society to develop methods of production that are environmentally, socially and economically sustainable. We will continue to act on that, so we can genuinely do our best to leave the global environment in a better condition for the next generation.

5.6 pm

Luke Hall: I think there is genuinely a bigger passion for this subject than the turn-out for the debate suggests, but I am delighted to have the opportunity to wind up in front of all three Front-Bench speakers.

We recognise that the Government cannot tackle the issue singlehandedly. The work of the Government and the Minister to encourage those relationships around the world, and to encourage other Governments to take action on the issue, is widely appreciated. It is reassuring to hear that the Minister was speaking to Indonesian Ministers and counterparts as recently as this week. I look forward to working with her and supporting the Government on the issue in the months and years ahead. I thank her for her work and for her answers.

Question put and agreed to.

Resolved,

That this House has considered e-petition 219758 relating to the sale of products containing palm oil.

5.7 pm

Sitting adjourned.

Written Statements

Monday 10 December 2018

BUSINESS, ENERGY AND INDUSTRIAL STRATEGY

Limited Partnership Law

The Secretary of State for Business, Energy and Industrial Strategy (Greg Clark): The Government have published their response to their consultation on the reform of limited partnership law.

A key theme of the UK's industrial strategy is ensuring the UK has a world-leading business environment, which holds the confidence of investors, employees, consumers and the public. An important element of this is the provision of a range of business structures through which a variety of commercial objectives can be achieved.

Limited partnerships play an important role in private fund structures used by private equity, real estate and infrastructure managers. In recent years however it has been reported that limited partnerships in some circumstances have been used for illicit purposes. The Government recognise that robust action is required.

The reforms set out in the Government's response include: tightening of registration requirements for limited partnerships, ensuring that those applying to register limited partnerships demonstrate that they are registered and supervised by an official anti-money laundering supervisor; requiring limited partnerships to demonstrate a firmer connection to the UK; increasing transparency requirements; and enabling the Registrar to strike from the companies register limited partnerships which are dissolved or which are no longer carrying on business.

The Government have worked closely with industry in developing these reforms and considers that they strike the right balance between preventing the abuse of limited partnerships while ensuring they remain attractive to legitimate commercial activity.

The reforms require primary legislation and the Government will legislate when parliamentary time allows.

The Government response will be deposited in the Libraries of both Houses.

[HCWS1160]

TREASURY

Anti-money Laundering and Counter-terrorism Financing regime

The Economic Secretary to the Treasury (John Glen): The UK is one of the world's largest and most open economies, and a leading global financial centre. That brings it with the heightened risk of illicit financial flows from money laundering and terrorist financing. The Government are committed to tackling the threat that this presents to our security and prosperity. The

Government have taken robust action over recent years to clamp down on illicit finance, protecting our citizens and helping legitimate businesses to thrive.

The Financial Action Task Force (FATF) is the global standard setter for anti-money laundering and counter-terrorist financing (AML/CTF). The FATF published its mutual evaluation report of the United Kingdom on Friday 7 December. The report recognises that the UK's AML/CTF regime is the strongest of the over 60 countries assessed by FATF and its regional bodies to date.

The UK received the highest rating possible in four out of the 11 areas of the report, and received a rating of "substantial" in a further four areas. In particular, the report highlights the UK's efforts on:

- Taking significant steps to understand and coordinate the UK's response to the threat of illicit finance, including publishing two national risk assessments in 2015 and 2017;

- Working with international partners to tackle illicit finance, through a strong legal framework and a liaison network spanning over 160 jurisdictions;

- Aggressively investigating and prosecuting money laundering, with over 1,400 convictions a year, and adopting new tools such as unexplained wealth orders;

- Using all available measures to disrupt terrorist financing, including criminal justice measures, confiscating funds, and financial sanctions;

- Preventing the misuse of companies and trusts, and acting as a global leader by adopting a public register of company beneficial ownership and a register of trusts with tax consequences;

- Promoting effective global use and implementation of financial sanctions against terrorists and against proliferation of weapons of mass destruction;

The Government recognise that there is more to be done and is progressing with a series of measures to redouble its fight against economic crime.

The National Economic Crime Centre (NECC), housed within the National Crime Agency, has recently been launched. Tasked with co-ordinating the national response to economic crime, the NECC will ensure operations achieve the greatest sustained impact on threats the UK faces, and will lead a new approach to economic crime in the UK.

In line with this, the UK will take forward its ambitious reform of the suspicious activity reporting regime. This will provide an improved IT system to help the UK's Financial Intelligence Unit (UKFIU) process, analyse and distribute the nearly 500,000 SARs received annually by UKFIU, and will also drive up the quality and use of SARs across the UK's system. The NCA is increasing the staffing of the UKFIU by more than 30% this year, with further increases envisaged in future years.

The Government plan to legislate in 2019 to introduce a register of beneficial ownership for overseas entities which own or purchase UK property, which is being developed by the Department for Business, Energy and Industrial Strategy (BEIS). The Government also plan to take further action to mitigate the risks presented by the misuse of limited partnerships, in line with the consultation response published today by BEIS. In addition, BEIS will look further at controls over who registers companies in the UK, what information they have to provide, and how assurance is provided over that information.

The 2017 National Risk Assessment noted the steps that UK supervisors are taking to strengthen their approaches and collaboration in the fight against illicit

finance. Complementing this ongoing work, the Government launched the office for professional body AML supervision (OPBAS) earlier this year, which will continue its work with supervisors to help improve standards and consistency across the UK's regime.

The FATF report underlines where more work can be done and will help to focus these efforts over the coming years. The Government are considering the recommendations in the report and will publish their response to these in due course.

A copy of the report has been deposited in the Libraries of both House.

[HCWS1162]

DEFENCE

Type 31e Frigate

The Parliamentary Under-Secretary of State for Defence (Stuart Andrew): I am pleased to inform the House that the Ministry of Defence (MOD) has taken a major step forward in the competition to build five Type 31e frigates.

On 10 December 2018 the MOD awarded three contracts for the competitive design phase. The contracts have been awarded to consortia led by BAE Systems, Babcock and Atlas Elektronik UK and are valued at up to £5 million each.

The competitive design phase is the first stage of the design process which will allow suppliers to demonstrate how they can deliver the Royal Navy's threshold capability by the target date and within budget. These contracts will fund industry to prepare detailed proposals for the design and build of the five Type 31e frigates.

Concurrent with the award of the competitive design phase contracts, the MOD has issued to each consortium an invitation to negotiate for the single design and build contract that we intend to place by the end of 2019. Conducting the competitive design phase in parallel with the design and build contract negotiations will allow the award of the design and build contract earlier than would be normally be the case in a major procurement.

It remains our intention to seek a firm price contract for five ships, less an amount of Government furnished equipment, for £1.25 billion, giving an average price of £250 million per ship. We want the first ship in 2023, with all five ships delivered by the end of 2028. The Government remain committed to a surface fleet of at least 19 frigates and destroyers.

This contractual milestone is a tangible and positive result of the national shipbuilding strategy published in September 2017. The strategy sets out how the Government intend to work with industry to develop a strong and globally competitive UK shipbuilding and marine engineering sector. The Type 31e procurement is seeking to maximise the UK prosperity and export potential, without compromising on cost and time.

The award of the competitive design phase contracts is a testament to the MOD'S positive engagement with industry and the commitment to move the programme forward.

[HCWS1161]

EXITING THE EUROPEAN UNION

General Affairs Council, December 2018

The Parliamentary Under-Secretary of State for Exiting the European Union (Mr Robin Walker): Lord Callanan, Minister of State for Exiting the European Union, has made the following statement:

I will attend the General Affairs Council in Brussels on 11 December 2018 to represent the UK. Until we leave the European Union, we remain committed to fulfilling our rights and obligations as a full member.

The provisional agenda includes:

Multiannual financial framework 2021-2027

Ministers will discuss progress on the multiannual financial framework (MFF) proposals with the presidency which should ensure that leaders will be in a position to discuss the MFF at the European Council meeting in December.

Eighteen-month programme of the Council

Ministers will endorse the eighteen-month work programme of the incoming trio of the presidencies of Romania, Finland and Croatia. The programme will set out the Council of the European Union's activities from 1 January 2019 to 30 June 2020.

Preparation of the European Council on 13-14 December 2018 and European Council follow-up

The Council will discuss the draft conclusions for the December European Council. The conclusions are expected to cover the multiannual financial framework, the single market, migration and external relations. The presidency will provide Ministers with an update on progress in implementing previous European Council conclusions.

Outcome on the conference on subsidiarity on 15-16 November 2018

The presidency will provide information on the outcome of the conference on subsidiarity. In those areas which do not form part of the EU's exclusive competence, the principle of subsidiarity means that action should only be taken at EU level when the desired objectives cannot be effectively achieved by action taken at national or regional level.

Rule of law in Poland—article 7(1) TEU reasoned proposal

The Council is expected to hold a third hearing under article 7(1) TEU on the rule of law in Poland.

Values of the Union—Hungary | Article 7(1) TEU reasoned proposal

Ministers will discuss the article 7(1) procedure in relation to Hungary.

European semester 2019—annual growth survey

The Commission will present the results from the annual growth survey which will support the strengthening of economic policies across the EU.

[HCWS1164]

HOUSING, COMMUNITIES AND LOCAL GOVERNMENT

Rough Sleeping

The Secretary of State for Housing, Communities and Local Government (James Brokenshire): Following the publication of the Government's Rough Sleeping Strategy on 13 August this year, on Saturday I published a delivery plan setting out the progress made so far on tackling rough sleeping, and further detail on how we intend to deliver the 61 commitments made in the strategy. I have also announced our plans for the remaining

£11 million of the 2019-20 Rough Sleeping Initiative funding, which will be targeted at local authorities not funded through the Rough Sleeping Initiative this year.

Delivery plan

The Rough Sleeping Strategy is a £100 million package of commitments focused around prevention, intervention and recovery: introducing necessary policies and programmes to help those who find themselves on the streets today, and laying the groundwork for our 2027 vision in which rough sleeping is prevented and those who do find themselves at crisis point are quickly supported into settled accommodation with appropriate support. It is a cross-Government effort, with contributions from seven Departments, all focused on achieving our commitment to halve rough sleeping by 2022 and end it by 2027.

The delivery plan sets out detailed progress on many of the key commitments made in the strategy, including our new rapid rehousing pathway, which brings together funding for new specialist navigators, local lettings agencies, supported lettings, and our new Somewhere Safe to Stay rapid assessment hubs. It provides an update on ongoing work such as the Rough Sleeping Initiative and the three Government-backed Housing First pilots. It sets out key milestones and expected delivery dates for each of the 61 commitments made, and also highlights just a few of the projects we have funded, and people we have already helped.

The delivery plan sets out further detail on the expert adviser team we have put in place to deliver the Rough Sleeping Initiative, with combined experience across central and local government, housing associations, frontline services and the voluntary sector. Since their appointment this summer, our specialist advisers have been working closely with local authorities and visiting them regularly, supporting them to mobilise funding and get new projects up and running. The Rough Sleeping Initiative advisers will continue to work closely with local authorities over the coming months to monitor and maximise the impact of the initiative, as well as feeding back the challenges faced on the ground, enabling us to be responsive to changing circumstances.

In the strategy, we were clear that the work set out thus far is the first step towards achieving our goal, and as such committed to publishing an annual update to the strategy. In this delivery plan, we confirm that this annual update will comprise an update on progress, detail of any new programmes or policies we are bringing forward, and an updated delivery plan for the coming year.

Further £11 million for the 2019-20 Rough Sleeping Initiative

In the strategy we announced £45 million of funding for the Rough Sleeping Initiative next year, in addition to the £30 million funding provided this year. In September we provisionally allocated £34 million of that funding to the areas who have been part of the initial phase of the Rough Sleeping Initiative. The remaining £11 million will be focused on those areas which have not yet been funded through the Rough Sleeping Initiative, which can demonstrate that they are developing partnerships, plans and effective interventions to achieve the goal of reducing the numbers of people sleeping on the streets of their area. Local authorities that already receive Rough Sleeping Initiative funds could apply only as part of a partnership bid across local authorities.

The Rough Sleeping Initiative will have direct oversight of how this funding is delivered. This tailored approach will ensure interventions are planned on the basis of need, the existing provision and service gaps in each area and that funding is directed to the places where it will have most impact.

The types of interventions we expect to fund include increased outreach provision, floating support, and accommodation options to help rough sleepers off the street.

Over the next few weeks, local authorities will submit initial bids and the expert Rough Sleeping Initiative adviser team will then help to refine proposals before final bids are submitted in February.

[HCWS1166]

INTERNATIONAL DEVELOPMENT

Global Compact for Migration

The Minister for the Middle East (Alistair Burt): I am writing to update the House on the UK's endorsement of the global compact for safe, orderly and regular migration, which we will announce at the intergovernmental launch event in Marrakesh on 10 December.

Overview

Well-managed migration is in everyone's interests. But uncontrolled migration erodes public confidence, damages economies, and places people on the move in situations of great vulnerability. The UK is taking significant steps, including with our ODA-funded programming, to tackle uncontrolled migration by:

- Addressing the root causes of migration, through our targeted assistance for livelihoods, healthcare, education and economic development;

- Tackling modern slavery and organised immigration crime;
- Supporting enhanced border management overseas;

- Providing critical humanitarian support and protection for vulnerable migrants, as well as offering voluntary return and vital reintegration support to those wishing to return home; and

- Supporting refugees to stay in a first safe country through our humanitarian and development work in Africa, the Middle East and Asia.

The global compact for migration embeds these efforts within the international system and enhances co-operation between states whilst reaffirming the sovereign right of all countries to control their own borders. The compact is not legally binding. It creates a framework to allow countries to work together to make global migration more beneficial for everyone.

UK endorsement of the global compact for migration

On 10 December, the UK will endorse the global compact for migration (GCM) at the intergovernmental launch event in Marrakesh.

The migration compact marks a major milestone for the international community. No country can address the challenges presented by illegal migration on its own and an agreement on this scale, with the overwhelming support of the international community including endorsements from 165 other UN member states including France, Germany, Canada and Japan, highlights the need for global co-operation.

The compact will not, and is not intended to, affect our continued ability to determine and implement our own migration policy in our national interest. The

compact will not in any way create legal obligations for states, nor does it seek to establish international customary law or further interpret existing treaties or national obligations. It protects every country's right to determine its own immigration policies, including in areas such as asylum, border controls and returns of illegal migrants. The GCM emphasises that migrants are entitled to the same universal human rights as any human being, and does not create any new "rights" for migrants. As a result, the UK does not interpret the compact as being in conflict with its current domestic policies. At the same time, the compact will help us take important steps to keep migrants around the world safe and to protect the most vulnerable, domestically and overseas, who can become victims of modern slavery. The compact also sets out actions to harness the economic benefits of safer, regular migration, for example by reducing the costs of remittances that migrants send home.

I believe the end result serves the UK's national interest. The Prime Minister set out the UK's priorities for global migration reform in 2016 and, taken together, the refugee compact and the migration compact help embed these priorities into global migration governance. In practice, that means a refugee compact that helps ensure refugees can claim asylum in the first safe country they reach. And a migration compact which makes a clear distinction between refugees and migrants, and which sets out a well-managed global migration system confirming the sovereign right of States to control their borders and the clear responsibility of states to accept the return of their nationals who no longer have the right to remain elsewhere.

It also includes proposals which will help the UK make a strong contribution to the delivery of the global sustainable development goals, including through our ODA-funded programming. This includes those relating to orderly, safe, regular and responsible migration and mobility of people; and those intended to eradicate forced labour, modern slavery and human trafficking, and child labour.

Next steps

After the political launch in Marrakesh, the document will need to be adopted by the UN General Assembly in New York. As part of this process, the UK will issue an explanation of position, alongside likeminded EU member states which will publicly capture the UK's interpretation of the text.

[HCWS1163]

TRANSPORT

Crossrail

The Parliamentary Under-Secretary of State for Transport (Andrew Jones): The Government, the Mayor of London and Transport for London (TfL) have today 10 December 2018 confirmed a financing package to deliver the final stages of the Crossrail project and open the Elizabeth line to passengers.

Crossrail Ltd, a wholly owned subsidiary of TfL, announced in August 2018 that the opening of the Elizabeth line through central London would be delayed. Work is ongoing to identify the remaining works required to complete the infrastructure and then commence the extensive testing necessary to ensure the railway opens safely and reliably. Crossrail is a nationally significant

infrastructure project which will add up to £42 billion to the UK economy and will transform travel in, to, and across London.

The Government remain committed to the rapid completion of the project, in a way that is fair to UK taxpayers, and that enables London—as the primary beneficiary of Crossrail—to bear the additional costs. Independent reviews into Crossrail Ltd's assessment of ongoing funding requirements and governance arrangements are being undertaken by KPMG to ensure the right scrutiny and oversight are in place as the project enters its final phase.

The emerging findings of the KPMG reviews into Crossrail Ltd's finances indicate the likely range of additional capital cost due to the delayed opening of the central section could be in the region of between £1.6 billion and £2 billion. That includes the £300 million already contributed by the Department for Transport and TfL in July 2018, leaving between £1.3 billion and £1.7 billion to cover the predicted additional costs of the project.

The Government, the Mayor of London and TfL have agreed a financial package to cover this. The Department for Transport will provide a loan of up to £1.3 billion to the Greater London Authority (GLA). The GLA intend to repay this loan via London's Business Rate Supplement (BRS) and from the Mayoral Community Infrastructure Levy (MCIL). The GLA will also provide a £100 million cash contribution, taking its total contribution for this package to £1.4 billion.

As the final costs of the Crossrail project are yet to be confirmed, a contingency arrangement has also been agreed between TfL and the Department for Transport. The Department for Transport will loan TfL up to £750 million in the event that further finance is required for the project.

This combined financing deal will replace the need for the £350 million interim financing package announced by the Department for Transport in October 2018.

The combined total of the financing arrangements outlined above, means that the overall funding envelope for the project is now £17.6 billion.

Crossrail Ltd appointed Mark Wild as CEO on 19 November 2018. Mark is now conducting an extensive review of the remainder of the programme and will provide clarity in the New Year on the opening date of future phases. Crossrail Ltd are working to establish a robust and deliverable schedule to open a safe and reliable railway. This will also provide greater clarity on the level of additional funding required.

Furthermore, both the Department for Transport and TfL have recommended to the Crossrail Ltd Board that they appoint Tony Meggs as Chair. Tony Meggs was previously chief executive of the infrastructure and projects authority and Head of Government's project delivery function, following a 30 year career in the private sector leading major projects at global, regional and local levels.

To further strengthen the Crossrail Ltd Board, the Department for Transport have accepted TfL's nomination of Nick Raynsford as Deputy Chair. Nick is a former MP and served as Minister for London on two occasions between 1997 and 2003.

[HCWS1165]

ORAL ANSWERS

Monday 10 December 2018

	<i>Col. No.</i>		<i>Col. No.</i>
HOUSING, COMMUNITIES AND LOCAL GOVERNMENT	1	HOUSING, COMMUNITIES AND LOCAL GOVERNMENT—continued	
Adult Social Care.....	7	Local Government Funding.....	11
Carbon-neutral Housing.....	9	Local Government Funding.....	17
Grenfell Tower	16	New Homes	9
Homelessness and Social Housing	15	Rough Sleeping	14
Land Value Capture.....	1	Shared Prosperity Fund	15
Leasehold Reform.....	6	Topical Questions	18
Local Government Funding.....	4	Voluntary Right to Buy Pilot Scheme	13

WRITTEN STATEMENTS

Monday 10 December 2018

	<i>Col. No.</i>		<i>Col. No.</i>
BUSINESS, ENERGY AND INDUSTRIAL STRATEGY	1WS	INTERNATIONAL DEVELOPMENT	6WS
Limited Partnership Law	1WS	Global Compact for Migration	6WS
DEFENCE	3WS	TRANSPORT	7WS
Type 31e Frigate.....	3WS	Crossrail.....	7WS
EXITING THE EUROPEAN UNION	4WS	TREASURY	1WS
General Affairs Council, December 2018.....	4WS	Anti-money Laundering and Counter-terrorism	
HOUSING, COMMUNITIES AND LOCAL GOVERNMENT	4WS	Financing regime	1WS
Rough Sleeping	4WS		

No proofs can be supplied. Corrections that Members suggest for the Bound Volume should be clearly marked on a copy of the daily Hansard - not telephoned - and *must be received in the Editor's Room, House of Commons,*

**not later than
Monday 17 December 2018**

STRICT ADHERENCE TO THIS ARRANGEMENT GREATLY FACILITATES THE
PROMPT PUBLICATION OF BOUND VOLUMES

Members may obtain excerpts of their speeches from the Official Report (within one month from the date of publication), by applying to the Editor of the Official Report, House of Commons.

CONTENTS

Monday 10 December 2018

List of Government and Principal Officers of the House

Oral Answers to Questions [Col. 1] [see index inside back page]
Secretary of State for Housing, Communities and Local Government

Exiting the European Union [Col. 23]
Statement—(Prime Minister)

Business of the House [Col. 71]
Statement—(Andrea Leadsom)

EU Exit: Article 50 [Col. 90]
Statement—(Stephen Barclay)

Exiting the European Union: Meaningful Vote [Col. 114]
Application for emergency debate under Standing Order No. 24

European Union (Withdrawal) Act [Col. 116]
Motion not moved

Tram Safety [Col. 117]
Debate on motion for Adjournment

Westminster Hall
Palm Oil [Col. 1WH]
E-petition Debate

Written Statements [Col. 1WS]

Written Answers to Questions [The written answers can now be found at <http://www.parliament.uk/writtenanswers>]
