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**HOUSE OF COMMONS  
OFFICIAL REPORT**

**PARLIAMENTARY  
DEBATES**

**(HANSARD)**

**Thursday 21 February 2019**

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# House of Commons

*Thursday 21 February 2019*

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

## PRAYERS

[MR SPEAKER *in the Chair*]

## Oral Answers to Questions

### ENVIRONMENT, FOOD AND RURAL AFFAIRS

*The Secretary of State was asked—*

#### Food Waste

1. **Simon Hart** (Carmarthen West and South Pembrokeshire) (Con): What recent steps he has taken to reduce the volume of food waste. [909361]

**The Secretary of State for Environment, Food and Rural Affairs (Michael Gove):** The Government recently launched their resources and waste strategy, which outlines a new approach to addressing food waste. Actions include consulting on introducing regulations to make transparent reporting mandatory for businesses of an appropriate size, and the appointment of Mr Ben Elliot as the food surplus and waste champion to support our strategy.

**Simon Hart:** My right hon. Friend the Secretary of State will be aware that some confusion is caused by disingenuous labelling with “use by” and “best before”, including in one example, on a packet of salt. What progress are the Government making in sorting out this nonsense?

**Michael Gove:** My hon. Friend is right to point out that there can be confusion as a result of labelling. There has been leadership from the very top of the Government in pointing out that, when it comes to salt or jam, it is perfectly possible to consume healthy and nutritious food uninhibited by some of the nanny regulations and pointless bureaucracy of the past, and to eliminate waste.

**Derek Twigg** (Halton) (Lab): What discussions have the Secretary of State or his officials had with local authorities, for instance, about how they can help with this strategy?

**Michael Gove:** We have had extensive discussions with the Local Government Association and the Ministry of Housing, Communities and Local Government. We want to move towards mandatory food waste collection across all local authorities, and we intend to ensure that resources are available to help them to do just that.

**Richard Benyon** (Newbury) (Con): Anaerobic digestion of food waste used to be prohibitively expensive for local authorities, but now there has been a massive drop in the cost so savings are available for local authorities and businesses if they opt for this kind of food waste disposal. What measures can the Government take to promote this as a really good green method of reducing food waste?

**Michael Gove:** My right hon. Friend is absolutely right. Anaerobic digestion can play an important part in dealing with food waste and making sure that we have a truly circular economy. We want to work both with local authorities and with farmers and land managers to make sure that, where appropriate, anaerobic digestion can be expanded.

**Deidre Brock** (Edinburgh North and Leith) (SNP): The Secretary of State will accept that food produced here that cannot go to market in the EU and cannot be sold here profitably will increase food waste. Will he reverse the change in the guidance on protected geographical indications that he issued last week and provide Scotland's high-quality food and drink exporting industry with all the support that it needs to maintain protections across the EU rather than leaving producers to do it themselves all over again?

**Michael Gove:** All the geographical indications that Scotland's outstanding food producers and other producers enjoy will be protected in the future. The real danger to Scotland's food producers is a Scottish Government who are not prepared, I am afraid, to use the Agriculture Bill that is currently before the House to provide our outstanding food producers with the legislative framework that they need. In that respect, I am afraid that the Scottish Government are being negligent, and not for the first time.

**Sandy Martin** (Ipswich) (Lab): The Labour Administration in Wales have instituted household food waste collections across the nation. The anaerobic digestion industry in Wales is flourishing because it guarantees regular feedstock, and the amount of food wasted in the first place in Welsh households has reduced because people are thinking about what they do with their food. Meanwhile, in England, we get yet another consultation to add to the impressive mountain of strategies and consultations produced by the Department. Will the consultation lead to comprehensive doorstep food waste collections in England, will the Secretary of State's Department seek the funding needed to enable local authorities to do the collections, and why will it take England four more years to do something that is already being done in Wales?

**Michael Gove:** Yes, yes, and I yield to no one in my admiration for Wales.

**Mr Philip Hollobone** (Kettering) (Con): A lot of food is destroyed before it even lands on the supermarket shelves. Carrots are not straight enough, tomatoes are not round enough. What is my right hon. Friend doing to promote wonky veg, which is just as beautiful and nutritious on the inside, even if it is not visually appealing?

**Michael Gove:** Since my hon. Friend and I were at college together, both of us have been champions of wonky veg, and indeed other unconventional foodstuffs,

and he is absolutely right: when it comes to food, the search for symmetry and for perfection is vain and, if the House will excuse the pun, fruitless. The true joy of food comes in appreciating the diversity of British food producers and the way in which wonky veg—or even, sometimes, unconventional cuts of meat—can be a source of great nutrition. In that respect, Mr Speaker, may I say that even though it is awful, sometimes it is a good thing to indulge in tripe?

**Mr Speaker:** Well, I must say I rather enjoyed that. I must say to the House that I did exhort the right hon. Gentleman to inject into his answers some philosophy, and I think he has already done that.

### Puppies: Welfare Standards

2. **Nigel Huddleston** (Mid Worcestershire) (Con): What steps he is taking to improve welfare standards for puppies. [909362]

**The Parliamentary Under-Secretary of State for Environment, Food and Rural Affairs (David Rutley):** The ban on third-party sales of puppies and kittens is an important step forward in improving welfare standards for puppies in England. When introduced, the ban will address welfare concerns associated with the sale of puppies by dealers and pet shops. It will also crack down on unscrupulous breeders who operate with little regard for animal welfare.

**Nigel Huddleston:** Will the Minister join me in thanking the Dogs Trust for all the work it is doing on the issue of puppy smuggling, and will the Government do all they can to stamp out this despicable trade, including reviewing border enforcement and the pet travel scheme?

**David Rutley:** I welcome the work of the Dogs Trust to highlight the abhorrent issue of puppy smuggling, and I thank it for its support for a ban on third-party sales. The Department is working in close collaboration with the Dogs Trust to tackle puppy smuggling. Our comprehensive approach to this issue encompasses international engagement, enforcement, public communications and tighter regulation. Looking to the future, leaving the EU will open up new approaches to managing our pet travel arrangements.

**David Simpson** (Upper Bann) (DUP): We all know the welfare of puppies is vital, but will the Minister enlighten us on what his Department is planning to do when it comes to stricter penalties for those who abuse puppies?

**David Rutley:** There are strict penalties available already, but we will be strengthening sentences for real attempts at animal cruelty from six months to five years. We are just waiting for the right time and legislative vehicle to do that. I know that in Northern Ireland there are already strong standards in place.

### Serious and Organised Waste Crime

3. **Andrew Griffiths** (Burton) (Con): What steps he is taking to tackle serious and organised waste crime. [909363]

6. **Jim Shannon** (Strangford) (DUP): What steps he is taking to tackle serious and organised waste crime. [909367]

**The Secretary of State for Environment, Food and Rural Affairs (Michael Gove):** Last year, we commissioned a review of serious and organised crime in the waste sector. Recommendations from the review have informed our strategic approach to tackling waste crime. We have plans to prevent, detect and deter all forms of waste crime, including the creation of a joint unit for waste crime and a dedicated disruption team to deal with the threat of serious and organised criminal gangs.

**Andrew Griffiths:** Landowners, and particularly farmers, across Burton and Uttoxeter have been having to deal with the scourge of industrial fly-tipping. One farmer who I met in Uttoxeter was confronted overnight with a tsunami-like deposit of waste that was chest-height and went on for hundreds of metres. It was he who had then to deal with the consequences—not just cleaning it up, but paying for that. What are we going to do to support farmers, make sure that the perpetrators get caught and help to keep our countryside clean?

**Michael Gove:** My hon. Friend raises an important point and is an indefatigable campaigner for everyone in his constituency. He is quite right not only that fly-tipping is a horrific crime that leads to environmental damage, but that it is doubly unfair for farmers and landowners who have to bear the costs of clearing the waste. That is why we have talked to magistrates and others to ensure that they appreciate that they have unlimited powers to fine those responsible for these crimes.

**Jim Shannon:** I thank the Secretary of State for that response, but will he further outline whether he intends to liaise with the Ministry of Justice to increase the judicial ability in these cases to make examples of those who repeatedly flout the rules, on the basis that the fine for being caught just once is less than the cost of disposing of ten times as much waste? In other words, will he make the fine fit the crime?

**Michael Gove:** The hon. Gentleman is absolutely right: the “polluter pays” principle is central to good environmental management, and we must ensure that every arm of the justice system has the tools required to make sure that those who pollute pay a heavy price for their crime.

**Scott Mann** (North Cornwall) (Con): The cost of skip hire in Cornwall is disproportionately higher than in many other places around the country. The reason for that is that we do not have an aggregates recycling plant. Will the Department look at that and see whether there is anything we can do in Cornwall to reduce the burden on builders?

**Michael Gove:** My hon. Friend makes a good point, and I will liaise with him, and of course Cornwall Council, to see what we can do to improve the situation.

**Mr Barry Sheerman** (Huddersfield) (Lab/Co-op): Did the Secretary of State see the wonderful young people campaigning for the environment and against climate change last Friday? Some of them are in the Gallery today. Can we not harness the enthusiasm of those

young people in tackling waste, waste crime and litter? They are out there plogging—clearing the planet up—so will he put his energy, action and leadership behind those young people?

**Mr Speaker:** I should say to the Secretary of State that I think I am right in saying that a couple of little Sheermanites are observing our proceedings today.

**Michael Gove:** I was going to say that we have recently seen a number of new groups emerging in this Chamber. May I say that I welcome the growing number of Sheermanites in the Chamber? I am tempted to join them myself.

The serious point that the hon. Member for Huddersfield (Mr Sheerman) made is absolutely correct. The idealism shown by our young people towards the environment is inspirational. In particular, we hope that through the Year of Green Action we can support youth and community groups across the country in taking practical steps to improve the environment around us and to raise awareness of the threat of climate change.

### Cats: Welfare Standards

4. **Maria Caulfield** (Lewes) (Con): What steps he is taking to improve welfare standards for cats. [909364]

**The Parliamentary Under-Secretary of State for Environment, Food and Rural Affairs (David Rutley):** Cats are cherished members of our families, and it is important that we do all we can to protect their health and welfare. That is why the Government recently updated the welfare code for cats, which highlights the benefits of microchipping, neutering and other aspects of responsible cat ownership. It is also why we are banning third-party sales of kittens in England, which will prevent dealers and pet shops from selling young cats.

**Maria Caulfield:** In the interests of equality between cats and dogs, will the Minister look at introducing mandatory microchipping for cats, as is currently the case for dogs? Cats Protection says that 62% of cats in shelters are not microchipped, and it would make returning wandering cats to their owners much easier.

**David Rutley:** I know my hon. Friend is a strong campaigner on this issue. The Government strongly recommend that cat owners get their cat microchipped and keep their records up to date. I am pleased that the proportion of cats that are microchipped has grown in recent years. Lost and stray cats do not pose the same public safety risks as dogs. As a result, our focus should be on publicising the benefits of microchipping rather than making it compulsory at this particular time.

### Leaving the EU: Fisheries

5. **Peter Aldous** (Waveney) (Con): What plans he has for fisheries policy after the UK leaves the EU. [909366]

**The Secretary of State for Environment, Food and Rural Affairs (Michael Gove):** The Government's vision for the future fisheries policy as we leave the European Union and once again become an independent coastal state was set out in our July 2018 fisheries White Paper, "Sustainable fisheries for future generations".

**Peter Aldous:** I am grateful to the Secretary of State for that reply. Brexit provides a great opportunity to revitalise the Lowestoft fishing industry, but to do so local fishermen must be able to catch enough fish to earn a fair living for themselves and to supply local merchants and processors. Will the Secretary of State confirm that the Fisheries Bill will deliver the root-and-branch reform that is required to ensure the fair distribution of fishing opportunities?

**Michael Gove:** My hon. Friend makes a very important point. One of the benefits of leaving the common fisheries policy is that we can reallocate quota in such a way as to ensure that the inshore fleet and ports such as Lowestoft get a fairer share of the natural resources in our waters. As my hon. Friend the Minister for Agriculture, Fisheries and Food has pointed out, as well as supporting the inshore fleet, we can also end practices such as pulse fishing, which are environmentally damaging and lead to those who operate out of ports such as Lowestoft being distressed about the way in which other countries have been fishing in our waters.

**Brendan O'Hara** (Argyll and Bute) (SNP): Over the past 40 years, shellfish producers in my constituency have perfected the art of getting fish out of the sea and on to tables in Europe within a matter of hours, so they are dismayed that the Eyemouth fishing and supplies company D. R. Collin & Son has been refused every single ECMT haulage permit it has applied for. Will the Secretary of State explain why fewer than 1,000 of the 11,000 permits that have been applied for have so far been given out?

**Michael Gove:** I will look at the issue. It is important that we make sure that high-quality fresh produce of the kind that the hon. Gentleman's constituents are responsible for landing on our shores reaches appropriate markets. The one thing I would say is that the significant opportunities available to fishers in Scotland would be undermined by the Scottish Government's policy of staying in the European Union and not leaving the common fisheries policy.

**Martin Vickers** (Cleethorpes) (Con): The Secretary of State has repeatedly given an assurance that there will be no further concessions in the EU negotiations on fishing, but he will be aware that the industry still has some reservations. May I invite him yet again to reassure it that there will be no further concessions and that the Government will hold firm to their present position?

**Michael Gove:** Absolutely. We are going to become an independent coastal state, and as such we will decide who fishes in our waters. The threat to that position comes from Opposition Members who want to thwart our departure from the European Union, and who want us to stay in the common fisheries policy.

**David Duguid** (Banff and Buchan) (Con): Seafood processors in Banff and Buchan have raised concerns about the possibility of them requiring ECMT permits if we leave the EU without a deal. What discussions has my right hon. Friend had with the Department for Transport to ensure that hauliers in the seafood sector can continue to transport to the EU27, regardless of the outcome of negotiations?

**Michael Gove:** We have been talking to the Department for Transport and the European Commission to ensure that in the event of no deal we maintain access to European markets that is as frictionless as possible. As I know my hon. Friend and others are aware, it would be infinitely preferable to secure a deal, and I hope that Members across the House—including Opposition Members—will put the interests of their constituents ahead of ideology, and back the deal in the Prime Minister's name.

#### Air Pollution: Deprived Areas

7. **Geraint Davies** (Swansea West) (Lab/Co-op): What steps his Department is taking to tackle air pollution in deprived areas. [909369]

**The Parliamentary Under-Secretary of State for Environment, Food and Rural Affairs (Dr Thérèse Coffey):** Last month we published the clean air strategy, which sets out concerted action to reduce emissions from a range of sources and to improve public health. The nitrogen dioxide plan is supported by a £3.5 billion investment in improving air quality and cleaner transport. The hon. Gentleman will recognise that air quality is a devolved issue, and the Welsh Government published their revised plan in November 2018.

**Geraint Davies:** The Minister knows that we have been successfully taken to court by the EU on four occasions for breaching air quality standards. Is she aware that teenagers are four times as likely to develop depression and other mental health conditions in highly polluted areas, which tend to be deprived, and that that risk is higher than that of physical abuse in bringing about mental health disorders? Will she guarantee that after Brexit we will maintain EU air quality standards, and enforce them as they change and improve so that we do not become the coughing man of Europe?

**Dr Coffey:** It is incorrect to say that the EU has taken the Government to court four times. We are in the middle of infraction proceedings, and we will be going on with that. Nevertheless, I am aware of the correlation put forward by scientists between air quality and depression, and that is something we need to tackle. The House will be aware that we have set in statute air quality standards until 2030, and we will continue to drive down emissions and pollution in our air. I am sure the Welsh Government will want to do the same.

**Graham Stringer** (Blackley and Broughton) (Lab): The Minister will remember from the joint Select Committee report on air pollution, "Improving air quality", that the Committees were dissatisfied with our knowledge about air pollution because direct measurements were not being made. What action is the Minister taking to ensure more accurate knowledge and measurements of existing pollution, rather than relying on models?

**Dr Coffey:** Local authorities undertake air quality monitoring, but not necessarily to the same level as is required for standards that have been set and agreed across the European Union. We will continue to increase the monitoring network across the country. Local authorities already have powers to tackle such issues, and we are encouraging them to do so.

#### Species Decline

8. **Liz McInnes** (Heywood and Middleton) (Lab): What recent steps he has taken to tackle species decline. [909371]

**The Parliamentary Under-Secretary of State for Environment, Food and Rural Affairs (Dr Thérèse Coffey):** We have undertaken activities to improve biodiversity through nature conservation sites, where we are looking to restore and create wildlife-rich habitats and support species recovery. Internationally, we have various programmes to tackle species decline in our overseas territories, particularly supported by the Darwin Initiative, and last year we introduced what is effectively one of the toughest bans in the world on the sale of ivory, which we believe will do a lot to preserve species such as elephants and rhinoceroses.

**Liz McInnes:** I thank the Minister for that answer, and I am sure she is as concerned as I am about the recent report on the decline in insect species. What action is being taken to address the increasing fragmentation of our landscape, which means that pollinator species are left isolated and unable to move between areas?

**Dr Coffey:** I think it fair to say that the wildlife corridors we are seeking to extend—some projects, future environmental management pilots, are already under way—give us cause for hope. We have taken effective action—for example, with the restrictions on the neonicotinoids. We need to follow the science and the evidence, and do what it takes to keep pollinators alive and buzzing.

**Sir Desmond Swayne** (New Forest West) (Con): Insect decline will be cataclysmic. Do we have a comprehensive plan?

**Dr Coffey:** I have tried to outline the different activities we are already taking and what is being planned. The year 2020 will be key. We have the convention for biodiversity, and we are already in consultation with other countries around the world on how we can tackle this global challenge.

**Sue Hayman** (Workington) (Lab): Hon. Members are absolutely right to raise the issue of insect decline, but it is not just about insects. We know there have been huge declines in many birds and mammals, too. I am sure that like myself, Mr Speaker, as a child you enjoyed grubbing around for grass snakes and slowworms.

**Mr Speaker:** Indeed.

**Sue Hayman:** It is now much harder for new generations to do that. How will the draft environment Bill, which has been roundly condemned as toothless, ensure that this appalling ecological meltdown will be properly tackled?

**Dr Coffey:** Alongside the draft clauses we presented on governance in the Bill, we also published a policy paper. I am sure the hon. Lady will recognise that several of the items outlined in it will help us towards tackling the issue. This will be about a shift away from the common agricultural policy, where farmers are in effect just being rewarded for land ownership, and

moving towards paying for ecosystem services. I believe that that will benefit all the different species to which she refers.

**Sue Hayman:** That is all very well, but another huge concern is the cuts to Natural England. Grants to Natural England have been cut by nearly half, and we now hear that there may well be further cuts of between £3.5 million and £8 million over the next year. How can that be justified?

**Dr Coffey:** The hon. Lady will recognise that the Government took a view in 2010 that we had to balance the books after the record deficit from the last Labour Government. There was a realignment of what needed to be done on Government funding. I believe that Natural England has the resources it needs to undertake its role. Natural England will continue to focus on what is best for preserving the environment in England.

### Leaving the EU: Farming

9. **Luke Hall** (Thornbury and Yate) (Con): What plans he has for farming policy after the UK leaves the EU. [909372]

12. **Alex Burghart** (Brentwood and Ongar) (Con): What plans he has for farming policy after the UK leaves the EU. [909376]

**The Minister for Agriculture, Fisheries and Food (George Eustice):** Our plans for future farming policy are set out in the Agriculture Bill. At the heart of our new policy in England will be a system that pays public money for public goods, rewarding farmers for enhancing animal welfare, improving soil health and creating habitats for wildlife. We are also introducing measures to support investment in farm productivity and to improve fairness in the supply chain.

**Luke Hall:** I thank the Minister for that answer. Will he update me on what steps the Government are taking, following a very serious case in my constituency, to give the courts the power to grant injunctions to prevent people who are on trial for animal cruelty from acquiring new animals as they go through that legal process?

**George Eustice:** I recall meeting my hon. Friend about a particularly difficult and tragic case in his constituency. His local authority did make a powerful case for there to be a power to have an injunction to prevent the restocking of farms while prosecutions were pending. Such injunctions are usually reserved for civil cases. It is already possible to confiscate animals under the Animal Welfare Act 2006, but I will look again at this issue as we consider future legislation.

**Alex Burghart:** Will the Minister reassure the House that food production will remain central to agricultural policy and that we will continue to encourage farmers to produce food of the very highest standard?

**George Eustice:** Yes, I can absolutely give my hon. Friend that guarantee. It is called the Agriculture Bill and it has provisions to allow market intervention to support that. There are provisions to improve fairness in the supply chain. Every five years, we currently have

an assessment of our food security. The Bill is absolutely about producing food sustainably, not ceasing to produce food.

**Melanie Onn** (Great Grimsby) (Lab): John Vernam, the chairman of Cherry Valley, the source of the majority of the world's Pekin duck breed, came to see me recently to talk about his concerns about the effect of a no-deal Brexit. He says it will have a wide-ranging impact on the industry and on animal welfare and food standards. Can the Minister please prove that he is no chicken and reassure the poultry industry that he is actively encouraging the Prime Minister to avoid a no-deal Brexit?

**George Eustice:** My hon. Friend the Member for Cleethorpes (Martin Vickers) has also raised the case of Cherry Valley, and I have given an undertaking that I will meet it as soon as possible. The company exports live ducklings and imports ducks, and I am happy to look at its concerns. Obviously, on the wider issue, the Prime Minister absolutely wants to avoid no deal. That is why she is encouraging everyone to back the agreement that she has secured.

**Dr David Drew** (Stroud) (Lab/Co-op): It would be nice to know when the Agriculture Bill is coming back to this place, given the months that have now fallen by the wayside. I ask the Minister on behalf of his boss, the Secretary of State: how are discussions going with the Chancellor on whether there will be tariffs on food imports?

**George Eustice:** The Government are currently in discussions about a tariff policy in the event of no deal. The options that are open to us are to have tariff rate suspensions, which we are likely to do on goods that we do not produce, and to have autonomous tariff rate quotas or lower applied tariffs. That issue is being considered by the Government and a statutory instrument will be laid before Parliament in due course.

### Pollution: Schools and Hospitals

10. **Helen Hayes** (Dulwich and West Norwood) (Lab): What recent discussions he has had with Cabinet colleagues on tackling air pollution around schools and hospitals. [909373]

**The Parliamentary Under-Secretary of State for Environment, Food and Rural Affairs (Dr Thérèse Coffey):** My right hon. Friend the Secretary of State launched the clean air strategy last month alongside the Secretary of State for Health and Social Care. That has been welcomed by the World Health Organisation as an example for the rest of the world to follow. As I referred to earlier, we continue to deliver our £3.5 billion plan to reduce roadside nitrogen dioxide concentrations.

**Helen Hayes:** In my constituency, parents, schools and our local councils are working hard together to introduce school streets: timed road closures and a drop-off and pick-up time close to schools to reduce pollution, encourage cycling and walking and increase awareness of the urgent need for action on air pollution and climate change. Will the Secretary of State commit to a fully funded nationwide programme of school streets?

**Dr Coffey:** The Government are investing £3.5 billion and it is for local authorities to potentially apply to the clean air fund to undertake different activities. A lot of this is about cycling and walking and the strategy on changing transport. I am not aware of what the hon. Lady's local authority has been directly involved in, but we have also been funding—say, through the London Borough of Islington or Spelthorne Borough Council—awareness campaigns run through schools.

**John Cryer** (Leyton and Wanstead) (Lab): Like my hon. Friend the Member for Dulwich and West Norwood (Helen Hayes), I have many schools in my constituency that are very worried about air pollution in the surrounding area. The problem is not the powers—they have the powers to monitor it—but the finances. They do not have the resources either to monitor the air pollution or then to fix the problem. Is there any possibility of more resources being made available?

**Dr Coffey:** I am conscious that, certainly through Transport for London, London has had a substantial amount of money to improve air quality. I know that it is keen to do more, but local authorities have statutory duties to tackle this issue. They have had funding in the past and they are able to apply for funding in the future, and I would welcome the hon. Gentleman's authority doing so.

#### Dog and Cat Meat

11. **Giles Watling** (Clacton) (Con): If he will bring forward legislative proposals to ban the human consumption of dog and cat meat. [909375]

**The Parliamentary Under-Secretary of State for Environment, Food and Rural Affairs (David Rutley):** It is abhorrent to think that our beloved cats and dogs could be eaten. As the Prime Minister said, it is illegal to sell dog and cat meat and there are no abattoirs with a licence to slaughter these animals in the UK. We recognise both the substantive and symbolic nature of the issues raised, and we are exploring what more can be done to address this matter and to send a clearer signal that the consumption of dogs and cats should never be tolerated.

**Giles Watling:** There are extensive restrictions in place on the commercial sale of dog meat for human consumption, and I understand that there are similar restrictions on cat meat. Despite those advances, amazingly, the private slaughtering of dogs and cats for private consumption is still legal in this country, and I want that to change. Does my hon. Friend agree that we need to extend the current restrictions to cover the private consumption of dog and cat meat, as my amendment to the Agriculture Bill sets out?

**David Rutley:** There is no evidence that dogs and cats are being consumed in the UK, although I understand and agree with the sentiment behind my hon. Friend's amendment to the Agriculture Bill. A ban on consumption raises issues of enforcement and prosecution, but I have asked DEFRA officials to explore what more can be done to address these issues. I look forward to having the opportunity to debate these matters further in Westminster Hall this afternoon.

#### Food Labelling Laws

13. **Kirstene Hair** (Angus) (Con): What plans he has to introduce more stringent food labelling laws. [909377]

**The Parliamentary Under-Secretary of State for Environment, Food and Rural Affairs (David Rutley):** The UK has world-leading standards of food information, backed by a rigorous legislative framework, but the Secretary of State has been clear that an overhaul of allergen labelling is needed and DEFRA is working with other Departments to deliver that. We are also committed to reviewing food labelling laws after EU exit, so that consumers' confidence in the food they buy continues to grow.

**Kirstene Hair:** My 15-year-old constituent Ethan McColgan has a severe nut allergy. He is one of 2 million people in the UK who have food allergies. Can the Minister reassure Ethan that this matter is an absolute priority for the Government, enabling him to identify and avoid foods that include nuts, and that manufacturers will be forced to comply?

**David Rutley:** The provision of allergen information to the public is very important. It is essential that all UK consumers have complete trust in the food they eat. I understand the concerns of my hon. Friend's constituent and his family. On 25 January, the Government launched a consultation on how to strengthen the framework on allergens. I encourage her constituent and others in a similar situation to feed their views into that consultation as a matter of urgency.

#### Topical Questions

T1. [909379] **Colin Clark** (Gordon) (Con): If he will make a statement on his departmental responsibilities.

**The Secretary of State for Environment, Food and Rural Affairs (Michael Gove):** It was a pleasure to be able to speak to the National Farmers Union conference in Birmingham earlier this week. Of course, farmers expressed concern about failures to ensure that environmental and countryside stewardship payments kept pace with reforms in other areas. I was able to assure them that we would guarantee bridging payments to ensure that those who have worked hard to improve our environment receive the support from the state that they deserve.

**Colin Clark:** I congratulate the Department on the future farming plans it has announced today, but does the Secretary of State agree that the Scottish Government's disengagement with the Agriculture Bill puts at risk payments to Scottish farmers post 2020 and that it undermines the UK internal market if the Scottish Government do not adopt UK frameworks?

**Michael Gove:** My hon. Friend makes an important point. There is a stark contrast with the progressive approach being taken by the Labour Administration in Wales, who have engaged with the Bill and ensured that we legislate to give Welsh farmers confidence and certainty for the future. The Scottish Government, not for the first time, have decided to put separatist ideology ahead of the interests of Scotland's farmers and food producers. Having visited Scotland twice in the past week, I have to

say that Scotland's farmers and food producers are scunnered with the Scottish Government's attitude to their future.

T3. [909383] **Mr Stephen Hepburn** (Jarrow) (Lab): Foxhunting was banned in 2004, yet the practice remains widespread. Is it not time that the Government beefed up the Hunting Act 2004 and introduced prison sentences to deter people from taking part in and organising these barbaric sports?

**Michael Gove:** There is a clear legislative framework following on from the ban introduced by the Labour Government, and this Government have no intention of changing that ban.

T2. [909380] **Craig Tracey** (North Warwickshire) (Con): Leaving the EU gives us the opportunity to enhance animal welfare standards, and my right hon. Friend the Secretary of State has consistently said that, once we have left, we will control the export of live animals. Will the Minister confirm that all options are still on the table and that a ban remains a possibility?

**The Parliamentary Under-Secretary of State for Environment, Food and Rural Affairs (David Rutley):** It has been made clear, and it was a manifesto commitment, that once we leave the European Union, we will take early steps to control the export of live farm animals. We are considering all options in the context of our exit from the EU and as part of our broader commitment to further strengthen animal welfare standards.

T5. [909385] **Mary Glindon** (North Tyneside) (Lab): What steps have the Government taken to ensure that once we leave the EU pet travel scheme, the UK becomes a listed country so that people such as guide dog owners are not disadvantaged?

**David Rutley:** I assure the hon. Lady that we are working very closely with the EU and making the necessary applications. We want to ensure that the arrangements—particularly on health—fit everyone, but with guide dog owners in particular, we are working to see what more we can do to help.

T4. [909384] **Trudy Harrison** (Copeland) (Con): What is the Department doing to ensure future prosperity and high quality of life for Cumbrian upland and lowland farmers?

**Michael Gove:** My hon. Friend makes a very important point. It is not only the vital food produced by farmers in lowland and upland parts of Cumbria but their work to ensure that one of the most beautiful parts of our country remains beautiful that deserves support. The provisions in our Agriculture Bill will ensure not only that food production is given the prominence it deserves but that environmental and other services that farmers are responsible for providing are properly rewarded.

T6. [909386] **Matthew Pennycook** (Greenwich and Woolwich) (Lab): Scores of large, polluting cruise liners moor at Greenwich pier each year. What are Ministers prepared to do to support better efforts to regulate shipping emissions on the River Thames?

**The Parliamentary Under-Secretary of State for Environment, Food and Rural Affairs (Dr Thérèse Coffey):** This is an historic issue. As the hon. Gentleman will know, it was his own local council that granted permission for the installation. Through the clean air strategy, we have specifically identified the challenges relating to shipping, and I am sure that the hon. Gentleman will want to continue to work with the Government to bring about improvements that would be suitable for his constituents.

**Sir John Hayes** (South Holland and The Deepings) (Con): The late Prime Minister Stanley Baldwin said that his countrymen were a sentimental people, "easily moved by stories of cruelty".

In that spirit, will the Secretary of State clamp down on puppy smuggling, by which means sinister foreign traders bring small dogs into this country, causing disease, distress and death?

**Michael Gove:** My right hon. Friend makes an important point. He is absolutely right. From the time of Earl Baldwin to this day, people have looked to the Conservative party to safeguard the welfare of the nation and to stamp out cruelty. Puppy smuggling is one of the vilest types of crime against animals, which is why we have introduced provisions to ensure that it is only from appropriately licensed breeders that individuals can find the companion animals that give us all such joy in our lives.

**Daniel Zeichner** (Cambridge) (Lab): Last week, as we have heard, thousands of young people, including hundreds in Cambridge, showed that they recognise that we are facing a real climate emergency. Would the Secretary of State like to meet some of them so that they can impress that sense of urgency on him? He might even meet some Sheermanites.

**Michael Gove:** I should be more than happy to do so. This issue is very close to home for me as well. I appreciate that last Friday was an important day for many young people and an opportunity for them to say to my generation that more must be done.

**Andrew Griffiths** (Burton) (Con): Mr Les Stretton from Stapenhill in my constituency is a regular correspondent, but he is one of many constituents who have written to me expressing concern about the possible implications of a new trade deal with other countries as we leave the European Union, including a possible impact on the quality and standards of food imported into the country. We will debate trade deals later today, but will the Secretary of State confirm that on his watch there will be no diminution—no reduction—of standards in relation to food quality and animal welfare?

**Michael Gove:** My hon. Friend makes an important point. It is a wish expressed across the House—and, indeed, given effect in one or two of the proposed amendments to the Agriculture Bill—that we do everything we can to ensure that the high-quality environmental and animal welfare standards that characterise British food production will be protected in the future, and that is absolutely the Government's determined intention.

**Patrick Grady** (Glasgow North) (SNP): The Secretary of State told me a few weeks ago that he believed that other European countries would be looking enviously

at the United Kingdom's withdrawal agreement and its attempts to leave the European Union. Is that still his position?

**Michael Gove:** Yes—even more so today than three weeks ago.

**Nigel Huddleston** (Mid Worcestershire) (Con): Will the Secretary of State join me in thanking the thousands of young people who came out last week to demonstrate their concern about the environment and climate change for their enthusiasm? While there is much more to do, does he agree that the Government are already acting on many of their concerns?

**Michael Gove:** My hon. Friend makes a very good point. Of course it is important that young people's voices are heard, and the urgency with which they make the case for change is compelling and attractive. However, it is also true that the Government have taken steps—indeed, steps have been taken by successive Governments, and I pay tribute to the right hon. Member for Doncaster North (Edward Miliband) in this regard—to ensure that we reduce emissions and play our part in the fight against climate change.

**Angela Smith** (Penistone and Stocksbridge) (Ind): Minette Batters, the highly respected president of the National Farmers Union, said last week that the impact of a no-deal Brexit would be “absolutely savage”. She added that:

“I cannot imagine how bad it would look...we'd see a long-term future of just bringing cheaper imports in”.

It is clear from her comments that she knows her farmers. I know my farmers, and I know that they are worried. Will the Secretary of State guarantee that the Government will take no deal off the table?

**Michael Gove:** I congratulate the hon. Lady on her question. She is absolutely right: Minette Batters is an outstanding public servant as leader of the NFU. I also know from the hon. Lady's consistent work in the House since her election that she is one of the strongest and most diligent advocates for rural Britain, and I entirely understand her concern. Indeed, when I had the chance to speak at the NFU conference earlier this week, I made the case that in the event of no deal, our food producers would face significant tariff and other barriers. That is why it is so important for everyone in the House, when the opportunity comes, to support the Prime Minister in ensuring that we get a deal that safeguards Britain's interests and allows us to leave the European Union in an effective fashion.

**Several hon. Members** *rose*—

**Mr Speaker:** Oh, very well, I will take one more question: Helen Goodman.

**Helen Goodman** (Bishop Auckland) (Lab): Thank you, Mr Speaker.

Further to the Secretary of State's previous answer, on Monday he sought to reassure sheep farmers by saying that in the event of no deal he would be able to make payments to them, but because he has sat on the Agriculture Bill for 10 weeks surely he will not have the statutory powers to do that?

**Michael Gove:** We absolutely do have the powers to do that and we will not hesitate to intervene if necessary. The hon. Lady, who represents the farmers in her constituency very effectively, knows that all of us recognise that a no-deal outcome is not in the best interests of British farming, so I hope she will join me in supporting the Prime Minister as she negotiates hard in Brussels and brings a deal back to this House, which I know the hon. Lady in her heart will believe is the right thing to do.

## CHURCH COMMISSIONERS

*The right hon. Member for Meriden, representing the Church Commissioners was asked—*

### Clergy Recruitment: Rural Parishes

1. **Anne-Marie Trevelyan** (Berwick-upon-Tweed) (Con): What recent assessment the Church of England has made of the effectiveness of its recruitment of clergy to rural parishes. [909349]

**The Leader of the House of Commons (Andrea Leadsom):** With permission, Mr Speaker, as an ex officio member of the Church Commissioners I have been asked to reply on behalf of the Second Church Estates Commissioner.

The Church of England has over 10,000 rural churches and 45% of those who attend church go to rural churches. The Church supports these rural churches through its dedicated national rural officer, who provides advice, consultancy and training for dioceses. The Church has recently launched a new recruitment portal which currently displays all jobs in 30 of the 42 dioceses, enabling clergy to sort jobs by postcode and categories.

**Anne-Marie Trevelyan:** As rural parishes go, the parish of St Mary on the island of Lindisfarne, Holy Island, in my constituency must be one of the smallest, most rural but most magnificent. It has a permanent population of only 200 people but, living in the cradle of British Christianity, it has hundreds of thousands of visitors every year. So will the Leader of the House join me in welcoming to her post, and with an outreach vocation, the Reverend Canon Dr Sarah Hills, our new vicar of St Mary, Lindisfarne?

**Andrea Leadsom:** I understand that the religious community on Holy Island was founded by an Irish monk called St Aidan in 635 AD. I certainly welcome the Reverend Dr Sarah Hills to her post and wish her well with her ministry. She brings with her considerable experience from Coventry cathedral, where she led the international reconciliation team.

**Mr Barry Sheerman** (Huddersfield) (Lab/Co-op): Does the Leader of the House recognise that it is not just in rural churches—it is in rural and urban churches—where the clergy plays such an important role in the community? Particularly at this time when youth services have declined and local authorities cannot afford them, the role of the Church in rural and urban communities is absolutely crucial.

**Andrea Leadsom:** The hon. Gentleman is absolutely right: the Church plays a huge part in our whole society, whether rural or urban, and I pay tribute to all the excellent work of our clergy and lay preachers right across the United Kingdom.

**Andrew Griffiths** (Burton) (Con): I am sure the Leader of the House will agree that it is not just church buildings that are of importance; it is the people within them and the work they do. Just two weeks ago I was able to do a tour of all the churches in Uttoxeter in my constituency. I talked to the people in those churches and witnessed first-hand the great work they do in our community by supporting people, particularly the sick and the vulnerable. Will the Leader of the House join me in congratulating Christians across the country on the work they do in our communities?

**Mr Speaker:** The hon. Gentleman is a busy bee doing this extensive tour; it sounds absolutely enticing.

**Andrea Leadsom:** I certainly join my hon. Friend in thanking all those who do so much right across our country. I pay particular tribute to the work of the Church of England, which operates the single largest group of schools in the UK. Very often those schools are in small rural communities, and the schools and their teachers face big challenges, as do other rural services—distance, access to facilities, cost of living, the reduction in family sizes and so on. The Church has done a great deal to try to improve the sense of community right across our country.

**Dr David Drew** (Stroud) (Lab/Co-op): I welcome the right hon. Lady to her place. Does she accept that one of the problems now is that we have so few ministers and so many churches to look after? In my own area, the Stroudwater team has three ministers to look after 15 churches, although we have had a vacancy recently. We ought to recognise that that puts enormous pressure on those ministers, and I hope that the Church is looking after their welfare.

**Andrea Leadsom:** I certainly join the hon. Gentleman in praising all those clergy who do so much, often working under quite some pressure and with large parishes to deal with. In 2017, the number of clergy who retired was 330, and I am pleased to say that the number that the Church is training is more than the number who are retiring.

**Jim Shannon** (Strangford) (DUP): Will the right hon. Lady outline whether she has considered the idea of more joint parishes—joining with other denominations—thereby involving the community and making more regular use of our beautiful historic buildings? Coming together, perhaps?

**Andrea Leadsom:** The hon. Gentleman is absolutely right to point out the excellent work that some churches are doing to help and support their communities across the denominations. I would certainly encourage him to write to the Second Church Estates Commissioner, my right hon. Friend the Member for Meriden (Dame Caroline Spelman); she can perhaps tell him a bit more about some of the work that the churches are doing.

### Metal Theft from Churches

2. **Luke Hall** (Thornbury and Yate) (Con): What recent estimate the Church of England has made of the extent of metal theft from its churches. [909350]

**The Leader of the House of Commons (Andrea Leadsom):** The Church of England has unfortunately seen a steady increase in metal theft recently. Between 2017 and 2018, reports of thefts were up 25%. The rise is attributed to an increase in international metal prices. Additionally, significant thefts are being co-ordinated by organised criminals working in teams. The Scrap Metal Dealers Act 2013 had great success initially, but I understand that the all-party parliamentary group on combating metal theft is working closely with the Second Church Estates Commissioner to see what further work might be necessary to reflect the organised nature of this crime.

**Luke Hall:** I thank my right hon. Friend for that answer. Thieves recently took the lead from the magnificent 900-year-old Old Sodbury church in south Gloucestershire, but sadly, only part of the cost of replacing the roof was covered by the insurance. What discussions has the Church of England had with the Government and the insurance industry on the theft of metal and decorative objects from churches, so that we can be sure that these magnificent buildings can be protected for generations to come?

**Andrea Leadsom:** I am so sorry to hear about that theft. It is an unusual theft, in that it does not fit the recent pattern. The church of St John's, Old Sodbury, estimates that about 150 square metres will need to be replaced at a cost of around £50,000, only some of which will be covered by its insurance. I can tell my hon. Friend that the Church is working with law enforcement, the metal recycling trade, Historic England and the all-party parliamentary group on combating metal theft to find ways to address these crimes.

### Bell Ringing

3. **Alex Burghart** (Brentwood and Ongar) (Con): What steps the Church of England is taking to support bell ringing in its churches. [909351]

**The Leader of the House of Commons (Andrea Leadsom):** The Church works closely with the Central Council of Church Bell Ringers, which supports local associations with a network of teachers, including one in my hon. Friend's constituency. Following the recent successful recruitment of new bell ringers for the world war one anniversary, the Church was pleased to hear that many of the new members have decided to continue to ring with their local towers.

**Alex Burghart:** I am grateful to my right hon. Friend for that answer. Will she tell us what the Church of England is doing to encourage young people into bell ringing, so that we can foster the next generation of campanologists?

**Andrea Leadsom:** I hope that my hon. Friend will be encouraged to learn that more than 250 young people will gather in Liverpool this weekend to take part in the national youth ringing contest. The Church of England is delighted to see young people rediscovering the love of these traditional community activities. Church schools and parishes provide a range of support to children and

young people, and initiatives such as these show how beneficial exercise and teamwork can be for young people's wellbeing.

**Mr Speaker:** I must say to the House that I have observed bell ringing being undertaken in Winslow and in Lillingstone Lovell in my constituency, and very skilfully undertaken it was too. For my own part, I am bound to say that I think I was very maladroit when trying to bell ring. I found it a most strenuous activity. But there you go—perhaps with practice I might get a little bit better.

**Sir Desmond Swayne** (New Forest West) (Con): Will my right hon. Friend make representations to the Secretary of State for Digital, Culture, Media and Sport about the loss of income to belfries from letting them to telecommunication companies for their antennae? As a consequence of the cack-handed introduction of the telecommunications code, the loss of income is as disconcerting to bell ringers as it is to the vicar.

**Andrea Leadsom:** My right hon. Friend raises a worrying issue that I am sure the Second Church Estates Commissioner will be pleased to hear about and tackle on his behalf.

#### ELECTORAL COMMISSION COMMITTEE

*The hon. Member for Houghton and Sunderland South, representing the representing the Speaker's Committee on the Electoral Commission, was asked—*

##### Northern Ireland Parties: Donations

4. **Brendan O'Hara** (Argyll and Bute) (SNP): If the Electoral Commission will publish its correspondence with the Cabinet Office on the publication of donations received by political parties in Northern Ireland from 2014 to 2017. [909353]

7. **Angela Crawley** (Lanark and Hamilton East) (SNP): If the Electoral Commission will publish its correspondence with the Cabinet Office on the publication of donations received by political parties in Northern Ireland from 2014 to 2017. [909356]

**Bridget Phillipson** (Houghton and Sunderland South): The Electoral Commission has ongoing dialogue with the Northern Ireland Office as the lead Department on the transparency of donations received by political parties in Northern Ireland. Copies of the relevant correspondence will shortly be placed in the House of Commons Library. The commission continues to urge the UK Government to bring forward additional secondary legislation to allow the publication of donations from January 2014 onwards, as envisaged by the original primary legislation.

**Brendan O'Hara:** The Select Committee on Digital, Culture, Media and Sport's interim report into "Disinformation and 'fake news'" rightly criticised the shadowy and secretive Constitutional Research Council for having "deliberately and knowingly, exploited a loophole in the electoral law to funnel"

£435,000 to the Democratic Unionist party during the EU referendum. The source of that money remains a secret and is beyond the scrutiny of both this Parliament and the public. Will the hon. Lady add her voice to those on the Select Committee and the Electoral Commission in calling for the publication of the source of that money?

**Bridget Phillipson:** I fully understand the hon. Gentleman's frustration. However, the law requires the Electoral Commission to keep confidential all information about political donations and loans in Northern Ireland before 1 July 2017. The commission therefore regrets that it is unable to disclose information and its own work in fulfilling its statutory duties to give confidence to the public, parliamentarians and others.

**Angela Crawley:** The Electoral Commission has stated: "We continue to urge the UK Government to bring forward additional legislation to allow the publication of donations from 2014 onwards."

It is astounding that this Government refuse to allow those donations to be published, so will the hon. Lady call on the Government to remove the shield from those responsible for dark money?

**Bridget Phillipson:** The hon. Lady is right to add her voice to that of the hon. Member for Argyll and Bute (Brendan O'Hara) in expressing frustration. I can only reiterate the Electoral Commission's position, which is that it is unable fully to disclose information in this regard. However, it is for the UK Government to bring forward further legislation, should they so wish, to make such information available.

#### HOUSE OF COMMONS COMMISSION

*The right hon. Member for Carshalton and Wallington, representing the House of Commons Commission, was asked—*

##### Divisions of the House

5. **David Linden** (Glasgow East) (SNP): How much time hon. Members spent participating in Divisions in 2018. [909354]

**Tom Brake** (Carshalton and Wallington): The exact time spent on Divisions is not recorded, but there were 198 Divisions in the Chamber in 2018, 28 of which were deferred Divisions. If we estimate that each of the 170 real-time Divisions took 15 minutes, then 42 hours and 30 minutes were spent collectively by Members of Parliament participating in Divisions in the Chamber in 2018.

**David Linden:** Indeed, the Institute for Government estimates that we have spent nearly 49 hours trooping through the packed Lobbies, which must be in breach of health and safety. In a week when Westminster is in absolute chaos, does the fact that we wander through the Lobbies like elephants in some sort of circus not just highlight the fact that Westminster is broken and does not work for Scotland?

**Tom Brake:** I thank the hon. Gentleman for that question, although I did anticipate that it would be about electronic voting, so he has rather wrong-footed me. However, he makes a point that I would personally support, which is that we waste an awful lot of time trooping through the Lobbies, and I would also support the rolling out of electronic voting as a solution.

**Patrick Grady** (Glasgow North) (SNP): The right hon. Gentleman will be delighted to know that I took his advice from the previous House of Commons Commission questions and wrote to the Chair of the Procedure Committee suggesting that it finally get to grips with the issue. I look forward to joining the right hon. Gentleman in giving evidence to the Committee and making the case for reform of the outdated Lobby voting system in the House of Commons.

**Tom Brake:** I am not sure that I detect a question there. However, I am pleased that the hon. Gentleman has finally acted on the advice I have given him and his colleagues on a number of occasions by raising the matter with the Procedure Committee, which I am sure will look at this with due consideration and, I hope, will come to the right conclusion.

**Martin Vickers** (Cleethorpes) (Con): May I suggest to SNP Members that, if they occasionally voted with the Government, they could use the time usefully in the Division Lobby by lobbying Ministers?

**Tom Brake:** Again, I completely fail to detect a question there for me. However, I am sure SNP Members will have noted the suggestion that they should work closely with the Conservative Government in the Division Lobby.

#### Escalators: Underground Car Park

6. **Mr Philip Hollobone** (Kettering) (Con): What the annual cost is of running the escalators from the underground car park. [909355]

**Tom Brake** (Carshalton and Wallington): The maximum annual energy cost of running the escalator has been calculated as £2,820, including VAT.

**Mr Hollobone:** This escalator is running all the time yet, compared with the escalator between the main estate and Portcullis House, it is used relatively infrequently. Would it be possible to install a button so that it operates only when required?

**Tom Brake:** It may be that the hon. Gentleman does not burn the midnight oil and therefore may not be aware that, in fact, the escalator is switched off manually by engineers control between midnight and 6 am on sitting days and between 6 pm and 6 am during recess. He will be pleased to hear that the escalator is also switched off at the weekend. It is also fitted with sensors that slow down the motor when it has not been used in the previous few minutes.

### CHURCH COMMISSIONERS

*The right hon. Member for Meriden, representing the Church Commissioners, was asked—*

#### Maintenance of Graves

8. **Melanie Onn** (Great Grimsby) (Lab): What recent assessment the Church of England has made of the adequacy of its policies on the maintenance of graves. [909359]

**The Leader of the House of Commons (Andrea Leadsom):** With permission, Mr Speaker, as an ex officio member of the Church Commissioners I have been asked to reply on behalf of the Second Church Estates Commissioner.

It is not clear from the hon. Lady's question whether it relates to an open churchyard or a closed churchyard. For a closed churchyard, the responsibility for maintenance and management is often held by the local authority. The regulation of an open churchyard, however, is managed under the faculty process, which is the Church's planning process. Each diocese publishes guidelines on its website, and the regulations are there to make sure that churchyards remain places that we can all enjoy for years to come.

**Melanie Onn:** My question relates to a constituency case that I have raised with the Second Church Estates Commissioner in advance of this Question Time. Shelley Fleming, my constituent, lost her husband Keith in October 2017—he was aged just 49. When she was arranging his place in the church's graveyard, she was not notified that there would be any restrictions on her choice of grave at the Great Coates St Nicolas church. I would like the Second Church Estates Commissioner to work with me to encourage the church to review its regulations to permit the laying of flush kerb stones to carefully and respectfully mark parishioners' final resting places.

**Andrea Leadsom:** I am so sorry to hear of Keith's passing, and I am sure everyone in the Chamber would pass on their great sympathies. It is such an incredibly young age to die.

The regulations that govern churchyards differ from those that govern municipal cemeteries, where the land is not consecrated. A churchyard almost always surrounds a church building, and memorial stones that may be entirely suitable for an urban municipal cemetery may be out of place when they are close to an ancient church, especially one in a rural setting. If a constituent wants kerb stones installed around a grave, this would generally require the special permission of the diocesan chancellor. I will ask the Second Church Estates Commissioner to write to the hon. Lady with more information about the regulations and processes.

### HOUSE OF COMMONS COMMISSION

*The right hon. Member for Carshalton and Wallington, representing the House of Commons Commission, was asked—*

#### Parliamentary Employees

9. **Christian Matheson** (City of Chester): What recent discussions the Commission has had with trade unions on pay, terms and conditions for parliamentary employees. [909360]

**Tom Brake** (Carshalton and Wallington): The House of Commons Commission delegates the negotiation of pay and terms and conditions for House employees to the Commons Executive Board. Formal and informal meetings between House of Commons management and its recognised trade unions take place on a regular basis. Formal discussions relating to changes of pay,

allowances and conditions of service for 2019-20 were last held on 3 December. Pay negotiations for 2019-20 will begin shortly, following agreement of the pay remit by the House of Commons Commission.

**Christian Matheson:** I draw the House's attention to early-day motion 2025, which I have signed, concerning rates of pay for security officers. How on earth have we got into a situation where our security staff feel it necessary to ballot for industrial action? Will the House of Commons Commission get a grip on the management of the security department and tell it to

start treating these loyal and essential men and women with decency and respect, and to pay them and treat them properly?

**Tom Brake:** I thank the hon. Gentleman for his question and for drawing our attention to this matter. He may be pleased to hear that the Clerk of the House has written to the Public and Commercial Services Union confirming that changes to rest breaks, which were a particular issue of concern, will be reversed as soon as is operationally possible. Initial talks have been held and the House awaits a further proposal from PCS for it to consider.

## Speaker's Statement

10.35 am

**Mr Speaker:** I have a short statement to make about PC Keith Palmer, who tragically died on 22 March 2017. PC Palmer was nothing short of a hero, in the way in which he ran towards danger to ensure the safety of us all on that day. He paid the ultimate price for doing the job that he loved, and we owe him a profound debt of gratitude for his bravery. Yesterday afternoon, the Police Memorial Trust placed a permanent memorial to PC Palmer at Carriage Gates. Not only will it serve as a lasting tribute to his dedication and courage, but it will ensure that visitors to Parliament never forget his sacrifice and heroism.

## Business of the House

10.36 am

**Valerie Vaz** (Walsall South) (Lab): Will the Leader of the House give us the forthcoming business?

**The Leader of the House of Commons (Andrea Leadsom):** The business for next week will be:

**MONDAY 25 FEBRUARY**—A motion to approve the draft Financial Services and Markets Act 2000 (Amendment) (EU Exit) Regulations 2019, followed by a motion to approve the draft REACH etc. (Amendment etc.) (EU Exit) Regulations 2019, followed by a debate on a motion relating to the 20th anniversary of the Macpherson report. The subject of this debate was determined by the Backbench Business Committee.

**TUESDAY 26 FEBRUARY**—Estimates Day (5th allotted day). There will be debates on estimates relating to the Department for Education and on estimates relating to the Department for Work and Pensions. At 7 pm the House will be asked to agree all outstanding estimates. This will be followed by motion to approve a statutory instrument relating to terrorism.

**WEDNESDAY 27 FEBRUARY**—Proceedings on the Supply and Appropriation (Anticipation and Adjustments) (No.2) Bill, followed by a motion relating to the UK's withdrawal from the European Union.

**THURSDAY 28 FEBRUARY**—A general debate on St David's day, followed by a general debate on the UK's progress toward net-zero carbon emissions. The subjects for these debates were determined by the Backbench Business Committee.

**FRIDAY 1 MARCH**—The House will not be sitting.

As my right hon. Friend the Prime Minister said to this House on 12 February:

“When we achieve the progress we need, we will bring forward another meaningful vote, but if the Government have not secured a majority in this House in favour of a withdrawal agreement and a political declaration, the Government will make a statement on Tuesday 26 February and table an amendable motion relating to the statement, and a Minister will move that motion on Wednesday 27 February, thereby enabling the House to vote on it, and on any amendments to it, on that day.”—[*Official Report*, 12 February 2019; Vol. 654, c. 733.]

I will make a further business statement if necessary.

I was honoured to be at the unveiling of the memorial stone to PC Palmer yesterday at Downing Street, and I would like to pay my own tribute to his selfless bravery—we will always remember him.

This week, the House has heard a number of touching tributes to our colleague the Member for Newport West. It is always sad to lose one of our colleagues, and we will remember and continue to be inspired by his energy for campaigning and the difference he made in the policy areas he cared so much about.

This Government are making great progress. I am of course talking about the five Government Bills that have just received Royal Assent—legislation that will make a real difference to our country. They are: the Voyeurism (Offences) Act 2019, which criminalises the abhorrent practice of upskirting; the Counter-Terrorism and Border Security Act 2019, which gives our law enforcement and intelligence agencies the powers to keep us safer from terrorism; the Tenant Fees Act 2019,

[*Andrea Leadsom*]

where we are helping renters by banning unfair fees; the Finance Act 2019, which cuts taxes for 32 million people and cracks down on tax avoidance; and the Crime (Overseas Production Orders) Act 2019, which makes it easier for law enforcement agencies to convict terrorists, sex offenders and those involved in serious crime. I am proud of the legislation this Government have brought forward to address some of the critical issues of our time.

**Valerie Vaz** (Walsall South) (Lab): I thank the Leader of the House for the business statement for next week. I note that she has provided the Backbench Business Committee with two days of debates, and both subjects are very important. I know that the Chair of the Committee, my hon. Friend the Member for Gateshead (Ian Mearns), is a cheeky chappie, but the Leader of the House should not have favourites, so as she is being so generous with Government time, may we have an Opposition day? The shadow Secretary of State for Wales, my hon. Friend the Member for Neath (Christina Rees), whose birthday it is today—I wish her a very happy birthday—will be pleased about the St David's day debate.

Will the Leader of the House confirm whether the House will rise on 4 April and return on 23 April? I understand that some civil servants are being told that their leave is cancelled during that time. Are there any plans to cancel the recess? Will the Leader of the House place in the Library a letter about the costs that were incurred as a result of the cancelling of the February recess? I particularly thank the staff for being here. It is easy for Members to rearrange their time, but it is not so easy for the staff of the House and our own staff to do that. Will the Leader of the House confirm that all the fire and safety works that were due to take place this week will be done at a convenient time?

I thank the Leader of the House for scheduling the statutory instruments—she will know that it is very important that Parliament has the opportunity to scrutinise them—but from next week an average of 24 Commons debates on affirmative Brexit SIs need to be held each week through to exit day, so will she confirm that all the affirmative Brexit SIs will have proper scrutiny in the House?

It is absolutely unacceptable that the Government have failed to effectively plan their Brexit strategy over the past two and a half years. The Prime Minister gave a speech in Lancaster House on 17 January 2017, and speeches in Davos on 19 January and Florence on 22 September that year, and she gave speeches at the Mansion House on 2 March 2018 and at Chequers on 6 July 2018, yet with just five weeks to go until the UK exits the EU on 29 March, the Government are still attempting to secure a negotiated agreement with legal assurances. I am not clear how this works, because I understand that the Attorney General—[*Interruption.*] No, I was here listening to him, and the Attorney General warned in December 2018 that the backstop provision in the Brexit deal could continue indefinitely “unless and until it was superseded”—[*Official Report*, 3 December 2018; Vol. 650, c. 547.]

by a new agreement. That is according to the Government's legal advice, but he is now seeking to secure changes and a new legal interpretation. Does that mean he has

misled Parliament? Will the Attorney General come to the House and explain his advice, because it is clearly going to change?

On Tuesday, the Prime Minister was forced to admit to Conservative MPs that the Irish backstop could not be replaced by the Malthouse compromise. The Leader of the House will know that that is not actually a clause in the agreement, and Brussels does not recognise it—it was done only to win the vote. The Leader of the House said that the Prime Minister is going to make a statement on Tuesday and that there is a vote on Wednesday; will she confirm that it is the meaningful vote on Wednesday?

Will the Leader of the House confirm that the spring statement will take place on 13 March? New analysis by the Institute for Fiscal Studies shows that more than half of day-to-day public spending on the NHS, defence and overseas aid has already been allocated. That means that if the Chancellor was right when he said that austerity has ended, the Government will have to spend £5 billion more than is currently planned by 2023-24 to maintain real spending per person on unprotected services.

May we have a debate on the wholly inappropriate use of public money by the Mayor of the West Midlands combined authority? He wants to introduce articulated buses—or bendy buses—on one of the routes in Walsall where the X51 already provides a perfectly reliable service. Articulated buses were taken out of use because they caused accidents with cyclists and pedestrians. May we have a debate on that misuse of public money?

I, too, attended the unveiling of the plaque for PC Keith Palmer. No one can forget that day. There were some heartfelt tributes by both the Prime Minister and the Metropolitan Police Commissioner. I can only repeat what the commissioner said to Keith Palmer: thank you and God bless you. We have our own memorial on the estate where PC Palmer fell. People have already been laying flowers.

I want to take up what my hon. Friend the Member for Cardiff West (Kevin Brennan) said to me and pay full praise to our colleague, Paul Flynn. Newport has lost a famous son. He was a Member of Parliament for more than 30 years. He recalled hearing Aneurin Bevan, the then Minister for Health, speak in the city in 1948, when he established the new NHS. He served on many Select Committees, and, at the age of 81, was very gracious and kind to me both when I first came in and when he handed over to me as shadow Leader of the House. In 1996, he won Back Bencher of the Year award from *The Spectator*. Hon. Members will be aware of his book “Commons Knowledge: How to be a Backbencher”. I hold it up to the Chamber because he said that one of the 10 commandments for a Back Bencher was:

“Honour your party and extend its horizons.”

And I think he did that. He also showed us how to live through Private Bills and—Mr, Speaker, you will like this—how to survive the Speaker. On making bogus points of order, he said, “Flatter the speaker subtly.”

**Angus Brendan MacNeil** (Na h-Eileanan an Iar) (SNP): Nice tie, Mr Speaker.

**Valerie Vaz:** I think it's a nice tie—it is one of the better ones anyway. Paul also said to be cheeky to the Speaker.

In the foreword, the late Tony Banks said that Paul Flynn was

“one of Westminster’s sharpest of brain and tongue”—  
with a—

“well-merited reputation for forthright and controversial views.” Paul was ahead of his time in many ways. He was one of the first MPs to use the internet to communicate with constituents and, in 2000, he won the New Media Award for his website from the *New Statesman*. We all send condolences to his family and we will miss him and his gorgeous voice.

Finally, Mr Speaker, you will be pleased to know—I am sure that Paul would like this, too—that there will be a blue plaque to Bob Marley, which shows great diversity on the blue plaque front. I know that some hon. Members will be singing “Exodus”, but those of us on the Labour Benches will be singing, “One Love/People Get Ready.”

**Andrea Leadsom:** I am grateful to the hon. Lady for her very interesting insight into our hon. Friend, the Member for Newport West. That was genuinely very interesting and I thank her for that. I also join her in wishing the shadow Secretary of State for Wales a very happy birthday.

The hon. Lady asked about Opposition days. I hope that she will recognise that I have tried to accommodate a number of requests made by colleagues across the House, including those made by the Opposition and the Backbench Business Committee. I am sure that she will welcome the fact that the House will have the opportunity to debate a motion to approve the draft REACH etc. (Amendment etc.) (EU Exit) Regulations 2019 on Monday following her request in business questions on 24 January. She will also appreciate that I have announced some important business for next week, and that we have had a range of key issues to debate this week, including a debate on serious violence, which was requested by Members from both sides of the House, and a number of statutory instruments recommended for debate by the European Statutory Instruments Committee—all very important business.

The hon. Lady asks about Easter recess. We always announce recesses subject to the progress of business, and that remains the case for the time being. She asks for a report on the costs of cancelling the recess. I will certainly look into it. I imagine that that is a matter for the House of Commons Commission, on which she also sits. Perhaps it is something that she and I could raise at the next House of Commons Commission meeting. I would certainly like to join her in thanking all those members of staff who have worked this week to support us as we continue with important parliamentary business.

The hon. Lady asks for confirmation on the position of Brexit statutory instruments. More than 450 EU exit SIs have now been laid, which is over 75% of the total that we anticipate being required by exit day. The sifting Committee, which looks at all the statutory instruments under the key powers of the European Union (Withdrawal) Act 2018, has now considered more than 190 SIs, recommending 52 of them for an upgrade to the affirmative procedure. I can confirm to the House that there remain a relatively small number of SIs for the sifting Committee to continue to review. I can also confirm to the House that the total number of statutory instruments will be

fewer than 600. I will continue to update the House, but I am confident that we have enough time to put in place all the necessary secondary legislation by the date of leaving the EU.

The hon. Lady asks about our Brexit negotiations. She will be aware that the Prime Minister is determined to—and continues to—negotiate legally binding changes to the backstop to ensure that the requirements of this House in approving the withdrawal agreement and political declaration can be met. If necessary, I will make a further business statement, but my statement today is clear that we will meet our commitment to deliver a debate on an amendable motion next week relating to the UK’s withdrawal from the EU, and the Prime Minister will update the House next week.

**Sir David Amess** (Southend West) (Con): Will my right hon. Friend find time for a debate on the future of travelling shows and fairs? As chairman of the all-party parliamentary group on fairs and showgrounds, I know that this family-based sector has made representations about falling customer numbers and is concerned about the effects on the workforce of changes to freedom of movement once we have left the European Union.

**Andrea Leadsom:** My hon. Friend raises an interesting point. Travelling fairs and shows are a brilliant source of fun for families, and they contribute a lot to a thriving cultural scene and local economies. The Government have made clear our commitment to EU citizens who have come to the UK to make their living, and they are welcome here beyond our departure from the EU. A Westminster Hall debate might be a good way in which to raise this matter further.

**Pete Wishart** (Perth and North Perthshire) (SNP): I thank the Leader of the House for announcing next week’s business. May I join in the many tributes to Paul Flynn? He was a brave but kind politician, and we will never forget his sojourn at the Dispatch Box as shadow Leader of the House, which he described as a job creation opportunity for octogenarians.

It is starting to feel distinctly different in here as the Government’s chaotic Brexit starts to play havoc on the UK’s political parties as well as the UK itself. We are all wondering who is next and looking for some willing volunteers on the Conservative Benches—*[Interruption.]* Oh, there we go; it might be the right hon. Member for Hemel Hempstead (Sir Mike Penning). The smart money certainly is not on the Leader of the House; she is more ERG than TIG. Can we have a debate on political defections, particularly on the question of the point at which defections become a realignment of British politics?

Next Wednesday, we are going to have another one of these “I can’t believe it’s not the meaningful vote” debates as the clock is run down further, and attempts to blackmail the House into accepting this rotten deal or a disastrous no deal continue apace. Once again, there will be another one of these Christmas tree motions. The Government will be told that this House will not accept no deal, and presumably the Government will just ignore the wishes of the House all over again. But at some point this nonsense has to come to an end. The House simply is not going to accept no deal, and the quicker the Leader of the House accepts that, the better

[Pete Wishart]

we will all be. With 36 days left until we leave the EU, the Government are going to have to come back to the House with their real meaningful vote, so when will that be?

The Leader of the House has actually invented a new date—29 February next week. As the Leader of the House knows, there is no 29 February. Perhaps this is not so much running down the clock, but extending February forever so we actually never get to a meaningful vote.

I do not know what the Leader of the House has got against the private Member's Bill of my hon. Friend the Member for Na h-Eileanan an Iar (Angus Brendan MacNeil)—the Refugees (Family Reunion) (No. 2) Bill—but it has been almost a year since it passed its Second Reading in this House. Other Bills have been given precedence and his still has no money resolution. Again, the Government are defying the wishes of the House. When will the Leader of the House set out a motion to let this important Bill progress?

Please let us not do this week all over again. The Leader of the House's hon. Friends gave up their skiing holidays and trips to their villas for barely-debated statutory instruments and general debates. I have been listening carefully to the Leader of the House, and it seems as if the Easter recess is under threat and is not particularly safe now. We know that this costs the House God knows how much money and has put staff at a great disadvantage, so let us make sure that we have our Easter recess. The only notable thing that happened this week was the desertion of MPs from the two big parties. In the week of the TIGgers, this Government have seemed little more than a bunch of Eeyores in a bad mood.

**Mr Speaker:** I do not want to make the hon. Gentleman envious, but I am pleased to tell the House that I have a fully up-to-date and, dare I say, sanitised version of the business of the House, and mine very clearly says "Friday 1 March". [Interruption.] Well, I feel very sorry for colleagues. I am obviously in a privileged position and should be thankful for it.

**Andrea Leadsom:** If the hon. Gentleman had only realised, I put that deliberately on his paper in the hope that he might think that, as it would be 29 February, I might propose to him. Just continuing the love, Mr Speaker.

The hon. Gentleman says that I am more ERG than TIG, but he is the one who is desperate for independence, so perhaps he should be the one to go and join the Independent Group. He asks about the debate next week. I have certainly tried to make it clear that the Prime Minister will bring back the meaningful vote just as soon as she feels that she has accommodated the wishes of the House for the legally binding changes to the backstop that will mean that the Prime Minister's withdrawal agreement and political declaration can be approved by the House. All Members need to take that incredibly seriously. It is not the Government's policy to have no deal; it is the Government's policy to have a good deal that works for the UK and our EU friends and neighbours. Should we agree to and pass the meaningful vote, we will swiftly be able to move to the withdrawal

agreement Bill and give certainty to citizens and businesses right across the United Kingdom. It is in all our interests to do so.

**Sir Desmond Swayne** (New Forest West) (Con): When my right hon. Friend fills in her questionnaire on restoration, which is available in the Library, she will quickly discern from the questions that, far from preserving Barry and Pugin's masterpiece, what is envisaged is the creation of Kubla Khan's stately pleasure dome. When can we debate this matter and get it back on track?

**Andrea Leadsom:** I confess that my right hon. Friend has totally thrown me there. That is absolutely not my understanding at all. The idea of the restoration and renewal of the Palace is predominantly to sort out the mechanical and engineering requirements of the House, to restore and preserve this UNESCO world heritage site for many generations to come. As my right hon. Friend will be aware, I will hope to introduce a Bill that will put in place the new sponsor body and delivery authority that will carry out the work, which is in the interests of the entire United Kingdom.

**Ian Mearns** (Gateshead) (Lab): I am glad that I have been elevated to the status of official parliamentary cheeky chappie by the shadow Leader of the House. I add my commiserations to the family of the hon. Member for Newport West, Paul Flynn. He will be greatly missed in this place.

If there is to be a Government statement on Tuesday, could the estimates day debates be given some form of protected time? The applications were very heavily subscribed. More than 50 Members have backed the applications for debates on education and on work and pensions. If the Government statement on EU withdrawal ate into that by a huge amount, it would demean the whole situation on estimates day applications.

I thank the Leader of the House for confirmation that the debate on the 20th anniversary of the Macpherson report's publication will go ahead on Monday, and that time has been put aside for Welsh affairs and St David's day, and on climate change next Thursday. Thank you very much.

**Andrea Leadsom:** I am grateful to the hon. Gentleman for his point about protected time. I will see what can be done. I obviously cannot make any commitments because statements from the Prime Minister, as he will be aware, command significant interest in the House, but I will certainly take that away and consider it.

**Sir John Hayes** (South Holland and The Deepings) (Con): With a diligence that chimes with all of your stewardship, Mr Speaker, and characterises the best of my own endeavours, we listened yesterday to the Home Secretary deal with an urgent question—I use the word "question" generously—on passports and their removal. The Leader of the House surely acknowledges that all those who, regardless of passports, who once fled to fight for our foes must now face the consequences, so will she ask the Home Secretary to return here to address the a priori argument that those who promoted, incited, aided or abetted terrorism, regardless of whether they are British or not, should be prosecuted? The law is in place for that to happen. In the cause of virtue, we should be mindful of what Proust said:

"We should never be afraid to go too far, for truth lies beyond."

**Andrea Leadsom:** My right hon. Friend is right that our priority is to ensure the safety and security of the United Kingdom, and we will not allow anything to jeopardise this. We have tough measures to deal with people who pose a serious threat, including depriving them of their British citizenship or excluding them from the UK. Any British citizen who does return from taking part in the conflict must be in no doubt that they will be questioned, investigated and potentially prosecuted.

**Mr Barry Sheerman** (Huddersfield) (Lab/Co-op): The Leader of the House might recall, not that she was alive at the time, that on 6 September 1620 a little ship, the *Mayflower*, sailed from Plymouth to America. We still have time to celebrate that great event, so could we have an early debate to discuss how we best do that? We have a strong alliance with the United States and we share that history. Also, she knows my belief that we should use it to celebrate not just that famous journey—there were 102 passengers, 30 crew and some children, waifs from the London streets, went on that boat—but migration, which is not a dirty word. Immigrants bring creativity, energy, great strengths and a great store of knowledge. Can we celebrate in 1620 the *Mayflower* and all its implications, and have a debate about that?

**Andrea Leadsom:** Personally, I think that is a fantastic idea. I think the hon. Gentleman means, “Can we celebrate in 2020?” I am not sure we have a time turner that would take us back to 1620, but he is right that we should celebrate the contribution of migrants, whether outward or inward, who give so much to our culture and to our communities. This fantastic idea will also celebrate the fact that the UK will have left the European Union and will be re-establishing our close connections with our transatlantic cousins and friends.

**Sir Mike Penning** (Hemel Hempstead) (Con): The Leader of the House will be aware that I have raised with her before the lack of accountability in our NHS management. In south-west Hertfordshire, the frontline staff do a fantastic job, but they are being let down time and again by the management around the clinical commissioning group and West Hertfordshire Hospitals NHS Trust, which seem to be completely unaccountable to parliamentarians or to the public. Can we have a debate to see how we can have more accountability and find out exactly what goes on with these management systems, which seem to be doing their own thing and ignoring the public’s will?

**Andrea Leadsom:** My right hon. Friend has had some sympathy from others across the House on some of the challenges in dealing with CCGs; he is right to raise that. He might like to seek a Westminster Hall debate, so that all hon. Members can share their concerns, and also possibly propose remedies.

**Angela Crawley** (Lanark and Hamilton East) (SNP): The Scottish Government are in the process of renegotiating pay rises for public sector workers. When that is concluded, they will be backdated to April 2018. While that is welcome, those who are currently claiming universal credit will go beyond their earnings threshold and therefore might be taken off the benefit altogether. May we have a debate in Government time on protecting public sector workers from this penalty?

**Andrea Leadsom:** The hon. Lady will be aware that universal credit is a support that is designed to help people get into work and to increase their earnings, and to keep more of their earnings as they increase their hours and increase their pay, so that nobody needs to face the problem that we had under the old legacy system under which, if someone worked a few extra hours, their benefits would be cut immediately. Universal credit does deliberately seek to ensure a smooth transition that motivates and incentivises people to have extra hours of work and, as they earn extra money, to be more self-sufficient for themselves and their families.

**Vicky Ford** (Chelmsford) (Con): The people of Chelmsford care deeply about the environment and will have been pleased to see the Chancellor taking action on the plastic packaging tax this week. This time last year, 41 Conservative MPs gave up plastic for Lent, and took time to reflect on our own environmental footprint and to think about what more we could do for the planet. It was great that the Leader of the House was one of those 41. Will she again take a pledge for the environment this Lent and encourage colleagues from across the House to do so? Will she perhaps also support the great work of the charity Tearfund, which is partnering with the Department for International Development to address plastic pollution in some of the poorest parts of our planet?

**Andrea Leadsom:** My hon. Friend is a great champion for our environment. I am delighted to take up her challenge and again have a plastic-free Lent, as I did—and enjoyed—last year. I can say to her that our 25-year environment plan aims to ensure that this generation in the UK will be the first to leave our environment in a better place than we found it. We have done a huge amount already, including introducing a world-leading ban on microbeads and taking 13 billion plastic bags out of circulation in the past two years. We have consulted on banning the sale and supply of plastic straws and stirrers and of plastic-stemmed cotton buds. We will be consulting on introducing a deposit return scheme for single-use drink containers and reforms of packaging producer responsibilities. We are doing a huge amount in this Government, and it is right that we do so. As individuals, it is right that we all seek to do as much as we can to protect and preserve our planet for future generations.

**Clive Efford** (Eltham) (Lab): Definitely the most important thing I have ever done in my 21 years in this House was to call for the public inquiry into the investigation of the murder of Stephen Lawrence. I welcome the debate on Monday, but it was one of the watershed moments for race relations in this country and this is therefore an important moment. I believe that we are losing the focus on the lessons that Macpherson taught us, so will the Leader of the House ensure that the Home Secretary is in his place for that debate to give it the status it really deserves?

**Andrea Leadsom:** I totally agree with the hon. Gentleman that it is vital that we continue to learn the lessons from that appalling incident, which is now 20 years old. Stephen Lawrence will never be forgotten for what that demonstrated about the problems and challenges we have in our society today, and the debate on Monday will offer a good opportunity for all hon. Members to

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give their own thoughts on this. While he will appreciate that it is not for me to decide precisely which Minister comes to this House, I know that my right hon. Friend the Home Secretary takes a huge personal interest in this issue.

**Martin Vickers** (Cleethorpes) (Con): A report in today's *Grimshy Telegraph* highlights the cost of missed GP appointments. It points out that the cost to the NHS was £120,000 in north-east Lincolnshire alone. This is a major issue and a big problem that the NHS must tackle. May we have a debate to see how we can focus attention on it?

**Andrea Leadsom:** My hon. Friend is exactly right to raise this issue, which is a huge concern right across the country. People failing to turn up for GP appointments are wasting valuable resources and time from which others might be able to benefit. I strongly suggest that he perhaps seeks a Westminster Hall debate so that he can address this directly with Ministers and enable other hon. Members to put forward the concerns they have in their own constituencies.

**Angus Brendan MacNeil** (Na h-Eileanan an Iar) (SNP): May I just say—I learned this from the late Paul Flynn—nice tie, Mr Speaker? It is indeed one of the best. Paul once told me that he was named after the German soldier who spared his father's life in world war one, and many were the stories Paul shared with us.

First, I would like to say that it is good the business is out and we know what is happening on Wednesday. Again, we will be tabling an amendment to revoke article 50, which is open to all Members.

To turn to the serious matter I want to raise today, this Government keep playing games with the Refugees (Family Reunion) (No. 2) Bill. I raised this last week, and the racket still goes on. I want the Leader of the House to put a rocket under the Government Whips to get this moving. Last week, she just read from some bland sheet that was handed to her from behind her. The Government Whips have done nothing in the intervening time: they have not responded to emails, and when they suggested a meeting I was ready to go, but I find out today that the Whip in question is absent today. It is ridiculous, so will she pursue this, or must refugee children yet again be cast aside when it comes to family reunion? What do the Tories have against families? Refugees have the same right to a family life as everybody else. Will she commit today to putting a rocket up the Tory Whips Office—please?

**Andrea Leadsom:** The hon. Gentleman was doing so well until he started accusing the Government of not caring, which is simply untrue. This Government have an excellent record of supporting private Member's Bills, and more than 50 have received Royal Assent since 2010. We are not blocking progress. The Government are closely following the passage of the hon. Gentleman's Bill, and they continue to look at providing money resolutions for Bills that require them in the usual way, which is on a case-by-case basis. As I have said before, the Government have helped to reunite 24,700 family members over the past five years. Our policy allows a

partner and children under 18 to join refugees in the United Kingdom if they were part of the family unit before their sponsor fled their country. It is vital to do everything we can to help asylum seekers and refugees, but we must also discourage people from making treacherous journeys that end up doing so much damage to lives and people's futures.

**Liz McInnes** (Heywood and Middleton) (Lab): If the media are to be believed, this week is commonly known as "ski week." I would not know about that, but many of us have had to cancel constituency engagements to be here. May I echo the words of the shadow Leader of the House and ask that, if such a move is planned again, the needs of House staff are taken into consideration? I have spoken to many staff this week who have had to cancel family events or simply a much-needed break. If a PR stunt such as cancelling recess is planned again, the needs and wellbeing of House staff must be taken into consideration.

**Andrea Leadsom:** The hon. Lady raises an important point about the need to balance the needs of House staff with those of our Parliament. I received reassurances from senior House staff that all existing commitments would be honoured, and in speaking to many House staff I found them incredibly supportive, and they did not complain that they have had to cancel significant prior engagements. Nevertheless, the hon. Lady raises an important point about the need to take their wishes into account. I totally reject the hon. Lady's suggestion that this week has been a PR stunt. We have had two statements and five urgent questions, which enabled colleagues to question Ministers on UK nationals returning from Syria and the situations with Flybmi and Honda. Eight pieces of important legislation have been agreed on the Floor of the House, including the annual update of support for our armed forces on Monday. The Home Secretary opened a debate on serious violence for which the House has been calling for several weeks. We had a valuable and well attended short debate on the NHS 10-year plan, which the shadow Leader of the House had called for, and this afternoon we will debate potential future trade agreements. In addition, the Public Galleries have been full this week, with members of the public—including children on their half-term holidays—getting the chance to see their elected representatives holding the Government to account and defending their interests. I simply do not accept that this has been anything other than a valuable parliamentary week.

**John Cryer** (Leyton and Wanstead) (Lab): May I add my name to those paying tribute to Paul Flynn, who was a friend of mine and of many Members across the House? Paul's hobby was annoying Ministers, regardless of which party they happened to come from, and on Monday evening we will pay tribute to his memory at a meeting of the parliamentary Labour party.

The Leader of the House may be aware of a scheme that was introduced by the Government to enable local authorities to take in Syrian refugees. One such council is Waltham Forest, which covers most of my constituency, and the problem is that next year the funding will evaporate unless something is done now or in the very near future. May we have a statement from a Home Office Minister to set out the Government's plans for continuing that funding beyond 2020?

**Andrea Leadsom:** The hon. Gentleman raises an important point, and the Government are grateful to local authorities that provide care for a significant number of unaccompanied asylum-seeking children. We are currently reviewing funding arrangements, and more than 50 local authorities have taken part in a consultation. We hope to reach a conclusion soon, but it is right to take time to assess the evidence thoroughly. We are committed to putting in place arrangements that work as well as possible for both unaccompanied children and local authorities.

**Derek Twigg (Halton) (Lab):** Will the Leader of the House make time for a debate on antisocial behaviour, so that we can discuss the need for more support and help for police and local authorities to deal with and prevent such behaviour? That problem has recently caused difficulties in my constituency, including some serious incidents.

**Andrea Leadsom:** The hon. Gentleman raises a very important point. Antisocial behaviour is a real scourge for many communities right across the UK. He will be aware that we have recently had a debate on antisocial behaviour, and I hope he had the opportunity to raise his specific local concerns then. I keep under review the possibility of further debates on subjects that are of grave concern to this House, and will continue to do so with regard to antisocial behaviour.

**Jim Shannon (Strangford) (DUP):** On Tuesday 12 February, hundreds of religious hard-liners attacked members of the Ahmadiyya religious community in northern Bangladesh, leaving 25 injured. Some 700 to 800 men wielding sticks and batons, angry at plans to host an Ahmadiyya convention in the town of Ahmednagar, descended on the town and injured 20 policemen and five Ahmadiyyas. I attended an Ahmadiyya convention, along with lots of other people from across many different religions, here in the United Kingdom. The so-called Islamic State claimed responsibility for the attack, but the authorities blamed the Jamayetul Mujahideen Bangladesh, which is accused of killing scores of Hindus, Christians, Sufis and Shi'a. Will the Leader of the House agree to a debate or a statement on the matter?

**Andrea Leadsom:** The hon. Gentleman, as he often does, raises a very significant and concerning report of religious hatred and violence. He is right to do so. We have Foreign and Commonwealth Office questions on Tuesday 26 February, and I encourage him to raise it directly with Foreign Office Ministers then, so that he can hear what more the UK can do to help to support religious tolerance around the world.

**Kevin Brennan (Cardiff West) (Lab):** I thank the Leader of the House and the shadow Leader of the House for their remarks about our friend Paul Flynn. He would have had something to say about the business of the House sheet in which the Leader of the House appears to have abolished St David's day. As a proud Welshman, he would not have been very keen on that. However, does that not open up an opportunity? When the amendable motion is discussed, could we put down an amendment that brings forward Brexit day from 29 March 2019 to 29 February 2019, since it is here on the business of the House sheet, and thus avoid the whole thing all together?

**Andrea Leadsom:** All I can say is, nice try.

**Stewart Hosie (Dundee East) (SNP):** I have a constituent who wishes to remain anonymous, but who recently applied for a job with a UK Government Department. She has, among other qualifications, an A in higher maths and a B in advanced higher maths. This is a higher standard than an English A-level, yet she was told by Capita, which did the initial sifting, that she did not have the requisite qualifications. May we have a written statement from the Leader of the House, directing the attention of Ministers, HR managers and Capita to an explanation of the value of all qualifications sat by school pupils in the UK, including in Scotland? While she is answering, will she take the opportunity to congratulate the Scottish pupils who have just done their prelims—mock exams in England—and are now studying for their highers and advanced highers before the summer?

**Andrea Leadsom:** I am delighted to congratulate all students, in Scotland and elsewhere in the United Kingdom, who have just taken mocks and preliminaries. I wish them every success with their exams in the summer. I congratulate in particular the hon. Gentleman's constituent, who sounds as if she has done extraordinarily well in her maths highers. I sincerely hope that she will be rewarded with a good role. He makes a very important point. It is not clear to me whether he is suggesting that perhaps Capita has not understood the way that the grading system works.

**Stewart Hosie** *indicated assent.*

**Andrea Leadsom:** If the hon. Gentleman would like to write to me about this specific case I can take it up on his behalf, or he could raise it directly with the Secretary of State for Education, who I am sure would be very keen to take it up on his behalf.

**Colleen Fletcher (Coventry North East) (Lab):** This year, 2019, marks the launch of the three-year "I am and I will" campaign, which highlights the power of individual action in reducing the impact of cancer. I am sure the right hon. Lady already knows about it. Leading the way are the 1.4 million people who have joined the UK stem cell donor register, part of a community of more than 33 million people worldwide. Despite that, not every blood cancer patient is able to find the match that could save their life. Will the Leader of the House join me in encouraging more people to join the stem cell donor register, particularly young men, who are under-represented but in the highest demand? Will she look for an opportunity to have a debate in Government time on this really important issue?

**Andrea Leadsom:** I pay tribute to the hon. Lady for raising this very important issue in the Chamber, and I certainly join her in encouraging all people to consider joining the stem cell donation register. It is absolutely vital that we all do what we can to help our fellow man and our communities in the United Kingdom. She will no doubt be aware that we have made progress in treating all forms of cancer. Rates of survival have increased year on year since 2010 and people are more likely to survive cancer than ever before. The NHS is rolling out a new standard, so someone with a referral

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for suspected cancer can expect to be diagnosed or given the all-clear within 28 days. So often, early detection is absolutely vital to the outcomes for cancer sufferers, and I pay tribute to the hon. Lady for raising this very important issue.

**David Linden** (Glasgow East) (SNP) *rose*—

**Drew Hendry** (Inverness, Nairn, Badenoch and Strathspey) (SNP) *rose*—

**Mr Speaker:** I call Drew Hendry.

**Drew Hendry:** I am on a good run, Mr Speaker.

May we have a statement on the responsibility of Government Ministers to respond to Members of this House in a timely fashion? There has been an increasing pattern of unacceptable delays in responding to constituents' queries raised by Members of this House. For example, I have been waiting four months for a response from the Department for Work and Pensions, despite having written four letters to two separate Ministers. Does the Leader of the House believe that that is acceptable behaviour from her fellow members of the Government?

**Andrea Leadsom:** I am genuinely sorry to hear that. I am sure the hon. Gentleman will appreciate that Departments sometimes overlook correspondence. They have very clear service standards and seek to turn around letters within a short period of time. If he wants to write to me following business questions, I can certainly take it up on his behalf.

**David Linden:** Hon. Members may be aware of TotsBots, a fantastic company in my constituency that manufactures eco-friendly nappies. One of the issues that this company, based in the Queenslie area of my constituency, has raised is nappy companies that falsely tell their customers that they are eco-friendly. The Leader of the House will be aware of the Nappies (Environmental Standards) Bill that I presented to the House. May I therefore ask her to find time for us to take forward this hugely important issue and make sure that we are supporting great companies such as TotsBots?

**Andrea Leadsom:** I certainly join the hon. Gentleman in congratulating the company on its efforts to introduce more eco-friendly nappies. The whole issue of nappies is a big challenge in our attempts to improve our environment and reduce waste. I encourage him perhaps to seek an Adjournment debate so that he can discuss directly with Environment Ministers what more can be done to prevent the misrepresentation of how environmentally friendly some resources actually are.

## Points of Order

**Barry Gardiner** (Brent North) (Lab): On a point of order, Mr Speaker. Item 4 on the list of written ministerial statements for today is about the continuity of trade deals. It would have been extremely helpful to have had that written ministerial statement before the debate that is about to take place, and I deeply regret that it has not been made available by the Department for International Trade. This is the second time that such an omission has been made, and I wonder whether there is anything that we can do to ensure that in future, such a lackadaisical approach does not happen.

**Mr Speaker:** The hon. Gentleman has made his point in his own way. I must say, on a personal basis, that I have always found the Secretary of State the very embodiment of courtesy. It does seem to me that if it was a deliberate decision that the written ministerial statement would appear later, that is less than considerate to the House as it embarks on this debate. If it was inadvertent, that is unfortunate and perhaps rather inept, but it certainly should not happen again. Whether the statement can be made available fairly quickly, so that Members could at least consult it in the course of the debate, I do not know. It is a regrettable state of affairs, but hopefully there will not be a recurrence.

**Geraint Davies** (Swansea West) (Lab/Co-op): Further to that point of order, Mr Speaker. This is a momentous debate, called on a Thursday during what would have been half-term, and the statement is not even available. The problem with Brexit is surely that people are talking about the divorce, not what is going to happen to the children. We simply do not know what will happen to trade deals, which are terribly important. I feel that there should be some sort of ruling on whether the debate itself should be deferred, so that we have the information at hand.

**Mr Speaker:** Well, I do not think the hon. Gentleman would carry the House with him in suggesting that the debate be deferred. I hope he will not take exception if I say that I think that Members on the whole, at this point, although they may well have benefited from sight of the statement, will have a clear sense of what it is they wish to convey to the House, and I do not exclude from that category the hon. Gentleman himself. Although it is an imperfect situation, I think “needs must” is the principle that should apply here and we should proceed with the debate as scheduled. In that context, I look to the Minister to open the debate—and not any Minister, but the Secretary of State for International Trade himself, Secretary Dr Liam Fox.

## Future Free Trade Agreements

11.25 am

**The Secretary of State for International Trade and President of the Board of Trade (Dr Liam Fox):** I beg to move,

That this House has considered potential future free trade agreements: Australia, New Zealand, US and a comprehensive and progressive agreement for Trans-Pacific Partnership.

It is a pleasure to open the debate on Britain's potential future free trade agreements as an independent trading nation outside the European Union. The Government have consulted widely on the topic and heard a huge range of views, including from the Select Committee on International Trade, businesses, civil society groups, parliamentarians and the wider public. Today is the opportunity for the Government to hear further from Members of this House what their ambitions are for the first agreements we negotiate as an independent trading nation.

Although the Government's firm intention is secure an ambitious partnership with the European Union, if we are to deliver on the referendum result instruction given to us by the British people, we must remember that there is a world beyond Europe and there will be a time beyond Brexit. Now, for the first time in over 40 years, the United Kingdom will have the opportunity to step out into the world and forge relationships across the globe by negotiating, signing and ratifying new free trade agreements.

Free trade agreements should not be seen in isolation from the wider economic, strategic and security partnerships that we will need to thrive as a truly global Britain; nor should we ignore the enormous potential of multilateral agreements, which can have even greater liberalising effect than bilateral FTAs. Our ability to influence such agreements will be a major benefit of taking up our independent seat at the World Trade Organisation on leaving the European Union.

**Nick Thomas-Symonds (Torfaen) (Lab):** Numerous constituents have contacted me, very concerned about the future of our national health service. If we are to have all these trade deals around the world, can the Secretary of State guarantee that we will never open up our healthcare market to private firms that would deeply damage our NHS?

**Dr Fox:** I have read a number of representations from a number of organisations, particularly in relation to investor-state dispute settlements on matters such as healthcare, but let me say first that the ISDS system does not and cannot force the privatisation of any public services, and under current UK and EU agreements, claims can be made only in respect of established investments; they cannot be made in relation to an alleged failure to open up public services to a potential investor.

In the comprehensive and economic trade agreement, which has been ratified by this House, there is a clear reservation on healthcare services, which the Government have said we want to use as the template for the future. For the sake of clarity, I will read out the provision. Under the heading "Cross-Border Trade in Services", it states:

"The United Kingdom reserves the right to adopt or maintain any measure requiring the establishment of suppliers and restricting the cross-border supply of health-related professional services by

service suppliers not physically present in the territory of the UK, including medical and dental services as well as services by psychologists; midwives services; services by nurses, physiotherapists and paramedical personnel; the retail sales of pharmaceuticals and of medical and orthopaedic goods, and other services supplied by pharmacists."

We have made it very clear that there will be nothing in future agreements that will stop the Government being able to regulate our public services, including the national health service. That is set out in statute; it is there for all those who take an interest to read. There is no point having the same old arguments that were raised by the Transatlantic Trade and Investment Partnership, because we have already made that specific proposal; it sits there in CETA, which was ratified by this House, although its provisions, including NHS regulation and services, labour law and environmental services, were not supported by the Opposition. Perhaps the hon. Gentleman would like to explain why.

**John Spellar (Warley) (Lab):** I thank the Secretary of State for that clarification. He has made it abundantly clear that the privatisation threat to our health services lies not with trade deals from which we can be fully protected but from his own Government's privatisation agenda, which is still ongoing.

**Dr Fox:** While I clearly reject the latter part of what the right hon. Gentleman has said, the rest of it is very important. Trade agreements make it very clear that it is up to the elected Government of the United Kingdom to determine what they do with public services. The matter is therefore decided by the British electorate and not by any forces outside the United Kingdom. I am grateful to the right hon. Gentleman for making that point.

**Several hon. Members** *rose*—

**Dr Fox:** I will make some progress. I will give way again shortly.

New opportunities are clearly available to the United Kingdom, and seeking them will demand some of the agility that is required to respond to the potentially seismic shifts that are taking place in the world economy. The United Kingdom will have to be ready to compete for emerging sources of growth. While our established partners—such as the European Union—will continue to be vital, the locus of economic power is none the less shifting rapidly. It is estimated that 90% of global economic growth in the next five years will occur outside the EU. A centre of gravity that rested in North America in 1990 will have shifted to China and the far east by 2050, and we are already seeing the effects of some of that in the global economy. Those changes in economic development, global trade patterns and population growth in emerging and developing economies will fundamentally alter the opportunities that developed economies will have in the years to come.

Overall, the global population is projected to rise from 7 billion in 2010 to 9.8 billion by 2050, with the increase stemming mainly from Asia and Africa. The world is becoming increasingly well educated, wealthier and more urbanised. It is expected that by 2030, 60% of the world's population—5 billion people—will be middle-class. In 2009, the figure was only 1.8 billion. In the intervening time, middle-class spending will more than

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double to \$6.38 trillion. The rise of the middle class in Asia means that there is an enormous potential demand for the high-quality products and services in which the UK specialises. By 2030, China alone will have 220 cities with a population of more than 1 million, while the whole of Europe will have only 35.

**David Linden** (Glasgow East) (SNP): The Secretary of State is right to refer to the emerging middle class in growing economies—India is one example—but can he give me a cast-iron guarantee that when he is negotiating these trade agreements, human rights and issues such as freedom of religion and belief will be at the forefront of his mind? I am concerned about the possibility that, as we go around negotiating these wonderful free trade agreements, we will start to ignore human rights, particularly in the case of India.

**Dr Fox:** The importance that the UK ascribes to human rights is extremely well documented in the range of Departments that are involved. The Government do not intend to seek any watering down of concepts of human rights, although it is very reasonable for us to have different provisions in countries such as Canada and the United States, whose legal remedies and legal systems are similar to ours, from those that we would have in some other countries. We will want to be flexible on that, and it is one of the issues that I want to see built into real-time parliamentary scrutiny of our trade agreements so that the House can determine whether the values represented by the United Kingdom are reflected in those agreements.

**Stephen Timms** (East Ham) (Lab): Does the Secretary of State expect the beneficial arrangements that the European Union has made with developing countries to be maintained in the deals that his Department will negotiate?

**Dr Fox:** I am grateful to the right hon. Gentleman, who takes an interest in these issues, for his intervention. Not only would I like to see those maintained, but I would like to see us use our greater freedom to enhance them. For example, I would like to see a greater convergence of our trade and our development policies; I would like to see us use outward direct investment to help some of the poorest countries develop the ability to add value to their primary commodities; and I would like then for us to be able to use our freedoms in tariff policy to be able to reduce those tariffs on those value-added goods. It cannot be right that countries that produce coffee or fish are penalised for roasting their coffee beans or canning their fish when they try to sell them into our markets. By bringing those two elements together, we would be able to bring enormous benefit and enable people to trade their way to prosperity, rather than being as dependent on our aid policies as they are today. I am grateful to colleagues on both sides of the House who have come forward to us with proposals on that, because I think that we could find a strong bipartisan consensus in this country to be able to do some of that work.

**Jim Shannon** (Strangford) (DUP): We have already shown that we are very capable of getting contracts, for instance, as the Secretary of State knows and as I saw from direct involvement, with China in terms of the

agri-food sector in Northern Ireland. We have a £200 million contract over four years, which is an example of what we can do. Does the Secretary of State feel that the personal, family and business contacts we have with Australia, New Zealand and the USA will inevitably lead to further trade deals that will benefit us all in the UK, and does he share the confidence that I and many others in this House have that the trade deals we will get will benefit all in the United Kingdom of Great Britain and Northern Ireland?

**Dr Fox:** The hon. Gentleman makes several interesting points, and of course not all of the improved openings will come from former bilateral free trade agreements. The case he makes about opening up the dairy sector in China, which as he correctly suggests is worth about a quarter of a billion pounds to the Northern Ireland economy, came from our bilateral engagement with the Chinese Government and looking at their own regulations, so it was produced by a unilateral change by China, rather than a bilateral agreement. In many ways, it will be the opening up of sectors rather than bilateral agreements that will see the UK be able to increase access. The hon. Gentleman also makes a very good point about some of those other countries, because we have strong bilateral and personal links that I hope in the case of the United States, for example, will enable us to be involved at a state as well as a federal level in improving British trading access into those markets.

**Vicky Ford** (Chelmsford) (Con): On scrutiny and transparency, can my right hon. Friend confirm that the legal protections for our NHS that were built into the EU-Canada deal will be replicated in any future UK trade agreement and that, if there was ever a dispute with investors, it would be resolved in a transparent and open manner and not behind closed doors?

**Dr Fox:** The UK as well as the EU have been at the forefront of improving the investor-state dispute settlement system and its transparency; in particular we supported the UNCITRAL—United Nations Commission on International Trade Law—rules on transparency that became effective in 2014. We have always seen this as being a necessary part of agreements, but we do absolutely agree that transparency is one of the ways to give greater public confidence in the system itself.

It is predicted that the share of global GDP of the seven largest emerging economies—Brazil, China, India, Indonesia, Mexico, Russia and Turkey—could increase from around 35% to nearly 50% by 2050, which would mean that they would overtake the G7, although of course even with more mature economies the International Monetary Fund has predicted that the United States will grow over 50% faster than the euro area this year, at 2.5%. This historic shift in global economic and demographic power will reshape the opportunities of international trade in the years to come, perhaps faster than many expect.

We cannot wish away this change and nor should we. Providing the employment and economic growth the UK needs means navigating this shift successfully. Happily, the United Kingdom is well placed to take advantage of these new opportunities. British businesses are superbly positioned to capitalise on this new environment, as both established and growing economies drive demand in precisely those sectors in which the UK excels. Anyone

who has travelled widely will have seen how impressed global businesses and consumers are by the high quality of British goods and the professionalism of British services.

**Geraint Davies** (Swansea West) (Lab/Co-op): But surely Team EU collectively, with Britain in it, would have much more negotiating leverage against those very large emerging markets. An extreme example would be China. We are dwarfed by China but, as the EU, we can negotiate the best deal. The EU is negotiating deals with Singapore, Japan and others. Surely the Secretary of State must agree that we would get a better deal as part of the EU than isolated as a dwarf outside it.

**Dr Fox:** I really find it quite insulting that the United Kingdom, the fifth biggest economy in the world, should be described as a dwarf by the hon. Gentleman. We are one of the most successful global economies. It is also worth pointing out that the European Union does not have a trade agreement with China or with the United States because it was too difficult to get an agreement with the 28 nations in those negotiations. He is right to suggest that economies of scale have a role in trade agreements, but so also does the ability to conclude those agreements and to ratify them. That has shown itself to be easier when dealing with single nations, which is why Australia has a trade agreement with China but the European Union does not.

**Angus Brendan MacNeil** (Na h-Eileanan an Iar) (SNP): The Secretary of State has given us a good rundown of eastern growth metrics. This is why the EU is making the free trade deals with Japan and Korea that we are worried we are going to fall out of. The percentage that I would like him to give us is the gain to gross domestic product for the UK in any deals. We know that the UK will probably gain about 0.2% of GDP with a United States deal, as opposed to the 6% to 8% that it is going to lose from the European Union. That is only about one thirtieth or one fortieth of the gain. If the right hon. Gentleman is talking percentages, will he give us the percentages in context? He says that there will be a loss from Europe and gains with the United States of America and other places, but sadly those gains will be dwarfed by the losses.

**Dr Fox:** But that is a false prospectus, because we want a full and comprehensive trading agreement with the European Union that maintains that trade for the United Kingdom plus the extended opportunities that will come with increased access to those markets that are growing faster. It is possible to do both. It is possible to maintain our trade with the European Union and to improve our trade with the rest of the world. In fact, Britain will have to do that if we want to generate the sort of income that we require for the provision of our public services. Work done by the Institute of Economic Affairs suggests that in 2017 the big increase in UK exports of about £60 billion fed back into the Exchequer at a level of something like £15 billion to £20 billion. That is an example of how, when we come to balance our budget, it is not simply a choice between raising taxes and cutting spending; it is also about earning more money as a country.

**Angus Brendan MacNeil:** Is the right hon. Gentleman seriously saying that the Treasury's suggestion that getting out of the European Union and the single market will

hit the UK economy by 6% to 8% is not actually the truth? That is what is going to happen; he knows that we will take a GDP hit from that. He also knows that a deal with the USA, which accounts for a quarter of the world's GDP, will give us only a 0.2% gain. He will need to make about 30 or 40 USA-style deals to make up for that loss. Given that the USA accounts for a quarter of the planet, he is going to have to trade with seven or eight planets to make up the loss resulting from his Government's policy on Europe.

**Dr Fox:** I know that the hon. Gentleman feels very strongly about this. He did not like the result of the referendum and he does not like the decision to leave the European Union, but we are leaving the European Union and we need to ensure that we have sufficient access to the European market, but in a way that does not tie our hands in relation to increased access to other global markets. He makes assumptions on growth in other markets that I do not accept. Nor is this purely about access to goods markets; it is also about the growing access to services markets. In the global trading environment, we have simply not seen the sort of liberalisation in services that we have seen in goods since the establishment of the World Trade Organisation. There is huge potential to unlock the economic benefits to the United Kingdom in seeking global liberalisation in services trading, which is not factored into any of the equations that the hon. Gentleman has mentioned.

**Stewart Hosie** (Dundee East) (SNP): My hon. Friend the Member for Na h-Eileanan an Iar (Angus Brendan MacNeil), the Chair of the International Trade Committee, has got to the nub of this. The National Institute of Economic and Social Research said 18 months or so ago that we would lose around 20% of total UK trade even with an FTA with the EU. However, FTAs with the main English-speaking economies and with all the BRICS countries would only see trade rise by 2% or 3% respectively, which goes nowhere close to filling the gap. The point that my hon. Friend is making in GDP terms and the one that I am making in trade terms is at the heart of this. Liberalisation or not, there is no way that we can fill the gap left by what we are about to lose.

**Dr Fox:** As I said, the Government's ambition is to have a full and comprehensive agreement with the EU, as set out in the Prime Minister's model. Of course, if the Opposition parties want to avoid what they regard as the terrible scenario of no deal, they can vote for the Prime Minister's deal. In arithmetic terms—if the hon. Gentleman looks at where Britain's exports are going—just over a decade ago some 56% of our exports were going to the EU, whereas today that is down to about 44%. Why? It is not simply because the EU has grown more slowly, which it has, but because the economy of the rest of the world is growing faster. Clearly, that is where the markets are going to be for a United Kingdom that has an outward, global vision.

**Several hon. Members** *rose*—

**Dr Fox:** I will make some progress.

Standards have been widely debated in relation to future trade agreements, and I am sure that they will be raised throughout today's debate. The Government have been clear that more trade does not and cannot come at

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the expense of the deterioration of our world-class regulations and standards, whether they relate to the recognised quality and safety of our products, our labour laws or our environmental protections. Our current approach both protects our own citizens from substandard goods and services and provides the quality assurance that foreign buyers want, which underpins our export success. I remind the House that Britain's exports are currently at an all-time high.

The United Kingdom has proud and long-standing domestic commitments to protect the environment, to fight against climate change and to uphold high labour standards. We have clear commitments to sustainable development and the protection and advancement of human rights, as mentioned by the hon. Member for Glasgow East (David Linden), who is no longer in his place. We have a proud and long-standing tradition of promoting those values throughout the world, and the Government remain determined to meet our international commitments in that regard. That will not change as we leave the European Union.

To further that agenda, we will also be exploring how those values should be reflected in the design and provisions of future trade and investment agreements. We are absolutely clear in our policy that any future deals must ensure high food safety, animal welfare standards and environmental protections and maintain our excellent labour standards. The Government are committed to ensuring that this House and people across the country will have the opportunity to scrutinise such commitments in any future free trade agreements—a subject on which I will elaborate later.

**Helen Goodman** (Bishop Auckland) (Lab): Taking the Secretary of State back to Honda's decision earlier this week, the company said that one of its reasons for disinvesting from the UK was the new EU-Japan free trade agreement. Britain was fully involved in the negotiating of that agreement, so did the Secretary of State's officials get the EU to take account of the FTA's impact on inward investment into this country, because it has turned out to be disastrous?

**Dr Fox:** That was one of many reasons, with the main reason being changes in the international car market and, for example, the move towards electric vehicles and away from diesel engines. However, the hon. Lady's argument seems strange coming from the Labour party, because Labour wants to remain in a customs union with the EU, which would keep the EU-Japan agreement in place and prevent us from making changes to it in the future. If it is such a bad agreement, why is it Labour policy to lock us into a customs union with that agreement in place?

**Helen Goodman:** We would like to stay in the customs union because we export a lot to Europe. That is the simple answer to the Secretary of State. However, the question that I am trying to put to him is about what he, his officials and his Ministers did to prevent an agreement that has been damaging to the British economy. Will he undertake to ensure that future free trade agreements will not involve the same model, because that would have a similar negative impact?

**Dr Fox:** The liberalisation of global trade is to everyone's advantage. The hon. Lady says it is a terrible agreement, but her party's Front-Bench policy is to keep Britain in the customs union, which would mean the agreement is there in perpetuity. Not only that, but we would have no ability to alter it in future, nor would we have the ability to resist any changes made to it, whether or not we think they are to Britain's advantage. The Labour party cannot have it both ways: it either wants the freedom to create trade agreements or it wants them to be dictated by the European Union. It must be one or the other.

**Stephen Timms:** The hon. Member for Chelmsford (Vicky Ford) asked the Secretary of State for an assurance that the wording he read out from the agreement with Canada will be included in these future trade deals, too. Can he give the House that assurance?

**Dr Fox:** I have done so in previous debates of this nature, in which I said that we regard the public provisions in CETA as being the template we would like to see for future trade agreements. We think it is a good agreement, which is why we find it difficult to fathom why the Labour party did not vote for it in the House of Commons.

The world is crying out for the goods and services in which Britain excels, and it will do so even more in future. We have long been a proud and open trading nation. Trade totals some 61% of our GDP, and it is the foundation of an economy that delivers high-quality, high-paid jobs, that delivers better and more affordable products and that creates the conditions for competitive, world-leading businesses to innovate, prosper and grow across all parts of the UK.

Our openness to free trade, founded on a rules-based multilateral trading system with the World Trade Organisation at its centre, is at the heart of our prosperity. The Government have a clear position that multilateral agreements remain the gold standard of international trade agreements and are the ideal means of pursuing prosperity for the UK and globally across all 164 WTO members. However, this does not mean that bilateral or regional agreements cannot be useful complements to the multilateral system as an adjunct to wider liberalisation. That is why we are also pursuing a range of free trade agreements at both a regional and a bilateral level. Through these free trade agreements, the United Kingdom can work with our partners to establish modern, enduring and impactful trading rules that work for British businesses and for people and communities across our country.

One of the most important trade agreements we are considering is, of course, with the United States, which is our largest single-nation trading partner, with £184 billion-worth in the last year accounting for around a fifth of our exports, and is the single biggest source of inward investment into the United Kingdom. The UK and the US have a deep, long-standing relationship with a strong and enduring bond. We have a shared heritage and shared values, and of course we have deep co-operation across a wide variety of security and defence matters.

We have already taken concrete steps towards this potential trade agreement, including the signing of a mutual recognition agreement last week that confirms both Governments' commitment to maintaining all relevant aspects of the current EU-US MRA when it ceases to apply to the UK. This will help to facilitate goods trade

between the two nations and will guarantee that UK and US exporters can continue to ensure goods are compliant with technical regulations before they depart their home country. Total UK trade in the sectors covered by the deal is worth up to £12.8 billion, with the UK exports covered worth an estimated £8.9 billion.

Similar agreements have been signed in recent weeks with Australia and New Zealand. These agreements ensure continuity and safeguard revenues for British businesses and consumers, and they mark a further crucial step in securing and furthering our vital trading relationships. An ambitious free trade agreement between the US and the UK would further cement our existing strong bilateral partnership and further the interests of our highly compatible economies. It will make it easier for UK and US businesses to trade with each other and identify where we can collaborate to promote open markets around the world.

**Chi Onwurah** (Newcastle upon Tyne Central) (Lab): I have been listening carefully to the Secretary of State, and his argument seems to be that, on our own, we will be nimbler and more able to negotiate good trade deals, but he must know that size matters. As a market of 500 million, there is 10 times the opportunity for profit in the European Union than in the United Kingdom. Why should we get a better trade deal with the United States, for example, given the smallness of our market and of the opportunity for profitability compared with the European Union? If we are not going to get a better deal, why are we doing it?

**Dr Fox:** I hate to point it out, but the EU does not have a trade agreement with the US. Let me give the hon. Lady one example of why it has been unable to have one—data localisation. Although 24 out of the 28 members wanted to move forward with data movement with the US, four countries—France, Germany, Austria and Slovenia—blocked it. That meant that although most of the EU wanted that agreement, it was unable to get it. We would not be restricted in the same way. She is right to say that the bigger the market, the bigger the offer, but that has to be balanced against our ability to be flexible, and how liberal and open we would want to be in that trading environment. We are the fifth biggest economy in the world, and I find it ridiculous that we are being told that we are some sort of economic minnow, when, as the fifth biggest market in the world, most countries want to have access to us. Being smaller economies than the EU has not prevented countries such as Canada and Australia from having trade agreements with much bigger economies, because those trade agreements will be completed and signed only if they provide mutual benefits—otherwise, what would be the point in negotiating them? So I counsel this House against the despair of saying, “We cannot do it on our own.” As the fifth biggest economy on the planet, we are more than able to negotiate strong agreements with other political and economic groupings around the world.

**Several hon. Members** *rose*—

**Dr Fox:** I will make a little progress, because I know other Members wish to speak.

When we leave the European Union, an ambitious UK-US free trade agreement will be a key priority for the Department for International Trade, and we have

already been laying the groundwork. The US-UK trade and investment working group has now met five times, with conversations focused on what both sides can do towards ensuring certainty and continuity for business on both sides of the Atlantic, and on identifying opportunities to facilitate bilateral trade and investment, consistent with the UK’s obligations as an EU member. Both the Prime Minister and President Trump have made clear their shared commitment to these bilateral discussions, and they restated that in their most recent meeting in July 2018. As US Ambassador Woody Johnson has said:

“Britain is the perfect trading partner for the United States.”

We very much welcome the letter of intent sent to Congress from the United States trade representative stating that the Administration intend to open a negotiation with the UK once we leave the EU. The President’s statement in the Rose Garden last week, pointing to a very substantial potential increase in UK-US trade, makes it clear that we already have a special trade relationship and that there is real ambition on both sides of the Atlantic to embrace this after we leave the EU.

**Matt Western** (Warwick and Leamington) (Lab): Let me come back to a point about UK-US trade. The Secretary of State will be well aware that so many US corporations have favoured UK membership of the EU because it has given them a bridging point in access to the EU. The US Chamber of Commerce in Europe, for example, has long favoured our staying in Europe. Does he not agree with that?

**Dr Fox:** A lot of US corporations that I speak to are very relaxed about what our relationship with the EU will be, not least when I explain to them the constitutional implications of Britain being in the EU. I say to my American colleagues, “How would you like to have a court that has authority over the Supreme Court but that sits in Ottawa or Mexico City and over which you have no control?” They then soon understand the constitutional reasons why many of us voted to leave the EU.

**Vicky Ford** *rose*—

**Dr Fox:** I will give way, but then I will make some progress.

**Vicky Ford:** My constituents are very concerned about animal welfare standards. Will the Secretary of State confirm that a future trade agreement with the US would not expose British farmers, who have our high animal welfare standards, to products from the US that may have been produced to a lower animal welfare standard?

**Dr Fox:** I have already said that we give high priority to those standards, including animal welfare standards. That has been an essential part of what the Government have set out. I know that it would be advantageous for the Opposition if that were not the Government’s position, and they would like it not to be our position so that they could attack it, but we want to maintain our high standards of consumer products, our high environmental standards, our high standard of labour law protection and our high animal welfare standards as part of our approach to global trade. I am not sure that I could be clearer but, no matter how often the Government restate

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their position, there are those who do not want it to be our position and who want to interpret it in a completely different way.

The Asia Pacific region will be a key engine of global growth in the 21st century. That means that the comprehensive and progressive agreement for trans-Pacific partnership, or CPTPP, is a key interest for the United Kingdom as we leave the European Union. It is an extraordinarily global free trade agreement, spanning 11 countries on four continents: Japan, Vietnam, Singapore, Malaysia, Brunei, Australia, New Zealand, Canada, Mexico, Chile and Peru. Those 11 countries are collectively home to around 500 million people, constituting some 13% of global GDP and more than £95 billion-worth of current UK trade. If the UK were to accede to it, we would be the second-largest economic member within the agreement, which would then cover a sixth, or 17%, of global GDP—nearly equal to the EU minus the UK.

There has been a positive response across CPTPP members to the Prime Minister's announcement of the UK's interest in potential accession. In particular, it has been welcomed by both the Japanese and Australian Prime Ministers.

**John Spellar:** I thank the Secretary of State for mentioning the welcome developments with regard to the partnership. I hope, though, that accession would not be at the expense of trying to move towards a free trade agreement with our great friends and allies in Australia.

**Dr Fox:** The right hon. Gentleman, as ever, anticipates my very next point. In addition to considering access to that comprehensive international trade agreement, we are at the same time moving forward with ambitious bilateral discussions for future free trade agreements with two of our closest friends and allies: Australia and New Zealand. Both countries are important strategic partners with which the United Kingdom has a deep shared heritage, built on the foundations of democratic values, security, language, our common legal system, culture and, of course, sport—although not all with equal success. It is because of our shared values and our firm belief in free and open trade that we want to strike cutting-edge free trade agreements with Australia and New Zealand, seeking to go further than CPTPP—indeed, further than any FTA ever before—in areas of shared ambition such as services and digital.

Many UK businesses already view Australia and New Zealand as an attractive base for their regional operations, and their proximity to Asia makes them excellent partners for UK firms in a region that stands to deliver nearly two thirds of global growth to 2030. Unlike the EU, Australia and New Zealand have trade agreements with the world's second largest economy, China.

**Mary Glendon** (North Tyneside) (Lab): The Australian Trade Minister has said that other countries in the Asia Pacific region would be considered before us for membership of the trans-Pacific partnership, because we are not in that region. How does the Secretary of State feel about that? Does it dint his confidence at all about any agreements we could reach?

**Dr Fox:** No. The countries in the CPTPP have been quite clear that they want to finish the ratification process for the 11 countries that are already in the partnership before they consider potential new entrant countries. They have yet to decide whether they want to consider individual countries or to group countries in a timetable for accession. We have simply made it clear that we have an ambition to join the partnership. We have a long way to go in determining what that would look like in respect of both timescale and content.

I am delighted to report that both Australia and New Zealand have shown strong political will to negotiate such agreements. Australia is the 13th largest global economy and has been a flourishing nation in recent times, with an excellent record on GDP growth, and trade already worth some £15 billion per year.

The UK is the second largest investor in Australia while Britain is the second largest destination for Australian overseas investment. Our countries established the UK-Australia trade working group in September 2016 and since that time it has met regularly to lay the foundations for future FTA negotiations in addition to discussing wider trade issues of shared interest. I believe that we can look forward to those discussions with confidence.

Similarly, New Zealand and the United Kingdom enjoy extremely close economic ties. The UK is New Zealand's largest export market in the European Union. New Zealand exports more goods to the UK than to Germany, France and Italy combined. We are also the largest EU investor in New Zealand. The UK and New Zealand are both ranked in the top 10 countries for ease of doing business and we already boast a strong trade relationship, with UK-New Zealand trade worth around £2.8 billion.

The UK-New Zealand trade policy dialogue has been working since September 2016 to determine how we further strengthen our trade and investment relationship and to prepare the groundwork for the launch of bilateral FTA negotiations. An FTA with New Zealand would be an opportunity to set an ambitious precedent for future agreements and to build our relationship with a key ally in multilateral forums. It will give us the opportunity to pioneer modern and enduring trade rules, to update the global rulebook and to identify where we can collaborate to promote free, fair, rules-based trade in markets around the world.

Free trade agreements also give the United Kingdom the opportunity to design new modern trading rules that play to our unique strengths. To ensure that any future FTA works for the whole of the UK, the Government have sought views from a broad range of stakeholders from all parts of the UK. The Government's proposal, published last year, set out our approach to pursuing new trade agreements collaboratively by engaging the widest range of stakeholder groups. We are committed to an inclusive and transparent trade policy that benefits the whole of the UK.

We are also creating a new strategic trade advisory group, which will advise Department of International Trade Ministers and trade negotiators on trade policy as we move forward. The group will be co-chaired by the Minister for Trade Policy and we are now finalising the selection process for membership. I will shortly write to the successful candidates, with an announcement to follow. This group is composed of core members, representing a diverse range of interests and expertise,

drawn from different groups—from business and the trade unions to consumers and non-governmental organisations among others—but all with an interest in our future trade policy and its impact on the full spectrum of issues facing the UK, from the workplace to consumer choice and the environment. The membership of this group, with its balance of interests and representation from across the UK, is designed to allow the Government to harness advice, insight and evidence from a cross section of experienced voices already actively involved in trade-related issues.

**Deidre Brock** (Edinburgh North and Leith) (SNP): I thank the Secretary of State for giving way. Let me go back to the issues around Australia—as an Australian this area is of particular interest to me. The Japan-Australia economic partnership agreement took seven years from start to finish to establish. How long does the Secretary of State estimate it will take to establish a similar agreement with Australia?

**Dr Fox:** At the other end of the scale, the Australia-US trade agreement was an extremely short one to negotiate. So where there are compatible economies, it is possible to do that. I spoke to my Australian counterpart yesterday, and we hope that, given the openness of our economies and their compatibility in terms of shape, we will be able to conclude an agreement as soon as possible. There is no way, in advance of a negotiation, to say how long it will take. At the beginning of this process, our Australian colleagues are likely to be involved in a general election, which may mean that it will be slightly later when we can get into the process, but I hope to be able to conduct bipartisan negotiations with them to ensure that we can make progress as quickly as possible, which is in our mutual interest.

On 20 July 2018, we launched four online public consultations, providing the public with an opportunity to give their views on potential future trade agreements with the US, Australia and New Zealand and on accession to the CPTPP. All four consultations were open for 14 weeks—two weeks longer than the EU's trade agreement consultations—and collectively attracted more than 600,000 responses, making it one of the largest consultation exercises ever run by the UK Government.

Alongside the consultations, we ran 12 events across the different regions and nations of the UK to seek their views on how prospective trade agreements could support prosperity and growth. The evidence provided in the responses to those consultations will inform the Government's overall approach to our future trading relationship with these countries, including our approach to negotiating any trade agreements. Decisions made as a result of the consultations will be published before potential negotiations start.

This is the first time that the United Kingdom has consulted on potential future trade agreements independently. The volume of responses across all four consultations, run simultaneously, means that it is only right that we take time to consider the responses and the views of this House in detail. While there are many other markets that the UK will look to for new agreements, our shared values and our strength of trade with the US, Australia and New Zealand make them the right places on which to focus our initial attention, alongside our interest in potentially negotiating accession to the CPTPP.

Let me turn to future scrutiny of our free trade agreements—a topic that has received much discussion in both Houses, including through the inquiry co-ordinated by the International Trade Committee and the published response.

**Angus Brendan MacNeil:** Let me provide a little extra scrutiny. The Secretary of State has talked a lot about trade policy and trade agreements, but these are very different from trade; trade is a different thing. I am thinking about my constituency, where there are guys who travel to the European continent on a weekly rotation basis with lorries containing live shellfish. Now, if we have trade agreements with New Zealand, it is not so easy to drive there on a weekly rotation with a lorry of live shellfish. These guys would also face snarl-ups and there would not be the openness that there currently is to access the French, Spanish, Italian and German markets. How will the interface between trade, trade policies and trade agreements actually work in practice for lorry drivers of shellfish? That is what these people need to know.

**Dr Fox:** The mechanics of the market become immaterial if there is no market to sell into. We are looking to ensure that UK producers have increased market access so they can trade more, sell more of their products and make more profit, which enables us to employ more people. That is what the whole concept of free trade is about. The hon. Gentleman is quite right that the mechanics at borders need to be ensured—not only in the United Kingdom, but in many of the other countries that we are selling into. That is what the trade facilitation agreement that we signed last year was all about. There has to be an improvement in global trading mechanics, including through using new technologies.

The Government are committed to the established principle that Parliament must be able to scrutinise trade agreements at the beginning, throughout and at the end of negotiations. We must have a mechanism that balances real and meaningful scrutiny with the need to maintain the greatest possible security for sensitive negotiating positions and potentially market-sensitive data. I am grateful to Members on both sides of the House for their encouragement and the private conversations that we have been able to have on this issue. The Government are considering how best to balance these elements and I will bring forward further proposals very shortly, not least because we need this for the Trade Bill to make progress on Report in the other place. We will of course take account of views expressed on the subject in this debate.

As we leave the European Union, the United Kingdom will have the opportunity to negotiate, sign and ratify free trade agreements during the implementation period. Working with like-minded partners such as Australia and New Zealand in bilateral agreements and adding our weight to the CPTPP—a modern and ambitious agreement—alongside an agreement with the largest and one of the most innovative countries in the world, the United States, will allow the United Kingdom to take advantage of the opportunities that leaving the European Union affords. This will allow us both to break down barriers that exist with our established partners, and to adapt to the momentous changes taking place in global trading patterns and the growth of the global economy.

[Dr Fox]

Across the world, new markets are emerging that will provide golden opportunities for British goods and services, and it is right that the Government seek out like-minded partners to build the relationships and trading environments that will best maximise those opportunities for the benefit of the United Kingdom and the wider world.

12.14 pm

**Barry Gardiner** (Brent North) (Lab): There is a saying that the longest journey begins with the first step. I have always thought that very foolish. Surely the longest journey begins with deciding upon one's destination. Without a destination, one is simply wandering about aimlessly. Of course, the other part of key journey planning is knowing what we want to do when we get there. Well, it seems to me that today's debate shows that, when it comes to trade, the Secretary of State has identified the countries that he wants to visit—New Zealand, Australia and the United States—but that he is not really sure what he wants to do when he gets there.

The Secretary of State must persuade the House today that he has a clear itinerary and agenda. What are his objectives in securing these new trade agreements? What are the attack sectors in the markets that he has particularly identified as ones where we need to secure liberalisation and access for our suppliers and exporters? Which are the defensive sectors in our own markets that these other countries may seek to attack in response? What are the measures that he is proposing to use to defend those sectors in the UK?

My right hon. Friend the Member for Warley (John Spellar) intervened on the Secretary of State to elicit a clear statement of his firm intention to safeguard our NHS. Perhaps the Secretary of State would confirm that he was not actually quoting from the CETA, but from its non-legally binding interpretive side document. What sacrifices is he prepared to make in the negotiations to secure his objectives? How do his objectives sit alongside the objectives of his colleagues in the Department for Environment, Food and Rural Affairs? Do they compromise our food standards or producer capacity? In the Department for Business, Energy and Industrial Strategy, do they fit alongside the plans for a low-carbon transition of our economy to net zero? A successful strategy is one that has thought through all these questions beforehand.

My hon. Friend the Member for Bishop Auckland (Helen Goodman) exposed how only this week we have seen an announcement by Honda, whose future in the UK has been sacrificed as a result of Japan now being able to export Japanese-made cars tariff-free to Europe. The Secretary of State said, "Well, of course, they're still going to be able to do that after we've left the EU, and we'd have no way of changing it inside." We have no way of changing it outside, because Honda will still be able to export those cars to Europe tariff-free; the Secretary of State knows that. The point that my hon. Friend was making so powerfully was that the relevant impact assessment was not done and that this Government had therefore not insisted that the relevant protection was made for our industry in the EU-Japan agreement.

**Angus Brendan MacNeil:** I have a philosophical question. There are two schools of thought regarding what is to blame for the Honda situation. It is either Brexit and

the anticipation of trouble at the borders either now or in 21 months' time as the Prime Minister kicks the can down the road and we leave the customs union and the single market; or, as the hon. Gentleman has just postulated, it is the EU-Japan free trade agreement. If it is the latter, is it not negligent for a country within the EU not to raise this issue as a defensive interest and ensure that this situation does not happen? It would seem to be extreme UK negligence for a country within the EU to have burned its car industry on the basis of getting a free trade agreement.

**Barry Gardiner:** The hon. Gentleman makes two distinct points. Of course, he is right to talk about the impact of Brexit on the automotive sector in the UK. All Members in this House should be concerned about that. The point that my hon. Friend the Member for Bishop Auckland quite rightly made was that Honda said, as the Secretary of State mentioned, that there was no imputation that this decision was made as a result of Brexit, but there was a clear indication that it was as a result of Japan now being able to import tariff-free to Europe—including the UK, but the whole 28 member states. At the point when this Government should have been making representations during the negotiations on that agreement, they were not doing so.

**Dr Fox:** The Labour party's position is that it would be inside the customs union, where it would inherit the very agreements it says it does not like—it did not vote for CETA and it does not like the Japan economic partnership agreement. It would not only be bound by those agreements but would have no say in any future policy because it would be applied by the EU through the customs union.

**Barry Gardiner:** It is always the way with the Secretary of State: when he sees that a valid point has been made and that he is vulnerable to it, he tries to go on the attack. It does not work. It is a pathetic response when he knows and should, with some humility, accept that the proper impact assessments were never made.

**Mr Marcus Fysh** (Yeovil) (Con): Is the hon. Gentleman aware that there is some concern among Japanese car manufacturers about whether the US will end up imposing tariffs on EU products and that that might make exports from the EU to the US very uncompetitive? Is that not potentially a much better reason why, in this case, sad though it is of course, they are consolidating low-volume production models back to Japan?

**Barry Gardiner:** The hon. Gentleman makes a fair point, and I will address it because he has done so in an open spirit. It could well be the case that the risk of America doing as he has suggested could have had that impact. I think he will concede that it is more likely to have been the case in the high-value sectors of our automotive industry, such as Jaguar Land Rover, where we export prestige vehicles to the United States, than in the bulk sector—the Nissans, Hondas and Toyotas that form the bulk of our domestic production and of our exports to Europe. He is partially right. It could well have affected their decision making, but it is more likely to have been at the high end of the market than the low.

**Geraint Davies:** Does my hon. Friend think it is a cruel irony that Margaret Thatcher was instrumental in creating the single market and getting Japanese car companies to come here as a platform to access that market? The EU-Japan trade deal is one of the reasons they have gone there. The other imperative is that, had we not been Brexiting, those car manufacturers would in all probability stay in the EU, in Britain, where they are already. Given that car workers who voted to leave are now finding that they voted to leave their jobs, should they not have a final say on whether we leave at all? They certainly did not vote to lose their jobs. It is completely farcical.

**Barry Gardiner:** My hon. Friend tempts me into a discussion about Brexit, but I am sure that if I were to be tempted, Madam Deputy Speaker, you would be on my case in a flash, urging me to deal with the matter of future free trade agreements instead.

This debate was originally promised at the last International Trade oral questions on 7 February, but anyone reading *Hansard* will not have been blind to the fact that the commitment was made as a response to an entirely different question. We did not ask for a general debate on putative trade deals with specific countries. What was asked was when the Government would bring forward a debate about the scrutiny of trade deals. Even if the Secretary of State has not yet got round to reading my eight-page letter of 21 January on the subject—there are many copies on this side of the House if he wants a spare—he cannot have been unaware of the matter, because, to his embarrassment, the Trade Bill's progress in another place has been delayed as the Government lost a crucial vote.

Their lordships required the Government to set out their proposals for the process, the consultation, the mandate and scrutiny of making international trade agreements in the first place, including:

“Roles for Parliament and the devolved legislatures and Administrations in relation to both a negotiating mandate and a final agreement.”—[*Official Report, House of Lords*, 21 January 2019; Vol. 795, c.506.]

The House will note that no such proposals have yet been brought forward, so perhaps the Secretary of State will tell us what progress he has made in this respect and when he intends to introduce such a debate.

Today's debate certainly cannot be considered to constitute that important discussion. It is a general debate on a Thursday, in a week that was intended to be recess, talking about potential agreements before Parliament has even debated the whole process of consultation, impact assessment, negotiating mandate, parliamentary debate, transparency of negotiation, ratification and subsequent review and periodic appraisal that should constitute a framework within which the Government intend to bring such agreements into being.

Furthermore, people watching today's debate will be incredulous that, given that just last week the Secretary of State was forced to come to this House and admit that he had thus far failed to replicate the 40-odd trade agreements that he promised would be ready to sign one second after midnight after Brexit, last week only five had been agreed, nine were off track, 19 were significantly off track, four were said to be impossible to complete by 29 March and two were not even being negotiated. If there has been progress since then, I will happily give

way to the Secretary of State if he wishes to advise the House. No. In that case, I take it that his silence is an acceptance that that is the state of play of the agreements that we currently have. Indeed, the fact that we are instead discussing a host of entirely new trade agreements when we have yet to secure trade continuation with all the countries with which we already enjoy a trade agreement by way of our EU membership rather calls into question the Government's priorities at a time when businesses are screaming for certainty, clarity and continuity.

**Chi Onwurah:** I thank the shadow Secretary of State for giving way and for the excellent speech that he is making. When I asked the Secretary of State earlier whether, given the different sizes of the UK market and the EU market, the UK could succeed in negotiating a better deal than the EU, his response was that the EU had yet to negotiate a deal, seeming to imply that no deal could not be worse than a bad deal that he might negotiate. Does my hon. Friend agree that this is contradictory to the Brexiteers' position, and that a bad deal for us negotiated with the United States of America could have a really devastating impact on our agriculture and automotive trades specifically?

**Barry Gardiner:** I certainly do agree with my hon. Friend. Some in the Secretary of State's party have been claiming that no deal would be better than a bad deal. Others have been claiming that going on to no deal would be no problem at all, that we would be trading on WTO terms. I am sure that she also wonders, if working on WTO terms is as good as those Conservative Members believe it to be, what the green sunlit uplands are that the Secretary of State is speaking about in terms of getting rid of the WTO terms in all these new trade agreements. I think he was the one who referred to having it both ways earlier, but it rather seems to me as if he is doing just that.

**Catherine West (Hornsey and Wood Green) (Lab):** The Secretary of State's reference to the sunny uplands of post-Brexit trade rather prompts the question why the Government Benches are not a little fuller today. Would my hon. Friend like to comment?

**Barry Gardiner:** There is no need for me to comment. The empty Benches are screaming my hon. Friend's point louder than I could amplify it.

**Angus Brendan MacNeil:** Will the hon. Gentleman give way?

**Barry Gardiner:** I will make a little progress.

The Government's primary focus must be securing a deal with the EU, which accounts for 44% of all our exports. The Department for International Trade's primary focus must be to secure the so-called roll-over agreements—a promise repeatedly made by the Secretary of State, which he has now only 35 more days to deliver. Thousands of businesses depend on the ability to continue to operate their just-in-time supply chains, and thousands of jobs in this country depend upon the same.

Questions have repeatedly been asked of the Government's capacity to handle even the volume of work required to get these deals over the line—more so given the UK's relative lack of trade negotiation experience after some 40 years of not being able so to do under the

[Barry Gardiner]

EU's common commercial policy—yet today's debate is to consider a number of potential new free trade agreements with Australia, New Zealand and the United States, and the potential accession of the UK to the comprehensive and progressive agreement for trans-Pacific partnership.

The Opposition want to see progressive, positive trade agreements that benefit the UK, help to grow our export potential and further enhance the UK's attractiveness as a destination for investment, but we have been clear from the outset that the priority must be securing a deal with the EU and ensuring continuity of trade for British business, including with respect to trade agreements that the EU has with third countries. There is a good reason for that, which is that any major trading partner will want to know what trading arrangements we have with the EU before concluding a trade agreement with us in future. That seems self-evident. If we are not able to conclude the free trade agreement with the EU, perhaps right into the transition period, that will substantially impair our ability to secure a new trade agreement with any of the three countries that we are considering today.

The Secretary of State is like a general who fails to secure his rear before charging off in search of a new enemy to fight, but that is not his only embarrassment. The letter written to the Prime Minister this week by the chief executive of the British Ceramic Confederation is excoriating about the total lack of understanding displayed by the Secretary of State of the impact of the proposals he favours for a move to zero tariffs in as many areas as possible. The chief executive sets it out in surgical detail:

“Removing import tariffs gives a leg up to foreign competitors, thus threatening British manufacturing jobs.”

She continues:

“Our manufacturers would still be paying other countries' import tariffs including, in the event of no deal, EU MFNs and other countries' MFNs where we will have just lost our preferential access. The net effect across all sectors could be to increase imports at the same time as exports are being put under pressure with a resulting adverse effect on balance of payments.

No tariffs makes the UK's emerging trade remedies system ineffective from the outset by lowering the cumulative duty paid on the distorted imports, for example, by 12% in the case of dumped Chinese tableware.

It would weaken the UK's hand in making free trade deals with other countries. If we give away access to Britain for free, why would anyone need to do a trade deal with us?”

**Helen Goodman:** Will my right hon. Friend give way?

**Barry Gardiner:** I will, but my hon. Friend has promoted me.

**Helen Goodman:** I am grateful; my hon. Friend is making an exceptionally important point. I have had the ceramics industry in touch with me because I have a brick factory, Wienerberger, in my constituency. Zero tariffs would also be catastrophic for farmers. Does he not agree that if the Secretary of State is planning to bring forward a statutory instrument in this form next week, he should have had the decency to announce it at the Dispatch Box today?

**Barry Gardiner:** I do not know whether my hon. Friend was in the Chamber just prior to the debate starting, but I raised a point of order with Mr Speaker—obviously, you were not here, Madam Deputy Speaker—

to say that the fourth written statement due to be laid before the House today had not been made available prior to this debate. I thought that was a great shame. Mr Speaker expressed his view that, of course, these things sometimes happen inadvertently. If it was advertent, he deprecated it. But of course, there is a pattern here, and my hon. Friend is right to point to that pattern. I share her hope that we will not find next week that there are further documents that either would have been vital for today's debate or are being produced at exactly the wrong point for Parliament to have the maximum opportunity to scrutinise what the Government are doing.

The British Ceramic Confederation letter continues:

“Some members thought if we are importing, say, a raw material, that was not manufactured or quarried in the UK a liberalisation might be acceptable. Our members are clear this should be an exception rather than a general rule and comprehensive consultation would be needed.”

Of course, the chief executive rightly also points out that most other sectors have not had the same level of discussion with officials that ceramics has had, and so are largely unprepared for the potential impact of a unilateral snap move to zero most favoured nation tariff rates. There has been no comprehensive formal consultation, no comprehensive impact assessment and no prolonged transition proposed. Such a significant decision would have far-reaching consequences for the UK economy and would demand full parliamentary scrutiny.

Consultation, impact assessments and parliamentary scrutiny—those are all the things their lordships are still waiting for before returning the Trade Bill to this House, and all the things this debate ought to have been about, rather than putative future agreements whose working groups have been mired in secrecy and which the Secretary of State sees as his vanity project of restoring the Anglosphere.

The letter continues:

“In a no deal Brexit, already highly damaging and disruptive for our sector, the shock of zero tariffs would be devastating, affecting businesses, jobs and communities across the country as well as affecting UK manufacturing more generally.”

Of course, it is not just the ceramics industry that is horrified by the Secretary of State's proposals. The Manufacturing Trade Remedies Alliance, which is made up of eight national trade associations, as well as three trade unions, only yesterday put out an equally strong press release damning the folly of a wholesale reduction to zero tariffs, saying that

“the move could ruin the home market for many sectors. Increased imports would flood the market, jeopardising tens of thousands of jobs and fundamentally changing the British economy.”

Ian Cranshaw, head of international trade at the Chemical Industries Association, said:

“The idea of a new tariff regime is something which should be subject to proper consultation. With less than 40 days to Brexit, British manufacturers already dealing with Brexit uncertainties are now having to assess how their business might be impacted by an increase in non-EU competition should the government remove MFN tariffs on key chemical products.”

Finally, Jude Brimble, GMB national secretary, said:

“Zero tariffs in the event of a no-deal Brexit is a short-sighted move. While it may lower prices in the short term, it will ultimately put thousands of British manufacturing jobs at risk.”

**Dr Fox:** Will the hon. Gentleman give way?

**Barry Gardiner:** In a moment. Jude Brimble continued:

“Manufacturers are often based in the heart of their communities and supporting many more indirect and supply chain jobs.

Zero tariffs could destroy the proud history of making and manufacturing”

in this country.

Is this really what the Secretary of State intends? I will happily give way to him now if he will rise to confirm that he has abandoned that folly.

**Dr Fox:** The need to produce a new tariff policy would be required only in a no-deal scenario. I voted for there to be a deal to avoid that—will the hon. Gentleman?

**Barry Gardiner:** I have two points. First, of course I will vote for a deal, but I will not vote for the Secretary of State’s bad deal. That is why we have put forward our own proposals for a good deal that would protect manufacturing in this country. Secondly, he says that new tariffs will be necessary only if there is no deal. Why then have he and his departmental officials been talking to industry about his proposals for zero tariffs? I will very happily give way if he will come back to the Dispatch Box and explain that. *[Interruption.]*

**Madam Deputy Speaker (Dame Eleanor Laing):** Order. The hon. Gentleman cannot sit down. He has to keep going.

**Barry Gardiner:** I was seeking an intervention, Madam Deputy Speaker.

According to the Office for National Statistics, Australia was our 16th biggest export market over the past 20 years, with machinery, Scotch whisky and particularly motor vehicles being among our primary exports. House of Commons Library data suggests that we exported £10.8 billion of our goods and services to Australia in 2017, representing 1.8% of our total exports. In turn, we are Australia’s primary EU market, with primary imports consisting of metals, including precious metals, as well as gems, wine and agricultural products.

The UK Government have recently announced that a UK-Australia mutual recognition agreement has been agreed alongside an agreement on trade in wine. *[Interruption.]* This is not a glass of Australian wine that I am drinking. That agreement is intended to replicate the terms of existing agreements between Australia and the EU. Australia maintains a number of trade co-operation agreements with the EU, and the current state of play on the UK Government’s progress in rolling over these agreements remains unclear. Although Australia does not currently have a free trade agreement in place with the EU, discussions towards an agreement began last June. Australia has repeatedly made it clear that the EU agreement remains its priority agreement, and that any trade agreement with the UK will not be possible until Brexit is settled.

The European Parliament approved the negotiating mandate for the trade agreement, but noted that there must be

“special treatment for some sensitive agricultural products, for example, through tariff-rate quotas or transition periods, and a request that consideration should be given to the exclusion of the most sensitive sectors; and the preservation of governments’ right to regulate with a view to achieving legitimate policy objectives.”

Furthermore, the European Parliament called on the Commission

“to conduct negotiations as transparently as possible”,

and said that

“the role of the Parliament should be strengthened at every stage of the FTA negotiations.”

I ask the Secretary of State whether the UK Government will be adopting the same mandate in the negotiations. Where they are not adopting the same mandate as the EU-Australia agreement, will he set out precisely where it will differ?

In the same year, our exports to New Zealand totalled £1.5 billion, representing 0.2% of our total exports. The ONS statistics for the period show that New Zealand was our 54th biggest export market over the past 20 years. Again, our biggest goods exports to New Zealand were primarily motor vehicles and machinery, with agricultural products and wine constituting some of our major imports. The US was our primary export destination in that period, and of course it continues to be our biggest trading partner, discounting the EU. We record a trade surplus with each of these countries, so it would be fair to imagine that it is in their interests to ensure that any future trade agreement grows their own export base.

The EU and New Zealand also commenced negotiations towards a free trade agreement last year, with the mandate again being presented for a vote in the plenary of the European Parliament. Concerns were raised about the impact of agri-food imports on farmers, and the European Parliament requested

“that due consideration should be given, for instance, either to the inclusion in the FTAs of transitional periods or appropriate quotas, or to the exclusion of commitments in the most sensitive sectors.”

It said that the negotiations should seek to ensure

“the inclusion of a specific chapter devoted to generating business opportunities for micro-enterprises and SMEs; special treatment for some sensitive agricultural products, for example, through tariff-rate quotas or transition periods, and a request that consideration should be given to the exclusion of the most sensitive sectors; and the preservation of governments’ right to regulate with a view to achieving legitimate policy objectives.”

The European Parliament called on the Commission

“to conduct negotiations as transparently as possible,”

and MEPs stressed that

“the role of the Parliament should be strengthened at every stage of the FTA negotiations.”

Again, I ask the Secretary of State whether, in pursuing the trade agreement with New Zealand, he will be adopting a mandate that is similar to the one already adopted by the EU. If not, will he now set out precisely where it will differ?

With that in mind, we must be clear about what the opportunities and threats are in respect of further liberalisation of trade with these countries by way of a free trade agreement. It would therefore have been helpful had the Government set out their priorities for each of the trade agreements we are talking about. I had hoped that this would be an opportunity for the Secretary of State to come to the House and do precisely that—to set out the sectors of attack, the sectors of defence and exactly what trade-offs he might foresee.

The hon. Member for Na h-Eileanan an Iar (Angus Brendan MacNeil) and his colleague who speaks on trade for the SNP, the hon. Member for Dundee East

[Barry Gardiner]

(Stewart Hosie), both challenged the Secretary of State by saying that neither the contribution to GDP nor the volume of trade secured in these future trade agreements would compensate for the loss of trade with the EU. When they intervened on him earlier to do so, they gave figures and statistics, but the Secretary of State did not do so.

What impact assessments have the Government done on the specific rises in GDP and volume of trade that the UK seeks to secure from the agreements his working groups have been working towards? With those assessments we might be able to hold him to account in the future. For example, given that motor vehicle exports make up our largest goods exports to Australia and New Zealand, it would be helpful to know what assessment the Government have made of recent market developments, or of our ongoing capacity to export motor vehicles to those countries.

**Angus Brendan MacNeil:** I hesitate to intervene to make a discordant point, because the hon. Gentleman was being generous. However, on balance I think I should say that if we have a customs union only and are not in the single market, which is the Labour party's policy, that itself will probably mean a hit to GDP of about 4%. If we need about 30 agreements at 6%, then we would need about 20 similar agreements—20-ish such American agreements—to make up for the damage his policy would bring in loss of trade to the European Union.

**Barry Gardiner:** Yes, indeed. That is why I have consistently said that I believe that Brexit will do economic damage to this country. Unlike the hon. Gentleman, however, I believe in democracy. I believe that, after the referendum took place, this Parliament had an obligation to do what the British people said we should do.

There is also the question of geography to overcome, with the traditional trend towards trade being with one's nearest geographical neighbours. That is called trade gravity. While we may share a common history, have cultural relationships and even share a legal system—in trade terms, that is critical and very helpful—there can be no avoiding the significant logistical challenges of shipping goods right around the world to the Pacific. It is worth our considering that these countries are all major agri-food producers and exporter nations, with Australia and New Zealand being members of the Cairns Group bloc at the WTO.

The Cairns Group is an interest group committed to the abolition of agricultural subsidies and the elimination of tariff and non-tariff barriers to trade for their agricultural exports. Other members include Canada, Chile, Malaysia, Peru and Vietnam, which, alongside Australia and New Zealand, make up of seven of the 11 CPTPP countries and seven of the 19 Cairns Group members. There may well be potential to grow our exports to those markets, and the ask on their side is clear. It goes precisely to part of the question posed earlier by my hon. Friend the Member for Bishop Auckland.

The ask on their side is clear: "Open up your markets to our food products." The impact on our domestic agricultural sector could be substantial as our farmers find themselves struggling to compete with an influx of cheaper food products.

The Secretary of State has repeatedly welcomed the perceived benefit to UK consumers of cheaper New Zealand lamb, and today he again dismissed—I was glad to hear him be so robust—safety concerns over things such as GMO foods or chlorine-washed chicken from the United States. In response to one of his colleagues, he said that there will be no lowering of either sanitary or phytosanitary standards or of animal health and welfare regulations in this country. I welcome that, and we will hold him to it.

If a trade agreement between our countries requires the removal of all tariffs on such goods and the abolition of tariff rate quotas, that could well mean the end of our livestock and poultry sectors. We already know that there has been a big push by the agricultural lobby in those respective countries to seek greater market liberalisation, and some of those countries, including New Zealand and the United States, have slowed the progress of our accession to the Government procurement agreement. It is likely that some countries have also voiced objections to the lodging of our WTO schedules and that the Government have had to agree to a number of future concessions to smooth the road. Again, I would happily give way to the Secretary of State if he wanted to come to the Dispatch Box and deny that is the case, or to set out any concessions or commitments he may have given, but he appears unwilling to do so.

The farming sector in this country is extremely nervous about the impact on its ongoing viability should the UK open up market access for imported agri-food, particularly from the United States. Concerns over production standards, animal welfare, sanitary and phytosanitary standards have not been put to rest by the Environment Secretary's repeated assurances that our domestic standards will not be lowered. At no point have the Government ruled out allowing access to our markets for goods produced to lower standards than our own. Indeed, the latest rumour is that the Government will seek to counter the impact of the importation of such goods with tariffs. The Secretary of State did not rule that out in his earlier remarks—again, I would give way to him if he sought to intervene, but he does not.

Where a trade agreement is in place, such tariffs are likely to be removed and therefore will do nothing to defend our farmers from cheaper imports from those countries. The argument that that will benefit consumers must be demonstrated credibly, with a proper impact assessment and economic modelling that fully considers the effect on our domestic producers and jobs in that sector. Lower prices will not benefit consumers who find themselves out of a job as a consequence of our producers going to the wall. Concerns have been similarly raised about the chapter on sanitary and phytosanitary measures in the CPTPP, which are referred to by some academics as "SPS minus" and are significantly lower than the EU's current sanitary and phytosanitary rules that the UK will inherit as retained EU law. Acceding to that agreement and allowing products that have been produced to lower or differing standards than our own to enter our markets could further compound the threat to our domestic farmers and undermine any future relationship with the EU and the standards alignment that we need.

Sanitary and phytosanitary standards are one of the most sensitive aspects of trade policy and they have, for good reason, been a major point of contention in

discussions about our relationship with the EU post Brexit. It is not only our farming sector that is concerned about the impact of those agreements. Last week, we saw reports that the US steel-producer lobby has been petitioning to block or restrict access for UK producers to Government procurement contracts in the United States under the terms of any potential trade agreement. Indeed, President Trump has been abundantly clear with his America first agenda that he will not countenance any trade agreement that he views as being counter to American interests—namely, domestic protectionism and ensuring a US trade surplus with trading partners.

President Trump has publicly stated that the US is “losing billions of dollars on trade”

and would find a trade war “easy to win”. Such rhetoric should be alarming to British businesses as Trump is clearly not out to do a good deal for us. President Trump stands on an America first platform and believes that by forcing trade partners into submission and competitor companies out of business, he can restore manufacturing in the United States. In truth, those tariffs are hurting US businesses who participate in global supply chains and face countervailing tariffs overseas. As part of his trade war, President Trump has also refused to endorse nominations to the WTO appellate body, thus blocking the progress of dispute resolutions and the enforcement of the rules-based system. We should be very wary of doing a trade deal if we cannot seek enforcement at the WTO for any actions taken in violation of those rules by another country, and the US is blocking that possibility.

A recent report by a number of right-wing think-tanks—many linked to the Secretary of State, who is understood to favour the report—suggested that a US-UK free trade agreement should “enshrine” the “negative list” approach to liberalisation across goods, services, investment and Government procurement, which is conducive to faster, broader and deeper economic integration. The Secretary of State will know that the negative list system, which has been adopted in some trade agreements that we have already entered into, means that future sectors—some of which we cannot currently even conceive—would automatically be liberalised, no matter what the public policy consequences would be. That is extremely dangerous, and it would be good if the Secretary of State assured the House that when he considers future trade agreements, he is mindful of that point and would not wish to have a negative list system that could expose us in that way.

The Secretary of State has established a number of trade working groups, including with Australia in 2016, New Zealand in 2017, and the US in July 2017. To date, we have precisely no information about what has been discussed in those working groups, what progress has been made towards a future trade agreement with those nations, what assurances have been sought and concessions agreed, or what representations have been made on those issues. The Secretary of State has made no secret of his desire to fast-track these agreements and have them ready to go after the UK withdraws from the EU, but it is not at all clear that his counterparts share quite the same ambitions.

Australia has repeatedly stated that its priority is securing a trade agreement with the EU, and the American President has suggested that a trade deal with the US is all but impossible with the Government’s preferred

approach to Brexit, as set out in the Prime Minister’s proposed deal. Just this week, Simon Birmingham, Australia’s Minister for Trade, Tourism and Investment, poured cold water over any idea that the UK could quickly accede to the CPTPP noting

“obviously it’s a statement of fact that the UK is not within the Pacific.”

[*Interruption.*] That is not me; that was Simon Birmingham. He went on to say that

“some of the other TPP members would think that there are some nations within the Asia Pacific region who might be earlier starters in terms of coming in.”

Does the Secretary of State believe that he can confidently conclude these agreements with the same speed and ease with which he promised he would secure the roll-over agreements?

Has the Secretary of State had conversations with CPTPP member countries about the UK’s accession to that agreement, and what commitments has he received or given in respect of the same? He will no doubt be aware that New Zealand has sought, through a series of side letters with other members of that agreement, to disapply the investor-state dispute settlement provisions of that agreement. I would be delighted if the Secretary of State said that he is going to do the same. Will the UK be seeking ISDS provisions in trade agreements with Australia, New Zealand and the United States, despite the fact that, as he said, the Secretary of State believes they should not be necessary

“under systems such as the UK’s”?—[*Official Report*, 7 February 2019; Vol. 654, c. 385.]

Many colleagues will be extremely concerned that a number of those issues will already have been discussed privately through the trade working groups and that assurances and commitments may already have been exchanged. We are here debating potential agreements that may well already be loosely drafted. This debate can hardly be considered to be a meaningful say from Parliament on the terms of those trade agreements. The Government’s approach to trade agreements has been little more than warm words and window dressing. Public consultations were opened by way of an online survey on the Department’s website on July 2018 and have since closed, but we have yet to have any report on the findings of those consultations.

This approach does not constitute a proper consultation and oversight framework that ensures the best agreement possible for the entire country as we withdraw from the European Union. Key stakeholders are concerned that they are being invited to give views merely as a tick-box exercise, with no real say on helping to shape trade talks and with no capacity to feed back on any complications that concessions during negotiations may present. That is why my party has repeatedly called for a proper consultation structure that would require formal engagement with affected stakeholders, civil society, trade unions and the devolved nations.

Such a process must also ensure that Parliament has a role in the approval of mandates, impact assessments and reviews of trade agreements. The Government voted down every amendment to the Trade Bill to that effect. We have also been clear that consultation alone is not enough. A comprehensive, independent sustainability impact assessment needs to be conducted in advance of the launch of new trade and investment negotiations to establish the potential social, economic and environmental consequences for all sectors and regions of the UK.

[Barry Gardiner]

To conclude, we in the Labour party would welcome trade agreements that grow our export base across all regions of the United Kingdom and that help maintain and elevate rights and standards. If the Secretary of State could show that these potential trade agreements could achieve those objectives, we would of course welcome them. However, we are extremely concerned at the lack of information presented to Parliament on the prospective benefits and on the potential threats to our domestic producers, which are clearly evident. The Government must ensure that proper assessments are carried out and must ensure that Parliament has a proper say in future trade agreements that are ultimately to be concluded between our nations.

1.2 pm

**Sir Paul Beresford** (Mole Valley) (Con): As usual, I have a couple of declarations to make. First, I belong to the National Farmers Union, not as an active farmer but certainly as a member in this country. With my background that is to be expected. Secondly, as my accent has already made clear, I have dual nationality. I come from New Zealand and I have a New Zealand passport. I also have a UK passport and I have lived here longer than there. I am extremely supportive of what the Secretary of State for International Trade and President of the Board of Trade, my right hon. Friend the Member for North Somerset (Dr Fox) says, particularly when he talks about negotiations to join the TPP, and working on negotiations for a deal with Australia and New Zealand. Australia and New Zealand can teach us a number of things as we head into a field that they headed into as we went into the EU.

There are at least two relevant factors involved in the negotiations on going into the TPP. First, most people see Britain as an asset as a TPP partner. After all, free trade agreements are two-way—or perhaps I should say that they cut both ways. Secondly, as I have made clear, we almost certainly have at least two friends, two Commonwealth friends, who have been supportive for generations, even kith and kin. They will be supportive as we move towards the TPP.

When we went into the Common Market, New Zealand's trade with this country teetered overnight from 90% to 50%, and then dwindled to 5%. It must find it a bit strange and have a wry smile that we want to go back. Fortunately, it is most likely to be helpful and positive to our interest, but equally, we must remember, with its own interests definitely in mind. After the crash of the New Zealand economy when we entered the then Common Market, New Zealand and Australia forged an aggressive export drive. They also shocked their economies into action. In New Zealand's case, I remember the Prime Minister, a few years after that trade blow, explaining to one of our well known characters on the "Today" programme that it had lifted its trade export market to over 100 more countries. We need to watch that as we go out. There was a slight but not too serious hiccup between Australia and New Zealand when a small group of Australians suggested that New Zealand should become another state of Australia. That generated much antagonistic steam. In fact, the New Zealand Prime Minister at the time stated that

"Any New Zealander moving to Australia would increase the IQ of both countries."

I am sorry that the hon. Member for Australia and Scotland has left the Chamber. [Laughter.]

The main export for New Zealand then and now is agriculture. New Zealand farming was radically shaken up very quickly. Farming subsidies were removed at a stroke overnight, but so were the restrictions. The freedom that gave those farmers made such a difference to them entering a really effective market. Farming became an industry. It became open, competitive and free market. Australia did much the same. They will be our competitors and partners both through our trade agreements and if we go into the TPP.

I find the thought of a Pacific link curious, because the only UK geographic link to the Pacific is the overseas territory of Pitcairn Island. As has been said, I understand that Simon Birmingham, the Australian Trade Minister, did not sound particularly enthusiastic—we heard a couple of quotes. Contrary to that, however, he has also said that Australia is ready to fast-track some sort of deal with the United Kingdom. New Zealand, on the TPP, was a little more confrontational. Commenting on New Zealand's membership of the TPP, Catherine Beard, the executive director of ManufacturingNZ and ExportNZ said:

"New Zealand would benefit from \$222 million in tariff savings yearly."

As an NFU member, I am also aware that she said:

"Agriculture is widely expected to be a big winner with kiwi fruit, beef, wine, dairy, forestry, and seafood products all expected to benefit from savings on tariffs and the chance to more easily make aggressive entries into foreign markets."

That could be a warning for us. I think of that when I look round my Mole Valley farms. My constituency has a dairy farm that is supposed to be big. It has 350 cows. Mole Valley has sheep farms with perhaps 1,000 sheep, and some of those farms get 90% of their income from subsidies. These farms are tiny compared with New Zealand and Australian farms. Two dairy farms near where I lived as a youngster in New Zealand milk 1,500 and 2,500 cows, twice a day. The farm I came off in the middle of the South Island had 1,000 head of cattle, 1,000 head of deer and 23,000 lambing ewes. When they lambed we had 50,000 sheep. The land, the atmosphere and the weather resembles much of the hill country of Scotland. It is right up where "Lord of the Rings" was filmed.

We have nothing to compare with that here in the UK. The size and the power of the industry in New Zealand could shatter our farming. If we are going for free trade, we have to wake up. We have time. We can do something about it, but we have to give our farmers the chance to dramatically improve. There is protectionist talk of product care and standards matching ours. That is the correct approach, but it is the correct approach for food safety reasons, but not for protection because Australia and New Zealand meet those standards already.

Vineyards are another classic example. There are square miles of vineyards in New Zealand. You can stand on a high hill and see nothing but vineyards.

**Angus Brendan MacNeil:** The hon. Gentleman talks about improvement. I just wonder what he means by that. Does he mean expansion and growth? When he talked about having 23,000 sheep, with 50,000 after lambing, my hon. Friend the Member for Inverness, Nairn, Badenoch and Strathspey (Drew Hendry) asked

me, “How many do you have?” I said 32—just 32. We are talking about a hugely different scale. Is he talking about farms in the UK getting bigger and amalgamating, and a whole change in the structure of UK farming?

**Sir Paul Beresford:** There is a list of ways in which we can look at that. Perhaps I can answer with an old story. I was upbraided by my farmers some time back and they finished with an anti-politician joke. I explained to them that the son of one of my Surrey farmers had gone out to New Zealand and had bought a farm the same size out there. When shearing time came around, he called up the shearing contractor and said, “Will you come and shear my sheep?” The contractor said, “I’ve got two gangs near you. One’s up the Waimakariri and they have 17,000 sheep to go, and the other ones can be with you next week. How many sheep have you got?” He said, “17.” The contractor said, “17,000?” He said, “No, no—17 sheep.” The contractor said, “Oh, are you English?” He said, “Yes.” The contractor said, “Are you from Surrey?” He said, “Yes.” The contractor said, “Right—you’re English, you’re from Surrey, and you have 17 sheep. Can you tell me their names?”

What I am getting at is that we have an opportunity—I will touch on this in a minute—to counteract that. Australia is a huge agricultural producer. The gross value of Australian farm products in 2016-17 was \$60 billion. The Australians export about 77% of what they grow and produce. Fortunately, through the TPP and other arrangements, those two nations are pouring their products into Europe, China, the middle east and even the US, and they are not fulfilling their quotas. There is a real opportunity for us to improve our efficiency in farming and everything else, because Australia and New Zealand may well be looking for us to help them to fulfil those quotas, including, particularly, the quota for lamb meat going into the EU.

**Chi Onwurah:** I really appreciate the hon. Gentleman’s anecdotes about sheep farming. He talks about improvements in efficiency, but does he recognise that our landscape—I am thinking particularly about the landscape of Northumberland and County Durham and the beautiful landscape of the north of England—is driven by the scale of farming that we have now? Its beauty would be much affected and, in my view, much diminished by the kind of efficiency that we see in New Zealand farms.

**Sir Paul Beresford:** All I can suggest to the hon. Lady is that she gets disc two of “The Lord of the Rings”, and if she does not find that beautiful, she needs to go to Specsavers.

**Chi Onwurah:** I do not need to get disc two of “The Lord of the Rings”, because I already have it and have watched it on a number of occasions. There are different types of beauty; I am talking about the beauty of Northumberland. I appreciate the beauty of other countries, but I wish to retain the beauty of our gorgeous countryside.

**Sir Paul Beresford:** So would I, but I think it is quite possible to have some dramatic improvements in farming. Part of the reason for that is that, having left the EU, we will be able to have a bonfire of the rules and regulations that the EU has applied to farming. That would make a

huge difference. Also—I say this to the Minister—if we are going to continue with farming subsidies, could they be paid on time and without, in the case of my farmers, my having to constantly badger the Department for the payments? We need a total rethink of the subsidies and regulations. We need to provide an opportunity for farmers to meet standards but not have to suffer from the regulations. If we do not do that, we will suffer from some of the gloom and doom that we heard from the Opposition Front-Bench spokesman, except that we will have the help of our allies—Australia, New Zealand and most of the people in the TPP—because they will need us to help them to fulfil their portfolios. That will give us an opportunity to make sure that our farming is up to scratch and can meet standards. However, at the same time, as a few hon. Members have already said, free trade is double-edged.

1.14 pm

**Stewart Hosie (Dundee East) (SNP):** I start by agreeing with what the Secretary of State said about looking to have trade deals with developing, emerging and growing markets. That is absolutely right, whether the UK or the EU does it. He made big play of Australia and New Zealand, which we just heard about from the hon. Member for Mole Valley (Sir Paul Beresford). Australia takes about 1% of the UK’s exported goods—half of what we sell to Turkey. New Zealand takes 0.1%—about the same as we sell to Algeria—so however important Australia and New Zealand are, they are not developing growth markets. They are mature, established markets.

The Secretary of State also spoke about being dictated to by the EU—I much prefer the language of “working together with our European partners”—and even that language tells us a great deal about where some of this is driven from. Of course, he made big play of a potential deal with the US. I visited the US last year with the Treasury Committee. We were told in no uncertain terms by anyone who spoke to us about trade that the UK would be required to put everything on the table and that the US would be required to put nothing on the table.

**Drew Hendry (Inverness, Nairn, Badenoch and Strathspey) (SNP):** My hon. Friend is making a great point about the demands made by countries such as the US. A lot of constituents are rightly worried that we will have to sacrifice such things as a public NHS to get a deal done with countries such as the United States. Does he agree that that is a clear and present threat?

**Stewart Hosie:** I am going to say more about the ISDS component—the arbitration competent—of these things later. I do not want the public sector to be impacted on in any way by trade globalisation with the US. If there is to be some deal cut, there is language that can be used—for example, that used to exempt military and intelligence operations. That should be included rather than the vague protections for the NHS that many of our constituents simply do not believe are robust enough.

**Angela Crawley (Lanark and Hamilton East) (SNP):** One of my constituents’ biggest fears is that private companies will be able to buy off parts of the NHS in future deals with the USA. Does my hon. Friend agree that it would be catastrophic for our NHS to be sold off to the highest foreign bidder?

**Stewart Hosie:** I do. It was interesting to listen to what the Secretary of State said earlier. He laid out very clearly, to be fair, the component parts of the NHS that were to be protected. I listened very carefully, but let me give an example of something that was not included: cleaning. People might say, “Big deal,” but in Scotland, when cleaning was contracted to the private sector, hospital-acquired infection rates went up. We then took a decision to bring back NHS cleaners, and hospital-acquired infection rates came down. Had that contract been won under the terms of one of these agreements, we could have been sued and challenged if we had tried to take a public health measure to return something as simple as cleaning from the private sector to the public sector. When it is considered on terms that people can understand—my hon. Friend is absolutely right to raise this point—it demonstrates how, and I will give a few more examples later, public health concerns can be overridden by some of the provisions in these international trade deals.

I look at trade and the proposed deals that we are discussing today through four prisms: how they will affect the success of Scotland’s export businesses; how they will support the Scottish Government’s trade and investment strategy; by asking if the processes suggested ensure that there is proper scrutiny of trade deals; and the attitude towards investor-state dispute settlement arrangements, which can give foreign companies special legal rights outwith our national legal systems. I think it is right that we look at trade through these four prisms.

Scotland’s exporting businesses—it is businesses, not Governments, that export—have done a remarkable job. Last year—I use these figures because they were immediately to hand—Scotland’s exports rose to £29 billion. That was 12% up on the previous year, the largest rise in any part of the UK. With imports at £24 billion, Scotland is a net exporter, which is a fantastic position for the economy to be in—a position that we should strive to retain but one which is put in jeopardy not just by a hard Tory no-deal Brexit, but by any form of Brexit, and that is the point. We hear about the Prime Minister’s deal, but that is only the transitional arrangement. It is not the deal we will have to cut to kick in in 20 months’ time, at the end of the transitional period; that is the bit the Government always seem to ignore.

I said it is businesses that export, not Government, and that is true, but Governments do and must support exporting companies. The Scottish Government’s trade and investment strategy is first class. It brings together trade, investment and the internationalisation of our economy. It defines our ambition and the importance of the “One Scotland” approach. It links to Scotland’s innovation and investment hubs. It tells us what our global opportunities are, and it supports global Scotland and our approach to boosting export performance. Anything the UK Government do should support that.

Although we can and do support trade, we do not negotiate our own deals or have a seat at the top table in the EU, which strikes the best trade deals currently. Until we do—this relates directly to any new deal—we demand a formal, statutory input to trade deals, including the ones being discussed today, at every stage of every trade deal, from setting the mandate for negotiations right through to implementation.

**Ben Lake (Ceredigion) (PC):** My hon. Friend is making an important point about how Parliaments across the United Kingdom should have a thorough input to trade

negotiations, including the mandate. The Welsh Affairs Committee received evidence from representatives from Canada, who engage thoroughly with the devolved legislatures in that country, as well as with businesses, before even coming up with the mandate for negotiations.

**Stewart Hosie:** That demonstrates that it can be done and there is nothing to be afraid of. It is vital so that Scotland’s national interests, as well as those of Wales and Northern Ireland—all the devolved nations—are given equal weight to the needs and ambitions of exporting companies in London and the south-east.

**Angela Crawley:** To pursue that point, the increasingly broad scope of modern trade agreements is such that often we will have to deal with a wide range of reserved and devolved policy areas. Does my hon. Friend agree that if the UK Government consider Scotland to be an equal partner in the Union, they must commit to allowing legislative consent in the Scottish Parliament for any deals that affect Scotland?

**Stewart Hosie:** Yes I do. That ties in directly to the powers the UK Government have seized over public procurement. In Scotland, we have a fantastic record of small and medium-sized enterprises winning public sector contracts. The Westminster figures are rather less compelling. We could lose that advantage because of what has happened in Westminster; equally, we could lose it if foreign companies were able to challenge the way in which we currently do our public procurement.

Trade deals need to be fair, not only to every partner in the UK but to every citizen. That means we cannot accept deals that allow secret investor dispute courts where taxpayers can be put on the hook or public services subjected to forced privatisation and competition in a one-way ratchet, limiting the ability of any Government to deliver services the way they feel is best for the benefit of their public, not for the profit of international businesses.

Even excluding the EU, many of the UK’s biggest trading partners already have or will soon have a free trade agreement with the UK via the EU, so it is unlikely—perhaps even impossible—that net trade with those countries could be increased as a result of the UK leaving the EU. It is far more likely, because the UK will be in a weakened position, that the terms of trade will be less advantageous, but even if they were not, any new FTAs would simply be filling the gaps in trade left behind, and that gap is likely to be very wide indeed.

I intervened on the Secretary of State to ask about the NIESR report published in 2017, which showed a 22% to 30% fall in total UK trade, depending on the type of Brexit. It also suggested a total rise in UK trade of about 2.6% from an FTA with the main English-speaking economies, and a similar rise with an FTA with the BRICS countries—Brazil, Russia, India and China and South Africa. That is nowhere near close to filling the trade gap that Brexit will cause. It is hard to believe that the deals being discussed today with the main English-speaking economies, plus the CPTPP deal, would do any better.

My key questions today are mainly about process. Current procedures are such that this could be the only opportunity MPs have to debate four major trade deals. That would be woefully inadequate. General debates unaccompanied by objectives, strategies or impact assessments, and lacking a vote or the possibility of tabling amendments, do not provide adequate scrutiny

and could lead to trade deals being signed that are bad for the UK, contain controversial provisions, or do not have public support. Is this, in effect, the debate on the mandate for these trade deals, or will other debates follow? If they will, how will they be conducted? Will there be a public set of negotiating objectives and comprehensive impact assessments?

Modern trade deals can have major implications across the economy and society. They can touch on financial regulation, public services, environmental policy, intellectual property and Government procurement—all areas where sovereignty normally resides with the legislature. A vague proposal to initiate negotiations is, therefore, concerning. We know that the US is insisting on an agriculture chapter, which would seriously affect UK farming. The US also wants to change chemicals regulation and access to public service contracts—potentially locking in contracting out for public services such as the NHS.

The CPTPP is already written. It contains worrying provisions, including ISDS mechanisms that allow investors to sue Government in secret arbitration courts. Have the Government produced impact assessments of the CPTPP and other deals, and when will Parliament see those assessments? Will they include consideration of third country impacts? Will the Government accept ISDS provisions in any trade deal they sign? Will they promote such provisions? Will the Government exclude public services from future trade deals, and will they use the same strength of wording as is used for military and security exemptions?

It is encouraging that some 600,000 individuals have contributed to the consultation so far, but it was woefully inadequate because it failed to give any sense of negotiating objectives or red lines. What steps will the Minister take to address the serious public concerns raised in the consultation? Will there be a further consultation based on the negotiating objectives accompanied by impact assessments? Will this consultation be a model for future consultations on other trade deals?

My final substantive remarks are more about ISDS or equivalent arbitration. The SNP and many members of the public have real concerns about the impact those provisions could have on Governments. I will give two brief examples.

In the first case, between 1995 and 1997, the Canadian Government banned the export of toxic PCB—polychlorinated biphenyl—waste, in order to comply with their obligations under the Basel convention, to which the United States was not a party. Waste treatment company S. D. Myers then sued the Canadian Government for \$20 million in damages under chapter 11 of the North American free trade agreement, which is a similar arbitration scheme. The claim was upheld by a NAFTA tribunal in 2000, even though Canada had taken action to remain in compliance with an international treaty.

In the second case, in April 1997, the Canadian Parliament banned the import and transport of petrol additive, MMT—methylcyclopentadienyl manganese tricarbonyl—over concerns that it posed a significant public health risk. Ethyl Corporation, the additive's manufacturer, sued the Canadian Government, again under NAFTA chapter 11, for \$251 million, to cover losses resulting from the “expropriation” of both its MMT production plant and its “good reputation”. That was upheld by the Canadian dispute settlement panel, and the Canadian Government repealed the ban and paid Ethyl Corporation \$15 million in compensation.

Those cases involved toxic PCB waste and a petrol additive that was deemed to have a public health impact. It is quite wrong for large corporations to be able to sue Governments simply for taking steps to protect the wellbeing of their citizens, or for enacting public health measures which they believe to be right and for which they may well have an electoral mandate.

While we will welcome new trade deals, whether the United Kingdom cuts them or, better still, they are cut by the EU—for those would be better deals—they need to be fair, and the process of agreeing them needs to be transparent and inclusive, with, for instance, the formal involvement of the Scottish Government and other devolved Administrations at all stages. There needs to be an honest appraisal by the UK Government of the fact that no number of new FTAs can possibly compensate for the damage to trade that will be done by Brexit. There also needs to be a clear understanding that FTAs that include secret ISDS-type courts, which limit the ability of Governments to act in the best interests of their citizens, are simply unacceptable.

1.31 pm

**Mr Marcus Fysh (Yeovil) (Con):** Future trade deals must be part of a coherent trade strategy, and it is imperative that, as part of that strategy, we rapidly set out what our tariff schedules will be in all eventualities, and our attitude to tariff-rate quotas. Many people in business throughout the land are looking for that guidance. It is a key part of their preparations as we leave the EU, and I think we owe it to them to make clear what the position will be, particularly as the lead times to import are quite long in the case of some products. If products will have to go into catalogues in the future, businesses really need to know what their margins will be, and it seems unfair that they have not, as yet, been given that guidance.

Today's debate is a classic that has been heard in this place for the last 150 to 200 years: the age-old debate about protectionism versus free trade. It is an argument that has proved to have the potential to split parties, communities and families right down the middle. I think that, in the modern era, it would be wise to try to go about these matters in as well-informed a way as possible, because we owe it to the people on whose behalf we are making our decisions to understand fully what we are talking about.

People in the trade world talk about offensive and defensive interests in negotiations, but, in many circumstances, the attempt to reach mutual agreement means that it is not really a zero-sum game. Approaching negotiations with the right partners and in the right way can bypass such oppositional characterisations of trade and of our own interests. That is not to say that we should not be mindful of the impacts that different trade arrangements might have on our people—our businesses and our farmers, for instance. I am keen to champion the maximum supply of information and the maximum involvement of communities in the preparation of trade strategies and trade policies along the way.

**Emma Little Pengelly (Belfast South) (DUP):** Several Members have expressed concerns about the NHS today. We have probably all been contacted by constituents about the need to protect it, which is close to the hearts of many people throughout the United Kingdom.

[Emma Little Pengelly]

Does the hon. Gentleman agree that it is important not only to protect it and issue strong statements to that effect, but to provide transparency so that people are clear that what is agreed, what is to be negotiated and the negotiating mandate do not include things that are precious to them and that they do not want to be compromised?

**Mr Fysh:** The hon. Lady makes a good point. The earlier the involvement in these conversations, the more confident communities can be about a mandate that the Government can take to a negotiation, and the process of ratifying whatever comes back from the negotiation can then take place in a timely manner, which I think is essential. I shall talk about the NHS in a bit more detail later, but I see no reason why there should be those fears about it. Indeed, I can see reasons for it to benefit, and for its users to benefit, as a result of deals with, for example, the United States that might allow earlier and cheaper access to drugs than is possible now.

This debate is, of course, about future free trade agreements, but those agreements, and the trade strategy, are inevitably coloured by consideration of what our potential relationship with the EU might be, and what obligations we might enter into in order to acquire it. I now want to say a little about the impact of the restrictive nature of the proposed withdrawal agreement, including some of the prejudices to our future trade policy and strategy that it sets up.

The withdrawal agreement commits us to paying a lot of money without real limits, and with oversight by the European Court of Justice of the exact obligations that will be required. It allows the possibility of an extension by up to two years of the transition period that is being contemplated. We do not know at this point what sort of competition or anti-competition legislation the EU might produce in the next four years, but it might affect our economy, and might have an impact on what we could or could not do with future trade partners, either during that time or afterwards. The agreement gives the joint committee very wide powers of interpretation of what it says, and, in fact, powers to change what it says, as if it had the effect of law and Acts of Parliament. That means that the position in another two to four years' time is very uncertain.

It should be noted that the agreement proposes the acknowledgement and implementation of the current EU system of geographical indications. I am not necessarily opposed to their being implemented in the same way in the future, but that really should be a matter for the future trade negotiation, which we have been told all along cannot take place during the article 50 negotiation period.

What is slightly more worrying for us in this discussion of future trade policy is that the agreement strengthens the current requirement for "sincere co-operation" within the common commercial policy to which we are subject as members of the EU, which effectively means that we are obliged not to undermine the EU's interests in any international forums. I do not think we should be in the business of trying to undermine its interests, but that requirement may well restrict what we can discuss with future free trade partners during the transition period. That, I think, adds to the uncertainty that already exists

about the transition period, and about what has or has not been agreed by the EU and the UK. Whether and how the EU's existing free trade agreements with the rest of the world will apply to the UK during the transition period remains opaque, as does the extent to which the UK is able to sign free trade agreements during the transition period in the context of that sincere co-operation.

Within the backstop provision for after the transition period should nothing be agreed, there is a hard veto for the EU on any superseding agreements. Article 20 of the protocol is very clear that there needs to be a joint decision by the EU and the UK for future alternative arrangements to succeed the backstop. So whatever the best endeavours clause does or does not do, that is still a hard veto that needs to be dealt with.

The reality of the operation of the backstop as written for the UK is very dramatic from the point of view of trade and competitiveness. For example, the EU will be able to increase state aid during the period after 2019, but the UK must maintain it at current levels. If that happened for four years, it could really undermine the competitiveness of some of our domestic producers, which is exactly what we have said we need to think hard about in future trade agreements. Because of how the annexes operate, state aid provisions would effectively be applicable to our defence manufacturing industry for the first time in a way that they are not in the EU. That would enable the European Commission to take cases in our courts against defence manufacturers and/or the Government in instances that were considered to be state aid to the defence manufacturing industry.

Those are the sorts of hostages to fortune that are lurking in the backstop, and that is one reason why I am against it. We need to be very mindful of that sort of leverage over our future arrangements with the EU, whether on the status of Northern Ireland within our constitution, if our fishing is open to European actors, the status of Gibraltar, or our defence capability and sovereign ability. Those are all potential hostages to fortune in the current backstop arrangement, which is a big part of the reason why I am opposed to the current proposal and want those backstop arrangements to be replaced now, or at least to have full legally binding guarantees that they will be replaced over time.

As the backstop is currently written, it envisages a customs union. There has been much talk about whether that means frictionless trade.

**Angus Brendan MacNeil:** I am grateful to the hon. Gentleman, who serves with me on the International Trade Committee, for giving way. He has clearly laid out his opposition to the backstop for various reasons, and I respect what he has said on that, but where does he go then: to no deal or to the revocation of article 50?

**Mr Fysh:** I do not think it is as clearcut as that. In the Malthouse compromise, which some might have read about, there is a proposal to replace the backstop with a permanent arrangement that is effectively a zero-tariff environment for the time being with a trade facilitation agreement, which allows very efficient trade to take place across the border. It would not be a unilateral exit from the backstop, and there would not be a time limit on it; I understand communities in Ireland wanting some certainty about that. I actually think it is a much

better idea to replace the backstop within the withdrawal agreement if we want to pass the agreement now, and if that does not happen we should keep offering to do exactly that. I will come on shortly to some of the back-up plans should that not be acceptable either.

The customs union arrangement within the backstop would oblige us to continue to adopt the common external tariff and would potentially oblige us to have the common commercial policy. There is a great deal of uncertainty about the physical operations at our borders. What the annexes of the withdrawal agreement backstop say is required, in black and white, is that every transaction between Great Britain and Northern Ireland and vice versa, and between Great Britain and the EU across the channel, would require an a.uk physical, stamped certificate, effectively showing where the duty has been paid in the customs territory it is coming from. That is a massive administrative burden. Based on the HMRC numbers of transactions with the EU, the number the CHIEF—customs handling of import and export freight—computer has to handle will be going up from 55 million currently to 255 million in the future. That means there will be an extra 200 million of these things every year; that is over half a million physical certificates a day that HMRC officers will somehow have to process. That is wholly unrealistic, and when one talks to the Government in detail about it, or to the EU, they admit this is totally unworkable and will not be introduced. How then can they say they cannot introduce alternative arrangements now that would have another two years to be implemented on the ground?

In addition to those physical stamped certificates there would have to be export declarations into the export control system, which would enable the logging of whether a tariff needed to be collected or indeed whether rectification was needed in the inward processing relief systems. So the idea that this is a frictionless system is wrong, and it needs to be replaced. It is unworkable; it is full of friction and it also prevents an independent trade policy for the time that it persists.

If we were to continue to offer the Malthouse proposals even if we could not get a withdrawal agreement done, we would continue to offer a stopgap measure of a zero-tariff, simple free trade agreement, or an agreement between the UK and the EU to prefer each other's trade for a period of time, which could be notified to the World Trade Organisation under article XXIV of GATT—the general agreement on tariffs and trade. That is a very simple thing to propose, in a sense: because it would be a goods-only agreement, it would not need ratification by all 27 member states, and it could be agreed and implemented very rapidly.

If the EU did not want to do that either, although that would be best because it would be absurd for us to be charging tariffs on each other, we would need to look at other things we might do. We heard discussion earlier of some elements of the unilateral free trade policy that we would potentially need to put in place to prevent price rises for different goods. That does not mean we would have to unilaterally reduce our applied tariffs for every product; we can make that choice product by product.

We have already heard on the grapevine that we are not planning to zero-tariff agricultural goods in our future tariff policy. That makes sense in many ways, because we need to take a nuanced approach. We need

to look, product by product, at where domestic producers need some sort of tariff or programme so that they are not exposed to world prices immediately.

We also need to consider an interesting strategy that would encourage other countries to enter into free trade agreements with us. It would propose that we would take a unilateral free trade approach for a period but that we would reintroduce tariffs going up towards the bound tariff level—the common external tariff level—after, say, two or three years. That would encourage the countries that want the continuation of free trade to enter into free trade agreements with us to achieve it.

In the meantime—coming back to agricultural products and taking beef as an example—while we might have a tariff, we would still have a tariff rate quota that allowed some nations zero-rated access to the UK market up to a certain quota. We could open those quotas that would have been for the EU to the rest of the world. The EU would then have a choice. It could enter into a free trade agreement with us and have a quota or it could see the markets that it currently has in the UK being opened to the rest of the world. I personally think that it will want to have a free trade agreement, at least on a temporary basis.

**Angus Brendan MacNeil:** I am trying to follow what the hon. Gentleman is saying as closely as I can. He talks about working on a tariff-by-tariff basis and making judgments or decisions depending on domestic demand or production, but this would open us up to a retaliatory or mirror action from the European Union. For example, if there were no citrus fruits such as oranges here and we decided to get rid of tariffs on oranges, impacting the Spanish and Portuguese orange producers, they could ask themselves what tariffs had existed only to protect the United Kingdom as part of the EU pot. They could then pluck out those tariffs, and we would find ourselves in an even more disadvantageous trade situation.

**Mr Fysh:** I thank the Chairman of our Committee for his intervention. I absolutely agree that it makes the most sense to have a free trade agreement. That is the simplest thing, and it would eliminate the absurdity of even having to discuss these matters. So it would be my first proposal, my second proposal and my third proposal to have just that kind of FTA. This is really the fall-back to the fall-back to the fall-back position—

**Angus Brendan MacNeil:** The backstop?

**Mr Fysh:** The backstop to the backstop to the backstop, exactly. I really do not think that we should get into that position. Looking at the sensible contingency planning that the EU is doing in lots of other areas, I see no reason why it should not continue to be sensible and reasonable, just as we are, and I believe that we will get there.

I want to come back to the trade facilitation issues, because they are really important to the consideration of what trade costs and therefore to the potential value of future free-trade agreements as well as the value the EU's current agreement. I would like to congratulate HMRC on its work to make trade efficient in the event of no deal at the end of March. Indeed, that work will

[Mr Fysh]

also be applicable in the future if we are outside a customs union and the single market. These will all be very useful things.

The transitional simplified procedure that has been opened up to operators is really good news, but I think the Government should take it further straight away by making it available to intermediaries such as the logistics service providers that control a large amount of our trade. That would make the most sense, because it would enable them to be authorised consignees so that they could close out the transit documents that will be an essential part of future trade.

The Government should also look at a more comprehensive scope of waivers for transit guarantees, because the financial liability, especially of operators, cannot close out those guarantees. That will be essential to keeping our trade flowing. They should also look at underwriting some elements of the liability to duty in the EU, so that our export side can operate efficiently.

These things come down to the impact assessments that we have seen. When I have spoken to logistics service providers, customs brokers and others, it is obvious that these documents—the transit documents, the export declaration on this side and the import declaration on the other side—will need doing. It is more than we have to do now, so people need to get ready. I say to business: get ready. Businesses being able to do these things, and ensuring that their logistics service providers are able to do them, will be essential to enabling their trade to flow efficiently.

These measures cost about £50, not hundreds and hundreds of pounds. The value of the goods on a truck crossing the channel can be £10,000 if it is carrying bread or bread products and up to £300,000 for beef or beef products, so £50 is just a tiny fraction of that. We are talking about, at most, 0.5% of the value. According to the Government's impact assessment, the cost of customs administration in the event of no deal would be 5% to 6% of the value, which is wrong by an order of magnitude. We must not underestimate the value of our future trade agreements based on a misapprehension of the real costs of trade.

Similarly, as the Opposition spokesman said, we should not get the gravity relationship wrong. In the UK, the factor of linkage between trade and distance is only about 0.23%. When we back that number out of the Treasury's forecasts before the referendum, we get the figure of 0.9%. The figure of 0.9% is the intra-continental EU gravity factor, and it is my contention that the wrong one has been used in our models. That undercooks the benefit to us from free trade around the rest of the world and really overcooks the value of the EU's trade. I am not saying that we do not want the EU's trade—we absolutely do—but we want to trade with Europe and with the rest of the world. The referendum result was about us wanting both.

The Government really need to pull their socks up over what they have been saying about UK businesses' access to Europe. The Secretary of State for Environment, Food and Rural Affairs has again said that there is a big risk of our agricultural products not being allowed into the EU, but that is simply not right. The EU has stated it will put contingency arrangements in place, that we will be listed on the right lists and that we will not be

shut out in that way. It is simply wrong to say that we will. I personally think that it does our farmers a disservice to frighten them unnecessarily in that regard.

Similarly, the Under-Secretary of State for Business, Energy and Industrial Strategy, my hon. Friend the Member for Watford (Richard Harrington), who is also in charge of no-deal planning at the Department, said on "The Week in Westminster" on Saturday morning that UK car manufacturers could not be sure whether they could sell their products into Europe because of the regulations. That statement is in grave danger of misleading the British public and the auto industry, and it could be devastating to the confidence of smaller players in the automotive market that may not be aware of what the rules are or what the EU's position really is.

The reality is that the EU Council and Commission decided on 8 January that UK vehicle certificates can be registered in the EU. There is no reason for UK car manufacturers to fear that their parts or their cars cannot be sold to Europe. That is simply not the case. The Government need to look at themselves in the mirror and stop scaremongering, which is not in the national interest.

Quickly, because I know that everyone wants to get to speak, although it seems that I am the only one left on the Government Benches—

**Mr Deputy Speaker (Sir Lindsay Hoyle):** Order. That does not mean to say that the hon. Gentleman has to take up all the time and stop others getting in. Come on, Marcus Fysh.

**Mr Fysh:** Thank you, Mr Deputy Speaker.

**Mr Richard Bacon (South Norfolk) (Con):** I want to point out that my hon. Friend is not the only one left on the Government Benches, although I really came to listen—

**Mr Deputy Speaker:** Order. May I just say that there are no more Government Members on my list, which includes people who were here at the beginning, but we will have interventions.

**Mr Bacon:** I really came to listen to my hon. Friend, because it is such a privilege to listen to a genuine expert on this subject. He has forgotten more about it than most people know. I am just wondering how he accounts for the fact that we have had palpably inaccurate statements from Ministers. Is it possibly because our esteemed Under-Secretary of State for International Trade, my hon. Friend the Member for Beverley and Holderness (Graham Stuart), was not involved in making those statements?

**Mr Fysh:** I thank my hon. Friend for his intervention. I am quite sure that the Minister present was not involved in the decision making around such Government mistakes. He is an eminently sensible fellow whom I know well. He used to be my Whip, and I would trust him explicitly. I cast no aspersions on the current occupant of the Government Front Bench.

The Government's sabotage of the people's desire for an independent trade policy has to stop. Having an independent trade policy is a mainstream Conservative manifesto promise and desire. People want to take

advantage of the new opportunities for free trade agreements around the world. They do not think that there will be a gap in or loss of EU trade, just as long as we execute on the things we need to execute, and the measures that HMRC could implement right now would go a long way to ensuring that that is not the case.

We also need to deal with the fallacy that the UK is somehow a small player that will get completely taken to the cleaners in any negotiation. The reality is that many players around the world are excited about the return of the UK to the global trading environment and are keen to do business with us. They see some of our leading markets, such as pharmaceuticals or financial services, as regulatory environments in which it makes sense for them to do more business, and we can help to develop the rules-based trading system around the world in a way that helps them, too.

That is particularly true in the US context, and our service businesses have a lot to gain from potential deals with places such as the US and Japan, where being part of the EU has really restricted our ability to do the sorts of deals that would advantage those service industries because, by and large, the European industry is not services based. For example, America has a \$700 billion market in insurance in which our insurers, which are only currently selling about £2 billion into the US, could raise their market share. By comparison, sales of insurance into the EU are about £1.5 billion, so the US represents a much bigger market opportunity than the EU—even under single market strictures.

By way of conclusion, because I want to allow other people to get a look in—[HON. MEMBERS: “Hear, hear!”] I appreciate the House’s time. It is nice to have a bit of time for once on a Thursday to speak in detail about something about which I know, rather than be limited to four or five minutes, which is more often the case in the big debates.

The Department for International Trade has some brilliant civil servants and officials who have been doing incredible work. Even though it is a small market, the roll-over of the Chilean free trade agreement is a benchmark, because the officials have provided for diagonal accumulation between the UK and the EU and Chile. That really should be a benchmark for how we treat our future trade arrangements, which will be the successor arrangements to those that we currently have with the EU. I want to see International Trade Department officials more involved in the thinking about what we are doing with the EU, because that would be of great benefit to the Government and the country.

In conclusion, we need to trust in business and in the ability of businesses to adapt, to innovate and to lift their eyes beyond the current horizons. We need to trade with both the EU and the rest of the world. We need to say no to protectionism, because free trade has driven global growth around the world over the past 150 years, and it is misguided to think that there are not tremendous consumer advantages as a result. We need to be there for our farmers. We need to make the most of the derogations from normal restrictions on subsidy for items such as marketing to ensure that our farmers and producers can get the best prices around the world for their high-quality produce. We must not hang them out to dry. We also need to focus on the tremendous opportunity that leaving the EU gives us to make our

way in the world in a different way. We can be best of friends with the EU and best of friends with the rest of the world.

**Several hon. Members** rose—

**Mr Deputy Speaker:** Order. If Members replicate the length of that speech, not everyone will get in, which seems a bit absurd. Try to think of the others as you go along. I call the Chair of the International Trade Committee, Angus Brendan MacNeil.

2.7 pm

**Angus Brendan MacNeil** (Na h-Eileanan an Iar) (SNP): Thank you, Mr Deputy Speaker. I will take cognisance of the fact that I started at 2.7 pm and will look to not to be too long. I want to thank the hon. Member for Brent North (Barry Gardiner), who reminded me as he was speaking that I had not arranged for somebody to feed my sheep this morning. My 81-year-old neighbour Iain MacLean stepped into the breach quite admirably, but only because I was reminded by the hon. Gentleman.

I was talking earlier about how citrus fruit may not be an offensive trade interest, but I have just heard that the weather today in Aboyne, Lossiemouth and Altnaharra in the highlands of Scotland is about 17° C or 18° C. It is a summer’s day in Scotland, so anybody watching who is looking to have a decent half-term break should head to Scotland and forget about going anywhere else. It seems to be the place to go for the temperatures. I note that the Conservative Benches are empty, but perhaps they are in Val d’Isère taking advantage of free movement while it still exists. This may be the Brexiteers’ last holiday.

I also thank the hon. Member for Brent North for his frank honesty. I was talking earlier about damage to GDP and gains through the trade agreements. Of course, a no-deal Brexit and crashing out would, according to the UK Government, damage UK GDP by 8%. Now, the gain in GDP would be about 0.2% from a USA-style trade agreement, but that would mean we would need 40 USA-style trade agreements to make up the gap. There is only one problem. The USA accounts for over a quarter of the world’s GDP, so needing 40 USAs means that we will have to find 10 planets of people as wealthy as Americans in 2019—not 1919 or 1819, but as wealthy as they are today.

If there is an FTA, which is the route the Government want to take after kicking the can down the road for another 21 months of European Union membership—putting the pain off for another wee while—there would be a 6% hit to GDP. We would then need 30 USA-style agreements, or seven and a half planets.

If we follow Labour’s policy of a customs union only—I pay tribute to the honesty and candour with which the hon. Gentleman admitted this—there would be a 4% hit to GDP, requiring 20 USA-style agreements, or five planets, to make up for the lost GDP caused by ripping up our current deal with the European Union.

It is important to bear that in mind. It is nice to talk about flashy new trade agreements and trade policies but, in actual fact, trade is what drives all this. As I said to the Secretary of State, people who are selling shellfish or frozen fish, as people I know in the north-west of Scotland are, will not be able to do their rotations to

[Angus Brendan MacNeil]

Europe because of the barriers and all the paperwork listed by the hon. Member for Yeovil (Mr Fysh), and they cannot exactly drive their lorry on a rotation to New Zealand, South America, Chile or wherever else in the CPTPP, or wherever else we might find ourselves having an accidental trade agreement.

As Chair of the International Trade Committee, I welcome this opportunity to debate these potential free trade agreements with the United States, Australia and New Zealand, and to debate possible UK accession to CPTPP. The Government initiated consultations on these potential trade agreements last summer and, despite having closed four months ago, we have yet to see the Government's response, which would have helped to inform this debate. The Government received a vast number of responses to the consultations, but I understand that many of those 600,000 responses were duplicates. I hope we will see the responses soon.

The Committee recently went to the World Trade Organisation in Geneva, where there is much bemusement as to what the UK is doing. Trading on WTO terms is the most expensive form of trade, and the deputy director general of the WTO, Alan Wolff, said that if we trade on WTO terms, or something close to it, rather than the open single market we currently have, a "Brexit gap" in economic performance would damage our GDP. That is a good way of seeing it, because we are talking about a 4%, 6% or 8% Brexit gap in our economic performance.

It is good that we are having this debate, because the Committee published a report in December titled, "UK trade policy transparency and scrutiny," which made a host of recommendations on Parliament's role in future free trade agreements. One recommendation is that Parliament should have an opportunity to debate the Government's negotiating mandate, or "outline approach" to use the terminology that the Department for International Trade favours, on a substantive motion before negotiations begin on the free trade agreements. I think negotiators would find it useful to have such a steer on the will of Parliament as to what they should progress in any negotiation.

An example of how not to do it is the Prime Minister's approach to her international agreement with 27 other actors under one umbrella, the European Union. She came back to Parliament and found herself with a whole range of people, from Yeovil to the north of Scotland, ranged against her for various reasons. Had she tried to carry Parliament with her from the beginning, she might have found herself in a different position. We should be adopting such an approach to future trade agreements. Governments come and Governments go, and an awful lot of work might be done before being stopped and wasted. The resource of trade negotiators is few and far between, and they take a long time, so we do not want to negotiate something for three or four years and then find ourselves having to scrap it—assuming we Scots are still here, because independence may well be around the corner for us.

My Committee also recommended that devolved Governments should be consulted on this, as Canada and other countries tend to do. We have to make sure that we have as big a buy-in as possible. As we are seeing with Honda and Japan at the moment, there can be winners and losers in these agreements. As I said to the

hon. Member for Brent North, the automotive sector in the midlands of England has perhaps lost out in the EU-Japan agreement.

If there are to be losers, how do we compensate them? If the UK enters a free trade agreement that, say, benefits the south-east of England and destroys, for instance, Welsh lamb, is there any idea of fiscal transfer or compensation for the sacrifice of the Welsh for the south-east of England? Do not think these are esoteric, way-out-there possibilities, because the air agreements that the UK entered into after 1945 specifically mentioned international flights only flying into London airports, which damaged the north of England, Wales, western England, central Scotland, northern Scotland and many other places. Iceland, for obvious reasons of its geography, was one of the first to break that. Having created the advantage of a transport hub in the south-east of England, there was a huge reluctance to cough up for the sacrifice imposed on others.

There are trade-offs in the decisions and directions that Governments take. Interestingly, of course, the Irish Government were quite different during that period. Rather than centralising around Dublin, they actively promoted the west, which is why Shannon airport is still the destination it is, and Knock airport in the north-west has also benefited.

The Committee feels that the Government should publish a trade policy strategy that articulates a vision for the UK as an independent trading nation—if all those things come into being—and outlines the UK's immediate and future trade priorities at bilateral, plurilateral and multilateral levels. We propose that such a strategy should outline the UK's key objectives, interests and priorities in respect of its trade policy. Sadly, we have yet to see such a strategy, so I urge the Government to publish one, as it would allow potential new FTAs, such as the ones we are debating today, to be seen in a wider context.

The UK has been spoken of as being a dwarf in comparison with the US, and the Secretary of State robustly jumped to the Dispatch Box to say that the UK is absolutely not a dwarf compared with the United States and that it is the fifth largest economy. When we actually look at it, the United States makes up about 28% of global GDP—about a quarter, as I said earlier—and the United Kingdom is about 2.3% of global GDP, so it is about a twelfth of America. If I came across somebody 12 times taller than me, I might feel rather dwarfish. We might find that the muscle that can be applied in trade negotiations by a grouping 12 times larger than us is somewhat more substantial than what we bring to the table ourselves.

**Ben Lake:** The hon. Gentleman makes an important point about how many other nations will look at the market size of the UK and will perhaps consider that they do not want to concede in the same way in these negotiations as they perhaps would have if we were still a member of the European Union. Perhaps that goes some way towards explaining some of the difficulties that the UK Government are having in trying to sign off on some of these roll-over agreements.

**Angus Brendan MacNeil:** The hon. Gentleman makes an interesting point. There are 40 such agreements with about 70 countries, and the UK's hope is that we can

stand on the shoulders of the European Union and roll over that work, which of course relies on 70 other countries not seeing a possible advantage in getting better trading terms, as a number of them certainly do. A negotiator who wants to be promoted within their trade negotiating structure will, when the UK appears over the horizon with probably not the most experienced negotiators—they certainly will not have the same track record on international negotiations—see too great an opportunity to resist.

Interestingly, I note that the countries that have concluded the much-trumpeted trade agreements are ones with a tremendous balance of exports in their favour. Chile's is about £150 million to £200 million in its favour, but the outstanding winner here has to be the Faroe Islands; I like to blow the Faroes's trumpet as chair of the all-party group on the Faroe Islands, but my goodness! It exports £229 million-worth into the UK while importing only £16 million-worth back. So not only have the Faroes got themselves up the scales of acknowledgement, but they have done themselves a fantastic piece of business by rolling over what was already a very advantageous trade agreement. So well done the Faroe Islands, and I hope the welcome in Tórshavn will be as good as it always is.

Let me now look at UK-US trade relations. When we went to the US the farm lobby asked, "Why folks? Why have you done this?" They were just bemused. Ford said that for it, "The UK-US is incremental, but the UK-EU is existential, particularly the interplay with the UK-EU and Turkey. The tariffs that could be accumulated in that direction could be problematic."

The International Trade Committee's key recommendation was that

"the Government should undertake detailed work modelling the potential effects of a UK-US agreement on the economy."

Evidence to the inquiry regarding the impact on GDP varied, but it was about 0.2%. We also have to make decisions about whether we have some increase in regulatory barriers with the EU in exchange for the removal of barriers with the US, and what the overall benefit of that is. As someone who keeps a few sheep, as I mentioned to the hon. Member for Mole Valley (Sir Paul Beresford), I can see a huge problem if we find ourselves putting up barriers to the EU to please some Americans and the American Administration in order to wave a piece of paper and say, "Trade agreements in our time." That huge danger presents itself to a UK Government who might rush into trade agreements for the sake of it.

**Drew Hendry:** My hon. Friend is making a point about trade agreements having an impact on sheep farming in the highlands, but if those kinds of conditions are written into these trade agreements, could they not have a massive effect on trade and exports across the whole of the highlands and islands in respect of a range of different goods and services?

**Angus Brendan MacNeil:** Absolutely. My hon. Friend is correct about that. This whole area needs to be fully assessed, as the impacts are as yet unclear. If the Government are looking for trade agreements in our time, we might wake up some while after we have concluded these agreements with whole areas of the economy that we currently rely on being devastated and with the shock of having to realign, which would take a

number of years to do. This would have huge impacts on people's lives, as we saw in New Zealand. There may have been an idea that with New Zealand agriculture an easy and seamless change could be made, but that certainly was not the case.

Before entering into any free trade agreements, the Government must be clear about the relative weight they intend to give to different sectors in the UK economy and about the geographical spread. I could say a number of other things about the UK-US agreement, but I recommend to you our report on it as bedtime reading one of these fine evenings, Mr Deputy Speaker. Of all the reports that any Committee has produced, the International Trade Committee's reports are the best, and the UK-US one is one of the better of the best, so I am sure you would enjoy reading it from cover to cover. I can see nodding and I am very pleased.

To keep the bedtime reading going, my Committee is currently working on an inquiry on trade with Australia and New Zealand. This is a keen inquiry and, since its launch, we have received 46 pieces of written evidence and heard from 10 witnesses, over two evidence sessions. We have focused on wine and agriculture to start with. Something interesting came up about wine exports from Australia and New Zealand to the EU. A number of these exports come to the UK in bulk, where they then get bottled in England and are exported on to the EU. Of course, the problem might be that if the UK is outside the customs union and single market, the wine that is coming from Australia and New Zealand, and currently providing jobs in England, might have to be re-routed elsewhere in the EU to enable it to be bottled without picking up tariffs as it crosses the border into the EU member states. The dairy industry in the UK felt that such an agreement might not be a huge priority for it, but Fronterra, a New Zealand-based dairy company, said:

"We see a New Zealand-UK FTA as a great example for setting a benchmark for a high-quality, ambitious FTA for the UK."

We are also fortunate that George Brandis, the Australian high commissioner, has been paying attention to this, at least he was when he was here earlier. Australia is very keen to have a fairly simple FTA with the UK that has few carve-outs. Agriculture is said by the Australians not to be a major interest for them, as they have so much else of the world to service. Perhaps therefore we might, just like the Americans did with them, carve out a number of areas, and so agriculture might not be part of it. Australians say that it is not such a huge concern for them, but it is a concern for us. When they dealt with America, over 14 months, a number of carve-outs were made by the Americans, on pharmaceuticals, on the investor-state dispute settlement and on sugar access. So people will pursue their own interests and needs in trade agreements.

You will be upset to know, Mr Deputy Speaker, that the Committee has not looked very much at the CPTPP. We have not had time to do that, but we will be addressing it. It will certainly be discussed with the Secretary of State, who is due to appear before us again on 6 March. There are a number of areas where trade is being altered by the political choice made by two of the nations of the UK to take the whole United Kingdom out of the EU. This is seen, by all sides, as being damaging to the economy. The one thing that gives me

[Angus Brendan MacNeil]

hope is that even Brexiteers nearly all agree that the option of a hard Brexit on 29 March is damaging to the economy. The Secretary of State himself said it would damage the economy. Others have said it would be catastrophic, and a number of other adjectives have been used to express the same fear. At least Brexiteers are starting to see that some Brexit options are bad. When we give them the hard percentages, they see also that the upsides of trade deals and trade policies are not quite the same as trade. I hope and pray, and appeal to them even at this late stage, that the thing they really want to do, to save the upheaval and damage to the economy, is simply revoke article 50. An amendment to that end will be tabled next week. I appeal to Liberals, Greens and those who have talked about the people's vote or extending article 50: it is too late, the damage is under way. They are all agreed that economic damage is coming. The revocation of article 50 could be done in an afternoon and it would save us all. So, Mr Deputy Speaker, 21 minutes after starting my speech, I am finished.

**Mr Deputy Speaker (Sir Lindsay Hoyle):** You said you would be brief.

2.28 pm

**Catherine West (Hornsey and Wood Green) (Lab):** What a pleasure it is to speak in this debate with so many other antipodeans: the hon. Members for Mole Valley (Sir Paul Beresford), for Yeovil (Mr Fysh) and for Edinburgh North and Leith (Deidre Brock). The words "Australia" and "New Zealand" were in the longer title of the debate and therefore we seem to have been attracted out the woodwork. I cannot promise to compete with the knowledge of the hon. Member for Mole Valley about New Zealand sheep farms, but having grown up in Sydney I have a bit of a feel for some of the topics discussed, and it is a pleasure to be serving on the International Trade Committee and looking into the debate on this.

There are not many debates in the House where we go for three hours without a woman speaking. It took three hours for us to get there today, so I will try to set the tone by being brisk—

**Angus Brendan MacNeil:** Quality not quantity.

**Catherine West:** Exactly.

We are in the bizarre position of not having a proper agreement with our main trading partner, the EU, with which we do almost half our trade, or a little bit more than half, depending on which academic work one reads. The question of Brexit remains unsettled and not at all a done deal, yet at the same time, because of the Government's rather interesting negotiating style, there remain big questions about tariffs. My hon. Friend the Member for Brent North (Barry Gardiner) hit the nail on the head when he said that the written statement on tariffs that will be published later really should have come in advance of this debate, so that the debate could have been possibly shorter and more meaningful.

We know that right now goods are on their way to Korea and Japan and their exporters do not know what tariffs will be charged on arrival, because in under 40 days Brexit could happen and there could be no deal.

That is leading to a great deal of concern, not only about exports but about imports. The hon. Member for Yeovil said that he felt the farming sector was perhaps being a bit frightened, or need not be so worried or scared, but every time one opens a newspaper, one finds that reliable titles such as the *Financial Times* are citing extreme concern about what tariffs will be put on to goods coming into the UK.

The National Farmers Union spokesperson has been eloquent in expressing the union's concerns. As a Member representing a London seat I would not want to say that I could be any more knowledgeable than she, and she is presenting some very important concerns from the agricultural sector and about our lovely countryside. My hon. Friend the Member for Newcastle upon Tyne Central (Chi Onwurah) made a good point about whether the sector could be more efficient without our losing the wonderful beauty of the countryside. A move toward an agribusiness model could have a big effect on the countryside.

I can describe the position we face today only as neither in nor out—halfway. With under 40 days to go, that is a dereliction of duty. I feel that to some degree industry is being let down, doubly so after Honda's announcement this week. It is not just about industry but, of course, about the people who work in industry and all our partners.

Let me briefly set out some principles, because that is far as we can get today, given that we do not really know what is going to happen in the next 34 days. First, liberalisation may sound fine as a principle, but we know that there are problems. Members have mentioned issues relating to the ISDS provisions in various free trade agreements. A famous example is the tobacco companies in Australia taking the Australian Government to court for loss of profit because of changes in Government policy. People find the idea deeply anti-democratic and think we should be very careful in how we proceed. Furthermore, when the International Trade Committee visited Canada, we heard about the *Dow v. Canada* case, in which the US chemicals giant Dow sued Canada for attempting to ban the pesticide 2,4-D. The full details of the settlement were unclear, but it is likely that some concessions for the company were agreed, despite the environmental impacts of pesticide use. Those two examples show why, if we embrace a form of trade liberalisation, it is extremely important to remain vigilant about the long-term impacts.

The second principle is scrutiny. The Select Committee heard about some impressive best practice in Canada, where there had been regional consultations and the debates around equalities and human rights were an element of the consultation. That is a good way of engaging the regions in discussion about consultation and scrutiny. We need to look more closely at that. Given that the Government are trying to bring forward an industrial strategy—it is difficult to tell right now whether that has been successful—we should look at the best practice in that area.

The third principle is preparedness for our future, depending on what happens with Brexit. In the Select Committee's evidence sessions on the Trade Remedies Authority, I have been concerned about the sense of unpreparedness. I felt that when questioned, the chief executive was not familiar with our current tariff levels with different countries. When questioned on her views about various trade matters, she seemed rather unprepared.

That suggests that the Department desperately needs to do more work. Furthermore, on Member engagement, although I welcome today's debate, there needs to be more in-depth consideration. It is a pity that Members had to look on the Swiss Government website to see details of the Swiss agreement, when we had asked as a Committee for more information and were not given it—and that is Committee members, who are interested in trade, let alone Members of Parliament as a whole. It is disappointing not to see more interest on the Government Benches in today's debate and what our future is going to be.

The fourth principle is human rights. My fear is that we will lack clout with some of the big players, such as China. Put simply, China is more likely to countenance a dialogue about human rights with a partner with the clout of 500 million people than with the UK. We will struggle to maintain our integrity and what we believe to be important at the same time as managing our twin concerns about national security and trade. The three principles of trade, national security and human rights are hard to get right as a smaller country. It is easy to discount such a country, particularly when we may be giving off a whiff of desperation right now, with our debates and the sense that we need them more than they need us. We need to take that into account.

The fifth principle is standards. We currently have the EU's gold standard for goods. Other Members have mentioned the challenges relating to animal welfare standards, particularly in respect of a US deal and sanitary and phytosanitary standards. That throws up a wealth of questions. I am convinced that the US would like agriculture to be a sectoral element of any future free trade agreement. Again, we need to get the balance right between protecting what we have, the beauty of our landscape and our traditions, and being open-minded about new ways of doing things.

The hon. Member for Yeovil mentioned the NHS and seemed relaxed about how the US health system might be able to "improve"—I hope I am not misquoting him—it. My right hon. Friend the Member for Warley (John Spellar) intervened earlier to emphasise the fact that our national Government set the tone for the NHS and any intervention in it or other public services, but in respect of an interface with the NHS, we must be aware that the US healthcare system is among the most expensive and unequal healthcare systems in the world.

**Angus Brendan MacNeil:** I wish to echo and strengthen the hon. Lady's point. Bernie Sanders—I wish him the best of luck in his attempt at the presidency of America—made the exact same point. The idea that co-operating with America on health is going to make anything any cheaper is far from the truth.

**Catherine West:** I thank the hon. Gentleman for his intervention and for his leadership of the Select Committee. It is a very interesting Committee that he manages very well, given the breadth of views among its members.

I have a further point to make on TTIP, or what I call trip-up. Many of the TTIP proposals were quite anodyne, but they were politically mishandled. When the Select Committee visited the US Senate and the House of Representatives, the famous Democrat John Lewis said to us that had labour rights been raised much earlier in the discussions around NAFTA, there may not have

been quite the problems that arose when Mr Trump first became President. Had labour rights been much more at the forefront and given much more scrutiny, and had everything been much more open and debated much more freely, perhaps messes might not have been got into. That applies to TTIP or any form of agreement. Any sense that the public are being kept out, that it is secret or that the trade unions or civil society groups are not involved can lead to a trip-up.

**Matt Western:** My hon. Friend is making some important points. I am sure that she will agree that one of the great lessons that we have learned through the Committee is that the EU approach—and the approach of countries such as Australia—of involving civil society and other groups ensures that, when it comes to setting the agenda for any negotiation, those points are very much on the table and are clear.

**Catherine West:** I agree, particularly in relation to some of the really sensitive things such as human rights. We are represented at an EU level, which means that we have our MEPs there in the room. Equally, though, very sensitive discussions can be held on our behalf, without our personally having to make a comment. Perhaps the Secretary of State for Defence might have appreciated a bit more "arm's length" recently, especially when he was asked in a rather cheeky way yesterday by an interviewer on the radio whether he should button his lip. Again, we have to learn diplomacy if, indeed, Brexit happens and if, indeed, we end up having an independent trade policy. We cannot just go round opening our mouth and saying what we like.

I wish briefly to talk about an element of our future arrangements with Australia. I am not talking so much about the goods side. On agriculture, as those of us on the International Trade Committee know, Australia does not currently meet its quota for the Asia market—Asia in this case is the far east—and so that is less of an issue for our own agriculture here in the UK. However, there are areas around services—for example, equivalence on education, diplomas and degrees—where an already healthy relationship could be enhanced by improving mutual recognition of degrees, diplomas and professional standards. As the Secretary of State and the shadow Secretary of State have said, some of these things will be easy wins.

I will briefly touch on developing countries and fair trade. Many of us are very optimistic that more can be done in this area. I would be very grateful if the Minister, in his closing remarks, talked about how leadership can be shown in intra-Government and intra-country arrangements. For example, he will be aware that coffee in some African countries comes to Europe to be prepared and is then exported back at a higher price to Africa. Perhaps opportunities exist there to erase some of that cost by ensuring that those products can be much more effectively consumed locally and by ensuring that they do not have to come via Europe. African nations should be able to do that themselves and have their own trade agreements.

We are in a very difficult national position. Geopolitically, it is not a great time to be starting a big free trade discussion. The situation in the EU has its instabilities as well, with the upcoming elections this spring possibly producing more member states who have an aversion to free trade.

[Catherine West]

With regard to the US—one of the purported wins on free trade—there are many question marks on future business, particularly given some of the more protectionist statements by the President. In China, we are seeing a changing internal situation, which is having an effect on big infrastructure decisions. China is also possibly overstretched on the Belt and Road initiative. Some commentators suggest that some of these huge infrastructure projects may be overstretching China's reach to some degree, which means that entering trade agreements in the current climate may be quite difficult. Similarly with Japan, there is a need not just for Ministers, but for Whitehall to have another look at preparedness for a very big challenge.

Once things calm down, it would be helpful if we could find some way of looking at how prepared the Foreign and Commonwealth Office, the Department for International Development, the Ministry of Defence and all the different silos are and consider how they could work more effectively together. Such a review exercise could gain a lot of traction and help us to achieve a more slimline approach—not so much to do with people; more to do with a greater sense of direction. I suspect that that lack of direction comes from the different Departments. Furthermore, the reduction in the number of language experts in the Foreign Office, and in expertise in some other Departments, needs to be reviewed. I am sure that the Minister will mention that in his closing remarks.

2.45 pm

**Matt Western** (Warwick and Leamington) (Lab): It is very disappointing to see how few Members are present in the Chamber today—that applies to the Benches on both sides of the House, but certainly to the Government Benches. I have a lot of respect for the Under-Secretary of State for International Trade, the hon. Member for Beverley and Holderness (Graham Stuart), and I am sure that he, too, is disappointed that a topic of such importance should actually have attracted so few people to the Chamber today.

Today's debate honours the Government's commitment that was made back in the summer to hold a debate on these future trade agreements, but it does not provide for the much-needed debate on the Government's outline approach on an amendable, substantive motion, as proposed by the International Trade Committee in our report on trade policy transparency and scrutiny, which is disappointing. It seems that the Government's conduct of marginalising Parliament in the process of Brexit is evident once more—so much for taking back control. As the Committee stated, handling trade negotiations is the prerogative of the Executive, but there must be a meaningful role for Parliament in the trade policy process.

The Committee has been absolutely clear that trade policy needs to be open and inclusive, maximising the benefits across and throughout the UK; that Government must operate from a presumption of transparency; and that consultative processes must be formalised. Specifically, the Committee was interested in the role that Parliament, the devolved Administrations, local government, businesses and civil society should have in the process—all elements that are included in Labour's policy on trade deals. However, it would seem that the Select Committee report is being ignored.

Since his appointment, the Secretary of State for International Trade has asserted a great many things: in July 2017, we were told that a deal with the EU would be the easiest in human history, and in December 2017 he stated that the 40 free trade agreements covering 55 countries could be rolled over a second after the UK left the EU. A couple of months earlier, Lord Price, the then Trade Minister, told us that there were 36 FTAs with 60 countries, and he said that they could simply be cut and pasted and that that had almost been done. It was not until the Select Committee was told by Professor Andreas Dür that there were in fact 41 free trade agreements covering around 70 countries—a figure confirmed by the *Financial Times*—that we absolutely knew where we were. As suspected, the notion that free trade agreements could be rolled over has not proved quite as easy as the Secretary of State originally claimed. Although not central to this debate, that does illustrate the huge challenges that we will face.

Just two weeks ago, the Secretary of State came before the Select Committee to face questions, and it was quite clear that rolling over these agreements was not really going that well. Despite his considerable obfuscation, the reality of the state of the deals was evident from the Secretary of State's own briefing note. Anyone in the Committee Room could see that on the piece of paper in front of him there was a huge amount of red, a little bit of orange and very little green. Under that green, amber and red traffic light system, the status of these free trade agreements was quite clear. When the Secretary of State was challenged on that point, he claimed colour blindness, yet hours later in the afternoon he was more forthright with business leaders—sadly not with us. It was yet another example of keeping Parliament in the dark.

**Angus Brendan MacNeil:** On that idea of keeping Parliament in the dark, if the UK and the EU were to enter into a trade negotiation, European parliamentarians would know more than Members of the House of Commons, and our best way of finding out what was happening would be to ask our friends from Ireland. Far from us taking back control, the European Parliament would actually have more control in that particular trade negotiation, which is a supreme irony of the whole Brexit carry-on.

**Matt Western:** I thank the hon. Gentleman for his chairmanship of the International Trade Committee, which he does so well, and for the important point that he has just made. One senses that we are being kept in the dark, that there is there is far greater transparency on the EU side, and that we will probably end up learning more from the EU and other countries about how our deals are progressing. The Select Committee has actually found that to be the case when we have visited Geneva, Brussels or elsewhere; we are discovering the reality from trade ambassadors in those other countries.

**Dr David Drew** (Stroud) (Lab/Co-op): I am very much enjoying my hon. Friend's speech. It is not just that we seem to be in the dark about our relationship with the EU; Ministers also seem to be in the dark from one another. For example, the Chancellor has said that they he does not want any tariffs on food because he wants to keep food prices down, but in today's Environment, Food and Rural Affairs questions the Farming Minister

gave a very long answer about how DEFRA is looking at tariffs, quotas and various other restrictions. It is not very good if Government Departments cannot even talk to one another, is it?

**Matt Western:** My hon. Friend makes an important point, which I was going to come to later in my speech. He is quite right that the Government are kind of fudging the situation along, and no one is absolutely clear how these things will be managed. Our rural and farming communities will be extremely concerned because, having been so dismissive of the common agricultural policy, it is absolutely not clear how we are going to manage our all-important farming and agricultural sector post Brexit.

I was talking about the free trade agreements and the discussions of the Select Committee last week. It has subsequently become clear that the situation is a real mess. The status of the deals has been leaked and we now know that just five have been agreed, nine are off track, 19 are significantly off track, four are not possible to complete by March 2019 and two are not even being negotiated. So much for colour blindness—perhaps it is more of a blind spot.

In the case of the five deals that have been rolled over, their lack of priority and importance is perhaps self-evident. The Faroe Islands, which were mentioned earlier, are the UK's 114th largest trading partner—critical, then—and account for 0.1% of total UK trade. Clearly we buy a lot of fish from them. Then there is Chile, our 65th largest trading partner, which also accounts for 0.1% of total UK trade. The eastern and southern African region accounts for £1.5 billion and another 0.1%. Switzerland and Israel are the only countries that are bringing deals of the scale that we would have expected earlier in the process. Perhaps most concerning are the agreements with South Korea and Japan, which are way off track, and the lack of diplomacy is only hampering them.

It is clear that the Secretary of State and his Department favour securing deals with Anglosphere countries—the US, Australia, New Zealand and Canada being prime among them. The US is a major market, but so is the EU. Perhaps it is the appeal of another strong and stable leader that is driving the Prime Minister and her Secretary of State to prioritise a deal with the US. Elsewhere, of course it would be good to have better deals with Australia and New Zealand, but is it not more sensible to prioritise the customers on our doorstep? When I did a paper round, I always thought that it was better to do the paper round on my own street, rather than on the other side of the village; maybe I am wrong.

The public should not be fooled into thinking that this will be over by 2020 or 2021. As we have heard, these deals will take six to 10 years to negotiate. This will not be easy. The EU-CETA deal took six years. That is typical, and we have heard from trade negotiators, trade lawyers and those involved in other countries just how difficult this will be. The public need to know, as do those in our industrial and business sectors. The US is a great country, but it is an even better trade negotiator. In trade deals, as in any business deal, size matters, and since the election of President Trump we have seen a new approach that favours the bilateral agreements that he prefers. That puts the US at an immediate advantage. Hence, NAFTA was redone. The Select Committee happened to be over there back in the spring of 2018,

and the anxiety was palpable among the Canadian negotiators about what that would mean—but not just among them. It was palpable among US exporters and the car industry, as we heard earlier.

Perhaps naively, or perhaps because it is the outcome that the Secretary of State favours, we will face the mother of negotiations when our people sit down in Washington, and we should be under no illusion as to what the US will want to trade on. It will be services and cars, traded for agriculture and healthcare. We should remember the issues from the negotiations on the now-abandoned Transatlantic Trade and Investment Partnership, otherwise known as TTIP. Foremost among the public's concern was the threat posed to our precious health service from a possible corporate takeover in any form. That deal, lest we forget, was being negotiated between the EU and the US, virtually equal-sized economies.

I have nothing against the US. In fact, I love the US, but I love the NHS more, and I am suspicious of the strategy of the Government and the Secretary of State. I have nothing against him personally, but let us be honest, he was the founder of the Atlantic Bridge, and his motivations and intentions have always been clear.

Like so many of my constituents, I fear not just for our health service but for our excellent, world-leading car manufacturers, local farmers and all those involved in our agri-food industry. None of those working in that sector should be under any illusion that they will be safe in a trade deal that the Secretary of State will seek urgently and desperately to secure in order to preserve the Government's position. Without doubt, financial services will be his priority.

Our farmers should also be concerned by what concessions are likely to be made in the trade deals elsewhere, especially in the trade of livestock. Likewise our fisheries. Just last week, there was disagreement between the Secretary of State for Environment, Food and Rural Affairs and the Secretary of State for Business, Energy and Industrial Strategy, and that was echoed this morning, as we have just heard, in the comments about who would subsidise our farmers in those circumstances should we leave the EU. While both Australia and New Zealand have much to offer, their markets are still a small fraction of that of the EU, and the Secretary of State should be clear about that. By my estimation, trade with the EU is 30 times the combined trade that we do with New Zealand and Australia.

By contrast, the comprehensive and progressive agreement for trans-Pacific partnership has considerable scale. Naturally, its members comprise the nations around the perimeter of the Pacific, which will benefit from free trade in that sphere. I struggle to see how it will benefit or be appropriate to the UK. Call me old-fashioned, but doing business locally was always easiest and remained the priority. That seems no longer to be the case. Of the countries involved, our trading negotiations with Japan and South Korea are the most critical—far more so than those with Australia or New Zealand. In conversations with Japanese and Korean investors, it is clear how concerned they are by Brexit.

At an event in October last year held by the Japanese Chamber of Trade here in Parliament, its chief executive made it clear to those present, including the Secretaries of State for Business, Energy and Industrial Strategy and for Transport, that Brexit would seriously affect its

[*Matt Western*]

businesses and investments in the UK. Spring forward three months, and Nissan has cancelled its investment in Sunderland, Honda has announced the closure of its plant in Swindon with the direct loss of 3,500 jobs, and Hitachi has cancelled its investment plans for a nuclear station in Anglesey. A clear pattern is emerging.

Let me return to the question of priorities—let us call them business priorities. Surely our priority must be to secure our existing trade in inward investment. I do not understand why the Government seem so relaxed about walking away from their biggest customer and in the process damaging existing relations and undermining both domestic and foreign direct investment.

**Angus Brendan MacNeil:** The hon. Gentleman has mentioned Japan. Does he think that the lack of concern that has been shown for Japanese interests in this whole Brexit farrago will not serve the UK very well when it comes to negotiating a trade deal with Japan? The list of companies he gave and the concerns that the Japanese have raised have not registered or led to any deviation in UK policy, and it is understandable that the Japanese feel quite slighted, given their interests and that 40% of their EU investments were on island UK.

**Matt Western:** I thank the hon. Gentleman, whose constituency name I always get wrong—the Outer Hebrides—for his important point. It is not until we actually talk to investors and their representatives, and to major corporations that have given so much prosperity to these islands over the last 30 or 40 years, and consider how they feel—he used the word “slighted”—that we realise that respect is such a critical part of the culture in Asia. It is absolutely clear that they feel disrespected in this process and that we have not approached them and engaged with them sufficiently well. The Government may well have done that to an extent, but the fact that we are now seeing this haemorrhaging of investment from the UK underlines how seriously that is felt. At that reception held by the Japanese embassy in October last year, attended by the Secretaries of State for Business, Energy and Industrial Strategy and for Transport, the words of the chamber’s chief executive were chilling. He said, in summary, about Brexit, “We will be watching you.” Never have so few words concerned me so much.

I cannot help but conclude that this country is being seduced by a prospect of some sort of brave new world—empire 2.0, perhaps—when, in reality, the existing world in which we trade is both stable and prosperous, no matter the present headwinds. Actually, I agree with the Secretary of State for International Trade that we could be performing better in Asia Pacific markets, but I disagree with him on his solution. How can it be that, as I have said previously in this place, German exports to China are 10 times those of the UK? Germany is part of the EU, is it not?

Sometimes, we—the UK public—have bought the lie that being a member of the EU has held us back in international trade. It has absolutely not. To be fair to someone I did not necessarily agree with, Margaret Thatcher recognised that and recognised the importance of the EU. As was said by my hon. Friend the Member for Swansea West (Geraint Davies), who is no longer in his seat, it is perhaps the greatest irony that she would have sought to protect our membership of the EU single

market, of which she was the architect, recognising its importance to businesses based here, and particularly the Japanese companies she persuaded to invest here, such as Honda and Nissan. She will be turning in her grave.

I remain convinced about and committed to protecting our market and our businesses, and our jobs that they provide. Likewise, I am concerned for our farmers and those in the south of my constituency around the villages of Barford, Bishop’s Tachbrook, Hampton Magna and Norton Lindsey, who I believe will be seriously damaged by the industrial-scale farming they will be forced to compete against in future.

I also remain convinced about and committed to the EU market. Surely it provides greater certainty than the prospect of being caught up in the crossfire of the US-China trade wars. The truth is that, whether it be the uncertainty of negotiating with the current President of the United States or the significantly smaller markets presented by Australia and New Zealand, the priorities claimed by the Secretary of State are far removed from the certainty of the EU market. We should be wary of where we are going.

**Dr Drew:** I thank my hon. Friend for giving way again. Does he accept that one sector that is particularly vulnerable is the pig sector? American exports to China have all but come to an end and the Americans are desperate to find another market that they can populate with their pigs. The obvious one is the UK. Would not that be a real threat?

**Matt Western:** I thank my hon. Friend for his well-informed intervention—he clearly knows a huge amount more about the pig farming sector than I do. The subject did come up in conversations in the United States and subsequently of the opportunities not just for pig farmers but for soya bean agriculture, and how keen the US is to export those products. We have to be cognisant of what that will mean. As has been said many times this afternoon, this is about concession, trading terms and what we are most prepared to give way on, but I am particularly fearful of the impact on our rural communities and on the farming sector, whether it be the pig farmers or others.

In considering future deals, it is essential in any event that there should be scrutiny from Parliament. That has come through loud and clear in the evidence that our Select Committee has taken: we should involve not only Parliament, but the devolved Administrations, civil society groups, representative business bodies and the unions. We need economic impact assessments, undertaken and shared with the relevant bodies—in particular, Parliament and the Administrations. That approach would ensure transparency and is best exemplified by that followed in the EU’s process, but also by the US itself. We also need to ensure the protection and maintenance of workers’ rights and environmental protections—certainly in our farming and rural sector—and to oppose the use of investor-state dispute settlement mechanisms in future agreements.

Finally, in leaving one of the most sophisticated, most advanced markets that is the EU, we must not allow this or any Government to reduce standards or protections. First and foremost, we must be determined

to ensure that our manufacturing industries and farmers receive the appropriate protections they deserve, not the 0% tariffs on imports that the Secretary of State is advocating.

3.5 pm

**Chi Onwurah** (Newcastle upon Tyne Central) (Lab): It is a pleasure and an honour to follow my hon. Friend the Member for Warwick and Leamington (Matt Western) in speaking in this debate.

This has been a tumultuous week in British politics and, indeed, a very saddening week for a Labour Member like me. However, today's debate reminds us of the critical task that this Parliament faces as the Brexit deadline approaches. Trade is at the heart of the Brexit debate, and many Members have made very good and detailed points on the challenges for our trade policy as we leave the European Union. I wish to focus my points on three areas: landscape, cars and negotiating power.

Indeed, landscape, cars and negotiating power are related, as I had reason to realise when my car broke down on the road to Craster in Northumberland on Sunday. After I had sought to negotiate getting a bungee lead from a friendly fisherman, who refused to take any money for it, I had ample time to contemplate the exquisite beauties of the Northumberland coastal landscape while I waited for my exhaust to be repaired.

The labour movement is often associated with our cities and great urban centres. In truth, however, access to and enjoyment of our countryside has been a key part of our labour movement for decades and, indeed, centuries. One only has to think of the Kinder Scout trespass to see the way in which our movement has fought to ensure that our glorious countryside remains accessible and can be enjoyed by everyone.

While Newcastle is uniquely privileged in having a moor, the Town moor—or the “Toon” moor—at its centre, we also have the ability to enjoy the wonderful countryside of Northumberland and County Durham. It is perhaps contradictory to say so, but this stunningly beautiful countryside, with its dry stone walls, little fields and fantastic coastal views, is not entirely natural. It is actually a function of our farming and particularly of our small-scale farmers. They are the ones who have created and who protect our beautiful countryside.

This is of course very different from the situation in the United States, where we can find wheat farms the size of small counties here in the UK and pig farms the size of small towns. How does the Secretary of State expect our small-scale farmers to compete with the American agro-industrial machine? If someone drives through areas of the US that have a similar northern, temperate climate, they will see vast swathes of countryside that, having been cultivated in the 19th and 20th centuries, have been given back over to wilderness because of that inability to compete with the vast farms in Texas and other states.

The hon. Member for Mole Valley (Sir Paul Beresford) suggested that New Zealand might be a model to follow, and as I said, I greatly admire its landscape and countryside, as shown so wonderfully in the films of “The Lord of the Rings”. However, the landscape of north-east England, with its drystone walls, hedgerows and its people, is not comparable with that. In the Northumbrian countryside, someone is never more than a few hundred metres from a wall, house, field, home or road. New Zealand has

only 4 million people but 20 million sheep, and although I admire and recognise those different forms of landscape beauty, I do not want that imposed on the north-east.

**Sir Paul Beresford:** New Zealand also produces other agricultural products such as wine and fruit—apples, pears and so on. Many of the units in New Zealand are small, but they work together as co-operatives that do not damage the countryside, and something similar could quite easily take place in many areas of this country. The countryside would be preserved; jobs would be created; and the economic value of those small units would be lifted.

**Chi Onwurah:** I thank the hon. Gentleman for that intervention, but let us be clear. He gives the example of wine—we are not huge producers of that in Northumberland—and fruit, but I am talking about lamb, sheep and the other products of small-scale farming in the highly temperate climate that drives our beautiful, natural landscape. That is what I want to continue.

British farmers have been able successfully to compete on both quality and price in markets defined by EU food safety rules. For example, British farmers export far more wheat flour to the European Union—approximately 250,000 tonnes last year—than they do to non-EU countries, at approximately 6,000 tonnes, and the same goes for other agricultural products such as barley and oats. The EU is the largest importer and exporter of food in the world, and as part of an EU member state, our farmers have benefited from preferential access to that market through exemptions from the tariffs and quotas that are imposed on non-member countries, and without dropping our environmental and farming standards.

With 85% of seasonal agricultural workers in the EU coming from Bulgaria and Romania, agriculture is one UK sector dependent on freedom of movement. The immigration Bill will clearly do nothing to enable the continuation of what the Government are pleased to call “low-skilled” workers—those who earn below £30,000—but what about the Agriculture Bill? Will it protect our small farmers? It does nothing to address concerns about competition, and it places no duties on the Secretary of State for Environment, Food and Rural Affairs. It offers no funding and no environmental safeguards. The Government are showing yet again that they are not prepared to deliver a farming environment that protects our environment as well as the standard and quality of our food.

Our automotive sector is a global success story, although, as we saw in the sad announcements from Honda and Nissan, it now faces challenges due to technology, climate change and Brexit. It is clear that this is not all about Brexit. As I said, there is technology and there is climate change. However, the automotive sector is one of the most competitive and highly integrated industrial sectors. When there is one disabling factor that is a unique disadvantage for UK producers—Brexit is a unique disadvantage for UK producers—we are more likely to lose in the competition for future investment. The inability or the decision of this Government to not take a no-deal Brexit off the table means that our investment is falling.

**Matt Western:** My hon. Friend not only beautifully illustrates the north-east of England, but she is making very important points about the farming community and the automotive industry. On Honda's announcement,

[*Matt Western*]

this is the first car plant it will have ever closed in its entire 71-year history. That is not coincidental. Brexit is, as she says, just one element, but when working with such thin, narrow margins in such a competitive sector, it is what triggers the review and subsequent decision to disinvest.

**Chi Onwurah:** I thank my hon. Friend for that excellent point. The competitiveness of the sector means that margins are narrow, so any such factor—Brexit and access to markets are significant factors—will place us at a continued disadvantage. The Society of Motor Manufacturers and Traders says that no deal could cost the car industry up to £4.5 billion in tariffs.

**The Parliamentary Under-Secretary of State for International Trade (Graham Stuart):** The hon. Lady makes the powerful case against no deal, which is why the Society of Motor Manufacturers and Traders, and practically the whole of business, is urging her and her colleagues to vote for the Government's deal. Why will she not do so? Why does she put so many jobs at risk? Why is she peddling the myth that investment is falling, when overall the latest figures suggest that Britain continues to lead Europe on investment?

**Chi Onwurah:** I thank the Minister for that intervention and for giving me the opportunity to reiterate that, as my hon. Friend the Member for Brent North (Barry Gardiner), the shadow Secretary of State said, the false choice between the Government's bad deal and no deal is in effect an act of economic blackmail. Industry sectors have said they would prefer the Government's deal to no deal, but they also said that it is a bad deal. It is a bad deal for British industry. It pushes the key decisions out two years into the future. In two years' time, we will be facing, with less leverage, exactly the same challenges under his deal.

**Graham Stuart:** Which business organisations have said that they think this is a bad deal?

**Chi Onwurah:** The Minister knows very well that the business organisations that have said that to me—I speak to them extensively as a shadow Minister—do not wish their names to be given. [*Interruption.*] They have said it. They do not wish to be named in Parliament, because they fear the negative reaction of Ministers such as himself.

**Matt Western:** Very simply, the reality is that this is not just about no deal. Businesses, the manufacturing sector, the CBI, the Federation of Small Businesses and all the others are saying that they would prefer for us to stay in a customs union and a single market. That has been the Labour party position since February last year. It is absolutely clear. That is where the manufacturing sector wants to stay. The CEOs of Jaguar Land Rover, Airbus and others all want us to stay in a customs union and a single market.

**Chi Onwurah:** I thank my hon. Friend for that important point. Many organisations, such as the Manufacturing Trade Remedies Alliance, have explicitly come out against the Government's deal and repeatedly said that they want a customs union. That is an implicit criticism of the Government's deal.

**Andrew Griffiths (Burton) (Con):** Will the hon. Lady give way?

**Chi Onwurah:** I will give way, but I do not wish to emulate others in making long speeches.

**Andrew Griffiths:** The hon. Lady mentioned businesses that are not prepared to go on the record. I quote:

“This is not a Brexit-related issue for us”,

and this decision is “being made” on the basis of “global...changes”—those are the words of Ian Howells, Honda's senior vice-president for Europe. It is clearly disingenuous to suggest that Honda's decision was based on Brexit. Does she accept that, because Ian Howells says so?

**Chi Onwurah:** I do not know whether the hon. Gentleman was in his place when I started speaking, but I acknowledge that Honda's decision is not entirely based on Brexit. However, as we have been discussing, the uncertainty in the business environment caused by Brexit has an impact on investment. The Minister stated that investment was not down, but investment in the automotive industry has gone down by almost 50% in the last year. At the same time, components worth £35 million are delivered from the European Union every day. That partly reflects the way in which our supply chains are integrated.

Government Members, many of whom pride themselves on their business experience, seem to fail to understand that supply chains—as a chartered engineer, I have been involved in many supply chains—such as the automotive supply chain are highly integrated and highly just-in-time. We have automotive supply chains that cross the channel backwards and forwards multiple times—for example, a crankshaft can be made in France, go to the west midlands to be drilled and milled and then sent to Munich to be put in an engine, which then comes back to Oxford—and the channel would be a tariff border. Such integration requires not only frictionless borders, but agreed standards to define everything from the acceptable frequency of electromagnetic radiation to the atomic composition of a given chemical. In leaving the European Union, what the Government apparently want is not less regulation, but simply more duplication, setting up new regulatory bodies to recreate existing European agencies and regulations. Far from Brussels imposing regulation on the European Union, it was often acting as an outsourcer for regulation that we would need in any case.

The automotive industry delivers not gig economy or minimum wage jobs, but good, well-paid jobs, and we in the north-east, particularly as the only region in the country that still exports more than it imports—we are very proud to have the most productive Nissan plant in the world in our region—refuse to envisage the future that the Government seem to desire, whereby our manufacturing is undermined by taking us out of the biggest free trade area in the world, one which is absolutely essential to us.

**Barry Gardiner:** It pains me to advise my hon. Friend of this, but in the last quarterly set of figures, that honourable exception of the north-east being the only region that exports more than it imports is no longer the case. I know that, as a doughty fighter for the north-east, that is not what she wants to hear, but it is testament to what happens under this Government.

**Chi Onwurah:** I thank my hon. Friend for that intervention. I had not seen the last set of quarterly figures. I hope that in the annual figures, we are still exporting more than we import, but that is testament to the fact that manufacturing is not safe in Tory hands. In particular, manufacturing would be devastated by a Tory Brexit. The Honda announcement was devastating for families and friends of the employees there and we do not want to see any more announcements like that.

The thing that really upsets me is when the Tories claim that to take a no-deal Brexit off the table would be like someone telling a car dealer that they were not willing to walk away. With Brexit, we are not trying to buy a car in a car dealership. We are trying to build cars across the European Union that will deliver good jobs. Choosing to leave a no-deal Brexit on the table is an act of unparalleled economic sabotage by this Government.

**Matt Western:** To highlight the point my hon. Friend is making so well, has she heard and was she as appalled as I was by the comments made by Matthew Lesh of the Adam Smith Institute a couple of weeks ago on the radio, that this is all about free markets, liberalising trade, 0% tariffs, competency and competitive advantage, and if we lost our manufacturing industry in the process of achieving that, so be it?

**Chi Onwurah:** My hon. Friend raises a very unpleasant memory for me of when, as an engineering student at Imperial, back in the '80s, I heard Margaret Thatcher say that the UK was going to be competitive on the global stage in finance and other services, and the rest of the world could be our manufacturer. The consequences of the lack of support for manufacturing from successive Conservative Governments are seen in the average wages of our constituents, day in, day out.

I want to talk briefly about negotiating power. The car buyer fallacy is not the only Tory fantasy; the idea that we will do so much better in trade negotiations on our own than with the collective power of the European Union is a total fantasy. The Secretary of State said that on our own, we would be nimble, negotiating deals the clunky 27 could not, such as with the United States. European Union gross domestic product is seven or eight times greater than that of the UK, so it offers greater opportunity for profit. Any trade agreement that delivers 1% improved profitability with the European Union would have to do seven times better with the United Kingdom to be as attractive. The Government are arguing that in the margins of the differences between ourselves and other EU members, without damaging environmental standards or working rights, we will be able to deliver seven times the benefits to any trading partner. That is a fantasy we will pay for.

African and other Commonwealth countries are not part of this debate, but the Secretary of State spoke quite extensively about them in his opening speech. One of the many disingenuous—indeed, deceptive—ways in which the leave campaign sought support during the referendum campaign was to promise better immigration and trade opportunities for Commonwealth and African countries in an attempt to draw in Commonwealth and African diaspora citizens to voting leave. Well, the £30,000 salary threshold for skilled immigrants shows clearly that there are to be no greater immigration opportunities for people from Commonwealth and African countries.

As chair of the all-party parliamentary group for Africa, I know how important trade is to African countries. The subject is raised regularly with me by incoming delegations. It is true that the economic partnership agreements between the European Union and African nations are flawed because they lack transparency and because they limit scope for African Governments to make their own development choices and industrialisation plans, but many—indeed, most—African nations see the UK as the entry point to European Union markets, and they are at a loss to understand why we are abandoning the world's greatest free market area. What they seek is continuity and fair access to our markets, and clearly this Government can offer neither.

In the almost three years since the Brexit vote, we have learned much more about what Brexit involves and what the choices are. Now it is clear that all forms of Brexit involve an economic hit, but this Government's Brexit trade policies and, in particular, leaving no deal on the table are a form of economic sabotage, and that is something to which I will not be a party.

3.29 pm

**Liz Twist** (Blaydon) (Lab): Earlier this week, I did not expect to be here today. I was planning a day in my constituency, working. However, the volume of emails and other messages that I received from constituents asking me to attend this debate and set out their concerns made me change my mind. I am glad that the Secretary of State has returned to the Chamber at such an appropriate time: I can make my constituents' points to him very clearly.

I fear that I have no erudite or detailed points to make. I want to tell the House about my constituents' concerns, although I do not think that they will come as any surprise. Indeed, the Secretary of State referred to some of them in his opening speech, and they have been mentioned since. I am sure that I am not the only Member of Parliament whose constituents have been in touch this week, expressing strong feelings about some key principles.

I want to make a few points, quite briefly. The first relates to a matter that we have discussed before. My constituents have fears about the NHS, and about the opening up of our national health service to competition from overseas companies as a result of trade deals. I heard what the Secretary of State said earlier. People in the north-east not only enjoy beautiful countryside—as was mentioned by my hon. Friend the Member for Newcastle upon Tyne Central (Chi Onwurah)—but have strong views about the NHS. They firmly believe that it should not be opened up further to competition. As we have heard today, there is already competition in the NHS, but we do not want it to increase. I ask the Secretary of State to reiterate, very clearly, that our NHS is not for sale as part of a trade deal.

The second issue raised by my constituents concerns environmental and food safety standards. We have all heard many times the classic example of fears about trade deals with the United States involving imported chlorinated chicken, but there are many other examples. My constituents fear the impact of these trade deals, feeling that they will weaken our environmental standards and also weaken labour terms and conditions.

**Dr Drew:** What the Government must do is very simple. They must accept one of the amendments to the Agriculture Bill that rule out any lowering of standards. Surely the Government can do that, and then we can all support where we go as a result of that agreement.

**Liz Twist:** I thank my hon. Friend for his intervention, and look forward to the Secretary of State's comments on it.

**Dr Fox:** The hon. Lady has asked for my reassurance. As I mentioned earlier, article 23.4 of the comprehensive economic and trade agreement states:

"The Parties recognise that it is inappropriate to encourage trade or investment by weakening or reducing the levels of protection afforded in their labour law and standards."

The protections for which the hon. Lady has specifically asked are included in a document that has already been ratified by the United Kingdom Parliament. My question is this: why did the Labour party not vote for it?

**Liz Twist:** I thank the Secretary of State for his comments, and for pointing me to that document. I am sure that my constituents will be glad to hear what he has said, but they will also want me to ensure that the issue continues to be at the heart of our discussions and interventions.

That concern about people and labour standards brings me to my third point. Just before Christmas, I was pleased to be able to lead a debate on Traidcraft and the future of fair trade. One of the issues raised was also raised today by my right hon. Friend the Member for East Ham (Stephen Timms): trading status with less developed and developing countries. We were seeking assurances that those countries would continue to have access; I noted the Secretary of State's earlier comments on that matter but would welcome further assurances, perhaps by the Minister in summing up this debate. It is important for trading and the economic development of those countries, but there is also an important gender equality element in dealing with those countries to ensure they continue to have that focus.

Finally, people wanted me to raise the issue of scrutiny. There is real concern that trade deals will be signed off behind closed doors. Again, I note that the Secretary of State touched on that, but we need to be very clear that there is the best possible scrutiny of the trade deals being done; Parliament must be able to take a full part in that, and it must be transparent. My constituents must be able to see that that is happening. It is very important that that happens.

These are not the detailed points that many other Members have raised, but they are the issues that most concern my constituents, and they must be addressed in the discussions. Again, I ask the Minister to address clearly the concerns of my constituents.

**Madam Deputy Speaker (Dame Eleanor Laing):** Before I call the Front Benchers to sum up the debate, let me thank the hon. Member for Blaydon (Liz Twist) for her brevity this afternoon. I have been listening to the whole of this debate and the hon. Lady said as much in six minutes as others took over 20 minutes to say. Her constituency is well served this afternoon: because she did not take the extra 15 or 20 minutes she could have taken, none of her constituents have suffered at all as

she has spoken well for them. I make this point because I can tell the House that the Front-Bench opening contributors had a very good debate; it went back and forward with interventions and that is how a debate should be. But the Front-Bench contributors at that point spoke between them for 97 minutes—let me repeat that; 97 minutes. But I do not have to repeat that again as many Members have repeated points this afternoon over and over again. It is customary at the end of a debate that when the Front Benches have taken 97 minutes—oh, I did not count the hon. Member for Dundee East (Stewart Hosie), who spoke for the Scottish National party; his was a very reasonable 17-minute contribution, which takes the Front-Bench contributions to 114 minutes if I am to be accurate—the wind-ups normally take 10 minutes. Clearly there is some elasticity this afternoon, but that does not mean the Front Benchers whom I am about to call can each speak for some 40 minutes just because the remaining time would allow that. What kind of example is it for Members of Parliament speaking in the Chamber of the House of Commons to take the attitude that because something can be done it should be done, and that indulgence and self-indulgence is to be accepted? It is not, but I am quite sure that I can rely on the spokesmen from the Front Benches now to sum up in the usual amount of time which is taken for these matters, which is between 10 and 15 minutes each.

3.39 pm

**Bill Esterson** (Sefton Central) (Lab): Thank you very much, Madam Deputy Speaker. It certainly has been a very thorough debate, and I certainly do not intend to go into the Minister's allocation of time and will be well within my half of what is remaining; I can certainly confirm that.

At the start of the debate, my hon. Friend the Member for Brent North (Barry Gardiner) raised a point of order. He said that a written ministerial statement on trade continuity under a no-deal scenario was due to be published today—it was listed as No. 4 on the Order Paper—but that it was not available by the start of our deliberations. It had still not been published on the internet by 2.30 pm, but happily the Vote Office very kindly delivered a copy to me at about 2.10 pm, which was some time after the Front-Bench speeches to which you have just referred, Madam Deputy Speaker. The document is entirely relevant to our deliberations. It refers to mutual recognition agreements with the United States, Australia and New Zealand, and much more besides that is relevant to the debate. I shall take the time to refer to it during my remarks. It is a shame that it was not here earlier, as it would have enabled other Members to have the relevant information.

Distance is important. The value of our trading relationship with Ireland is higher than the value of UK trade with Italy or Spain, even though Ireland's economy is much smaller than that of either Italy or Spain. Members should not just take my word for it; that is the view of the Office for National Statistics. If the Government have their way, we will abandon the deal that we have on our doorstep for a deal—or a series of deals—on the other side of the planet. Trade by teleport is not a reality, however. I am glad that the Secretary of State has acknowledged the fact that we are on the other side of the world from the Pacific. It is also a fact that he is proposing that we become a nation that is reliant on

carbon-pumping trade deals, which is somewhat at odds with the claim in his opening speech that he is going to uphold our climate change obligations.

**Dr Fox:** Is the hon. Gentleman's logic that if we had less trade overall, less carbon would be omitted and that would be a good thing?

**Bill Esterson:** What an absurd intervention—but we have come to expect nothing less from the Secretary of State. Of course we should have trade around the world, but we should not be prioritising trade on the far side of the world over trade on our own doorstep. He knows that only too well. That has been the theme of this debate.

The Secretary of State quoted the interpretive instrument in CETA. As the hon. Member for Dundee East (Stewart Hosie) mentioned, the Canadians have the highest use of investor-state dispute settlement arrangements anywhere in the world, so they have form when it comes to the use of such systems. The problem is that the instrument does not alter, let alone override, the text of CETA. Article 31 of the Vienna convention states that treaties “shall be interpreted in good faith in accordance with the ordinary meaning to be given to the terms of the treaty in their context and in the light of its object and purpose.”

However, if there is

“any conflict or confusion between CETA's plain wording and the instrument, it is CETA's text that prevails...The critical point is that while the parties retain the right to regulate, they must do so in conformity with their CETA obligations and commitments.”

Those are the words of the Canadian Centre for Policy Alternatives. The interpretive instrument that the Secretary of State referred to does not overrule the main CETA documents. Those of our constituents who have written to us with their concerns about the threat of the privatisation of the national health service as a result of the negotiation of deals—the subjects of which have been covered in this debate—are right to be concerned, given the contents of the CETA document and the legal opinions on it. They are right to raise those concerns, as was my hon. Friend the Member for Blaydon (Liz Twist) earlier.

Turning to the opportunities to scrutinise the negotiation of these deals, I wonder whether the Minister could pick up on the thread of the debate about whether this is our one and only opportunity to do that or whether there will be further chances for Members of Parliament to debate and challenge the mandate for negotiation and then to scrutinise any proposals put forward during the negotiations. What is going to replace the current arrangements through the Council of Ministers, the international trade committee of the European Parliament, the European Parliament itself, and our own European Scrutiny Committee? I note that the written ministerial statement refers to

“full parliamentary scrutiny processes to ratify some UK-third country agreements”,

so what are those processes? Do they represent full scrutiny, or are they the Henry VIII powers that the Secretary of State advocated in the Trade Bill, which mean an absence of any meaningful scrutiny of measures, especially given the inability to influence their contents? The same point applies to the new agreements referred to in this debate.

Businesses that want certainty had to change from WTO arrangements with Japan, to which the statement refers, to EU-Japan agreement arrangements at the start of this year. Presumably, they will now have to

change back to us trading with Japan through the WTO, which again is mentioned in the statement, and then, once agreed, to UK-Japan bilateral agreement arrangements. That is far from a demonstration of certainty for business, but that is what the written statement appears to confirm, which prompts the question of why there was a delay in the appearance of the missing information.

**Dr Drew:** Does my hon. Friend agree that we need primary legislation, not hour-and-a-half debates in Committee Rooms? Some of us are spending much of our time upstairs rushing through all sorts of incredibly complicated legislation and no one really understands the implications.

**Bill Esterson:** My hon. Friend makes much the same point that my hon. Friend the Member for Brent North and I made when the Trade Bill was in Committee last year about the importance of full scrutiny and a thorough process that goes way beyond the Henry VIII powers that the Secretary of State has been so keen to confer upon himself for the scrutiny of such agreements. My hon. Friend the Member for Stroud (Dr Drew) makes an interesting point about the SIs and the completely inadequate no-deal planning, but that is a discussion for another time, although I share his concern about the pressure being put on Members to vote for the Prime Minister's bad deal, as my hon. Friend the Member for Brent North described it earlier.

My hon. Friend the Member for Hornsey and Wood Green (Catherine West) spoke of the frequency of the legal action being taken by Canadian companies, which was also mentioned by the hon. Member for Dundee East. She also advocated greater regional and national engagement in scrutiny and said we should learn from international good practice, and I agree. My hon. Friend the Member for Warwick and Leamington (Matt Western) also said that we should learn from other countries. When our own Government say that they cannot give us information because it is confidential and would affect delicate negotiations, it is odd that we can find out what is going on from the other countries involved. He also mentioned the importance of looking after our own street first and referred to prioritising a trade deal with the EU before looking for deals on the other side of the world.

My hon. Friend the Member for Newcastle upon Tyne Central (Chi Onwurah) spoke about landscape, cars and the environment, describing the contrast between agriculture in the UK and the US and the difficulties facing our farmers in surviving and competing in the trade world that the Secretary of State envisages. She made a good point about sustainability and the importance of the rural environment, and she was right to cite the desire of much of industry, across sectors, for a customs union to support frictionless trade.

We have a trade deal, which represents 48% of our trade, on our doorstep. The deal ensures frictionless trade and access to the single market, as well as access to 11% of the rest of our trade through deals with 70 or so further countries, but as the written ministerial statement shows, only six new trade deals have been signed so far, and we leave the EU at the end of March.

I was startled to find out that neither the Defence Secretary nor the International Trade Secretary has learned the basics of diplomacy. Domestic sabre rattling

[*Bill Esterson*]

on China, which we assume is part of the Defence Secretary's leadership campaign, has jeopardised talks with China, while the International Trade Secretary has managed to insult the Japanese. [*Interruption.*] Excuse me. I think the International Trade Secretary had something to say to me there.

**Graham Stuart:** He was just obliging you.

**Bill Esterson:** Was he? That is very kind of him.

In 2017, a number of Australian academics warned of the danger that

"Australia's interests get caught up in the possibly unrealistic worldview of the Brexiteers and thus Australia becomes collateral damage of...British politics."

Why might they say that with this Secretary of State in charge?

In the real world, my constituents who put their goods on a ship at the port of Liverpool today do not know whether the ship will be able to dock in Tokyo on 30 March and what arrangements will be in place. They want the Government to show that they understand diplomacy, and they want them to avoid causing offence in delicate trade negotiations.

This week, in Swindon, we have seen what is happening in the real world: real workers' jobs going—3,500 of them—and real communities affected. We are party to a trade agreement with Japan through our membership of the European Union, and the deal has not prevented the disinvestment of Japanese companies such as Honda and Nissan.

"The idea that Brexit uncertainty is irrelevant to this is fanciful. How are Honda supposed to calculate the costs and benefits of staying in the UK in the overall global context against such lack of clarity on the future terms of trade?"

Those are not my words but the words of Sir David Warren, the former UK ambassador to Japan.

**Dr Fox:** I would have thought that the management of Honda are closer to this issue, and they say it is a result of changes in the international car industry and specifically not a result of Brexit. Why does the hon. Gentleman want to make it so when the company itself says it is not true?

**Bill Esterson:** As my hon. Friend the Member for Brent North was just saying to me, Honda's management are far too well-mannered to say these things in public, but a former ambassador will tell it as it is, and I would have thought the Secretary of State wanted to take the advice of somebody with Sir David Warren's experience.

**Dr Fox:** That just will not wash. Why, then, is Honda leaving Turkey? Is that the result of Brexit as well?

**Bill Esterson:** The leave campaign pushed the point rather hard about Turkey's accession to the EU.

My hon. Friend the Member for Bishop Auckland (Helen Goodman)—this is the bigger point about the Secretary of State's involvement—spoke about the failure to ensure, when the EU-Japan deal was negotiated, that there was support for the foreign direct investment and its critical place in our car industry, whether at Honda or Nissan. The Secretary of State's answer is that he will

not change his approach in the future trade deals he negotiates once we have left the EU. That is a pretty grim predictor of what is going to happen under this Secretary of State and his colleagues in their support—or rather lack of it—for our industry, our manufacturing industry and our car industry in particular.

**Matt Western:** I mentioned Margaret Thatcher earlier. If she were still around today, she would not settle for Honda leaving the UK. She would fight with every fibre in her body to defend our interests in retaining that important business in the UK. Does my hon. Friend agree?

**Bill Esterson:** We have come to an interesting point, with Labour Members citing Margaret Thatcher and the fact that she founded the single market of the European Union to demonstrate just how wrong the current Government, who claim her inheritance, are in their international trade policy.

I have taken a number of interventions and I am very cognisant of your strictures for me to keep things to a minimum, Madam Deputy Speaker. As I was saying, the alternative is to deliver certainty. That alternative can come with a new customs union and a deal with the single market on regulations, standards and common institutions that protects our trade with the EU and with our partners around the world. The difficulties in renegotiating the deals with our partners have been laid bare in recent weeks by the failure of the International Trade Secretary to make progress on more than a handful of such deals, quite apart from the uncertainty over our future trading relationship with the EU. He wants to align with lower standards from the US.

**Dr Fox:** That is not what I said.

**Bill Esterson:** Well, the Secretary of State has been saying that for years. The Chair of the International Trade Committee spoke earlier, and the Committee's report set out the consequences of a deal with the US: it will inevitably lead to a conflict, with the potential for lower standards, impacting our ability to do a trade deal with the EU. That point should be listened to and the Minister should respond to it in his summing up.

We have had an excellent debate and I sincerely hope that the Minister will respond to the challenges set to him about where we have reached. In particular, I hope he will address whether adequate protection is in place for our agriculture, car industry and other manufacturing sectors and whether there will be further opportunity to scrutinise international trade agreements and their preparation with the US, Australia, New Zealand and the Pacific rim. I thank my colleagues for their contributions to the debate. I look forward to scrutinising the Government in the coming months on these points, but the fact that only five roll-over deals have been completed so far does not bode well under this Secretary of State and his ministerial team. [*Interruption.*]

3.58 pm

**The Parliamentary Under-Secretary of State for International Trade (Graham Stuart):** I hear urgings from Opposition Members, not least the Chairman of the Select Committee, the hon. Member for Na h-Eileanan an Iar (Angus Brendan MacNeil). It is a pleasure to conclude this debate about future trade agreements, in which we have

heard interesting contributions, ranging from the profound to, more recently, the bizarre. Nearly all have been interesting and I wish to thank everyone who has taken part. I particularly want to thank the Chairman of the Select Committee and its members for their thoughtful and well-informed contributions.

Today's debate is just one way in which the Government are seeking to ensure that the House of Commons, the House of Lords, the devolved Administrations and wider society are engaged in, consulted on and fully briefed about future trade agreements. It is the Secretary of State's profound belief that only a transparent and inclusive approach is appropriate as the UK sets out on its exciting journey towards a fully independent trade policy. Ninety per cent. of global growth over the next few years is expected to occur in areas of the world outside the EU—90%. That is why we should remember that there is a world beyond Europe, and I promise that there will be a time beyond Brexit. The purpose of this debate was to enable Parliament's voice to be heard on the potential agreements, prior to the UK's negotiating objectives being formed.

Although international trade policy is reserved, we have committed to holding formal and regular inter-governmental ministerial forums with Ministers from the devolved Administrations to consider future trade agreements. We ran public consultations on the four potential agreements that we are debating. They lasted 14 weeks, as has been said, and closed on 26 October last year. In addition, we held 12 events throughout the UK's nations and regions to engage business and civil society alike. So, we are not just talking about unprecedented engagement, we are seeking to deliver it. In total, we received a remarkable 600,000 submissions in response to the four consultations. We are analysing those responses to ensure that they can help to shape our approach to the negotiations. Notwithstanding the understandable frustration about wanting that to speed up, I am sure that Members from all parties understand why we should try to get it right. We will publish our response to all four consultations before any negotiations begin.

**Emma Little Pengelly** *rose*—

**Graham Stuart:** As I am talking about consultation and engagement, I shall give way to the hon. Lady.

**Emma Little Pengelly:** One of the positive things about this debate has been the many voices from across the UK, the devolved regions and the other regions throughout England. As we go through the immediate period, there will be concerns from businesses, particularly in Northern Ireland where we do not have a devolved Assembly so cannot participate formally. Will the Minister have an open-door policy in his Department, and encourage his ministerial colleagues to do the same, so that businesses and organisations from across the regions and right across the UK can articulate concerns and genuinely be listened to? That way, we can make sure that this is a truly global UK agenda moving forward.

**Graham Stuart:** As ever, the hon. Lady speaks powerfully on behalf of her constituency and, indeed, Northern Ireland. That is a really important point for us to take note of. As I have said, we are led by the Secretary of State in our determination to make sure that we get this right and fully engage people. One of the well-informed Opposition Members said earlier that some of the

concerns about TTIP were asinine but, the allegation was, badly politically mishandled. By engaging all parts of the United Kingdom, as I have set out, we are absolutely determined to try to make sure that asinine, false issues do not blind us to the real ones. There are genuine trade-offs to be had in trade agreements, and we should look at and understand them. We need to make sure that we are not spending our time dealing with issues that are not in fact real and are just peddled, often by groups, for political purposes.

**Stewart Hosie:** I agree with the Minister that it is better to take one's time to analyse the responses to the consultation, but does he or the Secretary of State intend to go back out for further public negotiation once the negotiating mandate for the deals is agreed?

**Graham Stuart:** First, I should say that parliamentarians will continue to be able to inform the negotiations. Parliament will be updated regularly as the negotiations progress, and it will be Parliament, through the process set out in the Constitutional Reform and Governance Act 2010, which was passed by the Labour party, that will ultimately play its role in the ratification of any new FTA.

**Barry Gardiner:** Will the Minister give way?

**Graham Stuart:** I will not.

Both Houses will be fully involved as we balance meaningful scrutiny with the security necessary to protect sensitive negotiating positions and market-sensitive data. Having reflected on the contributions in this debate, including those of the hon. Member for Dundee East (Stewart Hosie), we will return with more detailed proposals shortly, ahead of the next stage of the Trade Bill.

As I said, we have had interesting contributions from Government and Opposition Members. I shall pick on some. The right hon. Member for Warley (John Spellar) noted in an intervention that he fully accepts that there is no threat to the NHS from the potential trade deals. He has accepted that we are not going to let that happen. I hope that Opposition Members, who have, like me, heard the concerns of many constituents on that front, can not only bring those concerns to the House but help to allay them. If there is a genuine issue, it is worth looking at it, but if there is not, we do not want false fears. There are enough real challenges facing us without spectral ones being introduced as well.

The issue of developing countries and what more we can do was touched on by Members on both sides of the House. One Opposition Member—I cannot remember who it was—sounded rather sceptical, saying that we might go backwards in that regard. I think that there is a real opportunity to go forward. As the Secretary of State has said, bringing trade and development together is really important if we are to help people out of poverty. Ultimately, trade, not aid is the way out of poverty. Therefore, the issues that have been raised here, not least about coffee and other such products, are about making sure that poorer countries can add value in their country and then sell into the UK. That is the kind of forward-looking policy that we have in mind.

Market access was also touched on. While we are talking about these big flagship trade deals, more advantage could well be had by targeting smaller market access

[Graham Stuart]

issues. We heard about the pork industry earlier, and we could mention the opening up of Taiwan and China to pork. It has made an enormous difference to the pork industry in this country. There is an opportunity to do much more in many other areas, not least in the new digital and data-related areas as well.

The hon. Member for Swansea West (Geraint Davies) did his usual gloom routine. I really do not understand how such a dynamic and forward-looking area as Swansea can be represented by someone who is so down on this country and its future prospects. I really hope that, at some point, he will cheer up and recognise that there is an upside, and that every cloud does have a silver lining.

The hon. Member for Brent North (Barry Gardiner) mentioned differences between the EU mandate and our own. We will set out our plans and a scoping document in due course. As I have said, we really are committed to making sure that this House and, as broadly as possible, civil society and certainly the devolved Administrations can be included, and we will be having that inter-ministerial forum as well.

**Barry Gardiner** *rose*—

**Graham Stuart:** I will give way to the shadow Secretary of State.

**Barry Gardiner:** I just wanted to say thank you.

**Graham Stuart:** Excellent. That is delightful.

I have been speaking for eight minutes so far, and will seek to stay within the time. My hon. Friend the Member for Mole Valley (Sir Paul Beresford) was informative, fascinating and interesting when he talked about the scale of farms. Agriculture was raised in the debate. There is a balancing act to be done between looking after consumers and making sure that we look after the beautiful countryside, not least in the north-east of England, but in the rest of the country as well. If there are to be any changes—liberalisation, for example—they need to be done in a sensible way that maximises the potential upsides and minimises any downsides to any losers.

The Chairman of the Select Committee, the hon. Member for Na h-Eileanan an Iar (Angus Brendan MacNeil), said that we needed to carry Parliament with us, and he is absolutely right. In talking about winners and losers, he mentioned compensation for areas that lose out. By having a central Treasury, this country makes sure that we provide a counterbalance between those areas that do less well and those areas that do better. I point to the behaviour of the Department for International Trade. As the Minister responsible for investment, my job is to lead the investment team. [Interruption.] Well, the shadow Minister, the hon. Member for Sefton Central (Bill Esterson), seems to invent facts rather than actually access them. If he looks at the latest numbers from the United Nations Conference on Trade and Development, probably the most respected ones globally, he will see that they suggest that, while global foreign direct investment fell

markedly last year, that in the EU fell even more, and the UK—despite that—went up by 20%. So there is little truth in the suggestion, which we hear so often from the Opposition, that somehow things are going downhill. We have more people in work than ever before, more disabled people in work than ever before, rising wages and lower inflation. The truth is that we have fewer unemployed young people than at any time in our history. This is good news. Trying to talk the country down about both its future and its present may be a standard Opposition tactic, but, in the current circumstances, it is, frankly, disingenuous.

**Angus Brendan MacNeil:** Other than spending consequential in this centralised UK state, there are no fiscal transfers from the south to the north of England—for example, when the north of England got damaged by the air transport policy that the UK ran for about 40 years. I just caution the Minister against being too complacent. The UK is not doing what it should to offset the bias of the sterling zone and the UK centralised Government towards the south-east of England.

**Graham Stuart:** We have seen investment spreading out from London and the south-east. If the Chair of the Select Committee looks at the EY report, he will find that there has been a big change in the amount of investment going into the regions and nations of the country—away from London—over the last number of years. I recommend that report to him. In addition, it points out that there has been an increase in the share going to manufacturing.

The Opposition are again peddling the falsehood that we are somehow seeing a loss of manufacturing. On the contrary, manufacturing is becoming more efficient and competitive. It is competitiveness that will ultimately lead to higher living standards and it is competitiveness that this Government understand. The Opposition too often want to be on the side of protection, rather than enhancing competition while managing it, and that is why almost every Labour Government in history have ended with higher unemployment at the end than at the beginning, and it is why the Conservative party and this Government have a proud record of creating more employment.

I hope that these limited responses have been helpful to hon. Members. As I have said, we are listening closely to the views expressed in this debate and will reflect seriously on them before laying our outline approaches to our first negotiations before the House—and we will do that.

The United Kingdom's exit from the European Union provides us with a golden opportunity to negotiate, sign and ratify new free trade agreements as an independent free trading nation for the first time in more than 40 years, and it is an opportunity that this Government and this party are determined to seize.

*Question put and agreed to.*

*Resolved,*

That this House has considered potential future free trade agreements: Australia, New Zealand, US and a comprehensive and progressive agreement for Trans-Pacific Partnership.

## Northern Ireland Backstop: Conditional Interpretative Declaration

*Motion made, and Question proposed,* That this House do now adjourn.—(*Craig Whittaker.*)

4.11 pm

**Sir Edward Leigh** (Gainsborough) (Con): On 23 June 2016, the voters of the United Kingdom gave their instructions to the Government by a majority of over 1 million. Since then, it has been both the duty and the policy of the Government to implement the result of this people's vote—a vote which the people were promised was a full and final decision, and which the overwhelming majority of Members of Parliament promised to enact. In passing the withdrawal agreement, the Government may find it valuable to use an instrument of international law called a conditional interpretative declaration to clarify our understanding of the temporary nature of the backstop.

I have been a passionate critic of our relationship with the European Union for decades. There has been a fundamental difference between what the EU has always been and what we were told it was. In the 1970s, we were told that it was a common market—a mere economic relationship. Of course, given our geographical proximity, a great deal of economic integration and co-ordination makes sense. We want to facilitate trade so that our workers and businesses can grow in prosperity together. But the EU was always a project for a political union that the people of this country never fully understood or assented to.

It has been clear to me, and to many, since the Maastricht treaty that the EU's trajectory and the desires of the British people were moving in entirely different directions. I questioned Maastricht from inside the Government in 1993 and was sacked for doing so—a fate that I hope does not befall the present Minister—and I voted for Brexit in 2016, as did 62% of my constituents in Lincolnshire. I am sure that my bona fides as a Brexiteer are established.

The proposed agreement with the EU consists of four legal documents. I want to use this Adjournment debate—a quiet moment for reflection away from the political hurly-burly—to go into this matter in some legal detail. The main agreement deals with citizens' rights, companies being able to fulfil existing contracts, court cases being finalised and so on. These are the sensible and just features of an amicable parting of ways. Equally, we welcome the two protocols providing for continuing co-operation with Cyprus over our sovereign base areas and with Spain concerning Gibraltar. It is the protocol on Ireland, known as the backstop, which causes immense problems.

The proposed agreement deals only with the direct questions of how to disentangle ourselves from the European Union's institutions. On 29 January, the Commons endorsed the amendment tabled by my hon. Friend the Member for Altrincham and Sale West (Sir Graham Brady) requiring that the backstop be replaced with alternative arrangements, and that is what we are negotiating in Brussels at the moment.

The weaknesses of the backstop are manifest. There are legitimate fears that, if negotiations for a permanent UK-EU relationship break down, we may find ourselves

legally obliged to be stuck in a customs union without end. Indeed, we have read my right hon. and learned Friend the Attorney General's opinion, which worries many people. Were we to be stuck in a customs union, it would be a complete betrayal of voters and the referendum mandate, not to mention the Government's solemn commitments to implement Brexit.

Given the current state of play, it looks as though there are four options at hand. The ideal solution is for the backstop to be withdrawn and the protocol to be withdrawn from the withdrawal agreement. A new protocol could be submitted committing the UK and the EU to sorting out a trade facilitation agreement using electronic documentation, trusted trader schemes and remote electronic monitoring of cross-border traffic, with no hard border or any kind of physical infrastructure.

It is not impossible to get such an agreement in place by 29 March, but it is unlikely, unfortunately, given the strong opposition within the EU to changing the agreed text. They simply do not want to unpick the agreement. Indeed, they have made that clear many times.

**Jim Shannon** (Strangford) (DUP): I thank the right hon. Gentleman for giving way and for putting forward his viewpoint in the Chamber today. No matter what the issue may be, the Unionist population in Northern Ireland are clear that they do not want a backstop, and if it is going to be removed, it has to be via a legally binding document that will reinforce and give us confidence in any process that goes forward. We do not want Northern Ireland to be treated any differently from the rest of the United Kingdom. I know that the right hon. Gentleman is saying that, so if we move forward, the backstop has to be removed or it has to be time limited within this term of Parliament because we can then control it in the House in the time that is available to us.

**Sir Edward Leigh:** I entirely agree with that. I have been working on this issue with international lawyers for some weeks precisely to try to implement what the Democratic Unionist party wants, first because that is the way to get this through Parliament and secondly because I agree with it. I agree with the DUP. In fact, I agree with the DUP on most things. If the hon. Gentleman will be patient, I will try to outline a legally enforceable way in which we can time-limit the backstop. That is terribly important. It has to be clear cut, legally enforceable and, above all, not subject to any kind of arbitration that is in any way in the hands of the EU. I am trying to get to where the DUP is, and if the hon. Gentleman will listen, I hope that I can help him out with a way forward. In fact, I hope that I can help out the EU and our Government.

We all know that the unfortunate thing is that the current deal cannot get through Parliament because people do not trust the EU not to spin things out, but the EU says that it will not unpick the agreement. That is why everyone says that there is an impasse. I am not sure that that is entirely correct. I think there is a way of proceeding.

I was saying before the hon. Gentleman's intervention that we could get an agreement and get rid of the backstop altogether, but that is unlikely given the EU's attitude. Secondly, there is a reasonable possibility that even without any amendments to the current agreement, "alternative arrangements" could start to operate on

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the Northern Irish border during the transition period. These would supersede the protocol and make it irrelevant before it could even be applied. Indeed, the Prime Minister has said many times that she does not even want the backstop to come into force. Unfortunately, but understandably, there is not enough trust in the Commons to rely on that happening.

Thirdly, there is the suggestion of a unilateral exit mechanism. It would be contained within the withdrawal agreement, which would be renegotiated, but the EU is unlikely to agree to any amendment that allows the UK to exit from the backstop if negotiations have broken down, without the EU's consent. That is where we are at present. Even if such a thing were agreed, the EU could easily prevaricate and deny negotiations had broken down. That is why I made the point earlier that it is important that nothing is subject to international arbitration.

That leaves us with a fourth option: a clear time limit—it would be difficult to arbitrate about that, as we would have reached the time limit or we would not—or an end date for the backstop, which can be obtained by a conditional interpretative declaration. That is what I am now talking about.

I am not sure that in these debates we have had, because of the short time limits that we have been given, anybody has had the time to go into the legal background to this, so it is important that we put it on the record. As far as I know, my understanding of international law is correct, but of course, we have the Minister and my hon. Friends here, and they can put their own viewpoint forward. At least we can get this debate on the record. Let me try to explain.

There is a long-established practice of countries making unilateral statements when they ratify a treaty clarifying how they interpret the wording of a particular aspect of the treaty. The United Kingdom can interpret the wording in the agreement that the backstop is

“intended to apply only temporarily”

as meaning it must have an end date. What else is temporary? It has an end date, so it must end after a specified period. Such a declaration would be subject to the same rules that are applicable to reservations—another term of art in international law—but would not be a reservation itself, as these cannot be applied to bilateral treaties. Even if the other three options were pursued, whether individually, sequentially or simultaneously, the conditional interpretative declaration would be useful to have on hand already if the first three options ceased to be viable, or if the EU would not negotiate on that basis.

As international law provides that the rules for declarations follow the rules for reservations, it is useful to consult the United Nations International Law Commission's “Guide to Practice on Reservations to Treaties”. Guideline 1.2 defines an interpretative declaration as

“a unilateral statement, however phrased or named, made by a State or an international organization, whereby that State or that organization purports to specify or clarify the meaning or scope of a treaty or of certain of its provisions.”

A conditional interpretative declaration is a more forceful variant of this instrument of international diplomacy whereby the United Kingdom would assert that its

consent to be bound by the withdrawal agreement is dependent upon the interpretation that the backstop has an end date.

Lest one think that interpretative declarations are just a back-door way of applying a reservation to a bilateral treaty, it should be clarified that their applicability is much less extensive than that of a reservation. Conditional interpretative declarations cannot negate any part of a treaty. That is a vital part of what I am arguing. I am not trying to negate any part of the withdrawal agreement.

These declarations can only constrain the meaning given to part of a treaty. A state's declaration when ratifying a multilateral treaty does not stand in the way of that state remaining a party to the treaty. With a conditional interpretative declaration to a bilateral accord, the outright rejection of the declaration by other parties means the treaty would not come into force. I am going to go into this in more detail in a moment.

**Sir William Cash (Stone) (Con):** I want at this stage to ask my right hon. Friend to get on the record the fact that, of course, this is only a draft withdrawal agreement. Furthermore, it is not signed; we know that. If signed, it would be, *prima facie*, a treaty. Would the question of a manifest violation of our internal law arise if the consequences of what was in the withdrawal agreement vitiated the constitutional integrity of the United Kingdom in relation to Northern Ireland?

**Sir Edward Leigh:** That is an interesting political argument, and I am not sure I am qualified to give a firm reply. However, there is clearly a lot of concern in the House of Commons, and if the EU is following debates such as this one, it should be aware that there is no way in which the House of Commons will ever vote for any agreement that in any way divides up the United Kingdom. I think we have to make that absolutely clear. If it wants to get a deal through, it has to try to listen to creative solutions, such as the one I am advocating.

I presume that the EU is absolutely sincere in saying that it wants a deal and that it is sincere, as Mr Juncker made clear today, in saying that no deal would be catastrophic not just for the United Kingdom and the Republic of Ireland, but for the EU. I presume it is sincere, and it has to understand what my hon. Friend has said and find a way around it.

**Sir William Cash:** I want to add a short and simple point to my right hon. Friend's comment that this would be a political consideration. I used the words “manifest violation”, which is in fact a term of art that arises under article 46 of the Vienna convention. I thought I would put it on the record that this is not political, but legal.

**Sir Edward Leigh:** As always, I am very grateful to my hon. Friend. One of the advantages of these debates is that we can get such legal points across and put them on the record, and I am grateful to him for making that clear.

With a conditional interpretative declaration to a bilateral accord, the outright rejection of the declaration by the other party means the treaty would not come into force, as I said before the interventions. While there is every chance that the EU might object to a conditional interpretative declaration, that objection might fall short of outright rejection. I want hon. Members to listen to

that very carefully, because I am trying to find a way forward for Mr Juncker. If they like, I am actually trying to save his face. I am trying to give him an opportunity to object, but not to indulge in outright rejection.

The EU could argue that attempts during negotiations to achieve an end date were rejected, and I am sure it might start by arguing that. It might also argue that an end date would be incompatible with the concept of the three protocols forming an integral part of the agreement, as provided for in article 182 of the withdrawal agreement. However, perfectly valid counterpoints to those objections exist. We would need to argue that our declaration is compatible with our commitment to use “best endeavours”—a very important phrase—to negotiate “alternative arrangements” so that, as provided for, the backstop applies “temporarily”, if indeed it is ever applied at all. That is a fundamental point.

The fact that the backstop would not necessarily come into force under the terms of the agreement means that, in my view, it is not actually integral to the agreement at all. The termination of the backstop within a reasonable amount of time is fully in accord with the agreement, rather than an amendment to it. I therefore think that the arguments in favour of the applicability of just such a declaration are very strong.

What about the European Union’s likely response to such a move? There are four main possibilities. First, it could accept our interpretative declaration and move ahead with obtaining the consent of the European Parliament to the withdrawal agreement. This might include making a political protest, while accepting the declaration’s legality and applicability. That is the ideal response so far as we are concerned. As guideline 1.6.3 states:

“The interpretation resulting from an interpretative declaration made in respect of a bilateral treaty by a State or an international organization party to the treaty and accepted by the other party constitutes an authentic interpretation of that treaty.”

In other words, we would have obtained a legally binding commitment from the EU to end the backstop—victory.

Secondly, the EU could reply with an assertion that the interpretative declaration is in effect an attempt to impose a unilateral reservation, and therefore has no legal validity, but at the same time agree to negotiate solely on the question of an end date for the backstop to solve this issue head-on. This would mean it had abandoned its previous insistence that no further negotiations were possible—again, a way forward.

Thirdly, the EU might reply that the interpretative declaration has no legal validity, but request further negotiations in the hopes of obtaining something of value in exchange for giving way on an end date for the backstop.

**Martin Vickers** (Cleethorpes) (Con): I commend my right hon. Friend for all his work on this issue, and for securing this debate. Unlike me, he is an eminent lawyer, and I am trying to get my head around some of the complexities of this issue. If we invoke this interpretative declaration and the EU objects, is that legally challengeable, and if so in what court?

**Sir Edward Leigh:** I think the EU probably would object politically, but that is not enough. That is the point. If it does not want the interpretative declaration to have effect and provide an end date for the backstop, there is only one way out of it: it must refuse to ratify the treaty. A protest or talk of further negotiations is

not enough, and that in a sense is the beauty of this. That is why we have these vehicles in international law, and why they have been used on several occasions in the past by countries such as Argentina and others.

There is no point protesting. My hon. Friend says that this is a complicated legal argument, but it is not. It is terribly simple. It is incredibly simple. Under international law one can say, “We interpret this treaty in such a way.” We can deposit that when we ratify the treaty. It is not a codicil as such or a letter; it is deposited with the treaty and has all the legal enforceability of a treaty. If those who are ratifying the treaty with us want to escape from its obligations, there is only one way out: they have to refuse to ratify it. I suggest—I will make this clear again before I sit down—that for political reasons the EU would be unlikely to do that, because it would put all the onus of a no-deal scenario on to it.

**Emma Little Pengelly** (Belfast South) (DUP): I thank the right hon. Gentleman for securing this debate—what he says is incredibly interesting, and I defer to him absolutely because he knows much more about this issue than I do. Could there be a situation where the UK makes a conditional interpretative declaration? He has indicated that such a declaration could not negate an aspect of the treaty, but could the EU come to the conclusion that it is not a valid interpretative declaration, due to the fact that it is trying to do something it cannot do—to negate something—and that because it is not valid the EU can ignore it, so the scenario that the right hon. Gentleman has indicated would not arise?

**Sir Edward Leigh:** That is an interesting point. I am interested in how the Minister will respond, but I think I can give a firm and strong reply. There is no wiggle room around this. The EU cannot say, “Well, you made this interpretative declaration. We don’t agree with it. We are going to carry on and ignore it, and we will impose this backstop on you forever.” There is only one way out of it. I had better be careful in what I say, but I think I am right in saying that at the time of the ratification of the treaty, or within a reasonable time limit, the EU has to refuse to ratify the treaty, otherwise it is bound by it and that declaration is part of that treaty. As far as I am aware, there is absolutely no wiggle room. I know this issue is terribly important for the DUP. There is a lack of trust, and the DUP wants to shut down all possible wiggle room for the EU to get out of this. As far as I am aware, however, there is no way out other than for the EU to refuse to ratify the treaty. If the Minister disagrees with that he can say so when he responds to the debate.

**Emma Little Pengelly:** Could the right hon. Gentleman clarify that point? In the sphere of international law and disputes, if such a declaration is made and there is a dispute about the validity of that declaration—for example, if we believe it to be valid, but the EU does not—how will that issue be resolved or arbitrated? If there are two inconsistent positions, the EU could refuse to react by ignoring and refusing to accept the validity of the declaration. In international law, is there a clear arbitration pathway for that?

**Sir Edward Leigh:** The hon. Lady asks how it could be resolved by the EU. It simply refuses to ratify the treaty. There is no deal—end of story. The interpretative declaration falls, the withdrawal agreement falls. We have

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made it clear that we are only going to ratify the treaty on the basis of the interpretative declaration that there is an end date to the backstop. They say, “We don’t agree with that, so we’re not going to ratify the treaty”, and that is the end of it.

We cannot impose this. I think people have misunderstood in thinking that we can somehow impose this idea I have been talking about on the EU. We cannot impose our ideas on the EU, but it has to make it clear that it will refuse to ratify the treaty.

**Sir William Cash:** Would it also be relevant to consider the situation whereby a reservation by one party to a multilateral treaty is only binding on another party when the second party has not made an objection? That, I think, is part of the parameters within which my right hon. Friend is making his argument. But of course it is not just a matter of whether they refuse it; it is whether they make an objection. Is that not something that also ought to be brought into the debate?

**Sir Edward Leigh:** Yes, it should be brought into the debate. There is no way a party can ignore the interpretative declaration and argue later in a court of international law that there were not aware of it or that it has no validity. It is pretty clear that this is the time to refuse to accept it.

There is, by the way, an argument—I do not want to get into this level of legal detail—about bilateral and multilateral treaties and letters of reservation, which I have talked about in the past. If I have talked about letters of reservation I apologise, because this would I think be a bilateral treaty with the EU, and therefore interpretative declarations are a more appropriate vehicle than letters of reservation. But I think that is almost to become too embroiled in legalisms and legal descriptions. The important thing is that the House understands that there is a way forward.

I was setting out the various scenarios for what might happen. Fourthly, the EU might reply that the submission of the interpretative declaration in fact invalidates the UK’s ratification of the withdrawal agreement and refuse to move on with obtaining the European Parliament’s consent so that the agreement can be fully ratified and come into force. Aside from the arguably dodgy legal grounds the EU would be on, because we would only be interpreting something that the withdrawal agreement says is the view of both parties, that—I have said this already, but I emphasise the point—would also have the effect of shifting responsibility for a no-deal Brexit from the UK on to the EU.

If we ratify the withdrawal agreement with a conditional interpretative declaration providing for a backstop end date, any ensuing deadlock could be ended in a single stroke by the EU simply deciding to accept the declaration. Again, it must be emphasised that under the terms of the backstop protocol it is perfectly possible that the backstop might never enter into force at all. The withdrawal agreement states that its

“provisions shall apply unless...they are superseded, in whole or in part, by a subsequent agreement”.

Both the UK and the EU are committed to “use their best endeavours” to conclude an agreement superseding the backstop by the end of 2020, the minimum transition period.

The essential purpose of a conditional interpretative declaration, then, is to achieve, before the end of the time limit, a set of trade facilitation procedures, predominantly by the extension of existing electronic customs procedures applied by the UK to imports from non-EU countries. It is vital that a conditional interpretative declaration brings the backstop to an end without being reliant upon a phrase such as, “subject to the withdrawal of negotiations”. That is a very important point. I know that some in the Government have argued that we could get some sort of codicil or declaration around a breakdown in negotiations, but the trouble is that all that is subject to arbitration. The EU could argue that it was still using its best endeavours to bring negotiations to an end and that it wanted to go to arbitration. That is where all the difficulties would come in and that is why I think that the end point date is much the best way of proceeding.

**Sir William Cash:** On that point, if the arbitration arrangements to which my right hon. Friend is referring are by reference to the arrangements of the joint committee arbitration panel, that ultimately, insofar as it engages with European law, will be adjudicated by the European Court of Justice. That, of course, takes us back to a point we could not accept.

**Sir Edward Leigh:** I am really trying to find a way forward for the DUP to support the deal. I am trying to help the Government in all this. I know that one thing the DUP will never accept is anything where there is a whiff of arbitration by the EU, because it does not trust the EU, so we have to close that down. It is opposed to anything that may be subject to arbitration, and I understand its fears.

So long as one side is willing to talk, there is a debate about whether a breakdown in negotiations has been reached, so we have to be careful with that way forward. I am talking about a small legal step that is legally in line with the agreement but that politically would produce a major change, putting the UK on a better, more equal footing with the EU in the forthcoming negotiations on our permanent future relationship.

The EU does not want a no-deal Brexit, or that is what it has said. If the current deadlock continues and the EU forces a no-deal Brexit upon us, personally, I believe that it could be manageable. It might put us back in the driver’s seat and I should think that we would be able to conclude bilateral agreements to continue on current terms until long-term agreements are worked out. Given that we would continue our membership of the World Trade Organisation, its set of trade rules would apply in this situation, which means that in a sense it is not really no deal at all, and it certainly is not “crashing out”.

I know, however, that businesses are desperately seeking reassurance and that there are political problems, which I do not need to go into at the moment, about no-deal outcomes. I know that many farmers and agribusinesses in my constituency in Lincolnshire want to know the trading context of the coming years so that they can plan and adapt accordingly. While the withdrawal agreement is far from perfect—that is the nature of compromise—it delivers on some essentials, and we need to make good on our promise to the British people to deliver Brexit on time.

In conclusion, I hope all this is helpful. It is designed to try to achieve a compromise. It will not please everybody, but if we are not prepared to compromise, if us Brexiteers and our remainder friends try to get everything we or they want, one side or another may be in for a very big disappointment. I do not want to take any risks with Brexit—I am sorry, that is my view. I think that would be catastrophic for the Government. We have to deliver Brexit on 29 March, or within two or three weeks thereafter to get the proper legislation through. We have to get through a deal that Parliament can accept, and I hope that what I have been talking about this afternoon may be one small step in making that possible.

4.42 pm

**Sir William Cash** (Stone) (Con): I want to make just a few comments. I pay respect to my right hon. Friend the Member for Gainsborough (Sir Edward Leigh) for coming forward with this ingenious and no doubt carefully analysed proposal. However, because of the importance of this question, I would not want any smoke and mirrors to come out of this or, indeed, the mouth of the Attorney General when he makes his statement, as I believe he will in due course. I am not sure about its timing at the moment, but hon. Members may recall that I raised this question in the exchanges a couple of days ago, when I said that my European Scrutiny Committee is looking carefully at this matter.

Furthermore, there is the question of the validity of the Attorney General's opinion or statement, or whatever form it takes when he makes it. It is something that ought to be done at least by Monday of next week to give everybody an opportunity to assess its nature—including some points that my right hon. Friend has made in this debate—to be sure that when he does make such a statement, it stands up. What we do not want is a smoke-and-mirrors operation. We do not want anything that will sound terribly important but, in practice, turns out to be effectively of less significance than it might sound when it is first uttered.

We had this situation during the Iraq war, when I was shadow Attorney General and I sought the opinion of the Attorney General, who was in the House of Lords, through various questions that I raised about him giving an opinion. Eventually, he came forward with a truncated opinion. Subsequently, despite the fact that it silenced a lot of critics during the debate itself, it would be fair to say that, actually, they were blinded by science and did not really know quite what he was talking about because it all came out so quickly. That is what we must avoid, which is why, as Chair of the European Scrutiny Committee, I am insisting that we get plenty of time for proper examination of the wording that the Attorney General, who is in Brussels discussing this very question, comes up with.

I feel that that is an important warning to put down as a marker. We do not want to be bounced. With Chequers, the Cabinet was bounced—there is no doubt about that; the Government had been planning it for about 18 months. We do not want another bouncing operation. Were my right hon. Friend to put forward his proposal and after consideration—I know it has already gone to the Attorney General—his thinking were built into the discussions that our right hon. and learned Friend is having in Brussels as we speak, it is incredibly important that the House is not bounced by it. It is difficult

enough—my right hon. Friend and I are pretty much here on our own, with the exception of our hon. Friend the Member for Cleethorpes (Martin Vickers) and the hon. Member for Belfast South (Emma Little Pengelly). The House will be packed when—if—a statement is made on this subject. Before then, it must have been properly assessed and analysed, and any problems that might arise anticipated.

Let me give an example. As has been stated, the Attorney General in his advice to the Prime Minister concluded that in the situation of the backstop being activated

“the Protocol would endure indefinitely until a superseding agreement took its place”.

There is not even a mechanism for the EU and the UK to agree on termination of the backstop if negotiations were to break down. The Attorney General's advice was restricted to the text of the protocol; he was not asked to consider whether the impact of the protocol could be constrained by a UK unilateral statement in the form of a conditional interpretive declaration.

**Emma Little Pengelly:** Unfortunately, I have to leave shortly, or I might miss my flight—I may do so anyway. This debate is incredibly interesting. I concur absolutely with what the hon. Gentleman is saying. What is important in all this is not a discussion of what is legally possible, or even what is legally probable; what many of us in the Democratic Unionist party and across this Chamber want is what is legally certain, in so far as legal certainty is possible to achieve. There are lots of interesting ideas, but that is critical: we must all be sure of the legal certainty, in so far as that is possible, before we can agree the way forward.

**Sir William Cash:** I am deeply grateful to the hon. Lady because she expresses exactly my line of argument. I hope that it is understood that this is not a matter of being obstructive for its own sake. It is incredibly important that the House is not bounced, or confronted with smoke and mirrors or something Members do not completely understand, but then they all go off and vote and afterwards someone says, “Actually, that doesn't stack up.” I know that my right hon. Friend the Member for Gainsborough entirely agrees with me on that, and I know the Minister does, too—

**The Parliamentary Under-Secretary of State for Exiting the European Union (Kwasi Kwarteng)** *indicated assent.*

**Sir William Cash:** I see him nodding his head, for which I am grateful. It really is important. We are not talking about something like a free trade agreement, like the one with Canada—the CETA arrangements—at which my Committee has also been looking very closely. In fact, it is a matter of profound and fundamental constitutional significance, and I am deeply concerned that the EU has taken an intransigent position.

We know that Martin Selmayr is reputed to have said that the price the United Kingdom will have to pay for the way in which it has carried on—I am paraphrasing—is Northern Ireland. We know that there are powerful forces in the Republic who want a united Ireland, and there are also those who believe that the whole backstop argument has been engineered to lead to a border poll and ultimately a united Ireland. There are some very clever lawyers at work in all this. It is our job in the House, with such resources as are available to us, to try

[*Sir William Cash*]

to penetrate the fog and make it crystal clear that no solution that would have the effect of undermining the constitutional status of Northern Ireland within the United Kingdom could possibly be put forward.

I do not think that I need to say much more. Mine is a profound concern, but I am sure that it will be understood in Downing Street and in the Attorney General's own mind. Let me simply say that I am extremely grateful to my right hon. Friend the Member for Gainsborough for the way in which he has set out what I have understood him to be seeking to achieve. The danger would arise if we ended up taking a route that looked plausibly good and then turned out to be not merely a bear trap but a disaster.

4.50 pm

**The Parliamentary Under-Secretary of State for Exiting the European Union (Kwasi Kwarteng):** In my nine years in the House, I have not experienced such an extensive Adjournment debate, and I am very grateful for it. I congratulate my right hon. Friend the Member for Gainsborough (Sir Edward Leigh) on securing it.

The issue of the backstop reflects our commitment to avoiding a hard border on the island of Ireland. I know from history that my right hon. Friend has experience of trade matters. He was an Under-Secretary of State, as I am today—he was an Under-Secretary in the Department of Trade and Industry—and he speaks as a lawyer, so he has considerable expertise in many of these issues. I should also point out that he has engaged with my right hon. Friend the Prime Minister on precisely this issue of the conditional interpretative declaration. I shall say a few words about that later in my speech.

I am grateful to my right hon. Friend, as are the Government, for sharing his thoughts on a mechanism that was not previously known to me. I read his letter with due consideration, and I have done my own research in addition to that with my team in the Department. We have our own views on the strength and plausibility of this mechanism.

As the House will recall, Members sent a clear signal to the Government, and to the country, that a deal could be supported, but that that support was conditional. In the only positive expression of its desired means to achieve our exit from the EU, the House asserted that to secure support for the withdrawal agreement, legally binding changes to the backstop would be required. I must stress that the Government are entirely convinced that that is the question that we need to address, and on which we need to make some measure of progress.

My right hon. Friend highlighted one possible means by which a change to the backstop could be secured. We are still committed to legally binding changes that would deal with the concerns about the backstop that have been expressed by Members on both sides of the House. As for the substance of the changes that we are seeking, we are still looking at various means: we have not necessarily taken one route or another.

I note that the Opposition Benches are entirely empty, but, as a courtesy to the House, I will address those empty Benches.

**Madam Deputy Speaker (Dame Eleanor Laing):** Order. Just as a matter of fact, I sincerely hope that the Minister will be addressing the Chair and not any Benches in

particular; and just as a tip, if he does address the Chair, he will find that the microphone picks up his voice better because of the way in which it is adjusted.

**Kwasi Kwarteng:** I thank you very much for those tips, Madam Deputy Speaker. I was just making a rather flippant observation; I do not think I have ever seen entirely empty Opposition Benches.

Clearly the Government and the Prime Minister have set out three possible routes—three ways in which the backstop can be addressed. Members will know those three options, but for the sake of the record we should recapitulate. The first was whether the backstop could be replaced with alternative arrangements, and those arrangements are expressed exactly in the political declaration. They are arrangements that will avoid a hard border between Northern Ireland and Ireland, and this process has been constructively led by my right hon. Friend the Secretary of State and he has been engaging with MPs across the House on that issue.

My right hon. Friend the Secretary of State has also discussed alternative arrangements with the ongoing alternative arrangements working group in Brussels and with Mr Barnier. The Commission has changed its language over the last few weeks and is beginning to engage seriously with the proposals we have suggested. Although the Commission has expressed some concern about the viability of alternative arrangements, I would suggest that it is more flexible and open to these alternative arrangements than has been the case hitherto.

**Sir William Cash:** Will the Minister also accept that, as he has made clear, the only basis on which this entire analysis and investigation and possible wording could be effective in the Government's mind would be if it were legally binding? However, it is manifestly obvious that the political declaration is not legally binding and therefore to conduct the alternative arrangements on the basis of a political declaration which is not legally binding simply does not wash.

**Kwasi Kwarteng:** My hon. Friend with his customary acuity stresses and reinforces what I and the Government have already said: we are seeking legally binding changes to the backstop.

The Government have also looked at the issue of a time limit to the existing backstop, and this is where the suggestion of my right hon. Friend the Member for Gainsborough plays its part. His suggestion is that conditional interpretative declarations could be employed as a mechanism for interpreting what exactly is meant by “temporary” in relation to the backstop and defining this in such a way that results in the fact that the UK would not be bound indefinitely to the backstop. It is an elegant solution on first reading, but an issue has arisen as to exactly how binding such a declaration would be. My guidance has been that any changes would still have to be jointly agreed by both parties, and that is a key aspect we must consider. My right hon. Friend has pointed the way on this: in the withdrawal agreement, which I have studied carefully, the Northern Ireland protocol, which is about 185 pages long, sets out in clear, some might even say stark, terms the role of the joint committee and the fact that any end of the backstop would have to be mutually agreed. It is unclear to me and a number of people who have looked at this in the

interests of the Government whether such a conditional interpretative declaration would allow the UK unilaterally to impose an end date for the protocol. My right hon. Friend in his comprehensive and excellent speech also suggested that such a declaration could not contravene the withdrawal agreement itself.

**Sir William Cash:** The other point to throw into this equation is the question of whether the European Court of Justice would, at the end of this process, be able to adjudicate on the outcome, because it would be manifestly in the minds of the EU that this matter engaged European law.

**Kwasi Kwarteng:** As my hon. Friend will know, the status of the backstop will be subject, I suppose, to the scrutiny of the joint committee. He is suggesting that the joint committee will ultimately be somehow under the jurisdiction of the European Court. This is not actually—

5 pm

*Motion lapsed (Standing Order No. 9(3)).*

*Motion made, and Question proposed, That this House do now adjourn.—(Craig Whittaker.)*

**Kwasi Kwarteng:** My hon. Friend has raised an important point about the role of the joint committee and its supervision of the backstop, should we enter into one. This is precisely what we are negotiating: our ability to get a codicil or some form of change to the withdrawal agreement. That is precisely what is being debated, and we have to await the outcome of those negotiations.

I must stress that it is not entirely clear, despite my right hon. Friend the Member for Gainsborough's excellent efforts to reach a solution in this regard, that a conditional interpretative declaration would have the effect that he seeks in allowing the United Kingdom unilaterally to

put an end to the backstop. This is an open question, and the mere fact that it is debatable does not provide the certainty and finality that we would seek in making the changes to the backstop that he would like to see.

Let me conclude by thanking my right hon. Friend the Member for Gainsborough again for initiating and securing this debate. This is my first Adjournment debate, and I am delighted to have been so ably accompanied by two outstanding Members of this House who have graced our presence and contributed to debates, particularly on Europe, over many years. Like them, I was a Brexiteer, and I would like to reinforce the remarks that my right hon. Friend the Member for Gainsborough made about the need to reach finality on this. It is a remarkable testament to my hon. Friend the Member for Stone (Sir William Cash) and my right hon. Friend the Member for Gainsborough that, in the course of their parliamentary careers, they will have seen us leave the EU. Perhaps they always believed that they would see this day, but this is something that should be noted nevertheless. It is extraordinary that we are now in the end phase of our membership of the EU, and that should not be forgotten.

The Government obviously continue to look at ideas as we seek to achieve changes to the backstop. My right hon. Friend has provided one possible vehicle for doing that, and I only alert him to some of the circumspect views that we have about this particular mechanism. This is an ongoing debate, and I would like to thank him sincerely for his contribution. He always provides useful detail and good sense in these debates, and I look forward to engaging with him further as we continue this discussion about the nature of Brexit and the future of our country after we leave the EU.

*Question put and agreed to.*

5.3 pm

*House adjourned.*



# Westminster Hall

Thursday 21 February 2019

[GRAHAM STRINGER *in the Chair*]

## BACKBENCH BUSINESS

### Greater Manchester Spatial Framework

1.30 pm

**Mr William Wragg** (Hazel Grove) (Con): I beg to move,

That this House has considered the Greater Manchester Spatial Framework.

It is a pleasure to serve under your chairmanship, Mr Stringer. It is also a pleasure to be joined by hon. Members from across Greater Manchester. The cross-party interest demonstrates the real concerns about the spatial framework that exist among residents across our county. The Greater Manchester spatial framework will be the principal housing and planning document of the Greater Manchester Combined Authority. It represents the combined authority's plans for the management of land for housing, commerce and industry in the next 20 years. It will have a permanent effect on the location and the shape and character of local communities.

I am acutely aware that hon. Members participating, and other people watching, may have a strong sense of déjà vu, because we have had this debate before. Just over two years ago, I introduced a debate with the same title in this same room to discuss the same spatial framework policy. Since the highly controversial first draft in 2016, however, much has changed in the GMSF, including the controversial plans that originally sought to build on more than 8% of Greater Manchester's green belt. After attracting criticism from across the political spectrum and getting negative responses from thousands of residents, the authority was forced to go back to the drawing board and rethink.

After months of delay, the Greater Manchester Combined Authority published its revised draft of the GMSF in January, which is substantially different from the original in many details. It is also the subject of a second period of public consultation, so it is right that we take a second look at it. Although the details of the GMSF have changed, controversy surrounding it remains. Those contentious points have centred on three areas: the overall housing numbers, the proposals to build in places that are designated as green-belt land, and whether the accompanying infrastructure, particularly transport, will be sufficient.

To be clear, I am not against development per se, nor am I against the concept of the framework itself. On the contrary, a cross-county approach to strategically sharing housing allocation is to be welcomed, because we need to provide new developments to address the housing shortage and to provide jobs for generations to come. However, that should be done in a way that is sensitive to the local environment and the wishes of local communities. It should also happen only where there is genuine need and infrastructure to support development.

**Kate Green** (Stretford and Urmston) (Lab): Will the hon. Gentleman give way?

**Mr Wragg:** I happily give way to my Greater Manchester colleague.

**Kate Green:** I congratulate the hon. Gentleman on securing the debate and I apologise that I need to leave to return to my constituency before the end. He is right to draw attention to the importance of infrastructure development alongside the development of employment space and housing. That is particularly important in Partington and Carrington in my constituency. Does he agree that there will need to be sequencing, so that we do not get the infrastructure development after, but in advance of, or at least in conjunction with, the housing and employment space development?

**Mr Wragg:** The hon. Lady makes an important point. She is correct that, to get residents to buy in to that level of development, they will need assurance that it will not simply add to congestion on local roads, and that there will be adequate provision of hospitals, doctors and school places. That would be the same in all our constituencies.

Since being elected in 2015, I have campaigned alongside residents to protect the local green belt, particularly around the village of High Lane, from massive developments such as those proposed under the GMSF. I have attended public meetings, led debates in the House, submitted a petition from more than 4,000 constituents, worked with my constituency neighbours and lobbied three different Housing Ministers about the matter. I want to put on the record my thanks to all the local people who, with their letters, signing various petitions, organising demonstrations and making their voices heard, have supported the campaign so far, and I hope they continue to do so. I also want to thank my colleagues from across the region who have led similar campaigns in their constituencies, particularly my constituency neighbours in the Borough of Stockport, one of whom, the hon. Member for Denton and Reddish (Andrew Gwynne), we are delighted to see on the Front Bench and will speak for the Opposition today. At this time of apparently unsurmountable political divides, we have been able to work on a cross-party basis. If we can work in such a way, there is hope indeed. Despite my opposition to parts of the framework, I also want to thank the combined authority for listening to people and for taking note of their concerns and revising the plan.

What is the upshot of the policy changes, and is the revised GMSF any better? From my own constituency perspective, one major improvement is how the overall housing targets under the framework appear to have, in effect, been assessed at a county-wide level rather than a purely local authority one, which means that some of the house building targets from the first draft can be redistributed across the local authority boundaries to where local housing need is perhaps higher or land availability greater. The approach is sensible and was a change that I and others called for in response to the first draft.

**Andrew Gwynne** (Denton and Reddish) (Lab) *rose*—

**Mr Wragg:** I happily give way to the shadow Secretary of State.

**Andrew Gwynne:** I congratulate the hon. Gentleman on securing this debate. He and I are both Stockport Members of Parliament. He knows that some in Stockport, principally the Liberal Democrats, have talked about

[Andrew Gwynne]

pulling Stockport out of the county-wide co-operation on planning. Does he agree that that would be absolute folly because the situation that he has just described, whereby some of Stockport's housing growth can be shared across the county, would not be available to Stockport should it pull out of the GMSF?

**Mr Wragg:** The shadow Secretary of State is absolutely right. It is highly irresponsible for any political party to make such broad statements, which could increase the pressures on local green belts by some 5,000 for the Borough of Stockport. He is completely right to place that on the record this afternoon.

The updated proposals also mean changes at a local level in Stockport and will instead see the number of new houses earmarked for building on the green belt reduced from 12,000 to 3,700. In my constituency of Hazel Grove, the figure has been reduced from 4,000 to 1,250. Critically, plans to more than double the size of the village of High Lane with an extra 4,000 houses have been reduced to 500. However, to fit some of the new homes needed, new sites at the former Offerton High School, Gravel Bank Road and Unity Mill in Woodley and Hyde Bank meadows in Romiley have been suggested under the revised plans. Those sites will be much smaller than the original High Lane proposals at about 250 homes each, and in some cases will partly use previously developed land.

The revised plans that greatly reduce the amount of green belt to be sacrificed show that when local people come together and we work on a cross-party basis we can get results. I have consistently urged that the overall number of houses needed to be reduced, and that where houses are to be built we should follow a robust "brownfield first" policy. I therefore welcome the fact that the revised GMSF plans do both of those things. The result of the changes is a step in the right direction, in many aspects, as regards the controversial elements of the framework. However, as ever, there is more work to be done.

Almost half of the UK population live in rural, semi-rural or suburban communities close to green-belt land. The green belt is a vital barrier to urban sprawl and is hugely valued by local people. Our road infrastructure and transport capacity already struggle with existing demands. The proposals for development will risk making matters worse. The green belt encourages regeneration of our towns and makes the best use of our land. It therefore protects the countryside and all the benefits that that brings.

To protect and enhance the countryside, which borders the homes of some 30 million people, we must press on with the "brownfield first" approach. The green belt should not be used for housing development on the scale currently proposed. The fact is that we need more housing, but it should be implemented following a vigorous "brownfield first" policy. Insisting that brownfield land, which has had development on it previously, should be prioritised for the building of homes would encourage the regeneration of our towns and would ensure that the best use is made of our land. Importantly, it would ensure that housing is located where there is already the necessary infrastructure, and where local services can be augmented and improved.

To minimise the pressure on the green belt, it is important that we identify as best as possible all brownfield land. We should look at areas that are vacant or derelict so that we can optimise their potential for development before considering green-belt sites. Credit is therefore due to the Government for the creation of the brownfield register, following the Housing and Planning Act 2017. It has enabled hundreds of additional brownfield sites to be identified, and so has removed a considerable amount of the pressure on the green belt. Some good progress has been made in that area.

Thanks to the brownfield register, we know that Greater Manchester has at least 1,000 hectares of brownfield land spread across 439 sites, which have not yet been fully developed for housing. That is enough to build at least 55,000 homes, and it is likely that more such land can be found. Stockport has a reasonable number of those sites, although not as many as other areas. Stockport's brownfield register, which is administered by the local council, has made it possible to identify sites within the urban area suitable for the development of up to 7,200 housing units. That is a considerable amount more than when we began this process a couple of years ago.

The Campaign to Protect Rural England estimates that, across the country, there is enough brownfield land to build some 720,000 homes. That figure has been revised upwards from the 2017 estimate of 650,000. Those brownfield sites have the potential to contribute significantly to the construction of the homes that are needed.

Another significant development since the last debate came in September 2018, when the Office for National Statistics released its most up-to-date population figures and household forecasts. Its publication of the new household projections led to a reduction in the overall numbers generated by the standard method for assessing local housing need. They proved to be nearly 25% lower than previously thought. Consequently, they gave rise to a national need target of some 213,000 new homes per year.

In October 2018, the Government published a technical consultation on the update to national planning policy and guidance. I commend them for a masterpiece of obfuscation. The consultation paper set out proposals to update planning guidance on housing need assessment to be consistent to the Government's ambition to increase housing supply. They propose that planning practice guidance should be amended to specify that the 2014 ONS projections provide the demographic baseline for local housing need, rather than the 2016 figures. They produced their consultation response just two days ago, so colleagues may be forgiven for not having read it yet.

Despite clear opposition to the proposals from organisations and individuals, the Government have signalled their intention to ignore the latest ONS figures and use the outdated but higher 2014 projections. That means that they will overlook the latest ONS forecast, and instead stick to the previous target of 300,000 new homes per year, which will, I am afraid, lead to increased pressure on green-belt land.

I have a number of questions for our excellent Minister. First, I want to make a rather technical but nevertheless important point. I reiterate the point that I made when I wrote to the Secretary of State in December in response to the Department's consultation. I believe that the 2016 projection should be used to provide the demographic baseline for the standard method. I strongly disagreed with the Ministry's proposals, and I still do. Failure to

use the most up-to-date evidence in creating policies is, I think, directly contradictory to the rules of the national planning policy framework. Moreover, there were 498 responses to this question, and of those organisations that responded, more than half—55%—disagreed with the change; only one third agreed with the proposal. In fact, more than two thirds of local authorities opposed the plans. Individual respondents, of whom I was one, were overwhelmingly opposed; the figure was 86%.

I have concerns about the Government's response to the ONS figures and the message that that may send. If the Ministry selectively considers evidence that justifies its housing need figures, that suggests that the direction of travel is only one way. It seems a departure, I contend, from evidence-based policy making. It is a case of cherry-picking facts to ensure that the means justify the ends. I therefore urge my hon. Friend the Minister to reconsider the approach of his Ministry in this area.

Secondly, there must be stronger consideration, at individual site level, of what is being lost in terms of green space or green belt, particularly with regard to wildlife corridors and recreational spaces. A local site of particular concern to me is the area at Hyde Bank meadows in Romiley in my constituency. It contains the well used community facilities of Tangshutt fields, including playing fields, three football pitches and a children's play area, and is adjacent to Tangshutt meadow, which is a popular local green space, a nature reserve, a community orchard and allotments. The loss of that green space would damage the local environment, the community and the health and wellbeing of local people, and it is but one example from the GMSF second draft document.

Finally and importantly, as I mentioned at the beginning of my speech, more attention must be paid to how local infrastructure will support the new developments where and when they may be approved—that follows on from the excellent intervention by the hon. Member for Stretford and Urmston (Kate Green)—particularly in respect of roads, traffic and local amenities. Although it would obviously have fewer homes than the 4,000 previously proposed, even a relatively small site—250 homes—would mean at least 250 extra cars on the road; there would probably be two or indeed three cars per household.

Many of the site-specific proposals in the revised framework refer to road and rail upgrades, in the immediate vicinity of sites, to provide access to the developments and to manage traffic in and around the new estates. However, beyond that, the framework generally gives no further details of what that will entail in the surrounding areas. It makes only vague references to developing travel plans or travel corridors, or general improvements to highway infrastructure. Without any level of detail, it is very hard for local politicians or local people to know the true impact that there may be on their area.

**Kate Green:** Of course, the issue about capacity on local roads also applies to national highways and motorways and, in particular, the M60. The development of Carrington, which I warmly welcome for Trafford, is right by the junction to the M60. We need to have the co-operation of Highways England, as well as local roads authorities, in ensuring that we have adequate capacity to support the planned new developments.

**Mr Wragg:** The hon. Lady is spot on. There is a similar situation in my constituency with the M60 road and the junction at Bredbury, with one of the proposals being to expand Bredbury Parkway.

In summary—you will be relieved to hear that, Mr Stringer—the revised GMSF plans and the response hitherto show that when local people come together and when politicians work together on a cross-party basis, we can make our voice heard. Although I welcome the significant reduction in the amount of green-belt land released in Stockport, the policy of “brownfield first”, inclusion of appropriate infrastructure and further local public consultation remain top priorities for the Greater Manchester spatial framework.

I think that the Government are potentially entering difficult territory if they proceed as planned with updates to the national planning policy and guidance and continue to disregard the latest ONS household projections. This is an area where I would strongly urge the Minister to rethink, just as the combined authority has shown its ability to rethink with this draft.

We should now all look at the details of these revised proposals. With the combined authority's consultation open until 18 March, there is still good time for residents to make their views heard. What is needed now is a robust system of local consultations, especially in my constituency around the newly proposed sites in Offerton, Woodley and Romiley. We should ensure the efficient use of brownfield land, and that any new housing developments are properly supported with additional transport infrastructure and local services.

1.50 pm

**Jim McMahon** (Oldham West and Royton) (Lab/Co-op): It is a pleasure to serve under your chairmanship, Mr Stringer.

I thank my Greater Manchester neighbour, the hon. Member for Hazel Grove (Mr Wragg), for securing this very important debate. It is a debate that has attracted a lot of attention and emotion, certainly within Oldham West and Royton, and I want to explore some of the issues involved. I also place on the record my thanks to the shadow Minister, my hon. Friend the Member for Denton and Reddish (Andrew Gwynne), for allowing me to speak from the Back Benches.

I absolutely support the development of a spatial framework for Greater Manchester. We are a growing city region, we are a thriving city region and we are—in my opinion—the best place in the UK to live, and it is important that we plan ahead and make sure that we are fit for purpose in providing employment land, housing land, recreation and quality of life; but how we do that is critical, and I shall point out a number of ways in which we have not quite got the balance right.

We need to start at the beginning, and the beginning is that the Government have imposed a housing target on Greater Manchester that does not hold up to scrutiny. Greater Manchester does not need the housing numbers that the Government are imposing on it when, as has been outlined already, the latest population estimates show that we need far fewer homes than have been proposed. Today the Government could commit to using the latest population data and save us a lot of aggravation, a lot of grief and a lot of really high emotion, where people are losing valuable green-belt land unnecessarily. Why is there such emotion? For that reason, but also because there is in many of our communities a range of brownfield sites—sites that are dirty; former industrial sites—that the community would love to see redeveloped.

[*Jim McMahon*]

However, all of us present in Westminster Hall know that those brownfield sites will not be the ones to be developed if the developers are holding the ring on this issue. The spatial framework does not provide for the sequencing of land development, to enable us to have a genuine “brownfield first” policy whereby sites that commanded community support were developed, obviating the need to use the green belt.

**Andrew Gwynne:** My hon. Friend makes a really important point, because this issue is about more than the sequencing of the disposal of sites for development; it is also about market economics, or supply and demand. If there is an oversupply of green-belt land that does not meet the real housing need of the conurbation, is it not the case that in 25 years’ time our successors might be debating in this place the next version of the Greater Manchester spatial framework, speaking with regret about the missed opportunity whereby we had lost green-belt land but those brownfield sites were still brownfield?

**Jim McMahon:** That is absolutely the point, and it will be echoed by thousands of people in Greater Manchester who are not happy with the current settlement.

In my constituency, we had a programme called housing market renewal. The idea was that areas of the housing market that were underperforming would be transformed through modernisation, demolition and rebuilding, to create urban environments where people were proud to live—not houses that were simply built to service the industrial revolution but houses that were fit for the future, too. In 2010, when the coalition Government came to power, that scheme was cancelled overnight. That left many streets in my constituency with their windows boarded up. Actually, many of those houses eventually had the boards taken off and are now in the hands of private landlords, who are making an unreasonable amount of money from housing benefit, so that people can live in what I still consider to be substandard accommodation.

The principle of a brownfield fund is really important. Not only is green-belt land more advantageous to build on, but green-belt sites are often the sites that are commercially viable to build on. The problem with many brownfield sites is that mediation—such as taking out any services that might have been there for a different road layout, removing contamination, and removing a lot of very expensive material to landfill—costs a lot of money. In areas such as Oldham, where some of the house prices are depressed—that is certainly the case in Oldham town—it is just not possible to reconcile the high development costs with the end-sale value of those properties. So there must be Government intervention to bridge that gap. None of that is proposed as part of this new settlement for the community, so, as has already been stated, we will have a situation where green-belt land is taken because it is developable and viable and it will make a profit for the developer but, for a range of reasons, brownfield sites will be left as eyesores.

Many sites in active use in my constituency are waste transfer sites—abattoirs or former haulage yards, for example. They are currently earmarked for employment use, because that is their current use, but they are in predominantly residential areas, so the road layout does

not service large-vehicle movements. The community would love those sites to be re-categorised for residential development, but that is not allowed under this process, because there is a requirement that sites be practically deliverable within the life of the plan. Of course, if the current landowner has no immediate intention of developing that land, it cannot be included because it has no reasonable prospect of being delivered.

We all know that demand for sites for employment use is changing rapidly. Oldham used to have 300 mills. Those that remain are now self-storage. People always said, “We’re always going to need storage, so there’s always going to be a role for Oldham’s mills,” until, of course, we built high-bay warehousing out of town on the green belt because distribution companies wanted more than mills with five floors, in which it is more expensive to move goods around. That shift in demand should be taken into account.

Local areas should be allowed more flexibility to re-categorise and transform dirty industrial sites into new residential sites. That is not the case at the moment, due to the requirement for there to be a reasonable prospect of a site’s being brought into use within the life of the plan. That does not enable local areas to lead from the front and say to landowners, “We have a better vision for our community than a waste transfer site.” [*Interruption.*] I am being heckled by the Minister. That is fine—I am quite used to being heckled—but it would be great if he provided a substantive answer to some of these fundamental questions.

Why have an inflated target for housing and population when the latest data says we do not need that target? Why not allow the creation of a proper brownfield fund, so that we have the cash in place to redevelop the land that people want to see redeveloped? What about infrastructure? In Greater Manchester, we have lost more than 1 million miles of bus journeys since 2010.

**The Minister for Housing (Kit Malthouse):** I want to clarify something. The hon. Gentleman said there was an inflated housing target. On a number of occasions in the main Chamber and in Westminster Hall, I have heard his Front-Bench team make serious promises about the number of houses they will build, which is not dissimilar to the number that we are aiming to build. I just wonder whether he still pledges to hit that target, and if so, where he thinks those houses will go, if not in large conurbations such as Manchester.

**Jim McMahon:** I am speaking as a constituency MP rather than as a member of the Front-Bench team, but it is a fact that housing units in urban areas—in town centres and the immediate surrounding areas—are denser than houses of the type that are built on the green belt. If we had a brownfield fund in Oldham, we would see a renaissance of town centre living, with more apartments and town houses built. Of course, we would get more units on land in the town centre than on the green belt, where we generally see larger family housing built and, obviously, we get fewer per acre.

**Kit Malthouse:** I am grateful to the hon. Gentleman for providing that clarification. Just for clarity, he is saying that he is concerned not about the number of houses that are built but about where they are built in his constituency, and that he would like to see higher-density

housing on brownfield sites. I agree with that aspiration. I hope he recognises that that is perfectly within the capability of the local authority and the Mayor in Manchester to decide through their plan process. If he would like to meet representatives of Homes England to talk about the marginal viability funding that we can and do provide for trickier sites that require remediation or other action to make them viable, I would be more than happy to facilitate that.

**Graham Stringer (in the Chair):** Order. I remind hon. Members that interventions should be short and to the point, and that Members should speak when they have the Floor, not from a sedentary position.

**Jim McMahon:** I accept the Minister's energy on this issue, and I welcome the opportunity to sit down for a meeting. However, the question will be whether he can show me the money. We can have as many conversations over a cup of tea as we like, but it will not get a brick laid in Oldham. We need to see cash, to redevelop the sites that we are talking about and for vital public service infrastructure.

A problem in Oldham is that our schools are oversubscribed; we have an expansion programme in our primary sector and we are looking for sites for new secondary schools to deal with the growth in the number of children who need educating. No facility is being offered by the Government to meet that demand, nor on transport links—we have lost a million miles of bus routes in Greater Manchester. GP practices are overwhelmed. The local A&E has missed its targets constantly because of the number of people waiting on trolleys for four to 12 hours. We cannot build houses without accepting that public infrastructure is needed to service them.

Housing need will be particular to each area; it will be different in Oldham from that in Stockport, Trafford or anywhere else. The real issue for the Government ought to be how much public money is spent on housing benefit payments, given to private landlords for housing that does not meet the decent homes standard. It is a scandal. Billions of pounds are spent every year, including in my town, on renting substandard terraced housing built to service mill workers that has no resale value as such. These houses can be picked up at auction for about £40,000, but landlords charge £500 a month rent to tenants, many of whom will be in receipt of housing benefit. It costs us taxpayers more to pay for that substandard accommodation than to build new social housing or to help people to get on the housing ladder.

We keep hearing that austerity is still in place, and that it is still difficult to find resources. Surely that gives us a bigger responsibility to make sure that money spent in the system is spent to the best effect. The experience in Oldham is that it is not. Too many people live in overcrowded accommodation that does not meet the decent homes standard. We could use that money better. That goes beyond Homes England's land viability fund. Homes England will say that funding will bridge the gap if homes built on derelict sites have lower-end resale values. However, what if there are streets and streets of terraced housing that are not of the standard required to meet the challenges of the future and to provide people with a decent place to live? We need an

urban renewal programme of significant money, geographically anchored, to transform the housing markets in those areas.

The other point I would make is on the community's feeling in the process. Any situation like this, in which we talk about changing where people live, will be emotive. Many people who live in my constituency, including myself, are dislocated, relocated or newly established former Mancunians. We moved to Oldham, the gateway to the Pennines, because we wanted a different type of lifestyle; we did not want to live in the urban streets of Manchester. By the way, many Manchester properties that we lived in, including the one that I grew up in, have been demolished as part of clearance programmes. Many estates in Royton, for instance, were developed in the '60s and '70s, when there was an urban clearance programme in Manchester. People made an active decision to move from the streets of Manchester and to a better lifestyle, with a bigger house with a garden, and fields that they could take their dogs for walks on and where children could play. The idea that that is being taken away—in a process that I am afraid lacks transparency at some points—does not sit well with local people. I will explain what I mean by that.

The original call for sites in 2016 meant that landowners and developers could put forward the sites that they wanted to be considered for development. In that process, I would expect—I have made these representations within Greater Manchester—there to have been a record, a scoring mechanism and a proper assessment of those sites to determine which then went into the 2016 consultation. I cannot see what assessment was used for some of those sites that have been put forward, and why some had been recommended by developers but not proposed within the plan. I am afraid we are seeing the same thing again.

There is a new site that is massively problematic for my constituents around Thornham Old Road in Royton. That was not part of the original 2016 consultation. It has now found its way into the revised plan. During the consultation, Redrow, the developer, sent letters to the surrounding properties because it apparently wanted to buy one of the houses to knock it down and use the site as an access road. That was before the consultation had even finished, yet we wonder why local people do not have confidence in the system's being fair, transparent and properly assessed.

It feels like we are being hit from all sides. We are being hit by a Government who are imposing a target that leaders locally are saying is inflated and does not present the latest population data. That means that those leaders are forced to go into the green belt when they would prefer not to. The process is being far too developer-led, not community-led. Not one area in my constituency has a neighbourhood plan developed by the community, where they get to design what their community development will be in future, so they feel as though it is being done from the top down.

**Kevin Hollinrake** (Thirsk and Malton) (Con): Why don't you do it, then?

**Jim McMahon:** Because the resources needed to produce a plan are significant. Like me, the Minister knows that since 2010, capacity in planning authorities has been massively swiped to one side by Government austerity.

[Jim McMahan]

Councils are struggling to deal with day-to-day planning applications, let alone a voluntary neighbourhood plan process that is hugely time-consuming.

**Mr Wragg:** The hon. Gentleman raises an important point on neighbourhood plans that I neglected in my remarks. We need to be clear about how the GMSF will take account of those neighbourhood plans. I have three such plans at various stages in my constituency. We need clarity on how they will integrate with the overall GMSF.

**Liz McInnes** (Heywood and Middleton) (Lab): You were being heckled before.

**Jim McMahan:** I have been heckled by the Minister and the Parliamentary Private Secretary, the hon. Member for Thirsk and Malton (Kevin Hollinrake)—I hope the officials do not join in, or it will get a bit out of hand. We were promised after the original consultation that there would be no loss of green-belt land, and we were promised a radical rewrite. I accept completely that Greater Manchester has to comply with the requirements placed on it. I do not hold any Greater Manchester politician responsible for the housing target passed to them, but it cannot be a radical rewrite when for my constituency there are 450 more units than were in the original plan.

I briefly wanted to talk about some of the land issues that we have. In August, we will be reflecting on 200 years since the Peterloo massacre, where working people demanded the right to vote. Many in my constituency as it stands today did not return home. They were killed at Peterloo. One of the contributing factors to Peterloo—this is, I accept, a local history point—was that the Rochdale magistrate had been given word that the rebels or radicals had practised military manoeuvres in their hundreds at Tandle Hill in Royton. Word got to the Rochdale magistrate, and they sent word to Manchester. That definitely contributed to the feeling that there would be a riot and civil disobedience that could not be controlled.

**Graham Stringer (in the Chair):** Order. May I ask the hon. Gentleman to quickly come back to the spatial strategy?

**Jim McMahan:** What I am saying is relevant, because the marching ground at Tandle Hill was eventually planted out with a beechwood to stop people marching there. It is now Tandle Hill country park, which is adjacent to the site proposed for development at Royton. These are important historical sites. The country park is also where the Tandle Hill war memorial is placed. Given the topography of Tandle Hill, it is no surprise that it is on a hill. When someone is stood at the memorial, they are looking down at the sites proposed for development. The development would change the character and nature of what I consider to be a very special part of the Borough of Oldham. It is a place where people can come together, where there is more to life than just work, and where people can enjoy the countryside. That is very important.

It was an issue that the north of the Oldham borough was taking a disproportionate share of redevelopment when the south of the borough had none. We made recommendations that there should be a more fundamental

review to make sure that each area took its share of development. In consequence, hugely problematic new sites have been added in the Bardsley and Medlock Vale area of Oldham.

By and large, the community would find a way to reconcile with some of those sites—for instance, a former landfill site that lends itself to development—but because different processes have not been brought together, former public open space is being redeveloped for housing at the same time as new sites are being proposed that take away the green belt around that community. Not only have people lost their immediate urban open space to development, but they are likely to lose the field at the back of their estate too, which further cuts them off.

I do not want a devolution of blame or targets that does not meet with what local people want; I want the Government to genuinely give local people the freedom and ability to decide the future of their communities. It is not enough to say, “We are doing that with the Greater Manchester spatial framework”, because the people who are being forced to make the decisions have been hamstrung by Government-imposed targets. The Government know that and they can do something about it.

I am proud of my local authority. The leadership of Oldham Council is working hard to set a new vision for our town, to give our town direction, and to give us hope and optimism when, to be honest, the Government have walked away from our town. The council wants to use the spatial framework to frame that vision, but it is being forced to go into areas that it would rather not go into, as is the Mayor of Greater Manchester, who has been clear about that.

Let us use the debate as an opportunity, not to restate what we already know—it feels as if that is how the Minister is beginning to line up—but to genuinely reflect on the contributions that have been made and try to seek compromise. If Parliament and the Government learned how to compromise a little more, our politics would be in a better place.

2.12 pm

**Liz McInnes** (Heywood and Middleton) (Lab): It is a pleasure to serve under your chairmanship, Mr Stringer, and to follow my hon. Friend the Member for Oldham West and Royton (Jim McMahan). I am grateful to the hon. Member for Hazel Grove (Mr Wragg) for securing this important debate. It is a shame that it is on the Thursday afternoon of the non-recess week, so, unfortunately, a lot of our Greater Manchester colleagues are in their constituencies. The hon. Member for Hazel Grove has outlined the background to the Greater Manchester spatial framework, so I will not go over that. I am sure that the Greater Manchester MPs who are here are fully au fait with the scheme, having lived and breathed it for the last three years.

I agree with the hon. Gentleman’s remarks about preserving wildlife. This morning, in Environment, Food and Rural Affairs questions, with reference to the recent report about the decline of the insect population, I asked about the increasing fragmentation of our landscape, which is leading to a decline in pollinating species. We must make sure that these plans do not add to that environmental problem.

I am pleased that the Mayor of Greater Manchester, Andy Burnham, took away the original GMSF for revision, and that in the revised version the amount of

green-belt land earmarked for development in my constituency has been reduced from 4.6% to 2.9%. I also understand that we need a plan. We need housing and employment opportunities plus the infrastructure—roads, schools, health services and public transport—to support them.

I am pleased that Andy Burnham has recognised the need for a joined-up plan that considers all development needs. I am also aware of and pleased about the protective effect of a plan on preserving the remainder of our green-belt land. Without an agreed plan, our green space would be at greater risk from speculative development.

Although the new proposals have reduced the amount of green-belt land proposed for development, what remains is still causing a great deal of unhappiness and outright anger, as in the constituency of my hon. Friend the Member for Oldham West and Royton. Several well-organised “save the green belt” groups have formed, and they continue to protest against the proposals. Since the new plans were announced, I have been inundated with complaints and comments from constituents. Many appear to hold me personally responsible for the plans, which were drawn up by the 10 combined authorities.

Several green-belt sites in my constituency cause a great deal of concern. I will mention a couple in detail, but there are six in total, including the large Northern Gateway proposal of 1,000 new homes, with a new employment area, plus the link road at junction 19 of the M62. Most of the objections I have received have been to the proposal for Crimble Mill of 250 homes, with redevelopment of the mill, which is a listed building. That is a new proposal, which was not in the first draft, and yet in the council’s own strategic housing land availability assessment of 2017, the area was discounted for development because of flood risk. Many constituents have been in contact to ask me what has changed in the past two years to make the land suitable for building on. I have urged all my constituents to feed their concerns into the online consultation. It is really important for them to do that, in order for their views to be heard properly and, I hope, to be taken into consideration and to make a difference.

Another proposal is to build 450 houses in Bamford, in the northern part of my constituency. That number has been reduced from 750 homes in the initial proposal, but residents remain concerned about the number of houses and the fact that they will all be expensive, non-affordable homes. That is perhaps an unintended consequence of this Government starving our councils of funds—they propose the building of executive homes in order to maximise council tax revenue to replace lost Government funding. There is hardly an incentive for councils to build affordable homes.

As I said, there is a lot of anger in my constituency, with a protest “save the green belt” march planned for Sunday 3 March. Campaigners will come from Middleton and Slattocks in my constituency and from other areas such as Royton, Chadderton, Shaw, Milnrow and Newhey. The march will congregate at Tandle Hill, which we have heard a great deal about from my hon. Friend the Member for Oldham West and Royton.

Under the previous plan, the borough of Rochdale was set to lose 4.6% of its green belt. As I said, under the new plan that has been reduced to 2.9%, so 15.9% of the borough will remain green belt. That is the highest such figure in the region, out of the 10 combined

authorities. Six hundred and forty-five hectares of land are earmarked for development, but that will be offset by 175 hectares that will be protected for the first time. However, many constituents are rightly sceptical about the assignment of parkland such as Queen’s Park in Heywood to the green belt. My constituents can see through that.

We need to be sure, as other Members have mentioned, that every available brownfield site is used first, so that the often-repeated phrase “brownfield first” is not just a slogan but a reality. That is a question for the local authorities as well as for the Minister, but I am interested to hear from him what financial help the Government will make available to councils to undertake the remedial work that is required to develop brownfield sites. My hon. Friend the Member for Oldham West and Royton went into a great deal of detail about that, and I fully support his comments.

Will the Minister make the most up-to-date population projections available to local authorities, to enable them to plan on the basis of realistic figures? We have heard from the hon. Member for Hazel Grove about the impact on the plan of the ONS figures that were released in 2018.

This is a difficult debate. None of us wants to stand in the way of progress or the growth and development of Greater Manchester, but we must get this right without losing our green spaces unnecessarily.

2.20 pm

**Andrew Gwynne** (Denton and Reddish) (Lab): I congratulate my hon. Friend the Member for Hazel Grove (Mr Wragg) on securing this debate. I will call him a friend, because although we are from different political parties, we represent constituencies in the same borough and have worked together on a number of issues. Sometimes the artificial barriers that this place sets up mask the real co-operation between Members on both sides of the House.

I believe in plan-led systems. They work best when larger areas co-operate over a wide geography, and I have experience of that. Before I became the Member of Parliament for Denton and Reddish, I served for 12 years as a councillor on Tameside Metropolitan Borough Council—one of the 10 councils that make up Greater Manchester. I remember very well, in my early days as a Tameside councillor in the mid-1990s, the proposals to introduce the Tameside unitary development plan. It was intended to replace the Greater Manchester structure plan, which had been in existence since the formation of the Greater Manchester County Council in 1974. The Greater Manchester structure plan, like the Greater Manchester spatial framework, covered the entire county. It made sense, because it meant that economic growth, housing growth and infrastructure planning happened on a county-wide basis, and that there could be co-operation across all the constituent authorities. Spatial planning actually worked. It is no good having 10 individual plans, because all 10 councils want to chase after the same goose that lays the golden egg.

Sadly, that is the situation that we fell into. When the Greater Manchester structure plan became obsolete, the then Conservative Government of John Major instructed the 10 metropolitan borough councils of Greater Manchester to get on and do their own thing.

[Andrew Gwynne]

Each of the 10 local authorities produced its own unitary development plan. That was great for someone looking inside the box of just the city of Manchester—you served as a leader of that local authority for a considerable time, Mr Stringer—Rochdale, Oldham, Tameside or Stockport, but of course those boroughs do not act in isolation from one another.

With devolution, with the creation of the Greater Manchester combined authority and with the election of a Greater Manchester Mayor, I saw a real opportunity to get spatial planning right for the whole county so we can pool and share not just our resources, through things such as business rate retention, but our strengths as a destination—as a place to live and do business. I am biased. I will not get into a debate about which is the second city of this country; I will leave that to Birmingham and London, because we all know that Greater Manchester is the best place in the United Kingdom.

I saw those things as an opportunity, but I feel as though it is slipping away. We have had some really good co-operation on things such as housing targets, but as my hon. Friend the Member for Hazel Grove said very seriously, if Stockport were to go it alone, the housing needs that would fall on Stockport would mean that it would have to eat into the green belt. It is a very constrained borough, in the sense that it is surrounded by the green belt on three of its four sides. The only place where there is no green belt is where Stockport meets the city of Manchester and Tameside, but there is no room for it to grow that way either, because it has developed right up to those boundaries. By co-operating—not only has Stockport done that, but all the other outlying boroughs have done it to a lesser or greater extent—Salford and Manchester have been able to take around 40% of the housing growth for the entire county. That is good, because it will reinvigorate a large swathe of redundant brownfield sites in east Manchester, which borders my own constituency, as well as in the city centre and central Salford. The sites have lain derelict for decades and it is right that they are utilised first.

I do not just want to see growth in the central core, important though that is. There will only be a certain amount of demand for apartments and high-rise buildings without the greenery and the personal and private open space that comes with houses with gardens. There will have to be housing growth not just in the central core of the conurbation, but in the outlying areas. My hon. Friends the Members for Oldham West and Royton (Jim McMahon) and for Heywood and Middleton (Liz McInnes) are absolutely right. Unless we can get proper sequencing of “brownfield first”, there is a real danger for our conurbation.

The urban regeneration in the city centre is happening because land values have gone up, which makes brownfield sites worthy of developing, but similar brownfield sites—former old industrial sites that are now suitable for housing in Oldham, Rochdale, Tameside and parts of Stockport—will not have the same land value, and that value falls even further if there is an oversupply of green-belt land. This is about free market economics, and supply and demand. If I am a developer and a mass of sites have been identified, I will go for the cheapest site that gives me the greatest return. Frankly, in Greater Manchester, that is a green-belt site.

There could be much more buy-in to the loss of green-belt land. We all recognise that some green-belt land will have to be developed in the future growth of our city region, but if green-belt land is to be taken, we must have a proper “brownfield first” approach. I do not want to be here in future years saying that my constituents were proved right because the derelict site in the centre of Denton is still derelict 10, 20 or 30 years on, but the green-belt land surrounding Denton has been eaten up by development. If the green-belt land has to be built on—I accept that some of it might have to be—let that be because the brownfield land has been exhausted and it is absolutely necessary to build on the green-belt land. We should be creating sustainable communities. For a community to be genuinely sustainable, we need urban regeneration alongside new builds.

I want to commend the two councils in my constituency. Stockport Council is very ably led by Councillor Alex Ganotis, who is standing down in May. I thank him for his public service. He has done a great job of emphasising the need for urban regeneration. I particularly thank him for what I think will be a great legacy of his: the future regeneration of Stockport town centre. As part of the Greater Manchester spatial framework, with Andy Burnham using his new mayoral powers to create mayoral development corporations, Stockport is going to have the first mayoral development corporation in the country. It will regenerate Stockport town centre, which has got so much going for it. At the moment it is quite derelict on the edges. The historic core of the town—an absolute beauty—does not have the retail offer that it should have. However, the more people we get living and working in the town centre, the more vibrant and active it will become. I commend Stockport Council for its approach to urban regeneration, and I look forward to the mayoral development corporation transforming Stockport into the employment, residential and retail hub that a town of that size should be.

I also pay thanks to Councillor Brenda Warrington, leader of Tameside Metropolitan Borough Council, not least because she is my parliamentary agent; until last month she was also my constituency party chair. She, too, has approached the spatial framework process with fresh eyes. She understands that the environment matters, too; the built environment matters, and the natural environment matters.

One lasting legacy of the old Greater Manchester Council, and something I am really passionate about, is the transformation of the river valleys across Greater Manchester from industrial blackspots in the 1970s to linear country parks. In every part of Greater Manchester, there are river valleys that 45 years ago were industrial wasteland, but anyone standing in them now would think they had always been open countryside. One thing that unites the whole of my constituency, cross borough as it is, is the Tame valley.

I raise the Tame valley because the main campaign that has brought the hon. Member for Hazel Grove and me together is a campaign against the extension of the Bredbury Parkway industrial estate. I am not against economic growth, and Greater Manchester needs to grow economically. It is not a bad thing to want jobs to be created in Greater Manchester, in locations where our constituents can access them, but I have an issue with Bredbury Parkway. The existing industrial estate is locked in by the infrastructure in the hon. Gentleman's

constituency. It has direct motorway access on to the M60 at Bredbury roundabout, but unfortunately most HGVs cannot use it because they cannot get under the low railway bridge on the main line between Manchester and Sheffield.

I have met Highways England, Network Rail, Stockport Council and the prospective developers. It is fair to say that the prospective developers do not want to pay for any infrastructure upgrades—certainly not of the magnitude required. Highways England and the highways authority of Stockport Council say that the road cannot be lowered under the bridge, because it has already been lowered to its maximum depth; if it is lowered any further, the bridge will fall down. Network Rail says that to rebuild the bridge would involve the closure of the main line between Manchester and Sheffield, which would require funding of many millions that we will not get.

If there is any extension to the Bredbury Parkway, HGVs will have to come through Denton in Tameside to get on the motorway network at Crown Point. My constituents will not have that. They are already blighted by a considerable number of HGVs coming from the Bredbury Parkway scheme. Any extension would not be acceptable to them on traffic grounds or, indeed, on air quality grounds. My constituency is one of the most air-polluted in Greater Manchester. Two motorways run through it—the M60 and the M67—and anything that makes air quality even worse for my constituents is, frankly, not acceptable.

However, the situation is worse than that. The developers propose, aided and abetted by the Greater Manchester spatial framework process, to build very large distribution sheds in the “v” of the Tame valley. Everything at the top of the hill, in the constituency of the hon. Member for Hazel Grove, has basically already been developed, and everything sloping down to the River Tame, which is the constituency boundary as well as the local authority boundary, is currently pasture. Those sheds would be terraced, but—this is worse—they would come right up to the river bank. On the opposite bank are not one but two local nature reserves, which are very precious not just to the people who live in my constituency, but to those in the hon. Gentleman’s constituency.

It would be fine to destroy the green belt in that way if we took the jobs argument alone. However, this is not a Stockport local plan—this is not a matter just for Stockport—but a Greater Manchester strategic plan, and over the whole county there is an oversupply of new land for economic development in the spatial framework, so the argument for removing the green belt at Bredbury automatically disappears. That land is not just green belt; it is the Tame valley. It is the thing that unites Tameside and Stockport, and every part of my disparate communities of Dukinfield, Audenshaw, Denton, Reddish and the Heatons. That is why I am so cross; it is why I will continue to oppose the Bredbury Parkway scheme, together with the hon. Gentleman; and it is why I hope those who propose the Greater Manchester spatial framework exercise common sense with the next revisions, which will be published after the consultation ends.

I want very briefly to refer to the concerns of my hon. Friend the Member for Makerfield (Yvonne Fovargue), who cannot be here. I would probably have had to give her the same dispensation as I gave my hon. Friend the Member for Oldham West and Royton, because they are both members of the shadow Housing, Communities

and Local Government team. She feels really strongly about this issue, so she has asked me to say a few words on her behalf. She has led a campaign with local councillors in Wigan against the use of land to create warehouses by junction 25 of the M6. In 2013, a similar scheme was thrown out by an independent planning inspector, but planning permission has already been submitted for warehousing the size of six football fields, and the jobs have been advertised.

That poses an important question: what is the point of even consulting on a spatial framework if developers can usurp the system as they seem to have done? That is precisely what is happening at Bredbury, where the developers have already held a public consultation. It makes a mockery of the plan-led system. I hope to get reassurances from the Minister that he takes very seriously the principle that developers and others should not seek to usurp the plan-led system, but that we need to get the plans in place before developers seek to develop cherished protected sites.

The other thing that has been mentioned—

**Graham Stringer (in the Chair):** Order. I am sorry to interrupt the hon. Gentleman, but I would be grateful if he started to bring his remarks to a conclusion so the Minister has about the same time as he has had.

**Andrew Gwynne:** I am bringing my comments to a conclusion. I just want to touch on the serious issue of the numbers. We need clarity from the Minister about whether we should use the ONS numbers or the earlier numbers he set out. That brings me back to my first point about supply and demand. If we have an over-supply of green-belt land because we have used the wrong set of figures, how can the Minister give assurances to any of our constituents that those brownfield sites will be developed first?

I hope that the Minister will take on board the concerns we have raised and that he understands our sincerity. We want the best for Greater Manchester—we want our city region to grow and be prosperous—but it has to be sustainable for the future of all our communities.

**Graham Stringer (in the Chair):** I ask the Minister to leave at least a minute at the end for summing up.

2.40 pm

**The Minister for Housing (Kit Malthouse):** I will attempt to comply, Mr Stringer. It is a great pleasure to appear under your wise and steady hand for the first time. I apologise for my agitation during the debate, but I am eager for houses to be built across our great land for a generation that is crying out for them.

I congratulate my hon. Friend the Member for Hazel Grove (Mr Wragg) on securing the debate and on recognising the importance of the plan-making functions of local authorities and the importance of Greater Manchester, which is a place I know well, having been brought up at the far end of the M62 in Liverpool. I look forward to celebrating the relationship between our cities on Sunday afternoon, when the greatest football team of all time will play Manchester United.

Ten local planning authorities make up the Greater Manchester area, which is a key element of the northern powerhouse. The Government fully recognise how vital

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joint working between those authorities is to the success of Greater Manchester. The northern powerhouse is about boosting the economy by investing in skills, innovation, transport and culture, as well as devolving significant powers and budgets directly to elected Mayors.

In that spirit, the Government have placed faith in the people of Greater Manchester and their elected representatives to shape their own future. We have backed that up through the devolution of a wide range of powers under the leadership of an elected Mayor. It is the Mayor's role to work collaboratively across Greater Manchester, and across the political parties, to provide the leadership and coherent vision required. Of course, local MPs should play an important role in the development of his plan.

The Government have also set out a national planning policy in the national planning policy framework, which we revised last year. That sets the overall framework for planning nationally. Local authorities need to bring forward plans for their local areas that respond to the particular nature, challenges and opportunities in their areas, some of which have been outlined by hon. Members.

Our starting position is that we trust local planning authorities, or groups of local planning authorities, as in Greater Manchester and many other parts of the country, to work together to produce plans that reflect the spirit of co-operation and joint working that we want to see. As a matter of law, plans are subject to a range of engagement and consultation with communities and other organisations. That consultation is a vital element of the plan-making process.

Plans are then subject to rigorous examination by independent planning inspectors, who are appointed by the Planning Inspectorate. The planning inspector or, in some cases, a panel of planning inspectors, assesses plans against the national planning policy framework and any other material planning considerations before coming to their conclusions. Ultimately, planning inspectors make recommendations about the soundness of the plan. Paragraph 35 of the NPPF sets out four tests of soundness that plans must pass, namely that they are positively prepared, justified, effective and consistent with national policy.

I am sure that hon. Members will understand that I cannot comment on the content or merits of the draft Greater Manchester spatial framework, as that could be seen to prejudice the Secretary of State's position later in the planning process. I am aware that the draft spatial framework is out for public consultation until 18 March. I encourage anyone with views about it to respond to the consultation and take an active role in its development, as several hon. Members have. Knowing the tireless work that all hon. Members present, particularly my hon. Friend the Member for Hazel Grove, put into representing the interests of their constituents locally, I am confident that they will take on such a role.

**Jim McMahon:** The development of the spatial framework and the housing target were determined in this place and passed on to Greater Manchester to resolve. We agree with the spatial framework and the need to plan ahead, but there has to be a compromise. One Malthouse compromise has already died a death, so let us redo it for the Greater Manchester spatial framework.

**Kit Malthouse:** The original compromise lives on—

**Jim McMahon:** Malthouse 2!

**Kit Malthouse:** Watch this space. I will come on to housing numbers, but I just want to finish this.

The plan-making process means that there will be a further round of consultation before the plan is submitted for examination by a planning inspector. I understand that that is likely to take place in summer 2019. Anyone with views about the document should make them known at that stage and, given that the timing is not yet fixed, those interested should remain in contact with the Greater Manchester authorities, as I know that all hon. Members and their residents will. The Government fully recognise the need to plan for and build more homes. We are committed to delivering 300,000 additional homes every year by the mid-2020s, and every part of the country has a role to play in reaching that target.

To some specifics, on the green belt, it would be wrong to think that this was just a numbers game. Clearly, the Government are committed to protecting the areas that communities value, including the green belt. The NPPF was revised last year and maintains strong protections for the green belt. It sets a very high bar for alterations to green-belt boundaries, and although a local authority—or even a collection of them, as in this case—can use the plan to secure necessary alterations to its green belt, that is only in exceptional circumstances.

The Government do not list those exceptional circumstances, which could vary greatly. Instead, it is for local plan makers and the Planning Inspectorate examination to check that any change is justified. At this stage, it is worth pointing out that there is obviously a difference between green belt and greenfield. In some cases, I think that hon. Members might be confusing the two terms—one is in regulatory protection, the other is not. Fundamentally, it is for local authorities and local decision makers to provide the evidence base whether for variation of the green-belt boundary or for possible mitigation changes to the boundary by creation of space elsewhere.

It is still the case that the green belt overall in the country is bigger today than it was in 1997. We have taken particular steps to protect it. I also point out that in the NPPF that came out in July 2018, we put greater emphasis on seeking to develop brownfield land, especially within the green belt, as a priority.

A number of Members have mentioned the importance of the environment. As I hope everyone knows, we are in the middle of a consultation on the notion of biodiversity net gain in our housing and general development across the country, and that will conclude later in the year. It is absolutely right that in all we do we should seek to make the environment as much of a priority as we possibly can, and to accommodate and make space for nature.

Several Members mentioned the need for infrastructure. Plans are also about securing the necessary infrastructure to support development. It is essential to identify the type, scale and timing of the infrastructure required in any area, and that applies to smaller-scale infrastructure such as doctors' surgeries or children's playgrounds, right up to new hospitals, waterworks or rail connections. By identifying what is needed and where, the planning

system can help to deliver the required infrastructure, either directly through tools such as section 106 agreements or the community infrastructure levy, or indirectly by signalling to utility companies or Government agencies such as the Highways Agency that certain items are required. Those agencies and companies can then build things in their own investment plans.

As I am sure hon. Members are aware, the Government also provide a number of opportunities for local authorities to bid for funding to assist with infrastructure. We have a £5.5 billion housing infrastructure fund, which can be used to bring forward housing sites and to release land for housing in a number of ways, including large infrastructure projects such as the multimillion-pound funding package for Carlisle that we announced last week, which put in a bid.

I am sure that the hon. Member for Oldham West and Royton (Jim McMahon) is aware that Oldham has submitted a bid to the housing infrastructure fund for marginal viability funding, which is designed to overcome exactly the sort of problems that he raised in his speech with difficult or marginally viable sites that might require work or some Government assistance to get them under way. We and Homes England are working with his local authority to solve some of the problems that he mentioned.

The hon. Member for Oldham West and Royton also mentioned neighbourhood plans. They have been incredibly popular across the country. About 13 million people now live under a neighbourhood planning system. We have provided £26 million of capacity support for neighbourhood plans, and I recognise that it takes a lot of commitment from local people to take control of planning in their local area. If the hon. Gentleman is having difficulties with neighbourhood plans, I will be more than happy to look at whether we can offer some kind of support because, however long I am in this job, I am keen to see neighbourhood planning established as a way for local people to take control of planning, so that they feel much less like its victims and more its master, particularly when it comes to design.

One area that we have made great play of in policy over the past few months is design. Where new homes are permitted, it is essential that we ensure that they are well designed. That is why we have established the Building Better, Building Beautiful Commission, chaired by Sir Roger Scruton. We held an important design conference in Birmingham just last week. We have also appointed a chief architect to work at the heart of Government to champion the important role that good design plays. I highlight the fact that the revised NPPF states that permission should be refused for poor design, especially when it fails to take the opportunities available for improving the character and quality of an area.

As has been said, many residents' objections to new developments tend to stem from the feeling that the new development will detract from the quality of the area. If we can get design right, if we make space for beauty, if we build the conservation areas of the future and communities that work coherently, people will, we hope, start to welcome new development in their area as something that will enhance it and make it more sustainable.

Finally, I want to raise the issue of numbers. All hon. Members mentioned numbers. We are very keen to see a lot of houses built in this country—many millions, perhaps—over the decades to come, because we believe that there is huge pent-up demand. We have set a target

of 300,000 homes a year by the mid-2020s, and I have heard nobody politically say that that is not a good and ambitious target for us to hit. The question is where those homes should go.

We have attempted to put in a standardised system to assess local housing need across the whole country on a formula basis. The hon. Member for Oldham West and Royton is right to say that the ONS was tasked with producing the first projections, or the basis of the data for projections, of local housing need. Unfortunately, the numbers that the ONS produced created some very anomalous results across the country. For example, in relation to the city of Cambridge, one of the strongest-growing regions in the country and where there is enormous ambition, the 2016 forecast was that there was zero housing need in Cambridge. Other cities' anomalous results caused alarm. As a result, we took the decision to step back and restore the 2014 numbers, and then consult further on a more coherent system going forward—one that could be generally agreed across the country. We really did not think that, on the basis of those anomalous results, it was a good time for people to take their foot off the accelerator, given that we all accept the strong need for housing, and that both major political parties have made ambitious promises about their housing targets.

I should clarify what the local housing need target is. It is exactly that—a target. It is a baseline from which a local authority can work to effectively establish the number of homes that it needs in its area. In the examination of any plan, a local inspector will look at the plan and accept properly evidenced and assessed variations from that target. If, for example, there are constraints such as an area of outstanding natural beauty, green belt or whatever it might be, and people can justify a lower number, an inspector should accept that. That said, if local authorities are ambitious for their area and want to address the legitimate housing needs of young people—many now have to live at home, with their parents and grandparents, into their 30s and 40s, even in the great cities of the north—they can go ahead of those targets if they wish. That, combined with the duty that now exists in the planning system to co-operate with neighbouring local authorities, means, we hope, that each area can arrive at a figure for provable, established local housing need, which has been assessed by an inspector, from a baseline that across the country will produce a target, we hope, of 300,000 homes.

**Jim McMahon:** I think, from what I have heard from the Minister—I must double-check this—that we may be making progress. Is the Minister saying that if Greater Manchester, on a proper evidence base, which could include more recent ONS population growth projections, comes forward with a lower housing target, the Government would be open to that?

**Kit Malthouse:** I am more than happy to write to the hon. Gentleman to set out the precise way in which the target should be taken into account. There has been a lot of misunderstanding, resulting in the notion that this is a mandated number that local authorities have to hit. We recognise that within the United Kingdom there are lots of variables to be taken into account. If a local authority falls largely within a national park, there are

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obviously significant constraints on its ability to produce housing. The planning system must be flexible enough to accommodate that.

At the same time, however, I urge all Members to bear it in mind that we have an urgent national mission to build homes. All parties, when in government over the past two or three decades, have failed to build enough houses to accommodate the next generation. As a result, we have seen falls in home ownership, rises in density, and a homelessness problem, and we need to address that situation. Much of it is about supply, and most of that supply will necessarily be built in the great cities of the north and across the whole of the country because, frankly, as the right hon. Gentleman said, they are great places to live; I speak as a former resident of one of them.

**Mr Bob Seely** (Isle of Wight) (Con): I am delighted to hear what my hon. Friend says about mandated numbers and I should be very grateful if he would write to me as well on this issue, because we have just produced an Island plan, and unfortunately we assess that the target of the Government and the Planning Inspectorate would require us to build 640 new homes on the Island. I believe that we should argue that we have exceptional circumstances, and I should be grateful for advice from him, because the problem is that half that housing is for domestic use and the other half is part of a larger market.

**Kit Malthouse:** I am happy to copy in all hon. Members who are present for this debate, so that they may understand how the local housing target will work. However, I urge hon. Members to recognise that there is a requirement across the whole of the country for us to look for more houses for younger people and, frankly, not to let local authority leaders off the hook—

**Mr Seely** *rose*—

**Kit Malthouse:** I am afraid that I do not have time to give way again. We must not let local authority leaders off the hook in relation to taking the sometimes difficult decisions—they are difficult; I have been a councillor myself—to build and develop the right types of houses in the right places for the next generation.

I appreciate that there is likely to be a range of views about the Greater Manchester spatial framework; that is to be expected, and shows that people care passionately about what happens in their communities, which is a good thing and I applaud it. The current version of the GMSF has been agreed by 10 local planning authorities and the Mayor as being suitable to be consulted upon. That in itself shows a unity of purpose, and no doubt a degree of compromise.

I suspect that there may be further refinements to the framework, and its policies and proposals, over the coming months. As part of that process, some of the important issues that many hon. Members have so passionately highlighted today may be considered.

2.58 pm

**Mr Wragg:** There have been excellent contributions in this afternoon's debate from colleagues from across Greater Manchester, including the hon. Members for Stretford and Urmston (Kate Green), for Oldham West and Royton (Jim McMahon), for Heywood and Middleton (Liz McInnes) and for Denton and Reddish (Andrew Gwynne), the shadow Minister—and, indeed, from my hon. Friend the Member for Isle of Wight (Mr Seely), who represents that well-known suburb of Greater Manchester, the Isle of Wight.

I am grateful to them all. I was very grateful indeed to the hon. Member for Oldham West and Royton for his brief local history lesson. In 1819, those around Greater Manchester flocked to hear Henry “Orator” Hunt at St Peter's Fields. They have not quite flocked here this afternoon, although we know that people feel passionate about this subject. None the less, we are hopeful that this debate can end on a more cheerful note than Henry Hunt's speech did. The Minister is a man of great compromise; he will now tackle the Northern Ireland border, as well as the singularly intractable problem of the Bredbury roundabout railway bridge, which he heard about earlier.

On a serious note, we need appropriate housing figures that are fully justifiable; a proper and comprehensive “brownfield first” strategy; and appropriate infrastructure in place so that the Greater Manchester spatial framework realises its potential to be a great success.

*Question put and agreed to.*

*Resolved,*

That this House has considered the Greater Manchester Spatial Framework.

## Dog Meat in the UK

[MR ADRIAN BAILEY *in the Chair*]

3 pm

**Jim Shannon** (Strangford) (DUP): I beg to move,

That this House has considered banning the consumption of dog meat in the UK.

It is a pleasure to speak on this issue. This is, unfortunately, the Thursday afternoon slot—I often refer to it as “the graveyard slot”, and today it certainly is. This is the recess week, and many people who signed the petition and added their names to the early-day motion are away. It is a pleasure to see hon. Members here to make a contribution to this debate on a very important issue.

Like my hon. Members, I am a dog lover, and so is my wife. She is a volunteer at Assisi Animal Sanctuary, just outside Newtownards. Since I was a young boy, dogs have played a huge part in my life. I cannot remember not having a dog; I have had them all my life. I remember my first dog, in Ballywalter when I was a four-year-old, very well. It was a collie dog called Flash. Its name has never escaped my mind. It was probably called that because it was like greased lightning; collies usually are. I also recall vividly a story of letting the dog into the back kitchen. We lived in a fishing village. Someone had left us fish for tea, and the dog ate half of it. We never realised what it was all about; we thought we had eaten the other half, but unfortunately that was not how it was.

We can share small stories about our dogs over the years. I remember as a child—I wonder sometimes how I survived my childhood—having an ice cream with the dog sitting alongside me. Every now and again, I gave the dog a wee lick as well, and I just kept on eating. It never did me any harm; that is a fact. I would not recommend it, but as children we did not have the precautionary attitude to life that we do now.

Dogs are and have always been an extension of my family. My dog—really my wife’s dog—is Autumn. We got it from Assisi. It had been badly treated, and she took it in. I remember that when it first came to our house, it was very nervous and scared. It obviously had a very difficult entry into this world. After it came to our house, it gained confidence. It had our love, and all of a sudden its attitude changed.

Dogs have two things in life that they want: they want to be loved and to love. It is as simple as that. A dog sees things very simply. We had a collie dog early on, and then we had Pomeranians and Jack Russells, and now we have springer spaniels. The reason why we have springer spaniels is that we love hunting and shooting. That is where I come from. Therefore, our dogs have a purpose in life. They say that you never own a Jack Russell; a Jack Russell owns you. As the owner of a Jack Russell, I can say that that is true. We have had many Jack Russells over the years, and they have taken over our lives.

Over the past weeks and months, I have heard enough about the horrifying practices of the dog meat trade to upset any animal lover. I thank animal welfare charities such as the World Dog Alliance for highlighting this issue, and for the work they are doing to stop this

horrific practice. I am here today to call on the Government to enact a ban on the consumption of dog meat in the UK. That is why we are all here. It is unfortunate that others could not be here. They wanted to be, but they made other arrangements for the recess week.

Each year, about 30 million dogs are slaughtered for human consumption around the world. In China, it is estimated that 70% of those dogs are stolen pets. That horrific practice has a big impact on families.

**Emma Little Pengelly** (Belfast South) (DUP): I thank my hon. Friend for securing this debate. It is unfortunate that more people could not be here; it is probably because of the timing. I have known many people over the years who have campaigned on this issue, particularly about the dog festivals outside the UK. They are horrified by that. Once it comes to light that it is not illegal to consume dog and cat meat in the UK, they are shocked. They have been campaigning for the law to change in another country, but they have not realised that it is not illegal here. That is one reason why legislation should be brought forward.

**Jim Shannon:** What my hon. Friend says is absolutely right. Many of us are horrified. I see the hon. Member for Clacton (Giles Watling) in his place. He has tabled an amendment to the Agriculture Bill that I and my hon. Friend have put our names to. The hon. Member for North Herefordshire (Bill Wiggin) would have liked to have been here, but as we all know, unfortunately he hurt himself this week and had to go home early. He moved a ten-minute rule Bill this week.

Many of us have suddenly realised that there is a technical loophole in the legislation in the United Kingdom, and we want to use this occasion to highlight the issue and alert people so that they realise that we have not made it illegal to eat dogs or cats in the United Kingdom. It is against the law to kill them and to sell the meat, but it is not against the law to eat them, and that is why we want to bring legislation forward.

My hon. Friend and I, and others here to contribute to the debate, are well aware of the background information. It is truly horrific to observe how dogs are killed and the inhuman treatment they go through. During their short lives, they are treated horrifically and inhumanely. Treated like cargo, they are cramped in small cages and put under physical and mental torment as they wait to be killed for their meat. Worse still are the misplaced beliefs dictating that dogs are tastier and that their meat is filled with better properties if the animals are stressed or in pain at the moment of death. That results in the widespread torture of these poor animals. In many cases, dogs are skinned, boiled or even blowtorched alive. If that is not animal cruelty, what is? It is horrific, horrendous and should not be allowed anywhere in the world.

How can we as a proud nation of animal lovers—we make that gesture and statement many times—stand aside as millions of dogs are subjected to that fate? The Government will say that it is illegal to sell dog and cat meat in the UK and that no abattoirs can be issued with a licence to slaughter dogs. That is true, but the fact remains that it is legal for an individual to kill a dog or cat and eat it here in the UK in their own homes. We want to look towards change. That is why the hon. Member for Clacton tabled the amendment to the Agriculture Bill, why the ten-minute rule Bill was moved and why we are here today.

[Jim Shannon]

Many others support what we are saying. Thankfully, there are no official cases of dog or cat meat being eaten in the United Kingdom, but we should make explicitly clear that the totally unnecessary practice of eating dogs will never be welcome. Nor can we condone the cruel practice elsewhere in the world.

**Emma Little Pengelly:** Although in the debate thus far people have made the case that there is no evidence that dog or cat meat is eaten within the UK, it can be very difficult to prosecute that type of crime. Surely the key thing is that it gives the UK the opportunity to be a world leader and join those other countries that have stepped forward to legislate, despite the fact it is not a problem in their countries. It sends a message to those countries where it is a common practice that we believe it is not acceptable. It also sends a message clearly across the UK that we do not want this practice to grow here either.

**Jim Shannon:** What my hon. Friend says is very true. I will speak later about the number of countries that have signed up and changed the law, as will other Members. It indicates why we are looking for change. Our reputation as a leader on animal welfare is testament to our national love of animals. The Animal Welfare Act 2006 was pioneering legislation in this country. We led the world. It outlined our national duty of care to those unable to speak for themselves, and it set the international standard. Under the legislation, animals in the UK are protected from pain, injury and suffering. I beg the House and the Government to consider our canine companions in the same light.

As anyone who grew up with a pet dog or cat will know, they can, and do, take up a lot of our lives. When I met my wife, she was a cat lover and I was a dog lover. I was not all that fond of cats, to be honest, but it was simple: "Love me, love my cat." I acquired an affection for cats, and we now have four or five in our house. More often than not, people will say that the cats or dogs are members of the family. Our companions are treasured, loved and spoiled, yet around the world millions of dogs live short, unimaginable lives and are subject to incredibly cruel practices. I wonder if many Members here could imagine the same fate for their pets.

In Prime Minister's questions just last week, the Prime Minister said:

"Animal welfare is a priority for this Government."—

We welcome that commitment, which I think was in response to a question from an hon. Member here. She said she hoped

"that other countries will join the UK in upholding the highest standards of animal welfare."—[*Official Report*, 13 February 2019; Vol. 654, c. 887.]

To maintain that position, we must show, in unequivocal terms, that we cannot tolerate the consumption of dog meat.

Last night, in an Adjournment debate on horse tethering, the Minister referred to legislation in Northern Ireland, where we can impose penalties of up to five years for animal cruelty. We have a positive and enlightening attitude towards animal cruelty in Northern Ireland.

The Minister referred to the five-year sentence; I think he hopes that it can be introduced in the mainland as well.

Introducing a ban on consuming dog meat would have a tremendous effect worldwide. Animal welfare charities such as the World Dog Alliance tell us that they face key barriers in their efforts to ban the practice worldwide. A ban would send a powerful message to countries where this horrific and disturbing practice takes place. We can no longer stand idly by. Enacting the ban would demonstrate the UK's willingness to join global efforts to ban this horrific practice, standing shoulder to shoulder with the many animal rights and welfare charities working day and night to protect our beloved companions and it would save millions of dogs from torture and unspeakable death.

I will say again—I mean this sincerely and honestly; I am a dog lover—that dogs are our companions. They are not, and should never be, food. In practical terms, I ask the Government to consider a simple thing. A ban would put no additional pressure on the Government's purse strings. We know that no dogs are eaten in the United Kingdom, and therefore that no additional resources would be required to police such a ban. Instead, by simply closing this legal loophole, we would send a powerful signal internationally that we do not condone the human consumption of dogs.

There is a great depth of feeling in Parliament to ban this practice. To date, more than 60 MPs have demonstrated cross-party support in various forms, with 32 backing an amendment to the Agriculture Bill tabled by the hon. Member for Clacton. Both myself and my hon. Friend the Member for Belfast South (Emma Little Pengelly) have added our names to that. We hope that the Government will take that amendment on board when the Agriculture Bill is next debated.

As hon. Members will have seen in recent coverage in *The Sun*, the *Daily Express* and in the popular online magazine, LADbible, a ban on the consumption of dog meat also has widespread support from the general public. I believe that what we ask the Government to look towards reflects the opinion of the general public. Widespread support for banning the human consumption of dog meat was clearly demonstrated in 2016, when a parliamentary petition protesting the dog meat trade in South Korea received more than 100,000 signatures, resulting in a parliamentary debate in that country. Many of my colleagues have spoken against the practice and have called for action.

I am pleased to say that, since then, South Korea's largest dog farm has been closed down, and the Mayor of Seoul vowed last week to shut down all dog slaughterhouses. This shows a clear and increasing demand for change from east Asian countries. Last year, a Gallup survey found that only 15% of people felt positively about the dog meat trade. I do not think we can ignore those opinions where we see something wrong happening. There is a change coming there as well.

The movement against dog meat is also visible in China, where 64% of the population support a ban on the Yulin dog meat festival, which my hon. Friend the Member for Belfast South mentioned. One in seven people in China has never eaten dog meat and nine out of 10 people in Shanghai want a ban, so even in China, attitudes and trends are changing. If we take the stance that other countries have taken, it would be a positive

step in the right direction. Sending powerful international messages and applying pressure can and does make a difference and would add to the momentum.

In September, following mounting international pressure against the dog meat trade, the Hanoi people's committee urged residents to stop eating dog meat, as it was concerned that the horrific practice was tarnishing the city's image as a modern and civilised capital. What we do here has influence over there, which is why this debate is so important. I thank the Backbench Business Committee for agreeing to have the debate and for giving us the chance to be here. I look forward to what other hon. Members have to say, particularly the shadow Minister and the Minister, about how we can move the campaign forward.

Taiwanese and Japanese officials have already written to the Secretary of State to persuade our Government to support a ban. A member of the House of Councillors, Kusuo Oshima, highlighted the similar legal loophole that allows the consumption of dogs in Japan. With the 2020 Tokyo Olympics close at hand, he feels that it would be an honour to work closely with our country, as a leader in animal welfare, to make the change and put legislation in place.

The Environment Minister Yoshiaki Harada and his officials have already committed to follow the progress of the ban in the UK as an animal welfare leader. The introduction of legislation in the UK, as well as in the US, would help to give them the confidence to outlaw dog meat consumption in Japan. Collectively and singly, in this country and across the world, we can make the change that many people clearly wish to see.

Our influence in animal welfare has also been shown through efforts by Chinese officials to introduce a pet theft Bill to tackle the dog meat trade. Two people's representatives have introduced the Bill because stolen dogs are generally sold to be eaten. It is tragic that when dogs go missing in some parts of the world, they can end up on somebody's table, although I am mindful that, in many cases, dogs are treated as part of the family. As such, the Bill is a major first step towards introducing a ban on the human consumption of dog meat. I am informed that it was partly inspired by our Pets (Theft) Bill, which is making its way through Parliament. I thank the Government and the Minister in particular for the changes they are making there.

The United States of America is the latest country to enact a ban on the consumption of dog and cat meat. In December, the US House of Representatives took the lead in passing the farm Bill, which states that no person may

“ship, transport, move, deliver, receive, possess, purchase, sell, or donate...a dog or cat to be slaughtered for human consumption; or a dog or cat part for human consumption.”

That Bill laid the law down and made the change.

Let us be clear: the US ban is significantly stronger than the UK's current legal situation. They have gone a step further and I believe that we need to match that. The US ban explicitly forbids the human consumption of dog meat by covering the personal use and possession of dog meat, not just its commercial sale. The recent US regulations, therefore, far outstrip our current legislation. In practice, it is now illegal in the US for an individual to kill a dog or cat to consume its flesh. At the moment, we cannot say the same in the United Kingdom.

Through that pioneering legislation, the US joins the ranks of Germany, Austria, Taiwan, South Australia and Hong Kong, which all have bans in place. The US ban is important because of the motivation involved—clearly, eating dog or cat meat is not a problem in the US. US lawmakers passed the ban solely because of the impact it would have on the international efforts to eradicate the cruel practice.

That is made clear in the letters to the Prime Minister from the Congressman who introduced the law in the US. Congressman Jeff Denham, a proponent of the legislation in the US, has said that adopting this policy signals that

“the U.S. will not tolerate this disturbing practice in our country”.

It also demonstrates

“our unity with other nations that have banned dog and cat meat, and it bolsters existing international efforts to crack down on the practice worldwide.”

Hopefully today in this House, through this debate and through our Minister and Government, we can add our support and our names to similar legislation, raising awareness and moving forward.

In their letter to the Prime Minister, Alcee Hastings, Vern Buchanan, Theodore Deutch and Lee Zeldin—all Congressmen of the House of Representatives—said:

“The adoption of this important legislation not only sent a message to people in the United States, but also, those around the world, putting all who engage in this heinous practice on notice that it will no longer be tolerated regardless of where it is found to occur...the slaughter of dogs”—

and cats—

“does not prevent hunger or improve human welfare, nor is there any economic justification to continue this horrific practice.”

In enacting the ban, the US has played an important role in influencing the international animal welfare agenda. We are here today to highlight that and to raise awareness. Again, I look to the Minister and our Government to do the same.

As we look towards the end of March and our departure from the European Union—the Brexit question is at least part of this—we must consider what type of nation we want the UK to be. Do we want to be outward-looking or insular? Active or idle? A global leader or one that lags behind our peers? I think of all those here today who will go back to their constituencies and homes to be with pets and loved ones this weekend. Do we not owe it to our companions across the great continents and countries of the world to take these steps? We look for the Government to match the change in the USA and the countries mentioned earlier. We look to match the change in South Korea. We look to highlight the issues.

I call on the Government to enact a ban as soon as possible, either through primary or secondary legislation—as long as it is a full and explicit ban on the human consumption of dog and cat meat. Further, any person found to be in violation of such a ban should be subject to a fine and/or a prison sentence of six months. It is time this House sent the message and changed the law, and I believe the Government will find a way to do that.

Mr Bailey, I thank you for giving me the chance to speak. I look forward to the contributions from other hon. Members, and particularly to the comments of the shadow Minister—the hon. Member for Ipswich (Sandy Martin)—and the Minister.

3.23 pm

**Giles Watling** (Clacton) (Con): It is an honour to serve under your chairmanship, Mr Bailey. I thank the hon. Member for Strangford (Jim Shannon) for securing this important debate. Without any shame at all, I hope to reinforce a lot of what he has said about this important issue. Some of those watching these proceedings might question why we are discussing it at all. I appreciate that view because I have had letters in my inbox saying that there are other important things going on at the moment that we should get on with, but this issue is important, and all of us, to a greater or lesser degree, have the ability to multitask.

Many of those watching will think that cat and dog meat is already illegal in this great, forward-looking country of ours. Sadly, as has been stated, that is not the case. Amazingly, it is still legal to personally slaughter your dog or cat and privately consume its meat here in the UK, and I am sure most people would think such an idea abhorrent. In 2018 there were 20 million dogs and cats in the UK, and those wonderful companions have a positive impact on our lives. In our culture, they are our friends, confidants and playmates. They are our companions, and they have a great, measurable and positive impact on mental health. They are not food and must be protected here and internationally. A proper and comprehensive ban on consumption in this country can do just that.

Granted, as the Prime Minister said in response to my question last week, there are extensive restrictions in place in the UK to prevent the commercial sale of dog meat for human consumption, and I understand that there are similar restrictions in place for cat meat. Yet there is a glaring loophole in the law, as the hon. Member for Strangford pointed out, and as I touched on. That loophole must be closed. Thankfully, 33 colleagues from across the House agree and have signed my amendment to the Agriculture Bill. Of course—I am shamelessly advertising here—we would warmly welcome any others who wished to join us and pledge their support, too.

In the light of our shared desire to close that loophole, I am grateful to the Minister for confirming that the Department for Environment, Food and Rural Affairs will look into this matter in the coming weeks, and I look forward to hearing what it comes up with. We can close the loophole quickly through secondary legislation, although that would require careful discussion to ensure we ticked all the necessary boxes.

I want to deal with the questions, some of which have been raised, about why we need to address this statutory deficiency at all. I recognise that some may say this is unnecessary or even just virtue signalling, given that there are no recorded instances of the consumption of dog or cat meat in the UK. However, even if it is virtue signalling, I say, “Why not? Let’s signal our virtue—our morality—on this issue to the rest of the world.” We can be ahead of the curve by getting legislation in place now, and can head off any possible incidents here.

Changing the law would also send a powerful signal internationally about our moral opposition to this horrific practice and encourage other nations to introduce similar measures. The most important point was made by my hon. Friend the Member for North Herefordshire (Bill Wiggin) when he introduced his Bill earlier this week.

During his excellent speech, he told us that Chinese authorities have said, “Until you make it illegal, why should we?” They have a point. We should lead the world on this issue, as we do on other international issues. We have already led the world in opposing ivory poaching, even though we have no elephants roaming the south of England—or anywhere else in Britain, for that matter. We should seek to mirror that example, as we should our world-leading opposition to modern slavery, bull fighting and whaling.

Unfortunately, that is not happening with dog and cat meat. As the hon. Member for Strangford said, we are coming in behind Germany, Austria, Taiwan, Hong Kong, South Australia and America, where possession and consumption became an offence this year even though the problem is not widespread in the US either. The US Congress believed it was right to pass a ban regardless, to demonstrate its support for global efforts to eradicate this cruel practice. I would like to thank publicly those Members of Congress who sent a letter supporting my amendment directly to the Prime Minister.

It is important to recognise that that ban in America provided a real boost to the international prohibition campaign. We now have an opportunity to do the same and to help lead the global effort to combat these sickening practices. All we need to do is take the minor legislative step of outlawing the consumption of dog and cat meat with a proper, comprehensive ban. That is the right thing for us to do, as a nation of animal lovers. As I said earlier—it is worth saying again—these are our companions. They are not food.

As the hon. Member for Strangford said, 30 million dogs and 4 million cats—more than all the dogs and cats in the UK—are still slaughtered every year around the world for their meat. Of those, 15,000 are killed during the 10-day Yulin festival in China, which is often accompanied by international condemnation. Those animals are often stolen and, as we heard, kept in small, filthy cages with little food or water. There is a strong but erroneous belief that if they are suffering, their meat is tastier and has medicinal qualities—it does not—and that if they experience high levels of stress when they are killed, they are better to eat. That is obviously wrong. It results in horrendous suffering.

Those animals are often boiled, skinned and blow-torched, and—the hon. Gentleman said it—that happens to them while they are alive. They are blow-torched alive. That is horrific animal cruelty. No animal should suffer such pain and trauma. No person should, either. We should be humane. We should honour these animals that live with us. I thank the World Dog Alliance for its efforts to raise awareness of this troubling issue.

I am sure that anyone with a pet who heard what I just said about animals, and what the hon. Member for Strangford said earlier, would be distressed. We all feel that our pets are to be valued. I, too, am a proud owner of three noisy dogs, and I want to get them into *Hansard*. They are Mini, a 19-year-old Jack Russell, and Herbie and Humphrey, who are indeterminate, but there is poodle in there somewhere.

Cherishing our pets is surely a very British value, which can be utilised to prevent animal welfare abuses abroad. The Government are keen to assert our values through the Global Britain scheme, and this is a great opportunity for us to do just that. I recognise that it will take time to change hearts and minds, but nothing

worth having is ever easy. As to how to do that, I believe there are ways to achieve a proper ban through secondary legislation, as I said, so it could be done quickly, but I will not go into that in detail. I want to hear what proposals DEFRA will come back with.

To conclude, I grew up with animals—horses, dogs, cats and all sorts—and that personal experience ensures that I am a keen supporter of animal welfare. It is always high on my agenda. I am keen to see the Government continue their positive recent record on dealing with animal welfare, which has rightly led to international renown. Properly banning the consumption of dog meat in this country—that must include private consumption—will send an international message and set an example for others to follow.

To come back to my opening question, that is why we are present today: to show our moral opposition to such deplorable practices, and to do more than just offer words of distaste, which will do nothing to protect animals around the world—only concrete action and a proper and comprehensive ban here in the UK, followed by a sustained projection of our shared values globally, will do that.

I again thank the Minister for his answer this morning and for his constructive assistance so far. I look forward to continuing to discuss the matter with him in the coming weeks.

3.32 pm

**Angela Crawley** (Lanark and Hamilton East) (SNP): It is a pleasure to serve under your chairmanship, Mr Bailey. I thank the hon. Members for Strangford (Jim Shannon) and for Clacton (Giles Watling) for their impassioned contributions to the debate. I was at the Backbench Business Committee when the hon. Member for Strangford made the case for holding this debate on the consumption of dog meat in the UK. I also take the opportunity to recognise the work of the hon. Member for North Herefordshire (Bill Wiggin), who is not present, on his Dog Meat (Consumption) (Offences) Bill, which obviously contributed substantially to this debate.

**Jim Shannon:** I should have said earlier that the hon. Lady's colleague, the hon. Member for East Kilbride, Strathaven and Lesmahagow (Dr Cameron), also could not be present, but wished to be part of the debate. She accompanied me to the Backbench Business Committee to ask for the debate, so I want to recognise her and what she did to make this happen.

**Angela Crawley:** I am sure that my hon. Friend will be grateful for the hon. Gentleman's recognition.

As we heard, the World Dog Alliance has called for an explicit ban on the consumption of dog meat in the UK and has stated exactly why that is necessary. It is acknowledged that the issue is not one that is predominant in the UK, and there is no tangible evidence of such consumption. However, in a recent campaign, the Humane Society International rescued more than 170 dogs from a dog meat farm in South Korea. It is estimated that South Korea has about 17,000 dog farms, breeding more than 2.5 million dogs a year for human consumption. Around the world, it is believed that approximately 30 million dogs are eaten annually.

We heard from the hon. Member for Clacton that the Yulin festival takes place from 21 to 30 June. The lychee and dog meat festival is an annual 10-day event at which more than 10,000 dogs are eaten. Dog eating is traditional

in China where, according to folklore, eating the meat during the summer months brings luck and good health. We have heard about some of the abhorrent practices that exist.

The hon. Member for Strangford is a vociferous campaigner on a great many issues. In fact, I cannot think of an issue about which he does not have something to say, which is quite impressive. His contribution was heartfelt, and so is his devotion to his own dogs—whether the collies, the Pomeranians or the Jack Russells. He said that dogs are often loved companions. They are not just family pets but part of our families. He highlighted the terrible conditions and practices, the abhorrent torture and animal cruelty, and the beliefs that fuel the trade in Asia. He called on the Government to set an international example.

The hon. Member for Clacton made an impassioned contribution on this rather unlikely subject. He called for a comprehensive ban, and asked for DEFRA to review the matter. It is entirely reasonable that we call on the Government to do everything they can in this regard.

It is accepted that this is not an issue in the UK, and that there is no evidence that dogs are being consumed here. However, we have heard that the US and other countries such as Germany, Austria, Taiwan, Hong Kong and Australia are leading by example, even though this is not necessarily an issue in many of them. Although the commercial trade in dog meat is illegal in the UK, it is clear that maintaining the highest standards of animal welfare ought to be our paramount consideration. The UK's Farm Animal Welfare Committee currently advises DEFRA Ministers on this matter. I hope the Minister will consult it on this issue.

Although many aspects of this issue still remain reserved to the UK, many are not. The Scottish Government have established a Scottish animal welfare commission. Like the UK's Farm Animal Welfare Committee, it will form an animal expert advisory group that will advise on animal welfare, introducing new legislation, issuing Scottish Government guidance and public awareness campaigns. The Scottish Government have also committed to consult on amending the Animal Health and Welfare (Scotland) Act 2006. That consultation ended in January 2019. The proposed changes to the 2006 Act include increasing the penalties for the most serious abuses of animals, including attacking emergency service animals. It will also include fixed penalty notices for lesser offences, and will create enforcement bodies to rehome and sell on animals seized when welfare is compromised. The Scottish Government are using the powers that they have to do as much as they can, including on animal welfare, improving conditions, providing CCTV in slaughterhouses, ensuring that domestic animal welfare is improved through licensing, and introducing licensing for animal sanctuaries, rehoming agencies and commercial breeders.

It is essential that all Governments, including the Scottish Government and the UK Government, lead by example and do all they can for animal welfare. The international pressure that the Government can bring to bear on countries where this practice is prevalent is absolutely necessary. It could end the abhorrent practice of the consumption of dog meat. I hope the Minister will listen to the calls from across this House and see what more the UK Government can do in that regard.

3.38 pm

**Sandy Martin** (Ipswich) (Lab): It is a pleasure to serve under your chairmanship, Mr Bailey. I congratulate the hon. Member for Strangford (Jim Shannon) on securing this debate. Hon. Members from across the House will join the vast majority of people in this country in being upset at the very thought of eating dog meat. The hon. Gentleman made a powerful case, as did the hon. Members for Clacton (Giles Watling) and for Lanark and Hamilton East (Angela Crawley). The hon. Member for North Herefordshire (Bill Wiggin) did so, too, in presenting his ten-minute rule Bill in Parliament on Tuesday.

The very good news is that there is no evidence that dog meat is actually being consumed in the United Kingdom. We all want to ensure that it stays that way. There are questions that need to be asked about the most effective ways to prevent the consumption of dog meat ever becoming an issue in this country. Clearly, if the consumption of dogs started to occur in the United Kingdom, the Government would need to take action. I feel sure that if the Government are considering taking action, they will seek to make it effective.

I fully support the contention that this country needs to join others, such as the United States, in sending a strong message to China, the Republic of Korea and other countries where dog meat is eaten. If we do, we need to ensure that we do not pick on one particular country, in order to avoid apologists for consuming dog meat claiming that the United Kingdom is using this issue as an excuse to attack their country. It is the principle of eating dogs, and the unspeakable cruelty that the trade involves, that we need to concentrate on. I echo the words of my hon. Friend the Member for Stroud (Dr Drew):

“The UK government needs to stand up for man’s best friend and ensure that we are upholding our reputation as leaders in animal welfare.”

At the same time, I do not want animal welfare campaigns in the UK to divert resources away from other serious issues, such as puppy smuggling, hare coursing or dog fighting, which are actually prevalent and inflict cruelty on dogs in our own country. All cruelty to animals weakens and coarsens our society. People who grow up with a cavalier attitude to animal cruelty are that much more likely to inflict cruelty on other people as well, especially in a domestic situation. Connected to that, I ask the Minister: when are we likely to see the Secretary of State’s proposed animal sentience Bill? Even more importantly, when will we see increased sentences for animal cruelty offences, which have been promised for more than a year but show no sign of being brought forward?

I do not want to prolong the debate unnecessarily, so I will simply say that we fully support any measures that will protect dogs from cruelty. We share the strongly expressed wish of the hon. Member for Strangford and others that this country should use its influence to persuade others to stop eating dogs.

3.42 pm

**The Parliamentary Under-Secretary of State for Environment, Food and Rural Affairs (David Rutley)**: It is an honour to serve under your chairmanship, Mr Bailey. I join in congratulating the hon. Member for Strangford (Jim

Shannon) on securing this important debate. It has been said that he is a redoubtable campaigner on many issues, and he certainly is. We welcome his enthusiasm for this subject.

I recognise the interest and concern on this issue generated in recent weeks as a result of several things, including the amendment to the Agriculture Bill tabled by my hon. Friend the Member for Clacton (Giles Watling) and the questions asked earlier today in Environment, Food and Rural Affairs questions and yesterday in PMQs. We wish my hon. Friend the Member for North Herefordshire (Bill Wiggin) a speedy recovery.

I also thank the World Dog Alliance for its ongoing dog meat campaign, which has drawn people’s attention to the plight of dogs in other parts of the world. They are often kept in dire conditions before being slaughtered, often in brutal and painful ways, as has been set out. Alongside, I am sure, all Members here, I condemn any practice that subjects animals to inhumane suffering and distress. Everyone, from whatever cultural or religious background, can unite in horror at unnecessary pain and suffering.

In this country, and indeed in many—I might say most—others, people just do not eat dog meat, on clear moral grounds. To us, wanting to eat man’s best friend is morally repugnant, as has been highlighted. As well as being loyal companions, many dogs dedicate their lives to protecting us and to making our lives better. They help us by bravely helping the police to restore public order, detecting banned substances, heroically searching for victims of earthquakes, helping to rescue people stranded on mountains—I recognise the work of the mountain rescue teams in Buxton and Kinder, close to my constituency, in this important area—and by providing invaluable assistance to people with visual or hearing issues or other disabilities. As a patron of the Macclesfield and District Sheep Dog Trials Association, it would be completely wrong of me not to recognise the huge contribution that these incredible working dogs make to the lives of many farmers.

Knowing what remarkable acts dogs are capable of, it is all the more surprising that anybody, anywhere, would consider keeping them for their meat. This debate has shown that the public and their representatives in this Chamber are rightly concerned about the welfare of animals, including when they are slaughtered or killed. They expect the Government to ensure that appropriate welfare protection measures are in place to ensure that animals are treated properly and humanely.

The Government abhor acts of cruelty to animals. That is why we have in place laws to deal with such appalling acts. In this country, it is an offence to cause any unnecessary suffering to an animal or to fail to provide for an animal’s welfare. The maximum penalty for both offences is six months’ imprisonment and/or an unlimited fine. The Government have already announced that they will go further and increase the maximum custodial penalty for animal cruelty to five years. That is one of a number of commitments that we have made to improve the welfare of animals. The hon. Member for Ipswich (Sandy Martin) asked when that would happen, and the answer is that it will be as soon as we can get parliamentary time and get the right vehicle in place, because obviously there are very important measures ahead of us. But it is a huge priority. I hope that the hon. Gentleman can understand that there is a sincere commitment to take it forward.

**Sandy Martin:** That is of course the answer that the Minister had to give, but it is exactly the same answer as was given a year ago. This will not be a complicated Bill or one that takes a long time to get through. In fact, I have been told by someone—I am not sure whether this is true—that there could be an increase in the sentencing regulations as part of a statutory instrument; it would take only a day to do it.

**David Rutley:** I recognise the hon. Gentleman's frustration and desire to move things forward. I can assure him, on the sentencing point, that that cannot be done by secondary legislation. It requires primary legislation, and that is why we are in this situation. However, I can assure him and others in this Chamber that we are moving forward on that front. The same would apply to animal sentience, on which there was clearly an outpouring of concern several months ago. We are actively working on that issue with stakeholders.

I paid tribute earlier to service animals. To underline the Government's commitment to protecting them, we are supporting Finn's law—a private Member's Bill currently before Parliament. Finn's law makes it clear that attacking a service animal or dog is an offence under the Animal Welfare Act 2006. The Animal Welfare (Service Animals) Bill will have its Second Reading in the House of Lords on 1 March, having successfully completed stages in the Commons. I was pleased to hear that the Scottish Government are taking similar steps; that is to be commended.

We are going further to protect animal welfare by banning the third-party selling of puppies and kittens. That will ensure that only breeders can sell puppies and kittens for commercial purposes. We are banning certain types of electronic training collars for dogs. We have introduced an updated and improved animal activities licensing regime to cover dog breeding, cat and dog boarding, pet selling, riding schools and exhibiting animals. The new licensing regime came into force last October and means that licensees must maintain statutory minimum welfare standards. The licensing regime also encourages licensees to adopt higher standards, which, when achieved, will mean longer licences and fewer inspections.

I am very pleased to say that, as of last November, all slaughterhouses in England need to have closed circuit television in operation to aid official veterinarians in monitoring and enforcing animal welfare standards.

The Government—led, I am proud to say, by this Department—have animal welfare at the top of their agenda. I again recognise and welcome the steps that are being taken by the Scottish Government, which were highlighted by the hon. Member for Lanark and Hamilton East (Angela Crawley).

The hon. Member for Strangford eloquently outlined in his speech, and I want to make it clear, that there is no evidence that dog meat is consumed in this country. That is a relief to us all. My hon. Friend the Member for Clacton and the hon. Member for Ipswich also made that point. We have on the statute book a combination of laws that, taken together, make it extremely difficult even to conceive of doing such a thing. Most importantly, it is already an offence to sell dog meat commercially for human consumption. Strict food hygiene measures mean that dogs and cats cannot currently be commercially slaughtered, or sold or given to others for human consumption. There are strict rules for food businesses

on slaughter and production of meat for human consumption in the UK, and dog meat would not be permitted under those requirements.

We have specific laws on the sale of food. EU regulation 2015/2283 on novel foods prohibits the sale of dog meat in the EU. That is enforced in England by the Novel Foods (England) Regulations 2018, which make it an offence to sell dog meat in England. That prohibition will, I am pleased to reassure hon. Members, be retained after EU exit. As colleagues will know, the UK has very strict rules on the welfare of animals at the time of killing; the rules are contained in EU regulation 1099/2009. Slaughterhouses must be licensed to kill certain species of animal. No slaughterhouse in the UK is currently licensed to slaughter dogs, which means that dogs cannot be slaughtered for human consumption. We are exploring how that can be strengthened.

Furthermore, it would be highly unlikely that an individual would or could humanely kill their dog, although it is technically legally possible. To humanely kill a dog would involve either a lethal dose of barbiturates—the recommended method—which would have to be carried out by a vet and would render the meat unfit for human consumption, or it would involve the correct use of a firearm, for which someone would need a licence, or the correct use of a captive bolt gun. It is important to emphasise, as hon. Members have, that there is no evidence of the consumption of dog meat in the UK.

I commend the United States for introducing legislation to ban the slaughter of dogs and cats for human consumption, which brings it broadly into line with the position in the UK and the EU. The US legislation is not a complete ban on the consumption of dog meat, as some have claimed. It is important to point out that there are good reasons why we and other countries have stopped short of banning the consumption of dog meat. It would be difficult to prove that someone had consumed it—a successful prosecution would need to prove beyond all reasonable doubt that dog meat had been consumed by the accused, which might require testing.

A relevant comparison is that we do not ban the consumption of drugs—instead, we ban on the possession and sale of drugs, which is the focus of criminal prosecution. Proving beyond all reasonable doubt that someone has knowingly consumed dog or cat meat would be very difficult in practice. Unless we have a witness or video evidence of someone slaughtering, preparing and eating a dog or a cat, a defendant would be able to claim that they were unaware of what they were eating, which would prevent the prosecution from meeting the standard.

Proving consumption to the required criminal standard would also require proving beyond all reasonable doubt that the defendant had ingested the banned substance. That would require a form of intrusive test, such as a blood test. There are other tests, but we will not go down that route now—it could be unpleasant, so let us leave it at blood tests for the moment. For the same reasons, there is no offence in English law of consumption of human meat.

I admire and agree with the intention behind the debate and the campaigners, including those in the Gallery, but it is clear that there are challenges with the proposed solution. The Government have an ambitious programme of animal welfare reform. We want to ensure that we can use the parliamentary time available to

[David Rutley]

deliver on our commitments on animal sentience; on increasing maximum sentences for animal cruelty, as I have said; and on banning the use of wild animals in circuses. Those measures will have a direct and positive impact on the welfare of animals in the UK. I am pleased that the hon. Member for Ipswich is itching to help the Government to take those measures forward. I welcome his support.

I understand, not least from today's debate, that one of the core aims of the campaign is to set an example and highlight to other countries that the UK considers that the dog meat trade is cruel and unnecessary. I applaud that aim and the contributions that have been made to the debate. The Secretary of State and I are working with DEFRA officials to explore what more we can do to address the matter, as I set out in my response to my hon. Friend the Member for Clacton in DEFRA questions today.

We want to send a clearer message, particularly to those countries where dog meat is eaten, that the consumption of dog meat should never be tolerated. That includes raising the issue directly with other countries. The Foreign and Commonwealth Office has discussed it with South Korean counterparts. We are working through other avenues, including with welfare groups such as the Humane Society International, which has been highlighted—the dialogue with HSI was opened just over a year ago. DEFRA officials are exploring opportunities with the Department for International Development. By discussing the issues directly with the countries concerned, we hope to have an effect on the dog meat trade internationally.

I will keep the hon. Member for Strangford and other interested colleagues updated on progress. Once again, I thank the hon. Gentleman for introducing the debate and all hon. Members who have made such impassioned contributions to this important debate.

3.54 pm

**Jim Shannon:** It is an absolute pleasure to sum up this debate.

First, I thank all hon. Members for their contributions. My hon. Friend the Member for Belfast South (Emma Little Pengelly) is very interested in—indeed, she is passionate about—animal welfare and opposing animal cruelty, and she wants to change attitudes. She represents a constituency that very much has that in mind as well.

The hon. Member for Clacton (Giles Watling), as always, is actively engaged in change. The amendment to the Agriculture Bill is one that we are all very keen to support. He wants us to be a country that speaks up for animals worldwide; he wants to put us on that pedestal with others. I liked his comment “Nothing worth having is ever easy.” That is the truth. There is always a struggle, but when we get to the end of the road it is always good to be there and to know that we have been part of the process.

The contribution by the hon. Member for Lanark and Hamilton East (Angela Crawley) was, as always, significant and helpful. She encapsulated the enormity of this

abhorrent practice and kindly reminded us of what the Scottish Government are doing with their legislative change. In many ways, the Scottish Government show the way legislatively on lots of things and this is another example of what they are doing, in this case to improve animal welfare.

The shadow Minister, the hon. Member for Ipswich (Sandy Martin), referred to a nation united against this dreadful practice—the consumption of dogs for food. He wants to join with others in sending that message out, seeking the change in sentencing, which I think we all want to see. It is so important.

The Minister, in a very comprehensive response to all of our comments and requests, outlined the Government position. The Government have not been idle and we recognise that. We are keen to pursue legislative change. He also mentioned all the good things that dogs can do—I did not do that in my contribution, but I wish I had. There are dogs for the blind. I have walked that road—I think that probably all of us as MPs have walked that road—where I put on a blindfold and a guide dog led me. That is an example of what a dog can do.

There are also dogs in the services. One example came to mind while I was sitting here, listening. I remember when I was in Afghanistan with the armed forces parliamentary scheme and I chanced to see some of the dogs that seek out improvised explosive devices. They have a really key role—to save lives. That is man's best friend again, doing that.

There are all the other dogs that were referred to as well: the rescue dogs, the police dogs and farmers' dogs. In my constituency, there are very few farms that do not have a dog somewhere, either to bring in the sheep or to bring in the cattle. That is a fact. Dogs are part of our life.

The Government will stop acts of cruelty to animals; they are making the legislative change to do that. This issue also has cross-party support, including from an MP who was a member of another party at the beginning of this week but has now joined the new group. We clearly have cross-party support, from all the parties in this House—I can say that honestly today, from the expressions of support that I have here—including from the Independents.

Again, I thank everyone for their significant contributions, and I thank the Backbench Business Committee for making the debate happen. Most importantly, today we have had a chance to stand up for man's best friend, and that must be the challenge for us all. As we move forward, let us support our Minister in the changes that he will make.

*Question put and agreed to.*

*Resolved,*

That this House has considered banning the consumption of dog meat in the UK.

3.58 pm

*Sitting adjourned.*

# Written Statements

Thursday 21 February 2019

## BUSINESS, ENERGY AND INDUSTRIAL STRATEGY

### Energy Capacity Market

**The Secretary of State for Business, Energy and Industrial Strategy (Greg Clark):** As set out to the House in the statement of 6 December 2018, the European Commission was expecting to make its initial decision regarding the UK capacity market in early 2019. The Commission has today confirmed that it is moving on to the next phase of its investigation into the capacity market. This is an important first step as we work to reinstate state aid approval for the capacity market as soon as possible.

In its announcement the Commission confirms that the General Court of the European Union did not rule that the GB capacity market was incompatible with state aid rules. The Commission has also made clear that the Court ruled on procedural grounds. This was on the basis that the Commission should have opened an in-depth investigation on certain elements of the scheme related to participation by demand side response operators.

In accordance with the Court's judgment, the Commission has therefore launched a further investigation focusing on particular elements of the capacity market. We understand that this investigation will cover past and future capacity payments, including deferred payments in respect of the standstill period. Since 2014 the Commission has approved state aid for six capacity markets similar to the GB scheme. We will continue to work closely with the Commission as its investigation progresses and will ensure that market participants are regularly updated.

Separately, the Commission has recently chosen to appeal the General Court's judgment that it did not follow the proper process to conclude in 2014 that the capacity market was compatible with EU state aid rules. I can confirm today that the UK Government will be supporting this appeal. The appeal does not affect the Commission's separate process for considering state aid approval for the current capacity market scheme.

[HCWS1351]

## HEALTH AND SOCIAL CARE

### NHS Prescription Charges

**The Parliamentary Under-Secretary of State for Health and Social Care (Steve Brine):** My right hon. Friend the Parliamentary Under-Secretary of State (Baroness Blackwood) has made the following written statement:

Regulations will shortly be laid before Parliament to increase certain national health service charges in England from 1 April 2019.

In the 2015 spending review, the Government committed to support the five year forward view with £10 billion investment in real terms by 2020-21 to fund frontline NHS services. Alongside this, the Government expect the NHS to deliver £22 billion of efficiency savings to secure the best value from NHS resources and primary care must play its part.

This year therefore, we have increased the prescription charge by 20 pence from £8.80 to £9 for each medicine or appliance dispensed. To ensure that those with the greatest need, and who are not already exempt from the charge, are protected, we have frozen the cost of the prescription pre-payment certificates (PPC) for another year. The 3 month PPC remains at £29.10 and the cost of the annual PPC will stay at £104. Taken together, this means prescription charge income is expected to rise broadly in line with inflation. Charges for wigs and fabric supports will also be increased in line with inflation. Details of the revised charges for 2019-20 can be found in the table below:

Charge from 1 April 2019 (£)	
<i>Prescription Charges</i>	
Single Charge	£9.00
3 month PPC (no change)	£29.10
12 month PPC (no change)	£104.00
<i>Wigs and Fabric Supports</i>	
Surgical Brassiere	£29.50
Abdominal or spinal support	£44.55
Stock modacrylic wig	£72.80
Partial human hair wig	£192.85
Full bespoke human hair wig	£282.00

[HCWS1350]

### Personal Budgets: Consultation Response

**The Minister for Care (Caroline Dinéage):** Today I am publishing the joint response from the Government and NHS England to a recent consultation exploring extending legal rights to personal health budgets and integrated personal budgets. The response is available at: <https://www.gov.uk/government/consultations/personal-health-budgets-and-integrated-personal-budgets-extending-legal-rights> and a copy has also been deposited in the Libraries of both Houses.

Across the health and social care system, there is an ever growing shift towards personalising care, including an increasing amount of people choosing to take on a budget. It is clear that people value being involved in the planning of their care, being able to make choices and personalise their support in a way that best meets their bespoke needs. The evidence is clear; through personalised care, people are more satisfied, have better outcomes, and are able to explore more innovative approaches that better meet their individual needs.

The Government are therefore committed to increasing the extent to which people can exercise greater choice and control over their care. Personal health budgets, and all other features of a personalised care approach as set out within the "Comprehensive model of Personalised Care", including shared decision making and personalised care and support planning, are the key mechanisms for delivering this change.

Given this commitment, we consulted on potentially extending the legal rights to personal health budgets and integrated personal budgets, to the following five groups:

People with ongoing social care needs, who also make regular and ongoing use of relevant NHS services.

People eligible for section 117 aftercare services and people of all ages with ongoing mental health needs who make regular and ongoing use of community based NHS mental health services.

People leaving the armed forces, who are eligible for ongoing NHS services.

People with a learning disability, autism or both, who are eligible for ongoing NHS care.

People who access wheelchair services whose posture and mobility needs impact their wider health and social care needs.

The outcome of the consultation was hugely positive, with 87% of respondents, on average, agreeing with each proposal made. At the same time, respondents outlined their positivity for personalised care more broadly, citing the positive impacts personalised care can bring to people's lives.

We are committed to delivering an ambitious package of personalised care that will enable up to 5 million people to benefit in the next decade. As part of this ambition, we now intend to take forward work to extend the legal rights to people eligible for section 117 aftercare services, and people who access wheelchair services whose posture and mobility needs impact their wider health and social care needs. We will also continue to further explore both the other groups we consulted on, and additional groups who we believe could also benefit from having a right to have a personal health budget.

We want personalised care to become business as usual; and the ambitious package set out in this response, the "NHS Long Term Plan", and universal personalised care will enable us to do this.

[HCWS1349]

## INTERNATIONAL TRADE

### No Deal: Trade Continuity

**The Secretary of State for International Trade and President of the Board of Trade (Dr Liam Fox):** The Government are today publishing revised guidance to UK and international businesses that use preferential trade terms under existing agreements between the EU and third countries to advise them about a scenario in which the UK leaves the EU without a withdrawal agreement. While a number of our continuity agreements are likely to be concluded by exit day, it is the duty of the Government to produce a highly cautious list of those that both may and will not be in place in order that businesses and individuals ensure that they are prepared for every eventuality. A list of these agreements and related advice is available at: <https://www.gov.uk/government/publications/existing-trade-agreements-if-the-uk-leaves-the-eu-without-a-deal>.

If the UK leaves with a deal, under the withdrawal agreement the EU has agreed that it will notify treaty partners that the UK is to be treated as a member state for the purposes of its international agreements during the implementation period (IP), up until December 2020. This approach provides continuity and gives businesses and international partners the certainty and confidence they want and need.

Delivering a negotiated withdrawal agreement with the EU remains the Government's top priority. Nevertheless, we continue to prepare for all eventualities, including no deal. Therefore, in recent months, the Government have refocused discussions with third countries to transition trade agreements to come into effect for day one after

our EU exit, should the UK leave the EU without a withdrawal agreement. From the outset, we have been open and transparent with the EU about this programme of work.

### Scope of the trade continuity programme

The Government are seeking continuity for existing EU trade agreements in which the UK participates as a member of the EU. These agreements constitute around 11% of our trade<sup>1</sup>. These agreements also cover a wide variety of relationships, including:

- free trade agreements (FTAs);
- economic partnership agreements (EPAs) with developing nations;
- association agreements, which cover broader economic and political co-operation;
- mutual recognition agreements (MRAs) and;
- trade agreements with countries that are closely aligned with the EU.

Businesses in the UK and partner countries are eligible for a range of preferential market access opportunities under the terms of these agreements. These can include, but are not limited to:

- preferential duties for goods, including reductions in import tariff rates and quotas for reduced or nil rates of payable duties;
- quotas for the import of goods with more relaxed rules of origin requirements;
- enhanced market access for service providers;
- protection from discrimination in public procurement opportunities across a range of sectors;
- allowing parties to mutually recognise conformity assessment procedures;
- the ability to complete mandatory inspections and tests on products close to the place of production; and
- common standards on intellectual property.

The Government have been in extensive and constructive discussions with partner countries to transition these agreements to maintain their benefits and deliver as much continuity and stability as possible in our trade with these partners for businesses, consumers and investors as we leave the EU.

### Progress update

To date, the Government have signed trade agreements with Switzerland, Chile, the Faroe Islands, members of the eastern and southern Africa (ESA) economic partnership agreement, Israel and the Palestinian Authority.

The Government are also close to formal agreement on text with Fiji and Papua New Guinea (Pacific) and arrangements are being made for their signature. It is likely these agreements will be transitioned in time for day one of exit.

We have also signed mutual recognition agreements that allow continuity of trade with Australia and New Zealand, and the United States. Total UK-US trade in sectors covered by the US MRA agreement is worth up to £12.8 billion, based on recent average trade flows. These important agreements boost trade as UK exporters can ensure goods are compliant with trading partners' technical regulations before they depart the UK, saving businesses time, money and resources.

Discussions with other partners continue with the aim of replicating the effects of existing EU agreements as far as possible. We are continuing to engage with those other partner countries to conclude agreements in

time for exit day. Particularly intensive discussions are, for instance, happening now with partners such as SACU+M, EEA, Canada and South Korea. Other discussions are ongoing.

Where agreements have been signed and there are significant changes to trade-related provisions of trade agreements, including to ensure operability in a UK context, they will be set out in reports to Parliament. As is already the case with the Chile, ESA and the Faroe Islands agreements, the reports will sit alongside the treaty text and explanatory memorandum, when these are laid in Parliament as part of the treaty ratification process, as set out in the Constitutional Reform and Governance Act 2010. These and other relevant documents will be also placed on gov.uk when signed. Implementing legislation, including on the preferential tariffs and related rules of origin in these agreements will also be laid before Parliament. Details of these agreements will be available on gov.uk.

If the full parliamentary scrutiny processes to ratify some UK-third country agreements have not concluded by the end of March, we are considering whether there are other means through which we can bring their provisions into effect to provide the same certainty and continuity to business and stakeholders from day one.

One such option is provisional application, where the UK and the third country agree to apply a treaty, in full or in part, “provisionally” for a period of time before the full domestic scrutiny processes have completed and the treaty enters into force. Where possible, this would bridge a potential gap in coverage of preferential trade terms. The UK has used provisional application on a number of occasions in its independent treaty relations. The use of provisional application is also common practice for the EU’s international agreements.

If the UK leaves the EU without a deal, some agreements will not be concluded in time and therefore will not be in place for exit day. There are a range of reasons for this. Those agreements that will not be in place for exit day are Andorra, Japan, Turkey, and San Marino.

Certain countries raise specific issues in the context of transitioning trade agreements. For example, Turkey is in a unique position, being in a partial customs union with the EU. This is not, therefore, a pre-existing free trade agreement relationship that can be technically transitioned to the UK. For this reason, should the UK leave the EU without a withdrawal agreement it will not be possible to transition these arrangements on day one of exit. However, Turkey is an important partner for the UK, and we want to strengthen our trading partnership once we leave the EU. The Government are committed to exploring all options for enabling continuity of trade and will progress these with Turkey as soon as possible. For the same reasons, we will not reach trade continuity arrangements with San Marino or Andorra by 29 March in the event of a no deal.

The EU-Japan economic partnership agreement only entered into force as of 1 February 2019. In a no-deal scenario, it will not be possible to have a bilateral agreement in place between the UK and Japan for 29 March. Therefore, UK-Japan trade will occur on a most-favoured nation basis under WTO terms, as it did up until 31 January 2019. The Prime Ministers of Japan and the UK have, however, already agreed to secure an ambitious bilateral agreement, building on the deal already agreed between Japan and the EU, and Japan is

supportive of future UK membership of the comprehensive and progressive agreement for trans-Pacific partnership (CPTPP). We are continuing to work with Japan to realise these opportunities for a stronger trading relationship.

#### *Additional provisions*

The UK’s trade relationships are not just determined by trade agreements; we also participate in the EU’s generalised scheme of preferences (GSP), which allows developing countries, including least developed countries and low to lower-middle income countries to receive preferential access to the UK market. The Government fully intend to continue the existing market access provided by these unilateral preference schemes.

To do so we have taken the necessary powers through the Taxation (Cross-border Trade) Act 2018 to allow us to continue providing non-reciprocal reductions in tariffs to developing countries. Through this, the current beneficiaries of the EU’s GSP will be able to export to the UK after our EU exit on the same terms as at present. We will shortly be laying the necessary secondary legislation in Parliament.

This means that some countries will continue to be eligible for preferential tariff treatment under the UK’s newly established independent trade preferences scheme even if the relevant EU-partner country trade agreement has not yet been transitioned into a UK-partner country agreement.

Details of non-EU countries with whom we currently have in place arrangements for preferential trade, including both free trade agreements and unilateral preferences can be found at: <https://www.gov.uk/government/publications/uk-trade-tariff-preferential-trade-arrangements-for-countries-outside-the-eu/uk-trade-tariff-preferential-trade-arrangements-for-countries-outside-the-eu>.

<sup>1</sup> This 11% figure excludes Turkey (plus San Marino and Andorra) which is part of a customs union with the EU, and excludes Japan, as the economic partnership agreement only came into force on 1 February 2019 and therefore business have only very recently been trading under this agreement.

[HCWS1352]

## WORK AND PENSIONS

### Employment and Support Allowance

**The Minister for Disabled People, Health and Work (Sarah Newton):** This written statement is a fifth update to the House on progress in reviewing and, where necessary, correcting past employment and support allowance (ESA) underpayments and paying arrears following conversion from previous incapacity benefits.

Since my last update to the House in October 2018 we have made significant progress. Due to the complex nature of these cases they take considerably longer than the average ESA case to complete. To ensure we make rapid and accurate progress we have therefore increased the number of staff working on putting these cases right from around 400 to approximately 1,200. This additional resource has led to a substantial increase in the number of cases that we have reviewed, corrected and paid arrears where due.

We have made good progress and by 11 February had:

- started 310,000 claimants on the reassessment journey;
- paid arrears of over £328 million to 58,000 people; and,
- completed action on 207,000 cases<sup>1</sup>.

Based on the progress made since October we believe we are on track to complete work on the majority of the original 320,000 cases by April 2019 (phase 1). Unfortunately, some cases where the claimant sadly died prior to the exercise starting, are taking a significant period of time to resolve due to difficulties in identifying the next of kin or executors. There are around 20,000 deceased cases included in phase 1 that require review. While we continue to progress this work, we expect that the Department will need until the end of 2019 to complete these cases.

Following our announcement in July 2018 that we will review and pay cases back to the date they were converted from incapacity benefits to ESA, we are reviewing a further 250,000 cases (phase 2), as set out in October. Activity in respect of this group is due to start shortly, and we aim to complete phase 2 by the end of this year.

The cases included in this exercise were largely converted between 2011 and 2014. Revised operational guidance was put in place in October 2014 after individual cases that had been incorrectly converted came to light. As part of our commitment to correct all cases affected by this error, we decided to undertake additional testing of cases converted in 2015. This testing has shown that the error rate did not improve as quickly as expected and we

therefore believe that it is prudent to review around a further 30,000 cases, that were converted from 2015 onwards. This reflects our commitment to ensure all those who may have been affected are identified and paid the arrears they are due.

The Department is publishing an updated ad hoc statistical publication today setting out further detail on the progress it has made in processing cases, including an updated estimate on forecast expenditure and the numbers affected. This will be published on gov.uk.

These updated forecasts will feed into the spring statement 2019. The Department now estimates that around 600,000 cases require review and that by the end of the exercise around 210,000 arrears payments will have been made. The increase, compared to our previous estimate of 180,000, is based on assumptions made using evidence we have gathered from the checking exercise to date. The data shows an increase in the proportion of cases in error among some groups of claimants. In addition, based on sample testing we have also included an assumption of the proportion of errors likely to be identified in the further 30,000 cases that have been added to the exercise.

An updated frequently asked question guide will also be deposited in the Library of the House for further information.

<sup>1</sup> Some of these cases which were originally completed prior to our announcement in July 2018 that we will review and pay cases back to the date they were converted from incapacity benefits to ESA, will require further action.

[HCWS1348]

# Petition

Thursday 21 February 2019

## OBSERVATIONS

### HOME DEPARTMENT

#### Funding of the Avon and Somerset police force

*The petition of constituents of Bristol East constituency,*

Declares that Avon and Somerset Police have already had to make £65 million of cuts since 2010, with the loss of nearly 700 front line police officers; and further that The Police and Crime Commissioner and Chief Constable have now warned in their report “The Tipping Point” that the force cannot sustain any further cuts- as proposed by the Government—without extremely serious consequences.

The petitioners therefore request that the House of Commons urges the Government to give Avon and Somerset Police the resources they need to police our streets, prevent crime and protect the public.

And the petitioners remain etc. — [*Presented by Kerry McCarthy, Official Report, 5 December 2018; Vol. 650, c. 1026 .]*

[P002302]

*Observations from the Minister for Policing and the Fire Service (Mr Nick Hurd):*

The report mentioned in this petition (“The Tipping Point: The case for a safe, sustainable and fair funding settlement for Avon and Somerset Constabulary”) was published in September 2017. In 2017 I engaged with every police force in England and Wales to understand the demands they face. In response the Government enabled Police and Crime Commissioners (PCCs) to protect their funding in 2018-19 real terms including council tax precept. For Avon and Somerset, this meant an increase in funding of £8 million.

Next year, the Government are going further. We are enabling an increase in total police funding of up to £970 million compared to 2018-19, including precept, pensions funding and national investment. For 2019-20 the Avon and Somerset PCC will receive £302.9 million, an increase of £21.2 million on 2018-19 following the PCCs decision to use their precept flexibility.

Decisions about the number of police officers in Avon and Somerset and how they are deployed are matters for the Chief Constable and democratically accountable PCC. They are responsible for ensuring the needs of the local community are met. I am pleased, therefore, to note that the PCC has set out her intention to use the improved financial settlement for 2019-20 to recruit an additional 100 police officers.



# ORAL ANSWERS

Thursday 21 February 2019

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Thursday 21 February 2019

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**not later than  
Thursday 28 February 2019**

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