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6 March 2019**

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**HOUSE OF COMMONS
OFFICIAL REPORT**

**PARLIAMENTARY
DEBATES
(HANSARD)**

Wednesday 6 March 2019

House of Commons

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The House met at half-past Eleven o'clock

PRAYERS

[MR SPEAKER *in the Chair*]

Oral Answers to Questions

NORTHERN IRELAND

The Secretary of State was asked—

Devolved Government

1. **Jack Brereton** (Stoke-on-Trent South) (Con): What progress has been made on restoring devolved government in Northern Ireland. [909557]

9. **Ross Thomson** (Aberdeen South) (Con): What progress has been made on restoring devolved government in Northern Ireland. [909566]

The Secretary of State for Northern Ireland (Karen Bradley): On the first day of Lent, we continue our feast of Northern Ireland business.

I am working closely with the main Northern Ireland parties to restore devolved government. I met the five main political parties on 15 February, and again—with the exception of one party—on 1 March. Northern Ireland needs a functioning Executive and Assembly, and that is what the Government are determined to achieve.

Jack Brereton: I commend my right hon. Friend's efforts. What steps is she taking to ensure that Northern Ireland has good governance and political stability in the absence of devolved government?

Karen Bradley: My hon. Friend has made the important point that in the absence of Ministers at Stormont, it is incumbent on the Government to ensure that, when necessary, steps are taken to ensure that there is good governance. Yesterday we legislated to put the 2018-19 budget on a statutory footing, and today we will legislate to set the regional rates and cost-cap the renewable heat incentive scheme.

Ross Thomson: Does my right hon. Friend agree that, as in Scotland, it is vital for us to respect the need for devolution in Northern Ireland? Does she share my concern about the fact that four of the five parties in Northern Ireland want devolution to work, and only one party is holding up the process?

Karen Bradley: I think that all parties and all politicians in Northern Ireland want devolution to work. We want to find a way through this. My hon. Friend is absolutely right: there is no alternative to power-sharing devolution that is good and sustainable in the long term for the people of Northern Ireland.

Nigel Dodds (Belfast North) (DUP): The Secretary of State knows, and the whole House knows, that there was violence on the part of dissident republicans even when we had devolution. However, given yesterday's improvised explosive devices and the link to dissident republicans, can she tell the House whether there is any prospect of the security threat level being raised, and does she have any more information about the origins of those devices?

Karen Bradley: The threat level in Northern Ireland—the level of threat from Northern Ireland-related terrorism—is “severe”, and there is currently no suggestion that it will change. I had a conversation with the Chief Constable this morning. In respect of the specific incident to which the right hon. Gentleman has referred, these are the early days of an ongoing investigation, and it would not be appropriate for me to say anything further at this stage.

Nigel Dodds: I thank the Secretary of State for that information, but she will understand the concern that is out there about those devices being sent through the post. May I urge her to ensure that the lack of devolution does not hamper the introduction of any powers or resources that the Chief Constable may need in Northern Ireland—or, indeed, here on the mainland—for the purpose of combating such a terrorist threat?

Karen Bradley: I can assure the right hon. Gentleman of that. Despite the lack of a devolved Executive, we now have a fully constituted Policing Board to ensure that we have proper governance arrangements in Northern Ireland. That step was taken after the House passed the Northern Ireland (Executive Formation and Exercise of Functions) Act 2018. However, the right hon. Gentleman is right: we need to ensure that the police have the powers that they need, throughout the United Kingdom, in order to challenge and deal with the threat of terrorism.

Maria Caulfield (Lewes) (Con): Given that the majority of the parties in Northern Ireland want the Assembly to be restored, would the Secretary of State consider restoring an Assembly of the willing?

Karen Bradley: My hon. Friend has made a good suggestion, which has also been made by a number of parties. However, the Government are steadfast in their commitment to the institutions established under the Belfast/Good Friday agreement and its successors. I want those institutions to be fully restored, and that is what I am working to achieve.

Owen Smith (Pontypridd) (Lab): One way in which the Secretary of State might rebuild some of the trust between the political parties that is necessary for the restoring of devolution would be to make political funding in Northern Ireland more transparent. Will she tell the House whether, and when, she will agree with the Electoral Commission, and backdate the funding legislation to 2014?

Karen Bradley: The measures that were taken in the House in respect of transparency of donations were taken with the support of the five main political parties in Northern Ireland, and with broad support across those parties. I will look carefully at the hon. Gentleman's suggestion, but we must be clear about the need to ensure that such measures are supported in Northern Ireland.

Karin Smyth (Bristol South) (Lab): The Secretary of State set herself a deadline of 26 March in the Northern Ireland (Executive Formation and Exercise of Functions) Act. Has she asked her right hon. Friend the Prime Minister to clear her diary so that she will be available to support that final push to restore devolution, as the Prime Minister was available in February 2018?

Karen Bradley: The Prime Minister takes a very keen interest in all matters in Northern Ireland; she has visited Northern Ireland on a number of occasions and regularly meets the main parties from Northern Ireland, both here in Westminster and in Northern Ireland. However, the hon. Lady is right to point out that the Act expires on 26 March and I am looking carefully at what we can do to ensure there is decision making after that date.

Business Community

2. **Tom Pursglove** (Corby) (Con): What recent steps she has taken to support Northern Ireland's business community. [909558]

The Minister of State, Northern Ireland Office (John Penrose): The Secretary of State and I have frequent discussions and meetings with Northern Ireland businesses; in the last few weeks I have met Newry chamber of commerce and trade, Thales, and Willowbrook Foods, and tomorrow I will meet Bombardier. The Government have provided £3.5 million for Queen's Belfast precision medicine centre, £700,000 for Randox diagnostics, and £1 million for Northern Ireland SME research and development. This afternoon, we will legislate to hold business rates at a 0% real-terms rise as well.

Tom Pursglove: I very much welcome that work, but what specific steps has the Minister taken to promote Northern Ireland internationally as a successful business hub and first-class place to invest?

John Penrose: The numbers speak for themselves: over 900 international companies have already invested in Northern Ireland, supported by Government investments such as the ones I have mentioned in global sectors such as biomedicine and defence. Political stability has been a key foundation of this success, which is why restoring devolved government at Stormont is critical.

Lady Hermon (North Down) (Ind): How is the Minister going to reassure the business community today, after the very serious warning by the head of the Northern Ireland civil service, David Sterling, that there will be grave consequences if we have a no-deal Brexit?

John Penrose: I think a number of people will have raised their eyebrows at such politically charged comments from a civil servant. The point I would make is simply this: we have a meaningful vote coming up in this place next week where the Attorney General and the Prime Minister will be able to come back and tell us the fruits of their discussions in Brussels. The simple answer to avoiding any of the scenarios that people may or may not agree with which were being painted by David Sterling is to find a deal that will work and which therefore means we will not be in no-deal territory. That will, I hope, solve the problem for everybody.

Dr Andrew Murrison (South West Wiltshire) (Con): Is the Minister concerned about the possible impact on small businesses of the changes proposed to non-domestic renewable heat incentives in the legislation that we are about to consider, and is he particularly cautious about advice he may be receiving from the energy Department, because it was that that Department that got us into this fix in the first place?

John Penrose: Without wanting to prejudice this afternoon's debate—as my hon. Friend the Northern Ireland Affairs Committee Chairman has said, we will be going through this in a lot more detail—he is absolutely right that the renewable heat incentive scheme has been the subject of a great deal of concerned commentary, because it has dramatically broken its budgets and is not a sustainable solution. I think everybody is treating any proposals with a great degree of concern and scrutiny because of that history, and I am sure we will have a chance to go through it in more detail, and we will try to ensure that any proposals that are legislated on do not suffer from the faults that existed in the previous version.

Jamie Stone (Caithness, Sutherland and Easter Ross) (LD): I have been married to a lady from County Armagh for quite some time. [HON. MEMBERS: "Hear, hear."] Through my marriage I have come to know the image of Northern Irish food products, such as Black Bush, Tayto crisps and Flanagan's most excellent sausage from the city of Armagh. Do the Government agree that marketing Northern Ireland's special food could be one way to boost business in Northern Ireland, not just within the UK but to a world market?

John Penrose: Something that Britain and the UK have cottoned on to later than many other parts of the world is the notion of local food and its marketability, along with our ability to forge a local brand not just for food but for tourism more broadly as well. In congratulating the hon. Gentleman on his marital status, and his success in that regard, I am sure he is on to something important as well.

Mr Speaker: No reason to doubt that at all.

Leaving the EU: No-Deal Preparations

4. **Alan Brown** (Kilmarnock and Loudoun) (SNP): What support the Government is providing to Northern Ireland for preparations for the UK leaving the EU without a withdrawal agreement. [909561]

8. **Tommy Sheppard** (Edinburgh East) (SNP): What support the Government is providing to Northern Ireland for preparations for the UK leaving the EU without a withdrawal agreement. [909565]

The Secretary of State for Northern Ireland (Karen Bradley): Leaving with a deal on 29 March is our clear objective, and that is what we are working towards. It remains, however, the responsibility of the UK Government to continue preparations for the full range of potential outcomes, including no deal. As we do so, and as decisions are made, we will take full account of the unique circumstances of Northern Ireland.

Alan Brown: The reality is that, two days ago, a senior official with Her Majesty's Revenue and Customs told the Public Accounts Committee that even if border processes were announced today there would be "insufficient time for traders who wish to comply to get ready."

It was also admitted that while HMRC has been working on possible trade processes, it "cannot tell" traders. With 23 days to go to Brexit is that lack of clarity not an absolute disgrace?

Karen Bradley: I disagree with the hon. Gentleman. The Government are taking appropriate and responsible measures in the event that we end up with no deal, but there is a way to avoid no deal, and that is to vote for the deal next week.

Mr Speaker: Order. Just before I call the hon. Member for Edinburgh East (Tommy Sheppard), I hope that the whole House will wish to join me in congratulating him on a very special birthday today. I cannot believe that he is the age that I have been advised he is, but I suppose all things are possible. He seems in very good nick to me.

Tommy Sheppard: Thank you, Mr Speaker. Let me assure you that, contrary to popular belief, my political conviction has not been moderated or mellowed by the passing of the years. The latest Northern Ireland budget included £16.5 million for the Police Service of Northern Ireland to prepare for Brexit. Will the Secretary of State tell us how much of that money is being allocated to the policing of border infrastructure, either at the border itself or some distance away from it?

Karen Bradley: Mr Speaker, may I join you in wishing the hon. Gentleman a very happy birthday? I hope that he gets to enjoy it, and to enjoy some more Northern Ireland business later in the day, which he can come and join us for. He asks about spending on policing. The Government have ensured that the Police Service of Northern Ireland has the resources that it needs, but it is down to the Chief Constable to determine how that money is spent and how it is used operationally. I also remind the hon. Gentleman that we made it clear in the joint report that we were committed to no new infrastructure at the border and no related checks or controls.

Stephen Kerr (Stirling) (Con): Once we have left the European Union, one of the important aspects of the economic make-up of our country will be how the UK shared prosperity fund works. Will my right hon. Friend confirm that the fund will be run on a UK-wide basis, with the UK Government playing an important part on the ground in the devolved nations and regions of this country?

Karen Bradley: My hon. Friend is right to say that the UK shared prosperity fund will be an important part of our post-Brexit future. We are working as a Government to ensure that the UK fund is properly spent, and we will consult on it shortly.

Gavin Robinson (Belfast East) (DUP): The Secretary of State will have heard Mark Carney, the Governor of the Bank of England, yesterday in the Economic Affairs Committee in the other place downgrading his concerns around no deal as a result of national Government's preparedness. Does she have the same confidence in the preparedness of the Northern Ireland civil service?

Karen Bradley: The Northern Ireland civil service is working incredibly hard on no-deal preparedness. My officials hold regular meetings with civil servants in Northern Ireland. It would be better if we had devolved government, because there would be Ministers to whom those civil servants would be accountable, but I repeat that the best way to ensure that we do not need any of this preparedness is to vote for the deal.

Mr Speaker: Indeed.

Gavin Newlands (Paisley and Renfrewshire North) (SNP): Yesterday's letter from David Sterling, the head of the Northern Ireland civil service, gave the honest assessment that it was apparent that businesses in Northern Ireland were not adequately prepared for a no-deal Brexit. Who could possibly blame Northern Irish businesses for that, if the UK Government are not prepared either? Just ask the Transport Secretary. Given this stark advice, why will the Secretary of State not support the calls to take no deal off the negotiating table now?

Karen Bradley: I disagree with the hon. Gentleman, for whom I have enormous respect, when he says that the Government are not prepared for no deal. We are working towards preparing for all eventual outcomes, but we want to leave the European Union with a deal. We want to ensure that we respect the result of the referendum and leave with a deal, and the best way to do that is to vote for the deal.

Mr Speaker: Yes indeed.

Northern Ireland Assembly: Re-establishment

5. **Christian Matheson (City of Chester) (Lab):** What progress has been made towards the re-establishment of the Northern Ireland Assembly. [909562]

The Minister of State, Northern Ireland Office (John Penrose): We debated this point at some length in the Northern Ireland Budget (Anticipation and Adjustments) (No. 2) Bill yesterday, and the frustration from all sides at the lack of a Northern Ireland Executive was palpable. As my right hon. Friend the Secretary of State mentioned earlier, she has met representatives of the five main political parties in Northern Ireland and the Irish Government recently, and I can confirm that discussions have been ongoing since then.

Christian Matheson: Does the Minister share my concern at the increasing polarisation of politics in the UK, and particularly in Northern Ireland? Is he satisfied that there is sufficient diversity and pluralism within political representation there to make the re-establishment of the Assembly a success?

John Penrose: We elect the politicians we deserve. The hon. Gentleman is absolutely right that there are periodic calls for a greater variety of representation and range of representation in this Parliament and, I am sure, in Stormont. The difficulty in Northern Ireland is that Northern Ireland's politics has been far more polarised for a long time. We are trying, collectively, on all sides, to usher it back towards the centre ground and co-operation at least.

David Simpson (Upper Bann) (DUP): Will the Minister acknowledge that the lack in re-establishing the Assembly is not down to this party? This party does not have red lines; one party is causing the difficulty, and that is Sinn Féin. Will the Minister acknowledge that?

John Penrose: I will quote the Labour party spokesman, who said yesterday that the existence of preconditions or red lines was frequently a facet of talks processes. The point is to get a process that allows us to overcome those preconditions. If we allow ourselves to be sidetracked in the first place by their existence, we will never get anywhere towards succeeding.

Stormont House Agreement: Legacy

6. **Dan Jarvis** (Barnsley Central) (Lab): What steps she is taking to ensure that the process for addressing the legacy of Northern Ireland's past commands public confidence and delivers on the objectives of the Stormont House Agreement. [R] [909563]

The Secretary of State for Northern Ireland (Karen Bradley): The Government are carefully considering over 17,000 responses to the recent consultation on legacy. We are determined to replace the current system with one that is fair, balanced and proportionate, and which commands widespread support.

Dan Jarvis: I thank the Secretary of State for her reply. She knows that our ability to secure a lasting peace depends on the support of all the communities involved. Will she assure the House that, when working to address the legacy of Northern Ireland's past, she will be considerate of our Army and armed forces veterans, many of whom are now pensioners?

Karen Bradley: I absolutely agree with the hon. Gentleman. I am grateful to him, as we have been able to speak personally about this matter, and to hear his words of advice and wisdom, because he has great experience and expertise in this area, and I value his contribution. I want to ensure that what we take forward and legislate for—something that has been needed since the 1998 Belfast agreement—commands widespread support. It has to command support in this House, in the other place and in Northern Ireland, and it absolutely has to work for our veterans.

Emma Little Pengelly (Belfast South) (DUP): Well over 90% of the murders and injuries caused during the troubles in Northern Ireland were caused by acts of terrorism. Very few prosecutions and investigations are under way and innocent victims are being left behind, with thousands of unsolved cases. When will the Secretary of State address that issue and put in place a mechanism to investigate the acts of terrorism—over 90%—that caused those murders and injuries?

Karen Bradley: The hon. Lady sets out the figures very powerfully—over 90% of the killings during the troubles were at the hands of terrorists. Every single one of those was a crime. The under 10% that were at the hands of the military and police were not crimes; they were people acting under orders and instructions, fulfilling their duties in a dignified and appropriate way. I look forward to working with her more to ensure that we can deliver the much-needed reforms and changes that we all want to see—[*Interruption.*]

Mr Speaker: Order. I very much hope that the hon. Member for Barnsley Central is not indisposed. It is most irregular to beetle out of the Chamber before the exchanges on the question have concluded. The hon. Gentleman is normally the very embodiment of courtesy, so if he is not feeling well, I hope he gets well soon; if he is well, he had better get back into the Chamber sooner rather than later. It is an elementary rule that new Members must grasp: do not leave the Chamber until the exchanges on your question have been completed. I am sure you are all interested in the views that other people wish to express as well as in your own. I am sure I can say that without fear of contradiction.

EU Withdrawal Agreement: Backstop Protocol

7. **Sir Edward Leigh** (Gainsborough) (Con): What recent discussions she has had with Cabinet colleagues on the backstop protocol in the EU Withdrawal Agreement. [909564]

The Minister of State, Northern Ireland Office (John Penrose): My right hon. Friend asks what discussions the Secretary of State has had with Cabinet colleagues about the Irish backstop. The short answer is, a lot. The country and this Parliament seem to have been discussing little else for weeks, and it is the same with knobs on for the Cabinet.

Sir Edward Leigh: Surely, never has something so important, namely Brexit, been put at risk in preventing something that will never happen, namely a hard border in Northern Ireland. Why will the EU, the Irish Republic and the United Kingdom Government simply not attach an instrument to the withdrawal agreement, making it clear that we will never impose a hard border in Northern Ireland? That can be achieved in time and with good will, first with customs arrangements, then with a free trade deal backed by technology. It is so simple—let us do it.

John Penrose: My right hon. Friend raises a creative potential legal solution, which he discussed in an Adjournment debate two weeks ago. The whole House will know that the Attorney General is currently involved in detailed negotiations on how to modify the backstop in line with Parliament's wishes. Ultimately, it must be for him to judge whether my right hon. Friend's proposal gets him closer to a legally effective solution that will allow him to change his advice. I will make sure that the Attorney General is aware of the proposal so that he can incorporate it if it is worth while.

Mr Gregory Campbell (East Londonderry) (DUP): From the Minister's discussions with ministerial colleagues, can he indicate whether they are indicating to him that, at this very late stage in our discussions with the European Union, a sliver of light is beginning to emerge that the EU understands the need for a fundamental change to the backstop?

John Penrose: I suspect that is well above my pay grade. I am sure we would all want to hear what the Attorney General and the Prime Minister have to say when it comes to the meaningful vote next Tuesday.

Security Situation

10. **Mr Ranil Jayawardena** (North East Hampshire) (Con): What recent assessment she has made of the security situation in Northern Ireland. [909568]

The Secretary of State for Northern Ireland (Karen Bradley): The threat from dissident republican terrorism continues to be severe in Northern Ireland. This Government's first priority is to keep people safe and secure. Vigilance against this continuing threat is essential, and we remain determined to ensure that terrorism never succeeds.

Mr Jayawardena: Can my right hon. Friend shed light on reports in *The Times* that my right hon. Friend the Defence Secretary plans to bring forward a limit on the prosecution of veterans in the Queen's Speech? As my right hon. Friend the Member for Uxbridge and South Ruislip (Boris Johnson) argued in *The Daily Telegraph*, we must stop gesture politics and start delivering natural justice.

Karen Bradley: My hon. Friend should not believe everything he reads in the newspaper. I assure him that I am working closely with the Defence Secretary, the Attorney General and Members on both sides of the House to ensure we can deliver a new system that works for the people of Northern Ireland, that works for the victims of terrorism and, very importantly, that works for our veterans and retired police officers.

David Hanson (Delyn) (Lab): Where are we with the European arrest warrant in three weeks' time?

Karen Bradley: The way to guarantee that the European arrest warrant continues in three weeks' time is to vote for the deal.

Jim Shannon (Strangford) (DUP): There has been a bomb attack in Londonderry; there have been various shootings across Northern Ireland; and we had three parcel bombs at Heathrow airport, London City airport and Waterloo station yesterday originating from the Republic of Ireland—at least the postage did. What discussions has the Secretary of State had with her equivalent in the Republic of Ireland to address these issues, which clearly show that the Republic of Ireland is a haven for terrorists?

Karen Bradley: We discussed the matters of cross-border security and east-west relations at both British-Irish Intergovernmental Conferences in the past 12 months. Close work between the Garda and the Police Service of Northern Ireland is imperative to ensuring the safety of us all.

Ian Paisley (North Antrim) (DUP): Would the Secretary of State care to take the opportunity from the Dispatch Box to thank my constituent Alastair Hamilton, the soon to be former head of Invest Northern Ireland, for the 10 years of great service he has given to Northern Ireland in attracting the highest levels of inward investment our country has ever seen?

Karen Bradley: I am sure the hon. Gentleman is referring to the contribution that investment has made to the security of Northern Ireland, and he will notice that I have my Invest NI pen with me.

Tony Lloyd (Rochdale) (Lab): The idea that the European arrest warrant should be left to the lottery of whether the Prime Minister gets her legislation through simply

cannot be in the interests of the people of this country. Will the Secretary of State now get a grip, talk to the Prime Minister and insist that we get the European arrest warrant sorted, irrespective of the outcomes in this House next week?

Karen Bradley: I want to see access to the European arrest warrant, or a similar instrument, continue into the future. As a Minister in the Home Office, I worked very hard to ensure that we have access to the European arrest warrant as a United Kingdom, and I want to see it continue, but I gently remind the hon. Gentleman that there is a mechanism to ensure all these matters continue, and that is the withdrawal agreement—that means voting for the deal. *[Interruption.]*

Mr Speaker: Order. Before I call the hon. Member for Rochdale (Tony Lloyd) to ask his second question, let me say that a lot of noisy private conversations are taking place, including on the Government Benches, where I am sure Members wish to listen to their illustrious Secretary of State as she replies to the inquiries put to her.

Tony Lloyd: Thank you, Mr Speaker. The Secretary of State knows that the security situation also depends on trust. When David Cameron was Prime Minister, he recognised the special circumstances of the Pat Finucane case and established an independent inquiry into those circumstances. The Supreme Court decided last week that that was a flawed process. What remedy does the Secretary of State propose, unless it is indeed a second public inquiry?

Karen Bradley: The judgment from the Supreme Court on the Pat Finucane case came out last week. It is a complicated matter, because although the judgment says that the article 2 obligations on the Government have not been thoroughly fulfilled, it does not suggest the next stage forward. I am looking carefully at the judgment and considering the next steps.

UN Committee on the Elimination of Discrimination against Women

12. **Alison Thewliss (Glasgow Central) (SNP):** What steps she is taking in response to concerns raised by Northern Ireland's women's sector representatives at the UN Committee on the Elimination of Discrimination against Women. [909571]

The Secretary of State for Northern Ireland (Karen Bradley): The Government recognise the sensitivity of this issue and the range of views expressed by stakeholders on all sides of the debate. We take our obligations under the convention seriously, including having had positive dialogues with the committee very recently.

Alison Thewliss: On 25 February, at CEDAW, the Women's Aid Federation Northern Ireland raised a series of concerns, including on the lack of a gender equality strategy and a violence against women strategy, on a gendered approach to post-conflict transition not being applied and on the disproportionate impact of UK Government policies such as the two-child policy

and the rape clause. What is the Secretary of State going to do about this? Why will she leave women in Northern Ireland behind?

Karen Bradley: I absolutely disagree that that is what this Government are doing. We are determined to ensure that we fulfil all our obligations on human rights matters. Many of the matters raised by CEDAW need to be legislated for in Stormont, which is why we need devolved government in Stormont sooner rather than later.

Sir Jeffrey M. Donaldson (Lagan Valley) (DUP): The Secretary of State will know that in Northern Ireland many women believe that both lives matter. Does she agree that this is an issue to be dealt with by the Northern Ireland Assembly and Executive and that we should respect the devolution settlement? It is disappointing that the Scottish National party wants to breach the devolution settlement.

Karen Bradley: I do agree with the right hon. Gentleman on that. Interestingly, even the majority of those people who say in polls that they want to see change to the abortion laws in Northern Ireland—about 64%—are very clear that they want those changes to be made in Stormont.

Several hon. Members *rose*—

Mr Speaker: Order. Colleagues, we are joined for Prime Minister's questions today—I know that the hon. Member for Stone (Sir William Cash) will be keenly interested in this announcement, rather than in his own no doubt fascinating private conversation—by the former Australian Prime Minister Malcolm Turnbull and the Australian high commissioner. They are both extremely welcome. We value our excellent relations with your country. We admire your nation. We respect your cricketers. And a lot of us have a particularly high regard for your illustrious tennis players. From this Speaker's point of view, none was greater than the illustrious "Rockhampton Rocket" Rod Laver.

PRIME MINISTER

The Prime Minister was asked—
Engagements

Q1. [909622] **Tim Farron** (Westmorland and Lonsdale) (LD): If she will list her official engagements for Wednesday 6 March.

The Prime Minister (Mrs Theresa May): I am sure the whole House will join you in welcoming our Australian friends to the Gallery, Mr Speaker. I am reminded of the occasion when another former Australian Prime Minister, John Howard, visited this House. He watched Prime Minister's questions and commented afterwards that however lively PMQs was here, it was a vicarage tea party compared with Australia.

The death of anyone through an act of violence is an appalling tragedy. A growing number of young people have lost their lives in a cycle of mindless violence that has shocked us all. Our thoughts and prayers are with the friends and families of all the victims. The responsibility for these crimes lies with the perpetrators of them, but we must all do more to ensure that justice is served and to tackle the root causes of this violence so that we can bring it to an end and ensure the safety of our young

people. I will be holding a summit in No. 10 in the coming days to bring together Ministers, community leaders, agencies and others, and I will also be meeting the victims of these appalling crimes to listen to their stories and explore what more we can do as a whole society to tackle this problem.

I am sure the whole House will want to join me in paying tribute to Professor Lord Bhattacharyya who died, sadly, last week. His creation of the Warwick Manufacturing Group was truly a pioneering partnership between academia and industry. Our thoughts are with his family and friends, and I know he will be sorely missed.

This morning, I had meetings with ministerial colleagues and others. In addition to my duties in this House, I shall have further such meetings later today.

Tim Farron: I associate myself with the Prime Minister's remarks and pass my condolences on to the families and loved ones of those who have been the victims of tragic crimes this week.

Britain spent £27 billion on bailing out the banks, and they have repaid us by closing down 3,000 branches since 2016, including the last branch in Grange this week. They have also failed to compensate innocent customers who have lost £2 billion in fraud. Does the Prime Minister agree that the banks have taken without giving for far too long, and will she meet me so that we can force the banks to compensate the victims of fraud and the communities that they have abandoned and prevent them from closing the last branch in town?

The Prime Minister: The hon. Gentleman talks about banks closing branches; of course, as people's behaviour in terms of their access to their finances changes, banks respond to that. They are commercial organisations and those are decisions that they take. He talks about compensation, which is of course an issue that has been raised across the House in the past, and it has been taken up and is being looked at by the financial services ombudsman.

Q2. [909623] **Simon Hoare** (North Dorset) (Con): Today sees the start of Lent, traditionally a time of abstinence and giving things up. Recently, it has become a season of doing something new and positive. Does my right hon. Friend agree that it would do our national soul some good if we all took up voting with the Government to leave the EU with her good deal and in an orderly fashion on 29 March?

The Prime Minister: I thank my hon. Friend, who has put forward a positive suggestion for Members of this House, during Lent, to vote with the Government in the meaningful vote. Then, of course, across the House we would all be able to give up being a member of the European Union on 29 March.

Jeremy Corbyn (Islington North) (Lab): I join the Prime Minister in paying tribute to Lord Bhattacharyya, who died last week. As she said, he was a champion of the car industry and manufacturing in general, and he played a key role in saving Jaguar Land Rover, not only safeguarding jobs but, crucially, ensuring that international research is done in the UK. We thank him for everything he did.

Tomorrow is International Women's Day, and I am delighted that for the Opposition the debate will be opened by my hon. Friend the Member for Lewisham East (Janet Daby), who is herself the daughter of people from the Windrush generation. We will be making the case for closing the gender pay gap, as we are determined to improve the lot of women in our society. In that vein, may I congratulate the hon. Member for Liverpool, Wavertree (Luciana Berger) on giving birth to a son this morning?

I join the Prime Minister in sending our thoughts and prayers to the families of those who have lost young people. Yousef Makki and Jodie Chesney, both 17 years old, were the ninth and 10th teenagers murdered already this year. Two hundred and eighty-five people have been stabbed to death in the past year—the highest level ever. I welcome the fact that the Prime Minister has announced that Cobra is being convened, but what extra funding is being provided to address the root causes of both knife crime and the increasing levels of violent crime on the streets of all our towns and cities?

The Prime Minister: First, I join the right hon. Gentleman in congratulating the hon. Member for Liverpool, Wavertree (Luciana Berger) on the birth of her son. We are all pleased to hear that that has gone well. In relation to International Women's Day, I am pleased that today marks the launch of the book by his hon. Friend, the hon. Member for Leeds West (Rachel Reeves), "Women of Westminster: The MPs Who Changed Politics". I hope that that book will be an inspiration to other women to come into politics and have a career in this House. I congratulate the England women's football team, who last night won the SheBelieves cup, defeating Japan in doing so.

The right hon. Gentleman raises the specific question of knife crime, which I referred to in my opening comments. Of course, as I said, any death of a young person through an act of violence is a terrible tragedy, and we have seen too many young lives—too many lives of promise and potential—being cut short. Responsibility for these terrible crimes does lie with the perpetrators, and we will always stand with the victims to ensure that criminals are brought to justice. We will defeat the scourge of violence only if we understand and address its complex root causes. Yes, that does mean ensuring that all agencies, including the police, have the right resources and powers to do their jobs. It means tackling the drug crime that is fuelling gang violence in our cities and exporting it across the country, and it means intervening at every stage to turn young people away from violence, and that is exactly what the Government are doing.

Jeremy Corbyn: Many of us in this House will have sat in the living rooms of homes where a young person has lost their life through knife crime and will never forget that experience and never forget that feeling of hopelessness and loss that those families are going through. We owe it to those families and those young people who have lost their lives to do far more about knife crime and far more about ensuring that there are sufficient resources for the police to deal with it. Sara Thornton of the National Police Chiefs Council said:

"We think we need much stronger leadership from Government...and there needs to be more funding."

The Metropolitan Police Commissioner said yesterday that, of course,

"there is some link between violent crime on the streets...and police numbers."

A total of 21,000 police officers' jobs have been cut. Violent crime is at the highest level since comparative records began. If there are sufficient police numbers, can the Prime Minister please explain why, yesterday, the Defence Secretary was offering to send in the military to assist with knife crime?

The Prime Minister: The Metropolitan Police Commissioner has recognised that the causes of knife crime are complex, and she has said:

"The police alone won't sort this issue out, we can't arrest our way out of this problem."

I agree, which is why we need to tackle it across a number of fronts. We must continue to enforce the laws that bear down on violent crime. That involves the Offensive Weapons Bill in which we introduced the knife crime prevention orders. Those orders were asked for by the police, and we are introducing them. We will intervene early to stop young people going down into a life of crime and becoming involved in crime. We have published the serious violence strategy, and the serious violence taskforce is working. We have also put £200 million into the youth endowment fund, and our early intervention youth fund has already funded 29 projects working with police and crime commissioners. We do ensure that police have the right resources: £460 million more is available this year and nearly double that—nearly £1 billion extra—is available next year. We also need to ensure that we understand the different use and misuse of drugs that is fuelling much of this crime. That is why my right hon. Friend the Home Secretary has set up the independent drugs misuse review, which will be led by Dame Carol Black.

Jeremy Corbyn: The police clearly do not have the resources to deal with the problem: safer neighbourhood teams have been cut and community police officers have been cut. Many areas see no police officers at all. There is nobody to supervise these special orders that the Prime Minister is talking about. Perhaps she will listen to Nazir Afzal, the former chief prosecutor of Greater Manchester. Tragically, his 17-year-old relative was recently stabbed to death in Birmingham. He said:

"When you reduce police numbers by 21,000...there isn't the intelligence any more, there isn't the neighbour policing any more".

Does the Prime Minister now regret the cuts in police numbers, and in this review will she undertake to restore them to their former level?

The Prime Minister: As I have just indicated, we are putting more resources into the police. [*Interruption.*] It is no good Opposition Members standing up saying, "No, you're not." It is a fact that more money is being put into the police this year and that more money is being put into the police next year. The real question is not are we putting more money into the police, because we are, but why did the Labour party oppose that money going into the police.

Jeremy Corbyn: Violent crime has doubled under the Tories' watch. I have had a letter from Mike in Gosport—[*Interruption.*] Yes, it is important; he has something to say. Mike says:

“The crime rate has run out of control because there is no police presence...it has become a really unsafe town to live in”.

I think Mike speaks for millions of people around the country. When are towns such as Gosport and others going to get resources for the safer neighbourhood teams, and the local police they need to tackle rising violent crime and to provide the intelligence from which arrests can be made of those who have committed these crimes?

The Prime Minister: As we make more resources available to the police, they are available to forces across the country, including Hampshire. Of course we look at the powers and resources that the police need. That is why we are not just putting more resources in, but increasing the powers that the police have. We introduced knife crime prevention orders in the Offensive Weapons Bill. That is an important step, which we have taken because the police asked us to. If the right hon. Gentleman wants the police to be able to do their job on the streets, he needs to tell this House why he voted against the measures we introduced to increase the powers of the police to deal with those carrying knives and to apply custodial sentences in the cases of those who are caught twice carrying knives.

Jeremy Corbyn: Crime went down when Labour was in office. We increased the numbers of police officers and the safer neighbourhood teams. Police officers are telling me that there are simply not enough of them to do the job. Hampshire alone has lost 1,000 police officers, and its funding has been cut by £70 million. Does the Prime Minister understand the scale of need here?

The Local Government Association says that local services face a funding gap of £3.2 billion this year. By the way, that is double—in one year alone—what the stronger towns fund is offering over seven years. The number of rapes, murders and other serious crimes committed by offenders on parole has risen by more than 50% since the privatisation of the probation service was introduced four years ago. At least one company wrongly classified offenders as low risk in order to meet Government targets. Do the Government now accept that privatising the probation service to profit-making companies has been a disaster that should be reversed, and that the probation service should be brought back completely into the public service?

The Prime Minister: When we are looking at issues of probation, we want to ensure that we are genuinely reducing the level of reoffending. That is about a rehabilitation method that looks at a variety of issues, including the home of an individual coming out of prison, their employment and their relationship with their family. This was not done fully under the last Labour Government, which is why we saw such a high level of reoffending rates and it is why we need to take action.

The right hon. Gentleman keeps raising these issues, and I welcome the fact that he is accepting that dealing with serious violence and knife crime requires us to act across a number of areas. For example, it is about the work that we are doing with young people, and supporting intervention in hospital accident and emergency departments. We are expanding our support to the charity Redthread, which has introduced its youth violence

intervention work in hospitals in Birmingham and Nottingham, as well as in London. We are also supporting the £3.6 million national county lines co-ordination centre.

In just two separate weeks of law enforcement action, we have seen more than 1,000 arrests and 1,300 individuals being safeguarded. We commend all the police officers and other agencies involved in that work. The Government are giving them the support that they need to do their job.

Jeremy Corbyn: The problem is that violent crime has doubled. The rise has been driven by austerity—something that the Prime Minister told us a few months ago was over. Cuts to police and rising poverty; the police and the Home Office recognise the link, even if the Prime Minister does not. But the issues are wider: the privatisation of the probation service has been a disaster; mental health services are under-resourced; youth and children's services are in crisis; more than 600 youth centres have been closed; 3,500 youth workers have lost their jobs; funding for colleges and schools has been cut; and exclusions are rising. The public services that were there to support young people have been systematically stripped away, and everyone can see the consequences. Can the Prime Minister not recognise that there has to be a holistic response? We cannot keep communities safe on the cheap, with cuts and privatisation. We have to invest in all our communities in every part of this country—something that this Government are incapable of doing.

The Prime Minister: We put more money into our local authorities; the right hon. Gentleman voted against it. We put more money into our police—[*Interruption.*]

Mr Speaker: Order. There is a very discordant noise from Opposition Back Benchers. The question has been asked—and, broadly speaking, heard—and the answer will be heard.

The Prime Minister: We have put more money into our schools—£2.6 billion over these two years. We are putting more money into our local authorities—£1.3 billion next year, voted against by the right hon. Gentleman and the Labour party—and more money into our police: nearly £1 billion extra available to them next year, voted against by the right hon. Gentleman and the Labour party.

The right hon. Gentleman stands up here and talks about austerity. If he is that concerned about austerity, you would think that he would want to make sure that it could never, ever happen again. Let us remember why we had to take those measures—because of the state of the economy left by the Labour party. But what would his policies mean? Higher borrowing, higher taxes, crashing our economy, less money for our public services—he would take us right back to austerity, square one.

Q8. [909629] Huw Merriman (Bexhill and Battle) (Con): Across the country, freeholders and leaseholders are being ripped off by management companies charging excessive service charges, often for services they do not require. Many of these people are vulnerable pensioners who are trapped in McCarthy & Stone properties with their asset depreciating thanks to the dominant involvement of FirstPort and Vincent Tchenguiz. May I ask the

Prime Minister for two reforms: first, ground rents at peppercorn levels for retirement homes; and secondly, bringing in a charging schedule and an automatic re-tendering process so that all freeholders and long lease holders can bid with their own community interest companies to deliver services that they actually require?

The Prime Minister: I recognise that this is an issue of real concern to many constituents. That is why we have committed to clamping down on those agents who abuse the system and protecting leaseholders and renters who are suffering at the hands of rogue agents, every day, from unexpected costs or from poor-quality repairs for excessive fees. We have asked Lord Best to chair a working group to look at regulating and professionalising property agents that will include reviewing the standards around the transparency of service charges and other fees and charges—how they are presented to consumers—and putting them into a statutory code for managing agents. But I am sure that my right hon. Friend the Communities Secretary will have heard the issue that my hon. Friend has raised and be happy to meet him to discuss this further.

Ian Blackford (Ross, Skye and Lochaber) (SNP): Tove Macdonald is 87 years old. She was brought up under Nazi occupation in Denmark. She has lived in Scotland for 59 years. Why, Prime Minister, is she being forced to register in a country she has called home for almost the last 60 years?

The Prime Minister: We want to ensure that EU citizens who are living here have their rights protected. We want to be able to ensure that they have the necessary support that they need and, indeed, the recognition of their status here in the United Kingdom. If the right hon. Gentleman is interested in defending and protecting the rights of EU citizens here in this country, then I hope he will vote for the deal, which does exactly that.

Ian Blackford: What a disgrace—a woman who has lived here for almost 60 years, and the Prime Minister wants her to register to stay here. Tove has children. She has grandchildren. She has married in Scotland. She has friends here. She has built her life here. Why is the Prime Minister making Tove register after almost 60 years? Will she end this heartless policy? Will she tell Tove and all EU citizens who have come to the UK to work, live and love that the UK is their home, without precondition?

The Prime Minister: We have consistently said to EU citizens who have been living here for many years, as in the example that the right hon. Gentleman gave, and others who have come here more recently that we recognise the contribution they have made to our society and our economy, and we want them to stay. That is why we put EU citizens' rights at the front of the negotiations with the European Union. It is why we have negotiated those citizens' rights in the withdrawal agreement, and it is why this Government have given a confirmation and a guarantee that those rights will be protected even if we leave with no deal. That is the right way to protect the interests of EU citizens here in the United Kingdom. The right hon. Gentleman should recognise the commitment that this Government have given to all EU citizens in the United Kingdom. This is their home. We want them to stay, and they can stay.

Q11. [909632] Chris Philp (Croydon South) (Con): Five years ago, my constituent Barry Bednar's 14-year-old son Breck was brutally raped and murdered. The perpetrator is now serving a 25-year prison sentence. However, in recent months, the victim's family, including his teenage sister, have received repeated distressing and disturbing communications on Snapchat purporting to be from the perpetrator, graphically recounting the circumstances of the murder. The police have asked Snapchat to provide the data that would help them definitively identify who has been sending those messages—for example, data about the device from which the messages were sent—but Snapchat is referring the police to a mutual legal assistance treaty with the United States, and the police would have to go through a one-year process to get that vital data for their investigation. Does the Prime Minister agree that that is completely unacceptable? Will she join me in calling on Snapchat and other social media companies to promptly co-operate with police inquiries? If they do not do so, does she agree that legislation is required?

The Prime Minister: The case that my hon. Friend raises is one of great concern, and I know that Members across the House will want to join me in sending our sincerest sympathies to Breck's family. I would like to take this opportunity to pay tribute to Breck's mother for her brave and powerful campaigning on the wider issue of internet grooming.

The Ministry of Justice has assured me that it is urgently looking into this issue, and I am sure it will update my hon. Friend as soon as possible. I agree with him; we want social media companies to recognise the responsibility they have and to work with law enforcement agencies. I know that my right hon. Friend the Home Secretary has written to my hon. Friend, to meet him and hear more from the family. It has become increasingly difficult for UK law enforcement to access data containing information on threats to UK public safety if it is held or controlled in other countries. That is why the Government recently legislated—we passed the Crime (Overseas Production Orders) Act 2019, which will give law enforcement agencies the power to obtain electronic data controlled by providers outside the UK where an international agreement is in place. He mentioned the United States; we expect to establish the first such agreement with the United States.

Q3. [909624] Phil Wilson (Sedgefield) (Lab): As I raised with the Prime Minister a couple of weeks ago, Conservative Governments have taken £6 billion out of the north-east since 2010. The Government now propose to give back £15 million a year over seven years through the stronger towns fund. At that rate of repayment, can the Prime Minister tell the House by which century the moneys owed to the north-east will be repaid?

The Prime Minister: As the hon. Gentleman knows full well, we have been investing in the north of England. We have been investing in transport across the north of England. We have been investing in our public services. We are investing in the health service, and the north-east will benefit from that as well. Since 2010, in the north-east, there are over 35,000 more small businesses, more than 18,000 new affordable homes, and over 305,000 children

are in good or outstanding schools. That shows that the hard work of this Government is paying off, and the people of the north-east are benefiting.

Stephen Metcalfe (South Basildon and East Thurrock) (Con): Earlier this week, the owners of the Westgate shopping centre in Basildon terminated Smart Parking's contract after a disastrous nine months of operation. I have now discovered that Smart Parking has signed a shared business services agreement with the NHS. May I ask my right hon. Friend to ensure that, before any contracts are signed, the Department of Health and Social Care fully researches the impact that the practices of Smart Parking would have on its users, customers, clients and staff?

The Prime Minister: Obviously, my hon. Friend has raised an important issue, and the Secretary of State for Health and Social Care will be happy to meet him to discuss this further.

Q4. [909625] **Dan Jarvis** (Barnsley Central) (Lab): Amidst the noise of the Brexit debate, there is a real risk that we lose sight of the reasons why so many people voted to leave in the first place. I think that if we want to restore faith and trust, we need to devolve more political decision making away from Whitehall and closer to the people who will be affected by those decisions. Following on from the very constructive meeting that took place at Fountains Abbey in north Yorkshire with the Housing, Communities and Local Government Secretary and Yorkshire leaders on Friday, may I ask the Prime Minister personally to engage with the substance of the One Yorkshire devolution deal with a view to reaching an agreement that will best serve the interests of the people of Yorkshire? [R]

The Prime Minister: I think the hon. Gentleman is a living example of devolution of powers from Whitehall out to the areas through the mayoralty that he is serving. We recognise the discussion and debate there has been on the issue of Yorkshire devolution. The One Yorkshire proposals did not meet our criteria for devolution, but my right hon. Friend the Communities Secretary has met Yorkshire leaders and discussions are continuing. However, the priority remains the implementation of the agreed Sheffield city region deal, which will bring £900 million of investment to the local area, which I am sure the hon. Gentleman will welcome.

Julia Lopez (Hornchurch and Upminster) (Con): It was with profound sadness that I saw my constituency this week join the all-too-long list of areas across our country to have lost a precious young person to knife crime. The public do not want to see politicians throw blame at one another for these stolen lives; they want to see them take responsibility for what is within their control, provide resource if resource is necessary and then demonstrate a relentless and total commitment to snuffing out violent crime. I welcome the announcement of an emergency summit, but what action will the Prime Minister be taking after that constantly to drive performance on these issues until we get the result the public rightly demand—to keep children safe?

The Prime Minister: May I say to my hon. Friend, as I did earlier, that any death of a young person at the hands of violence is a terrible tragedy? I recognise, as

she says, that her constituency has seen just one of the latest examples of a young life cut short far too early. I also say to her that, yes, as I said, what we are doing is bringing together Ministers, local government, police and others—other agencies. This needs to be a cross-society approach to deal with this issue, because it is not just about catching the perpetrators of the crime; it is about preventing the crime from taking place in the first place.

That is one of the reasons why the Government will be launching a consultation on addressing this as a public health issue. There has been excellent work done under what was Strathclyde police force, now Police Scotland, looking at and using the public health approach. What that does is ensure that all agencies—not just across Government, but in local government and elsewhere—are able to be brought together to deal with this issue. What I want to do at that summit is to hear directly from those agencies what further action the Government can take, which we can then put in place to deal with the issue.

Q5. [909626] **Anna McMorris** (Cardiff North) (Lab): It is my daughter's 16th birthday on 29 March, and it is her generation that will be most impacted by Brexit. Perhaps the Prime Minister could give her an early birthday present, and delay Brexit until she has informed the House about the status of the police and National Crime Agency investigations after Vote Leave and Leave.EU were found guilty of corrupt activities by the Electoral Commission.

The Prime Minister: I think the hon. Lady has discussed the issue of delaying Brexit with me before, and I just simply say to her that this Parliament gave the people of the United Kingdom the decision to choose whether to leave the European Union or to stay in. They chose to leave the European Union. I think for trust in politics it is important that the Government deliver on just that.

Mr Richard Bacon (South Norfolk) (Con): Mr Speaker, you are right that the former Australian Prime Minister Malcolm Turnbull is very welcome here today. As he said in a lecture last night:

"If a state-sponsored adversary has enduring access to staff, software or hardware deployed into a target telecommunication network, then they only require the intent to act in order to conduct operations within the network."

Given that Chinese law obliges all Chinese companies to assist the Chinese intelligence services, will the Prime Minister explain what the implications are for British Government policy?

The Prime Minister: We look at these issues very seriously. As regards the issue of 5G security, we are looking at the right approach that we need to take. We want to be able to benefit from that new technology, but of course we need to manage the risks closely and we are considering a full range of policy options. Our review into 5G is still ongoing and no decisions have been taken.

Q6. [909627] **Kirsty Blackman** (Aberdeen North) (SNP): In January, 83% of Scottish MPs voted against the Prime Minister's deal. Last night, an historic vote took place in the Welsh Assembly and the Scottish Parliament, with both Parliaments simultaneously rejecting the

Prime Minister's deal. Is it not the case that the Prime Minister has no mandate from Scotland either for no deal or for her deal?

The Prime Minister: We entered the European Union as the United Kingdom; we will leave the European Union as the United Kingdom. I also say to the hon. Lady that the SNP has no mandate from the Scottish people to continue to pursue independence. *[Interruption.]*

Mr Speaker: Order. Calm! *[Interruption.]* Difference of opinion is the essence of politics. There is an elaborate combination of finger wagging and head shaking going on, which may be personally therapeutic but is institutionally disadvantageous. In any case, we owe the hon. Member for Taunton Deane (Rebecca Pow) a decent hearing. I call Rebecca Pow.

Rebecca Pow (Taunton Deane) (Con): Mr Speaker, I am not sure who is in charge of the washing machine in your house, but were you aware that every time you, I or anyone else puts a load of washing on, 700,000 tiny microfibres get washed down the drain and into the marine environment, causing untold damage?

Mr Speaker: It is a shared responsibility.

Rebecca Pow: The 68 million loads of washing done in the UK every week contribute a staggering 9.4 trillion microfibres to the environment. As many colleagues, including me, try to reduce their plastics use for Lent, in a campaign masterminded by my hon. Friend the Member for Chelmsford (Vicky Ford), will the Prime Minister agree that this is a great time to address the issue and carry on this Government's great record on the environment?

Mr Speaker: I think that by now the wash would have been completed. *[Laughter.]*

The Prime Minister: Despite the laughter, my hon. Friend has raised a very important issue. May I thank her for continuing to be a champion of our environment? She did an enormous amount of work that led to the Government ban on microbeads, and she is now raising the issue of microfibres. She mentions that Members across this House are seeking to reduce their use of plastic during Lent. I think that it is incumbent on all of us to seek to reduce our use of plastic, not just during Lent but for the time to come.

Q7. [909628] **Deidre Brock** (Edinburgh North and Leith) (SNP): As one of the Aussie MPs in this House, may I say how much I share your appreciation for Australian tennis players, Mr Speaker? I would add my personal favourite, Evonne Goolagong Cawley, who was such a brilliant inspiration to so many of us when I was growing up in Australia. For a year now, the Prime Minister has been refusing to answer my questions about the visit of AggregateIQ to Downing Street, so may I ask her about the visit of Alexander Nix of Cambridge Analytica to Downing Street in December 2016? It was reported in *The Spectator* "Coffee House" blog, but not in the transparency data. May I ask the Prime Minister whom Alexander Nix met in Downing

Street, what the purpose of the meeting was and—most importantly—why it was not reported in the transparency data?

The Prime Minister: The hon. Lady has raised a specific issue with me, which I will look into, but she says we did not respond on the question about AggregateIQ. My hon. Friend the Minister for the Constitution has written to her about this and responded to her query.

Antoinette Sandbach (Eddisbury) (Con): Women's football is one of the fastest growing sports in the world. I hope you, Mr Speaker, and my right hon. Friend the Prime Minister will welcome the £70 million investment Cheshire Football Association is putting into developing a women's football training centre in Winsford. May I invite the Prime Minister to come and open the facility—and take part?

The Prime Minister: I thank my hon. Friend for her invitation. Earlier, I was pleased to congratulate the England women's football team. I am sure the whole House will recognise the important work being done by Cheshire FA. I think it is a very exciting project. I welcome its commitment to providing this new world-class facility for women and girls' football in Cheshire. I will look very closely at her invitation. It sounds very interesting, but of course I cannot commit my diary on the Floor of the House.

Q9. [909630] **Mhairi Black** (Paisley and Renfrewshire South) (SNP): My constituent arrived early to her employment and support allowance assessment, as requested by her assessors, only to be told that she would have to wait another 90 minutes to be seen. She has an open wound, so sitting for any great length of time causes her great distress and pain. After her 90-minute wait she was told that she would not be seen and would have to make another appointment—I believe it is happening right now. Does the Prime Minister think it is right that my constituent has to go through this humiliating process all over again?

The Prime Minister: Obviously, the hon. Lady raises what sounds like a very distressing individual case. I will ensure that the appropriate Minister writes to her.

Ross Thomson (Aberdeen South) (Con): Last week, MPs heard harrowing testimony from family members of a man who tragically committed suicide because he faced the loan charge, a 20-year retrospective tax facing thousands of families in my constituency and across the UK. On 9 January the Prime Minister said that the Government accepted the review into the loan charge, yet the all-party group on the loan charge was only advised this week by the Treasury that there is no such review. The Treasury has acted in bad faith, so will my right hon. Friend now personally intervene to ensure a genuine review and an urgent delay of the loan charge, so that the review, as promised, can be carried out?

The Prime Minister: My hon. Friend raises an issue which is of concern not only to his constituents but others' across the House. I will ensure that he receives a response from the Treasury that sets out exactly what is being done in the review that is taking place.

Q10. [909631] **Dr David Drew** (Stroud) (Lab/Co-op): Last Saturday morning, with three colleagues, I met the heads and governors of Gloucester schools. Each school outlined the impact of education cuts on their particular establishment, but they agreed on one thing: the Prime Minister could make a real difference now with regard to special educational needs. I hope the Government will consider this. First, will the Government make sure that the additional needs budget is fully ring-fenced and invested in schools, rather than lost somewhere on the way? Secondly, will the Government take away the ridiculous and perverse incentive whereby the first £6,000 for any education, health and care plan has to be found by the school itself? If that were to be done, it would make a dramatic difference to our schools. I raised that in a debate on Monday, but unfortunately the Education Minister was unable to confirm. Will the Prime Minister confirm that the Government will look into that and do something about it?

The Prime Minister: We recognise we have asked schools to do more. That is why we recently announced an extra £350 million to support children with complex special educational needs. That includes an extra £250 million into the high needs budget across this year and next. That builds on the £6 billion in place for this year, the highest level on record. We have also put in an extra £100 million to create new school places to improve existing facilities for children with special educational needs and disabilities. That takes our total investment on that to £365 million through to 2021. The hon. Gentleman raises the question of the money actually going direct to the schools. I suggest that he needs to sit down—I am sure he has—with the local authority and discuss with it how it is using the money that is being made available to it.

Derek Thomas (St Ives) (Con): This week marks the beginning of Brain Tumour Awareness Month, and I bring the House's attention to the event that is happening immediately after Prime Minister's questions in Westminster Hall. Good progress is being made to find the right care and cure for people who have brain tumours, but will my right hon. Friend meet me and others to discuss how we can improve the life chances of children and young people who survive a brain tumour but are left with brain injuries? Essential therapies and support for children and young people in this situation is not consistent and often lacking, leaving them with significantly impaired life chances.

The Prime Minister: My hon. Friend raises a very important issue and I thank the all-party group on brain tumours for all the work that it has done on this issue. It is essential to recognise the needs of parents and carers of children to ensure that the right support is in place when and where they need it. That is why those diagnosed with cancer, including children with brain cancer, will be benefiting from a tailored recovery package, individually designed to help them to live well with and beyond cancer. As my hon. Friend mentions, not just dealing with the cancer, but thereafter is an important element of this. NHS England is accelerating the roll-out to ensure full implementation by 2020, as recommended by the independent cancer taskforce. I understand that my right hon. Friend the Secretary of State for Health and Social Care will be going directly to the event that

my hon. Friend refers to, and I am sure that the appropriate Minister in the Department for Health and Social Care will be happy to meet to go through this in detail.

Q12. [909633] **Paul Girvan** (South Antrim) (DUP): The Prime Minister will be aware of our concerns about attempts to prosecute members of the security forces who conscientiously and courageously defended all the people of Northern Ireland against terrorism. Will she assure me that any proposal to provide greater legal protection for our armed forces will include those who served in Northern Ireland?

The Prime Minister: We have been clear that the current system for dealing with the legacy of Northern Ireland's past is not working well for anyone. Around 3,500 people were killed in the troubles; 90% were murdered by terrorists. Many of these cases require further investigation, including the deaths of hundreds of members of the security forces. The system to investigate the past does need to change to provide better outcomes for victims and survivors of the troubles, but also to ensure that our armed forces and police officers are not unfairly treated. That is why we are working across Government on proposals to see how best we can move forward. We are carefully considering the very large number of responses that we received to the consultation on this issue. We will be publishing our next steps in due course and the MOD is looking at what more can be done to ensure that service personnel are not unfairly pursued through the courts, including considering legislation.

Colin Clark (Gordon) (Con): The SNP Scottish Government have resurrected Alex Salmond's call for a Scottish currency. Does the Prime Minister agree that this is reckless and risks destabilising the Scottish economy?

The Prime Minister: I seem to recall that, back in the 2014 referendum, the SNP were absolutely adamant that Scotland would keep the pound. There have been a few changes since then. They have looked at the option of the euro, then they went back to sterling, and now they are into an independent currency. This Government are working to secure a Brexit deal that protects jobs and our economy. The SNP should focus on that rather than continuing to pursue their independence fantasy.

Q13. [909634] **Marsha De Cordova** (Battersea) (Lab): The Department for Work and Pensions is currently carrying out five reviews into disabled people wrongly deprived of social security support because of the flawed personal independence payment assessment. My constituent, Mr Delaurentis, was given just zero points despite being unable to prepare food for himself or even dress himself. We have recently learnt that over 4,000 people were wrongly deprived of their disability living allowance when reassessed for PIP. Seventeen thousand people have died before their PIP decision was reached, and over 72% of cases that go to an appeal tribunal are overturned in favour of the claimant, so when will the Prime Minister follow Labour's policy and scrap this discredited and flawed PIP assessment framework?

Mr Speaker: May I gently say to colleagues that I am trying to accommodate as many Back-Bench Members as possible? This applies to both sides of the House: some extremely serious public purpose-focused questions are being put, but they are too long.

The Prime Minister: Thank you, Mr Speaker.

On the ESA underpayments, obviously mistakes should not have happened and we need to clear this up as quickly as possible. The DWP is taking the issue very seriously. It has about 1,200 people working on sorting it out. We have already paid out almost £330 million. The Department expects to finish correcting the majority of the original cases by April and it aims to process additional cases by the end of the year.

Anne-Marie Trevelyan (Berwick-upon-Tweed) (Con): Yesterday, pupils from Tweedmouth Community Middle School won the national Modeshift STARS trophy for secondary schools for its amazing work to encourage more pupils to cycle to school. Will the Prime Minister join me in congratulating the school, its head, Mr Hulbert, and his team of staff, who are committed to creating a fitter, greener and more environmentally focused next generation of Berwickers?

The Prime Minister: I am very happy to join my hon. Friend in thanking and congratulating Tweedmouth Community Middle School on its excellent work encouraging pupils to cycle to school. It is clearly an excellent achievement. We all know the importance of keeping our young people active. I congratulate Mr Hulbert and all the teachers, but particularly the students who have taken this up and put it into practice. It is a very good example of what schools are doing across the country.

Q14. [909635] **Alan Brown** (Kilmarnock and Loudoun) (SNP): My constituent, Yvonne Chafey, has a four-year-old son, Logan, who is the only child in the whole of Europe with chromosome 7p duplication syndrome, which causes epilepsy and autism. Hardly any prescriptions of medicinal cannabis have been allowed to date, and with Logan being so unique, he will always be denied access under the current rules of proven benefit. What changes can be made to allow Logan to access cannabis products to ease his suffering without his family having to go through a very high-profile public campaign?

The Prime Minister: The hon. Gentleman has raised a distressing case about a constituent. We have taken steps to ensure that medicinal cannabis is available, but decisions on availability are taken by clinicians, as is absolutely right.

Paul Scully (Sutton and Cheam) (Con): I welcome the publication of the draft Domestic Abuse Bill, and I hope it will pass successfully through the House. Does my right hon. Friend agree that, as well as tackling extreme abuse and violence, we should also raise awareness of the entry level acts of coercion, deceit and manipulation that lead to more extreme examples?

The Prime Minister: My hon. Friend has raised an important issue. People will obviously have seen distressing cases of coercion and indeed some instances where that has been taken through the courts. We all need to recognise the importance of dealing with domestic abuse and recognise that for too long the issue of coercion was

not accepted or addressed. It is important. It is this Government who are doing that. As he says, we must be very clear about the entry level behaviours that lead to that distress.

Q15. [909636] **Chris Stephens** (Glasgow South West) (SNP): Today is the 10th anniversary of the blacklist of construction workers being exposed, and today various news reports detail the extraordinary admissions in the Creadon report that the police and special branches across the UK and the security services supplied information to the Consulting Association. Does the Prime Minister agree that there now needs to be a full standalone UK public inquiry into the human rights conspiracy of blacklisting so that truth and justice can be served and those responsible for blacklisting can be held to account?

The Prime Minister: The hon. Gentleman raises an issue that has been raised on several occasions. Of course, the Government have responded on this and I would be happy to write to him on it.

Vicky Ford (Chelmsford) (Con): This Ash Wednesday, will the Prime Minister give strong encouragement and support to the 48 Conservative MPs who are taking on an environmental challenge because we have seen the devastating impact of plastics across the world? Will she give a big shout-out to all Members of the House taking on a plastics pledge and raising the good work of Tearfund and the Department for International Development in reducing plastic pollution?

The Prime Minister: I was pleased to see many hon. Friends giving up plastic last year, and I am pleased to hear that many colleagues are planning on supporting Tearfund's plastics pledge. Through UK Aid Match, the UK Government will match donations of up to £2 million raised by Tearfund's supporters for a project in Pakistan. We are committed to the UK being a world leader in tackling plastic pollution. Hon. Members are showing by their example the role that the UK is playing, and I congratulate and applaud them.

Sir Vince Cable (Twickenham) (LD): The Prime Minister will recall the advice she received from her Conservative colleagues as well as mine about the dangerous folly of making landlords responsible in criminal law for immigration control. Following the High Court ruling of Mr Justice Spencer that her policy is now increasing the risk of racial discrimination, will she not accept that her policy is fanning the flames of racism in return for nothing but tougher rhetoric about immigration control?

The Prime Minister: It is absolutely right that the Government have taken the approach that we need to consider, when people are accessing different services, whether they have a right to be in this country. My right hon. Friend the Home Secretary has issued a written ministerial statement in response to the case in the courts and I understand that the Government are appealing the case.

Points of Order

12.55 pm

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

Mr Speaker: I will come to the right hon. Gentleman, but I think there is a point of order from Mr Ian Blackford. I hope it is a genuine point of order.

Ian Blackford (Ross, Skye and Lochaber) (SNP): On a point of order, Mr Speaker. It is disappointing that the Prime Minister, who was alerted that I would be making a point of order, has chosen to scurry from the Chamber. Mr Speaker, you will agree that what we say in the Chamber is important. In response to my hon. Friend the Member for Aberdeen North (Kirsty Blackman), the Prime Minister said that the Scottish National party did not have a mandate for independence. Let me say unequivocally that is not the case. The SNP stood on a manifesto commitment to holding an independence referendum if there was a material change of circumstances. It might be a surprise to the Prime Minister, but we won the election. Perhaps more importantly, we took a motion to the Scottish Parliament, because there is emphatically a majority for independence in that Parliament, and we won that vote in March 2017 by 69 votes to 59. I wonder what mechanism is open to me, Mr Speaker, to make sure the Prime Minister comes back and corrects the record and accedes to the fact that the SNP and the Scottish Government do have a majority and mandate for independence.

Mr Speaker: I say to the right hon. Gentleman and for the benefit of those interested in this matter, first, that he has made his point with vigour and insistence, very much in the mould he has fashioned since his election to the House. No one could be in any doubt about what he believes; it is one the record. Secondly—I do not know if this will be welcome to him, but it is the honest answer from the Chair—there has been no procedural impropriety or breach of order. There is nothing untoward, in parliamentary terms, about how the Prime Minister has conducted herself. I recognise that it is disagreeable to and strongly objected to by him and his colleagues here assembled, but that, I am afraid, is in the nature of political debate and disagreement. As to when he will have a chance further to pursue his disagreement with the Prime Minister, I think that opportunity will arise ere long.

Angus Brendan MacNeil (Na h-Eileanan an Iar) (SNP): Further to that point of order, Mr Speaker.

Mr Speaker: I hope the hon. Gentleman has a genuine point of order. He is certainly wearing a fabulous tie. Whether his point of order is of equal quality remains to be seen, but I will give him a chance.

Angus Brendan MacNeil: I accept the compliment about my tie, which is reciprocated.

The truth is that what the Prime Minister said is not the situation in Scotland. There is a mandate for independence. She said there was not a mandate, but there is. That is a fact.

Mr Speaker: I am not sure that greatly added to the intellectual quality of the exchange, but nevertheless the hon. Gentleman has made his point with some force, and it is on the record, but I do not think it requires a response from the Chair at this time. I am sorry if I have misunderstood, but I feel he has put his point, and it rests and will be assessed and evaluated by all colleagues.

Hilary Benn: On a point of order, Mr Speaker. Next Tuesday, the House will vote again on the withdrawal agreement. The Secretary of State for Exiting the European Union was due to appear before the Committee yesterday but cancelled for perfectly understandable reasons—he was in Brussels with the Attorney General negotiating. We of course accept that, but we have offered him other times this week and next Monday afternoon, none of which have been accepted so far.

While we understand that negotiations will continue, I was very surprised to learn this morning, at a meeting of the Committee, that the Secretary of State's office had offered times to individual members of the Committee for him to meet them later on Monday afternoon, but had not so far confirmed that he would be available to appear before the Committee. Given that next Tuesday we may well be considering further legal assurances related to the withdrawal agreement, the Committee is absolutely clear that we must hear from him before we vote on Tuesday.

I would not normally raise a point of order on such a matter, Mr Speaker, but given its urgency and the profoundly unsatisfactory state of affairs, what advice can you give the Committee so that we can secure the Secretary of State's attendance—which is his job—before we vote next Tuesday?

Mr Speaker: My advice is simple: persist, persist, persist.

Let me say to the right hon. Gentleman, who is held in the highest esteem in, I think, all parts of the House, that if he, on behalf—and clearly with the agreement—of the Committee, seeks the presence of the Secretary of State prior to an important debate and attendant vote, the Secretary of State should appear before the Committee. That cannot be compelled, certainly not by the Chair, but it is manifest and, I think, incontrovertible that it is desirable in terms of the scrutiny and accountability process; from which something else follows.

Simply offering individual meetings with members of the Committee does not remotely pass muster. The fact is that the Select Committee is an established body in the House, established to scrutinise the Government's Brexit policy, and it has a corporate character. Indeed, its members are operating not merely as individual Members of Parliament, but as part of a body politic—in this case, as part of that Committee. So my advice to the right hon. Gentleman is that he should persist, making it absolutely clear that it is the view of the Committee that the presence of the Secretary of State is desired. It is frankly, if I may say so, a point so blindingly obvious—*[Interruption.]* Be quiet, young man. In ethical terms, it is so manifestly fair, that that is what should happen.

Toby Perkins (Chesterfield) (Lab): On a point of order, Mr Speaker. This Friday I will attend the funeral of Charles Smith MBE. When he died at the age of 98 he had been a member of the Labour party for 84 years, which I believe made him the most long-standing member

of the party. In paying tribute to him, may I ask for your guidance, Mr Speaker, on how I might use this opportunity to encourage everyone in Parliament to celebrate all those people who have given long service to our political parties, to recognise that the vast majority of them do so in order to support their communities and the country, and to recognise that our political parties are broadly a force for good and we should welcome their membership?

Mr Speaker: I do not dissent from that. The hon. Gentleman has made his point very well. It does not require anything further to be said by the Chair, but I congratulate him on taking his opportunity.

Vernon Coaker (Gedling) (Lab): On a point of order, Mr Speaker. You have been extremely helpful in ensuring that Parliament can hold the Executive to account in respect of knife crime. Given the Prime Minister's announcement today of a knife crime summit and given what the Home Secretary has done today in meeting various police chiefs, is there anything further we can do to ensure that, at the earliest possible opportunity, either the Home Secretary or the Prime Minister comes to the House to give us an update on this extremely important issue?

Mr Speaker: In terms of parliamentary opportunity on the Floor of the House, there is a chance tomorrow, and, indeed, there is a chance on Monday. The opportunities are there, and it is up to Members whether they seek to seize those opportunities. I hope that that is helpful to colleagues.

Mr Paul Sweeney (Glasgow North East) (Lab/Co-op): On a point of order, Mr Speaker. Will you please advise me on how I can best clarify the record in respect of a comment that I made during business questions on 20 December 2018?

On that occasion I highlighted the work of two campaigns in the city of Glasgow. One, Saving Lives, led by Duncan and Margaret Spiers, was started in the wake of the tragic death of their 28-year-old son, Christopher Spiers, in an accident at the River Clyde in 2016. Their campaign seeks to promote water safety, to ensure that vital life-saving equipment is provided on the banks of the River Clyde and across Scotland, and, most importantly, to ensure that throw ropes are attached to lifebelts. I also mentioned the Think Again campaign for emergency lifeline telephones to be installed on the Clyde to help those who are in urgent need of emotional support.

For the avoidance of any doubt that may have arisen at the time of my original remarks, Mr Speaker, I wish to emphasise that the two campaigns are separate, with distinctive objectives, and that both are doing excellent work in their respective ways to preserve life in the city of Glasgow and further afield.

Mr Speaker: I am grateful to the hon. Gentleman. He asks me how he can best clarify the record in respect of what he said in the House in December. My response to him is that he has proved to be the architect of his own salvation. Through the device of his point of order, he has succeeded in clarifying the matter and putting the facts very clearly on the record. In the process he has highlighted again the excellent work of those two campaigns, and I thank him for doing so.

Social Security and Employment Support for Disabled People

1.5 pm

Debbie Abrahams (Oldham East and Saddleworth) (Lab) (*Urgent Question*): To ask the Secretary of State for Work and Pensions if she will make a statement on the changes that her Department intends to make to social security and employment support, including the assessment process, for disabled people and people with health conditions.

The Minister for Disabled People, Health and Work (**Sarah Newton**): Yesterday the Secretary of State provided the House with a written statement, and delivered a speech to Scope that included, among other announcements, an announcement about changes in the delivery of health and disability benefits.

We are making significant progress in improving people's experiences of claiming disability benefits by working through the recommendations made by several independent reviews of personal independence payments and the employment support allowance, but we need to continue to make improvements in order to give better support to people with health conditions and disabilities. The written statement set out a number of additional measures that we will implement to make improvements, now and in the future, in support for disabled people and those with health conditions.

We will improve and simplify people's experiences by no longer undertaking regular reviews of PIP awards for claimants at or above the state pension age unless they tell us that their needs have changed. We will also transform the delivery of assessment services. We have established a health transformation programme to undertake the significant task of combining the currently separate work capability assessment for ESA and universal credit and PIP assessment services in one unified, integrated service from 2021. We are extending the contract for the health and disability assessment service, which includes the delivery of the work capability assessment, and aligning it with the duration of the extended PIP contracts. That will allow for a safe and stable service now, and as we make the transition to the new integrated service.

The Department for Work and Pensions will also be testing how we can increase engagement and build a trusted and strong relationship between work coaches and people who are awaiting assessments for universal credit or who are found to have limited capability for work. The Minister for Employment will take that forward.

The health transformation programme will be co-designed with disabled people. The Secretary of State and I will engage regularly with disabled people, disabled people's organisations and charities. All of us, whatever our age or need, want an equal chance to live a life of opportunity and fulfilment. We intend to support disabled people during all the phases of their lives, so that the pursuit of equality is a shared goal.

Debbie Abrahams: Thank you for granting the urgent question, Mr Speaker. I thank the Minister for her response. I am, however, disappointed that the Secretary of State was not here to respond, and that the Minister

[Debbie Abrahams]

has had to respond to an urgent question rather than making an oral statement, given the extensive scope of the proposals.

I welcome yesterday's announcement that there would be no PIP reassessment for disabled people above the state pension age, but why are not all disabled people—particularly those with progressive conditions such as motor neurone disease, multiple sclerosis and cancer—being exempted from repeat assessments? I have a constituent with terminal secondary breast cancer which has gone into her bones, and she has been refused PIP.

The launch of a transformation programme whereby PIP and WCA assessments will be integrated by 2021 is interesting, given that the Government have previously said that that could not be done. How exactly will the two assessments be merged? Who is involved? I am grateful that the Minister has said they will be co-designed with disabled people, but will she commit to supporting the principle of “nothing about you without you”? Will there be a pilot? If so, where and when, and what would be the sample size? Will there be an independent evaluation?

Who will provide the new service? There are real concerns about the profiteering enabled by this Government at the expense of disabled people. There are also worrying reports in various GP journals this week that the medical records of claimants will be made available to the DWP or their social security support will be denied. So I will be grateful if the Minister can confirm that this is not, and will not be, Government policy. Obviously there are huge issues around privacy and ethics.

There is also strong evidence of the physical and emotional harm that these assessments are having on disabled people, over and above their condition. What is being put in place before 2021 to improve the poor quality, validity and reliability of these assessments?

On UC and the role of job coaches in determining limited capability to work, the detail was most unclear in the written ministerial statement. Can the Minister expand on it and confirm that work coaches may start an assessment to determine a claimant's capacity to work? Can she also confirm a shift in the Government's approach to sanctions and expand on her Department's approach to conditionality?

I welcome the review into the inadequacy of social security support for disabled people and more widely. Poverty is a political choice, and 4.2 million disabled people have been pushed into poverty as a result of the £5 billion in cuts since 2010. So what form will this review take and, again, who will be involved?

On the Government's more ambitious targets to get disabled people into work, again the pendulum is swinging back. The Conservative general election pledge in 2015 was to halve the disability employment gap, but it is actually 4.4% lower than 2015. Then in 2017 there was a pledge about 1 million additional disabled people getting into work, but there was nothing about access to work.

Finally, what is the Minister going to do about the cultural changes needed in her Department to ensure that disabled people and other claimants do not feel demonised, even dehumanised, as happens all too often?

Sarah Newton: I fear I will test your patience, of Mr Speaker, if I try to answer all of those questions at once, but I will do my best.

I welcome the hon. Lady's tone and her welcome for the measures we announced in the written ministerial statement. Clearly we have been listening very hard to Members across this Chamber and, most importantly, to disabled people themselves about the changes they would like to see, and that is what has driven the changes we are going to be making. I absolutely want to confirm that throughout the process—in fact this is how we work now—we engage fully with disabled people, enabling them to help us develop the services which are for them.

The hon. Lady touched on a few points about people being repeatedly reassessed. I remind her that we brought in the severe conditions criteria so that people who have reached the highest level of support on PIP will not be routinely reassessed; we have introduced a 10-year light touch review so that many people with the sorts of conditions and illnesses the hon. Lady described will not be undergoing further reassessments. We also have a special process for people who are terminally ill. I undertook research in the summer—and I have been delighted to work with the hon. Member for Bridgend (Mrs Moon) on the work she has been doing—looking again at how the special rules for people at the end of life are working. We have worked very closely with the medical profession, which I think was not often aware of the special processes that could so easily be put in place to enable people to get benefits within days. I will shortly be announcing new guidance which is the fruition of the work we have been doing over the last few months.

I want to remind everyone that in the transition from DLA to PIP many more people with mental health conditions are now receiving support, particularly at the highest levels. Concerns have also been raised about work coaches and their ability to work with people with disabilities and health conditions, and I want to reassure the House that all of our work coaches are receiving extensive training and will continue to do so. Over 10,000 work coaches have already received training in mental health services, so I believe that that personal relationship that we want all people claiming benefits to have with their work coach is a possibility and is happening the length and breadth of the country.

We are looking at conditionality and have taken up the recommendations given to us. When people with severe disabilities and health conditions apply for UC there is no conditionality; that conditionality will be switched off, and then as the relationship develops with the work coach, if and when they are prepared to take those steps to work, they will be fully supported by their work coach and other resources that they have available.

As would be expected, we listened to and worked with a range of stakeholders before the announcement to develop the new service. I can absolutely commit to the House that the co-design will be ongoing and there will be plenty of opportunities for everyone in the House to be involved in how we take that forward. But the simple ideal behind it is to reduce the number of assessments people have to take and reduce the amount of information they have to give to the Department. We have all heard in our surgeries each week particularly in terms of people in receipt of both ESA and PIP that they can be asked to complete a whole number of forms where they give us the same information, and are going to assessments where they give the same information.

The whole aim of this is to reduce that and to simplify it, so that people give us the information once and we are able to make the best decision we can right from the outset.

Stephen Crabb (Preseli Pembrokeshire) (Con): It never made sense to me for us to pay different contractors who compete with each other to recruit competent staff to carry out assessments which make many disabled people feel they are involved in a duplicatory process, which adds to the stress. So may I strongly welcome today the decision to combine the ESA and PIP assessments? That will make the system more efficient and hopefully provide more dignity for disabled people.

Sarah Newton: I thank my right hon. Friend for his question. This builds on some of the work he started when he was in the Department. It is very much based on listening to people and their experience of the current benefit system. I could not agree more that we need to have a much more streamlined, simplified process under which people tell us the information once, we gather it once, and we are able to make the best possible accurate decisions the first time.

Marsha De Cordova (Battersea) (Lab): I congratulate my hon. Friend the Member for Oldham East and Saddleworth (Debbie Abrahams) on securing this urgent question.

As we saw yesterday, the Secretary of State announced changes to social security, disability and health. By my calculations, she made no fewer than nine different announcements in her statement. The Government will now hand over more money to the Centre for Health and Disability Assessments, better known as Maximus, to continue to carry out the work capability assessments. This is despite the failure, year on year, to meet the Department's own performance standards and no fewer than 36,000 ill and disabled people wrongly deprived of social security as a result of WCAs. Can the Minister therefore say why the Government have decided to extend the contract for another 16 months? Will the Minister finally consider bringing these assessments back in-house?

The Government have announced that they are looking to merge the assessments for PIP and ESA into an integrated assessment service and use a digital platform to do so. Does the Minister not agree that there is serious risk involved in combining both assessments when the standard of decision making for PIP and ESA is the subject of so many failures? Given the consistent failures with the online platform for universal credit, what confidence should ill and disabled people have that this will not happen to them when they go through a process to access vital social security support?

Over 1 million sanctions have been imposed on disabled people since 2010, and those sanctions have been shown to be counterproductive and cruel. But so far the Government have committed to only a small "test" review of conditionality and sanctions. Why will the Government not follow Labour in pledging to scrap the punitive sanctions regime?

The Government have once again moved the goalposts on employing disabled people. First they wanted to halve the disability employment gap and now they are going to review it yet again. It is time for the Government

to consider expanding Access to Work, rather than simply reviewing their employment targets. There are currently seven reviews being conducted into disabled people being wrongly deprived of social security support. These changes are just a drop in the ocean, so will the Minister finally accept that there needs to be fundamental reform, not just tinkering around the edges?

Sarah Newton: I really would have hoped that, today of all days, the hon. Lady could have found it in her heart to welcome the changes that have been asked for by so many people inside and outside this Chamber, and to recognise the great work that has been done by disabled people, and those who work with them, to engage with us so constructively and enable us to move forward and tackle the issues that she is describing.

The hon. Lady is right to say that we said yesterday that we were going to be more ambitious in enabling more disabled people into work, because we have made such good progress. Since 2013, over 930,000 more disabled people are now in work. Over that time, the disability employment rate has increased from 7.4% to 51.5%, and the gap between the disabled employment rate and the overall employment rate has been reduced to 30.2%. I do not want to see any disabled person out of work when they would like to be in work, but we have made progress and that is why we have committed to reviewing our targets and to being more ambitious. Access to Work is a great scheme, as we all agree, and it supported record numbers of people last year, including more people with mental health conditions and more young people with learning disabilities. The Access to Work fund is demand-led, and it grows every year because every year we are seeing more disabled people into work, and that is what we want to do.

Returning to the hon. Lady's questions about the contracts, it is really important to me that, while we are going through such a fundamental transformation of our assessment process, we have safe and stable delivery for people who are applying for benefits. That is why we have extended the contracts to 2021, to align with the PIP contracts. We have not just accepted the existing situation, as the hon. Lady knows, and I am grateful for the work undertaken by the Select Committee on this. We have been pushing for continuous improvement within those contracts. The new contracts have higher standards for service delivery, and I would be happy to put a letter in the Library so that people can see the terms of the new contracts and see that they are driving forward improvement. We all want to see the right decisions being made at the first opportunity. We do not want to see people having to go through mandatory reconsideration and then on to appeals in the courts, and we have a whole series of reforms to ensure that that does not happen.

Mr Mark Harper (Forest of Dean) (Con): I welcome what was in the written statement yesterday and what the Minister has reiterated about the more ambitious target to get more disabled people into work. As an aside, I also welcome what the hon. Member for Oldham East and Saddleworth (Debbie Abrahams) said earlier. As a former Minister for disabled people, I am particularly attracted to the more ambitious target that we had in our 2015 manifesto. Indeed, I may have had a hand in writing it myself. On the substantive question, if we are going to get more disabled people into work, we need to

[Mr Mark Harper]

ensure that the social care system—over half of whose budget is spent on working-age adults, not on older people—works better with our social security system and with the other means that we have of helping disabled people to become more independent. I urge the Minister to publish the social care Green Paper as soon as possible, and to start that much-needed debate so that we can deliver those policy changes that many disabled people across the country are crying out for and give them the opportunity to live more independent and fulfilling lives.

Sarah Newton: I very much thank my right hon. Friend for his contribution in the Chamber today and for all the work that he did when he had the privilege of holding this office. He is absolutely right to say that we want to be more ambitious. We will be looking carefully at how we can set ourselves really ambitious goals to ensure that everybody in our country has the opportunity to fulfil their potential in work, and that business, civil society and the public sector can draw on the talents of the very many disabled people who are unemployed at the moment. He is also right to talk about the importance of adult social care. It is of course the Department of Health and Social Care that leads on this, but I work closely with it and I have been encouraging it to go ahead and publish that very important Green Paper so that we can take forward those urgent reforms and enable more people to live independent lives.

Brendan O'Hara (Argyll and Bute) (SNP): I cannot help but feel that this announcement was a missed opportunity to completely overhaul the punitive PIP assessment progress, which is deeply flawed and continues to be criticised by claimants and stakeholders. The latest PIP assessment tribunal statistics show that from June to September 2018, a staggering 72% of cases found in favour of the claimant. The Minister will be aware that Scotland is taking a wholly different approach, proposing to significantly reduce the need for face-to-face assessments, introducing rolling awards with no set end points, and ensuring that those with fluctuating conditions will not face additional reviews. That is what a system based on dignity and respect looks like. What are this Government doing to address the fact that claimants are still being wrongly assessed at such a staggering rate? Will she look at what the Scottish Government are doing to reduce the burden that is being placed on disabled claimants? Will she also agree to study carefully the responses to the consultation announced yesterday by the Scottish Government on delivering a fairer disability assistance benefit programme in Scotland?

Sarah Newton: I thank the hon. Gentleman for his questions. I should like to reassure him that I do indeed work with my opposite number in the Scottish Government, and that we are working closely together as we go through the process of devolving PIP and other benefits to Scotland. Actually, we are testing and learning a great deal from each other. The UK Government are investing a great deal in health and work trials, and we work collaboratively on those. We are always prepared to learn from any part of the United Kingdom. I absolutely agree that too many people are having their decisions overturned on appeal—we want to ensure that we get all the decisions right first time—but it is

worth keeping this in perspective, because 10% of all PIP claims go to appeal and only 5% are overturned. However, as I always say from the Dispatch Box, one person's poor experience is one too many. We have been doing a lot of work with the Courts and Tribunals Service to bring down waiting times, and I hope that all Members will join me in welcoming the fact that we now have a new PIP online appeal service. Since November, people can resolve their appeals online, which is enabling far swifter resolution of those issues.

John Howell (Henley) (Con): I produced a list of things that had gone wrong in the claims procedures of my constituents, and I provided it to the Secretary of State's predecessor to help her to shape these reforms. Will the Minister undertake to dig that paper out and have a look at it, and to ensure that those reforms can be implemented?

Sarah Newton: I think I can go one better than that, because I would like to invite my hon. Friend in to meet me and go through his paper with me, given all the hard work that he has put in, to ensure that we get this right.

Ann Clwyd (Cynon Valley) (Lab): We all support any improvement in the lot of disabled people, but my constituency has one of the highest percentages of disabled people, because of past industrial diseases and so on, and I remember the grief that was caused to so many people when they were forced to reclaim or to appear before various groups of people to be reassessed. There are too many people who are still in that category, and I hope the Minister will be able to assist with improving that situation. I also want to ask her about the situation regarding Remploy. We had a big fight in this Chamber over Remploy, as she may remember, and we were told that alternative jobs would be available, but can she give us the actual figures? I know that too many people in my constituency who were employed in Remploy are still out of work.

Sarah Newton: The right hon. Lady raises an important point about reassessments. Through a series of measures that we have taken this year, and through the ones that we have announced, far fewer people will be reassessed. We want to ensure that people are getting the support they need. Under the old legacy system, people were just parked on benefits for a very long time, and they were missing out. The evidence of that is the amount of people who get more money on PIP than they did on DLA. It is important that people are assessed to ensure that they are getting all the support to which they are entitled. Remploy in Wales is doing a great job as part of our health and work programme, and we have also introduced new supported ways of employing people, such as the intensive personalised employment support—IPES—programme. I would be very happy to write to the right hon. Lady to describe what is happening in Wales, and if she does feel that people who should be in employment are not in employment, she should please come and meet me so that we can look at those cases.

Kirstene Hair (Angus) (Con): I warmly welcome the changes that my hon. Friend outlined. Last week, the Scottish Government announced their timetable for replacing personal independence payments, disability living allowance, attendance allowance and carer's

allowance, which will now not be completed until 2024, three years after they initially promised. Will she reassure me, my constituents and all in the House that the Department for Work and Pensions and the UK Government did all that they possibly could to ensure that the Scottish Government were set up for this and that actually there is resistance from the Scottish Government to taking the powers?

Sarah Newton: I thank my hon. Friend for that very important question. She is absolutely right about the absolute commitment of my colleagues in the DWP to ensure that the Scottish Government can take on those powers. We have not created any delays whatsoever; the delays are all in Holyrood.

Kate Green (Stretford and Urmston) (Lab): A few moments ago, in Prime Minister's questions, the hon. Member for Paisley and Renfrewshire North (Gavin Newlands) raised the case of a constituent who turned up for a disability assessment, was faced with a long wait and eventually had to rebook the appointment. The Prime Minister suggested that she or perhaps the Minister before us would look into the case, but it is not an isolated matter. I, too, have constituents with exactly the same experience, including a gentleman who last month at an appointment with the Centre for Health and Disability Assessments was forced to wait for an hour and 40 minutes, despite having told the CHDA that the nature of his condition meant that he would need to be seen very quickly.

I very much welcome the Minister's offer to place in the Library information about the contract that has been issued to the assessment companies. We need to be able to scrutinise the performance standards and the rate at which the companies are achieving or failing to meet them. Will she repeat that commitment to the House, so that we can be absolutely clear that the information will be available to us?

Sarah Newton: I was not in Prime Minister's questions to hear that particular example, but of course I will follow it up with great urgency. It is not acceptable for people to have appointments cancelled at the last minute or to be asked to wait. That is certainly not the service that we expect from our contractors.

I have made the commitment to publish the standards that we are insisting on in the contract. We monitor compliance with the standards very carefully, and there are penalties in the contract if people fall short of the high standards that we expect of them. Every person with a health condition or disability must be treated with respect and dignity.

Jeremy Lefroy (Stafford) (Con): I thank my hon. Friend and her colleagues for listening so much and for making these changes, but will she look at the face-to-face assessments and at whether more could be done with paper-based reviews or home visits? It is pretty difficult for some people to get to the assessment centres, certainly from my constituency, and some people who have mental health conditions find the assessments incredibly stressful.

Sarah Newton: I thank my hon. Friend for his long-standing and passionate championship of the vulnerable people in his constituency and across our country.

We have listened very carefully to what he has said and we have increased the number of home visits that can be undertaken but I definitely want to go further and, wherever possible, make decisions based on the information provided by the medical profession, the disabled people themselves or those people supporting them so as to reduce the number of face-to-face assessments. They are all undertaken by qualified healthcare professionals, whose training we keep under review. I want to ensure that we have only those face-to-face assessments that are really necessary.

Neil Coyle (Bermondsey and Old Southwark) (Lab): I congratulate my hon. Friend the Member for Oldham East and Saddleworth (Debbie Abrahams) on securing the urgent question. I share the welcome for the exemption of those over state retirement age from routine reassessments. Will the Government look again at exempting all those with learning disabilities and progressive conditions, including all those who only secured their benefit—ESA or PIP—through the tribunals process? The Minister is right that some disability organisations will welcome fewer assessments, but the fear or anxiety for disabled people is that the high error rate in existing processes will be transferred. Will the Minister give more detail about how that process will be improved and how individual disabled people and disability organisations can help to shape any new process, and when that will begin?

Sarah Newton: I can reassure the hon. Gentleman that that work is all under way. There have been several independent reviews of PIP and ESA, including one by the Select Committee on Work and Pensions, which made the recommendations that we are working through now, to ensure that the assessments are as accurate as they can be. We are not waiting. The huge benefit of the transformed service is that the DWP will own the whole claimant journey—we are building a whole digital platform—and we will be able to use the medical and other information far more easily to make the right decision the first time. As I said at the beginning, the whole new process will be co-designed with disabled people.

Kevin Foster (Torbay) (Con): I welcome the announcements to bring in a better service for those seeking to make claims, in particular on the combination of assessments. An issue that is regularly picked up is a more independent record of some of the assessments. What further consideration have the Government given to things such as video recording of assessments, which might not only give confidence to the person taking part, but allow for quality-control reviews and an easier process in tribunal?

Sarah Newton: I thank my hon. Friend for raising video recording, because our hope is that that will bring a lot of transparency, trust and confidence to the assessments. We are reviewing the findings of a successful pilot. We remain committed to rolling out video recording.

Liz Kendall (Leicester West) (Lab): The Minister should know that there really are serious problems with PIP and work capability assessments. I have lost count of the number of constituents who have come to see me in a desperate state because of the lack of understanding

[Liz Kendall]

and awareness, in particular for those with fluctuating physical and mental health problems. The fact that 83% of people with multiple sclerosis who appeal their PIP case are successful shows how flawed the system is. On that specific point, how will the assessment process and the training and skills of those delivering it change to address such serious problems?

Sarah Newton: Inevitably, we want to ensure that we make the process better. Each time I come to the Chamber, I describe the steps that we are taking. Specifically on the case of people with multiple sclerosis, or cases brought to me by people who feel that their conditions are not properly understood by healthcare professionals, I ensure that the healthcare professionals meet those people, that they look at the guidance together, and update it and the training used by the frontline people doing the assessments. We get positive feedback from that.

Every year, we look at independent research into the experience of people at the face-to-face assessments. It is really important to me that they feel that they are being listened to, and 89% of people said that the assessor had treated them with respect and dignity. In the high 80s, people are saying that they had time and felt listened to, and that they were able to—[*Interruption.*] That is still not 100%, which we are working towards, but it is important, because we do not want people outside listening to this debate feeling petrified about going to have an assessment. We know that the vast majority of people have a positive experience when they go along, but we are working continuously to ensure that we improve the process for everyone.

Christine Jardine (Edinburgh West) (LD): This is welcome news for many pensioners, who do not now have to undergo repeat appointments, but it does not address the fundamental flaw in the system to which the Minister herself has alluded: 72% of PIP and ESA appeals still find in favour of the claimant. Atos, Maximus and Capita are not doing the job properly. Rather than seeking to improve that, will she not consider bringing the assessment in-house so that it can be done properly?

Sarah Newton: I point out gently to the hon. Lady that 8% of people who apply for ESA go to appeal, and 4% are overturned. I do not want that to be 2%, 1% or 0.1%; I want us to get the decision right the first time, but we must use the information accurately. It is important that we are evidence-based policy makers. When it comes to who will carry out the assessments from 2021, the healthcare professionals doing so have always been clear that by creating this transformed service and our own digital platform, many more people will be able to come forward to say that they can undertake the services, and I would be particularly happy if NHS trusts said that they would do so.

Ruth George (High Peak) (Lab): I welcome the fact that Ministers are seeking to improve the accuracy of PIP and ESA assessments and to reduce the number of appeals, but it still takes 48 weeks for an appeal to be heard in my constituency. May I ask the Minister to look urgently at how people are treated while they are awaiting an appeal? My constituent had a serious heart

condition, and his doctor said he was not fit to go back to work. The DWP said that that was its decision, not the doctor's decision. My constituent died on his first full day back at work, which he was forced into. He was awaiting his appeal. It is too late for him, but his wife has asked me to take it up with Ministers to seek a better solution for people who are awaiting appeals, many of whom are rightly and justly appealing.

Sarah Newton: I pass on my sincere condolences to the hon. Lady's constituent. Of course I will sit down with her to review the case in great detail, because it is a very, very sad to hear what happened to her constituent. Her Majesty's Courts and Tribunals Service has employed hundreds more people so that cases can be heard sooner. I am particularly pleased that we have introduced an online resolution service so that, once people's information is uploaded on to the system, DWP decision makers can look at that information. If we can make a decision earlier that could prevent people from having to go to a tribunal, we will do so. I am very hopeful that we will start to see waiting times reduce significantly.

Mr Paul Sweeney (Glasgow North East) (Lab/Co-op): My constituents in Glasgow North East have seen £2 million taken out of their pockets as a result of the transition from disability living allowance to personal independence payment, but that is not the full story. People are often claiming these disability-related benefits as part of a wider series of social security payments, which have been subject to a freeze since 2016. Child benefit, for example, has been subject to a 23% real-terms decline since 2010, so obviously those in receipt will be disproportionately harmed. What will the Minister be doing? Will she write to the Chancellor of the Exchequer about ending the benefits freeze and ensuring that benefits are at least tied to inflation so that people can maintain a level of dignity in our social security system?

Sarah Newton: It is not true at all that benefits for disabled people have been frozen. This House recently uprated those benefits by 2.4%, and this year we will spend £4 billion more than we spent 10 years ago. All the benefits supporting people with disabilities will continue to grow to 2020. They will be growing throughout this Parliament.

Kerry McCarthy (Bristol East) (Lab): At a recent surgery I held for carers, a woman came along with a case relating to her daughter who has disabilities, and we managed to get a back payment of £22,000 in disability payments. If I had not held that surgery for carers, and if the excellent local carers organisation had not put that lady in touch, her daughter would still be waiting for those payments. We cannot have a situation in which people rely on such fortuitous circumstances to get justice. What can the Minister do about that?

Sarah Newton: The hon. Lady makes an important point. We know that too many people have been missing out on billions of pounds'-worth of benefits. That is why I hope she will welcome the fact that universal credit and the personal relationship that people have with their work coaches will enable them to understand the full range of benefits available to them. Citizens Advice, working in partnership with jobcentres, will be able to signpost more people to get more support, and I

hope Opposition Members will spend some time in their jobcentres to understand the range of services and signposting that is now available from work coaches.

Karin Smyth (Bristol South) (Lab): These are very small changes in the right direction, but they recognise that the system does not work. To enable us to better understand the impact of Government policy on ill and disabled people, will the Minister commit to publishing constituency data on the number of UC50 forms that are issued to claimants and the number that are returned? Without proper detailed information, we will not be able to understand the impact on our constituents.

Sarah Newton: I will take that suggestion away and see whether we can collect that data and whether it is possible to provide it on a constituency basis. I challenge people who say that the whole system has failed because, from the information we have, we can see that millions of people are benefiting from these benefits and that more money is being spent every year. It is important that people have the confidence to come forward and access the benefits to which they are entitled. We remain committed to reforming the work capability assessment, which was brought in by the Labour Government in 2008, and we have taken a lot of time to consult a lot of people. Although everyone can agree that it needs to change, there is no consensus on how it can change. We are continuing that work, because I am determined to see these improvements made.

Hugh Gaffney (Coatbridge, Chryston and Bellshill) (Lab): I think we can all agree that social security staff are under a lot of pressure in dealing with the claimants we have heard about today. Does the Minister agree that those who administer social security should be supported in employment with adequate pay from this Government? Civil servants are receiving 0.25% to 1%—those who took the bribe—but such an increase, in real terms, is a cut.

Sarah Newton: I thank the hon. Gentleman for his question, because it gives me a wonderful opportunity to pay tribute to the fantastic, hard-working, dedicated and compassionate DWP staff, both in our operating centres and in our jobcentres. I understand from our lead officials in the Department that they have a very good working relationship with the trade unions and that they are listening very carefully. We are working very hard to make sure that people are fairly rewarded.

Leaving the EU: Protection for Workers

1.46 pm

The Secretary of State for Business, Energy and Industrial Strategy (Greg Clark): I would like to make a statement about workers' rights when we leave the European Union. Before I do, as this is my first time at the Dispatch Box since his death on Friday, I put on record my deep appreciation for the life and work of Lord Bhattacharyya, a heroic figure in British manufacturing. His work attracted investment to which hundreds of thousands of working men and women owe their livelihoods. A Labour Member of the House of Lords, Kumar worked easily with Ministers and, indeed, Prime Ministers from all parties for the benefit of the people of the west midlands and the whole nation.

The United Kingdom and this Parliament have a proud record of improving the rights of working men and women: from Shaftesbury's Factories Acts to William Hague's Disability Discrimination Act 1995; and from the minimum wage, introduced by a Labour Government, to the national living wage brought in by a Conservative Government. Although the EU sets minimum requirements in many areas of workers' rights and health and safety, Britain has time and again been in advance of those requirements and has chosen to exceed them.

The EU agency for the improvement of working conditions ranks the UK as the second strongest of all 28 member states, behind only Sweden, for wellbeing in the workplace. The UK offers 39 weeks of statutory maternity pay, compared with the 14 weeks required by the EU. We have given fathers and partners a statutory right to paternity leave, which the EU is only just beginning to consider.

Our national living wage is one of the highest in the EU, and the Low Pay Commission that advises on it is widely respected. Because we have not, in practice, been limited to EU standards, there is no reason why we should not maintain this record of leadership outside the EU. The Prime Minister has given a commitment that Brexit will not be allowed to erode workers' rights.

Nevertheless, some hon. Members have advanced the view in previous debates that a parliamentary mechanism should be established to monitor and implement that commitment. The hon. Member for Great Grimsby (Melanie Onn) introduced a private Member's Bill to that effect, and the right hon. Member for Don Valley (Caroline Flint) and the hon. Members for Bassetlaw (John Mann) and for Stoke-on-Trent Central (Gareth Snell), among others, proposed an amendment to a previous motion in a similar vein.

We have been discussing closely with Members on both sides of the House, trade unions and businesses how we can turn this intention into law. The Government are today publishing draft clauses for inclusion in the withdrawal agreement and implementation Bill to put these commitments into law. The clauses have two main features. First, a new statutory duty will be placed on Ministers introducing a Bill that affects employment or workplace health and safety that they should certify, before Second Reading of any such Bill, that it is compatible with the Prime Minister's principle of non-regression. They will be required to provide explanatory information to Parliament in support of that statement, which will be drawn up following consultation with

[Greg Clark]

businesses and trade unions. That will ensure that, while respecting and upholding the sovereignty of this Parliament, Members of this House in future will be able clearly to consider the compatibility of every proposed measure with the non-regression principle, to which the Prime Minister has made a commitment.

The second aspect of the draft clauses concerns future EU legislation. Parliament will be given the opportunity, at least every six months, to consider any changes to EU workers' rights, and health and safety standards in the workplace. This will be reported to Parliament through a document that has, again, been subject to consultation with employers and trade unions, and which will be scrutinised by the relevant Select Committees of this House, subject to their agreement. The Government will be required to table an amendable motion on their intended course of action on those new EU rules. For example, the Government may set out that they intend to legislate to give effect to those commitments or that they intend to give effect to them in a different way, or that they do not intend to give effect to them, setting out their rationale. There are a number of legislative proposals currently under consideration in the EU that have a deadline for transposition into national law which will be after the implementation period. We would expect them to be put forward for Parliament's consideration under this new process. These draft clauses, published in a Command Paper today, combine well our determination to honour the commitment the Prime Minister has made not to see workers' rights weakened and respecting the sovereignty of this Parliament.

A similar framework will apply to environmental protections as the UK leaves the EU, implemented through the environment Bill. On 19 December, we published the draft Environment (Principles and Governance) Bill, the first part of a much larger environment Bill to follow in the next Session. The draft Bill outlines our proposals to establish a world-leading body to hold the Government to account for environmental outcomes after the UK leaves the EU. The draft Bill also requires the Government to publish a statutory policy statement on the interpretation and application of nine environmental principles, including the four contained in EU treaties. The Government will also legislate to ensure that where future Bills could affect environmental protections, a Minister of the Crown will make a statement of compatibility to Parliament and provide explanatory information. We will also create a new statutory duty on the Government to monitor any strengthening of environmental protections and regulations by the EU, and to report regularly to Parliament about the Government's intended course of action in those areas. That will give Parliament the information it needs to consider whether or not domestic protections need to be strengthened accordingly. Through these commitments, the Government will provide a robust framework for maintaining and strengthening environmental standards as the UK leaves the EU.

In addition to the measures I have described, I am announcing today steps that will strengthen the enforcement of employment rights. The vast majority of businesses operate fairly and treat their employees well, but I have been concerned, as I know many Members have been, about the practices in a small number of firms, in a

small number of industries, where abuses of the conditions at work are used to the detriment not just of workers, but of reputable competitors, who suffer a disadvantage by comparison in those industries. I therefore intend to consult broadly on establishing a new body to bring together the relevant enforcement functions of the Gangmasters and Labour Abuse Authority, Her Majesty's Revenue and Customs, and the Employment Agency Standards Inspectorate. As part of the forthcoming spending review, we will consider what level of funding is appropriate to ensure that it is adequately resourced to deliver a strengthened remit.

The measures that I have announced today reflect a process of engagement across this House, and with employers and trade unions. Not everyone will agree with every proposal, but if, as I hope, an agreement can be reached on the withdrawal process during the days ahead, it serves as a helpful guide as to how we might find and act on common ground across the House in the next phase of negotiations. I commend this statement to the House.

1.53 pm

Rebecca Long Bailey (Salford and Eccles) (Lab): Let me, too, put on record my sadness at the death of Lord Bhattacharyya and my deep appreciation for his devotion to British industry and politics.

I must start by thanking the Secretary of State for his engagement with me over recent weeks, and indeed with trade unions and my parliamentary colleagues whom he mentioned: my hon. Friend the Member for Great Grimsby (Melanie Onn), my right hon. Friend the Member for Don Valley (Caroline Flint); and my hon. Friends the Members for Bassetlaw (John Mann) and for Stoke-on-Trent Central (Gareth Snell). They have championed unrelentingly the protection of British workers as we leave the EU and continue to help us move the position across the House to one that we are all content with.

However, as the Secretary of State knows from our discussions in recent days, sadly the proposals, as drafted, do not yet provide a full guarantee or assurance for UK workers. I hope that this spirit of collegiality will continue and that we will work together quickly to address my concerns and provide the changes and assurances that I seek. As he knows, the TUC has stated today:

"In the face of a government determined to reduce rights, these measures would in no meaningful way compensate for the loss of the protections that currently exist".

The assessment of less favourability will be decided by parliamentary majority and not by the objective standards of the UK courts. The provisions can easily be revoked by a hostile Government, and even without being revoked, they can be rendered fairly meaningless in practice. Indeed, as drafted, the content of the proposed statement of compatibility and irregular parliamentary assessment of less favourability are not capable of legal challenge by any UK worker. Of course, the process outlined in the draft clauses could be subject to a judicial review, but simply issuing a statement and laying a motion are hardly rocket science. What will not be possible, however, is a challenge to the contents of a statement of compatibility or an approved parliamentary motion to accept a Government assessment.

I think the Secretary of State implied in his statement that we should not automatically accept favourable rights solely because the UK Parliament has already set higher standards of employment rights. On that point, let me be clear: no one—certainly none of the colleagues I have spoken to—is seeking anything other than that UK workers should be entitled to no less favourable rights at work than their EU comparators, not that we should accept unfavourable ones. That point is simple to draft and it could be made perfectly clear, and I am happy to work with the Secretary of State on that point.

Of course, Parliament is always welcome to give more, but history is littered with examples of the UK bitterly resisting EU directives on workplace rights. A Conservative Government sued the EU Commission over the working time directive, claiming that there was no legislative base for the directive since working time had nothing to do with health and safety at work. Luckily for workers in the UK and the rest of the EU, that Government lost.

On the promise not to water down existing rights and protections, even if a Bill is found to be incompatible, there are at present no powers to stop the Government proceeding. In addition, the promise does not apply to secondary legislation, potentially allowing existing EU-derived rights to be watered down with ease. The bulk of UK legislation to implement EU law is actually done by way of secondary legislation—for example, working time regulations, TUPE, and health and safety regulations, to name but a few.

On the process relating to adopting future improvements in EU legislation, the proposals are equally in need of addressing. The only means of challenge is in Parliament, with a vote on an amendable motion, subject to the Government's majority. Parliamentary procedure may not permit sufficient amendments to deal with all the additional changes to workers' rights identified by MPs. In any event, resolutions of the House have recently proven to be an ineffective restraint on the Government. The Secretary of State seeks to provide comfort by stating that the Government will consult workers, Select Committees and employers' representatives, and that sentiment is of course welcome, but, as he knows, there is no direct obligation on the Government to accept any recommendations.

On enforcement, I do welcome the commitments the Secretary of State has made to address funding deficiencies. I await further details in due course. On 1 April 2004, there were 1,483 Health and Safety Executive frontline inspectors; but by 2015 that had fallen to 972. In consequence, the statistically average workplace can now expect an inspection no more frequently than every 50 years.

I have conveyed to the Secretary of State in recent weeks the fact that for a guarantee of non-regression to be truly meaningful, it must be enforceable in the UK courts at the suit of any worker in the UK. Any dispute about whether or not the worker has less favourable rights than her EU comparator must be determined by the courts and not solely by Parliament, still less by a politically motivated Government majority in the House of Commons. Today's proposals come nowhere near that and do not yet demonstrate that this Government take workplace rights seriously. I do hope, however,

that, in this spirit of co-operation, we will work together to move towards more robust guarantees as a matter of urgency.

Greg Clark: I warmly welcome the tone in which the hon. Lady has approached this issue. We have different preferences on what would be ideal, and I know that both the TUC and her own Front-Bench colleagues would prefer EU directives automatically to take their place in UK law and to be enforced through the European Court of Justice, as they are now. She knows that we disagree with her on that—in our view, it would not be consistent with leaving the European Union or with the sovereignty of this Parliament—but I accept that that is her position and that she has said that, notwithstanding that, we should explore whether we can meet her perfectly reasonable observations. I am grateful for that.

What we are publishing this afternoon are draft clauses that have not yet gone into the Bill. I am open to working with all Members of the House—of course, continuing to include the hon. Lady—to see which of the observations can be accommodated, subject to the general approach we wish to take. I think that she recognises, and I hope other Members will recognise, that this is an important opportunity. If we are to pass a withdrawal agreement and implementation Bill, the chance to have on the statute book from the outset—literally within the next few weeks, I hope—some important protections for workers is one that I think we should all take.

The hon. Lady asked some specific questions, of which I shall attempt to answer as many as I can. She observed, in effect, that future Governments and Parliaments may take a different view from that which we intend. As we know, it is a fact that no Parliament can bind its successor, but it can express a clear intention, set up a test and provide mechanisms against which proper scrutiny of any proposal can be mounted, and that is what we are doing. I acknowledge her right hon. and hon. Friends' contribution to and, in fact, origination of this idea.

The hon. Lady is concerned that the statements that are provided for could be ignored and may not be as effective as she intends. The case law clearly establishes that if a statutory consultation is provided for, it cannot be lightly swept aside. There is a requirement properly to engage with the recommendations that come from such a consultation, but I hear what she said about that process being open to workers as well as to people who might represent them. We can talk more about that.

The hon. Lady asked about the application to future changes to workers' rights that may come outside primary legislation. Clearly, the big changes come through primary legislation, but in the spirit of what I said earlier, I am certainly open to exploring what assurances we can give on other significant pieces of legislation that might be in scope.

The hon. Lady mentioned the jurisprudence of the ECJ. It would clearly be inappropriate after Brexit for the ECJ to have a remit in the UK, but of course, as she knows as a lawyer herself, any court can have regard to the decisions of any court that it considers to be relevant in the case being considered.

The hon. Lady mentioned enforcement, on which we strongly agree. There are industries—sometimes concentrated in particular places in the country—in

[Greg Clark]

which what she described is correct: a calculation is made that employers who abuse the rights of their workers are unlikely to be detected and enforced against, which leads them to think that they can get away with it with impunity. The intention behind the strengthened enforcement body that I described, and our intention in terms of resourcing it, is to firmly remove that idea from the mind of any such employer. I will work closely with the hon. Lady on that.

It is appropriate to recognise in the House and draw some pride from our record of employment rights. We have a successful labour market that combines a reputation for high standards—standards that have been recognised throughout the EU as being among the best in Europe—while having what is the most important right for workers, which is the right to work. Many more people in this country are able to work as a result of the effectiveness of our labour markets. We need to preserve that while giving expression to the objectives articulated by the hon. Lady's colleagues, to make sure that the commitment we have given to build on that strength in future is something that is not just a matter of words but has parliamentary force behind it. I am grateful for what the hon. Lady said about working together.

John Redwood (Wokingham) (Con): I am assured that the Government and this Secretary of State want high standards of employment rules in this country, and I look forward to our having independence so that we can have our own domestically crafted high standards, which will be above the minimum EU standards, but will the Secretary of State please explain why he has proceeded with this statement? I thought its sole aim was to win over the Labour party, but it seems Labour is in complete disagreement with it.

Greg Clark: I was very much influenced by the exchange between my right hon. Friend and the hon. Member for Bassetlaw (John Mann) when the latter spoke to his amendment in January. As I recall, my right hon. Friend correctly intervened on the hon. Gentleman to reinforce his personal commitment to establishing and maintaining Britain as a place of voluntarily high standards. Because that represents a point of agreement in the House and is a reflection of our traditions—our reputation is as place of high standards, thanks to the accretion of steps taken by Governments of both parties—I think this is an opportunity to work together to see whether we can establish something that is rooted in the sovereignty of this House, which my right hon. Friend quite rightly insists on, but also provides assurance to those who want to see measures as well as words.

Chris Stephens (Glasgow South West) (SNP): The Secretary of State started by talking about his party's record on workers' rights. He will forgive me for questioning whether the political party that put into legislation the Masters and Servants Act 1823, which codified corporal punishment for workers, has a good record on workers' rights. Indeed, to bring us up to date, his party also introduced the anti-trade union Act.

Rather than guaranteeing or protecting workers' rights, the statement does no such thing; in fact, it would be a misrepresentation to suggest otherwise. The Secretary

of State will be aware that the EU is currently discussing regulations on the gig economy and rights for working parents that are far better than what can be found in the Government's good work plan. If those EU regulations come to pass, how will the Government deal with them in this Chamber? Given that we keep being told that the next election is in 2022, is the Secretary of State committing the Government to at least matching EU regulations until then?

Given that the statutory instrument process is being used to weaken workers' rights, as we saw recently with the denial of access to European works councils, what makes the Secretary of State believe that we should trust the Government on this? Will he, as a gesture of good will, table an amendable motion on the Government's good work plan that will allow Members to strengthen regulations, particularly around zero-hours contracts and their elimination and sorting out workers' status?

Greg Clark: On the good work plan, we will be introducing an employment Bill and it will of course be amendable, in the manner of legislation. We are provided, though, with a more immediate opportunity: that Bill is for the next Session, whereas I very much hope that the withdrawal Bill will be available during the weeks ahead and provide that immediate opportunity to express our determination to apply the commitment that the Prime Minister made on this issue.

The hon. Gentleman mentions the measures on the gig economy that are being contemplated by the European Union. Actually, that is a fine example of what I said earlier: those measures follow the commitments that we have made in the good work plan, and they are now making their way through Brussels. We were in advance of that. As I made clear in my statement, both those EU directives would go through the procedure that I described and would be available to the House, if Members thought there was anything extra in them. Actually, though, we think the directives are in many respects modelled on our own proposals.

On the ability of this House to enforce high standards, I say that that been the tradition. My experience as a Minister at European Councils over recent years is that our record of high standards when it comes to workers' rights, employment protection and health and safety is looked at with admiration by many of our counterparts across the European Union. This allows us to continue that leadership.

Rebecca Pow (Taunton Deane) (Con): I welcome this statement and the proposed clauses therein. As my right hon. Friend has been touching on this matter, does he agree that it is often the UK rather than the EU that has led the way not just on workers' rights, but on environmental standards, and that we should be proud of that? Will he confirm that today's announcements will ensure that we continue with these high standards in both areas and that we give due regard to any strengthening of environmental protections and regulations by the EU once we leave?

Greg Clark: My hon. Friend is quite right. Again, the provisions adopted by the Climate Change Act 2008 were not required by the European Union. They were a set of decisions that were taken by this House, and that has been our record. The proposals that I have set out

allow us to continue to do that, while making sure that the House is not only properly informed but required to make an explicit determination that, if there are new policies that are adopted and directives that are proposed, they are debated and considered in this House. That seems to me to be a good mechanism to ensure that we are always aware of what is being done in the European Union after we have left it.

Caroline Flint (Don Valley) (Lab): Madam Deputy Speaker, you and I remember doing an all-nighter in this House when the Labour Government took through the national minimum wage. In fact, we were here all night long, until 9 o'clock in the morning, because both Conservatives and Liberal Democrats filibustered and voted against the national minimum wage. I am glad those days are behind us—at least the all-nighters. I do not need lectures from anyone about being wary of the Conservatives, but may I welcome the statement today by the Secretary of State and the response by the shadow Secretary of State, my hon. Friend the Member for Salford and Eccles (Rebecca Long Bailey), as we try to forge assurances enshrined in law to protect workers' rights as we leave the EU? May I press the Secretary of State to say something more about how we will ensure that any changes on workers' rights and health and safety are consulted on and that they are not cherry-picked by a future Government? May I also support the concerns of my hon. Friend about the right to judicial involvement for workers who want to make sure that those rights are upheld?

Greg Clark: I am grateful to the right hon. Lady for having initiated this conversation through her amendment to the previous motion, and I think a fruitful discussion has come from that. On the ability to cherry-pick those measures that are adopted by the European Union that might find favour with the Government but not those that do not, the requirement would be to report everything that the European Union has adopted during a six-month period and for the Government to have to make a statement in respect to all of those measures. The motion that would then be required to be put before the House would be amendable. The Government might say that they intended to implement one measure, to apply in a different way another, but to reject a third. That motion would be amendable, so the House could alter the Government's intention and express its view directly. As for the direct access for workers to these procedures, I made a commitment to the hon. Member for Salford and Eccles (Rebecca Long Bailey) that we would work together to see what can be done on that, and I am sure that the right hon. Lady will want to be part of those conversations.

Mr Clive Betts (Sheffield South East) (Lab): I actually whipped the minimum wage Bill through Committee on that occasion, so I well remember Conservative hostility to it.

What the Secretary of State is really promising today is future consultation and future opportunities for votes. Looking behind him, I do not see a great deal of commitment from those Benches to such measures. Why can he not go further? Why can he not agree to put a commitment into the withdrawal agreement and the treaty that the UK will never fall behind EU minimum standards on workers' rights either now or in future?

I know that he has mentioned parliamentary sovereignty and not binding future Parliaments but, historically, Governments have negotiated treaties and Parliaments have approved them and those treaties are binding on future Parliaments until they choose to withdraw from them. Why can we not have that sort of arrangement?

Greg Clark: We are talking about legislation here, not the treaty, and the withdrawal agreement has already been established. In the future economic partnership, there is a negotiation to be conducted—it is specified there—on our level of alignment when it comes to workers' rights, but this is in advance of that. This provides an opportunity at the point of withdrawal to give Parliament the ability to make sure that it takes an informed view of whether it wants to continue to be aligned. That is a valuable opportunity. The hon. Gentleman says that we should do it now with the treaty. That is part of the next phase of the negotiations. It is taking all the Government's efforts to conclude the withdrawal agreement, without being able to conclude the future partnership in the next few weeks. But this is an important opportunity to establish, in primary legislation, a requirement properly to consider all new regulations that would come from the European Union and to assess the compatibility of legislation that we make in this House with that of the rest of the European Union. That, it seems to me, is a valuable opportunity.

Jack Dromey (Birmingham, Erdington) (Lab): Let me start by echoing the warm words of the Secretary of State about Kumar Bhattacharyya. The Jaguar plant in my constituency is open, employing more than 2,000 workers, in no small way due to his herculean efforts over many years to turn around Jaguar Land Rover.

In my previous being, on behalf of the Transport and General Workers' Union, I took the case of the Eastbourne dustmen all the way to the European Court of Justice because a Conservative Government refused to apply the acquired rights directive to 6 million public servants. We won and TUPE was extended to those 6 million public servants. In future, however, there will not be the same enforcement mechanism. The trade union movement has spoken with one voice today. Frances O'Grady said that this will not protect rights and that there is nothing to stop future Governments from tearing up the legislation. She added that no one should be "taken in" and that our rights are "still under threat." Does the Secretary of State understand that residual concern and that, crucially, unless the Government go significantly further with regard to legally enforceable rights, not just depending on the whims of future Governments, she is right: these guarantees are worthless?

Greg Clark: These rights will be enforceable by the UK courts. I meet Frances O'Grady very regularly. As I said to the shadow Secretary of State, I recognise that the TUC has a different preference, which is to continue to embed European rights directly and to have them enforced by the Court of Justice of the European Union. That is a different approach. In my view, it is not compatible with Brexit. Therefore, we are looking for a way in which this House, this Parliament and the UK courts can provide the guarantees that I think everyone in this House wants to give.

Gloria De Piero (Ashfield) (Lab): Trust is a big issue here. In July 2016, the Prime Minister told the nation:

“I want to see changes in the way that big business is governed...we’re going to have not just consumers represented on company boards, but workers as well.”

Can the Secretary of State confirm that that promise to workers was broken?

Greg Clark: No, what the Prime Minister set out in that speech was to have the voice of workers represented in the boardroom. The action that we have taken in requiring businesses to establish a worker representative, or to have a non-executive director with the function of representing workers, or to have a works council with an influence on the board, was something that I was proud to set out in furtherance of the Prime Minister’s assurance.

Justin Madders (Ellesmere Port and Neston) (Lab): I am sure that the Secretary of State can see that there is a little bit of a credibility gap to close. He said in his statement that the Prime Minister has given a commitment that Brexit will not be allowed to erode workers’ rights, so can he explain why both he and the Prime Minister last week voted in favour of statutory instruments that do exactly that?

Greg Clark: I am very proud of the record of this country and this Government in advancing rights in the workplace. The “Good Work” report by Matthew Taylor established, way before many other countries, a means of ensuring changes to UK law around the platform economy and the gig economy to ensure that people are not disadvantaged by these new platforms. The Prime Minister and I have both given that commitment. In deference to some of the scepticism that the words of the Prime Minister should be sufficient, this parliamentary mechanism to enshrine a degree of scrutiny and give this House the ability to insist that that non-regression is abided by is the basis of the amendment that was proposed, and that we are accepting and acting on today.

Ann Clwyd (Cynon Valley) (Lab): They say that the Secretary of State is a very nice man. I do not know him. I am sure he is. But I do not trust the gang that he is part of.

I was a Member of the European Parliament from 1979 to 1984. Before that, I took a petition to the European Parliament in ’77, arguing for equal rights for men and women. I then became a member of the employment committee in the European Parliament, and I am glad to say that some of the things in that petition became law because of the European Parliament, not because of this place. You will know very well, Madam Deputy Speaker, that I was a shadow Employment Minister when the Opposition were working on the minimum wage. I know how hard we had to fight every inch of the way, because we were told that that was not possible, that it would cost jobs, that industry would not be able to afford it, and so on.

When there were big job losses in steel and coal, I was an MEP for one of the affected areas, and I took a group of steelworkers to Brussels to meet the Commission. The big criticism of the Government at that time was that the situation here was unlike that in Germany,

where steelworkers were also losing their jobs, but every man in the steel industry in the Ruhr had another job to go to. In this country, there was no safety net. The criticism then was that there was a lack of social policy in this country. Why should I have faith that things have changed when I hear that the number of factory inspectors has diminished? If we do not have factory inspectors, we do not have people looking at the limitations in the industries. I would like to believe the Secretary of State, but I am sorry; I do not.

Greg Clark: I am grateful to the right hon. Lady for the compliment that she paid me. I would reflect on the facts. She mentioned that introducing the minimum wage was a fight. This House is used to having fights and campaigns. The purpose of this Chamber is to have crusades that are successful. She will know that, far from that innovation having been rescinded, it was a Conservative Government who introduced the national living wage, which was the biggest pay increase for low-paid workers in 20 years. She should take confidence in that.

The right hon. Lady refers to drawing these protections from the European Union. Once we leave the European Union, the basis for a framework of workers’ rights will obviously not be there, and the alternative is that there would simply be no reference to what is happening in the European Union; that would be the default. We are responding to some helpful suggestions from the right hon. Lady’s colleagues that this House should keep a close eye on what is happening in the rest of Europe and that there should be an ability for the House to act on that. That is a good idea. I cannot say that it was my idea originally—it was brought to my attention—but when we recognise a good idea, I think we should back it.

John Mann (Bassetlaw) (Lab): I recall, as an MP, taking a delegation of miners’ leaders to Brussels to argue for jobs and investment, but we were blocked by the state aid rules that the European Commission enforced on us under a Labour Government. That is why Harworth colliery in my constituency closed.

I welcome the Secretary of State’s openness in his statement—both to amendments from Labour Front Benchers over the next few days, if there are precise amendments and, if they are not agreed, to the ability to table amendments to the withdrawal Bill that can be voted on by Parliament.

I negotiated the derogation, under the Labour Government, for one section of workers from the Work at Height Regulations 2005 because of the way in which the Commission framed the legislation. When it comes to health and safety, will there be automatic harmonisation—in other words, we accept everything that comes, regardless of its suitability to specific industries and groups of workers? When it comes to health and safety and sometimes environmental standards, that has been a fundamental issue, and it would be one if we had direct harmonisation.

Greg Clark: I am grateful to the hon. Gentleman for his work in crafting this proposal, and I repeat the commitment to continue to work together as the draft clauses become clauses that are laid before the House. The procedures of this House allow substantial debate of those clauses in Committee and on Report. I agree

with his assessment. It is not the case that every regulation proposed by the European Union is ideal and well suited to our circumstances. From my experience in European Councils, there is a process that tries to apply a set of rules in many different countries and economies that may not actually be the best for the UK economy. The procedure that the hon. Gentleman has given us the ability to discuss today provides this House with a means by which to consider what the best form of regulation is, suited to our circumstances and respecting the sovereignty of this House and this Parliament.

Madam Deputy Speaker (Dame Rosie Winterton):

This is obviously an extremely important statement, but there is quite a lot of other business to get through this afternoon, so shorter questions and shorter answers might be in order.

Alison McGovern (Wirral South) (Lab): The Secretary of State speaks well and everybody wishes to listen to him. However, not all his colleagues are of the same mind. Before Christmas, the Attorney General stood at the Dispatch Box and boasted that the non-regression clauses in the deal are

“not enforceable either by the EU institutions or by the arbitration arrangements under the withdrawal agreement.”—[*Official Report*, 3 December 2018; Vol. 650, c. 559.]

So why on earth should we trust these clauses?

Greg Clark: The Attorney General was making a statement of fact that the provisions in that agreement are not covered by that arbitration mechanism. That is a statement that accurately reflects the reality, which is one of the reasons why availing ourselves of the opportunity to have a parliamentary mechanism to act on and see implemented that non-regression commitment—putting it in the hands of this House—is especially valuable.

Jim Fitzpatrick (Poplar and Limehouse) (Lab): The Secretary of State will accept that there is a lot of scepticism among Opposition Members about the Government’s integrity on this issue, and the fact that the trade unions were invited in so late in the Brexit process only fuels that. As he says, we have never solely relied on the EU for workers’ rights and legislation in this country, and when we leave the EU we will need a framework within which to work, so his statement is welcome. Other issues such as electronic balloting are important to the unions. Have they featured in his recent meetings with the unions? How would that demand, and others, fit into his attitude to discussions and communications with the unions in the context of his statement?

Greg Clark: I am grateful to the hon. Gentleman for what he says. Of course, I meet the unions—both the TUC and individual unions—very regularly. My responsibilities there go beyond the matters we are discussing today, which are expressly about the European Union. The issue of balloting is outside of discussions on the European Union. It is important to have a good relationship with trade unions. When good ideas are put forward, whether they come from his side of the House or from the trade union movement should not prejudice their ability to be considered fairly and taken forward.

Jo Swinson (East Dunbartonshire) (LD): The Business Secretary knows, as I do, that he has Conservative colleagues who would like to see workers’ rights diluted or swept away in the name of deregulation, and—who knows?—one of them could be Prime Minister before long. Will he therefore confirm that the mechanisms he has outlined could be repealed by a future Government passing primary legislation? Is it not true that exchanging enduring EU protections on the environment and workers’ rights for these flimsy mechanisms is like trading in a car that has a lifetime guarantee for a lemon without a log book just because the floor mats are thrown in?

Greg Clark: I disagree with the hon. Lady. I would say that there are far more of my colleagues who recognise the benefits for the UK of being a country and a jurisdiction that is associated with high standards rather than a race to the bottom, and that that is the way we will prosper as a country. I think she should have a little more faith in that.

The hon. Lady talks about the framework that the European Union offers. We are leaving the European Union—I recognise that she would rather we were not—so the choice before us is whether, in leaving, we have no reference to anything that is done, now or in future, in the European Union, or we create a mechanism that allows this House to see what is going on and to be able to act on it, bolstered by the statutory requirements on any Minister, now or in future, to pay due regard to the statements that are made in terms of compatibility.

On the hon. Lady’s point about a future Government being able to repeal the whole lot, she knows enough about the British constitution to know that that is available for every law, in every circumstance, by every House of Commons following every election.

Melanie Onn (Great Grimsby) (Lab): I cautiously welcome the statement by the Secretary of State. I think that we owe it to him to recognise the sincerity with which he has approached the discussions with our Front Benchers, with other Labour Members and with trade unions to try to seek some form of compromise—because that is what this is. It does not meet the gold standard of my private Member’s Bill—I recognise that—but there is much to be welcomed, including the facility of an amendable and votable motion. However, there remains a fundamental issue of trust that he cannot have failed to notice, and I suggest that he may need to do further work to try to reassure more people, specifically, perhaps—this is one of the issues that the TUC has raised—on the fact that statements from the Government might be made only in relation to primary legislation, whereas many employment changes come through secondary legislation. What assurance can he offer to the TUC?

Greg Clark: I am grateful to the hon. Lady for what she says. As I said to the hon. Member for Salford and Eccles (Rebecca Long Bailey), most of these rights derive from primary legislation. We will see whether there is an ability to provide the assurance that the hon. Member for Great Grimsby (Melanie Onn) seeks.

I am grateful to the hon. Lady for the contribution made by her private Member’s Bill. She has done the painstaking work of producing a great schedule of directives to which her Bill would apply. I propose—I hope she will not mind—that we plagiarise that and

[Greg Clark]

introduce it as the basis for our list of directives so that we can, if not replicate it in all respects, at least capture the spirit of her Bill.

Hugh Gaffney (Coatbridge, Chryston and Bellshill) (Lab): I thank the Secretary of State for saying that he recognises the abuse by “a small number of firms, in a small number of industries”, but I do not agree with the use of “small”. I think that should be “huge”, “large”, or “common practice”. Will he give a level playing field to the workers in these industries by stopping zero-hours contracts?

Greg Clark: I will not do that, because one of the conclusions of the Matthew Taylor report was that most people, of the small—and, indeed, shrinking—number of people on zero-hours contracts welcome that flexibility. The hon. Gentleman will know that many Labour councils up and down the country have casual workers on those contracts and say, in terms, that they are an important part of what their workers want.

However, I do agree with the hon. Gentleman on enforcement. A number of firms are doing such things, but they are not typical, by any means. Some of us will have read about some of the abuses in the garment industry in and around Leicester, for example. These simply cannot be allowed to continue without the steps being taken to restore confidence to those workers that their rights will be respected. That is the intention behind what I have set out in terms of strengthening and better resourcing our enforcement mechanisms.

Louise Haigh (Sheffield, Heeley) (Lab): Fresh in the minds of those of us who feel scepticism about the commitments made by the Secretary of State and the Prime Minister will be the fact that his party, in coalition with the Liberal Democrats, introduced employment tribunal fees, which were ruled unlawful by the Supreme Court, largely because of their hugely disproportionate impact on women bringing cases on maternity discrimination. Can the Secretary of State confirm that, contrary to comments made by the permanent secretary at the Ministry of Justice, his Government have absolutely no plans to reintroduce employment tribunal fees?

Greg Clark: The hon. Lady is a little churlish in ignoring some other examples. I would have thought she would welcome, for example, the introduction by a Conservative-led Government of the national living wage, which has made a big difference to many low-paid people across the country. Clearly, the judgment that was made by the Court struck down those fees. We will respect the judgment of the Court in the proposals that we make as we respond to it.

Bridget Phillipson (Houghton and Sunderland South) (Lab): I listened to what the Secretary of State had to say, but the fundamental issues remain the same. This Government's Brexit deal fails to protect jobs, living standards, and workers' rights. I am sure that he will tell me otherwise, but if he is so confident that this is the right deal for our country, why will he not let the people decide and have the final say on it?

Greg Clark: I can report to the hon. Lady that employers, including in her constituency, are very anxious that we should get on and approve this deal because, as I said, the best right that a worker has is the right to work. The concerns that come from the uncertainty of not agreeing a deal that has been endorsed by employers is giving cause for concern to many workers up and down the country. I hope that in the days ahead, as well as advancing this package, which will provide a means for us to have regard to and take decisions on workers' rights, and as we see what happens in the rest of the European Union, we will also act to safeguard the jobs of workers in her constituency and mine by approving the deal.

Stephanie Peacock (Barnsley East) (Lab): The Prime Minister previously told the House that one step the Government were taking was to abolish the so-called Swedish derogation, but can the Secretary of State confirm that in the regulations laid before the House today, agency workers will be forced to wait until 2020, at the earliest, for equal rights in the workplace?

Greg Clark: Having made the commitment to abolish the Swedish derogation, which previous Labour Governments signally failed to do, we have brought forward, at the earliest opportunity, a statutory instrument to do that. I have had representations from the trade unions as to the timing, and we will reflect on that. However, I think that the hon. Lady, being fair-minded, would acknowledge that we have brought forward the necessary legislation very quickly in response to the policy commitments that we have made.

Ruth George (High Peak) (Lab): As well as echoing other tributes paid today, I would like to pay tribute to Lord Davies of Coity, who died on Monday. He was a doughty champion of workers and workers' rights for many decades.

Problems with enforcement of employment rights are not just in particular areas, but are widespread and particularly affect young workers, careworkers and catering sector workers, many of whom work in my constituency and have few other options for employment. I welcome the Secretary of State looking again to expand the enforcement of employment rights. Will he commit to group cases being taken to tribunal and to third-party representations being made to HMRC about the minimum wage?

Greg Clark: First, I echo the hon. Lady's condolences. She tempts me to go beyond my jurisdiction. My portfolio is pretty broad, covering energy, industry and the industrial strategy, but she refers to matters that are, properly, for the Ministry of Justice. I am happy to talk to the Lord Chancellor and meet the hon. Lady if she would like to talk about such grouping of cases.

Mr Paul Sweeney (Glasgow North East) (Lab/Co-op): Has the Secretary of State secured the endorsement of any trade unions for his proposed course of action? If not, what does he propose to do to secure it?

Greg Clark: My ambition is not to secure the endorsement of trade unions. We have had fruitful discussions. As I said to the hon. Member for Salford and Eccles (Rebecca Long Bailey), I respect the fact

that the trade unions would rather things were done in a different way—namely, that we continue to import, as it were, directives and regulations from the European Union and have them enforced by the European Court of Justice. That is their preferred policy; I understand that. It is certainly not our policy. I do not think it is compatible with leaving the European Union. However, leaving the European Union and the opportunity to put in statute various measures, which will allow the House to consider actions that we take on employment rights, does not mean that we cannot establish agreement across the House and take the advice of the trade union movement, even though it might ultimately prefer a different solution.

Point of Order

2.42 pm

Seema Malhotra (Feltham and Heston) (Lab/Co-op): On a point of order, Madam Deputy Speaker. I have been contacted by residents in Camellia House in my constituency, who are distraught at being left without a lift for the last two months, which is causing great stress to many residents, and particularly those with young families or disabilities. The situation has now become more serious, with one of the residents, who has had a stroke, now being discharged from hospital. FirstPort has failed to provide any explanation for the delay or any compensation to residents. It has also failed to respond to inquiries from my office since the issue was first raised with the company on 25 January.

Madam Deputy Speaker, what advice can you give me on how to raise that matter in order to get Ministers' attention, so that pressure can be applied to FirstPort to get the lift fixed and FirstPort can be held to account for its clear disregard for residents and their needs?

Madam Deputy Speaker (Dame Rosie Winterton): I thank the hon. Lady for her point of order and for giving me notice that she intended to raise it. I am sure we are all sorry to hear of the plight facing her constituents, but I hope she will understand that it is not a matter on which I can rule. However, she has placed her concerns on the record, which I am sure will be appreciated. As I am sure she knows, she could go to the Table Office for advice on the other ways in which she can raise that matter on behalf of her constituents.

BILL PRESENTED

SCHOOL UNIFORM (GENDER NEUTRALITY) BILL

Presentation and First Reading (Standing Order No. 57)

Layla Moran, supported by Jo Swinson, Wera Hobhouse, Christine Jardine, Caroline Lucas, Hannah Bardell and Mhairi Black, presented a Bill to require school uniform policies to be gender-neutral; and for connected purposes.

Bill read the First time; to be read a Second time on Friday 22 March, and to be printed (Bill 350).

Charity Trustees (Time Off for Duties)

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

2.44 pm

Susan Elan Jones (Clwyd South) (Lab): I beg to move,

That leave be given to bring in a Bill to amend the Employment Rights Act 1996 to give charity trustees the right to time off work for the purposes of carrying out the duties of that office; and for connected purposes.

Charity trustees are the people across the length and breadth of our country who volunteer their time and expertise to provide governance for our nation's charities, large and small. They deserve our thanks—I do not think anyone would disagree with that—but warm words on their own are not enough, which is why I am introducing this ten-minute rule Bill.

The Charity Trustees (Time Off for Duties) Bill has two clear purposes. The first is to value our existing charity trustees by giving them an improved status in law. The second is to provide the sort of support that might encourage a greater number of people from a wider diversity of backgrounds to take on this important but unpaid civic duty.

I am delighted that the Bill has been commended widely, and I would like to put on record my particular thanks to the National Council for Voluntary Organisations, the Association of Chief Executives of Voluntary Organisations, the Small Charities Coalition and the Wales Council for Voluntary Action for their support. I would also like to thank the Members from different political parties who are the Bill's co-sponsors.

As the law stands, an employee can take a reasonable amount of time off work if they are a magistrate, school governor, local councillor or one of eight other categories of duty. Those categories do not include the role of charity trustee. This Bill seeks to change that. Let me be clear: this is the most moderate of Bills. I am not asking for a higher status in law for charity trustees than for those who undertake any of the other public duties already covered by statute. Under the existing legislation, one has the right to "reasonable" time off to carry out certain public duties. There is, of course, no requirement that it be paid time off.

"Reasonableness" decrees that the amount of time off must be agreed with the employer before taking it and that the employer can refuse a request if it is considered to be unreasonable. What is considered to be reasonable will depend on what duties need to be carried out, the time it will take, the impact on the employer's business and how much time has already been taken. Moreover, staff cannot ask for time off work for public duties if they are agency workers, members of the police or armed forces, employed on a fishing vessel or a gas or oil rig at sea, merchant seamen, or civil servants if their public duties are connected to political activities restricted under the terms of their employment. The existing terms for "reasonable time off for public duties" would be totally unchanged by the Bill. The only change that the Bill seeks is to extend those terms to charity trustees, and that is not before time.

We cannot overestimate the importance of charity trustees in our society. Section 177 of the Charities Act 2011 defines trustees as

"the persons having the general control and management of the administration of a charity."

Trustees are ultimately responsible for everything a charity does and can be held legally accountable for the decisions they make. Trustees freely give their own time, energy and expertise to help charities achieve their aims, and the contribution they make to civil society and our country is vital. While it is difficult—indeed, probably impossible—to put an exact monetary value on the contribution that trustees make to society, statistics from "Taken on Trust", the 2017 report published by the Charity Commission, show that the estimated time value of trustee input per year is £3.5 billion.

Research from the National Council for Voluntary Organisations has found that 91% of charities rely solely on the work of volunteers. Many of these charities are community-based, and a significant proportion do amazing work to help tackle poverty and deprivation. Trustees often play both a governance and executive role. Without their trustees, these vitally needed charities simply could not exist. If these charities were not there, either the state would have to undertake the work, or no one would do so, with all the human and economic costs that that would entail.

The Small Charities Coalition asked its members if they would be supportive of this ten-minute rule Bill. The respondents were supportive and believe that the change would not only be beneficial to current trustees, but help small charities to attract new ones. This is something I believe we must aspire to.

The House of Lords Select Committee on Charities report "Stronger charities for a stronger society" expressed its concerns about the lack of diversity among charity trustees, which it saw as limiting the experience and knowledge of charity boards. The Charity Commission's report "Taken on Trust" made a similar point when it stated that the average trustee is a 62-year-old white British male. Research by the Charities Aid Foundation—"Charity Street II"—found that young people and women are the most likely to use charity services, but there are double the number of male trustees as there are female ones, with charity trustees tending to have an above average income and level of education. A report from the agency Inclusive Boards found that the boards of charities in England and Wales are less diverse than those of FTSE 100 companies.

Today, I want to celebrate both our existing and our prospective trustees. If a 62-year-old white British male trustee is reading this in *Hansard* or watching BBC Parliament, I want to assure them that this House values their service. However, I would like that service to be enhanced by that of a wider range of people. Without this, I believe that charities will miss out on the huge range of skills, experience and perspectives that a wider pool of trustees could offer.

I also believe that we should take seriously the fact that whole swathes of the population are currently under-represented as charity trustees, and are losing out on the wealth of development opportunities that being a trustee provides. That is simply not good enough. Charities could greatly benefit from having young people on their boards, particularly in the ever more digital world we now live in, while being a charity trustee enables young people to develop key employability skills, interact with people outside their usual social groups and broaden their networks.

Trusteeships offer a rare opportunity for people to gain board level experience early in their careers or even before their career has fully begun. The best companies are already leading the way by supporting their employees as they take on trustee roles. They welcome the part that charity trusteeships can play in offering their staff vital board level experience. I believe it is essential that such experience is offered widely. John Gallanders, chief officer of the Association of Voluntary Organisations in Wrexham, makes the point that this experience should not just be for those who are on middle-management levels or above, commenting

“what is the difference between a parent who is a School Governor getting time off and someone who may be lower down in the staff structure perhaps wanting time for a playgroup meeting?”

I agree totally.

There was a time when the words “big society” were used quite a lot in this place, but I do not want us to get bogged down with the terminology of the day or the semantics of how we on different sides of the House sometimes use different words. Whatever words we use, I have no doubt that a society that values and supports its charity trustees is a bigger and a better one, so I commend this Bill to the House. I hope, too, that this House will support it, and that the Government will act.

Question put and agreed to.

Ordered,

That Susan Elan Jones, Julie Elliott, Lilian Greenwood, Jo Stevens, Jeremy Lefroy, Tonia Antoniazzi, Mary Glendon, Victoria Prentis, Stephen Timms, Daniel Zeichner, Gareth Thomas and Wera Hobhouse present the Bill.

Susan Elan Jones accordingly presented the Bill.

Bill read the First time; to be read a Second time on Friday 22 March, and to be printed (Bill 351).

Comptroller and Auditor General

[Relevant document: Seventy-fifth Report of the Committee of Public Accounts, HC 1883, Selection of the new Comptroller and Auditor General.]

2.55 pm

The Prime Minister (Mrs Theresa May): I beg to move,

That an humble Address be presented to Her Majesty, praying that Her Majesty will appoint Gareth Davies to the Office of Comptroller and Auditor General.

I would like to start by paying tribute to the outgoing Comptroller and Auditor General, Sir Amyas Morse, who has led the National Audit Office since 2009. The past decade has been a period of great change in the public finances, during which Sir Amyas has served with distinction, displaying the independence and professionalism that have been the hallmarks of his career. He has now reached the end of his non-renewable term, and I am sure I speak for the whole House when I thank him for his service and wish him the very best for his future endeavours.

Frank Field (Birkenhead) (Ind): May I as a Back Bencher, but also as a Select Committee Chair who drew on Sir Amyas’s services, record one aspect of him that so struck me, which was his attitude to public service? He had a golden DNA that ran through him, with a knowledge and a certainty about how he should serve this House and, through this House, the public. However friendly one got with him—one might be on Christian name terms—one knew it meant nothing if he did not think something was the right thing to do.

The Prime Minister: As I have said, Sir Amyas’s professionalism and integrity shone through the work that he did and, as a Select Committee Chairman, the right hon. Gentleman knows that and has experienced it at first hand.

In line with the Budget Responsibility and National Audit Act 2011, the appointment of Sir Amyas’s successor, Gareth Davies, has been agreed with the Chair of the Public Accounts Committee, the hon. Member for Hackney South and Shoreditch (Meg Hillier). With three decades of audit experience, gained in both the public and private sectors, Mr Davies is eminently qualified to be our 17th permanent Comptroller and Auditor General, a position he will hold for a non-renewable term of 10 years.

I am sure that, under Mr Davies’s leadership, the National Audit Office will continue its proud history of rigorous and independent scrutiny of Government, and that the people of the United Kingdom can have every confidence that their taxes will continue to be spent in an effective and proper manner. Mr Davies will be a worthy servant of this House and this country. I am delighted to support his appointment, and I commend this motion to the House.

2.58 pm

Peter Dowd (Bootle) (Lab): I rise to offer the Opposition’s backing to the appointment of Mr Gareth Davies as Comptroller and Auditor General. The position was initiated by William Gladstone, a Liverpudlian at birth

[*Peter Dowd*]

who lived at Seaforth in what is now my constituency of Bootle and actually went to school in Bootle at one point.

The importance of the position is reflected by the fact that the Prime Minister is in attendance and has formally moved this appointment. Similarly, its significance is demonstrated by the rigorous vetting process undertaken by the Chair and members of the Public Accounts Committee. This reflects the central role parliamentary Select Committees play in modernising Parliament, ensuring that the appointments made by Governments of whatever colour receive proper parliamentary scrutiny.

As the chief executive of the National Audit Office, the work of the Comptroller and Auditor General cannot be overestimated. The NAO provides an indispensable role in independently auditing Government Departments, ensuring financial transparency and good value for money, as was mentioned by the Prime Minister.

I know that I speak for all Members when I say that the NAO's work is vital in establishing an accurate picture of Government spending and in helping Members to properly hold Ministers to account. That work will be more important than ever as Ministers continue to spend increasing amounts of public money in preparation for no deal, with appropriate oversight from this House. I have no doubt that the new Comptroller and Auditor General will continue the forensic examination of accounts that we have all come to respect and that I hope the Government and their Departments—particularly those that have “Transport” in their name—will recognise, now and in the future. At this pressing time, the NAO's workload will be made even heavier by the Government's departmental spending review, which may put more strains upon services.

I echo the Prime Minister's tribute to the outgoing Comptroller and Auditor General, Sir Amyas Morse. He has served with distinction under difficult circumstances, given that under his tenure the NAO has not found itself protected from cuts to resources and staffing.

Let me turn to the appointment of Mr Davies, who has more than 30 years of mixed experience as a public auditor, including work with local public services, central Government and the charity sector. The Opposition support the recommendation of the cross-party Public Accounts Committee and its satisfaction

“that Mr Davies has suitable audit and professional experience and demonstrates the necessary independence and resilience to make a success of the role.”

It goes without saying that Mr Davies is taking over the position at a difficult time and has an important task ahead. However, the Opposition are confident that he will perform his role with distinction and diligence. On behalf of the Opposition, I wish him well.

3.1 pm

Sir Geoffrey Clifton-Brown (The Cotswolds) (Con): I am delighted to catch your eye in this important but short debate, Madam Deputy Speaker.

I first served on the Public Accounts Committee between 1997 and 1999, under the chairmanship of my right hon. Friend the Member for Haltemprice and Howden (Mr Davis). Since September 2017, I have served as its deputy Chairman. There is probably only one other Member of this House—my hon. Friend the

Member for South Norfolk (Mr Bacon), who is sitting beside me—who has served on the PAC during the tenure of both Sir John Bourn, the previous Comptroller and Auditor General, and Sir Amyas Morse, the current holder of that office. Of course, they were both very different. In some ways the job has evolved with changing circumstances, such as the review of the whole of Government accounts, but in other ways it has not; the NAO's basic auditing function and its value-for-money reports are exactly the same as when I first joined the PAC. Each CAG and each Chairman of the PAC has different ways of working.

Under the excellent chairmanship of my hon. Friend—as I call her for this purpose—the Member for Hackney South and Shoreditch (Meg Hillier), the CAG and the NAO are much more available to give briefings to Members and answer their queries than they ever were in the old days. The briefing session before each PAC hearing and the appointment of lead members has made the Committee's huge workload—with public sessions twice weekly—manageable for its members. It also means that they are able to specialise, so the Committee's work is much more professional. Together with the excellent work of the NAO, those changes have led to the Government accepting approximately 80% of PAC recommendations.

Departments could and should make better use of the information that the PAC and the NAO provide. The PAC is probably the most important Select Committee in this House and its whole *raison d'être* is to scrutinise the entirety of Government expenditure. That is reinforced by the convention that its Chairman is always an Opposition Member.

The CAG is a parliamentary appointment that is then approved by the Government, as in the motion so graciously moved today by the Prime Minister. I thank her for being present, given all the multifarious and difficult responsibilities that she has at the moment. Her presence demonstrates just how important an appointment it is.

That brings me to the appointment of the 17th Comptroller and Auditor General, Mr Gareth Davies. Having chaired his pre-appointment hearing at the PAC on 21 January, I have no hesitation in endorsing his appointment. There was an extremely strong shortlist, but he emerged as the best candidate. The CAG is instrumental to ensuring that Parliament is able to carry out its financial scrutiny of the Executive via the PAC, with the support of the NAO, so the vacant post was advertised to a very wide talent pool. The shortlisted candidates then underwent a technical assessment with the Auditor General for Scotland and extensive interviews and testing with a diverse panel of NAO staff. The process was stringent, and I believe that it has found an excellent successor to Sir Amyas Morse.

There can be no doubt about how eminently qualified Gareth Davies is for the job. He has more than 30 years' experience as a public auditor and has worked at a senior level both in public services and in central Government. A University of Cambridge mathematics graduate, he qualified as a chartered accountant in 1992 and then worked in audit for several local authorities across London and the south-east, as well as for the Department of Health. Since 2012, he has served as head of public services at Mazars LLP, before which he was a managing director at the Audit Commission.

It would be wrong not to record my thanks to the departing CAG, Sir Amyas Morse, for his unparalleled and invaluable work. Under his tenure, the National Audit Office has been at the forefront of scrutinising the Government's preparedness for exiting the European Union, so it has been influential in shedding light on the scale of the task that lies ahead. Where necessary, Sir Amyas has been unflinching in his criticism of the actions of Government Ministers, or the Government as a whole. It has been an immense pleasure to work with him, and I wish him well in whatever he decides to do in the future. He was not only extremely technically qualified for the CAG's work, but unfailingly courteous. He will be missed.

3.6 pm

Meg Hillier (Hackney South and Shoreditch) (Lab/Co-op): As other Members have done, I thank the Prime Minister for coming to the Chamber today to move the motion. It is a symbol of the importance of the Comptroller and Auditor General's role that it is supported both by the Prime Minister and by myself, as a representative of the Opposition and as Chair of the Public Accounts Committee. I am honoured to chair the Committee, but it is only 157 years old, whereas there has been a Comptroller and Auditor General in some form for considerably longer.

The position that we are approving today is a constitutionally significant one, because the Comptroller and Auditor General has to deal with whichever Government are in power. They need to be fearless and strong in their attention to how the Government spend the taxpayer's money, manage projects that deliver for the citizen and ensure that they are being done as well as they can be. It is therefore important that we appoint someone with backbone, robustness and serious experience. Interestingly, this is the only time in the position's history that we have required applicants to hold a financial qualification—although the incumbent, Sir Amyas Morse, does have such a qualification.

I am reminded today of Sir Amyas's comment that it is not his job to be popular. It is important that the Comptroller and Auditor General be able to stand up for what they believe is right, based on the facts and the numbers, and ensure that the House is provided with the real numbers so that we can debate the issues.

I am delighted that the hon. Members for The Cotswolds (Sir Geoffrey Clifton-Brown) and for South Norfolk (Mr Bacon) are present. They have both served as my deputy Chair, a role that I created for Members of the Government party. As parliamentarians committed to scrutiny, we recognise the importance of the Committee's work, whichever party is in power. It is important that we have the decent information that the National Audit Office provides.

As my party's Front-Bench spokesperson, my hon. Friend the Member for Bootle (Peter Dowd), noted, the Comptroller and Auditor General is also the NAO's chief executive, so it is important that they have the ability to lead an organisation of some 800 people. In that respect, Gareth Davies also has my confidence.

I put on record my thanks to the outgoing Comptroller and Auditor General, whose term of office is limited to 10 years and will come to an end on 31 May; Gareth Davies is due to take over on 1 June, if his letters patent

are issued. Sir Amyas has been a fearless advocate for what is good in the public sector and for challenging Governments of whatever party—he has worked under different Governments of different hues—to ensure that Parliament is provided with the information that it needs to engage in scrutiny.

Stephen Timms (East Ham) (Lab): May I add a word of appreciation for Sir Amyas's accessibility to me and other Back Benchers who are not members of the Public Accounts Committee?

Meg Hillier: I thank my right hon. Friend for that comment. It is certainly my ambition, as well as the NAO's, that the information and support that it provides should be available to all Back Benchers, so that all Members of this House can properly scrutinise whichever Government are in power. With a 10-year term it is possible, as it has been with Sir Amyas Morse, that the new Comptroller and Auditor General will deal with Governments of different political hues. I am confident in his robustness, his steel, his ability and desire to call out what is right and truthful, and his straight approach to his profession. As others have mentioned, he has been an auditor for 30 years. He is highly experienced, highly capable and I highly recommend him.

3.9 pm

Mr Richard Bacon (South Norfolk) (Con): It is a pleasure to follow the hon. Member for Hackney South and Shoreditch (Meg Hillier). I would like to make two quick points.

The first point is about Sir Amyas Morse, who has been Comptroller and Auditor General for 10 years. I was one of those who cross-examined him when he appeared before the Public Accounts Committee before he was appointed. He has done an extraordinarily good job over 10 years and built up the National Audit Office, from a good position under his predecessors, to a point where it is now without question one of the best supreme audit institutions in the world, if not the best supreme audit institution in the world. He is widely respected both here and internationally. It is quite fair to say that he really has done the state some service. We are all deeply in his debt.

My second point is about the consequences of the abolition of the Audit Commission and the fact that we are now appointing, in Mr Gareth Davies, an individual of the highest calibre who has spent most of his life at the Audit Commission. Following the abolition of the Audit Commission, there are concerns about the departmental understanding of the picture emerging from local audit work. Indeed, as Mr Davies said in his evidence, referred to by my hon. Friend the Member for The Cotswolds (Sir Geoffrey Clifton-Brown), there is still a risk that, even when things are being flagged up by the local auditor, either the governance of the authority itself or the Department are not acting quickly enough to pick up and address those points.

My concern was that there might be, either in slow time or in quick time, a move to burden the NAO with a whole load of extra responsibilities, frankly swamping it with the work of local government audit. In fact, the work of local government audit is being done quite effectively. There is no evidence that it is not being done well. However, there is evidence that it is not being

[Mr Richard Bacon]

picked up quickly enough and, where local auditors are issuing qualifications, the Department of State concerned, in this case the Ministry of Housing, Communities and Local Government, is not necessarily responding quickly enough. Under the new Secretary of State, who has been in office for nine or 10 months, I am confident that changes are afoot, particularly since the debacle of Northamptonshire County Council. I just wanted to make the point that it is very important that we do not take an extremely good institution that is well-run and functioning extremely well, and try to extend its scope unnecessarily. I was therefore very relieved when I read Mr Davies's other evidence where he said:

"When an organisation like the NAO demonstrates its capability, it is very tempting to give it additional tasks, and if you are not careful you can lose focus on your prime objectives."

I was very gratified to see that he is extremely cautious about doing that. I commend his wisdom, evident in the evidence he gave to my hon. Friend the Member for The Cotswolds, and I commend his appointment as Comptroller and Auditor General.

3.13 pm

Layla Moran (Oxford West and Abingdon) (LD): Madam Deputy Speaker, as you know I am a newer Member to this House. There is no better apprenticeship for being an MP than sitting on the Public Accounts Committee. I would like to start by placing on the record my thanks to the hon. Members for Hackney South and Shoreditch (Meg Hillier) and for The Cotswolds (Sir Geoffrey Clifton-Brown) for chairing our Committee so ably.

Without the National Audit Office and without the robustness of its reports, we could not do the job we do quite as well as we do. I pay tribute to Sir Amyas Morse who, right from the get-go, has been—the hon. Member for The Cotswolds said exactly this—unfailingly courteous. That is the first thing one notices about him: that easy smile. Behind that, however, is an intelligence of steel. He has a knack for calling out obfuscation, fudge and imprecision in our civil service, but also a reputation for being completely fair. That is exactly what we in the Public Accounts Committee aim to do. I will genuinely miss him and I wish him all the very best.

I am looking forward very much to working with Gareth Davies. We grilled him. Believe me, we did not give him an easy ride when he came before the Committee for his appointment. I was interested to know in particular, as a trustee of Oxfam and Save the Children, what part he had played in their recent scandals and what he had learnt from them. I have absolute confidence that that and all his other experience will bring great things to the NAO. I very much look forward to working with him.

Question put and agreed to.

Point of Order

3.14 pm

The Secretary of State for Northern Ireland (Karen Bradley): On a point of order, Madam Deputy Speaker. Before I proceed to the main business, I wish to clarify the comments I made earlier today to the House during Northern Ireland questions in response to a question raised by the hon. Member for Belfast South (Emma Little Pengelly), which I believe may have been open to misinterpretation.

At oral questions, I referred to deaths during the troubles caused by members of the security forces. The point I was seeking to convey was that the overwhelming majority of those who served carried out their duties with courage, professionalism, integrity and within the law. I was not referring to any specific cases, but expressing a general view. Of course, where there is evidence of wrongdoing it should always be investigated, whoever is responsible. These are of course matters for the police and prosecuting authorities who are independent of Government.

Madam Deputy Speaker (Dame Rosie Winterton): I thank the Secretary of State for her point of order.

Tony Lloyd (Rochdale) (Lab): Further to that point of order, Madam Deputy Speaker. I thank the Secretary of State for her gracious clarification of her position. Will she take this opportunity to recognise that confidence in the judicial process is fundamental to all communities and all people across Northern Ireland? For those reasons, her clarification that those who have committed criminal offences will face the justice process is important and it emphasises the need to move on quickly with the legacy commitments brought about by the 2014 Stormont House agreement.

Madam Deputy Speaker: I thank the Secretary of State for her point of order and for giving me advance notice of her intention to make it. I am sure the fact that she has come to the House very quickly to make that clarification will be appreciated. I also understand the point made by the Opposition spokesman. I do not want to reopen the debate we had earlier. The point of order has been noted and the Secretary of State has made her clarification.

NORTHERN IRELAND (REGIONAL RATES AND ENERGY) (NO. 2) BILL (BUSINESS OF THE HOUSE)

Ordered,

That the following provisions shall apply to the proceedings on the Northern Ireland (Regional Rates and Energy) (No. 2) Bill:

Timetable

(1) (a) Proceedings on Second Reading and in Committee of the whole House, any proceedings on Consideration and proceedings up to and including Third Reading shall be taken at today's sitting in accordance with this Order.

(b) Notices of Amendments, new Clauses or new Schedules to be moved in Committee of the whole House may be accepted by the Clerks at the Table before the Bill has been read a second time.

(c) Proceedings on Second Reading shall be brought to a conclusion (so far as not previously concluded) four hours after the commencement of proceedings on the Motion for this Order.

(d) Proceedings in Committee of the whole House, any proceedings on Consideration and proceedings up to and including Third Reading

shall be brought to a conclusion (so far as not previously concluded) six hours after the commencement of proceedings on the Motion for this Order.

Timing of proceedings and Questions to be put

(2) When the Bill has been read a second time:

(a) it shall, despite Standing Order No. 63 (Committal of bills not subject to a programme order), stand committed to a Committee of the whole House without any Question being put;

(b) the Speaker shall leave the Chair whether or not notice of an Instruction has been given.

(3) (a) On the conclusion of proceedings in Committee of the whole House, the Chairman shall report the Bill to the House without putting any Question.

(b) If the Bill is reported with amendments, the House shall proceed to consider the Bill as amended without any Question being put.

(4) If, following proceedings in Committee of the whole House and any proceedings on Consideration of the Bill, a legislative grand committee withholds consent to the Bill or any Clause or Schedule of the Bill or any amendment made to the Bill, the House shall proceed to Reconsideration of the Bill without any Question being put.

(5) If, following Reconsideration of the Bill:

(a) a legislative grand committee withholds consent to any Clause or Schedule of the Bill or any amendment made to the Bill (but does not withhold consent to the whole Bill and, accordingly, the Bill is amended in accordance with Standing Order No. 83N(6)), and

(b) a Minister of the Crown indicates his or her intention to move a minor or technical amendment to the Bill, the House shall proceed to consequential Consideration of the Bill without any Question being put.

(6) For the purpose of bringing any proceedings to a conclusion in accordance with paragraph (1), the Chairman or Speaker shall forthwith put the following Questions in the same order as they would fall to be put if this Order did not apply:

(a) any Question already proposed from the Chair;

(b) any Question necessary to bring to a decision a Question so proposed;

(c) the Question on any amendment, new Clause or new Schedule selected by the Chair or Speaker for separate decision;

(d) the Question on any amendment moved or Motion made by a Minister of the Crown;

(e) any other Question necessary for the disposal of the business to be concluded; and shall not put any other questions, other than the question on any motion described in paragraph (17)(a) of this Order.

(7) On a Motion so made for a new Clause or a new Schedule, the Chairman or Speaker shall put only the Question that the Clause or Schedule be added to the Bill.

(8) If two or more Questions would fall to be put under paragraph (6)(d) on successive amendments moved or Motions made by a Minister of the Crown, the Chairman or Speaker shall instead put a single Question in relation to those amendments or Motions.

(9) If two or more Questions would fall to be put under paragraph (6)(e) in relation to successive provisions of the Bill, the Chairman shall instead put a single Question in relation to those provisions, except that the Question shall be put separately

on any Clause of or Schedule to the Bill which a Minister of the Crown has signified an intention to leave out.

Consideration of Lords Amendments

(10) (a) Any Lords Amendments to the Bill may be considered forthwith without any Question being put; and any proceedings interrupted for that purpose shall be suspended accordingly.

(b) Proceedings on consideration of Lords Amendments shall (so far as not previously concluded) be brought to a conclusion one hour after their commencement; and any proceedings suspended under sub-paragraph (a) shall thereupon be resumed.

(11) Paragraphs (2) to (11) of Standing Order No. 83F (Programme orders: conclusion of proceedings on consideration of Lords amendments) apply for the purposes of bringing any proceedings to a conclusion in accordance with paragraph (10) of this Order.

Subsequent stages

(12) (a) Any further Message from the Lords on the Bill may be considered forthwith without any Question being put; and any proceedings interrupted for that purpose shall be suspended accordingly.

(b) Proceedings on any further Message from the Lords shall (so far as not previously concluded) be brought to a conclusion one hour after their commencement; and any proceedings suspended under sub-paragraph (a) shall thereupon be resumed.

(13) Paragraphs (2) to (9) of Standing Order No. 83G (Programme orders: conclusion of proceedings on further messages from the Lords) apply for the purposes of bringing any proceedings to a conclusion in accordance with paragraph (12) of this Order.

Reasons Committee

(14) Paragraphs (2) to (6) of Standing Order No. 83H (Programme orders: reasons committee) apply in relation to any committee to be appointed to draw up reasons after proceedings have been brought to a conclusion in accordance with this Order.

Miscellaneous

(15) Standing Order No. 15(1) (Exempted business) shall apply so far as necessary for the purposes of this Order.

(16) Standing Order No. 82 (Business Committee) shall not apply in relation to any proceedings to which this Order applies.

(17) (a) No Motion shall be made, except by a Minister of the Crown, to alter the order in which any proceedings on the Bill are taken, to recommit the Bill or to vary or supplement the provisions of this Order.

(b) No notice shall be required of such a Motion.

(c) Such a motion may be considered forthwith without any Question being put; and any proceedings interrupted for that purpose shall be suspended accordingly.

(d) The Question on such a Motion shall be put forthwith; and any proceedings suspended under sub-paragraph (c) shall thereupon be resumed.

(e) Standing Order No. 15(1) (Exempted business) shall apply to proceedings on such a Motion.

(18) (a) No dilatory Motion shall be made in relation to proceedings to which this Order applies except by a Minister of the Crown.

(b) The Question on any such Motion shall be put forthwith.

(19) No debate shall be held in accordance with Standing Order No. 24 (Emergency debates) at today's sitting after this Order has been agreed.

(20) Proceedings to which this Order applies shall not be interrupted under any Standing Order relating to the sittings of the House.

(21) No private business may be considered at today's sitting after this Order has been agreed.—(Karen Bradley.)

Northern Ireland (Regional Rates and Energy) (No. 2) Bill

Second Reading

3.17 pm

The Secretary of State for Northern Ireland (Karen Bradley): I beg to move, That the Bill be now read a Second time.

I rise to ask the House to give a Second Reading to a piece of proposed legislation that delivers on this Government's commitment to ensure good governance and stable public finances in Northern Ireland. The Bill seeks to achieve those outcomes by bringing forward two essential measures. First, it will enable the collection of regional rates in Northern Ireland. Secondly, it will ensure that fair and appropriate tariffs and cost-capping measures are in place for the renewable heat incentive scheme in Northern Ireland.

As we discussed yesterday, the Government are committed to devolution. I am working hard to restore devolved government in Northern Ireland at the earliest opportunity. I firmly believe that this is the best long-term plan for the people of Northern Ireland and I profoundly believe it is in the best long-term interests of the Union. Important local decisions should be taken by locally elected politicians in Northern Ireland. I share the frustration felt by some Members of Parliament and the public that taking forward important proposed legislation in this manner in this House is not the ideal situation. However, in the absence of devolved government I have made it clear that I will continue to take the urgent and necessary decisions to ensure good governance and to protect public services.

Gavin Robinson (Belfast East) (DUP): The Secretary of State will recall that during the passage of the Northern Ireland (Executive Formation and Exercise of Functions) Act 2018, we raised an urgent issue that crystallises at the end of this month: the forthcoming resources available to our housing associations in Northern Ireland. Because of an Office for National Statistics definitional issue, they would not have been able to draw down on financial transactions capital tax. Will she confirm today that Her Majesty's Treasury has agreed to extend the derogation on that definition and that legislation will be brought forward in this Parliament to resolve this issue satisfactorily, so that our housing associations and co-ownership and other schemes have the funding available that will not impact on our block grant, but will allow people to have a sustainable future home in the Province?

Karen Bradley: I thank the hon. Gentleman for raising that important issue. It is clear that the derogation needs to and will continue, but that is not a long-term, sustainable solution. As he will know, the Northern Ireland civil service is putting together legislation and we await copies of that so that action can be taken.

Gavin Robinson: I am very grateful for that response. I understand that the legislation is there and is ready to be brought forward. Will the Secretary of State confirm that subject to parliamentary business, it will be introduced as soon as possible, and before the summer?

Karen Bradley: The hon. Gentleman may have more information than me. All I can say is that we know the Northern Ireland civil service is looking at that and we will act appropriately at the appropriate time.

The measures in the Bill are limited yet necessary interventions in Northern Ireland. They provide the certainty and support that Northern Ireland Departments and, indeed, the wider public need and deserve for the year ahead. I will now give more detail on the measures. Clause 1 addresses the collection of the regional rate. The UK Government have set the Northern Ireland regional rate in the absence of an Executive for the past two years. The level of rate to be applied this year was set out in my budget statement to Parliament last week. As part of the wider budget package of support to Northern Ireland for the 2019-20 financial year, the UK Government have set a 3% plus inflation increase on the domestic rate and an inflation-only increase on the non-domestic rate.

Vernon Coaker (Gedling) (Lab): The Secretary of State outlined the percentage rise in the regional rate. I will say something about that in my speech if I am called later, Madam Deputy Speaker, but will the Secretary of State say something to the House about how the 3% was arrived at?

Karen Bradley: Throughout the whole budgetary process, we have ensured that we have liaised with the main parties in Northern Ireland and politicians to make sure that we reflect both the priorities of the programme for government that was in place before the Executive collapsed and the priorities of the politicians of Northern Ireland. Clearly, an increase in the regional rate was needed to meet the budget gap. It is quite right that, as well as the Treasury providing additional money to bridge the gap in the budget, the people of Northern Ireland should make a contribution towards the public services that they receive, and 3% was an appropriate number.

Maria Caulfield (Lewes) (Con): The retailers organisation, Retail NI, has expressed disappointment at the rates, and has argued that Northern Ireland businesses would be paying the highest business rates in the UK. Will the Secretary of State give some words of sympathy or encouragement to them?

Karen Bradley: I understand the concerns that have been raised; I have met Retail NI and others. Clearly, we are only increasing business rates in line with inflation, but a number of measures are available to businesses in my constituency that are not available to businesses in Northern Ireland. That is as a result of Northern Ireland not having an Executive to deliver those. This comes back to the point that we discussed at length yesterday: what we need is an Executive to deliver on the programmes, incentives and support that are available, as is right and appropriate for Northern Ireland. It may be that what is needed in Northern Ireland is not the same as the incentives in Great Britain.

Chris Elmore (Ogmore) (Lab): I am grateful to the Secretary of State for giving way; she is being very generous with her time. On the domestic rate—the 3% plus inflation; so 4%, there or thereabouts—clearly some residents in Northern Ireland will be able to afford that based on their income, but lots of people living in Northern Ireland are on the minimum wage, in low-income families, so will she set out for the House what support she will put in place so that there is some sort of relief to meet the costs of that rise?

Karen Bradley: What we are doing today is setting the rate. We are not setting any of the reliefs or allowances or support that is already available. Nothing that is there is changing and we are not able to change anything with the Bill. We are just setting the rate, but the hon. Gentleman is right that there may be things that people in Northern Ireland would like to see. Again, if there were Ministers in Stormont, they could do the right thing for Northern Ireland. It would be wrong to transpose the situation for councils in England, Wales or Scotland to Northern Ireland because it needs specific measures, and only Ministers in Northern Ireland can appropriately and properly deliver those.

This approach to regional rates, and therefore the measures in the Bill, represent an important contribution to delivering a sustainable budget for 2019-20. The second element of the Bill concerns the administration of Northern Ireland's renewable heat incentive scheme. I must make it clear that the UK Government have not taken the decisions on the revised scheme. This remains a devolved matter and the Government are taking forward this legislation at the request of the Department for the Economy. It is crucial that that happens because without this legislation, there will be no legislative basis to maintain the current cost-control measures.

Lady Hermon (North Down) (Ind): I am grateful to the Secretary of State for allowing me to intervene. I have received a large number of emails mostly, if not exclusively, from individuals who are not constituents of mine but who feel extremely aggrieved by the proposals in this legislation. They entered into the RHI scheme in good faith and feel that they are now being unfairly penalised. I would like the Secretary of State to address that issue this afternoon. Will she assure those people who have raised concerns and who feel very strongly aggrieved by the Bill that there is fairness in the proposals, and that they will not find themselves making their way to the local court to challenge the legislation, because it is in breach of human rights, for example?

Karen Bradley: I will come on to the details of why the decisions have been taken, the advice that we have received from the Department for the Economy and the request that it put in. However, I assure the hon. Lady that the measures we are taking today are the only legal ways in which any subsidies can continue to be paid to anybody on the RHI scheme. Failure to do this will mean the closure of the scheme and no subsidies at all. We need to bear that in mind when looking at this matter. I well understand that people feel concerned when they have entered into an obligation in good faith and then the subsidies that they receive are reduced. I will come on to explain why that is the situation.

Sir Jeffrey M. Donaldson (Lagan Valley) (DUP): The Secretary of State will be aware of our concern that there has been a lack of proper scrutiny of these proposals. While we await the report of the public inquiry in Northern Ireland, it may be that one of the issues on which it makes recommendations is how we scrutinise this kind of measure going forward. We would have hoped that Parliament could set an example for that, yet we are not getting that opportunity, so would she care to address that concern and the timing of this proposal, coming so close to the end of the financial year?

Karen Bradley: As I said, this situation has resulted from a decision by the European Commission on state aid rules, and failure to do this will mean no subsidies being paid to anybody. I fully accept the right hon. Gentleman's point about scrutiny, but it comes back to the point we discussed at length yesterday: in the absence of an Executive, there is simply no way scrutiny can take place appropriately.

Conor McGinn (St Helens North) (Lab): While we await the findings of the inquiry, would the Secretary of State agree that whoever's fault the RHI debacle is—policy makers or politicians—it is certainly not the fault of the people who entered the scheme, and that, at a time when farmers in Northern Ireland are facing great uncertainty and huge challenges, this will be seen as hugely detrimental to them?

Karen Bradley: As I say, I have enormous sympathy for people in this situation. I have met the Ulster Farmers Union and my officials have met individual farmers to talk about it. I well understand the concerns but, faced with a choice between no subsidies at all and cost cutting at 12%, I think this is the right and only legal approach we can take.

Ian Paisley (North Antrim) (DUP): I thank the Secretary of State for at least acknowledging how grossly unfair this is to many people, but she must recognise that the Bill the Northern Ireland Office has put before the House today does far more than she has indicated. Less than half a page of the Bill deals with the regional rate. The rest—five pages—deals with the RHI scheme, and her proposal for the scheme will bring all renewable activity to an end for a generation. No one will ever again apply for a renewable scheme or a Government-backed deal in Northern Ireland. That will be the effect of her proposal.

Karen Bradley: I thank the hon. Gentleman for his comments. I will come on to the detail of the renewable heat measures and the work undertaken.

The Department for the Economy in Northern Ireland undertook an extensive public consultation in the last year to ensure that revised measures could be introduced in time for new legislation to come into effect from 1 April 2019. The tariff levels set out in the Bill are based on an analysis of the additional costs and savings of operating a biomass boiler in Northern Ireland. The Department has also engaged with the European Commission in developing the long-term tariff. The Commission has indicated that it is not in a position to approve a tariff that delivers a rate of return higher than 12%. Recognising that a small number of participants with lower usage needs or higher capital costs could see returns below the intended 12%, the Bill makes provision for the introduction of voluntary buy-out arrangements.

I recognise that some scheme participants in Northern Ireland will be concerned about these new tariffs. Both the Department for the Economy and my own Department have heard their views in person and in writing in recent weeks, as I said earlier, and I empathise with those people and businesses across Northern Ireland.

Ian Paisley: I thank the Secretary of State for going into the detail. She mentions the 12% rate of return. Why can the rest of the UK set a rate of return on the same scheme fluctuating between 8% and 22%? Why are

[Ian Paisley]

our officials being told that Europe will only accept 12% for Northern Ireland, but will accept a differential rate for the rest of the UK? Officials have a duty to tell the public why that is.

Karen Bradley: We cannot easily compare schemes: there are different set-up costs and fuel costs in different parts of the United Kingdom. Differences apply. The work done by the Department for the Economy with the Commission is thorough and has ensured that the recommendations it put to me and the tariffs we are legislating for today mean that the scheme remains legal. That is the important point. If we do not have a legal scheme, there will be no subsidies.

Ian Paisley: The Secretary of State says there are different set-up costs, but under state aid rules that is not allowed. State aid rules declare that the set-up costs are X for the provision of the boiler. In England, different set-up costs are being used, and our Department in Northern Ireland is changing those set-up costs according to its interpretation of what the law demands. Does that not ultimately reflect the need for more scrutiny? To rush the measure through the House is not right, fair or equitable.

Karen Bradley: There are differences in fuel costs and transport costs. There are differences between different parts of the UK. I am interested in making sure that the scheme in Northern Ireland remains legal so that people with boilers can continue to receive some subsidy. I know it is not at the levels they were receiving previously, but it is still some subsidy.

Maria Caulfield: I understand why there has to be a change, but for farmers who have borrowed £250,000 or £500,000 to install a boiler and went to the banks with a guarantee of 20 years of subsidy, a change from £13,000 to £2,000 a year per boiler is a real concern. Many will not be able to pay the money back and will go under.

Karen Bradley: That is why a buy-out scheme is available: so that boiler owners can choose individually. I cannot say exactly what the rate will be, because it will depend on, for instance, the subsidies that have been received to date. The calculations will be individual, but a buy-out will be available to boiler owners who do not believe that the subsidies now available will enable them to continue in business.

Sammy Wilson (East Antrim) (DUP) *rose—*

Gavin Robinson *rose—*

Karen Bradley: I do want to make some progress, but I recognise that many interests are involved. I will give way to the right hon. Member for East Antrim (Sammy Wilson) and to the hon. Member for Belfast East (Gavin Robinson), but then I will conclude my speech.

Sammy Wilson: Does the Secretary of State accept, first, that the terms of the buy-out scheme are not clear and, secondly, that a large number of people—probably those who are most affected by these changes—will not be able to avail themselves of it?

Karen Bradley: I will now give way to the hon. Member for Belfast East.

Gavin Robinson: The Secretary of State talked about a 12% rate of return. She knows that participants in the scheme will be listening very carefully to what is being said today. According to figures that were given yesterday, over the 20-year period of the scheme the rate of return will be 60%, but whether it is 12% or 60%, officials were indicating that the money had largely been paid. Will the Secretary of State confirm that, and does she agree with those figures?

Karen Bradley: As I have said, the figures will all be individual, and it is impossible for me to give the hon. Gentleman a generality from the Dispatch Box. However, he is right to say that the subsidies that have been paid to date will, on the whole, be higher than the subsidies that will be paid from now on. The point is that unless those steps were taken, the subsidies that were being paid would breach state aid rules, and the scheme would be illegal and would be closed. This is the maximum level at which subsidies can be paid if the scheme is to continue to be legal.

Representatives of the Department for the Economy will meet other interested parties, such as the banks and those in the agri-food supply chain, to discuss the impacts and seek support for affected participants. The Department has also agreed to provide additional advice and technical assistance for participants. I know that this is a very difficult matter, but I believe that the measures proposed by the Department for the Economy are fair, and strike the correct balance between the rights of participants and the wider public interest.

To conclude—

Gavin Robinson *rose—*

Karen Bradley: I was about to conclude, but I will give way to the hon. Gentleman, because he is irresistible.

Gavin Robinson: I am very grateful to the Secretary of State. She says that I am irresistible; how could I disagree? She is very kind to give way for a final time.

I want to focus on the fact that the Secretary of State said there was a fixed rate of return of 12%. Participants can hear today that they will not receive that money in the forthcoming years under the terms of the Bill. Is it not the case that the Department for the Economy is saying that they have already received it?

Karen Bradley: As I have said, these are the measures that we need to take now to ensure that the scheme remains on a legal footing. These are the steps that need to be taken to ensure that any subsidies can continue to be paid from the scheme and allow it to remain within the state aid rules. However, I am sure we will debate this issue further at a later stage, and I do understand the hon. Gentleman's points.

The Bill does two things, both of which are required for good governance and stable public finances in Northern Ireland. I hope that colleagues on both sides of the House agree that it is important for us to make progress now to protect the best interests of all people in Northern Ireland, and to that end I commend the Bill to the House.

3.38 pm

Tony Lloyd (Rochdale) (Lab): The Bill is in many ways an abuse of the processes of the House. I hope that the Minister will take this seriously. There is no connection between the regional rates and the structure

surrounding the renewable heat incentive scheme, and they should have been presented in two separate pieces of legislation. It is already obvious from the debate so far that there is massive concern about the RHI proposals on both sides of the House, and the level of scrutiny that we will be able to achieve this afternoon simply is not up to the importance of the Bill.

This is not a trivial matter. It is not trivial because in the end the concern expressed by the hon. Member for North Down (Lady Hermon) and others that there will be casualties of this process is real. My hon. Friend the Member for St Helens North (Conor McGinn) makes the point that many farms in Northern Ireland—small firms, quite often—are in a parlous state. It matters enormously if we get this legislation wrong.

I hope the Secretary of State will consider that, and I hope that we will not see again an attempt to bludgeon legislation like this through the House in such a short space of time. This should have been taken in Committee; there should have been the opportunity in Committee for a much more leisurely but much more intense form of exchange between the Secretary of State, the Minister and interested Members. That is the right and proper way of doing something of this import.

On regional rates, I want to pick up the point raised about business rates. It is difficult to argue against business rates being uprated by inflation—I think even the greatest quibblers would resist that—but it is important to register that across the different towns of Northern Ireland in particular, there are businesses that are struggling. I do not pick as in a vendetta on the town of Ballymena. I know there is some good news that the hon. Member for North Antrim (Ian Paisley) has been involved in—there are some new jobs coming into the town—but I think he will accept that I make no criticism of one of his towns if I say that the Ballymena of today is not the Ballymena of my youth. It is a town that does need uplift; it needs its businesses supported and an injection of resource.

Ian Paisley: I appreciate the shadow Secretary of State making those kind and glowing references to Ballymena. It has a significant part of the industrial base of Northern Ireland, but that has of course been damaged by the loss of jobs and EU regulations, and to some extent just because of world economic factors. But the fact of the matter is that there is a spirit of change and a spirit of trying to get new jobs back, and I am delighted that today about 60 new jobs will ultimately be financed at USEL—Ulster Supported Employment Ltd—in Ballymena, which is a wonderful scheme that brings disadvantaged young people on and into the workplace and encourages the development of a circular economy.

Tony Lloyd: Like the hon. Gentleman, I very much welcome this piece of good news, but it has to be set against the fact that we do need to see renewal in many towns, and I want to return to a question I raised with Ministers yesterday about the stronger towns moneys. I did not get a response to the question I raised; there was no certainty on that. The Communities Secretary made it clear that the stronger towns moneys were available of course for England but also for Wales, Scotland and Northern Ireland. In Wales and Scotland, I assume those moneys will be diverted through the devolved Administrations there, but with Northern Ireland, we

do need some certainty that there is political process and there will be political decision making that can ensure that, whether in Ballymena or any other town, there will be access to the stronger towns moneys. That is important in the context of the debate we are having; yes, we welcome the relative capping of the business rates but we want a recognition that there is still need for legitimate support for businesses across Northern Ireland.

I want to pick up the points made by my hon. Friend the Member for Ogmore (Chris Elmore). He made some interesting comments about the impact of the domestic rate increase. An increase of 3% plus inflation is perhaps supportable for many people, but it is interesting to compare with the Government's proposed uprating for benefits: for universal credit, for example, that will be 2.4% in total. So 3% plus inflation is a bigger cost being imposed on the many families in Northern Ireland who struggle—for instance, low-income families or families on minimum wage. That kind of impact must be considered.

The Secretary of State says that the people of Northern Ireland should make a contribution as well as the Treasury, but let me make the obvious point that the people of Northern Ireland do make a contribution to Treasury moneys: they pay income tax, they pay VAT and they pay all the other taxes that are paid by people throughout the United Kingdom.

In those terms, this is effectively a redistribution from UK-wide taxation—which is perhaps not as progressive as I would like, but at least it has some sense of progression—to a more regressive form of taxation around regional rates. Nevertheless, the many sectors such as local authorities and, most importantly, education spend and health spend that depend on regional rates certainly need to see these resources coming in, so it would be hard to resist the case for this legislation being needed. It also has time import, in that the new financial year will not be long delayed.

However, that is not the case with the legislation relating to the renewable heat incentive. The consultation on the present scheme began last May and finished last September, and this legislation should have been brought before the House long before now if the intention was to implement it on the third parties on 1 April. It is unacceptable that we are now having to legislate at breakneck speed, just as we did yesterday. The legislation is being forced through the House without the opportunity for proper scrutiny. I have to say to the Secretary of State, although not unkindly, that I did not find her answers convincing when she responded to questions raised by previous speakers. I did not honestly feel that the House knew whether the legislation was necessary. I shall go into further detail on that in a moment.

Will the Secretary of State tell me when the Department for the Economy in Northern Ireland began to talk to the Northern Ireland Office about the need for an uprating? We know that there was an uprating last year, roughly 12 months ago, and it should have been obvious to everybody, particularly as this had gone out to consultation, that there would be a need for legislation, so why are we doing this so late on? Alternatively, why has it been necessary to do all this today? Could we not have had a Second Reading today, after which the Bill could have gone into Committee in the normal way and completed its progress later on, having had proper scrutiny throughout the process? This matters, for all

[Tony Lloyd]

the reasons that have already been given in exchanges with the Secretary of State. We have to be certain that the scrutiny is sufficient to reveal exactly what is happening.

On the specific details, I want to ask the Secretary of State some questions that are parallel to those already raised by hon. Members. An argument that is used to underline her case is that only by moving in this direction can we ensure state aid compliance and that this is the only legal basis, other than the complete abolition of the scheme, for reform of the RHI system. I do not know whether that is true. Nothing that has been presented to the House gives us any reason to believe that this is exactly what the European Union has said.

The hon. Member for North Antrim asked why the situation in Great Britain should be different from the situation in Northern Ireland. Why does one involve state aid compliance but not the other? Conversely, one of the proposals in the Ricardo review was to look at the introduction of the GB tariffs in Northern Ireland, and if those tariffs are legitimate for my constituents in Rochdale, why are they not legitimate for people in Northern Ireland?

Maria Caulfield: The shadow Secretary of State is making some good points. The financial difference is stark, because the amount in the rest of the UK will be £20,000 per year per boiler, whereas the amount that we will be moving to in Northern Ireland will be just £2,000 per year per boiler. That is not a small difference.

Tony Lloyd: The hon. Lady makes a valid point. Obviously, it is not a small difference; in fact, it is a huge difference to those on what could be described as the receiving end, those at the £20,000 level, or the non-receiving end for those at the £2,000 level. The details for a particular farm that I will come on to bear out exactly the point that she makes.

We need to know about state aid compliance, not only what lies behind it but how it has the system so circumscribed that we can do no other. I want to challenge Ministers on some of the things that they have told us. For example, the Secretary of State said that the cost of fuel might be different in Great Britain from Northern Ireland. I am told, however, that a lot of our non-home-grown fuel is imported from the Baltic states, where there is an awful lot of wood—I can assure the House of that, because I have seen it. Those pellets are shipped from the Baltic states to the UK generally, and I can recognise no enormous difference in the cost thresholds such as to produce a very different cost profile in Northern Ireland—a much cheaper one—from that in Great Britain. That we would have such different cost pressures does not seem logical. We need proper answers to such questions, although I fear that we will not get them today.

Mr Alistair Carmichael (Orkney and Shetland) (LD): I agree with much of what the hon. Gentleman is saying. The purported purpose of this legislation is to give certainty. I have rarely seen the Government produce legislation that is so obviously ripe for legal challenge on the basis of legitimate expectation. In such circumstances, at the end of the day, surely we will not even give the people concerned, the recipients of the subsidies, the certainty that the Government claim they want.

Tony Lloyd: The right hon. Gentleman is absolutely right, and to the extent that some of those affected were in court this morning. Specifically, I understand that the judge said that he will not rule on the request for judicial review today because the scheme has not yet been implemented and is therefore not yet in breach. However, he will ensure that any judicial review is expedited once the scheme is in operation. I was going to make this point later, but I will simply do so now, and the Secretary of State and the Minister of State need to address it. What will the Government's position be if they face judicial review and a challenge that the measure is outwith the competence of our legal framework? There is real risk of that, given that people have signed up to things in expectation of a certain income flow over the years and decades to come, as hon. Members have said. Such issues are not trivial.

Ian Paisley: The shadow Secretary of State is absolutely right. Apparently, this morning, at the High Court in Belfast, a judicial review was not launched and the date for the hearing will be the first week of April. We therefore have to wait until a few days after the change to the new financial year to have an answer. Surely it would be far better to postpone a decision until we have an answer, keeping the current rate until then.

Tony Lloyd: That seems logical, but—I am not a lawyer, so the hon. Gentleman will forgive me if I am not right—the problem is that the judge has ruled that, because the scheme is not in operation, he cannot yet judicially review it. So we have to wait for the implementation of the scheme before the judicial review can be taken forward. One way or the other, that is not a satisfactory way of organising our affairs.

I now come on to the question of installation, which is important. The Secretary of State suggested that the buy-out scheme will protect people. I will use a specific example, which I have no reason to doubt. A Northern Ireland farmer installed a boiler and system in 2015, at the end of the scheme. He tells me that the boiler and the feed system cost just under £36,000 to install. On top of that he had to pay £8,600 for plumbing and electrical costs, so a total of £44,600. He also had to do necessary works to house the boiler properly. He talks about various different things. The total further cost was some £28,000. I will not go into the different costs, but his case to me is that, in total, he had to invest some £76,000 to make this system work for him and his farm.

When the Secretary of State tells us that the buy-out scheme will look at the cost of the boiler and so on, plus 12% for the expected return, what is the basis for the boiler costs that will be allowable? Is it simply the cost of the boiler, or is it the cost of the boiler, the necessary installation and those things necessary to allow the boiler to work? That is material because, in the real world, boilers do not sit in the middle of a field—they do not sit in isolation.

There are real issues in such cases. This farmer tells me that he is likely to have to find an extra £3,000 a year as a result of all these changes. That £3,000 is material to a marginal business, so we have to take into account the impact of real damage to individual farms. This farmer tells me that he took out a loan over 10 years at an interest rate of 3.5 percentage points over the base rate. The annual repayment costs are some £9,000.

Those are material costs that he will continue to have to pay unless the buy-out scheme covers him on the impact of the change to the scheme.

Ian Paisley: I thank the hon. Gentleman for his generosity in giving way. Is it not a fact that the weight of what he says is that the scheme now operating here on the British mainland must therefore be flawed? It has to be in breach of the state aid rules, or else the Northern Ireland Office's proposals are wrong. They cannot both be right, and that matter must be challenged and identified.

Tony Lloyd: I am not being generous with my time because we have to tease out these important issues, and we have to get answers to give us some certainty that the scheme is both necessary and sufficient to protect the interests of those who have acted in good faith.

Lady Hermon: It is crucial that we tease out the details before we give our approval—if we give our approval—to this Bill. In the wind-up, I would particularly like the Minister to give further detail on what the Secretary of State said about how the Department for the Economy will seek support for affected participants: those who invested in the renewable heat incentive scheme in good faith. She failed to give any details at all about the efforts of the Department for the Economy to get some support for those who will be adversely affected if we approve this Bill. They had a legitimate expectation of the tariffs that would be paid to them for 20 years, so I would like details from the Minister.

Tony Lloyd: That is a fair point. There is nothing in this Bill that talks about post-legislative scrutiny. We need some capacity to measure the impact of the legislation after it leaves this House, because it will have an impact. The scheme was a disaster from its inception. That is most certainly true. It is also most certainly true that controlling the overall level of cost is and ought to be a matter of public policy, which is in the interests of people in Great Britain as well as in Northern Ireland. Coming up with legitimate control is not something that divides the House, but we need to make sure that we measure the impact on those affected, and that is simply not there.

Maria Caulfield: The clause 4 powers to instigate the buy-out arrangements are to be exercised only in the period while there is no Executive. So this place would have a duty to scrutinise that, because under this legislation once the Executive are back up and running, the job of scrutiny would return to the Northern Ireland Assembly.

Tony Lloyd: That has to be right. We have a duty to ensure not only that we dispatch the legislation where it is appropriate to do so, but that we monitor its impact to make sure that no injustice is caused by the clumsiness of the legislation.

I will draw my remarks to a conclusion, but the point I have sought to establish all the way through is that the Secretary of State has not given answers with the level of detail that this House ought to demand if we are to say that this scheme is legitimate in terms of protecting the wider public interest, as it rightly and properly should do, and does no injustice to people who, in reasonably good faith—some may have seen a large amount of pound coins rolling in their direction—invested in a scheme that we as a society wanted to promote: a

more environmentally sound system of heating. We need to insist that we get that balance right, but I am not convinced that I can see that in the Bill, the explanatory notes or the Secretary of State's opening remarks

I repeat what I said at the beginning: the way the House is being asked to dispatch this legislation today is incompetent and unreasonable. I hope the Secretary of State will reflect on that, because even at this stage it would be possible for the Government to take part of the legislation back and say that the capacity to scrutinise could be done very differently.

Finally, I wish to make a slightly wider point. Once again, the House is being asked to do something that the Secretary of State talked about as being limited but necessary. There are many limited but necessary schemes that she is refusing to do. In response to the hon. Member for Belfast East (Gavin Robinson), she made the point that she would be looking to legislate on providing the necessary support for housing associations in Northern Ireland. We would not want to oppose that, as it is necessary to have those housing associations working. Again, however, we come down to questions such as: who will make the decision on the medical school in the Derry and Strabane city deal; when will we see progress on Hart if we are still stalled on getting a devolved Assembly in Stormont; and what are we going to do about the important question of public sector workers, such as nurses, physiotherapists and others in the health service, who will not see the uprating in their pay that their counterparts will see in the rest of the UK? Such issues are within the Secretary of State's capacity to address. It is difficult for us to see any longer when she will act. Yes, protecting public money and allowing public moneys to be spent by local authorities at the Northern Ireland level is important, but so are these issues. There is no clarity any more—

Emma Little Pngelly (Belfast South) (DUP): Is the hon. Gentleman aware that, as far as we are aware, senior civil servants do have the power to give pay increases? In fact, many of them have done so, particularly for nurses, the police and those in the Prison Service—this has been recently announced. The senior civil service does have that ability because of legislation passed in this House previously. Does he agree that we also need to encourage those permanent secretaries to make those decisions earlier, because many of them have taken considerable time, and many people are waiting and are out of pocket? The power is there and we just need to get those decisions made by the senior civil service in a timely way.

Tony Lloyd: A guarantee that everybody in the health service receives the same uprate as their opposite numbers in the rest of Great Britain would be welcome. I think the hon. Lady knows, probably better than me, that the most senior civil servants are still traumatised by the judicial review that found that their level of competence to make decisions was limited. Although we brought legislation through the House, I think few people believe that that really did much more than to codify what was already there, rather than to expand their capacity to make decisions. I would love to believe there was a transparent and accountable decision-making process, and hence coming back to Stormont in operation, but we do not have that at the moment, so the only system of accountability for pressing matters lies ultimately in the House of Commons and the Department.

Emma Little Pengelly: Whenever that legislation was discussed by the House, it was very much part of the context that it should give clarity. I accept the hon. Gentleman's point that because of the judicial review there was clearly apprehension among the permanent secretaries in some of the Departments about making decisions. The legislation was designed to give that certainty and that legal basis, but we are still seeing a reluctance in some Departments. Does the hon. Gentleman agree that guidance for all the Departments in Northern Ireland would perhaps be helpful, to tell all the civil servants exactly what types of decisions they could and should be making in accordance with the legislation passed by this House?

Tony Lloyd: It may be helpful to deliver that kind of guidance. The problem we all have to face is that, in the end, decisions made by senior civil servants without reference to a policy framework determined here, or in some logical sense determined when the Stormont Executive were operating, will be challengeable. Judicial review can and will take place, and if civil servants face such a review, that will make them cautious about making the wrong decision. Every Member of this House would face the same kind of reluctance. I am sure that some will by instinct be a little braver than others, but something still circumscribes such decisions. I do not actually think that the legislation we passed materially changed the boundaries. Perhaps that debate is for another occasion, but it is important.

I have come to the end of my remarks, but I wish to emphasise that we would not want to oppose the passage of the regional rates legislation, because it is timely and it is important that there is certainty at the beginning of the new financial year. However, I repeat that the Secretary of State should not have allowed these two separate items of business to be conjoined. It forces the hand of those in the House of Commons and in the other place in an unacceptable fashion. It forces us not to scrutinise properly the legislation she has put before us. She has to think seriously about whether this is the right way to take this legislation through the House. I suggest to her that, even at this stage, she should think about whether she can technically decouple these two pieces of legislation and allow a slower process and more time for the consideration of the RHI.

4.8 pm

Dr Andrew Murrison (South West Wiltshire) (Con): These are unusual times for Northern Ireland and this is an unusual Bill. It is difficult to avoid the conclusion that what we have today is something of an essay crisis; that is to say, something presented as being urgent and in need of consideration by the House in one day that could in fact easily have been considered more electively.

It has been said that we should decouple the two elements of the Bill. In truth, most of the Bill relates to the renewable heat incentive. The regional rate issue is largely unobjectionable and would pass with the greatest of ease through the House on a bipartisan basis, but we have to accept that politically the renewable heat incentive is an extremely toxic issue. After all, it has brought us to the sorry pass that we are currently in, with the collapse of the Executive and the Assembly. It is absolutely central to the political chaos that currently afflicts Northern Ireland and that is adversely impacting on the

lived experience of people in Northern Ireland, so it demands that we look at the legislation closely and in a considered and measured fashion, of the sort that usually involves a proper Committee stage. That is not being offered on this occasion. I share the surprise expressed by the hon. Member for Rochdale (Tony Lloyd) that these two completely different issues have been conjoined in this rather unusual Bill. I have sympathy with his suggestion that the two might be separated so that we can pass that which is unobjectionable and straightforward and consider on a more elective basis those bits—those clauses—that are more complicated.

A 12% return is pretty good by any standards. A casual observer of our proceedings would wonder, I suspect, what the fuss is all about—I would love to have a 12% return on my investments—but the fact of the matter is that those small businesses that invested in this technology did so on the copper-bottomed understanding that they would get a different rate of return. The institutions that lent on that basis would have been similarly advised, and the investment would have been procured on that basis. We now have to unpick something of a disaster on the part of the Department for the Economy in Northern Ireland, and I understand the Secretary of State's dilemma. This is not easy; something has to be done. However, when Bills are before us in this place, we must consider those people who will be inadvertently disadvantaged. Like most hon. and right hon. Members in this House, I have been lobbied by such people who point out that they invested in good faith and that their small businesses might be brought to the edge because of the change in circumstances over which they have no control.

Mr Carmichael: Does that not go to the heart of the matter? The existence of a voluntary buy-out scheme seems an implicit recognition to me that exactly the situation that the hon. Gentleman identifies is one that is likely to occur. That surely means that the legitimate expectations of the recipients of the subsidies are so adversely affected that any legal challenge would be successful.

Dr Murrison: I share the right hon. Gentleman's concerns in that respect. As a lawyer, he will know better than me that there is every prospect of a judicial review in this matter. It would be very surprising, given the propensity of individuals and organisations in Northern Ireland to seek judicial review on a range of things, if that were not the case in this instance. Indeed, that includes their representative organisations. Clearly, the Government need to do everything in their power to ensure that they are protected against such an eventuality, including, I suggest, ensuring proper scrutiny of this Bill, as inadequate scrutiny will surely be cited as a reason for such a review to result in a judgment that is in favour of those bringing the case forward. However, fear of judicial review is one thing, but what we need to do in this place is to ensure that individuals are not disadvantaged. That means scrutinising this Bill properly and trying to ensure that, if possible, those hard cases are avoided.

I understand the rules on state aid and I understand that the buy-out is a mechanism of trying to be generous to those who may be disadvantaged, but within the rules that have been set. I also have concerns because the Department that has advised on this matter—the

Department for the Economy—is, of course, implicated in the mess in the first place. I would be worried if the Secretary of State were being overly reliant on the advice that she is receiving from that Department and, in all candour, I suggest that she needs to be extremely careful about that.

Scrutiny—challenging advice—is what we do in this place. It worries me that this controversial Bill on this most toxic of issues is not undergoing such scrutiny. It would seem to me to be entirely sensible for Ministers to ensure that this measure has all possible scrutiny to hedge against the possibility that what it is doing, on advice from the Department for the Economy, is in fact erring in some important respect, as indeed the advice to Ministers has been from that Department in the past.

I also worry—this has been touched on already—about what confidence institutions will have in these sorts of Government schemes in the future, given that they will have assumed that anything backed by or instituted by Government is copper-bottomed, safe and triple A rated. They now find that that is not the case, and that any loan they may have made on the basis of an expectation of, admittedly, fantastically high returns—nevertheless, backed by Government—will in fact result in a return much less than that. Indeed, in the event that some of these businesses go to the wall, these investments may have to be written off.

We have to reflect on the fact that many of these businesses are marginal concerns. Many of the 1,800 businesses are farms, and we know that farming in Northern Ireland is quite different from farming in the rest of the United Kingdom. They tend to be small, marginal farms. The people from those farms who have invested in this scheme may find themselves embarrassed financially by this particular decision. It is quite possible that we might be able to design some sort of scheme that is based around hardship for special cases. There is no recommendation to that effect in this Bill other than the buy-out scheme. I commend the Secretary of State for that, as it is absolutely right to bring such a scheme forward within the constraints of state aid, but there is very little beyond that, and there will be cases of hardship. In the context of Northern Ireland—a small place with lots of small businesses and small farms—would not it be tragic if we found some of those businesses going to the wall as a result of this change in policy?

Of course, this legislation has to go through because if it does not, on 1 April people will be faced with getting nothing, but I gently suggest to Ministers that this is an imperfect Bill that needs further scrutiny and input. I hope very much that my new clause 1 will catch your eye, Madam Deputy Speaker, and that we may debate this matter further in Committee. It would be extremely good if we could do so, because the new clause makes some sensible recommendations about how we can ensure that this difficult part of a Bill that is otherwise unobjectionable is given the scrutiny that it deserves so that people can therefore have greater confidence in it.

In general, the Secretary of State is quite right to bring this legislation forward. It is a pity that we have not had the scrutiny of the whole Bill that it really deserves. Given the issues that currently apply at Stormont, we need to be particularly careful in this place that we give matters that relate to Northern Ireland all the scrutiny we can possibly can. This represents something

of an essay crisis that was absolutely avoidable had we brought the measures forward in a more timely manner and decoupled these two very different elements of a particularly unusual Bill.

4.17 pm

Gavin Newlands (Paisley and Renfrewshire North) (SNP): I rise to speak briefly in this Bill on devolved Northern Ireland business. The hon. Member for Strangford (Jim Shannon) can rest assured that there will be no green cheese in today's remarks; and these will be remarks, as they will hardly be a speech.

As the Chair of the Northern Ireland Affairs Committee said, it has been over two years since the renewable heat incentive brought down the Northern Ireland Executive and Assembly, grinding all decision making to a halt. Since that occurred, the Secretary of State for Northern Ireland and the UK Government have simply not done enough to restore Northern Ireland's political institutions and restore confidence in power sharing while championing Northern Ireland's devolution settlement.

We have just passed yet another fast-tracked budget Bill that, by rights, should have been debated and decided on in Belfast. Today we will fast-track yet another Bill—this one on rates and the renewable heating scheme, albeit a scheme with huge and unintended political consequences, but the criteria of which were designed in Northern Ireland, for Northern Ireland.

I reiterate one of the central points that I made yesterday as we debated the Northern Ireland Budget (Anticipation and Adjustments) (No. 2) Bill: these debates should not be ours to have and these decisions should not be ours to make. Decisions on devolved issues must only be taken in devolved legislatures or by Ministers of devolved Executives and Governments—not in this place and certainly not in Whitehall. Of course, Stormont's politicians need to start serving the people they were elected to represent, but this Government must up their game to get the two sides round the table—and if they cannot, as I said yesterday, they should bring in a third party who can. I accept that this Bill must be passed, but we cannot continue passing such legislation in this place—that is not how devolution should ever work.

I promised to be brief, and brief I will be. I very much hope that this is the last time that I, or anybody else in this place, makes a contribution on a matter like this that is for other devolved legislatures.

4.20 pm

Maria Caulfield (Lewes) (Con): The reason we are here is that the Assembly has not been sitting for over two years now. There are many members of the Northern Ireland Affairs Committee here this afternoon. In our public evidence session this morning, the leader of the Green party in Northern Ireland said that she thought that the Assembly would not be up and running for the rest of this year. It is therefore likely that we will be returning here in the next few months, or maybe even this time next year, with similar Bills looking at the budget, as we did yesterday, and rates. I hope that is not the case.

Many of us are putting pressure on all political parties to get back around the table and get the Assembly up and running because, as we now start to scrutinise devolved issues, we hear week in, week out, about the

[*Maria Caulfield*]

impact that that is having. We have heard from headteachers in Northern Ireland about issues of procurement. Even simple, basic supplies are not being procured properly and effectively, and money is being wasted on them. We have heard from the Commissioner for Children and Young People that the Salisbury review of education has meant that some funding reforms that should be taking place to enable money to be better spent in small rural schools are not happening because there is no one to take that decision. It is not just about not getting the money to spend; scrutiny of the decisions on how it is spent is not happening either. Both are equally important. The RHI is a classic example of why we need that scrutiny. The RHI was a significant factor in the fall of the Assembly in the first place. The fact that we are now making decisions on it without any real scrutiny apart from a couple of hours in this Chamber is significantly worrying given the impact that it will have on small businesses in Northern Ireland, particularly in the farming community.

I have sympathy with the Secretary of State, and I agree that we have to make a decision this afternoon, or else any subsidies will stop completely, which would be a huge disservice to the people of Northern Ireland. However, the fact that it has been left to the last minute to make this decision will have a real impact. As a member of the Northern Ireland Affairs Committee, I have been contacted by Northern Ireland businesses telling me that many of them—some have 10 biomass facilities on their farms—have gone to the banks to borrow £250,000 or £500,000 in the expectation that they would get a guaranteed subsidy over a 20-year period. In any other walk of life, someone who breached that agreement would be in court having to defend that or having to pay compensation.

It is not the fault of anyone here in this Chamber that we are in this position, but neither is it the fault of farmers or businesses who took these decisions. Many will go under if we do not address this issue. To add insult to injury, people in the rest of the United Kingdom will be getting £20,000 per biomass incinerator, whereas farmers, or whoever else has installed them, in Northern Ireland will gain only £2,000. That is a real concern. The Ulster Farmers Union has rightly raised that issue; I know that the Secretary of State has met its representatives to listen to their concerns. They point out that this is happening at a particularly difficult time for Ulster farmers with Brexit day looming.

We should not be making these decisions, and that is a great reason why we need the Assembly back up and running. The decision was made to set up the scheme, and it should be the Assembly taking responsibility when the budget has spiralled out of control and tough decisions are required. It is frustrating that, once again, people in Northern Ireland have gone to the polls and elected representatives but have no representation in Stormont. Some communities have no representation here so are completely at the mercy of politicians such as me, who have an interest in Northern Ireland but are not at the coal face, experiencing the impact of the decisions. It is down to Northern Ireland politicians to get back round the table and sort this out.

I have a few questions for the Minister to respond to when he sums up. Can the Northern Ireland Affairs Committee have ongoing scrutiny of this issue, so that

we can look at how the buy-out system is working and the impact of the reduction in subsidy and take quick action if it is having a devastating impact, as some fears suggest? What happens if the Executive are restored in the meantime? We heard this morning in the Select Committee that that is unlikely to happen soon, but if it did, there would be an impact on clause 4 in particular and how the budget would be set. We cannot set in place a system today that will be overturned in, say, six months. That would be really unfair on those affected.

Can we have clarity on why there is such a difference between Northern Ireland and the rest of the United Kingdom? A number of Members have raised that, and it would be helpful to understand it. Can we have further scrutiny of how buy-out payments will be achieved? I have grave concerns that it will be based on the cost of biomass installations, but far greater costs, such as interest payments on loans, will have to be taken into consideration.

I share Members' concerns—we should not be in this position. It is not this Government's fault that a scheme was set up that was never going to work financially, but we have a responsibility to the people of Northern Ireland to ensure that the solution put in place is fair and does not have a detrimental effect on those who invested in all good faith.

4.26 pm

Sammy Wilson (East Antrim) (DUP): It is a pleasure to follow the hon. Member for Lewes (*Maria Caulfield*). I thank her for her genuine interest in Northern Ireland affairs and for contributing to the debate.

As has been pointed out, this Bill contains two totally unrelated pieces of legislation. The reasons for that have been given, although I am not convinced that this is the best way of dealing with the issues at hand. Let me deal first with rates. I accept what the Secretary of State said; it is important that people in Northern Ireland contribute through their rates to some of the public expenditure required to keep services going in Northern Ireland. But when we impose those additional charges, whether on domestic or business rates, it is important that we bear in mind two things: the ability to pay and the impact that any taxation has on either the businesses or households concerned.

I have reservations about the level of the domestic rate increase, which is above the rate of inflation—it is the rate of inflation plus 3%. That will cause difficulty for households, as some people will not qualify for housing benefit on their rates but are still in low-paid employment and want to stay in employment. That will cause difficulty, but it is nothing compared with what was originally proposed. Let us not forget that the original proposal was 10% plus inflation. I am glad that the Secretary of State did not pursue that. The party of government, like my party, believes in leaving people with as much of their money to spend as possible. People know how to spend their money better than the Government. It would have been a travesty if the Government had proposed an 11.8% increase in the rates that people pay for their home, especially given the Government's boast time and again—one they ought to be proud of—that they are seeking to bring down the level of taxation. I am pleased that my colleagues and I had a role to play in knocking that figure down.

On the issue of business rates, this is really a 0% increase in real terms. Nevertheless, business rates in Northern Ireland are, for a number of reasons, some of the highest in the United Kingdom. The Chancellor has announced some business rates relief schemes—incidentally, we did have a Barnett consequential for that in Northern Ireland—but because of the non-functioning of the Assembly, it was not possible to revise the small business rate relief scheme in Northern Ireland. While that money was made available to the general purse, it was not translated into reductions for businesses.

In the long term, I think we need to look at the whole issue of business rates. It is of course a tax that is not related in any way to the ability of a business to pay. It does not reflect the buoyancy of the business or, indeed, the income from the business; it simply reflects the size of the premises and the rateable value of the premises that businesses happen to be occupying. For some people, that will lead to under-taxation because they could afford to pay more, but for many businesses it leads to over-taxation because their overheads go up or stay the same even though their income and their ability to pay are going down, which affects so many.

I suppose it is not just an issue for Northern Ireland, but this is one of the reasons why we have so many vacant premises on so many of our high streets. As businesses have come under pressure from online retailing and from the changes in the way consumers spend their money, they find their revenues going down, but the overhead of rates still remains the same. In the longer term, I think we need to have a review of business rates. I am pleased that at least there has not been a real-terms increase in rates for businesses, although I know many of them will struggle even with the inflationary increase in this piece of legislation.

Let me turn to the second part of the Bill on the changes to the renewable heat incentive payments. I do not think anyone can say that this scheme has been a success by any means. In fact, it has been a disgrace, and the way in which it was set up and has been abused required there to be a change. However, I must say that when it comes to subsidies for renewable heat, I do not think that some of the practices instigated through this Parliament and in this part of the United Kingdom would stand up to scrutiny any more than the renewable heat incentive stood up to scrutiny in Northern Ireland.

We have a situation at present that makes the subsidy in Northern Ireland disappear into insignificance. At Drax B power station, the subsidy has climbed from £250 million a year when the Liberal Democrat Minister introduced it to £800 million this year, and it is going to go up to £1,000 million a year, when coal could be mined two miles down the road. And what do we do? We bring in wood pellets from America. We chop down trees in America, put them in a boat, bring them to England and burn them in a power station, and we pay a subsidy of £800 million a year for it. I wonder how many houses in the south of England are having their outdoor swimming pools heated with boilers for which people get a renewable heat incentive payment. Is that a good use of public money? The renewable heat incentive has not received the same level of scrutiny in other parts of the United Kingdom as in Northern Ireland, where it was seen to be abused. However, there are big questions to be asked about the scheme, not just in Northern Ireland but in any other part of the United Kingdom.

I have several points to make about the need for review. We have been told that the legislation has to pass today instead of being given the level of scrutiny required. Many hon. Members have asked detailed, probing and important questions, but we are told that if the Bill does not pass today, no subsidy regime at all will be available at the beginning of the next financial year, and that if we continue with the existing subsidies, we will be subject to infraction proceedings from the European Union.

Why was all this brought forward at the last minute? It is not that the review of the scheme has been forced on the Department in the past three or four months; it was initiated by the last Minister for the Economy before the Assembly fell, more than two years ago. What has happened in the meantime? Why has it taken two years, with a rush to pass the legislation at the very end? The joke in Northern Ireland is that evolution works quicker than some of our Departments. However, given that the review was initiated more than two years ago, I have to ask why, at the last minute, we are suddenly being presented with a piece of legislation that raises a lot of questions, instead of being given time to carry out the proper scrutiny, in Committee and so on, that the hon. Member for Lewes and the Chair of the Northern Ireland Affairs Committee have suggested.

Maria Caulfield: It strikes me, as an MP who is still fairly new in this place, that the attitude is often, “It’s only Northern Ireland, so we can whizz it through in a day.” It should not be right for any Bill to pass Second Reading, Committee and Third Reading in one day without any suitable scrutiny.

Sammy Wilson: The hon. Lady makes her point well, as she did in her speech.

Not everyone abused the scheme. Some did, and it is right that their subsidies were cut, but many people had the scheme sold to them by the then Sinn Féin Minister of Agriculture and by the Minister in the Department for the Economy. It was sold to farmers and many other businesses as a subsidy for heating their premises because they were using the kind of energy that was in vogue with the Department, which wanted to cut down on CO₂. I am not really sure how burning wood cuts down CO₂ emissions—I am told that it puts as much CO₂ into the air as coal, and some of the pellets are imported from miles and miles away—but that was the thinking at the time.

People undertook in good faith to install the boilers. They borrowed money, expecting a certain level of return and a flow of payments. They could have put in gas boilers and got cheaper energy, but because of the hysteria against fossil fuels, it was decided to subsidise wood burning, so people installed a more expensive boiler and expected to get money in return.

We are told that the sudden and very substantial reduction in the subsidy happened because the EU said that it was required to keep us to the average 12% level. There has been some dispute, in discussions with officials, about whether the rate of return can be between 8% and 22% so long as it averages out at 12%, or whether it is a maximum of 12%. If we had had the time or a mechanism to bring forward officials we could have probed into that, but we are told it is 12%.

[Sammy Wilson]

In England, the subsidy per boiler is about five times higher than the subsidy per boiler in Northern Ireland. The scheme in the Irish Republic pays about six times more per boiler than in Northern Ireland. The question is this: how can you pay a subsidy five times more in England and still be within EU state aid limits? You can pay a subsidy that is six times more in the Republic of Ireland and still be within EU state aid limits. In Northern Ireland, however, it has to be at the level of £2,000 per boiler to stay within the state aid limits.

The explanation given—I cannot question it as I do not have enough information—is that, “Oh, the cost of boilers and the cost of fuel is different in Northern Ireland from the cost in England”. I could believe that if we were talking about, say, a 10% difference, but we are talking about a percentage difference in the hundreds here. Why does a boiler cost substantially more in England than it does in Northern Ireland? You might argue that it is because of transport costs, but then why does it not cost more in the Irish Republic? If a boiler has to come from England or another country, it has to be transported across the sea to the Republic of Ireland. Why should fuel cost substantially more in Northern Ireland than it does across the border in the Irish Republic? There might be some explanations as to why it costs less than in England, but why should there be such a huge difference between the two jurisdictions on the one island?

There could be perfectly good explanations for that, but given that the Department for the Economy got its figures so wrong for the initial scheme, you can understand, Madam Deputy Speaker, why people in Northern Ireland are sceptical about any figures that come out of the Department. The Department did not spot that the subsidy was substantially more than the cost of fuel and got its figures so wrong that there was a massive overspend. Figures for any scheme it brings forward need to be scrutinised properly. There is no opportunity to do that, despite whatever questions we ask Ministers today. A lot of these things come out through discussion, not through a question and a quick answer back from a Minister.

Those are the kinds of issues that need to be addressed. Unfortunately, I think we will have to vote for the Bill tonight, because there really is no alternative and it would be far worse to leave people with no scheme by voting against it. However, the Chairman of the Northern Ireland Affairs Committee suggested that there ought to be a commitment to allow the Committee, even after the Bill is passed, to have the opportunity to bring officials and anyone else necessary along, so that it can question them on the figures. If those figures are shown to be wrong, the scheme has to be amended to ensure that the level of subsidy paid reflects the true costs of the scheme. That is the one assurance we have to give to those who have been badly bitten.

I welcome the intervention and the fact that there was also some discussion on the budget, albeit late in the day. I think it was only two or three weeks ago that we were first given sight of what was proposed in the budget, but because the decision had to be made internally—purely by the Northern Ireland Office and the Department of Finance—there was time to revise the enormous increase that was being proposed initially

for the rates. In the case of the renewables scheme, it had to go back to Europe. Thank goodness that after 29 March, we will not have to worry about state aid rules. We can make our own decisions. That is a good thing and another reason why the House should make sure that we get out on 29 March, so that we can decide on the kind of support that we want to give industry or the lack of support—

Maria Caulfield *rose—*

Sammy Wilson: I knew that that would get the hon. Lady going.

Maria Caulfield: May we ask the Minister if—when we leave the EU on 29 March—we could look again at the subsidy issue, given that state aid rules will no longer apply?

Sammy Wilson: I agree with the hon. Lady. One of the reasons why we need scrutiny of the legislation, even after it has gone through, is so that we have a chance to revise it if we see that the figures are wrong. Since people have bought the boilers and had the infrastructure installed, would it be better to find a level of subsidy that enables people to continue to use them rather than just buying them out? The fact that we have a buy-out clause in the Bill shows that the Government and Department know that there will be hardship for people, although I suspect that the terms of the buy-out will be so draconian that it will not be worthwhile people doing that.

We will be supporting the legislation, albeit reluctantly, but on the basis that there will be an opportunity for the good questions that Members across the House have asked today to be looked at in more detail.

Madam Deputy Speaker (Dame Eleanor Laing): Before I call the next hon. Gentleman to speak, I have to announce the result of today's six deferred Divisions on questions relating to regulations on exiting the European Union. In respect of the question relating to financial services and markets, the Ayes were 303 and the Noes were 250, so the Ayes have it. In respect of the question relating to electricity, the Ayes were 302 and the Noes were 44, so the Ayes have it. In respect of the question relating to gas, the Ayes were 300 and the Noes were 44, so the Ayes have it. In respect of the question relating to food, the Ayes were 303 and the Noes were 44, so the Ayes have it. In respect of the question relating to electronic communications, the Ayes were 301 and the Noes were 257, so the Ayes have it. And, in respect of the question relating to road traffic, the Ayes were 301 and the Noes were 251, so the Ayes have it.

We will recommence the Second Reading debate with Mr Vernon Coaker.

[The Division list is published at the end of today's debates.]

4.48 pm

Vernon Coaker (Gedling) (Lab): It is a pleasure to follow the right hon. Member for East Antrim (Sammy Wilson), who, apart from the last couple of sentences, I thought made a really good, interesting speech.

I make these points very seriously. I agree with virtually every comment that has been made in the Chamber. It is particularly important, given the fact that the devolved

Assembly has not been meeting for over two years, that we in this Parliament, without moving towards any sort of direct rule, are seen by the people of Northern Ireland to be joining others who take an interest because they represent Northern Ireland to scrutinise properly the legislation that has a massive impact on the people who live there. In that context, I will make a couple of points—first, about regional rates and more generally, about the RHI.

The majority of Members of this United Kingdom Parliament would consider it quite inadequate to be given information that makes bland statements of the sort the Secretary of State made in her introduction. That is why I intervened. She basically announced that the Government were going to increase the regional rate by 3% plus inflation. There is no explanation of how they arrived at that figure. What debate was had? I am not talking about the ability to amend the figure or take on the civil servants in Northern Ireland, but that figure was not plucked out of thin air. There have been discussions. There have been discussions—quite rightly—with representatives here, and we now hear that 10.5% or 11.5% was suggested. The vast majority of Members, given the absence of the devolved Assembly, would have been completely unaware of that.

Whatever the rights and wrongs, what is the consequence of reducing the rate to 3%? Somewhere along the line, the Northern Ireland Office, in consultation with representatives in Northern Ireland—business and so on—arrived at 3%. Was there an option to go lower? The right hon. Member for East Antrim rightly made the point that for some families even 3% plus inflation will be a significant cost. No information has been given to Parliament, yet we are set to agree the rate. I am not suggesting we should not agree it, but what reasons were given for a lower increase?

In her written ministerial statement, the Secretary of State said:

“This budget position has been constructed on the basis of a 3% (plus inflation) increase on the domestic regional rate, and 0% plus inflation on business rates. I consider that this is a necessary and important step to continue to support public services”.—[*Official Report*, 28 February 2019; Vol. 655, c. 24WS.]

In any other public debate, the Secretary of State or Minister would explain how they had arrived at that figure. I am not saying it is wrong; all I am saying is that I have no idea from the information I have gathered—from a few media reports and from what Northern Ireland Members have said—how it was arrived at. Since we are making this decision, in the absence of the devolved Assembly, the Government should be making more information available, while respecting the fact that we are in circumstances none of us wishes to be in.

Paul Girvan (South Antrim) (DUP): The regional rate will make up roughly 46% of the overall domestic rate in household bills from April. Most local authorities have struggled to maintain below-inflation rate increases, and they will be impacted because the public will not understand that a large percentage is a regional add-on to the rates bill. They will not see that the 5.8% is a regional add-on.

Vernon Coaker: That is an interesting point. The hon. Gentleman has shared with the House another important piece of information that will no doubt be reported and on which it is important that Parliament reflects. Nobody

is saying this is wrong or that the Government are in a state of confusion, but where is the information that would allow us to consider this in a much more measured and informed way?

I know it is unrelated to the Bill, but we were told time and again in yesterday's debate, “It's been agreed we should spend more on education and health and that necessarily means less on other areas”. It is stated, not argued. The House is given no information for why it is. It is just asserted. In the present circumstances, I would suggest to the Minister, the Secretary of State and the Northern Ireland Office that they consider much more carefully how they inform the House of how decisions have been arrived at. That is not to usurp the functions of the civil service in Northern Ireland or to seek to replace the devolved settlement, but if we are being asked to make decisions, we should have much more information.

I have a similar view about the business rate. The business rate increase is 0%, but plus inflation, so it is not 0% as such. Again, the right hon. Member for East Antrim outlined some of the difficulties for business. Notwithstanding the investment that is taking place in Northern Ireland and the success stories there, there are issues surrounding the business rate. Those who google or read the Northern Ireland press will be able to see some of what businesses are saying about what they perceive as the unfairness with which it operates. It is not necessarily for the House to say that it should be changed, because that is not our function, but if it is 0% plus inflation, it is certainly our function to consider it.

Why was it necessary for the right hon. Member for East Antrim, rather than the Secretary of State or the Minister, to outline some of the problems that businesses were identifying in respect of the increase? The Secretary of State, and the Minister, when he responds to the debate, should say something about this, to demonstrate to the people of Northern Ireland that we understand what is going on, and that the decisions that are being made in the present circumstances reflect that. The hon. Member for Lewes (Maria Caulfield) said something very similar, unless I misinterpreted what she said. As I have observed on numerous occasions to various Secretaries of State, we seem to be rubber-stamping things without proper scrutiny and without being given any proper information.

Let me now make some comments about the RHI scheme. No one would want us to be where we are now, but the seriousness of this is simply astonishing. As has been said by the right hon. Member for East Antrim and others—including, I think, the Chair of the Select Committee, the hon. Member for South West Wiltshire (Dr Murrison)—the House has not much alternative but to pass the Bill as it stands. According to the explanatory memorandum, 1,800 small and medium-sized businesses—about 100 per constituency, on average—will be affected if it is not passed, because no subsidy arrangements will be available to them. This is a phenomenal problem. No wonder the people in those businesses will be looking at what is happening here and, in many cases, will be in despair. As we all know, small businesses depend considerably on cash flow. Many are already struggling, and people are working hard to make ends meet. Of course some sort of scheme must be in place, but I agree very much with the Chair of the Select

[*Vernon Coaker*]

Committee. It does come to something when, essentially, we are approving this scheme because it is a case of “Oh my God, if we don’t, we will be in trouble.”

Ian Paisley: The hon. Gentleman has put his finger on a number of issues. We have been told that it is the legal opinion of the Department that that is the case, but we are not able to see or challenge that legal opinion. That is why a judicial review has been launched. It could actually be that the legal opinion that the Department is proffering is wrong, and that we could, at the end of the month, revert to the original payment scheme.

The hon. Gentleman is absolutely right. We are caught in the headlights. The threat that is being made is that if we do not do this, we will be responsible for ensuring that farmers get zero. That is not right.

Vernon Coaker: I cannot really add to what the hon. Gentleman has said, other than to agree with it. That sums it up. Members of the public will be looking at us—they will not be distinguishing between the Government and the Opposition—and wondering how on earth we have let it come to this. All I can say to the Minister is that, notwithstanding the fact that it looks as if we will have to pass the Bill otherwise people simply will not know what the position will be after 1 April, I think there is a great deal of merit in what the Chair of the Committee said. I think that the Minister—I hope he is listening to what I am saying—needs to take account of what has been said by every single Member on both sides of the House. They are saying even if it is necessary to pass this legislation for the reasons that we have heard—to give that certainty—notwithstanding the fact that there is a legal challenge and notwithstanding the fact that we seem to be doing this because we have no choice and we are caught in the headlights, the Government must recognise the strength of opinion about this. They must take up at the very least the very reasonable suggestion by the Chair of the Select Committee and check—particularly if there is a legal challenge, in which case they will have to—whether the statistics are right and whether the Committee can look at this. If it is found that there is an alternative to what is happening at present the Government can perhaps review the legislation.

I know what will happen in the civil service, with all due respect; it will say it is not possible. My experience of Government is that if there is a will everything is possible, and it is perfectly possible for the Secretary of State and the Minister of State—two of the most senior members of the UK Government—to take responsibility and say they are not prepared for 1,800 businesses to be treated unfairly, because by and large those people are totally innocent. In totally good faith, they took on the RHI, and they should not pay the price of a public policy failure. If that means that as a result in a couple of weeks, a month or six weeks, the Government have to review what has happened, I think that will be a price worth paying, because that will be fairness. People expect the Government to operate in a way that is fair to all.

I hope that the Minister heard what I said about information that should be made available to this Parliament on how things like a regional rate are decided, not in

order to disagree, but to have greater information to understand how a decision has been arrived at. On the RHI, can the Minister reassure the House whether something can be done in a few weeks should it prove possible to do that and should it prove to be the case that the statistics were wrong?

I hope—as I know the Minister, the Secretary of State and every Member of this House does—that in the longer term, whatever that means, we can see a restoration of devolved government. I gently say to all of them that what might need to happen is, rather than just wishing it, we should try to see whether there is something new we can say or do that will hasten the restoration of devolved government in Northern Ireland.

5.2 pm

Ian Paisley (North Antrim) (DUP): It is good to follow the hon. Member for Gedling (*Vernon Coaker*). When he said, “Where there’s a will there’s a way,” I thought he was going to get into the Brexit debate, like my right hon. Friend the Member for East Antrim (*Sammy Wilson*), and say, “If there’s a will, there’s a way,” and we hope that in the next few weeks we find that will from our negotiating partners and then find a way out, truly, of the EU. But I digress by straying on to the Brexit debate.

The debate on the Bill has largely been masked by the debate around RHI, and it would be remiss of me not to pass some comment on clause 1 and what has been achieved. My right hon. Friends the Members for East Antrim (*Sammy Wilson*) and for Belfast North (*Nigel Dodds*) and my hon. Friend the Member for Belfast East (*Gavin Robinson*) have been heavily engaged for the last number of weeks on that point. As has already been alluded to, we would have been facing a massive rates hike if it had not been for that negotiation. If only it had been the same for the second part of the Bill: that we had had early sight of it and could discuss and challenge and probe it and therefore see a much more beneficial change than the one that has come forward on RHI. We must, however, congratulate our colleagues on their hard work in trying to significantly improve the rates issue.

The shadow Secretary of State, the hon. Member for Rochdale (*Tony Lloyd*), made some very kind remarks about the situation in Ballymena. I believe that there is an agreement today to see new opportunities created there by USEL, an employer that has set up a site on the Woodside Road industrial estate, and that is leading directly to the employment of 60 new workers in the constituency. Unfortunately, I was unable to attend the opening of that site because of duties here in Parliament, but I know that the Gallaher charitable trust, which I chair, led with key financial support to that building and that employer and that that has directly resulted in the employment of those people. Where did that charitable trust money come from? It is a legacy fund left over from when JTI Gallaher had to close its doors, and I am delighted that the first thing we have been able to do, through paying out money and resources, is to help to create 60 new jobs in the constituency. I hope that in the next few years we will see not only the charity that I chair but other employers adding to the local economy and creating new jobs and skills, leading to a revival in local employment.

I hope that the measures on the city deals will shortly come before the House, as they could apply very beneficially to the Mid and East Antrim Borough Council area, as could the Heathrow hub scheme. All those projects could see a huge increase in the employment and opportunities coming to my constituency, and I am delighted with the work that will be done in that regard. I want to ask the Secretary of State and her Minister to challenge Translink to hurry up and create more orders for the local bus building company in my constituency. It is great to see it getting orders from places all over the world, including Latin America and Hong Kong, but I would love to see more orders coming through to it from Translink, and I encourage the Secretary of State to push for those orders to come forward.

We now have to turn to the perplexing issue of the renewable heat incentive. The shadow Secretary of State was absolutely right to say that we are being presented with an amalgamation of two Bills. That is wrong; there should be a stand-alone piece of legislation on the RHI, because it is so controversial and far-reaching, and because the consequences of the issue will be felt by a lot of people in Northern Ireland for a very long time—indeed, probably for the next 20 years. Instead, these measures have just been stapled on to the back of this Bill, and we are now being expected to nod it through without serious, appropriate scrutiny. I do not believe in nodding through legislation; nor do I believe in the emergency process by which we are taking through this legislation. Northern Ireland deserves better, and this House has to demonstrate to Northern Ireland that we are going to give it better.

Officials in Northern Ireland have handed us these proposals, and I believe that they think we should accept them without challenge or scrutiny. That would be wrong, because it would be unfair on the people we represent. I think that people will understand and accept our caution, given that these are the very same officials who brought forward the first flawed scheme. We are now expected to accept the evidence they are giving us today as being good, beneficial, tested and rigorous and to accept that it will be all right on the night. That is not the case, however, because there are flaws in what is being put to us, and even in the manner in which it is being put to us, and they should be properly challenged.

Those in the Department are privately telling us that they would welcome the opportunity for further scrutiny. They do not want the debacle of the past to happen again; they want to learn from the mistakes of the past, rather than to repeat them. I believe that any such extra scrutiny would be very beneficial. A new clause has been tabled to the Bill—it stands in the name of the Chairman of the Northern Ireland Committee, the hon. Member for South West Wiltshire (Dr Murrison), and several other Members from across the House—and I hope that the you, Madam Deputy Speaker will be kind enough to select it and allow us to debate that issue properly.

Two wrongs never make a right. The obvious historical problems with the RHI tariff are the subject of an ongoing inquiry, and it would not be right to press those matters here today. However, the future ought never to be held to ransom by the past. Unfortunately, the Bill that the Secretary of State has brought to us today will hold the future of the RHI to ransom because of what has happened in the past, and that is wrong. We need to treat people fairly and honestly going forward.

No matter what the RHI inquiry throws up, which will have to be dealt with on its own terms, we have a duty and a responsibility to treat the RHI owners in a way that is respectful, honest and fair, and equitable with the rest of the United Kingdom.

Everyone can look at the measures and the proposed cuts in support—from as much as £13,000 to about £2,000 per annum—and then at those same people who have bank loans signed up to on the basis of the original business plans and legal arguments. The banks, however, will not go back on the original plans. They will not say, “We’ll just forgive all that debt; it’s all over.” Banks do not operate like that, and why should they? They were given business plans guaranteed by the Government—legal guarantees—and they expect people to honour the payments agreed.

The Government have to accept that the way in which the issue has been brought forward tonight is not fair to 2,020 boiler owners in Northern Ireland. The vast majority of them, as the hon. Member for Gedling said, have done nothing wrong; they followed the rules, totally and absolutely, yet tonight they are being held to ransom by the system. Most of those RHI users are not abusers of the system, but they will all be punished by the system that is to be introduced now. Again, that is grossly unfair.

People can look across the channel to see the English system, or south to see the RHI system that has been proposed but not yet introduced in the Republic of Ireland, where support will be significantly higher than even here on the British mainland. The Bill will not only punish but in effect end for the next 20 years all renewable energy plans and damage forever anyone who claims a copper-bottomed guarantee from the Government, no matter the shade of that Government, because they will look back at this scheme and say, “Look how we were done over, treated shabbily and given no answers to our questions. This will lead us to a situation in which we are treated badly.”

Today, I tabled questions about levels of support and Barnett consequential for RHI payments in both Scotland and Wales. The proposals in the Republic of Ireland will be so much more generous even than what will be made available here in England, as well as in Scotland and Wales. The only part of the United Kingdom that will therefore be treated unfairly is Northern Ireland. The cuts are to the bone, and through it.

The argument presented by the Department yesterday in a 15-minute presentation was that this would stop a breach of state aid rules. That simply is not good enough. We have to be given more substance and the legal arguments to demonstrate the precise nature of those state aid requirements, which do not appear to apply to another European Union member state—namely, the Republic of Ireland—or to the rest of the United Kingdom or any of its regions, whether Scotland, Wales or England. State aid rules are supposed to apply in the same way, yet Northern Ireland has been singled out to be treated differently.

The Department has a duty to make the case in public. It and the Secretary of State cannot give a 15-minute briefing to the shadow Secretary of State or us as Members of Parliament in a conference, and then expect us to sell it to the public. Do they think we are mad? That is not acceptable. The Department has a duty to stand up in public and to defend itself. Will the

[*Ian Paisley*]

Secretary of State make herself and officials available to the Northern Ireland Affairs Committee for us to ask them the difficult questions? Let us at least have the opportunity to put those questions to the Secretary of State, because so far today we have had no answers to any questions.

For example, how did the Department come to the figure for the average cost of boilers in Northern Ireland? What was the basis on which that was done? The Department has given us a figure for the average cost, and are we just to accept it? We are not equipped to challenge that figure unless we see the evidence, but we are not allowed to see that evidence. We are just told that we have to accept it. We have the great sword of Damocles hanging over us—"If you don't accept it by the end of the month, farmers will not be paid." Blackmail is all that is, and it is wrong.

What is excluded from the cost assumptions in Northern Ireland? Are those same exclusions made to the cost assumptions here in England? We did not get any of that answer. We asked three or four times during the 15-minute presentation, and there were raised eyebrows, butts and tuts, and, "Ask someone down the video line. He might be able to tell you." We were not able to confirm whether the £2,500 plumbing costs or the £1,000 electrical costs are included in the English scheme but excluded from the Northern Ireland scheme. If so, why? If they are, I am not the one to sell it to the general public in Northern Ireland on the basis of a 15-minute presentation; it is up to the Department to sell it.

When a person applies for one of these boilers, they have to seek planning permission, which is a costly exercise. They have to pay a lawyer and, usually, an architect. Is all that included in the English scheme but excluded from the Northern Ireland scheme? Apparently, it is included in the English scheme but excluded from the Northern Ireland scheme. If it is excluded from one on the basis that it is against state aid rules, I can tell the House there is an express train coming down the tracks towards those who try to include it in the English scheme. We have to address those issues.

Do the cost assumptions differ from what is permitted in England? If so, why do they differ? The Department and, indeed, the Secretary of State need to answer that question. If 12% is the rate of return, why can the rest of the UK work on a rate of return of between 8% and 23%, as my right hon. Friend the Member for East Antrim said? Why is there that differential? We were given an excuse yesterday. We were told 16 times that the European official had told the Department for the Economy that it could not move from 12%. Why can it not move from 12%? It is up to the Department to reveal the answer, if it has one. Why should I go out and sell it to my constituents when the Department told me that Europe has said it cannot do it? That might have been all right for the past 40 years, but from 29 March it will not be acceptable. Europe cannot tell us all those things, and it is therefore wrong, 23 days before we leave, that the EU is allowed to hold us to ransom on that point.

When we ask whether the state aid rules will still apply after 29 March, some lawyers say they will and others say they will not. Why should I make the case in public? It is up to departmental officials and the Secretary of State to make the case, and they have to answer those

questions. Officials say that the EU does not allow them to stray from 12%. Why is that the case? A judicial review was lodged this morning, and the appeal will be heard in April. Is it really appropriate for us to change the tariff about 30 days before that judicial review hearing? I do not believe it is. I think that in itself could constitute knowledge that we were doing something wrong, and I think the Department needs to move.

The right hon. Member for Orkney and Shetland (Mr Carmichael) made the point well that the buy-out scheme is an admission that this scheme is flawed. If that is the case, the Government will pay out even more compensation if it goes to judicial review. Will the state aid rules apply after 29 March?

If we were successful in voting against the Bill tonight, would the payments stop on 1 April? The Secretary of State made that case. When we asked yesterday for evidence to back it up, we were told that it is just a legal opinion, but that legal opinion is being tested in the courts today because there is another equally valid legal opinion saying that it is a wrongful interpretation. We will know the outcome in the first or second week of April.

All those questions need to be answered in advance of our taking a decision. We are not being given the proper time to scrutinise this properly. It is little wonder that we have been inundated by calls, emails and personal visits from hundreds of constituents, businesses and farm families who are affected because this touches more than 2,000 owners in Northern Ireland. If those businesses go out of existence, that would be the equivalent of 60,000 or more small businesses closing here on the British mainland. That perhaps gives a sense of the proportion of what has been affected; we are talking about tens of thousands of families who would be affected if this was transferred over here. We have to address that matter properly. The Department has a duty to make that case in public. It is not our duty to make the case for it, because it is sitting on the evidence. I would therefore welcome the opportunity to scrutinise it properly; the Secretary of State and officials should come before the Select Committee. They should make themselves available instead of expecting us to nod this matter through.

I agree that if Stormont was in place tonight, this debate would be better placed there—that is where it should be taking place—but we have to deal with the cards as they are currently, and Stormont is not in place. It would therefore be a dereliction of our duty to do this in what we would describe locally as a "half-baked way". Frankly, what we are doing here tonight is half-baked; this is not proper scrutiny, with Parliament at its best, but Parliament doing something and taking shortcuts. That will result in problems down the line. I fear that in a matter of months something will come out and people will say, "You really should not have taken that decision on 6 March 2019. It was a huge mistake."

We are therefore right to be cautious about supporting this part of the Government's proposal tonight. This House has a duty to carry out scrutiny, in the absence of the Assembly, and to do it properly. The Department, whenever we met its representatives, outlined how it came to its calculations, but the only conclusions I can draw is that if the Department for the Economy is right in what it has told us, the scheme currently operating here in England is unlawful. If that is the case, an even bigger question is raised. I have asked that very question

of officials and looked at their answer. If officials know that that system was unlawful, they are on notice today that they had knowledge of it and, in effect, they let us know that they had knowledge of an unlawful system operating on the mainland. If that is the case, the scheme being proposed for the Republic of Ireland would, similarly, be unlawful under state aid rules. So the Government have a duty to allow us to scrutinise this properly. I welcome the fact that an amendment has been tabled, which we will get to debate later, and I hope the Government will be able to concede some of the points we have put to them and that we will be able to address those issues fairly.

I wish to end my remarks by referring to a couple of emails that I have received out of those from the hundreds of people who have been in touch with us. Whenever we boil things down to the actual person and family involved, we actually see what is happening. Jacqui and Thomas are from a farm family in my constituency. They said that the Department for the Economy has been “ignoring” them for months. They said that they have been emailing the Department, trying to make contact with it and sending it their questions about these matters when the consultation originally came out, but it has been ignoring “genuine RHI users”. Jacqui says:

“I totally object to be financially punished for adhering to the requirements of the Scheme and blame this department for putting my farming business at risk.”

That will have been repeated up and down the country, not just in my constituency, but across County Tyrone and in all of County Antrim, where we are a major food producer for these islands.

We must remember that this is largely about producing poultry that is sold in supermarkets up and down the UK. Most of the poultry eaten on this side of the channel is grown in County Antrim and County Tyrone. If this puts farm businesses at risk, it damages our food security and our biosecurity and everything is now at risk. That is the consequence of what we are doing; it damages businesses and it damages what we actually feed to our children. So let us address it and address it properly.

Sammy Wilson: Does my hon. Friend not think it is rather ironic that we have had all these debates in the House about the impact of Brexit on supply chains, yet here is a measure that, as he has rightly pointed out, could have a massive impact on the supply chain of the agri-food business in Northern Ireland and throughout the United Kingdom?

Ian Paisley: The consequences of and ripples out from this are so significant. It is not about cheap energy; it is about how we run our economy efficiently and effectively. What is our economy in Northern Ireland? It is principally small businesses that produce the best viable, traceable, tastiest food in these islands. We are putting that at risk, and we are putting those jobs and farm families at risk. We really need to pause, and the amendment tabled by the hon. Member for South West Wiltshire gives us that opportunity to try to get this right. I look forward to the second part of proceedings.

5.25 pm

Jim Shannon (Strangford) (DUP): It is always a pleasure to speak in this House at any time, whether it be first or last—whatever the case may be—and I relish the

opportunity to do so today. I wish to follow on from the comments of my hon. Friend the Member for North Antrim (Ian Paisley), my right hon. Friend the Member for East Antrim (Sammy Wilson) and others, but I wish first to touch on the regional rates. Come 1 April, when many people get their regional rates bill, they will wonder exactly what it is that they are getting for their rates. They will ask that question because of the degree of increase, and I can understand that.

I definitely very much appreciate the city deal relationship that the Government have put forward, in association with my party and my hon. Friend the Member for Belfast East (Gavin Robinson), my right hon. Friend the Member for Belfast North (Nigel Dodds), my hon. Friend the Member for Belfast South (Emma Little Pengelly) and those further afield. The advantage of the city deal is that we in Strangford, North Down, East Antrim and South Antrim will also get some of the benefit, because it will ripple out to the towns and villages.

What can we do for the high street? I ask primarily because in just the past fortnight several shopkeepers in Ballynahinch, Newtownards and Comber in my constituency were asking whether there is any help for the high streets at this time. The initial reason for this debate was the rates, so perhaps the Minister or Secretary of State can give us some indication of that.

I was very pleased about the stronger towns scheme, which was referred to in last night’s debate and which will ripple across and affect every region of the United Kingdom of Great Britain and Northern Ireland. We are not yet sure what the figures are going to be, but there is potential to help the high street and those from all over the United Kingdom.

I wish to dwell on the RHI issue and scheme. I thank the Secretary of State for moving the motion. The RHI scheme has been an issue of tremendous difficulty in Northern Ireland, although I must make it clear from the outset that it has been used as a weapon by abstentionist Sinn Féin to strong-arm and foist an Irish language Act, among other things, on the people of Northern Ireland. They used it for their own purpose—for what they wish to achieve. They are not holding out for the inquiry conclusion and report on RHI to come back to do their job. They are using an opportunity to circumvent democracy and impose their will on the people of Northern Ireland. That cannot be borne and nor should it be allowed.

I was not overly au fait with RHI. We were never asked directly to help a constituent to apply and I was not in the Assembly at that stage, so the articles I read in the paper were the foundation of most of my knowledge of the scheme. Of course, as time has passed, I have been contacted by genuine businesses in my constituency—those people who applied legitimately, honestly and fairly, who never abused the scheme at any stage, and who have used it appropriately. Pastors and ministers of churches applied for the scheme. Farmers, too, applied for the scheme for their chicken houses and so on. Many of them invested tens of thousands of pounds in the equipment to qualify for the scheme and it is for those people that I feel extremely aggrieved—those people who did it right but who now find themselves in a very awkward place.

There is no doubt in my mind that the scheme has been massively abused by some people who do not even keep the livestock or the broilers in the sheds as the heat

[Jim Shannon]

is far too much. They leave the windows open and are burning to make a profit. These people must realise that this cannot be acceptable and that they should not profit from this. They must be held to account.

However, by the same token, there are people who have loans based on an appropriate use of the scheme who may well not be able to pay those loans back and who will lose their businesses—not because they were greedy, but because they are using, and not abusing, the scheme. Let us be honest, when most of us have taken out a mortgage to buy a house or a new car, the bank manager will have always asked us how we would repay it. He would ask for a business plan for repayment or a direct debit. If the house is much more, he would look for collateral as well. Decisions to loan money—whether it be to a business or for a mortgage on a house—are based on a proven business plan, endorsed and agreed by the banks and, in this case, agreed by Government as well.

I wish to read out a letter from one of my constituents—I will not mention their name or where they are from in my constituency. Over the past few weeks, I have been contacted by many constituents—those who applied for the scheme and legitimately joined it on an honest basis. My constituent said:

“I am emailing to inform you of my circumstances as a poultry farmer in Co. Down in the constituency of Strangford. I have legitimate need for heat and I joined the scheme to make my business more sustainable, with the assurance of the 20-year RHI payment guarantee. Under this agreement, I took out substantial business loans. Although these boilers are significantly more expensive to purchase and install, and six times more expensive to service, I could budget for this knowing that RHI payments were secure for 20 years. I had confidence in the scheme when I entered it because the scheme was Government run”—
and so you would have—

“I now feel outraged that my business will suffer as a result of the lack of competence of some decision makers. It is not my fault that the rate was set too high, yet my business suffers as a result. I feel that I am being discriminated against; Northern Ireland is part of the UK so tariffs should have been set the same. I am already feeling the financial pressure to meet repayments and costs associated with running these boilers due to the 2017 amendments, but further cuts proposed by the DfE will leave my business under real threat.

Realistically, in order to keep my business running I will have to purchase oil boilers whilst still repaying off debt associated with the biomass. I don’t know where the money is going to come from. I therefore fear business closure. I would not have entered the scheme if the tariff was set at this proposed level! It is not financially viable! In addition, businesses from both communities in NI have joined the scheme”—

businesses from all parts of the community—

“I don’t understand why this has become a political issue. I hope you will support my business and do the right thing for the economy of NI by voicing my objection to the tariff cuts.”

That is one constituent of many who, under the deal that the Government introduced, went to the bank and got their loan with the tariffs. They did it the right way, yet they find themselves in a very serious position. These people have farmed all their lives. Their businesses are successful. They are family businesses; Northern Ireland is full of family businesses. These small and medium-sized enterprises across the whole of the United Kingdom of Great Britain and Northern Ireland do great things for people and for their families. I despair that, through no fault of their own, my constituents find themselves in such financial difficulties.

Let me be clear that I am wholeheartedly behind a cut to the scheme, so that people burning ash to get cash cannot do so. However, the genuine people—the person I just spoke about and many others—will take a closer look at the 2019 GB scheme and see that alignment with this scheme would ensure that businesses, although not able to profit, will be able to survive. We want businesses to survive and to contribute to the Northern Ireland economy. That includes family farms. Individuals from churches and others also took out these schemes. The 2019 scheme is substantially lower than the original Northern Ireland scheme, and rightly so, but it also allows those who have invested more to recoup some of the running costs. My hon. Friend the Member for North Antrim and the right hon. Member for Orkney and Shetland (Mr Carmichael) referred to the buy-out scheme. That scheme indicates a certain legitimacy.

I stress again that this is not about retaining the current scheme or ensuring that people who abuse the scheme continue to do so; it is simply about a sensible UK-wide alignment that will not put genuine people out of business, while halting the systematic abuse. The Chair of the Northern Ireland Affairs Committee has tabled an amendment, which others have signed. It is important for us to give that amendment an opportunity so that we can see what can be done about the scheme. Hopefully, it will bring us a bit closer to finding a system for the honest people who have found themselves in great difficulty. We must have more time to consider this issue, and the amendment would give us that opportunity.

I urge the Secretary of State to give consideration to alignment with GB at this time, and to understand the dire straits that some of my constituents are facing due to the machinations of unscrupulous people and a scheme that we now realise was not fit for purpose when it was initiated. This situation is not of their making, and it seems grossly unfair for them to pay for it when there is a UK-wide answer.

5.36 pm

Karin Smyth (Bristol South) (Lab): During the wind-ups, it is customary to say that we have had a wide-ranging debate, but we have not. We have had a very narrow debate with very wide-ranging agreement, and there is a great deal of sadness at the fact that we are having to implement these measures.

I think we would all agree that it is a basic principle of any democracy that there should be no taxation without representation. As my hon. Friend the Member for Gedling (Vernon Coaker) said, we do not really know how this 3% increase has been arrived at and we do not know the implications, yet we are being asked to agree to it. We are all facing rate increases in our local areas, and local taxation is a subject of great debate in our constituencies. Rate increases are a controversial matter that generally need to be justified and accounted for by local councillors, and reported to local people. As the hon. Member for Strangford (Jim Shannon) expressed well, the impact on our high streets concerns most of us, yet again we are not really able to dig beneath the figure to see the implications of this decision.

The Government are once again cherry-picking what can and cannot be discussed, and what should and should not be done, here in Westminster. There has been no assessment or mitigation of the impact of this

decision and, as my hon. Friend the Member for Ogmore (Chris Elmore) said in an intervention, there is no information about any support for those who face the impact of this decision, especially people on low incomes. As I said yesterday, we will of course support these measures this evening so that businesses can continue, but the situation really is highly unsatisfactory.

We all know that there is huge interest in the renewable heat incentive, particularly in Northern Ireland. Anyone following the inquiry will know how damaging this issue has been, further eroding confidence in Government and Government's ability to deliver. I have been a member of the Public Accounts Committee, and I looked at some of the schemes operating in Britain, largely as a result of initiatives under the coalition Government. I think it was the right hon. Member for East Antrim (Sammy Wilson) who said that we must learn from the now rather large body of evidence across the United Kingdom about how incentives work in these sorts of schemes, and I agree with him. However, I do think—perhaps disagreeing with him—that these schemes have the laudable policy aim of reducing our dependence on fossil fuels.

Let me turn to how we have been considered in this process. The consultation closed in December. In that consultation, it was stated that legislation would be needed, so it was known by officials and the Secretary of State that we would come to the point at which someone would have to take legislative action. I ask the Minister—this has been raised by many other hon. Members—why we were not involved in those discussions before now, and why, as the hon. Member for Paisley and Renfrewshire North (Gavin Newlands) said, we are again rushing through another important piece of legislation. I welcomed the opportunity, on behalf of the Opposition, to attend a briefing yesterday morning, although we were initially approached about it only on Monday evening. My hon. Friend the Member for Rochdale (Tony Lloyd) was not available for that briefing; many of us made ourselves available. We knew that legislation was coming, but there should really have been some sort of opportunity for pre-legislative scrutiny before we got to this point. I think that many of us would have made ourselves available for that, and then many of the questions that we rightly have could have been addressed.

Hon. Members have highlighted how this situation impacts on many good, genuine people who put their trust in Government. We have heard some examples today, and we have also received emails about the real impact on families and family businesses. It is fair to say, however, that the majority of individuals are not affected—and for the greater population, a decrease in the reliance on oil or fossil fuels is a good policy aim that we would support. There is not an awful lot of sun in Northern Ireland, but a fair amount of water and wind in order for renewable energy to play a really important role in future. It would be very unfortunate if this sorry episode blighted that developing agenda. This is important for the Department as it considers how to rebuild trust in any future schemes on renewable energy.

5.42 pm

The Minister of State, Northern Ireland Office (John Penrose): I will try to address a series of specific points that various Members have made during the course of this debate. I will also try to address some of the

broader questions, some of them quite fundamental, about the RHI scheme and its many and manifest problems and shortcomings. That is partly because those issues were raised in the debate, but also because we are going on to consider an amendment in Committee and it may help to have a bigger shared fact base. This will not answer all the questions that will, quite rightly, be raised in Committee, but it may at least lay the foundations of that debate and help us to address them at that stage.

As the hon. Member for Bristol South (Karin Smyth) rightly said, we have had quite a narrow debate although with widely shared views across the House. I strongly agree with one point that she made at the end of her remarks, which is that it is easy to forget, amid all the concern about the flaws in the RHI scheme, that it was introduced for a very noble purpose as part of an attempt to decarbonise our economy by increasing the amount of renewable energy in Northern Ireland. That is part of a broader tapestry of other initiatives that are being introduced right across the UK and, indeed, in other countries around the world. We clearly should not lose sight of that—it is a vitally important point.

Sammy Wilson: Does the Minister agree that it is rather ironic that a scheme that is meant to decarbonise—for some people that is important; for others it is just an expensive burden on the economy—finishes up with wood being put into pellet form in North America, brought in ships across the Atlantic ocean, and then burned in boilers here in the United Kingdom? Does he really think that is a way of cutting down on carbon emissions?

John Penrose: The right hon. Gentleman said that he was not quite sure why burning wood was any better than burning other things, because the emissions are similar. If my hon. Friend the Member for Richmond Park (Zac Goldsmith) were here, he would make the point that we have to be extremely careful about how we calculate the carbon footprint of some supposedly renewable fuels, because if we cut down virgin rainforests to grow things that are then pelletised and burned, the overall genuine carbon footprint is much worse than people like to pretend.

However, my hon. Friend would also make a sharp distinction between what I think is called long-cycle carbon—in other words, fossil fuels, where carbon has been locked away for millions of years, are a net release that makes an overall difference to the level of carbon—and short-cycle carbon, which is a sort of short-term recycling whereby things are grown in the course of our lifetime and burned. I will not try your patience, Madam Deputy Speaker, by going into the detail of the level of greenery, but I hope we can all agree that this scheme, with all its manifest flaws, intended to pursue a noble purpose.

Before I go on to the details of the RHI scheme, I will address a few other points. The hon. Member for Belfast East (Gavin Robinson) asked a series of questions about Northern Ireland housing associations and, I think, was hoping to pin us down on when a piece of legislation might be introduced. I want to reassure him—my right hon. Friend the Secretary of State made this point, but I will repeat it—that the Government will take that forward as soon as parliamentary time allows.

[*John Penrose*]

The hon. Member for Rochdale (Tony Lloyd) asked about the stronger towns fund and said that he did not feel he had enough of an answer yesterday; I want to ensure that we try to provide that today. He will be aware that the Secretary of State for Housing, Communities and Local Government made an announcement yesterday. The Treasury will apply the Barnett formula in the normal way and confirm the funding for each region in due course. We do not know that yet, but it will come out, and we will seek to ensure that towns in Northern Ireland, Wales and Scotland can benefit, building on the success of the Government's growth and city deals.

The hon. Gentleman also asked about the applicable costs of the RHI scheme. I will address that specific item before coming on to the broader points. The scheme guidance, which I am sure we are all itching to go through in huge detail, has been published, and it sets out clearly the eligible costs. They are primarily the costs of the boiler. He mentioned costs to do with installation, pipework and the like, and some of those are included as well. Interest costs on borrowing are apparently not included as an eligible cost in this scheme. I wanted to share that with everybody, so that we have a shared fact base before we go into Committee and discuss the detail of the amendment tabled by the Chairman of the Northern Ireland Affairs Committee, my hon. Friend the Member for South West Wiltshire (Dr Murrison).

Questions have been posed about the up-front payments and how they would be calculated for people who wanted to opt out of the scheme because they felt that if they remained in it, they would lose out too badly. Straightforwardly, an individual's costs—that means the cost of installation, the capital cost of the boiler and other eligible installation and running costs—will all be included, and they will be reimbursed up to the 12% target rate of return for the revised scheme. All the additional costs of the renewable technology above a fossil fuel one will be reimbursed. That is crucial, because a number of Members have raised questions about what happens to people who are worried that they are going to lose out. The hon. Member for Strangford (Jim Shannon) read out an email he received from someone with precisely those concerns. If they are concerned that it will no longer be economic for them to stay in the scheme, they can opt out. It will be a free option for them, and they are guaranteed to have made 12% on their money if they decide to opt out at that stage.

Lady Hermon: The Minister needs to address the point raised by a number of right hon. and hon. Members about those who entered the scheme in good faith with the legitimate expectation that it would last for 20 years on a particular tariff. How do the Government square that and address that really key point?

John Penrose: I am very happy to address that point. There is one thing that I know a number of people have found shocking. In fact, the right hon. Member for East Antrim (Sammy Wilson)—I am probably slightly misquoting him, but this is broadly speaking what he said—was right to say that the RHI scheme as originally conceived has turned out, in spite of everyone's best efforts, to be both a failure and a disgrace. Very sadly, he absolutely accurately describes what has happened.

It is also true to say—the hon. Member for Strangford was quite right to make the point—that very many did not go into the scheme with the intention of abusing it. Some of them were pastors in churches, and so on and so forth. The scheme was introduced for a good reason and, in the vast majority of cases, people entered into it for good reasons.

I therefore found it pretty shocking, and I am sure other people will share my shock, that of the participants involved—many of them with all the right intentions, as I have just described—80% have already, by today, received a 12% return for the entire 20 years of the scheme. If they did not get another penny piece, they would already have received a 12% return on their money. Even if there were another 14 years or however many years of the scheme left to run, since the day they entered it they have made a 12% return. The hon. Member for North Down (Lady Hermon) is absolutely right to raise the question of legitimate expectations, but the participants have done incredibly well.

Jim Shannon *rose*—

John Penrose: I will come to the hon. Gentleman in a minute, if I may.

I remind Members that although the scheme as it was originally conceived was supposed to have an average return of 12%, the actual rate of return on average for people has been 50%—a 50% return on their money. That is extraordinary, particularly when we consider that that money comes out of taxpayers' pockets. Quite legitimately, people have asked why provisions on the rates and on the RHI modifications have ended up in the same Bill. It is fair to say that there are only five substantive clauses in total for both those issues, but it is worth remembering that one of the reasons they are together is that the costs of this extraordinary bounty are not just magicked out of thin air or paid for by nobody.

Ian Paisley *rose*—

John Penrose: I will take interventions in a moment, but I want to finish this point.

The costs are paid for by taxpayers, and by rate payers in Northern Ireland as much as by anybody else. It is important for us all to remember the fundamental injustice that this unintentional, but none the less very serious, miscalculation has caused. I will go on to talk about what the miscalculation was in a minute, but a number of colleagues want to intervene and I will go to the hon. Member for Strangford first.

Jim Shannon: I gave the example of one of my constituents, whose legitimate expectation was to have repayments over a 20-year period. He negotiated the loans accordingly at a bank—the bank is very strict when it comes to borrowing money—and invested somewhere between £250,000 and £500,000, as did some other constituents. Given the expectation of a 20-year roll-out, the impact on these small businesses and family farms will be extensive. Is it not right that the 20-year long-term plan should be delivered?

John Penrose: Some people will have done very well out of this scheme, but I think the House will have a great deal more sympathy with those who have received below the average. I think that is the point the hon.

Gentleman is making. The average may be extremely high and some people have done extremely well, even including those who have not run their boilers all the time, lived with the windows open and so on, and he gave examples of people who have not done that. Those who have received well below the average and are worried that they are going to lose out because they are well below the 50% average rate of return that has been achieved so far will still be able to opt out and will be made good. None of the historical payments they have received will be counted if they decide to opt out, and they will basically be told, “You will have a 12% return based on the money you’ve invested so far.” There is a route out for people who are worried; they will still be made whole and should not lose out. They may not make out extraordinarily or become rich, but 12% is a return that many of us would be very happy to earn on most other investments.

Tony Lloyd: I am grateful that the Minister is being so generous with his time. None of us has any brief for those who have done extraordinarily well out of all this; they should not have been allowed to be so lucky, but we should not let that delay us. The reality is that it is accepted as part of the scheme that there may be losers, as is recognised in the buy-out clause that the Secretary of State and the Minister pray in aid. A 12% return seems quite a good rate, but the fundamental problem is that the cost that the Minister tells us will be allowable as the basis for that return is not the same as the cost of the boiler plus installation. We need a guarantee that the problems faced by the potential losers will not be compounded by an incompetently designed buy-out scheme that cannot work for them financially.

John Penrose: I am delighted to be able to set the record straight. I think that I have already mentioned this, but perhaps I can expand on it: the point about the buy-out scheme is that it will be a 20% return—sorry, it is minus payments already made; I misspoke. It is a 12% return on the capital costs of the boiler and the other eligible installation and running costs that I mentioned in my reply to the hon. Member for North Down. It will be tailored to individual circumstances, and obviously people will need to produce receipts and so on, but if they have ended up paying slightly more for their boiler, they will not lose out. The hon. Member for Rochdale raises a perfectly valid question, but people who might otherwise lose out should be made whole, as the hon. Member for Strangford pointed out.

Ian Paisley: I appreciate that the Minister is making the case that has been given to him by the Department, but the crucial thing is how we set the average, because that is the basis of the calculation. The shadow Minister cited a cost to a constituent of £76,237, which suggests that the average cannot be £35,000. The more general average cost of the scheme in Northern Ireland appears to be settling at £44,607, but the Department in Northern Ireland has set the average at £35,900. If that average is set wrongly, the Minister’s figures go out the window. The trouble is that we have to rely on what the Department is telling us, but—as the Chair of the Northern Ireland Affairs Committee points out—we have no evidence for it. We should be able to challenge the figures, but we have not been given the evidence to enable us to do so.

John Penrose: We will have to come back to the question of how to get more evidence into the room, as it were, but I will try at least to answer some of the questions that have been raised today. I appreciate that I will not be able to answer every one—the hon. Gentleman is absolutely right about that—but I will try to cover as many as I can.

The averages that I am describing are average rates of return, which are calculated according to a whole range of things. Capital costs differ, because some people have bought bigger or more expensive boilers and because all sorts of other costs are involved, such as installation and fuel, but the target number is the average rate of return. As we have heard, the rates of return that are actually achieved will be distributed around that average; some people will do better, while some will do worse. That is why the buy-out scheme for those who will potentially lose out is so important. It is also worth while pointing out that the average rate of return is directly comparable across the rest of the UK. It will become 12% in Northern Ireland and it is 12% in Great Britain. As I understand it and for what it is worth—I appreciate this is of tangential relevance, but it is perhaps interesting information—the intended return of the Republic of Ireland scheme is 8%, not 12%.

Lady Hermon: The Minister, in response to a number of interventions, has repeatedly relied on data and detailed figures. Can he confirm that they are not in secret documents held in confidence within the Department for the Economy, and that they could be made public tonight and put in the House of Commons Library? I ask for the calculations to be published in the House of Commons Library within the next 24 hours. It is outrageous that we are being asked to approve a Bill tonight based on facts and figures that I certainly have not had sight of—perhaps others have—and I would like them to be made publicly available to the House within 24 hours.

John Penrose: There is an old saying that if you want something to be kept secret, you announce it on the Floor of the House of Commons and nobody will pay a blind bit of attention. I am trying to put some of the facts in, but I take the hon. Lady’s point. I will see if inspiration strikes me later on in my remarks as to whether that can be done, or whether my right hon. Friend the Secretary of State can help in that regard. It is clear from everyone’s remarks on Second Reading that there is not just a thirst and an appetite but a genuine democratic need for proper scrutiny and for more details to be understood. That is what I am trying to do by what I am laying out now, but I take the hon. Lady’s point. Other Members have made a similar point. We had comments to that effect from my hon. Friend the Member for South West Wiltshire the Chairman of the Northern Ireland Affairs Committee, the hon. Member for Paisley and Renfrewshire North (Gavin Newlands) the SNP spokesman, my hon. Friend the Member for Lewes (Maria Caulfield), and the hon. Members for Gedling (Vernon Coaker), for North Antrim, for Strangford and for Bristol South.

I hope we have dealt with quite a lot of the points that were raised. The one point that I think remains at this stage—I am sure we will go into more detail in Committee in a moment—relates to process. Before I go any further, I should mention that a number of colleagues—there is clearly a political movement in

[John Penrose]

North Antrim and in East Antrim—are pretty leery and worried about state aid rules. The hon. Member for North Antrim and the right hon. Member for East Antrim both raised this point and asked whether the state aid rules would continue after we leave the European Union. I am not sure if I am pleased or sorry to disappoint them both, but the answer is yes they will. We have agreed to port across, to begin with at least, all EU rules into UK law, including, obviously, state aid rules. They are both absolutely right to point out that it will then be up to this Parliament, rather than anybody else, to change them if we want.

However, we all need to be a little careful about what we wish for. For those of us who are free marketeers and free traders, or even those of us who are not but just want to see fair play, the changing of state aid rules needs to be approached with great care, because it can easily either slant the playing field in favour of foreign firms trying to export into Britain in ways that are unfair for British manufacturers and British producers, or alternatively create political favouritism and lobbying games. So we would need to approach that with a great degree of care. I know that it would be approached with a great deal of care on both sides of the aisle. It is theoretically possible, but on day one, I am sorry to tell the hon. Gentlemen from Antrim, they will not be changed and they will still apply.

Inspiration has just struck. I understand that the figures the hon. Member for North Down was asking about have already been published. They were published last May. We are trying to track down precisely where they are in order to make sure that they are properly available. I will come back to her, or my right hon. Friend the Secretary of State will come back to her, with the final version of the figures and make sure they are properly available. If we cannot track them down, we will try to come up with duplicates if we can.

Lady Hermon: The Minister said that the figures have been published. What I would really like are the calculations underlying those figures. We need to know how the

figures were arrived at. Are those calculations in the public domain or can they be put in the public domain? That is what I would like to see.

John Penrose: I think the answer to the hon. Lady's question is yes. I have not actually seen the figures—the ones published in May—but we will endeavour to clarify that and get them out there for her as soon as we can.

Let me finish by saying that there is a link between the decisions that have been taken by the Executive and where we are today. A number of colleagues asked whether the sunset clause will apply if we do not take a decision today. I remind people that back in March 2015, the Executive at the time took the decision to introduce some caps. Those were renewed roughly this time last year and expire at the end of March this year. That is the reason why we are so concerned about the timescale. I appreciate that this does not answer some of the questions about why we are having this conversation today rather than two weeks ago, or whenever it might be, but I reassure people that this is not something that someone has plucked out of the air. It has been extended on an annualised, fixed-term basis and is therefore due to expire at the end of this month. That is why this needs to be dealt with and sorted out, so that roughly 1,800 of the people who currently receive money can at least have the legal option of continuing to receive that money in future.

I should just say to the hon. Member for Gedling, who was muttering in concern, that when I said I had not seen the figures, I was talking about the precise figures that were published back in May. I have not seen those particular documents and therefore do not want to speak to what may or may not be in them at this stage rather than the broader point.

With that, I will sit down and let us move on to a more detailed conversation in Committee about the RHI scheme because there is clearly a material appetite to do that, and I do not want to stand in anybody's way.

Question put and agreed to.

Bill accordingly read a Second time.

Northern Ireland (Regional Rates and Energy) (No. 2) Bill

Considered in Committee (Order, this day)

[SIR LINDSAY HOYLE *in the Chair*]

6.8 pm

The Chairman of Ways and Means (Sir Lindsay Hoyle): I must inform the Committee that I have selected the amendment and the new clause tabled by the hon. Member for South West Wiltshire (Dr Murrison).

Clause 1 ordered to stand part of the Bill.

Clause 2

INTRODUCTORY

Question proposed, That the clause stand part of the Bill.

The Chairman: With this it will be convenient to discuss the following:

Clauses 3 to 5 stand part.

Amendment 1, in clause 6, page 5, line 26, at end add—

“(4) Section (*Regulations*) comes into force at the end of the period of 3 months beginning with the day on which this Act is passed.”

Clauses 6 and 7 stand part.

New clause 1—*Regulations*—

“(1) The Secretary of State may make regulations by statutory instrument amending any provision within sections 2 to 5 of this Act or within the Schedule to this Act.

(2) Regulations under this section may not be made unless a draft of the statutory instrument containing them has been laid before Parliament and approved by resolution of each House of Parliament.

(3) The Secretary of State may lay draft regulations under this section before Parliament only if the draft regulations take account of any relevant recommendations made by any select committee of the House of Commons.”

The purpose of this new clause is to ensure prior consultation, and full and proper scrutiny, of proposed changes to the renewable heat incentive scheme in order to ensure that current participants are not disadvantaged by changes to the scheme.

That the Schedule be the schedule to the Bill.

Karen Bradley: We have had significant debate on this matter on Second Reading and I do not wish to prolong proceedings any further at this stage. I look forward to hearing from right hon. and hon. Members.

Dr Murrison: I am grateful to you for calling me to speak in this stage of our proceedings, Sir Lindsay. The complexity of the Bill, apart from clause 1, has been demonstrated by the level of discussion that we have had. That really underscores the need for full and proper scrutiny of this Bill. Forcing this through all its stages in a day is a challenge, and I fear we have not explored sufficiently the complexity of this matter. It is a matter that bears on the lives of many people in Northern Ireland and we must get it right. I know the Secretary of State is as keen as I am to ensure that that happens.

I am grateful to the parliamentary draftsmen for their assistance in crafting my new clause, which is available in manuscript form. It turns what I thought would be a simple matter—that of dividing the largely uncontroversial

part of the Bill from the more difficult bit on the RHI—into something that, in my mind, is really quite complicated, but that is the nature of this place and of parliamentary draftsmanship. We cannot consider these two parts separately and be sure the matter will be finalised in time for people to get their money on 1 April, so in consultation with parliamentary draftsmen, we have devised a new clause and an amendment to clause 6, which is the commencement clause.

I am grateful to the members of the Northern Ireland Affairs Committee who have co-signed the new clause and amendment. I have appended to the new clause what I hope is a helpful explanatory statement. It explains that the new clause is essentially a patch-up job that I hope will help to facilitate consultation and fuller and better scrutiny of proposed changes to the renewable heat incentive scheme to ensure that current participants are not disadvantaged by changes to the scheme. I appreciate that this is imperfect—I would have preferred for it to be dealt with separately and for the Bill to have been divided into two parts to allow for a proper debate on the RHI clauses and schedule—but I accept that we are faced with the choice of supporting the Bill or not and that if we do not support it many people will be financially disadvantaged, which is not acceptable. I hope that the new clause provides a mechanism for scrutinising this matter, albeit imperfectly, and for making recommendations that the Secretary of State might implement to ensure that as few people as possible are disadvantaged.

I am not in the business of job creation, and I gently point out that my Select Committee is the most productive in the House of Commons, according to figures I have seen—we are pretty busy, particularly at the moment—but it might be thought a proper Select Committee to undertake this work. If so, I will discuss it with my Committee, but I make no prescription. I am quite clear that this complicated element of our business needs proper detailed scrutiny and that we need to see and examine the data produced.

Several right hon. and hon. Members have been a little critical of the Department for the Economy. It is after all implicated in this situation, as the informatics it produced and the advice it gave are partly to blame for where we are, and that means we are doubly obliged to examine closely any material it has produced. That is fair and proper scrutiny. I gently suggest that whichever Select Committee undertakes this work focus heavily on that information so that we can be clear what is being recommended to the Secretary of State and are better able to make recommendations to minimise the hard cases that we are all concerned about in the course of this legislation. I hope she will consider the amendments carefully, and I look forward to hearing what she has to say.

6.15 pm

Tony Lloyd: In his closing remarks, the Minister, who I believe was trying to be helpful, talked about the further exchanges that might take place in Committee. However, I think it would be remarkably difficult to prolong this debate in any meaningful detail, because of the granularity that was drawn to our attention by the hon. Member for South West Wiltshire (Dr Murrison). It will be about real-life cases of “winners, probably not, but losers, almost certainly”, which will become

[Tony Lloyd]

apparent only following the passage of some time. In that sense, I think the hon. Gentleman made an intelligent proposal when he said that we should consider how to proceed with pre-legislative scrutiny, and, indeed, I called for that on Second Reading.

In that context, I strongly support the new clause. As the hon. Gentleman said, it is not the perfect way forward, and it is probably not the best-structured way of achieving his ambitions and the wishes of other Members for adequate scrutiny, but it may well be the best that that we can achieve. I have confidence in the members of his Committee—I must have confidence in those colleagues of ours—because they do at least have a legitimate track record of both interest in the affairs of Northern Ireland and a determination to use the power of the Committee not only to hold the United Kingdom Government to account but increasingly, in this period of non-devolution, to raise matters that cannot be properly scrutinised in the context of Stormont. Ideally, if the world were different, there would be the equivalent of our Public Accounts Committee at Stormont level, but, although it existed in a functioning Stormont, it does not exist in the current circumstances.

I do not think I need to say any more, except that we support the new clause, although I am sure that if the Secretary of State has ambitions to take such action in an even better way, we will listen to her proposals.

Ian Paisley: It is always an honour to serve under your chairmanship, Sir Lindsay.

I support the new clause. It has the overwhelming support of the parties here and of the Select Committee, which has been rightly identified as the Committee that should try to organise the scrutiny. I approve of the requirement in the new clause that the Secretary of State should bear in mind

“any relevant recommendations made by any select committee of the House”.

A number of points were made on Second Reading but, in particular, Members asked where the evidence came from and on what we were basing this, and my hon. Friend the Member for North Down (Lady Hermon) asked whether we could see the material. Yesterday was the first time that I, and many of my colleagues, were able to see the material on which tonight’s discussion is based. I have it in my hand. There is not a lot of it: it contains 300 words and three graphs. On the basis of a 300-word document with three graphs, we are being asked to agree a multi-million-pound subsidy cut in Northern Ireland. That is not right.

This requires scrutiny. Those 300 words may have convinced some people, and the Minister made a very good fist of making the case, but they are not a compelling argument. We need to be able to see the evidence that has convinced the Department that it is doing right and the rest of the United Kingdom is doing wrong, and that, if the Irish Republic comes on stream, it too will be doing wrong. We need to see the evidence for those claims.

I asked a few questions that need to be answered by the Secretary of State or her senior officials. That can happen only in a Committee, because they have not been answered on Second Reading, and I do not know if they will be answered in Committee. I welcome the

new clause that has been tabled by colleagues; I hope that it attracts support and that the Secretary of State can demonstrate to us, if she does not want us to accept it, that she will take cognisance of what a Committee will say and of scrutiny that will actually take place.

Karen Bradley: I recognise the concern of Members and the spirit of this amendment, which seeks to provide for additional time and scrutiny. As I have said, I empathise with the participants in the scheme. I have been very clear, during discussion both of yesterday’s legislative measures and today’s, that this situation and this process are far from ideal. What I and I think everybody in this Chamber wants to see is scrutiny of Northern Ireland policies by locally elected politicians. Nevertheless, I am committed to bringing forward measures on behalf of Northern Ireland where they are critical to good governance, as these two Bills are. I remind Members about the point I raised yesterday about the normal estimates process: by taking this legislation through as primary legislation in this House, rather than subordinate legislation, as it would have been in the Assembly, we are affording a higher degree of scrutiny and accountability to these measures.

My hon. Friend the Member for South West Wiltshire (Dr Murrison), the Chair of the Northern Ireland Affairs Committee, is right that full and proper scrutiny is what we need, and he is right to challenge us. He is also right to say that we must get this right, and I appreciate that his amendment would afford more time for scrutiny and offer a mechanism by which more scrutiny could be delivered.

The Northern Ireland RHI scheme has probably received more public scrutiny than any other. I have already mentioned the public inquiry into the scheme, which has interrogated myriad aspects of the scheme in detail, but additionally and specifically on these new tariffs, the Department for the Economy held an extensive public consultation from June to September 2018. That included making public the evidence base used by the independent experts who generated the tariffs. I believe that information is on the Department for the Economy website and we are looking to see if we can find it quickly and provide a link to it as soon as possible.

The Department held pre-consultation events for stakeholders, including all the local political parties and key representative groups, including the Ulster Farmers’ Union and the Renewable Heat Association Northern Ireland. Following the closure of the consultation, the Department set out its analysis and response in January 2019 and said that final proposals for the revised tariffs would be delivered in February this year. The Department and my officials have in recent weeks briefed parliamentarians and local parties on the new tariffs and the new legislative measures before us, including the new buy-out clause. My hon. Friend’s suggestion that there may be a role for further scrutiny in either his Committee or another Committee in the House is very welcome and I certainly would appreciate that.

With regard to the timing of the legislation today, it is important to recognise the comprehensive and technical nature of the work involved. As I have mentioned, the Department for the Economy engaged independent experts to carry out a painstakingly detailed review of the scheme, went through a full public consultation

exercise and more recently an extensive discussion with the European Commission on state aid. These discussions only reached a conclusion at the end of January, meaning the Department for the Economy could not finalise its position any earlier. The current legislation is sunsetted and a failure to enact the clauses before us will mean more than 1,800 participants will not be able to be paid by 1 April.

Ian Paisley: On that point—I think this is critical and is probably subject to the judicial review at the present time—is it the case that payments stop? Is that the opinion of the barristers advising the Department? Or is it the case that this reverts to the original payments scheme? There is contrary advice on this and the Secretary of State must be clear with us which advice she is taking and why.

Karen Bradley: The advice I have received is that the payments will stop, because there will be no legal basis on which to make any payments. The payments that are currently being made have been found to breach state aid rules, so there is no legal basis on which to continue to make payments. The payments with the cost-capping involved expire on 31 March. The Department cannot go back to the original payments, because they would be illegal payments, and we will not have any other mechanism by which legal payments can be made after 31 March. I recognise that this is far from ideal, but the facts of the situation have meant that an expedited process is required.

Ian Paisley: The Secretary of State says that we cannot go back to the original payments, but I do not think that anyone is asking for that. However, the payments were stepped down, and I understand that she could continue with those stepped-down payments.

Karen Bradley: I cannot continue with those, because the advice that I have is that to continue with them would be illegal. Under the ministerial code, I cannot, as a Minister of the Crown, legislate for something that I am advised is illegal. So I am left in a very difficult situation. I understand how people feel about this. I empathise with people and I understand the implications for them of a reduction, but as Secretary of State, legislating for something that none of us wants to be legislating for in this place, I am faced with the choice of legislating for something that is legal, to allow some subsidies to continue, or not legislating, which would result in no subsidies happening after 31 March. The legal basis on which the reduced subsidies, as set out by the Executive, are paid expires on 31 March.

Dr Murrison: I appreciate the Secretary of State's dilemma. She is having to act on the basis of advice that she is getting from the Department for the Economy, a Department whose advice has been shown to be flawed in the past. Does she understand that we need to examine this closely? She has been told that, legally, she has to do this, and we in this place have to accept that, but we also have to scrutinise the legislation. I hope that she can give me sufficient reassurance that she will note our examination of this matter and our recommendations on it, and that she will not take at face value the advice that she has been given from a Department that has erred in the past. I very much hope that she will be able to tailor her remarks accordingly,

and I am all agog as to what commitment she can give to providing the scrutiny that I have described in my amendment.

Karen Bradley: I thank my hon. Friend for his questions, and I will come on specifically to those points in a moment.

I want to come back to the question of whether there is an option to delay. I agree with the principle and intention behind the amendment, but it is not the solution to the wider problem. As I have said, the tariffs set out in the legislation are the only tariffs available that will bring the returns on the scheme into line with the 12% approved by state aid. The tariffs strike a fair balance between the interests of scheme participants and the wider public interest, in ensuring that the Northern Ireland budget and public services are protected and that taxpayers' money is spent to achieve value for money. The only lawful alternative would be the closure of the scheme.

Paul Girvan: In relation to the figures that are being presented, I have done a very simple back-of-the-envelope calculation—perhaps not a very wise thing to do—of the payments that would have been received in the early stages at the maximum permissible amount. If we calculate that in, then take the reduction over the next couple of years that has been calculated in, then multiply by the factor that has been put forward, it comes out at 3.1 times less than what the rest of GB is getting on the average tariff.

Karen Bradley: I hope that the scrutiny that the Chair of the Northern Ireland Affairs Committee has offered will help to address a number of those issues. I know that there is concern about the differences between the scheme in GB and the scheme in Northern Ireland. I am not using a visual aid here, but I can assure Members that we have a copy of the document that is on the Department for the Economy website. It is available for download, and we would be happy to send a link to all Members here today, to ensure that they have an opportunity to see the very detailed information, tables and calculations, which I am sure they will absorb and enjoy.

To resume, delay of the legislative measures, such as the amendment would achieve, would serve only to put at risk payments to all the participants in the scheme. For there to be a lawful basis for the RHI scheme come 1 April, the legislative process and Royal Assent need to be completed by 31 March. The current tariffs are designed to pay the maximum 12% rate of return to a typical participant, so there is no lawful way to introduce higher tariffs to the scheme. A delay would not change that fundamental issue.

6.30 pm

I support the principle of the amendment of my hon. Friend the Member for South West Wiltshire, but the lasting solution to the issues that he and others have raised is that these matters are best addressed and scrutinised by a restored Executive in Northern Ireland. In the absence of a functioning Assembly, it is vital that we provide the statutory footing needed to allow the scheme to continue to ensure that boiler owners continue to receive payments from 1 April.

To go back to the comments made by my hon. Friend, I hope that the Northern Ireland Affairs Committee, or another Committee of this House will now spend time looking at the issue. As the Secretary of State, I will consider carefully any recommendations made with regard to it, in particular any on helping those in hardship. We all agree that no one wants people who entered the scheme in good faith, and because they believed they were doing the right thing, to face financial hardship. We want to ensure that they have the reassurance that they need that everything we could do has been done.

On the basis of that position, and of my commitment to work with the Chair of the Northern Ireland Affairs Committee and to look carefully at his recommendations, I hope that he will not move his amendment.

Question put and agreed to.

Clause 2 accordingly ordered to stand part of the Bill.

Clauses 3 to 7 ordered to stand part of the Bill.

Schedule agreed to.

The Deputy Speaker resumed the Chair.

Bill reported, without amendment.

Third Reading

6.33 pm

Karen Bradley: I beg to move, That the Bill be now read the Third time.

I thank everyone who has participated in this debate and the one yesterday. We have had a good discussion. We are all dissatisfied with the level of scrutiny afforded to these measures in the absence of an Executive, but I think it is fair to say that the debates in this Chamber yesterday and today have meant that there has been scrutiny and that we have aired a number of the issues that right hon. and hon. Members wished to air. I thank all who have participated and look forward to the work that the Select Committee has set out it will do.

I thank my Minister of State, the Minister in the other place, the Whips, the Opposition, the Scottish National party, the Members from the Democratic Unionist party and the hon. Member for North Down (Lady Hermon) for their participation over the past two days. Finally, I thank the Bill officials because, if it were not for the people who spend hours and hours coming up with the very technical points and working incredibly hard through that, we would not be able to deliver in this place in the way that we do.

6.34 pm

Tony Lloyd: I reiterate to the Secretary of State that these proceedings are not satisfactory. Everyone recognises the legal imperative to make sure there is a scheme in operation, and therefore there is time pressure, but none of us accepts that this is the right use of the parliamentary process. It would still have been undesirable had we separated the two very different strands of the Bill, one relatively non-controversial and the other significantly controversial. To be honest, we are still lacking in adequate answers to the many questions that have been raised on the Floor of the House, including in Committee, today.

I appreciate the efforts of the hon. Member for South West Wiltshire (Dr Murrison), the Chairman of the Northern Ireland Affairs Committee, to move forward

on the question of scrutiny. I accept that he understood the need not to press the amendment, but that was on the basis that the Secretary of State is committed to making sure that she listens carefully and closely to any recommendations that come from that Select Committee, which is now most important.

It may well be that the Secretary of State and the Minister are right in their ambition that there will be no losers. I think everyone in this House wants a scheme that does not see winners racing away to the bank in quite the luxury they did before. Equally, there is a determination to ensure that, if there are people who lose out, we are not putting viable businesses and people's livelihoods and incomes at risk. In that sense, I recommend that the Chairman and the members of the Select Committee now take forward the work of proper scrutiny in a way that simply has not been done up to this point.

6.36 pm

Dr Murrison: I thank the Secretary of State for listening to the concerns expressed and articulated through my amendments. I note her remarks from the Dispatch Box that she will carefully consider the result of further scrutiny of this Bill and any recommendations that my Committee, or any other Committee, might make on how to ensure that this necessary measure does not disadvantage businesses in Northern Ireland. I look forward, if my Select Committee agrees to undertake this work, to the scrutiny that the Bill deserves, so far as we are able to provide it, and to making recommendations to her in very short order. I particularly look forward to her response to any recommendations that we might make.

6.37 pm

Ian Paisley: The shadow Secretary of State put his finger on it when he said that this is not a satisfactory process by which to scrutinise legislation. We have kicked that one around a lot today, and there is general agreement that the process could be better, whether through a functioning Assembly or through Northern Ireland business not being conducted in this truncated manner—either would be very beneficial.

It would, however, be remiss of me not to thank the Secretary of State, the Minister of State and their officials for helping us in recent days, especially on the non-controversial aspects of what we have debated today, namely the rates bill. Of course, we would like to see some elements tweaked further but, by and large, it has been a success story. It could have been a very different story. We could have been looking at a 12-point rate hike, which was averted largely down to the hard work of officials and Members of this House. We welcome that, and it would be remiss of me not to put that word of thanks on the record.

I agree with the hon. Member for South West Wiltshire (Dr Murrison), the Chairman of the Northern Ireland Affairs Committee, that we look forward to scrutinising this matter further. I hope the Secretary of State will make herself, the Minister or, indeed, senior officials available to whatever Committee ultimately considers the Bill so that the probing questions asked here today can be properly scrutinised. We look forward to

hopefully finding something that allows us to go back and give some hope and satisfaction to genuinely needy people in Northern Ireland.

Question put and agreed to.

Bill accordingly read the Third time and passed.

Business without Debate

JOINT COMMITTEE ON THE DRAFT DOMESTIC ABUSE BILL

Ordered,

That Dr Philippa Whitford be discharged from the Joint Committee on the Draft Domestic Abuse Bill and Liz Saville Roberts be added.—(*Amanda Milling.*)

DELEGATED LEGISLATION

Mr Deputy Speaker (Sir Lindsay Hoyle): With the leave of the House, we shall take motions 6 to 14 together.

Motion made, and Question put forthwith (Standing Order No. 118(6)),

EXITING THE EUROPEAN UNION (MERCHANT SHIPPING)

That the draft Merchant Shipping (Passengers' Rights) (Amendment etc.) (EU Exit) Regulations 2019, which were laid before this House on 17 January, be approved.

That the draft Merchant Shipping (Standards of Training, Certification and Watchkeeping) (Amendment) (EU Exit) Regulations 2019, which were laid before this House on 29 January, be approved.

EXITING THE EUROPEAN UNION (DESIGNS)

That the draft Designs and International Trade Marks (Amendment etc.) (EU Exit) Regulations 2019, which were laid before this House on 31 January, be approved.

EXITING THE EUROPEAN UNION (AGRICULTURE)

That the draft General Food Hygiene (Amendment) (EU Exit) Regulations 2019, which were laid before this House on 31 January, be approved.

EXITING THE EUROPEAN UNION (FOOD)

That the draft Contaminants in Food (Amendment) (EU Exit) Regulations 2019, which were laid before this House on 31 January, be approved.

EXITING THE EUROPEAN UNION (AGRICULTURE)

That the draft Specific Food Hygiene (Amendment etc.) (EU Exit) Regulations 2019, which were laid before this House on 31 January, be approved.

That the draft General Food Law (Amendment etc.) (EU Exit) Regulations 2019, which were laid before this House on 31 January, be approved.

LOCAL GOVERNMENT

That the draft Greater Manchester Combined Authority (Functions and Amendment) Order 2019, which was laid before this House on 30 January, be approved.

CONSTITUTIONAL LAW

That the draft Forestry and Land Management (Scotland) Act 2018 (Consequential Provisions and Modifications) Order 2019, which was laid before this House on 11 February, be approved.—(*Amanda Milling.*)

Question agreed to.

PETITION

Closure and relocation of Solihull Post Office

6.39 pm

Julian Knight (Solihull) (Con): My constituents are deeply concerned by proposals from the Post Office to close its large, accessible branch in Mell Square, in the town centre, and to replace it with a counter on the first floor of the nearby branch of WHSmith. An official public consultation on the move by the Post Office closes today. Although it invited residents' views on many important questions, especially regarding site accessibility and the impact on the wider community, it explicitly did not allow them to pass judgment on the move itself. It is not right that a growing town such as Solihull is facing such cuts to important community resources such as our local post office. That almost 1,000 of my constituents signed this petition shows that their objection to the Post Office's plans runs deeper than the fine details, and it is a privilege to put their concerns directly to this House today.

The petition states:

The petition of residents of Solihull,

Declares that local residents have concerns over the proposed closure and relocation of Solihull Post Office, Mell Square.

The petitioners therefore request that the House of Commons urges the Post Office to re-consider the closure of the Solihull Post Office in Mell Square due to its size and accessibility.

And the petitioners remain, etc.

[P002434]

Special Educational Needs: Wiltshire

Motion made, and Question proposed, That this House do now adjourn.—(*Amanda Milling.*)

6.41 pm

Dr Andrew Murrison (South West Wiltshire) (Con): Society can be judged by the quality of the provision it makes for its most vulnerable members. I therefore welcome this opportunity to raise the situation of vulnerable people in my constituency, particularly those who have special educational needs.

Last week, the consultation ended on Wiltshire Council's plans for a dramatic change to the provision for children with SEN in the county, and I would like to begin by highly commending Wiltshire Council for prioritising special needs and for being prepared to pledge serious money—£20 million—on a root-and-branch upgrade to provision for children who have complex and severe learning and physical disabilities. That does Wiltshire Council a great deal of credit, and I pay tribute to the councillors and officials involved in trying to make things better for some of my most vulnerable constituents.

However, the edge was taken off that for me when I was summoned at the end of last year to hear precisely what the council was planning to do with the money it wants to spend. I wish to take some time this evening discussing that and impressing upon the Minister how important it is that the council thinks again. Survey data shows just how unpopular the council's approach is, closing, as it does, two well-loved schools that are at the very heart of their communities in order to create a very big one in a relatively remote location. I hope the local authority will listen to concerns expressed and adopt a different model for my most vulnerable young constituents that retains at least one of the threatened schools.

I want the Minister to help, because the Government have already been quite helpful: they have helped with £350 million in new funding for SEN announced in December; they have helped through the dedicated schools grant, with an 11% uplift in real terms for high needs between 2014-15 and 2019-20; and they have helped through the Children and Families Act 2014.

A key feature of that legislation was the SEN "local offer" that local authorities are now required to make. The offer has to be developed in partnership with the children and young people involved, their families and the relevant professionals. The attached code of practice is clear: it expects the local offer, from birth to age 25, to be developed and revised over time through regular review and consultation. Indeed, that collaborative, consultative approach runs through the legislation like a vein through granite. It is mandated; it is not an optional extra; it does not mean the local authority making up its mind and presenting users with faits accomplis. It suggests a collaborative, consultative approach that does not waste public money on working up a case that is so clearly contrary to the wishes of its intended beneficiaries.

Wiltshire Council has for some time wanted to close smaller special schools. We got wind of a warming-up exercise last year, when a member of the council made some adverse remarks about the inadequacy of hoists at Larkrise School in Trowbridge—claims that were incorrect and had to be retracted. It all runs contrary to the

approach encouraged by the 2014 Act and its associated code of practice. Wiltshire Council's vision for special education in Wiltshire is in many ways an exemplary document—it says all the right things—but at its heart it would close two schools, one in my constituency and one in that of my hon. Friend the Member for Chippenham (Michelle Donelan): Larkrise in Trowbridge and St Nicholas in Chippenham.

Jim Shannon (Strangford) (DUP): I congratulate the hon. Gentleman on bringing this issue forward. As Chair of the Northern Ireland Affairs Committee, he will know only too well the experiences we have had in Northern Ireland in relation to special needs education. The increasing demands on special needs education are exceptional. In England, some 1.3 million children are in special needs education and needing it. Does the hon. Gentleman agree that we need sweeping reform of the support available to pupils and schools to ensure, as he, I and everyone in the House would agree, that a pupil is not prevented from reaching their potential because of a lack of support services available in their postcode? What he needs in Wiltshire, we also need in Northern Ireland.

Dr Murrison: I of course agree with the hon. Gentleman. I was once a governor at a special school, before I was elected. If I reflect on the provision then and the provision now, I am quite clear that matters have improved, but that does not mean to say that we should be complacent. What the hon. Gentleman said is correct: we need to ensure that every child has the ability to reach his or her potential. That is as true of a mainstream child who is going to become a doctor or a lawyer—or even a politician—as it is for a child at a special needs school whose horizons, in a classic sense, are necessarily going to be rather more limited. They are equally important and their potential needs to be maximised.

The proposition before the council is that it closes two schools and builds a big school on the site of a third one. That would be a very big school by SEN standards, and many of us have concerns about that, because this particular subset of the school population undoubtedly benefits from a provision that is more intimate than perhaps would be necessary for their mainstream compatriots. That would necessarily not be the case were this big school to be created in place of the ones it would replace. The council refers to the big school as a centre of excellence, but my contention is that we already have a centre of excellence in my constituency—it is called Larkrise School.

The claim is made that Larkrise is bursting at the seams and that its facilities and equipment are insufficient, but there is more to a school than bricks and mortar, and there is more to a special school than hoists. The school community understands that, which is why it is so opposed to the local authority's prescription. It is clear that, being strapped for cash, the council has to balance the books. Rightly, it worries about the financial deficits that have been projected for each of the special educational needs schools, but deficits are projected at several mainstream schools, too, and nobody is suggesting that the solution is to close them.

The county's financial position is not helped by its having to place 300 special educational needs pupils outside Wiltshire because of the long-standing insufficiency of in-county provision. Those of us who represent seats

in Wiltshire will be well used to people attending our advice surgeries to discuss that. The council wants to remedy this out-of-county placement situation by creating a new school with 350 places serving the north of the county. Although the way that the numbers are presented in the consultation documents makes comparison very difficult, 350 places seems inadequate to cope with the planned closures, the out-of-county placements and the growth that is projected given local population increases, housing demand, and the recently announced moves of the residue of the British Army in Germany largely to Wiltshire and the need to accommodate them. Even by its own arithmetic, the council appears to be set on under-provision. That means that out-of-county provision is bound to continue, that projected spend on the new school will be greatly exceeded, or that the new school will very quickly become overcrowded, or, more likely, a combination of all three.

The plans anticipate no sixth form. Instead reliance will be placed on the county's further education college, Wiltshire College, for 16 to 19 provision, together with a vaguely defined private provision. No further details are given. For example, we do not know how many days a week pupils aged 16 to 19 will have.

All this is of great concern as SEN pupils across the UK have been let down historically in our system in the transition from school to adulthood—from school to life as supported young people in the community. Provision for 16 to 19 is absolutely crucial in this transition. Wiltshire Council's consultation document asserts that the new centre of excellence will be able to provide what is called

"outreach capacity to support mainstream schools."

It is not clear what is meant by that. On the face of it, there is a risk that resource will be diverted from the severe and profound to the milder end of the SEN spectrum. That is surely not what is intended. If it is, it needs to be stated in plain terms. The perception is not helped by the confusing terminology used in the text and the apparent misunderstanding of which schools currently offer what, in what is admittedly a complex and overlapping needs mix. Response to the consultation has rightly honed in on that.

Last month, I took part in a march in Trowbridge in support of the threatened schools. Predictably, there were children, parents and teachers, but what struck me was the number of ordinary citizens with no direct link to the school. The orthodoxy is that society wants people with disabilities of the kind that special schools deal with to be hidden away. The orthodoxy is that society is embarrassed by them and that they make it feel uncomfortable. Well, that may be the orthodoxy but it is not true in Trowbridge. Larkrise has a very special ethos. It does not believe in the hiding away of kids with the most profound difficulties. Its students are part of the local scene, out and about in the community. Nobody gawks at them, looks away or crosses the road, because they are an accepted and expected part of the community. They are recognised, welcomed, and helped in the shops, and that does not happen by accident.

We must not hide special needs children away in remote large, impersonal facilities, miles from their homes and communities. That is the very opposite of inclusion. It is segregation. Now I know that that is not the intent of the council, but it would be the consequence of its plans as drafted. Mobility today means that, like

as not, children in mainstream schools will make their adult lives away from the towns in which they grew up, but children with special educational needs are much more likely to remain. Where they are is where they will be. Larkrise understands that, which is why its staff, ably led by headteacher Phil Cook, have put so much effort into local involvement and ensuring that their children are integrated in the community. I know that a similar situation applies at St Nicholas.

It is not surprising that, in its latest report, Ofsted rated Larkrise as "good". It is surprising that the council believes that shutting this good school in Wiltshire's county town should be part of its plans for raising standards. That is particularly so, as the council's own task group stated that

"it would not be appropriate to combine all three schools into one site",

and its "School Places Strategy" document says that children are best educated at the heart of the community—absolutely.

Over the year, parents with statemented children, and now children with educational health and care plans, have been to see me in my advice surgery. Invariably, the issue is not directly about care or education, but about transport.

James Gray (North Wiltshire) (Con): I congratulate my hon. Friend on securing this debate and speaking out so passionately for his constituents in Trowbridge. I also congratulate my hon. Friend the Member for Chippenham (Michelle Donelan) on speaking out for the parents from St Nicholas. Does my hon. Friend the Member for South West Wiltshire (Dr Murrison) accept that there are a great many children with special educational needs throughout the county for whom Rowdeford would actually be a great deal more convenient than either Trowbridge or Chippenham, and that what the county is proposing—a £20 million investment to build a really state-of-the-art school—might well be welcomed by children with special educational needs across the whole of the northern county, leaving aside his own town of Trowbridge?

Dr Murrison: I am particularly grateful for my hon. Friend's presence here today, and the presence of my hon. Friend the Member for Chippenham. I join my hon. Friend the Member for North Wiltshire (James Gray) in welcoming the extra money that is going into special educational needs, and I commend the council for that, but it is counterintuitive to suppose that the replacement of effectively three schools with one at Rowdeford would reduce travel times.

It has been a constant throughout my 18 years as a Member of Parliament that transport is the overwhelming preoccupation of parents with children at special needs schools. It is difficult for many of us who do not have direct contact with children with special education needs to understand how important it is. For the parents of a mainstream schoolchild, getting their child to school may be difficult, but for the parents of a child with special educational needs, it can be a preoccupation. It can be the cause of anxiety, distress and behavioural difficulties, and it can be the key focus of the parents' day. Sometimes we forget how vital it is to ensure that the impact of travel-to-school times is minimised in order to enhance the quality of these young people's school experience. That is why the council needs to

[Dr Murrison]

think again about the plan to replace the three schools with one school, as it seems intuitive that that will increase the trauma that travel to school causes.

The council has made great play of getting more therapists into the proposed new school, and it is right to want to improve the level of service for children in school, but it is not clear how that will happen, since the principal difficulty with therapists right now, as I am sure my hon. Friends will agree, is a county-wide shortage of suitably trained staff. How will the council magic up physios, occupational therapists, and speech and language specialists at the new establishment when it cannot at existing schools? To what extent has it taken into account the disincentive introduced by increased travel-to-work times for them? As a rule, therapists are not wealthy people. They tend not to live in premium price market towns such as Devizes and associated villages. They do live in larger settlements such as Trowbridge and Chippenham.

Local campaigners have produced a helpful map to evidence precisely that. Wiltshire Council is rightly concerned about the number of SEN out-of-county placements and the cost, but it is not clear that the new mega-school will help. By the council's own figures, it will be inadequate to satisfy demand. The council has not published evidence that it has consulted with other local authorities to see whether a model based on collaboration might be possible given that the administrative borders hold very little interest for a mum or dad trying to get their child to school.

In many ways, Wiltshire Council has been showing the way. It has grasped the 2014 Act imaginatively and worked on its version of the local offer, from birth to 25, all the way to placement in the community. I applaud it for that—I really do—but I also believe that it has temporarily lost its sense of direction. Its plans to close Larkrise School and for a new super-school are plain wrong. Its action and its conduct in this matter is wholly out of character. I expect the council to respond to the consultation fully and openly—

7 pm

Motion lapsed (Standing Order No. 9(3)).

Motion made, and Question proposed, That this House do now adjourn.—(Amanda Milling.)

Dr Murrison: I expect the council to respond to the consultation fully and openly, and I expect it to be prepared to change course in accordance with the intent and the ethos of the 2014 legislation.

I extend an invitation to the Minister to visit Wiltshire to see the good work that has been done and to better understand the SEN vision of service users, their families, and staff. I invite him, furthermore, to visit Larkrise School—a good school, according to Ofsted—and to view the council-owned site next door on Ashton Street that is the very obvious place to spend some of the £20 million to expand provision in Wiltshire. I hope that he will apply his good offices to assist the council in matching its very good intentions with a plan that genuinely improves the lives of the vulnerable young people I have the very great privilege to represent.

7.1 pm

The Parliamentary Under-Secretary of State for Education (Nadhim Zahawi): I congratulate my hon. Friend the Member for South West Wiltshire (Dr Murrison) on securing this important debate. He has spoken eloquently and passionately about Larkrise School and about special educational needs and disability—SEND—provision in Wiltshire. I also commend my hon. Friend the Member for Chippenham (Michelle Donelan), who is unable to speak on behalf of St Nicholas School in her constituency because she is a member of the Government.

As my hon. Friend the Member for South West Wiltshire will know, SEND is a key part of my ministerial portfolio and an area where this Government have made significant reforms in recent years. I am sure that he would agree that all children, whether or not they have special educational needs and disabilities, should have a good start in life. We want them to achieve well in school and in later education. As adults, it is important that they find employment and lead happy and fulfilled lives. The reforms that this Government introduced in 2014 were put in place so that those ambitions could be achieved.

We have done much to help to implement these reforms. We have invested £391 million in local areas to support implementation since 2014, and £252 million has been provided direct to local authorities. We have also invested in supporting families. For example, in November 2017 we confirmed two further years of funding for parent carer forums—£15,000 per forum per year, or £4.6 million in total. Those forums started modestly nationally with about 500 individuals, and over 90,000 are now involved. Between June 2018 and March 2020, we are providing £20 million to improve the quality of local information, advice and support services and to provide a national helpline and online support services for families who have children and young people with SEND.

Local authorities such as Wiltshire County Council are critical in ensuring that the SEND reforms succeed. In this respect, as my hon. Friend said, Wiltshire is a council that has done much of which it can be proud, and there is significant evidence for this. In early 2018, Ofsted and the Care Quality Commission conducted a local area inspection of Wiltshire's SEND provision. The report of that inspection, published in March that year, stated that the senior leaders were working together constructively to deliver and improve services and demonstrated ambition to deliver high-quality outcomes.

I thank my hon. Friend the Member for North Wiltshire (James Gray) for reminding us of the great work that Wiltshire has done. Other strengths identified in the report included effective joint commissioning arrangements, children achieving well in early years, the local area's website for the local offer providing a wealth of information and guidance, and safeguarding being a priority for the council, where concerns are swiftly acted upon.

The latest figures from January 2018 show that 3% of pupils attending schools in Wiltshire had an education, health and care plan or a statement of special educational needs, which is just above the national average of 2.9%. In the latest figures available, from 2017, Wiltshire's performance on issuing education, health and care plans by the statutory deadline of 20 weeks was 91.8%, which

is well above the national average of 64.9%. In 2017, the number of appeals to the SEND tribunal was 0.8% of appealable decisions, which is much lower than the national average of 1.5%.

Wiltshire is doing excellent work on engaging with local parents in strategic decision making in relation to special educational needs and disabilities. Working with families in that way is a central theme of the SEND reforms that we introduced. By the end of its 10th year, in March 2018, the Wiltshire Parent Carer Council reported that it had grown its membership to 2,448 parents. Sixteen parent carer representatives sit on strategic boards and are involved in tasks groups across health, social care and education. Both the local authority and the local health authority provide funding to support the WPCC, on top of the £15,000 per year that the Government provide.

I had the pleasure of meeting representatives from Wiltshire Council and the Wiltshire Parent Carer Council in October last year. They demonstrated a number of things that they were doing in co-production to improve SEND arrangements in the local area. For example, they told me that a new short breaks scheme designed by parents led to increased take-up from families of this important service. Fewer than 100 families were accessing short breaks schemes in Wiltshire before 2008, and that has risen to more than 1,500 families over the years. Importantly, over 98% of those families said that they were happy with the short breaks they accessed.

All this is evidence of a council that is embracing the SEND reforms and making a success of them. Like many other councils, Wiltshire faces significant challenges, but it is clearly making considerable efforts to overcome them. This strong track record is very much to Wiltshire's credit, as my hon. Friends have pointed out, and I am sure it is appreciated by local families.

Local authorities have a duty to ensure that there is sufficient provision in their area to meet the needs of children and young people with SEND. I am aware of the council's proposals published for consultation in November 2018 to close two schools for children with complex needs and disabilities and create a single so-called super-special school. That proposal has been challenged locally, and I understand that the grounds of challenge include failure to properly consult before publishing a notice of closure, breach of public sector equality duties, breach of statutory provisions for the welfare of children and appearance of predetermination. I note the concern that if the change proposed by the local authority is implemented, it could have implications for some children who may need to travel further to school. That point has been made forcefully to me by my hon. Friend the Member for South West Wiltshire tonight and by my hon. Friend the Member for Chippenham, on behalf of

children in her constituency. I must, however, be clear tonight that I cannot intervene in or comment on this decision; this must be left up to the courts and the local authority.

We recognise that local authorities, including Wiltshire County Council, are facing high needs cost pressures. In response to these pressures, we have allocated an additional £250 million of funding for high needs over this year and next year—I thank my hon. Friend the Member for South West Wiltshire for commending us for this further funding—and this is of course on top of the increases we had already promised. Wiltshire will receive £2.3 million of this additional funding.

Of course, our response to these pressures cannot simply be additional funding. That is why my right hon. Friend the Secretary of State wrote in December to local authority chief executives and directors of children's services to set out our plans. These plans include reviewing current special educational needs content in initial teacher training provision and ensuring a sufficient supply of educational psychologists trained and working within the system.

We will shortly be issuing a call for evidence on the financial incentives within the current arrangements, in particular on the operation and use of mainstream schools' notional special educational needs budgets up to £6,000. We of course want to continue to engage with local authorities, along with schools, colleges, parents and health professionals, to ensure that children and young people with special educational needs and disabilities get the support they need and deserve.

I am enormously grateful to my hon. Friend the Member for South West Wiltshire for raising this important issue. I am particularly grateful to be able to offer praise to a local area through the work not only of the local council and other statutory authorities, but of local families and the voluntary and community sector organisations that make such an important and positive difference to the lives of children and young people with SEND and to their families and friends. The collective efforts they are making to implement these important reforms will have a lasting and positive impact on families locally.

I am pleased to see that, while there is clearly still much to be done, many other areas across the country are also making strong positive efforts, and they are to be applauded. The Government will continue to play our part in supporting all local areas to succeed. I hope that my hon. Friend is content that the Government understand the issues he has raised in this debate.

Question put and agreed to.

7.11 pm

House adjourned.

Deferred Divisions

EXITING THE EUROPEAN UNION (FINANCIAL SERVICES AND MARKETS)

That the draft Transparency of Securities Financing Transactions and of Reuse (Amendment) (EU Exit) Regulations 2019, which were laid before this House on 28 January, be approved.

The House divided: Ayes 303, Noes 250.

Division No. 348]

AYES

Adams, Nigel
Afriyie, Adam
Aldous, Peter
Allan, Lucy
Amess, Sir David
Andrew, Stuart
Argar, Edward
Atkins, Victoria
Bacon, Mr Richard
Badenoch, Mrs Kemi
Baker, Mr Steve
Baldwin, Harriett
Baron, Mr John
Bebb, Guto
Bellingham, Sir Henry
Benyon, rh Richard
Beresford, Sir Paul
Berry, Jake
Blackman, Bob
Blunt, Crispin
Boles, Nick
Bone, Mr Peter
Bottomley, Sir Peter
Bowie, Andrew
Bradley, Ben
Bradley, rh Karen
Brady, Sir Graham
Braverman, Suella
Brereton, Jack
Bridgen, Andrew
Brine, Steve
Brokenshire, rh James
Bruce, Fiona
Buckland, Robert
Burghart, Alex
Burns, Conor
Cairns, rh Alun
Campbell, Mr Gregory
Cartlidge, James
Cash, Sir William
Caulfield, Maria
Chalk, Alex
Chishti, Rehman
Chope, Sir Christopher
Churchill, Jo
Clark, Colin
Clark, rh Greg
Clarke, rh Mr Kenneth
Clarke, Mr Simon
Cleverly, James
Clifton-Brown, Sir Geoffrey
Coffey, Dr Thérèse
Collins, Damian
Costa, Alberto
Courts, Robert
Crabb, rh Stephen
Crouch, Tracey
Davies, Chris
Davies, David T. C.

Davies, Glyn
Davies, Mims
Davies, Philip
Davis, rh Mr David
Dinenage, Caroline
Djanogly, Mr Jonathan
Docherty, Leo
Dodds, rh Nigel
Donaldson, rh Sir Jeffrey M.
Double, Steve
Dowden, Oliver
Doyle-Price, Jackie
Drax, Richard
Duddridge, James
Duguid, David
Duncan, rh Sir Alan
Duncan Smith, rh Mr Iain
Dunne, rh Mr Philip
Ellis, Michael
Ellwood, rh Mr Tobias
Elphicke, Charlie
Eustice, George
Evennett, rh Sir David
Fabricant, Michael
Fallon, rh Sir Michael
Field, rh Frank
Field, rh Mark
Ford, Vicky
Foster, Kevin
Fox, rh Dr Liam
Francois, rh Mr Mark
Frazer, Lucy
Freeman, George
Freer, Mike
Garnier, Mark
Gauke, rh Mr David
Ghani, Ms Nusrat
Gibb, rh Nick
Girvan, Paul
Glen, John
Goldsmith, Zac
Goodwill, rh Mr Robert
Gove, rh Michael
Graham, Luke
Graham, Richard
Grant, Bill
Grant, Mrs Helen
Gray, James
Grayling, rh Chris
Green, Chris
Green, rh Damian
Greening, rh Justine
Grieve, rh Mr Dominic
Griffiths, Andrew
Gyimah, Mr Sam
Hair, Kirstene
Hall, Luke
Hammond, rh Mr Philip
Hammond, Stephen

Hancock, rh Matt
Harper, rh Mr Mark
Harrington, Richard
Harris, Rebecca
Harrison, Trudy
Hart, Simon
Hayes, rh Sir John
Heald, rh Sir Oliver
Heapey, James
Heaton-Harris, Chris
Heaton-Jones, Peter
Henderson, Gordon
Herbert, rh Nick
Hermon, Lady
Hinds, rh Damian
Hoare, Simon
Hoey, Kate
Hollingbery, George
Hollinrake, Kevin
Hollobone, Mr Philip
Holloway, Adam
Howell, John
Huddleston, Nigel
Hughes, Eddie
Hunt, rh Mr Jeremy
Hurd, rh Mr Nick
Jack, Mr Alister
James, Margot
Javid, rh Sajid
Jenkin, Sir Bernard
Jenkyns, Andrea
Jenrick, Robert
Johnson, rh Boris
Johnson, Dr Caroline
Johnson, Gareth
Johnson, Joseph
Jones, Andrew
Jones, rh Mr David
Jones, Mr Marcus
Keegan, Gillian
Kennedy, Seema
Kerr, Stephen
Knight, rh Sir Greg
Knight, Julian
Kwarteng, Kwasi
Lamont, John
Lancaster, rh Mark
Leadsom, rh Andrea
Lee, Dr Phillip
Lefroy, Jeremy
Leigh, rh Sir Edward
Letwin, rh Sir Oliver
Lewer, Andrew
Lewis, rh Brandon
Lewis, rh Dr Julian
Liddell-Grainger, Mr Ian
Lidington, rh Mr David
Little Pengelly, Emma
Lopresti, Jack
Lord, Mr Jonathan
Loughton, Tim
Mackinlay, Craig
Maclean, Rachel
Main, Mrs Anne
Mak, Alan
Mann, Scott
Masterton, Paul
May, rh Mrs Theresa
Maynard, Paul
McPartland, Stephen
McVey, rh Ms Esther
Menzies, Mark

Mercer, Johnny
Merriman, Huw
Metcalf, Stephen
Miller, rh Mrs Maria
Milling, Amanda
Mills, Nigel
Milton, rh Anne
Mitchell, rh Mr Andrew
Mordaunt, rh Penny
Morgan, rh Nicky
Morris, Anne Marie
Morris, David
Morris, James
Morton, Wendy
Mundell, rh David
Murray, Mrs Sheryll
Murrison, Dr Andrew
Neill, Robert
Newton, Sarah
Nokes, rh Caroline
Norman, Jesse
O'Brien, Neil
Offord, Dr Matthew
Opperman, Guy
Paisley, Ian
Parish, Neil
Paterson, rh Mr Owen
Pawsey, Mark
Penning, rh Sir Mike
Penrose, John
Percy, Andrew
Perry, rh Claire
Philp, Chris
Pincher, rh Christopher
Poulter, Dr Dan
Pow, Rebecca
Prentis, Victoria
Prisk, Mr Mark
Pritchard, Mark
Pursglove, Tom
Quin, Jeremy
Quince, Will
Raab, rh Dominic
Redwood, rh John
Rees-Mogg, Mr Jacob
Robertson, Mr Laurence
Robinson, Gavin
Robinson, Mary
Rosindell, Andrew
Ross, Douglas
Rowley, Lee
Ruddy, rh Amber
Rutley, David
Sandbach, Antoinette
Scully, Paul
Seely, Mr Bob
Selous, Andrew
Shannon, Jim
Shapps, rh Grant
Sharma, Alok
Simpson, David
Simpson, rh Mr Keith
Skidmore, Chris
Smith, Chloe
Smith, Henry
Smith, rh Julian
Smith, Royston
Soames, rh Sir Nicholas
Spelman, rh Dame Caroline
Spencer, Mark
Stephenson, Andrew
Stevenson, John

Stewart, Iain
 Stewart, Rory
 Streeter, Sir Gary
 Stride, rh Mel
 Stuart, Graham
 Sturdy, Julian
 Sunak, Rishi
 Swayne, rh Sir Desmond
 Swire, rh Sir Hugo
 Syms, Sir Robert
 Thomas, Derek
 Thomson, Ross
 Throup, Maggie
 Tolhurst, Kelly
 Tomlinson, Justin
 Tomlinson, Michael
 Tracey, Craig
 Tredinnick, David
 Trevelyan, Anne-Marie
 Truss, rh Elizabeth
 Tugendhat, Tom

Vaizey, rh Mr Edward
 Vara, Mr Shailesh
 Vickers, Martin
 Villiers, rh Theresa
 Walker, Mr Charles
 Walker, Mr Robin
 Warburton, David
 Warman, Matt
 Watling, Giles
 Whately, Helen
 Wheeler, Mrs Heather
 Whittaker, Craig
 Whittingdale, rh Mr John
 Wiggin, Bill
 Williamson, rh Gavin
 Wilson, rh Sammy
 Wood, Mike
 Wragg, Mr William
 Wright, rh Jeremy
 Zahawi, Nadhim

Green, Kate
 Greenwood, Lilian
 Greenwood, Margaret
 Griffith, Nia
 Grogan, John
 Gwynne, Andrew
 Haigh, Louise
 Hamilton, Fabian
 Hanson, rh David
 Harman, rh Ms Harriet
 Hayes, Helen
 Healey, rh John
 Hendry, Drew
 Hepburn, Mr Stephen
 Hill, Mike
 Hillier, Meg
 Hodgson, Mrs Sharon
 Hollern, Kate
 Hopkins, Kelvin
 Hosie, Stewart
 Huq, Dr Rupa
 Hussain, Imran
 Jarvis, Dan
 Johnson, Diana
 Jones, Darren
 Jones, Gerald
 Jones, Graham P.
 Jones, rh Mr Kevan
 Jones, Susan Elan
 Kane, Mike
 Keeley, Barbara
 Kendall, Liz
 Khan, Afzal
 Killen, Ged
 Kinnock, Stephen
 Kyle, Peter
 Lake, Ben
 Lavery, Ian
 Lee, Karen
 Leslie, Mr Chris
 Lewell-Buck, Mrs Emma
 Lewis, Mr Ivan
 Lloyd, Tony
 Long Bailey, Rebecca
 Lucas, Caroline
 Lucas, Ian C.
 Lynch, Holly (*Proxy vote cast by Mark Tami*)

Monaghan, Carol
 Moon, Mrs Madeleine
 Morden, Jessica
 Morgan, Stephen
 Morris, Graham
 Murray, Ian
 Nandy, Lisa
 Newlands, Gavin
 Norris, Alex
 O'Hara, Brendan
 Onn, Melanie
 Onwurah, Chi
 Osamor, Kate
 Owen, Albert
 Peacock, Stephanie
 Pearce, Teresa
 Pennycook, Matthew
 Perkins, Toby
 Phillips, Jess
 Phillipson, Bridget
 Platt, Jo
 Pollard, Luke
 Powell, Lucy
 Qureshi, Yasmin
 Rashid, Faisal
 Rayner, Angela
 Reeves, Ellie
 Reeves, Rachel
 Reynolds, Emma
 Reynolds, Jonathan
 Rimmer, Ms Marie
 Rodda, Matt
 Rowley, Danielle
 Ruane, Chris
 Ryan, rh Joan
 Saville Roberts, Liz
 Shah, Naz
 Sharma, Mr Virendra
 Sheerman, Mr Barry
 Sheppard, Tommy
 Sherriff, Paula
 Shuker, Mr Gavin
 Siddiq, Tulip (*Proxy vote cast by Vicky Foxcroft*)
 Skinner, Mr Dennis
 Slaughter, Andy
 Smeeth, Ruth
 Smith, Cat
 Smith, Eleanor
 Smith, Jeff
 Smith, Laura
 Smith, Owen
 Smyth, Karin
 Starmer, rh Keir
 Stephens, Chris
 Stevens, Jo
 Streeting, Wes
 Stringer, Graham
 Sweeney, Mr Paul
 Tami, rh Mark
 Thewliss, Alison
 Thomas, Gareth
 Thornberry, rh Emily
 Timms, rh Stephen
 Trickett, Jon
 Turner, Karl
 Twigg, Derek
 Twigg, Stephen
 Twist, Liz
 Umunna, Chuka
 Vaz, rh Keith
 Vaz, Valerie

NOES

Abrahams, Debbie
 Ali, Rushanara
 Allen, Heidi
 Amesbury, Mike
 Antoniazzi, Tonia
 Ashworth, Jonathan
 Austin, Ian
 Bailey, Mr Adrian
 Bardell, Hannah
 Barron, rh Sir Kevin
 Beckett, rh Margaret
 Benn, rh Hilary
 Berger, Luciana (*Proxy vote cast by Chris Leslie*)
 Betts, Mr Clive
 Black, Mhairi
 Blackford, rh Ian
 Blackman-Woods, Dr Roberta
 Blomfield, Paul
 Brabin, Tracy
 Bradshaw, rh Mr Ben
 Brennan, Kevin
 Brock, Deidre
 Brown, Alan
 Brown, Lyn
 Brown, rh Mr Nicholas
 Bryant, Chris
 Buck, Ms Karen
 Burden, Richard
 Burgon, Richard
 Butler, Dawn
 Byrne, rh Liam
 Cadbury, Ruth
 Campbell, rh Sir Alan
 Campbell, Mr Ronnie
 Carden, Dan
 Champion, Sarah
 Chapman, Douglas
 Charalambous, Bambos
 Cherry, Joanna
 Clwyd, rh Ann
 Coaker, Vernon
 Coffey, Ann
 Cooper, Julie
 Cooper, rh Yvette
 Corbyn, rh Jeremy
 Cowan, Ronnie
 Coyle, Neil

Crausby, Sir David
 Creasy, Stella
 Cruddas, Jon
 Cunningham, Alex
 Cunningham, Mr Jim
 Daby, Janet
 David, Wayne
 Davies, Geraint
 Day, Martyn
 De Cordova, Marsha
 De Piero, Gloria
 Debbonaire, Thangam
 Dent Coad, Emma
 Dhesi, Mr Tanmanjeet Singh
 Dodds, Anneliese
 Doughty, Stephen
 Dowd, Peter
 Drew, Dr David
 Dromey, Jack
 Duffield, Rosie
 Eagle, Ms Angela
 Eagle, Maria
 Efford, Clive
 Elliott, Julie
 Ellman, Dame Louise
 Elmore, Chris
 Esterson, Bill
 Evans, Chris
 Farrelly, Paul
 Fellows, Marion
 Fitzpatrick, Jim
 Fletcher, Colleen
 Flint, rh Caroline
 Fovargue, Yvonne
 Foxcroft, Vicky
 Furniss, Gill
 Gaffney, Hugh
 Gapes, Mike
 Gardiner, Barry
 George, Ruth
 Gethins, Stephen
 Gibson, Patricia
 Gill, Preet Kaur
 Glindon, Mary
 Godsiff, Mr Roger
 Goodman, Helen
 Grady, Patrick
 Grant, Peter
 Green, Kate
 Greenwood, Lilian
 Greenwood, Margaret
 Griffith, Nia
 Grogan, John
 Gwynne, Andrew
 Haigh, Louise
 Hamilton, Fabian
 Hanson, rh David
 Harman, rh Ms Harriet
 Hayes, Helen
 Healey, rh John
 Hendry, Drew
 Hepburn, Mr Stephen
 Hill, Mike
 Hillier, Meg
 Hodgson, Mrs Sharon
 Hollern, Kate
 Hopkins, Kelvin
 Hosie, Stewart
 Huq, Dr Rupa
 Hussain, Imran
 Jarvis, Dan
 Johnson, Diana
 Jones, Darren
 Jones, Gerald
 Jones, Graham P.
 Jones, rh Mr Kevan
 Jones, Susan Elan
 Kane, Mike
 Keeley, Barbara
 Kendall, Liz
 Khan, Afzal
 Killen, Ged
 Kinnock, Stephen
 Kyle, Peter
 Lake, Ben
 Lavery, Ian
 Lee, Karen
 Leslie, Mr Chris
 Lewell-Buck, Mrs Emma
 Lewis, Mr Ivan
 Lloyd, Tony
 Long Bailey, Rebecca
 Lucas, Caroline
 Lucas, Ian C.
 Lynch, Holly (*Proxy vote cast by Mark Tami*)
 MacNeil, Angus Brendan
 Madders, Justin
 Mahmood, Mr Khalid
 Malhotra, Seema
 Mann, John
 Martin, Sandy
 Maskell, Rachael
 Matheson, Christian
 McCabe, Steve
 McCarthy, Kerry
 McDonagh, Siobhain
 McDonald, Andy
 McDonald, Stewart Malcolm
 McDonald, Stuart C.
 McDonnell, rh John
 McFadden, rh Mr Pat
 McGinn, Conor
 McGovern, Alison
 McInnes, Liz
 McKinnell, Catherine
 McMahan, Jim
 McMorris, Anna
 Mearns, Ian
 Miliband, rh Edward

Walker, Thelma
Watson, Tom
West, Catherine
Western, Matt
Whitehead, Dr Alan
Whitfield, Martin
Whitford, Dr Philippa

Williams, Dr Paul
Wilson, Phil
Wishart, Pete
Woodcock, John
Yasin, Mohammad
Zeichner, Daniel

Grant, Mrs Helen
Gray, James
Grayling, rh Chris
Green, Chris
Green, rh Damian
Greening, rh Justine
Grieve, rh Mr Dominic
Griffiths, Andrew
Gyimah, Mr Sam
Hair, Kirstene
Hall, Luke
Hammond, rh Mr Philip
Hammond, Stephen
Hancock, rh Matt
Harper, rh Mr Mark
Harrington, Richard
Harris, Rebecca
Harrison, Trudy
Hart, Simon
Hayes, rh Sir John
Heald, rh Sir Oliver
Heappey, James
Heaton-Harris, Chris
Heaton-Jones, Peter
Henderson, Gordon
Herbert, rh Nick
Hermon, Lady
Hinds, rh Damian
Hoare, Simon
Hoey, Kate
Hollingbery, George
Hollinrake, Kevin
Hollobone, Mr Philip
Holloway, Adam
Howell, John
Huddleston, Nigel
Hughes, Eddie
Hunt, rh Mr Jeremy
Hurd, rh Mr Nick
Jack, Mr Alister
James, Margot
Javid, rh Sajid
Jenkin, Sir Bernard
Jenkyns, Andrea
Jenrick, Robert
Johnson, rh Boris
Johnson, Dr Caroline
Johnson, Gareth
Johnson, Joseph
Jones, Andrew
Jones, rh Mr David
Jones, Mr Marcus
Keegan, Gillian
Kennedy, Seema
Kerr, Stephen
Knight, rh Sir Greg
Knight, Julian
Kwarteng, Kwasi
Lamont, John
Lancaster, rh Mark
Leadsom, rh Andrea
Lee, Dr Phillip
Lefroy, Jeremy
Leigh, rh Sir Edward
Letwin, rh Sir Oliver
Lewer, Andrew
Lewis, rh Brandon
Lewis, rh Dr Julian
Liddell-Grainger, Mr Ian
Lidington, rh Mr David
Little Pengelly, Emma
Lopresti, Jack

Lord, Mr Jonathan
Loughton, Tim
Mackinlay, Craig
Maclean, Rachel
Main, Mrs Anne
Mak, Alan
Mann, Scott
Masterton, Paul
May, rh Mrs Theresa
Maynard, Paul
McPartland, Stephen
McVey, rh Ms Esther
Menzies, Mark
Mercer, Johnny
Merriman, Huw
Metcalfe, Stephen
Miller, rh Mrs Maria
Milling, Amanda
Mills, Nigel
Milton, rh Anne
Mitchell, rh Mr Andrew
Mordaunt, rh Penny
Morgan, rh Nicky
Morris, Anne Marie
Morris, David
Morris, James
Morton, Wendy
Mundell, rh David
Murray, Mrs Sheryll
Murrison, Dr Andrew
Neill, Robert
Newton, Sarah
Nokes, rh Caroline
Norman, Jesse
O'Brien, Neil
Offord, Dr Matthew
Opperman, Guy
Paisley, Ian
Parish, Neil
Paterson, rh Mr Owen
Pawsey, Mark
Penning, rh Sir Mike
Penrose, John
Percy, Andrew
Perry, rh Claire
Philp, Chris
Pincher, rh Christopher
Poulter, Dr Dan
Pow, Rebecca
Prentis, Victoria
Prisk, Mr Mark
Pritchard, Mark
Pursglove, Tom
Quin, Jeremy
Quince, Will
Raab, rh Dominic
Redwood, rh John
Rees-Mogg, Mr Jacob
Robertson, Mr Laurence
Robinson, Gavin
Robinson, Mary
Rosindell, Andrew
Ross, Douglas
Rowley, Lee
Rudd, rh Amber
Rutley, David
Sandbach, Antoinette
Scully, Paul
Seely, Mr Bob
Selous, Andrew
Shannon, Jim
Shapps, rh Grant

Question accordingly agreed to.

EXITING THE EUROPEAN UNION (ELECTRICITY)

That the draft Electricity and Gas (Market Integrity and Transparency) (Amendment) (EU Exit) Regulations 2019, which were laid before this House on 30 January, be approved.

The House divided: Ayes 302, Noes 44.

Division No. 349]

AYES

Adams, Nigel
Afriyie, Adam
Aldous, Peter
Allan, Lucy
Amess, Sir David
Andrew, Stuart
Argar, Edward
Atkins, Victoria
Bacon, Mr Richard
Badenoch, Mrs Kemi
Baker, Mr Steve
Baldwin, Harriett
Baron, Mr John
Bebb, Guto
Bellingham, Sir Henry
Benyon, rh Richard
Beresford, Sir Paul
Berry, Jake
Blackman, Bob
Blunt, Crispin
Boles, Nick
Bone, Mr Peter
Bottomley, Sir Peter
Bowie, Andrew
Bradley, Ben
Bradley, rh Karen
Braverman, Suella
Brereton, Jack
Bridgen, Andrew
Brine, Steve
Brokenshire, rh James
Bruce, Fiona
Buckland, Robert
Burghart, Alex
Burns, Conor
Cairns, rh Alun
Campbell, Mr Gregory
Cartlidge, James
Cash, Sir William
Caulfield, Maria
Chalk, Alex
Chishti, Rehman
Chope, Sir Christopher
Churchill, Jo
Clark, Colin
Clark, rh Greg
Clarke, rh Mr Kenneth
Clarke, Mr Simon
Cleverly, James
Clifton-Brown, Sir Geoffrey
Coffey, Dr Thérèse
Collins, Damian
Costa, Alberto
Courts, Robert
Crabb, rh Stephen
Crouch, Tracey
Davies, Chris
Davies, David T. C.
Davies, Glyn
Davies, Mims
Davies, Philip
Davis, rh Mr David
Dinenage, Caroline
Djanogly, Mr Jonathan
Docherty, Leo
Dodds, rh Nigel
Donaldson, rh Sir Jeffrey M.
Double, Steve
Dowden, Oliver
Doyle-Price, Jackie
Drax, Richard
Duddridge, James
Duguid, David
Duncan, rh Sir Alan
Duncan Smith, rh Mr Iain
Dunne, rh Mr Philip
Ellis, Michael
Ellwood, rh Mr Tobias
Elphicke, Charlie
Eustice, George
Evennett, rh Sir David
Fabricant, Michael
Fallon, rh Sir Michael
Field, rh Frank
Field, rh Mark
Ford, Vicky
Foster, Kevin
Fox, rh Dr Liam
Francois, rh Mr Mark
Frazer, Lucy
Freeman, George
Freer, Mike
Garnier, Mark
Gauke, rh Mr David
Ghani, Ms Nusrat
Gibb, rh Nick
Girvan, Paul
Glen, John
Goldsmith, Zac
Goodwill, rh Mr Robert
Gove, rh Michael
Graham, Luke
Graham, Richard
Grant, Bill

Sharma, Alok
Simpson, David
Simpson, rh Mr Keith
Skidmore, Chris
Smith, Chloe
Smith, Henry
Smith, rh Julian
Smith, Royston
Soames, rh Sir Nicholas
Spelman, rh Dame Caroline
Spencer, Mark
Stephenson, Andrew
Stevenson, John
Stewart, Iain
Stewart, Rory
Streeter, Sir Gary
Stride, rh Mel
Stuart, Graham
Sturdy, Julian
Sunak, Rishi
Swayne, rh Sir Desmond
Swire, rh Sir Hugo
Syms, Sir Robert
Thomas, Derek
Thomson, Ross
Throup, Maggie
Tolhurst, Kelly

Tomlinson, Justin
Tomlinson, Michael
Tracey, Craig
Tredinnick, David
Trevelyan, Anne-Marie
Truss, rh Elizabeth
Tugendhat, Tom
Vaizey, rh Mr Edward
Vara, Mr Shailesh
Vickers, Martin
Villiers, rh Theresa
Walker, Mr Charles
Walker, Mr Robin
Warburton, David
Warman, Matt
Watling, Giles
Whately, Helen
Wheeler, Mrs Heather
Whittaker, Craig
Whittingdale, rh Mr John
Wiggin, Bill
Williamson, rh Gavin
Wilson, rh Sammy
Wood, Mike
Wright, rh Jeremy
Zahawi, Nadhim

NOES

Bardell, Hannah
Black, Mhairi
Blackford, rh Ian
Brake, rh Tom
Brennan, Kevin
Brock, Deidre
Brown, Alan
Cable, rh Sir Vince
Carmichael, rh Mr Alistair
Chapman, Douglas
Cherry, Joanna
Cowan, Ronnie
Day, Martyn
Farron, Tim
Fellows, Marion
Gethins, Stephen
Gibson, Patricia
Godsiff, Mr Roger
Grady, Patrick
Grant, Peter
Harman, rh Ms Harriet
Hendry, Drew

Hobhouse, Wera
Hosie, Stewart
Jardine, Christine
Lake, Ben
Lucas, Caroline
MacNeil, Angus Brendan
McDonald, Stewart Malcolm
McDonald, Stuart C.
Monaghan, Carol
Moran, Layla
Murray, Ian
Newlands, Gavin
O'Hara, Brendan
Saville Roberts, Liz
Sheerman, Mr Barry
Sheppard, Tommy
Stephens, Chris
Swinson, Jo
Thewliss, Alison
Trickett, Jon
Whitford, Dr Philippa
Wishart, Pete

Question accordingly agreed to.

EXITING THE EUROPEAN UNION (Gas)

That the draft Gas (Security of Supply and Network Codes) (Amendment) (EU Exit) Regulations 2019, which were laid before this House on 30 January, be approved.

The House divided: Ayes 300, Noes 44.

Division No. 350]

AYES

Adams, Nigel
Afriyie, Adam
Aldous, Peter
Allan, Lucy
Amess, Sir David
Andrew, Stuart
Argar, Edward

Atkins, Victoria
Bacon, Mr Richard
Badenoch, Mrs Kemi
Baker, Mr Steve
Baldwin, Harriett
Baron, Mr John
Bebb, Guto

Bellingham, Sir Henry
Benyon, rh Richard
Beresford, Sir Paul
Berry, Jake
Blackman, Bob
Blunt, Crispin
Boles, Nick
Bone, Mr Peter
Bottomley, Sir Peter
Bowie, Andrew
Bradley, Ben
Bradley, rh Karen
Braverman, Suella
Brereton, Jack
Bridgen, Andrew
Brine, Steve
Brokenshire, rh James
Bruce, Fiona
Buckland, Robert
Burghart, Alex
Burns, Conor
Cairns, rh Alun
Campbell, Mr Gregory
Cartledge, James
Cash, Sir William
Caulfield, Maria
Chalk, Alex
Chishti, Rehman
Chope, Sir Christopher
Churchill, Jo
Clark, Colin
Clark, rh Greg
Clarke, rh Mr Kenneth
Clarke, Mr Simon
Cleverly, James
Clifton-Brown, Sir Geoffrey
Coffey, Dr Thérèse
Collins, Damian
Costa, Alberto
Courts, Robert
Crabb, rh Stephen
Crouch, Tracey
Davies, Chris
Davies, David T. C.
Davies, Glyn
Davies, Mims
Davies, Philip
Davis, rh Mr David
Dinenage, Caroline
Djanogly, Mr Jonathan
Docherty, Leo
Dodds, rh Nigel
Donaldson, rh Sir Jeffrey M.
Double, Steve
Dowden, Oliver
Doyle-Price, Jackie
Drax, Richard
Duddridge, James
Duguid, David
Duncan, rh Sir Alan
Duncan Smith, rh Mr Iain
Dunne, rh Mr Philip
Ellis, Michael
Ellwood, rh Mr Tobias
Elphicke, Charlie
Eustice, George
Evennett, rh Sir David
Fabricant, Michael
Fallon, rh Sir Michael
Field, rh Frank
Field, rh Mark
Ford, Vicky

Foster, Kevin
Fox, rh Dr Liam
Francois, rh Mr Mark
Frazer, Lucy
Freeman, George
Freer, Mike
Garnier, Mark
Gauke, rh Mr David
Ghani, Ms Nusrat
Gibb, rh Nick
Girvan, Paul
Glen, John
Goldsmith, Zac
Goodwill, rh Mr Robert
Gove, rh Michael
Graham, Luke
Graham, Richard
Grant, Bill
Grant, Mrs Helen
Gray, James
Grayling, rh Chris
Green, Chris
Green, rh Damian
Greening, rh Justine
Grieve, rh Mr Dominic
Griffiths, Andrew
Gyimah, Mr Sam
Hair, Kirstene
Hall, Luke
Hammond, rh Mr Philip
Hammond, Stephen
Hancock, rh Matt
Harper, rh Mr Mark
Harrington, Richard
Harris, Rebecca
Harrison, Trudy
Hart, Simon
Hayes, rh Sir John
Heald, rh Sir Oliver
Heappey, James
Heaton-Harris, Chris
Heaton-Jones, Peter
Henderson, Gordon
Herbert, rh Nick
Hermon, Lady
Hinds, rh Damian
Hoare, Simon
Hoey, Kate
Hollingbery, George
Hollinrake, Kevin
Hollobone, Mr Philip
Holloway, Adam
Howell, John
Huddleston, Nigel
Hughes, Eddie
Hunt, rh Mr Jeremy
Hurd, rh Mr Nick
Jack, Mr Alister
James, Margot
Javid, rh Sajid
Jenkin, Sir Bernard
Jenkyins, Andrea
Jenrick, Robert
Johnson, rh Boris
Johnson, Dr Caroline
Johnson, Gareth
Johnson, Joseph
Jones, Andrew
Jones, rh Mr David
Jones, Mr Marcus
Keegan, Gillian
Kennedy, Seema

Kerr, Stephen
 Knight, rh Sir Greg
 Knight, Julian
 Kwarteng, Kwasi
 Lamont, John
 Lancaster, rh Mark
 Leadsom, rh Andrea
 Lee, Dr Phillip
 Lefroy, Jeremy
 Leigh, rh Sir Edward
 Letwin, rh Sir Oliver
 Lewer, Andrew
 Lewis, rh Brandon
 Lewis, rh Dr Julian
 Liddell-Grainger, Mr Ian
 Liddington, rh Mr David
 Little Pengelly, Emma
 Lopresti, Jack
 Lord, Mr Jonathan
 Loughton, Tim
 Mackinlay, Craig
 Main, Mrs Anne
 Mak, Alan
 Mann, Scott
 Masterton, Paul
 May, rh Mrs Theresa
 Maynard, Paul
 McPartland, Stephen
 McVey, rh Ms Esther
 Menzies, Mark
 Mercer, Johnny
 Merriman, Huw
 Metcalfe, Stephen
 Miller, rh Mrs Maria
 Milling, Amanda
 Mills, Nigel
 Milton, rh Anne
 Mitchell, rh Mr Andrew
 Mordaunt, rh Penny
 Morgan, rh Nicky
 Morris, Anne Marie
 Morris, David
 Morris, James
 Morton, Wendy
 Mundell, rh David
 Murray, Mrs Sheryll
 Murrison, Dr Andrew
 Neill, Robert
 Newton, Sarah
 Nokes, rh Caroline
 Norman, Jesse
 O'Brien, Neil
 Offord, Dr Matthew
 Opperman, Guy
 Paisley, Ian
 Parish, Neil
 Paterson, rh Mr Owen
 Pawsey, Mark
 Penning, rh Sir Mike
 Penrose, John
 Percy, Andrew
 Perry, rh Claire
 Philp, Chris
 Pincher, rh Christopher
 Poulter, Dr Dan
 Pow, Rebecca
 Prentis, Victoria
 Prisk, Mr Mark
 Pritchard, Mark
 Pursglove, Tom
 Quin, Jeremy

Quince, Will
 Raab, rh Dominic
 Redwood, rh John
 Rees-Mogg, Mr Jacob
 Robertson, Mr Laurence
 Robinson, Gavin
 Robinson, Mary
 Rosindell, Andrew
 Ross, Douglas
 Rowley, Lee
 Rudd, rh Amber
 Rutley, David
 Sandbach, Antoinette
 Scully, Paul
 Seely, Mr Bob
 Selous, Andrew
 Shannon, Jim
 Shapps, rh Grant
 Sharma, Alok
 Simpson, David
 Simpson, rh Mr Keith
 Skidmore, Chris
 Smith, Chloe
 Smith, rh Julian
 Smith, Royston
 Soames, rh Sir Nicholas
 Spelman, rh Dame Caroline
 Spencer, Mark
 Stephenson, Andrew
 Stevenson, John
 Stewart, Iain
 Stewart, Rory
 Streeter, Sir Gary
 Stride, rh Mel
 Stuart, Graham
 Sturdy, Julian
 Sunak, Rishi
 Swayne, rh Sir Desmond
 Swire, rh Sir Hugo
 Syms, Sir Robert
 Thomas, Derek
 Thomson, Ross
 Throup, Maggie
 Tolhurst, Kelly
 Tomlinson, Justin
 Tomlinson, Michael
 Tracey, Craig
 Tredinnick, David
 Trevelyan, Anne-Marie
 Truss, rh Elizabeth
 Tugendhat, Tom
 Vaizey, rh Mr Edward
 Vara, Mr Shailesh
 Vickers, Martin
 Villiers, rh Theresa
 Walker, Mr Charles
 Walker, Mr Robin
 Warburton, David
 Warman, Matt
 Watling, Giles
 Whately, Helen
 Wheeler, Mrs Heather
 Whittaker, Craig
 Whittingdale, rh Mr John
 Wiggin, Bill
 Williamson, rh Gavin
 Wilson, rh Sammy
 Wood, Mike
 Wright, rh Jeremy
 Zahawi, Nadhim

Bardell, Hannah
 Black, Mhairi
 Blackford, rh Ian
 Brake, rh Tom
 Brennan, Kevin
 Brock, Deidre
 Brown, Alan
 Cable, rh Sir Vince
 Carmichael, rh Mr Alistair
 Chapman, Douglas
 Cherry, Joanna
 Cowan, Ronnie
 Day, Martyn
 Farron, Tim
 Fellows, Marion
 Gethins, Stephen
 Gibson, Patricia
 Godsiff, Mr Roger
 Grady, Patrick
 Grant, Peter
 Harman, rh Ms Harriet
 Hendry, Drew

NOES

Hobhouse, Wera
 Hosie, Stewart
 Jardine, Christine
 Lake, Ben
 Lucas, Caroline
 MacNeil, Angus Brendan
 McDonald, Stewart Malcolm
 McDonald, Stuart C.
 Monaghan, Carol
 Moran, Layla
 Murray, Ian
 Newlands, Gavin
 O'Hara, Brendan
 Saville Roberts, Liz
 Sheerman, Mr Barry
 Sheppard, Tommy
 Stephens, Chris
 Swinson, Jo
 Thewliss, Alison
 Trickett, Jon
 Whitford, Dr Philippa
 Wishart, Pete

Question accordingly agreed to.

EXITING THE EUROPEAN UNION (FOOD)

That the draft Nutrition (Amendment etc.) (EU Exit) Regulations 2019, which were laid before this House on 30 January, be approved.

The House divided: Ayes 303, Noes 44.

Division No. 351]

AYES

Adams, Nigel
 Afriyie, Adam
 Aldous, Peter
 Allan, Lucy
 Amess, Sir David
 Andrew, Stuart
 Argar, Edward
 Atkins, Victoria
 Bacon, Mr Richard
 Badenoch, Mrs Kemi
 Baker, Mr Steve
 Baldwin, Harriett
 Baron, Mr John
 Bebb, Guto
 Bellingham, Sir Henry
 Benyon, rh Richard
 Beresford, Sir Paul
 Berry, Jake
 Blackman, Bob
 Blunt, Crispin
 Boles, Nick
 Bone, Mr Peter
 Bottomley, Sir Peter
 Bowie, Andrew
 Bradley, Ben
 Bradley, rh Karen
 Brady, Sir Graham
 Braverman, Suella
 Brereton, Jack
 Bridgen, Andrew
 Brine, Steve
 Brokenshire, rh James
 Bruce, Fiona
 Buckland, Robert
 Burghart, Alex
 Burns, Conor

Cairns, rh Alun
 Campbell, Mr Gregory
 Cartlidge, James
 Cash, Sir William
 Caulfield, Maria
 Chalk, Alex
 Chishti, Rehman
 Chope, Sir Christopher
 Churchill, Jo
 Clark, Colin
 Clark, rh Greg
 Clarke, rh Mr Kenneth
 Clarke, Mr Simon
 Cleverly, James
 Clifton-Brown, Sir Geoffrey
 Coffey, Dr Thérèse
 Collins, Damian
 Costa, Alberto
 Courts, Robert
 Crabb, rh Stephen
 Crouch, Tracey
 Davies, Chris
 Davies, David T. C.
 Davies, Glyn
 Davies, Mims
 Davies, Philip
 Davis, rh Mr David
 Dinenage, Caroline
 Djanogly, Mr Jonathan
 Docherty, Leo
 Dodds, rh Nigel
 Donaldson, rh Sir Jeffrey M.
 Double, Steve
 Dowden, Oliver
 Doyle-Price, Jackie
 Drax, Richard

Duddridge, James
 Duguid, David
 Duncan, rh Sir Alan
 Duncan Smith, rh Mr
 Iain
 Dunne, rh Mr Philip
 Ellis, Michael
 Ellwood, rh Mr Tobias
 Elphicke, Charlie
 Eustice, George
 Evennett, rh Sir David
 Fabricant, Michael
 Fallon, rh Sir Michael
 Field, rh Frank
 Field, rh Mark
 Ford, Vicky
 Foster, Kevin
 Fox, rh Dr Liam
 Francois, rh Mr Mark
 Frazer, Lucy
 Freeman, George
 Freer, Mike
 Garnier, Mark
 Gauke, rh Mr David
 Ghani, Ms Nusrat
 Gibb, rh Nick
 Girvan, Paul
 Glen, John
 Goldsmith, Zac
 Goodwill, rh Mr Robert
 Gove, rh Michael
 Graham, Luke
 Graham, Richard
 Grant, Bill
 Grant, Mrs Helen
 Gray, James
 Grayling, rh Chris
 Green, Chris
 Green, rh Damian
 Greening, rh Justine
 Grieve, rh Mr Dominic
 Griffiths, Andrew
 Gyimah, Mr Sam
 Hair, Kirstene
 Hall, Luke
 Hammond, rh Mr Philip
 Hammond, Stephen
 Hancock, rh Matt
 Harper, rh Mr Mark
 Harrington, Richard
 Harris, Rebecca
 Harrison, Trudy
 Hart, Simon
 Hayes, rh Sir John
 Heald, rh Sir Oliver
 Heapey, James
 Heaton-Harris, Chris
 Heaton-Jones, Peter
 Henderson, Gordon
 Herbert, rh Nick
 Hermon, Lady
 Hinds, rh Damian
 Hoare, Simon
 Hoey, Kate
 Hollingbery, George
 Hollinrake, Kevin
 Hollobone, Mr Philip
 Holloway, Adam
 Howell, John
 Huddleston, Nigel
 Hughes, Eddie
 Hunt, rh Mr Jeremy

Hurd, rh Mr Nick
 Jack, Mr Alister
 James, Margot
 Javid, rh Sajid
 Jenkin, Sir Bernard
 Jenkyns, Andrea
 Jenrick, Robert
 Johnson, rh Boris
 Johnson, Dr Caroline
 Johnson, Gareth
 Johnson, Joseph
 Jones, Andrew
 Jones, rh Mr David
 Jones, Mr Marcus
 Keegan, Gillian
 Kennedy, Seema
 Kerr, Stephen
 Knight, rh Sir Greg
 Knight, Julian
 Kwarteng, Kwasi
 Lamont, John
 Lancaster, rh Mark
 Leadsom, rh Andrea
 Lee, Dr Phillip
 Lefroy, Jeremy
 Leigh, rh Sir Edward
 Letwin, rh Sir Oliver
 Lewer, Andrew
 Lewis, rh Brandon
 Lewis, rh Dr Julian
 Liddell-Grainger, Mr
 Iain
 Lidington, rh Mr David
 Little Pengelly, Emma
 Lopresti, Jack
 Lord, Mr Jonathan
 Loughton, Tim
 Mackinlay, Craig
 Main, Mrs Anne
 Mak, Alan
 Mann, Scott
 Masterton, Paul
 May, rh Mrs Theresa
 Maynard, Paul
 McPartland, Stephen
 McVey, rh Ms Esther
 Menzies, Mark
 Mercer, Johnny
 Merriman, Huw
 Metcalfe, Stephen
 Miller, rh Mrs Maria
 Milling, Amanda
 Mills, Nigel
 Milton, rh Anne
 Mitchell, rh Mr Andrew
 Mordaunt, rh Penny
 Morgan, rh Nicky
 Morris, Anne Marie
 Morris, David
 Morris, James
 Morton, Wendy
 Mundell, rh David
 Murray, Mrs Sheryl
 Murrison, Dr Andrew
 Neill, Robert
 Newton, Sarah
 Nokes, rh Caroline
 Norman, Jesse
 O'Brien, Neil
 Offord, Dr Matthew
 Opperman, Guy
 Paisley, Ian

Parish, Neil
 Paterson, rh Mr Owen
 Pawsey, Mark
 Penning, rh Sir Mike
 Penrose, John
 Percy, Andrew
 Perry, rh Claire
 Philp, Chris
 Pincher, rh Christopher
 Poulter, Dr Dan
 Pow, Rebecca
 Prentis, Victoria
 Prisk, Mr Mark
 Pritchard, Mark
 Pursglove, Tom
 Quin, Jeremy
 Quince, Will
 Raab, rh Dominic
 Redwood, rh John
 Rees-Mogg, Mr Jacob
 Robertson, Mr Laurence
 Robinson, Gavin
 Robinson, Mary
 Rosindell, Andrew
 Ross, Douglas
 Rowley, Lee
 Rudd, rh Amber
 Rutley, David
 Sandbach, Antoinette
 Scully, Paul
 Seely, Mr Bob
 Selous, Andrew
 Shannon, Jim
 Shapps, rh Grant
 Sharma, Alok
 Simpson, David
 Simpson, rh Mr Keith
 Skidmore, Chris
 Smith, Chloe
 Smith, Henry
 Smith, rh Julian
 Smith, Royston
 Soames, rh Sir Nicholas
 Spelman, rh Dame Caroline

Spencer, Mark
 Stephenson, Andrew
 Stevenson, John
 Stewart, Iain
 Stewart, Rory
 Streeter, Sir Gary
 Stride, rh Mel
 Stuart, Graham
 Sturdy, Julian
 Sunak, Rishi
 Swayne, rh Sir Desmond
 Swire, rh Sir Hugo
 Syms, Sir Robert
 Thomas, Derek
 Thomson, Ross
 Throup, Maggie
 Tolhurst, Kelly
 Tomlinson, Justin
 Tomlinson, Michael
 Tracey, Craig
 Tredinnick, David
 Trevelyan, Anne-Marie
 Truss, rh Elizabeth
 Tugendhat, Tom
 Vaizey, rh Mr Edward
 Vara, Mr Shailesh
 Vickers, Martin
 Villiers, rh Theresa
 Walker, Mr Charles
 Walker, Mr Robin
 Warburton, David
 Warman, Matt
 Watling, Giles
 Whately, Helen
 Wheeler, Mrs Heather
 Whittaker, Craig
 Whittingdale, rh Mr John
 Wiggin, Bill
 Williamson, rh Gavin
 Wilson, rh Sammy
 Wood, Mike
 Wragg, Mr William
 Wright, rh Jeremy
 Zahawi, Nadhim

NOES

Bardell, Hannah
 Black, Mhairi
 Blackford, rh Ian
 Brake, rh Tom
 Brennan, Kevin
 Brock, Deidre
 Brown, Alan
 Cable, rh Sir Vince
 Carmichael, rh Mr Alistair
 Chapman, Douglas
 Cherry, Joanna
 Cowan, Ronnie
 Day, Martyn
 Farron, Tim
 Fellows, Marion
 Gethins, Stephen
 Gibson, Patricia
 Godsiff, Mr Roger
 Grady, Patrick
 Grant, Peter
 Harman, rh Ms Harriet
 Hendry, Drew

Hobhouse, Wera
 Hosie, Stewart
 Jardine, Christine
 Lake, Ben
 Lucas, Caroline
 MacNeil, Angus Brendan
 McDonald, Stewart Malcolm
 McDonald, Stuart C.
 Monaghan, Carol
 Moran, Layla
 Murray, Ian
 Newlands, Gavin
 O'Hara, Brendan
 Saville Roberts, Liz
 Sheerman, Mr Barry
 Sheppard, Tommy
 Stephens, Chris
 Swinson, Jo
 Thewliss, Alison
 Trickett, Jon
 Whitford, Dr Philippa
 Wishart, Pete

Question accordingly agreed to.

EXITING THE EUROPEAN UNION
(ELECTRONIC COMMUNICATIONS)

That the draft Mobile Roaming (EU Exit) Regulations 2019, which were laid before this House on 4 February, be approved.

The House divided: Ayes 301, Noes 257.

Division No. 352]

AYES

Adams, Nigel
Afriyie, Adam
Aldous, Peter
Allan, Lucy
Amess, Sir David
Andrew, Stuart
Argar, Edward
Atkins, Victoria
Bacon, Mr Richard
Badenoch, Mrs Kemi
Baker, Mr Steve
Baldwin, Harriett
Baron, Mr John
Bebb, Guto
Bellingham, Sir Henry
Benyon, rh Richard
Beresford, Sir Paul
Berry, Jake
Blackman, Bob
Blunt, Crispin
Boles, Nick
Bone, Mr Peter
Bottomley, Sir Peter
Bowie, Andrew
Bradley, Ben
Bradley, rh Karen
Brady, Sir Graham
Braverman, Suella
Brereton, Jack
Bridgen, Andrew
Brine, Steve
Brokenshire, rh James
Bruce, Fiona
Buckland, Robert
Burghart, Alex
Burns, Conor
Cairns, rh Alun
Campbell, Mr Gregory
Cartlidge, James
Cash, Sir William
Caulfield, Maria
Chalk, Alex
Chishti, Rehman
Chope, Sir Christopher
Churchill, Jo
Clark, Colin
Clark, rh Greg
Clarke, rh Mr Kenneth
Clarke, Mr Simon
Cleverly, James
Clifton-Brown, Sir Geoffrey
Coffey, Dr Thérèse
Collins, Damian
Costa, Alberto
Courts, Robert
Crabb, rh Stephen
Crouch, Tracey
Davies, Chris
Davies, David T. C.
Davies, Glyn
Davies, Mims
Davies, Philip
Davis, rh Mr David

Dinenage, Caroline
Djanogly, Mr Jonathan
Docherty, Leo
Dodds, rh Nigel
Donaldson, rh Sir Jeffrey M.
Double, Steve
Dowden, Oliver
Doyle-Price, Jackie
Drax, Richard
Duddridge, James
Duguid, David
Duncan, rh Sir Alan
Duncan Smith, rh Mr Iain
Dunne, rh Mr Philip
Ellis, Michael
Ellwood, rh Mr Tobias
Elphicke, Charlie
Eustice, George
Evennett, rh Sir David
Fabricant, Michael
Fallon, rh Sir Michael
Field, rh Frank
Field, rh Mark
Ford, Vicky
Foster, Kevin
Fox, rh Dr Liam
Francois, rh Mr Mark
Frazier, Lucy
Freeman, George
Freer, Mike
Garnier, Mark
Gauke, rh Mr David
Ghani, Ms Nusrat
Gibb, rh Nick
Girvan, Paul
Glen, John
Goldsmith, Zac
Goodwill, rh Mr Robert
Gove, rh Michael
Graham, Luke
Graham, Richard
Grant, Bill
Grant, Mrs Helen
Grayling, rh Chris
Green, Chris
Green, rh Damian
Greening, rh Justine
Grieve, rh Mr Dominic
Griffiths, Andrew
Gyimah, Mr Sam
Hair, Kirstene
Hall, Luke
Hammond, rh Mr Philip
Hammond, Stephen
Hancock, rh Matt
Harper, rh Mr Mark
Harrington, Richard
Harris, Rebecca
Harrison, Trudy
Hart, Simon
Hayes, rh Sir John
Heald, rh Sir Oliver
Heapey, James

Heaton-Harris, Chris
Heaton-Jones, Peter
Henderson, Gordon
Herbert, rh Nick
Hermon, Lady
Hinds, rh Damian
Hoare, Simon
Hoey, Kate
Hollingbery, George
Hollinrake, Kevin
Hollobone, Mr Philip
Holloway, Adam
Howell, John
Huddleston, Nigel
Hughes, Eddie
Hunt, rh Mr Jeremy
Hurd, rh Mr Nick
Jack, Mr Alister
James, Margot
Javid, rh Sajid
Jenkin, Sir Bernard
Jenkyns, Andrea
Jenrick, Robert
Johnson, rh Boris
Johnson, Dr Caroline
Johnson, Gareth
Johnson, Joseph
Jones, Andrew
Jones, rh Mr David
Jones, Mr Marcus
Keegan, Gillian
Kennedy, Seema
Kerr, Stephen
Knight, rh Sir Greg
Knight, Julian
Kwarteng, Kwasi
Lamont, John
Lancaster, rh Mark
Leadsom, rh Andrea
Lee, Dr Phillip
Lefroy, Jeremy
Leigh, rh Sir Edward
Letwin, rh Sir Oliver
Lewer, Andrew
Lewis, rh Brandon
Lewis, rh Dr Julian
Liddell-Grainger, Mr Ian
Lidington, rh Mr David
Little Pengelly, Emma
Lopresti, Jack
Lord, Mr Jonathan
Loughton, Tim
Mackinlay, Craig
Main, Mrs Anne
Mak, Alan
Mann, Scott
Masterton, Paul
May, rh Mrs Theresa
Maynard, Paul
McPartland, Stephen
McVey, rh Ms Esther
Menzies, Mark
Mercer, Johnny
Merriman, Huw
Metcalfe, Stephen
Miller, rh Mrs Maria
Milling, Amanda
Mills, Nigel
Milton, rh Anne
Mitchell, rh Mr Andrew
Mordaunt, rh Penny
Morgan, rh Nicky

Morris, Anne Marie
Morris, David
Morris, James
Morton, Wendy
Mundell, rh David
Murray, Mrs Sheryll
Murrison, Dr Andrew
Neill, Robert
Newton, Sarah
Nokes, rh Caroline
Norman, Jesse
O'Brien, Neil
Offord, Dr Matthew
Opperman, Guy
Paisley, Ian
Parish, Neil
Paterson, rh Mr Owen
Pawsey, Mark
Penning, rh Sir Mike
Penrose, John
Percy, Andrew
Perry, rh Claire
Philp, Chris
Pincher, rh Christopher
Poulter, Dr Dan
Pow, Rebecca
Prentis, Victoria
Prisk, Mr Mark
Pritchard, Mark
Pursglove, Tom
Quin, Jeremy
Quince, Will
Raab, rh Dominic
Redwood, rh John
Rees-Mogg, Mr Jacob
Robertson, Mr Laurence
Robinson, Gavin
Robinson, Mary
Rosindell, Andrew
Ross, Douglas
Rowley, Lee
Rudd, rh Amber
Rutley, David
Sandbach, Antoinette
Scully, Paul
Seely, Mr Bob
Selous, Andrew
Shannon, Jim
Shapps, rh Grant
Sharma, Alok
Simpson, David
Simpson, rh Mr Keith
Skidmore, Chris
Smith, Chloe
Smith, Henry
Smith, rh Julian
Smith, Royston
Soames, rh Sir Nicholas
Spelman, rh Dame Caroline
Spencer, Mark
Stephenson, Andrew
Stevenson, John
Stewart, Iain
Stewart, Rory
Streeter, Sir Gary
Stride, rh Mel
Stuart, Graham
Sturdy, Julian
Sunak, Rishi
Swayne, rh Sir Desmond
Swire, rh Sir Hugo
Syms, Sir Robert

Thomas, Derek
Thomson, Ross
Throup, Maggie
Tolhurst, Kelly
Tomlinson, Justin
Tomlinson, Michael
Tracey, Craig
Tredinnick, David
Trevelyan, Anne-Marie
Truss, rh Elizabeth
Tugendhat, Tom
Vaizey, rh Mr Edward
Vara, Mr Shailesh
Vickers, Martin
Villiers, rh Theresa

Walker, Mr Charles
Walker, Mr Robin
Warburton, David
Warman, Matt
Watling, Giles
Whately, Helen
Wheeler, Mrs Heather
Whittaker, Craig
Whittingdale, rh Mr John
Wiggin, Bill
Williamson, rh Gavin
Wilson, rh Sammy
Wood, Mike
Wright, rh Jeremy
Zahawi, Nadhim

Hanson, rh David
Hayes, Helen
Healey, rh John
Hendry, Drew
Hepburn, Mr Stephen
Hill, Mike
Hillier, Meg
Hobhouse, Wera
Hodgson, Mrs Sharon
Hollern, Kate
Hopkins, Kelvin
Hosie, Stewart
Huq, Dr Rupa
Hussain, Imran
Jardine, Christine
Jarvis, Dan
Johnson, Diana
Jones, Darren
Jones, Gerald
Jones, Graham P.
Jones, rh Mr Kevan
Jones, Susan Elan
Kane, Mike
Keeley, Barbara
Kendall, Liz
Khan, Afzal
Killen, Ged
Kinnock, Stephen
Kyle, Peter
Lake, Ben
Lavery, Ian
Lee, Karen
Leslie, Mr Chris
Lewell-Buck, Mrs Emma
Lewis, Mr Ivan
Lloyd, Tony
Long Bailey, Rebecca
Lucas, Caroline
Lucas, Ian C.
Lynch, Holly (*Proxy vote cast by Mark Tami*)

Nandy, Lisa
Newlands, Gavin
Norris, Alex
O'Hara, Brendan
Onn, Melanie
Onwurah, Chi
Osamor, Kate
Owen, Albert
Peacock, Stephanie
Pearce, Teresa
Pennycook, Matthew
Perkins, Toby
Phillips, Jess
Phillipson, Bridget
Platt, Jo
Pollard, Luke
Powell, Lucy
Qureshi, Yasmin
Rashid, Faisal
Rayner, Angela
Reeves, Ellie
Reeves, Rachel
Reynolds, Emma
Reynolds, Jonathan
Rimmer, Ms Marie
Rodda, Matt
Rowley, Danielle
Ruane, Chris
Ryan, rh Joan
Saville Roberts, Liz
Shah, Naz
Sharma, Mr Virendra
Sheerman, Mr Barry
Sheppard, Tommy
Sherriff, Paula
Shuker, Mr Gavin
Siddiq, Tulip (*Proxy vote cast by Vicky Foxcroft*)

NOES

Abrahams, Debbie
Ali, Rushanara
Allen, Heidi
Amesbury, Mike
Antoniazzi, Tonia
Ashworth, Jonathan
Austin, Ian
Bailey, Mr Adrian
Bardell, Hannah
Barron, rh Sir Kevin
Beckett, rh Margaret
Benn, rh Hilary
Berger, Luciana (*Proxy vote cast by Chris Leslie*)
Betts, Mr Clive
Black, Mhairi
Blackford, rh Ian
Blackman-Woods, Dr Roberta
Blomfield, Paul
Brabin, Tracy
Bradshaw, rh Mr Ben
Brake, rh Tom
Brennan, Kevin
Brock, Deidre
Brown, Alan
Brown, Lyn
Brown, rh Mr Nicholas
Bryant, Chris
Buck, Ms Karen
Burden, Richard
Burgon, Richard
Butler, Dawn
Byrne, rh Liam
Cable, rh Sir Vince
Cadbury, Ruth
Campbell, rh Sir Alan
Campbell, Mr Ronnie
Carden, Dan
Carmichael, rh Mr Alistair
Champion, Sarah
Chapman, Douglas
Charalambous, Bambos
Cherry, Joanna
Clwyd, rh Ann
Coaker, Vernon
Coffey, Ann
Cooper, Julie
Cooper, rh Yvette
Corbyn, rh Jeremy
Cowan, Ronnie
Coyle, Neil
Crausby, Sir David
Creasy, Stella
Cruddas, Jon

Cunningham, Alex
Cunningham, Mr Jim
Daby, Janet
David, Wayne
Davies, Geraint
Day, Martyn
De Cordova, Marsha
De Piero, Gloria
Debbonaire, Thangam
Dent Coad, Emma
Dhesi, Mr Tanmanjeet Singh
Dodds, Anneliese
Doughty, Stephen
Dowd, Peter
Drew, Dr David
Dromey, Jack
Duffield, Rosie
Eagle, Ms Angela
Eagle, Maria
Efford, Clive
Elliott, Julie
Ellman, Dame Louise
Elmore, Chris
Esterson, Bill
Evans, Chris
Farrelly, Paul
Farron, Tim
Fellows, Marion
Fitzpatrick, Jim
Fletcher, Colleen
Flint, rh Caroline
Fovargue, Yvonne
Foxcroft, Vicky
Furniss, Gill
Gaffney, Hugh
Gapes, Mike
Gardiner, Barry
George, Ruth
Gethins, Stephen
Gibson, Patricia
Gill, Preet Kaur
Glindon, Mary
Godsiff, Mr Roger
Goodman, Helen
Grady, Patrick
Grant, Peter
Green, Kate
Greenwood, Lilian
Greenwood, Margaret
Griffith, Nia
Grogan, John
Gwynne, Andrew
Haigh, Louise
Hamilton, Fabian
Hanson, rh David
Hayes, Helen
Healey, rh John
Hendry, Drew
Hepburn, Mr Stephen
Hill, Mike
Hillier, Meg
Hobhouse, Wera
Hodgson, Mrs Sharon
Hollern, Kate
Hopkins, Kelvin
Hosie, Stewart
Huq, Dr Rupa
Hussain, Imran
Jardine, Christine
Jarvis, Dan
Johnson, Diana
Jones, Darren
Jones, Gerald
Jones, Graham P.
Jones, rh Mr Kevan
Jones, Susan Elan
Kane, Mike
Keeley, Barbara
Kendall, Liz
Khan, Afzal
Killen, Ged
Kinnock, Stephen
Kyle, Peter
Lake, Ben
Lavery, Ian
Lee, Karen
Leslie, Mr Chris
Lewell-Buck, Mrs Emma
Lewis, Mr Ivan
Lloyd, Tony
Long Bailey, Rebecca
Lucas, Caroline
Lucas, Ian C.
Lynch, Holly (*Proxy vote cast by Mark Tami*)
MacNeil, Angus Brendan
Madders, Justin
Mahmood, Mr Khalid
Malhotra, Seema
Mann, John
Martin, Sandy
Maskell, Rachael
Matheson, Christian
McCabe, Steve
McCarthy, Kerry
McDonagh, Siobhain
McDonald, Andy
McDonald, Stewart Malcolm
McDonald, Stuart C.
McDonnell, rh John
McFadden, rh Mr Pat
McGinn, Conor
McGovern, Alison
McInnes, Liz
McKinnell, Catherine
McMahon, Jim
McMorrin, Anna
Mearns, Ian
Miliband, rh Edward
Monaghan, Carol
Moon, Mrs Madeleine
Moran, Layla
Morden, Jessica
Morgan, Stephen
Morris, Grahame
Murray, Ian

Nandy, Lisa
Newlands, Gavin
Norris, Alex
O'Hara, Brendan
Onn, Melanie
Onwurah, Chi
Osamor, Kate
Owen, Albert
Peacock, Stephanie
Pearce, Teresa
Pennycook, Matthew
Perkins, Toby
Phillips, Jess
Phillipson, Bridget
Platt, Jo
Pollard, Luke
Powell, Lucy
Qureshi, Yasmin
Rashid, Faisal
Rayner, Angela
Reeves, Ellie
Reeves, Rachel
Reynolds, Emma
Reynolds, Jonathan
Rimmer, Ms Marie
Rodda, Matt
Rowley, Danielle
Ruane, Chris
Ryan, rh Joan
Saville Roberts, Liz
Shah, Naz
Sharma, Mr Virendra
Sheerman, Mr Barry
Sheppard, Tommy
Sherriff, Paula
Shuker, Mr Gavin
Siddiq, Tulip (*Proxy vote cast by Vicky Foxcroft*)
Skinner, Mr Dennis
Slaughter, Andy
Smeeth, Ruth
Smith, Cat
Smith, Eleanor
Smith, Jeff
Smith, Laura
Smith, Owen
Smyth, Karin
Starmer, rh Keir
Stephens, Chris
Stevens, Jo
Streeting, Wes
Stringer, Graham
Sweeney, Mr Paul
Swinson, Jo
Tami, rh Mark
Thewliss, Alison
Thomas, Gareth
Thornberry, rh Emily
Timms, rh Stephen
Trickett, Jon
Turner, Karl
Twigg, Derek
Twigg, Stephen
Twist, Liz
Umunna, Chuka
Vaz, rh Keith
Vaz, Valerie
Walker, Thelma
Watson, Tom
West, Catherine
Western, Matt
Whitehead, Dr Alan

Whitfield, Martin
Whitford, Dr Philippa
Williams, Dr Paul
Wilson, Phil

Wishart, Pete
Woodcock, John
Yasin, Mohammad
Zeichner, Daniel

Question accordingly agreed to.

EXITING THE EUROPEAN UNION (ROAD TRAFFIC)

That the draft Motor Vehicles (Compulsory Insurance) (Amendment etc.) (EU Exit) Regulations 2019, which were laid before this House on 24 January, be approved.

The House divided: Ayes 301, Noes 251.

Division No. 353]

AYES

Adams, Nigel
Afriyie, Adam
Aldous, Peter
Allan, Lucy
Amess, Sir David
Andrew, Stuart
Argar, Edward
Atkins, Victoria
Bacon, Mr Richard
Badenoch, Mrs Kemi
Baker, Mr Steve
Baldwin, Harriett
Baron, Mr John
Bebb, Guto
Bellingham, Sir Henry
Benyon, rh Richard
Beresford, Sir Paul
Berry, Jake
Blackman, Bob
Blunt, Crispin
Boles, Nick
Bone, Mr Peter
Bottomley, Sir Peter
Bowie, Andrew
Bradley, Ben
Bradley, rh Karen
Brady, Sir Graham
Brereton, Jack
Bridgen, Andrew
Brine, Steve
Brokenshire, rh James
Bruce, Fiona
Buckland, Robert
Burghart, Alex
Burns, Conor
Cairns, rh Alun
Campbell, Mr Gregory
Cartlidge, James
Cash, Sir William
Caulfield, Maria
Chalk, Alex
Chishti, Rehman
Chope, Sir Christopher
Churchill, Jo
Clark, Colin
Clark, rh Greg
Clarke, rh Mr Kenneth
Clarke, Mr Simon
Cleverly, James
Clifton-Brown, Sir Geoffrey
Coffey, Dr Thérèse
Collins, Damian
Costa, Alberto
Courts, Robert
Crabb, rh Stephen

Crouch, Tracey
Davies, Chris
Davies, David T. C.
Davies, Glyn
Davies, Mims
Davies, Philip
Davis, rh Mr David
Dinenage, Caroline
Djanogly, Mr Jonathan
Docherty, Leo
Dodds, rh Nigel
Donaldson, rh Sir Jeffrey M.
Double, Steve
Dowden, Oliver
Doyle-Price, Jackie
Drax, Richard
Duddridge, James
Duguid, David
Duncan, rh Sir Alan
Duncan Smith, rh Mr Iain
Dunne, rh Mr Philip
Ellis, Michael
Ellwood, rh Mr Tobias
Elphicke, Charlie
Eustice, George
Evennett, rh Sir David
Fabricant, Michael
Fallon, rh Sir Michael
Field, rh Frank
Field, rh Mark
Ford, Vicky
Foster, Kevin
Fox, rh Dr Liam
Francois, rh Mr Mark
Frazer, Lucy
Freeman, George
Freer, Mike
Garnier, Mark
Gauke, rh Mr David
Ghani, Ms Nusrat
Gibb, rh Nick
Girvan, Paul
Glen, John
Goldsmith, Zac
Goodwill, rh Mr Robert
Gove, rh Michael
Graham, Luke
Graham, Richard
Grant, Bill
Grant, Mrs Helen
Gray, James
Grayling, rh Chris
Green, Chris
Green, rh Damian
Greening, rh Justine

Grieve, rh Mr Dominic
Griffiths, Andrew
Hair, Kirstene
Hall, Luke
Hammond, rh Mr Philip
Hammond, Stephen
Hancock, rh Matt
Harper, rh Mr Mark
Harrington, Richard
Harris, Rebecca
Harrison, Trudy
Hart, Simon
Hayes, rh Sir John
Heald, rh Sir Oliver
Heapey, James
Heaton-Harris, Chris
Heaton-Jones, Peter
Henderson, Gordon
Herbert, rh Nick
Hermon, Lady
Hinds, rh Damian
Hoare, Simon
Hoey, Kate
Hollingbery, George
Hollinrake, Kevin
Hollobone, Mr Philip
Holloway, Adam
Howell, John
Huddleston, Nigel
Hughes, Eddie
Hunt, rh Mr Jeremy
Hurd, rh Mr Nick
Jack, Mr Alister
James, Margot
Javid, rh Sajid
Jenkin, Sir Bernard
Jenkyns, Andrea
Jenrick, Robert
Johnson, rh Boris
Johnson, Dr Caroline
Johnson, Gareth
Johnson, Joseph
Jones, Andrew
Jones, rh Mr David
Jones, Mr Marcus
Keegan, Gillian
Kennedy, Seema
Kerr, Stephen
Knight, rh Sir Greg
Knight, Julian
Kwarteng, Kwasi
Lamont, John
Lancaster, rh Mark
Leadsom, rh Andrea
Lee, Dr Phillip
Lefroy, Jeremy
Leigh, rh Sir Edward
Letwin, rh Sir Oliver
Lewer, Andrew
Lewis, rh Brandon
Lewis, rh Dr Julian
Liddell-Grainger, Mr Ian
Lidington, rh Mr David
Little Pengelly, Emma
Lopresti, Jack
Lord, Mr Jonathan
Loughton, Tim
Mackinlay, Craig
Maclean, Rachel
Main, Mrs Anne
Mak, Alan
Mann, Scott

Masterton, Paul
May, rh Mrs Theresa
Maynard, Paul
McPartland, Stephen
McVey, rh Ms Esther
Menzies, Mark
Mercer, Johnny
Merriman, Huw
Metcalfe, Stephen
Miller, rh Mrs Maria
Milling, Amanda
Mills, Nigel
Milton, rh Anne
Mitchell, rh Mr Andrew
Mordaunt, rh Penny
Morgan, rh Nicky
Morris, Anne Marie
Morris, David
Morris, James
Morton, Wendy
Mundell, rh David
Murray, Mrs Sheryll
Murrison, Dr Andrew
Neill, Robert
Newton, Sarah
Nokes, rh Caroline
Norman, Jesse
O'Brien, Neil
Offord, Dr Matthew
Opperman, Guy
Paisley, Ian
Parish, Neil
Paterson, rh Mr Owen
Pawsey, Mark
Penning, rh Sir Mike
Penrose, John
Percy, Andrew
Perry, rh Claire
Philp, Chris
Pincher, rh Christopher
Poulter, Dr Dan
Pow, Rebecca
Prentis, Victoria
Prisk, Mr Mark
Pritchard, Mark
Pursglove, Tom
Quin, Jeremy
Quince, Will
Raab, rh Dominic
Redwood, rh John
Rees-Mogg, Mr Jacob
Robertson, Mr Laurence
Robinson, Gavin
Robinson, Mary
Rosindell, Andrew
Ross, Douglas
Rowley, Lee
Rudd, rh Amber
Rutley, David
Sandbach, Antoinette
Scully, Paul
Seely, Mr Bob
Selous, Andrew
Shannon, Jim
Shapps, rh Grant
Sharma, Alok
Simpson, David
Simpson, rh Mr Keith
Skidmore, Chris
Smith, Chloe
Smith, Henry
Smith, rh Julian

Smith, Royston
Soames, rh Sir Nicholas
Spelman, rh Dame Caroline
Spencer, Mark
Stephenson, Andrew
Stevenson, John
Stewart, Iain
Stewart, Rory
Streeter, Sir Gary
Stride, rh Mel
Stuart, Graham
Sturdy, Julian
Sunak, Rishi
Swayne, rh Sir Desmond
Swire, rh Sir Hugo
Syms, Sir Robert
Thomas, Derek
Thomson, Ross
Throup, Maggie
Tolhurst, Kelly
Tomlinson, Justin
Tomlinson, Michael
Tracey, Craig

Tredinnick, David
Trevelyan, Anne-Marie
Truss, rh Elizabeth
Tugendhat, Tom
Vaizey, rh Mr Edward
Vara, Mr Shailesh
Vickers, Martin
Villiers, rh Theresa
Walker, Mr Robin
Warburton, David
Warman, Matt
Watling, Giles
Whately, Helen
Wheeler, Mrs Heather
Whittaker, Craig
Whittingdale, rh Mr John
Wiggin, Bill
Williamson, rh Gavin
Wilson, rh Sammy
Wood, Mike
Wragg, Mr William
Wright, rh Jeremy
Zahawi, Nadhim

NOES

Abrahams, Debbie
Ali, Rushanara
Allen, Heidi
Amesbury, Mike
Ashworth, Jonathan
Austin, Ian
Bailey, Mr Adrian
Bardell, Hannah
Barron, rh Sir Kevin
Beckett, rh Margaret
Benn, rh Hilary
Berger, Luciana (*Proxy vote cast by Chris Leslie*)
Betts, Mr Clive
Black, Mhairi
Blackford, rh Ian
Blackman-Woods, Dr Roberta
Blomfield, Paul
Brabin, Tracy
Bradshaw, rh Mr Ben
Brake, rh Tom
Brennan, Kevin
Brock, Deidre
Brown, Alan
Brown, Lyn
Brown, rh Mr Nicholas
Bryant, Chris
Buck, Ms Karen
Burden, Richard
Burgon, Richard
Butler, Dawn
Byrne, rh Liam
Cable, rh Sir Vince
Cadbury, Ruth
Campbell, rh Sir Alan
Campbell, Mr Ronnie
Carden, Dan
Carmichael, rh Mr Alistair
Champion, Sarah
Chapman, Douglas
Charalambous, Bambos
Cherry, Joanna
Clwyd, rh Ann
Coaker, Vernon
Coffey, Ann
Cooper, Julie

Cooper, rh Yvette
Corbyn, rh Jeremy
Cowan, Ronnie
Coyle, Neil
Crausby, Sir David
Cruddas, Jon
Cunningham, Alex
Cunningham, Mr Jim
Daby, Janet
David, Wayne
Davies, Geraint
Day, Martyn
De Cordova, Marsha
De Piero, Gloria
Debbonaire, Thangam
Dent Coad, Emma
Dhesi, Mr Tanmanjeet Singh
Dodds, Anneliese
Doughty, Stephen
Dowd, Peter
Drew, Dr David
Dromey, Jack
Duffield, Rosie
Eagle, Ms Angela
Eagle, Maria
Efford, Clive
Elliott, Julie
Ellman, Dame Louise
Elmore, Chris
Esterson, Bill
Evans, Chris
Farrelly, Paul
Farron, Tim
Fitzpatrick, Jim
Fletcher, Colleen
Flint, rh Caroline
Fovargue, Yvonne
Foxcroft, Vicky
Furniss, Gill
Gaffney, Hugh
Gapes, Mike
Gardiner, Barry
George, Ruth
Gethins, Stephen
Gibson, Patricia
Gill, Preet Kaur

Glendon, Mary
Godsiff, Mr Roger
Goodman, Helen
Grady, Patrick
Grant, Peter
Green, Kate
Greenwood, Lilian
Greenwood, Margaret
Griffith, Nia
Grogan, John
Gwynne, Andrew
Haigh, Louise
Hamilton, Fabian
Hanson, rh David
Harman, rh Ms Harriet
Hayes, Helen
Healey, rh John
Hepburn, Mr Stephen
Hill, Mike
Hillier, Meg
Hobhouse, Wera
Hodgson, Mrs Sharon
Hollern, Kate
Hopkins, Kelvin
Huq, Dr Rupa
Hussain, Imran
Jarvis, Dan
Johnson, Diana
Jones, Darren
Jones, Gerald
Jones, Graham P.
Jones, rh Mr Kevan
Jones, Susan Elan
Kane, Mike
Keeley, Barbara
Kendall, Liz
Khan, Afzal
Killen, Ged
Kinnock, Stephen
Kyle, Peter
Lake, Ben
Lavery, Ian
Lee, Karen
Leslie, Mr Chris
Lewell-Buck, Mrs Emma
Lewis, Mr Ivan
Lloyd, Tony
Long Bailey, Rebecca
Lucas, Caroline
Lucas, Ian C.
Lynch, Holly (*Proxy vote cast by Mark Tami*)
MacNeil, Angus Brendan
Madders, Justin
Mahmood, Mr Khalid
Malhotra, Seema
Mann, John
Martin, Sandy
Maskell, Rachael
Matheson, Christian
McCabe, Steve
McCarthy, Kerry
McDonagh, Siobhain
McDonald, Andy
McDonald, Stewart Malcolm
McDonald, Stuart C.
McDonnell, rh John
McFadden, rh Mr Pat
McGinn, Conor
McGovern, Alison
McInnes, Liz

McKinnell, Catherine
McMahon, Jim
McMorrin, Anna
Mearns, Ian
Miliband, rh Edward
Monaghan, Carol
Moon, Mrs Madeleine
Moran, Layla
Morden, Jessica
Morgan, Stephen
Morris, Grahame
Murray, Ian
Nandy, Lisa
Newlands, Gavin
Norris, Alex
O'Hara, Brendan
Onn, Melanie
Onwurah, Chi
Osamor, Kate
Owen, Albert
Peacock, Stephanie
Pearce, Teresa
Pennycook, Matthew
Perkins, Toby
Phillips, Jess
Phillipson, Bridget
Platt, Jo
Pollard, Luke
Powell, Lucy
Qureshi, Yasmin
Rashid, Faisal
Rayner, Angela
Reeves, Ellie
Reeves, Rachel
Reynolds, Emma
Reynolds, Jonathan
Rimmer, Ms Marie
Rodda, Matt
Rowley, Danielle
Ruane, Chris
Ryan, rh Joan
Saville Roberts, Liz
Shah, Naz
Sharma, Mr Virendra
Sheerman, Mr Barry
Sheppard, Tommy
Sherriff, Paula
Shuker, Mr Gavin
Siddiq, Tulip (*Proxy vote cast by Vicky Foxcroft*)
Skinner, Mr Dennis
Slaughter, Andy
Smeeth, Ruth
Smith, Cat
Smith, Eleanor
Smith, Jeff
Smith, Laura
Smith, Owen
Smyth, Karin
Starmer, rh Keir
Stephens, Chris
Stevens, Jo
Streeting, Wes
Stringer, Graham
Sweeney, Mr Paul
Swinson, Jo
Tami, rh Mark
Thomas, Gareth
Thornberry, rh Emily

Timms, rh Stephen
Trickett, Jon
Turner, Karl
Twigg, Derek
Twigg, Stephen
Twist, Liz
Umunna, Chuka

Vaz, rh Keith
Vaz, Valerie
Walker, Thelma
Watson, Tom
West, Catherine
Western, Matt
Whitehead, Dr Alan

Whitfield, Martin
Whitford, Dr Philippa
Williams, Dr Paul
Wilson, Phil

Wishart, Pete
Woodcock, John
Yasin, Mohammad
Zeichner, Daniel

Question accordingly agreed to.

Westminster Hall

Wednesday 6 March 2019

[GRAHAM STRINGER *in the Chair*]

Transport Infrastructure: Essex

9.30 am

Priti Patel (Witham) (Con): I beg to move,

That this House has considered transport infrastructure in Essex.

It is a pleasure to serve under your chairmanship this morning, Mr Stringer. I am grateful to Mr Speaker for having granted this debate, and to his office for having worked with me, as they understood the background to why this debate has been called. I also put on the record my thanks to two colleagues, my hon. Friends the Members for Rochford and Southend East (James Duddridge) and for Colchester (Will Quince), for joining and supporting today's debate. There is a great deal of interest in this issue not just from constituents across the county of Essex, but from colleagues and representatives from Essex County Council, who have joined us today.

Transport infrastructure across Essex is an issue of major importance. As the Minister knows, I have secured a number of Adjournment debates on the topic and asked one or two parliamentary questions about it. I suspect that in his office and his Department, there might be some filing cabinets containing much correspondence on a number of issues, and about Essex in particular. I have no doubt that, when being briefed by officials for this debate, he had a peek into those filing cabinets and so is well prepared to deal with the questions and issues that will come up.

The debate is about emphasising the need to progress infrastructure across the county of Essex, and addressing some of the serious questions that need answering about how we do so. Before going into details about specific transportation schemes across Essex and projects that need to be progressed, it is important to give the Minister an overview of the economy of Essex. That will demonstrate why investment in transport infrastructure—which naturally brings a return on investment back to the county and to the country—matters so much, and why we need Government support and intervention to ensure that we keep Essex moving and have the right factors and catalysts driving those projects.

The economy of the county of Essex, including the unitary authorities of Southend-on-Sea and Thurrock, is dynamic and innovative. The House has constantly heard that where Essex leads, others follow; that is because we are a county of entrepreneurs, who have seen our county throughout the good times and the bad. I think all Members present who represent Essex have seen some of those good times and bad times. Over the past decade there has been a 25% increase in the number of enterprises across Essex. In 2010, when I became a Member of Parliament, that number stood at 61,540. By 2018 it had risen to 77,365. That is a phenomenal level of growth, and I do not think anybody can say it has just happened automatically; it has happened because of the dynamic nature of our county, and because of

the risk takers and entrepreneurs who believe in the county of Essex and seek to invest in it. It has also happened despite our crumbling, inadequate and poor infrastructure, so we can speculate on how much more investment Essex would have seen if we had received infrastructure investment as well.

We have highly skilled firms in Essex. We are fortunate enough to have business groups, including the brilliant Essex chamber of commerce, which champions many businesses across a range of sectors. The Minister will be aware of an organisation that I established and chair, the Essex Business, Transport and Infrastructure Forum—it is a mouthful, so we call it EBTIF. When I established it, we worked with business and the Essex chamber of commerce to engage directly with the Government to highlight the importance of infrastructure investment in our great county, which will be a recurring theme in this debate, and certainly in my remarks today.

The Essex chamber of commerce has an outstanding record. It is proactive, both in mobilising business and in engaging Government. Just this week we met the Housing Minister to speak about transport and housing. We also met the Secretary of State for Transport in the past month, which I am going to come on to when I talk about specific schemes. I invite the Minister to come to one of EBTIF's meetings and to visit our county, to sit in our traffic jams and see our infrastructure so that he will appreciate the nature of the challenge across the county, even more than he already does from the filing cabinets full of correspondence.

Of course, it is not only individuals who depend on our transport sector, but businesses and everyone else. Essex has a strong advanced manufacturing and engineering sector that employs over 50,000 people in over 4,200 companies. We are host to a range of household names across the constituencies of all right hon. and hon. Members present, including BAE Systems, Teledyne e2v, Fläkt Woods in Colchester, and Crittall in Witham. We have a high-tech cluster; we specialise in life sciences, renewable energies, aerospace, defence, security, biotech, digitech—you name it, we have it going on.

We also have a vibrant agricultural and food production sector. In the county of Essex, farming alone is worth over £400 million to our economy and employs over 8,000 people. We have the famous Wilkin & Sons, Wicks Manor, and Shaken Udder Milkshakes, which is based in my constituency. All those businesses are testaments to Essex. If the Minister would like some more statistics, I can tell him that we produce every year enough wheat to make 1.3 billion loaves of bread, enough barley to make 280 million pints of beer, and 150 million eggs. We also grow outdoor vegetables on 5,000 acres of land, so roads and transport are important to us.

On top of that, we are attracting more and more businesses and professionals across the finance and insurance sectors; we have 66,000 professionals in Essex, so it is important that we continue to grow and support them. We have a dynamic academic and educational sector, with Writtle University College, Anglia Ruskin University and the University of Essex—my former university—with its knowledge gateway. It is an outstanding university with a first-class international reputation.

We have so much going on in the areas of multi-modality connectivity and logistics. We have over 1,000 acres of port-adjacent, tri-modally connected logistics and distribution sites, which are the backbone of our economy,

[Priti Patel]

and we are connected by road, rail, sea and air to global markets. We have four major seaports—London Gateway, Tilbury, Harwich and Purfleet—with a fifth major port, Felixstowe, just over the border in Suffolk. There are also six port-side rail freight terminals and three key tri-modal logistic sites at London Gateway and the London distribution park. Of course, we also have our airports: Stansted, which is the UK's third largest air freight hub by capacity, and Southend airport. Those airports are not just growing, but experiencing considerable passenger growth and, in the case of Stansted, benefiting from private sector investment to the tune of £600 million. Essex is also connected to Heathrow, Gatwick and Luton airports through our connections to the infamous M25.

However, we need to ensure that our roads keep traffic moving. One statistic says it all: it is not surprising to learn that Essex is the local authority with the second-highest traffic level in the country, with 9.68 billion vehicle miles in 2017 alone. That is 2 billion miles more than in 1997, and if the unitary authorities of Thurrock and Southend-on-Sea are included, the greater Essex area has the highest traffic level by distance, with 11.2 billion miles. To put that into perspective, it is equivalent to the distance from Earth to interstellar space, so it is fair to say that we in Essex spend a lot of our time on the roads.

Despite Essex's strategic location, the importance of ports, airports, roads and rail, and the work of our businesses and local authorities—I pay tribute to my colleagues in Essex County Council, who have put Essex's transport infrastructure at the heart of their policy making and the representations they bring to Westminster through us, their Members of Parliament—our transport infrastructure, especially our roads, is at capacity. Our roads have reached their limits and it is beyond a joke.

It is important that we grow and take strategic advantage of our location and boost our global trade links—of course it is—but there has to be a recognition in Government that we are being held back by key parts of our strategic infrastructure that are no longer fit for purpose. They need new and urgent investment to boost the economy not only of Essex, but of the country.

Mr Mark Francois (Rayleigh and Wickford) (Con): I congratulate my right hon. Friend on securing this important debate, which is very important to the people of Essex. She is absolutely right to highlight the infrastructure challenges we face, particularly on our road network. She is right to say that Essex County Council, and in particular Councillor Kevin Bentley—he is the deputy leader and looks after infrastructure for the county—have been struggling manfully in trying to cope with all this. The Minister must understand that our main arterial routes—the A13, the A127 and the A12—are bursting at the seams. The Government want more house building in south Essex and the rest of the county. I make it plain to the Minister that he has to pay for the infrastructure if he wants those houses built. If the Government will not come up with the money, for instance to make the A127 the M127, they can forget their housing targets.

Graham Stringer (in the Chair): I remind Members that, although this is not a well-attended debate, interventions should be short, brief and to the point.

Priti Patel: I thank my right hon. Friend for those remarks. He is right on a number of points. First, Essex County Council and my colleague Councillor Kevin Bentley, the deputy leader and cabinet member for infrastructure, have been ensuring that we lean in—I think that is the right term—with the advocacy that has been brought to this place and the Government. My right hon. Friend's point about roads and housing is timely, because I am just about to speak about key schemes and the whole issue of where the pressure points are.

A number of important projects and schemes need to be backed by the Government and progressed to ease the pressure on infrastructure. The costs of investing in the schemes will be paid back. We can work out the return on investment and the number of jobs that will be created through the investment and the subsequent tax receipts. Dynamic modelling facilitates and enables that.

I want to focus on two particular schemes for important strategic roads in the east of England that traverse the Witham constituency. I think we could all write books on both roads—history books, I dare say. There is a long history of delays and congestion, but their futures are linked. They are also connected to the potential future housing and development growth plans around mid-Essex and the Witham constituency. The delays caused by congestion are worse than inconvenient; they have a devastating impact on local communities and the economy. An additional half-hour delay every day for some of our great logistics businesses can mean a loss of tens of thousands of pounds a year. We hear that all the time as Members of Parliament, but it is no good just sitting and agreeing with my constituents and businesses; we need to put our foot on the gas and do something.

In debates on Brexit, the future relationship, supply chains and border checks, we need to ensure that we also look at how our inadequate infrastructure is hindering basic supply chains in our county and in the country as a whole. The delays caused by traffic and congestion on key strategic roads could be far more damaging to our economy, particularly in Essex, because of the infrastructure. The case for investment in the A12 and the A120 is compelling and has been recognised, but there are some major barriers, and that is what I want to focus on.

Back in the 2014 autumn statement, the Government announced their commitment to invest in and support the widening of the A12 between junction 19 at the Boreham interchange and junction 25 at Marks Tey. It was part of a major announcement that we all welcomed on a number of strategic road upgrades for the east of England. The work was described as an investment to “begin phase 1 of a major upgrade to the A12, with the addition of a third lane between Chelmsford and Colchester”.

That decision was long-awaited and welcomed by everyone: commuters, businesses and our local authorities. It also opened up the prospect of further widening north of Marks Tey in later phases. It was rightly a phased scheme.

I think all Members here travel on the A12—I travel on that stretch every week. We all see the problems, the congestion and the need to expand capacity. Highways England has stated that

“the road is almost past its capacity. Motorists regularly experience major delays at peak times. Up to 90,000 vehicles travel between junction 19 and 25 every day. Forecasts reveal that the traffic on the A12 will exceed capacity by 2038. Congestion will increase if nothing is done to address this problem.”

Three fatal collisions and 12 serious accidents were identified in a five-year period. Concerns were raised about the eight junctions on this stretch, with problems including

“below standard slip roads and capacity problems which can result in tailbacks.”

The condition of the road is also poor, so a comprehensive widening scheme offers a chance to improve the surface of the road. The widening scheme also comes with the prospect of altering junctions to better suit local needs and alleviate pressures on local roads. For example, a new junction by Kelvedon to better connect to roads into Tiptree has the prospect of alleviating congestion and traffic through Kelvedon and Feering. That part of Essex had been neglected and ignored for too long, so we need to crack on with developing the widening scheme. It was prioritised to get it started in the first road investment strategy, or RIS1.

A range of stakeholder engagement activities took place. I give credit to Highways England for how it worked with us at the time. There were many events where it looked at options through route alignment. Engagement took place with parish—I sat with parish councils—district, borough and county councils, as well as the business community and local residents. It all seemed to be going well. There was consensus on the approach being taken by Highways England. With Braintree District Council and Colchester Borough Council in the process of updating their local plans, there was supposed to be integrated working and engagement to ensure that the widening scheme and local plans complemented each other—that speaks to the point that my right hon. Friend the Member for Rayleigh and Wickford (Mr Francois) made about housing—and did not compromise one another. Throughout stakeholder meetings the issue was raised and it was thought that the work between Highways England and the councils would ensure a smooth process and collaboration and joint working would naturally maximise the benefits of the widening scheme. That all made sense.

After that work, Highways England went out to public consultation in early 2017, presenting four options to the public. Option 1 was to widen across the current route alignment. Option 2 was to widen the western side on the current route with a new alignment from just before junction 22 to junction 25. Option 3 was a realignment between junctions 22 and 23. Option 4 was a realignment between junctions 23 and 25. The consultation process was a massive exercise with more than 18,000 people attending public exhibitions and more than 900 responses received. It was backed by our local councils, which raised no objections to the consultation or the options put forward at the time.

The outcome was due a year later in early 2018, when Highways England was scheduled to announce its preferred route alignment. That would have enabled further consultation to take place, a development consent order to commence and diggers to go into the ground in 2020. In fact, the position and timetable were made clear to

me in an email from Highways England on 29 September 2017. The email gave an update on the consultation, stating that

“key issues were raised relating to other major developments in the area, environmental impacts, non-motorised user service provision and safety related issues. The independent analysis of the responses received, as well as a Report on Public Consultation will be published when a preferred route is announced.”

The email went on to reference the importance of giving careful consideration to

“emerging and proposed major developments”.

Highways England said that it had

“decided to extend our options selection assessment and expect to announce the preferred route this coming winter.”

It then went on to confirm the timescale, stating:

“Following the preferred route announcement, we will undertake detailed engagement with all affected landowners and hold a further consultation, giving local communities and other stakeholders a second chance to have their say. This consultation is likely to be held in spring 2018 and will include detailed plans of a preferred route...Despite extending our options assessment, the first phase of construction is still anticipated to start in 2020.”

In October 2017, the Minister wrote to advise me that owing to a review of RIS1 and some resequencing of schemes, there could be a three to six-month delay to the scheme. I questioned that and the Minister confirmed that

“the recently announced optimisation of the Road Investment Strategy relates to the start of works and does not impact on the decision about the route. I want to reassure you that the Government and Highways England’s strong commitment to this scheme remains. While the start of construction will get delayed by 3-6 months as part of Highways England’s plans to reduce disruption for road users and businesses, Highway England will work with you and other local partners to ensure that any impacts are minimised.”

At the end of 2017, therefore, the position with the A12 widening scheme was that an announcement and further consultation on the preferred route were to start shortly, with construction likely to start in 2020, probably later in the year owing to some resequencing work. There was no indication from the Government or Highways England of the bombshell that was about to knock the scheme off course.

Two years after the consultation was completed, we are no further forward with this key scheme, so we have to ask where is the delay and where has it gone wrong? We know that Colchester Borough Council made a last-minute change to its housing and development plans: plans that had been in the making for years were abruptly changed. They redrew on the map the garden settlement community proposals in a way that completely blew apart the options in the A12 consultation, adding costs to the scheme and pushing the scheme back into RIS2. It has profound consequences for strategic investment across the region. It pushes back opportunities to widen the A12 north of Marks Tey, and it has an impact on the A120 dualling scheme, which I will come on to shortly. It also means that the A12 widening scheme could take place at the same time as the construction of the lower Thames crossing, putting pressure on construction costs and supply chains. That means adding congestion to the county.

I do not want to go over the past, in particular the local development plans, but constituents living in the vicinity of the A12 and the proposed realignments from the 2017 consultation are in limbo, creating too much

[Priti Patel]

uncertainty. According to my postbag, people cannot decide whether to sell their homes or move. Huge inconvenience has been caused by the local plan triggering a chain of events. We need to look at the whole issue. We cannot progress the road until we have the housing scheme in place. In fact, the Minister for Housing was in touch with me in September last year. He also referred to the delays and said the issue

“highlights the need for greater certainty of the funding and feasibility of these two schemes”,

in relation to housing.

A written parliamentary answer from the Department in January this year stated:

“The Department for Transport and Highways England have been considering how best to take forward the A12 scheme, in the light of concerns raised by the Planning Inspector in June 2018 regarding the proposed Garden Community at Marks Tey and its interaction with the A12 scheme.”

The situation is now becoming absurd. The roads will not progress until the housing and development plans have progressed, but those plans will not progress until the roads have progressed. What has happened? We need answers now. What about the principle of alignment and integrated working? The matter must be addressed sooner rather than later.

I have specific questions for the Minister. At what point will the Government step in to take control of the A12 scheme and work with local authorities to provide the leadership that they need to drive the matter forward? When will the Government, the Department for Transport, the Ministry of Housing, Communities and Local Government, and the Treasury make a decision on progressing the scheme if the local plan is subject to delay? How much longer will we have to wait? Will the Minister ensure that, as a matter of urgency, Highways England brings forward a proposed route alignment that is future-proofed so that housing proposals can evolve around it? We cannot continue to wait.

What assessment have the Government made of the economic impact of the delays, which bring additional costs, and of the impact on other strategic road schemes such as the A120 dualling scheme? What work is being done to support my constituents who live so close to the A12 that they are stuck? They are unable to sell their properties or even determine their futures. They are victims of the failure to get the scheme going.

Does the Minister recognise that the delays to the A12 widening scheme between junctions 19 and 25 are causing delays to widen the A12 north of junction 25, which local people in the county need to see? I want to be part of the solution and we all need to come together, so will the Minister agree to set up a working group that is led by me and brings together Highways England, his Department, MHCLG, the Treasury, our colleagues at Essex County Council, the business community and other stakeholders to get on top of the widening scheme, as well as the A120 proposal? We cannot run the risk of this issue moving into RIS3. The delays are phenomenal and have an enormous impact, which brings me on to the A120, a road of strategic importance not only to the county, but to our country.

The A120 is a strategic economic corridor that cannot be underestimated. The Minister and all Members in the debate today know the history of the single carriageway.

The stretch between Braintree and Marks Tey is 12 miles long and is regarded as one of the most dangerous in the country. There is a litany of safety issues. It has been a death trap. Last week I met two parish councils, Bradwell and Stisted, that have highlighted the road safety concerns constantly. We have campaigners, including Save Lives Not Time, whose campaign has been phenomenal, working with the local community to actually do something to reduce speed along the A120.

The road needs to be dualled and it needs to meet the increased capacity. It has been 10 years since the previous Labour Government abandoned proposals to dual the A120. Endless studies have been undertaken, and I pay tribute to my colleagues at Essex County Council who have been instrumental in driving proposals and leading them forward with me and other MPs.

A report from Atkins in 2008 stated:

“The A120...currently constrained by the capacity of the single carriageway section...between Braintree and the A12...is congested and suffers traffic delays.”

Traffic delays result in pollution. They are caused by accidents and have an incredible impact. Evidence from 2005 demonstrated that an estimated 25,000 vehicles used that stretch of road every single day. In 2010, around 14% of traffic—one in seven vehicles—is accounted for by HGVs, compared with an average of 6% across Essex. Had the scheme been progressed 10 years ago, we would have a road that is fit for purpose. We would have integrated roads connecting with the A12. We would have a better and more resilient local road network. The evidence is compelling: the road must be dualled. To be fair, we have all made the case for years and years.

Essex County Council has worked very closely with Highways England. Work was led on developing a scheme and holding a consultation by the county council. It worked with Highways England throughout to ensure that there was a strong and robust case. Options went out for consultation at the same time as the A12 consultation, with a view to securing agreement from the Government to put the A120 dualling scheme into RIS2 and sequence construction on both schemes to maximise the benefits, while reducing the impact that comes from major highway improvements.

The Minister knows about the favoured route, option D from the consultation, which was brought forward by Essex County Council. It has a benefit to cost ratio of 4.5, which is important because it scores far higher than any major projects the Government have invested in. It will help to unlock 20,000 jobs and support housing growth by perhaps as many as 32,000 new dwellings, if needed. The improvements in journey time and reliability are valued at about £48 million, with £350 million of benefit to freight traffic. The overall costed journey time savings could total £1.2 billion. Safety will be improved. Congestion through villages will be reduced, with Silver End set to experience 59% less traffic, Cressing 44% less and Bradwell 43% less. According to the proposals, construction will take around three years and will support about 500 construction jobs.

In total, the scheme can add £2.2 billion in gross value added to the local economy at a cost of £550 million. Few schemes are as attractive as this one. The Minister knows it is one of the best prepared business cases for RIS2 because of the evidence contained in it. The feasibility work was supported by Government funding,

for which I thank the Government and the Minister, after lobbying by myself and others to put the project forward. That case has been made consistently.

The Government have committed to dualling the scheme; we now need the backing, Minister. We need to ensure that there are no contradictions between the Department, Highways England or local authorities. I would welcome an update from the Minister on the timetable for submissions for RIS2 and on the decision making. It is pivotal to securing the road, and strengthening our infrastructure across the county. The A12 and the A120 need to be sequential.

I would welcome an assurance from the Minister that the delays to the A12 widening scheme will not hamper or hinder in any way the proposals for the A120 dualling scheme to be included in RIS2. With the road currently operating beyond belief in terms of capacity, people need certainty. We are looking for a fresh impetus so that we can recalibrate both schemes and take a stronger, fresh approach to secure the Government's national mission to build more new homes. There is a willingness in our county to be resilient and to ensure that we do everything that we can.

I have a few other points to make, and then I will give colleagues time to speak. There are other roads across Essex. The lower Thames crossing will provide a vital link connecting Essex and Kent. I would welcome a progress report from the Minister on that scheme, and on whether there will be connectivity. We are all about connectivity and joined-up, integrated working. We must ensure that the schemes are delivered on time and progress on time, and that Essex County Council is supported in the right way in the work that it needs to do to achieve that integrated approach across the county, so that all road schemes are progressed in the right way. My colleagues will speak about other roads. I think it is fair to say that road investment is pivotal, not just for Essex County Council but for the Government in terms of delivering for the county of Essex.

I will turn to a different modality: rail. I thank the Department for Transport and the Rail Minister for the amount of time that he has spent with me recently. As the Government have recognised, the Great Eastern main line and the West Anglia main line are poor relations to other parts of the rail network. I am chair of the Great Eastern main line taskforce, which was established back in 2013. The then Chancellor of the Exchequer supported the establishment of the taskforce to look at the strategic rail needs of the region. We have been an instrumental voice in putting business cases to the Government. The first business case that went to the Government in 2013 secured some important outcomes, off the back of a very robust rail prospectus that colleagues and I worked towards.

We released a package of investments that were linked to a new franchise, including new rolling stock and timetable changes. The package amounted to £4.5 billion in gross value added to the region's economy, meaning thousands of new jobs. We are now interested in moving the scheme forward, and are working with the Government on the new process by submitting a revised and updated rail prospectus. We intend to restate the economic benefits, which can of course be multiplied. A multiplier effect in rail can be complemented by a multiplier effect in road investment; I argue that the two must almost be coterminous.

We will clearly restate what investment in the Great Eastern main line should look like, and that it should be focused on as a national economic priority. I know that it is not in the Minister's portfolio, but I would welcome an update on a number of project schemes for which we are seeking commitments and support, including the introduction of a passing loop in the vicinity of Witham, the redoubling of Haughley junction, improvements to the Trowse swing bridge, resignalling south of Chelmsford, and Liverpool Street station improvements.

Combined, those key investments will increase capacity on the network and, importantly for all rail users, reduce delays. There are some long-awaited new developments, including Beaulieu Park railway station—or, as some call it, Chelmsford parkway—which will support new housing growth. A three-track or four-track option with additional platforms would serve to future-proof the line and to increase capacity.

We also need investment in infrastructure to implement digital railway technology for the Great Eastern main line, and to bring in the new 15-minute Delay Repay system, along with new technology to help commuters claim compensation for poor and delayed services, which have resulted in a lack of investment in the past. I know that we are getting close to an announcement on Delay Repay 15. The Minister might be limited in what he can say, because of commercial terms, but any signal that he can give regarding the direction of travel would be greatly welcome, including any improvements on the Witham to Braintree branch line.

I will draw to a close, as I have spoken for a considerable time and there are other speakers. From my perspective as a Member of Parliament for an Essex constituency, the chair of the Great Eastern main line taskforce, someone who has led the Essex Business, Transport and Infrastructure Forum, and someone who has worked—I think it is fair to say—quite diligently with my colleagues at Essex County Council, our deputy leader, Councillor Kevin Bentley, and all Members across Essex, there is a severe need for investment. The business cases have been made consistently to the Department and to various Ministers, including the Minister who is present today.

We are not shy as a county. I am proud of our diligence and our ability to understand economics, business and a return on investment. Essex is a net contributor to Her Majesty's Treasury, and has been for a number of years—from the days when entrepreneurs sought to move to Essex. Our rail line has been under-invested in. The Minister knows the case for the A12 and the A120. I urge him to clarify the position on the development of both schemes. We cannot have further delay, or contradictions between what the Department says and what Highways England says.

We need an integrated way of working that involves Essex County Council, Highways England, the Department, and myself and other colleagues, so that we are all facing in the right direction and can deliver the economic benefits of jobs and housing, which we all want. It is important that the Government send a strong message to the county of Essex, investors, commuters, businesses, constituents and our local authorities, to say that we will work with them and support them to ensure that, as we say constantly, where Essex leads others will follow.

10.7 am

James Duddridge (Rochford and Southend East) (Con): I congratulate my right hon. Friend the Member for

[James Duddridge]

Witham (Priti Patel) on securing the debate and making an excellent case. I have great admiration for her work in chairing the Essex Business, Transport and Infrastructure Forum, which I find invaluable in bringing together stakeholders across the whole county. Although I, of course, have a parochial interest in Rochford and Southend East, like my right hon. Friend I attended the University of Essex, and follow issues in that area in great detail. No doubt we will hear more from that neck of the woods soon.

Minister, if this were legislation, I would suggest a very simple amendment: delete “A” and insert “M”. I refer, of course, to the A127. We want it to be a motorway. When I say “we”, I do not mean me, or a collection of a few random individuals; the whole of Essex wants it to be a motorway. In November 2018, a group came together—the south Essex A127 taskforce—led by Councillor Mike Steptoe, who is both of Essex County Council and deputy leader of Rochford Council. That group included Essex, Southend, Thurrock, Rochford, Basildon, Castle Point, Brentwood, Chelmsford, Malden, Havering, Transport for London and Highways England. Anyone who knows anything about transport and local politics will know that to get that number of local authority leaders and chief executives in one room agreeing anything is absolutely amazing. They want improvements to the A127.

The A127 carries more than 75,000 people every day. It is the lifeblood not only to the end of the road—almost literally where I live, in Thorpe Bay—but throughout Southend, Shoeburyness and across the corridor, into London. Rather like the c2c line, it is a pipeline of money and prosperity for the area. I am asking for just a small change—a little letter. I am sure the Minister will be able to manage something along those lines.

I have five more detailed asks. We would like the A127 widened, so that it would be at least three lanes along its length. We would like a consistent speed—at the moment, there is bit of stop/start and differential speed limits. We would like the road to be made a trunk road, part of the strategic network. At one point, the Government had a strong case against that because it just goes out to Southend, but now we have London Southend airport—an international airport that has grown massively, with more than 1 million passenger movements and flights to more than 30 destinations. From a transport perspective, that in itself makes Southend a strategic asset for the country, and on that basis alone the road should be trunked.

Fourthly, we need to make sure that all incremental improvements to the A127 do not stand in the way of a future motorway—developments such as the Fairglens interchange between the A130 and the A127 need to be motorway-proof. Finally, I am not a great negotiator, but just in case the Minister cannot offer me the small change of letter, perhaps he might go for another small change and call it the A127(M), while we wait for the full motorway in a few years’ time.

10.11 am

Will Quince (Colchester) (Con): It is a pleasure to serve under your chairmanship, Mr Stringer. I echo the comments congratulating my right hon. Friend the

Member for Witham (Priti Patel) on securing this important and timely debate. I want to focus my remarks on Colchester, but will touch on a number of the different routes that she has already referenced. It has been a pleasure to serve with her on the Great Eastern main line taskforce, where we have made huge progress, although there is a lot of work still to do, and on the A120 and A12 campaigns.

Colchester is not only Britain’s oldest recorded town, but the fastest-growing town in the country, which it has been for some time. We have had tens of thousands of homes built without the adequate infrastructure to support that. Anybody who has visited Colchester, at peak times in particular, will have seen that there is considerable congestion and regular gridlock. Essex County Council, under the leadership of Councillor Kevin Bentley, is doing its best and there are some significant schemes under way in Colchester, but anybody in Colchester knows that that is not enough, and we need to secure further investment from the Government to keep our town moving.

Colchester has considerable potential: we have unbelievable links because of our location; we are central, for road, rail, air and sea; we are 50 minutes from the City of London, 30 minutes from Harwich international port and 45 minutes from London Stansted airport; we are the small and medium-sized enterprise capital of East Anglia; and we have around 600 creative and digital businesses, and that figure is growing almost by the day.

To unlock our town’s business and economic growth potential, we have to ensure that it does not regularly grind to a halt, as it sadly does at the moment. For that, we need significant infrastructure investment. I want to focus on the large-scale infrastructure projects of the A12, the A120 and the Great Eastern main line, but we should not forget local transport infrastructure too.

The Government want Colchester Borough Council to build around 1,000 homes every year, and so far it has been hugely successful in that endeavour, building more than double of any other district or borough in the county of Essex. For that to be facilitated and for it to work—many in Colchester would question whether we should be building so much—the Government have to provide adequate transport infrastructure funding along with it. As a result, housing infrastructure fund bids are very important, and it is essential that the Government look favourably on those from our borough.

One example is the East of Colchester garden settlement plan. The garden settlement plan is not an uncontroversial programme in Essex, but the garden settlement to the east of Colchester is probably the less controversial of the two. It can work only if we secure funding for a new link road between the A133 and the A120, together with a rapid transport scheme to get people in and out of Colchester, because that will unlock the congestion on the Ipswich Road through Highwoods, St John’s and St Anne’s. That is the only way that the scheme can work, and I ask the Minister to look on it favourably.

My focus today is on the main projects—the A12, the A120 and the Great Eastern main line. While my right hon. Friend the Member for Witham was taking a sabbatical in the Cabinet, I stepped up and took on the chairmanship of the Great Eastern main line taskforce. Tens of thousands of commuters in and around my constituency use our station—certainly 15,000, and perhaps

20,000—and any one of those commuters will know that the Great Eastern main line is operating at capacity between Colchester and London. Given the growth pressure and the housing that the Government expect Essex to deliver, that is not sustainable.

We need infrastructure investment on the Great Eastern main line, and on projects already mentioned by my right hon. Friend—the Bow junction remodelling; the loops between Shenfield and Witham, probably the most important in enabling capacity on the line; the loops south of Colchester; the Haughley junction doubling; and, of course, the digital railway.

I sat on the Transport Committee with you, Mr Stringer, and we looked at the digital railway and the opportunity there to increase capacity by up to 40%. I was disappointed that we were not included as part of the initial pilot, despite the lobbying of every single MP on our line for the Great Eastern main line to be part of the digital railway pilot. I know Greater Anglia, our rail operating company, is looking into other options, but I implore the Government to look at this seriously, as capacity is a major issue and we know that the digital railway is an opportunity to unlock it. We have a brand-new fleet of trains on order, the first of which arrive this year. The equipment is therefore built into those trains already, and it is essential that we get the signalling right. Investment by the Government will unlock huge capacity on our line and, dare I say, enable the housing growth that the Government want to see.

That is part of why we must address capacity, but also, our commuters are not getting value for money. At peak times, they are very often standing. My Colchester commuters pay in excess of £5,000 a year for a season ticket, just to get to and from work. We must ensure that we deliver value for money for them.

My right hon. Friend touched on Delay Repay; I know it is not hugely relevant to the debate, so I will touch on it only briefly. We were promised that it would be delivered within weeks of the Adjournment debate a few weeks ago, so I push the Department for Transport to make that announcement as soon as possible. The eyes of rail users across north Essex and the wider region are certainly on the Department.

I very much welcome the new trains, but they are only part of the jigsaw. They will inevitably lead to fewer delays because we will have fewer train breakdowns and issues, but the Network Rail piece is equally important. I welcome the £2 billion Network Rail settlement, but I ask the Minister to make sure that it is delivered on time and that it is kept under close consideration, because we have to ensure the full jigsaw—the new trains along with signalling and track work—so that we are not suffering the delays we so frequently experience at the moment.

As my right hon. Friend mentioned, the A120 is one of the most important east-to-west roads in Essex, between Braintree and the A12. It is little more than a country lane on many parts of that route. Anybody who has tried to get between Braintree and Colchester and got stuck behind a caravan or a crash will know that people can be waiting there for a considerable period.

The A120 is the only single carriageway road in England connecting a major international airport with a major international seaport. As my right hon. Friend mentioned, the dualling was cancelled under the last

Labour Government. Heaven forbid that we have another Labour Government in the near future, but would it not be a huge wasted opportunity if, 10 years on from the cancellation of the previous scheme, some future Labour Government, just as we got round to delivering it, cancelled it all over again? I implore the Minister to get on with this and to make sure that A120 dualling is part of the road investment strategy, RIS2. That is absolutely vital. As eloquently and passionately put by my right hon. Friend, the reason is that the A120 is heavily over capacity.

Around 25,000 vehicles use that single-track road every single day—15% of them are heavy goods vehicles—and traffic volume is set to increase further year on year. Some 24% of the road is regularly congested. For five hours a day, journeys are delayed in both directions. For six hours a day, sections of the road carry more vehicles than it was built for.

As my right hon. Friend pointed out, we have an increasing collision trend, which should worry us all. There is a high rate of serious casualties compared with the national average for a single carriageway trunk road. Even if we park all those issues, which are compelling enough reasons to upgrade the A120, we have the even more compelling ground of economic growth. Essex County Council's favoured option would see a benefit-cost ratio—my right hon. Friend has already pointed this out, but it is well worth repeating—of 4.5, which means that it would deliver £4.5 million-worth of benefits for every £1 million spent, including unlocking up to 20,000 jobs and £2.2 billion in gross value added to the local economy. It is important to note that this option has wide support from businesses, local authorities, parliamentarians and business leaders. In mid and north Essex, we very much sing with one voice in calling on the Government to invest and ensure that we see that scheme as part of RIS2.

The A12 is another road that is hugely important—it is an artery through Essex. It is already approaching capacity, with the flow-to-capacity ratio on the two-lane sections well over tolerable limits: typically, it is between 70% and 90% in peak hours. From the many tweets I receive from my constituents, I know how many times they get stuck on that road. RIS1 identifies the whole route for upgrading to a three lane standard throughout, starting with the section between junction 19 at Boreham in Chelmsford and junction 25 at Marks Tey in Colchester.

We desperately want the Government to announce preferred route status for that section in RIS1. We accepted a short delay; when the Minister sent us the letter, we met him immediately afterwards and were told that it would be a delay of three to six months, which has drifted somewhat. We wanted that delivered as part of RIS1. Ideally, we then wanted the north of junction 25 on the A12 to be delivered as part of RIS2. That is absolutely vital to our county.

I want Highways England to look at my plan for a new junction at Lexden between junctions 26 and 28, because junction 27 has no southbound exit. There has been much growth in Stanway—mostly housing, but also the huge retail development at Tollgate. That is at junction 26. Likewise, at junction 28, we have future plans for the northern gateway—a huge leisure development. Those junctions will become more and more congested, so my plan for a new junction southbound on the A12 deserves serious consideration. I hope I can meet the Minister to discuss that further.

[Will Quince]

I have reiterated the points made by my right hon. Friend, but they are so important to our county and my town of Colchester. I want to emphasise that there is huge potential to unlock economic growth across Essex and in my home town of Colchester, but we need investment in our transport infrastructure to realise that potential.

10.23 am

Rachael Maskell (York Central) (Lab/Co-op): It is a pleasure to serve under your chairmanship, Mr Stringer. I welcome this morning's debate and the case made by the right hon. Member for Witham (Priti Patel) and the hon. Members for Rochford and Southend East (James Duddridge) and for Colchester (Will Quince), who are all rightly standing up for their constituents in making the case for future transport investment. They have highlighted the A12, A120, A127—perhaps I should say M127—junction enhancements and the Great Eastern main line.

The Minister and I have debated transport infrastructure in the past 24 hours, not just focusing on Essex but looking across the country. Getting a national perspective is really important when we look at the microcosm of Essex and the opportunities the county offers. Both the Government and the Opposition see investment in the future of infrastructure as crucial, and it is something to which we are deeply committed. We are committed to transport infrastructure investment because we are committed to widening and unleashing the opportunities for the economy in Essex and across the country, and to ensuring that we get the connectivity right for the future.

Although right hon. and hon. Members have extolled the economic opportunities for their areas and discussed the housing developments that are putting pressure on the infrastructure, which is clearly under severe pressure and needs to be redressed, I urge the Minister to take a more strategic view of how we develop our transport infrastructure. The reality is that we need to plan not just for the next decade or two, but for the long term. Today we are living off our Victorian railway infrastructure, which has lasted for nearly 200 years, but we need a greater vision for how we want to drive infrastructure forward. Instead of hearing a list of pleas—I hear them very loudly—it is really important that we look more strategically at how and where we want to develop our economy, then mesh that with the housing demands across our country and ensure that there is good connectivity between economic opportunity and housing. We need to hardwire that into the infrastructure in order to meet those demands in future.

I heard the frustration of the right hon. Member for Witham when she asked which Department is leading—is it Housing or Transport? It is right to have interdependency, but there needs to be leadership in driving this forward. It is also important to draw together the necessary spatial planning between economic growth and housing, and we therefore need to ensure that transport is hardwired into all spatial planning in future.

As we look to the longer term and beyond the current crisis, we really need to think about infrastructure that will last in the long term. To be kind to the Government,

the unfortunate way they handled RIS1 and CP5 highlights that this is still short-term thinking. Although we saw an improvement in year-on-year funding, moving to control periods or the RIS process has meant that we are still talking about short-term cycles of investment. The Rail Delivery Group has highlighted the damaging impact that short-term cycles of funding has created, particularly on the issue of skills—having to create skills, believing we are driving down one path of development of infrastructure, then seeing the cancellations and having to lay off those skills. That adds 30% to the costs for the industry—a premium that, frankly, we could be investing elsewhere.

It is really important that we heed what the sector is saying about planning, which is why Labour is very focused on long-term planning and rolling the money forward to ensure that there are sustained periods of funding. We very much hope that the Williams report will coincide with what we and the industry are saying: it is about removing the cliff edges from different control periods as we move forward on funding. If we can achieve that, we will be able to plan for the long term rather than just the short term. There are real benefits to looking at the infrastructure required to build sustainability for the long term.

The economic opportunity of Essex and the surrounding area is important because of the ports and airports connectivity. We therefore need to hardwire in the freight routes. We need to take one in seven lorries off the road and put them on to lines to ensure that they have priority. We must also ensure that we have the passenger infrastructure in place for the future, which is really important. I urge the Minister and right hon. and hon. Members to think more widely about the opportunities that can be delivered—particularly by rail, but also by light rail, which is being developed across different conurbations. We must certainly not focus only on urban areas; it must stretch into the surrounding rural areas. Great opportunities could be realised if we make serious investment in the longer term. Labour will certainly prioritise that in government.

As we move forward, we must embrace the modern technology that is available to us. I share the right hon. Lady's disappointment that we have not embraced the opportunity of digital rail. We have heard evidence about its capacity benefits, but we are miles behind. Essex is leading in electronics—it is a major part of its economy—so it surely makes sense to bring digital rail into the region. Other countries are far more advanced than us and do not understand our delays and why we are just tiptoeing forward into digital rail. I share those concerns.

I urge the Minister, as I did yesterday, to justify the scale of the road building programme. Hon. Members will obviously make the case for their own areas, but 50,000 people die each year in the UK as a result of air pollution, so we must address emissions seriously. It is concerning that the carbon footprint of the transport sector, which accounts for 30% of emissions, is increasing. We need a 15% reduction year on year just to reach our Paris commitments, but of course that will not be enough to prevent the catastrophic global impact and the impact here at home.

The Minister will say that the Government are planning to remove diesel vehicles by 2040, but in 41 years' time more than 1 million people in our country will have

died prematurely. That national crisis should be on the front pages of our newspapers daily until the Government address the issue. To date, I have not heard how they are planning to do so with the road building programme. Yesterday he said that I was rude to call it catastrophic, but the damage it is causing is indeed deeply catastrophic. I ask him to reflect more on the impact it is having. We are talking about lives being lost.

I hear right hon. and hon. Members' pleas, but I urge them to think about the impact on the environment of these road-building schemes. We know from the evidence that, with induced capacity, we will be having the same debate in 20 years' time. I therefore encourage them to think bigger about the infrastructure they want in Essex.

I want to highlight the opportunities for other modes of transport. Some 80% of journeys are local, so we could see a modal shift into active travel. We have not heard about cycling and walking today, but that infrastructure is important. Fantastic work has been done in Manchester, but it is important to extend that beyond the local vicinity. I ask the Minister why the Highways England budget for building infrastructure for cycling and walking along highways has been underspent. We really need to focus on active travel, so that seems like another missed opportunity by the Minister.

We have a real opportunity to invest in our infrastructure and our country, and to develop skills for the future. We have a skills crisis across the sector. I again ask the Minister to address that issue and ensure that, when bids come forward, we invest in jobs in transport construction so that we have the right skills in place. Although the Government are rightly focusing on unlocking the opportunity of electric vehicles, the investment in the infrastructure to support them is woeful. That does not give confidence to the manufacturers whose production will be driven by the infrastructure. I again ask the Minister to have a laser focus on ensuring that we get the infrastructure right for a future generation of electric vehicles.

10.34 am

The Minister of State, Department for Transport (Jesse Norman): It is a great pleasure to serve under your chairmanship, Mr Stringer. This has been a very interesting debate. Of course, the focus has rightly been on Essex infrastructure, but I am grateful to the hon. Member for York Central (Rachael Maskell) for raising some other issues, and of course I will discuss them all.

Above all, I congratulate my right hon. Friend the Member for Witham (Priti Patel) not only on securing the debate, but on her Churchillian 37-minute speech. That is a new record for me in a Westminster Hall debate. It was very wide-ranging and interesting. She has been absolutely tireless in pressing the claims of not merely her constituency but Essex as a county. She gives indefatigability a bad name. If it were not for our relentless desire to maintain efficiency in the Department for Transport, we would have Patel SWAT teams scrambling every time she moves, and cross-modal engagement klaxons going off every time we heard something. If we did that, we would hear an awful lot of noise, because she has been very active in this area.

I am also aware of the work that my right hon. Friend has done elsewhere—my hon. Friend the Member for Rochford and Southend East (James Duddridge)

touched on this—not just as head of the Great Eastern main line taskforce but as chair of the Essex Business, Transport and Infrastructure Forum, highlighting the importance of infrastructure in building sustainable local communities and strong local economies. That is all extremely welcome.

My right hon. Friend rightly focused on the natural, physical and human endowments that Essex has as a county. It has a very strong local economy and a resident population of 1.5 million-odd people. It has a very entrepreneurial spirit and workforce, and the growing economy reflects that. It is a very exciting place to do business, and that is tremendous. That has drawn on and created a need for transport connectivity.

The nationally important M11 and M25, which colleagues did not mention, and the A12 and A120 run through the county, and there are major local roads, including the A13, the A27—my hon. Friend the Member for Rochford and Southend East was very eloquent on that topic—the A100 and the A414. Rail connections ensure that the county remains tightly linked to London, with three main lines, the London underground to Upminster and branch lines serving more than 55 stations. It would be wrong not to mention its international gateway of Stansted and Southend, which is growing very rapidly, as my right hon. Friend the Member for Witham mentioned. Harwich provides nationally important sea connections to Holland and Denmark. There are also Tilbury and the new London Gateway port. It is a very exciting place.

My right hon. Friend mentioned Essex's agricultural strength. It cannot quite match the astonishing range, diversity and depth of my county of Herefordshire, but it is right up there. As I am sure she will agree, the transport network is not just of critical importance to the economic growth and development of Essex, but of national significance. It is an important piece of infrastructure in its wider economic growth and development benefits across the country.

Let me touch on the issues that my right hon. Friend raised in some depth. She is right to focus on the importance of infrastructure. We have recognised that and have invested in the strategic road network, which is critical to delivering that growth. In December 2014 the Government launched the first road investment strategy, which outlined how more than £15 billion is to be invested in our strategic roads between 2015 and 2021. That is the biggest upgrade to strategic roads in a generation, and it will be exceeded in RIS2 from 2025, which is of the scale of £25 billion.

The hon. Member for York Central rightly drew attention to the importance of combating emissions. We have a very strong air quality strategy and have launched an enormous amount of work not just on emissions but on decarbonisation. We have a lot of work about to come out shortly on future mobility, electric vehicles and the like. It includes not just cars, but the full panoply of electric vehicles that are transforming our streets.

It is important to recognise that some road building is vital, and it would be a poor Minister who did not recognise both that and the validity of claims for road building in counties, not merely as an economic and housing enabler, but as an investment in skills, supply

[*Jesse Norman*]

chains and businesses, and one that will prepare us for a green future with electric and, in due course, autonomous vehicles.

Rachael Maskell: Will the Minister give way?

Jesse Norman: I have so much to get through in only 10 minutes. I will be delighted to come back to the hon. Lady when I mention her remarks later in my speech, but I will make the important point that we must recognise balance and that, even by her lights of supporting skills and reducing emissions in the longer term, this is actually an enlightened policy. Much of it is about maintenance—autonomous vehicles will require high-quality roads—and that process cannot begin too soon. RIS1 and RIS2 place a very high emphasis on maintenance.

To zero-in on Essex, my right hon. Friend the Member for Witham pointed out that the first road investment strategy includes the widening of the A12 between junction 19 at Chelmsford and junction 25 at Marks Tey, where it currently joins the A120. Delivery of that scheme remains a top priority for my Department, as it is an important strategic route for continued economic prosperity across the region. She also highlighted the delays that have affected the scheme. I will not get into the causation, and she has been very delicate in hinting at causation without specifically stating it. As she knows, there was an initial re-profiling delay, but the fundamental delay was not at all of the Government's making. Local priorities have changed and we are seeking to accommodate those changes. I will respond to her specific questions—we owe her that as she was kind enough to share them in advance—but I can assure the Chamber that we understand the frustration felt by local communities that works will not begin by March 2020 as was originally proposed. We very much understand that.

We have been considering how best to take forward the A12 scheme in the light of the interaction with the proposed garden community in Marks Tey, as my right hon. Friend touched on. That interdependency was of course raised by the Planning Inspectorate, which examined those housing proposals in June 2018. We believe—as I think she does—that it is important to find the right long-term solution for the local community and to support delivery of the proposed housing at Marks Tey, which would mean the delivery of up to 24,000 much-needed homes.

Highways England is working with partners in Government, local planning authorities and promoters of the new housing development. The next step is for Highways England to consult on the revised route options for the A12 between junctions 24 and 25. The route options will have regard to the housing proposals and—we hope—ensure that the improvements are right for those who use the A12 now and in the future. In the light of the recent delays, Highways England's latest delivery plan, which was published in July 2018, proposes that works for the A12 begin in the second road investment period, from 2020 to 2025. I wish that were otherwise, but we have had our hand forced somewhat and are scrambling to make the best of the situation.

As I am sure my right hon. Friend will also know, Essex has ambitious plans for housing delivery. The housing White Paper set out the Government's wider

vision to address issues such as unaffordable housing and the provision of proper transport infrastructure, and the Department works closely with the Ministry of Housing, Communities and Local Government in that area. My hon. Friend the Member for Colchester (Will Quince) mentioned housing infrastructure fund bids. They are a crucial part of Essex's further development, and I say good luck to any hon. Member in the Chamber. Trying to tie in the response to those housing bids with local and strategic transport links is part of the importance of our wider strategic approach, unlocking new housing developments with good transport connections in places where people want to live. Essex is delivering that kind of substantial housing growth in major sites such as Braintree, Chelmsford and Marks Tey, which are critical to meet housing demand. Of course, we recognise the centrality of transport to making them happen.

Well-planned, well-designed and locally-led garden communities can play a vital role in helping to meet this country's housing needs well into the future. That is why the Government recognise and have invested in the development of capacity towards 23 places across the country as part of our garden communities programme. We are pleased that Essex County Council has decided to further support North Essex Garden Communities by submitting a HIF bid. That has the potential to make an enormous difference, including by releasing funding that ensures that the proposed A12 improvements can accommodate and allow access to the garden communities at Marks Tey, subject to further public consultation.

There has been some concern that the delay to the A12 scheme will compromise the proposal to dual the A120 between Braintree and Marks Tey, as my right hon. Friend the Member for Witham mentioned. Essex County Council is developing that scheme for potential inclusion in the second road investment strategy. I can confirm that, from our perspective, the A12 delay does not affect or compromise consideration of the A120 scheme and that, although we cannot make announcements on the fly, I expect us to make a consolidated set of announcements on this area and others later in the year.

The A120 is recognised as an important route in the wider transport network, but currently the single-carriageway section between Braintree and the A12 near Colchester is regularly a bottleneck, as has been pointed out. The heavy traffic passing through the area is a burden on the local villages and towns. We have supported Essex County Council with a contribution of £4 million to the development work for an affordable and deliverable improvement scheme for the A120. I thank the council and take my hat off to Councillor Kevin Bentley, who is sitting in the Public Gallery, for their excellent work in developing those proposals, including taking them through a non-statutory public consultation on a range of options.

The council's favoured option for the A120 scheme, which was announced in June 2018, is supported by a strong analytical assessment and has gained the backing of both the public and the local business community. It forms the foundation for consideration of the scheme as a candidate in the competition for the bidding process of our second road investment strategy, which focuses on the period between 2020 and 2025 and has been subject to enormous competition, as colleagues will understand. It is in the nature of politics that everyone regards their own bid as the only one that the Government

should ever meet and do so as a priority, and this debate has been no different. I remind colleagues that that can be said for every single Member of this House, and across all parties.

Submissions in favour of the A120 upgrade have been received but there was also support for the schemes that were originally included in RIS1 for development in RIS2, such as the A12 Colchester bypass widening that we discussed and the improvement of the A12-M25 to Chelmsford. They are all being considered for inclusion in RIS2, alongside other proposals from across the country.

Beyond the upgrades and improvement schemes, the Government continue to invest in essential maintenance of the road network. For the period 2018-19, £34.8 million was allocated for Essex road maintenance, with a further figure of almost £700,000 earmarked for pothole action funding in the area. Through the local growth fund, we have also allocated £15 million to the proposed £28.7 million improvements to the A127-A130 Fairglens interchange, which will improve traffic flow, journey times and road safety at an important local junction. Essex County Council is developing the final business case and, if the scheme is approved, work could start in the summer of 2020 and be completed in early 2022.

My right hon. Friend rightly mentioned the lower Thames crossing. If ever there were a scheme that underlined—contrary to the shadow Minister's suggestions—the genuinely strategic nature of the investment that this country is making, that would be it, with between £4.4 billion and £6.2 billion-worth of investment to increase capacity by 70% for drivers crossing the Thames to the east of London. That investment is orientated absolutely towards the longer term. A Government preoccupied with the short term could not make an investment of that scale or magnitude, or with such a degree of planning. It will almost double the road capacity across the River Thames to the east of London. It is the largest single road investment project in the UK since the M25 was completed more than 30 years ago.

Obviously, there is a need for better road connectivity between Essex and Kent, and we believe that the benefits of the lower Thames crossing are clear. We expect it to have a positive impact on the major road network, contribute to a reduction in the number of vehicles using the Dartford crossing—releasing some of the pressure on it—and assist and support local communities.

The other strategic connection is of course rail. My right hon. Friend mentioned the importance to the Essex economy of the Great Eastern main line and the West Anglia main line. The Government recognise that and—again, contrary to the imputation that we are not being strategic—are pursuing the biggest railway modernisation programme since Victorian times, with investment continuing at record levels. That was announced by the Secretary of State within the final statement of funds available—approximately £47.9 billion will be spent during the period 2019 to 2024, which is a run rate of about £10 billion a year. That is an astonishing level of investment. Greater Anglia is committed, through the franchise, to delivering an entirely new train fleet, which will increase passenger capacity with new high-quality rolling stock. The first of 169 new trains are on course to enter service from the end of May 2019, with the full roll-out expected to be completed by the end of 2020. That £1.4 billion train replacement programme is the most significant investment in new trains for East Anglia.

I would like to take this opportunity to acknowledge the work done by the Great Eastern main line taskforce, chaired now by my right hon. Friend and previously by my hon. Friend the Member for Colchester. It is working to complete the study undertaken by Network Rail, which will help to prioritise future rail enhancements on the main line to meet predicted growth, and updates to a previous route study. My right hon. Friend mentioned a number of other rail schemes. If I may, I will refer those via officials to the Under-Secretary of State for Transport, my hon. Friend the Member for Harrogate and Knaresborough (Andrew Jones), as he can respond in more detail to her questions.

The hon. Member for York Central asked if we would take a more strategic view. I refer her to the work we are doing on intermodal connectivity, the link between transport and housing and the longevity of the investment scheme. Let us not forget that there was no five-year investment programme before 2015. We are now preparing for a second five-year road investment scheme. We are extending that to major roads, and I hope that in due course we will extend it to a five-year investment scheme to support local authorities on local roads. We take these things very seriously. She mentioned light rail, and I am delighted that we announced a consultation on it a few weeks ago. I look forward to her contribution and those of many others. She rightly mentioned active travel, in which we have significantly improved investment since 2010, and I hope that will continue to do that.

On Highways England designated funds, RIS2 is not yet completed so it is too early to say that money has not been spent, but we welcome further bids from local authorities and other interested parties. I am taking steps to increase the availability of designated funds in future.

Rachael Maskell: I was referring to RIS1, not RIS2.

Jesse Norman: Yes; RIS1 has not yet completed so it is premature to suggest that the money has not been used.

My hon. Friend the Member for Rochford and Southend East seductively enticed me towards a tiny change of one letter to another—a wafer-thin change. I am grateful to him for that. He pointed out the importance of widening for consistent speeds, with the impetus on re-trunking with a focus on the airport. I understand that, but the key question is whether either the A127 or the A13 should be trunked. Discussions are happening, or are about to happen, with local councils on that question. I can make no judgment on the merits of the case—that is a matter for official scrutiny and discussion—but I would have some worries about the potential environmental impact. It is important that there be a properly wide-ranging conversation, and we are engaging on that. If my hon. Friend wishes to discuss that further, I would be happy to meet him.

My hon. Friend the Member for Colchester rightly pointed out the importance of HIF bids and the centrality of the new link road between the A133 and the A120, which he has called for. I cannot comment on the road, but his emphasis on road safety is right. I have addressed many of the other issues he raised already. I would be delighted to meet him to talk about the A12. It is important that we adopt a strategic approach when we have such meetings, not least because there has been a

[*Jesse Norman*]

lot of discussion with Essex MPs in any case on roads. We can have one-off meetings, but it is helpful to have them in the context of a wider strategic conversation.

My right hon. Friend the Member for Witham asked at what point a Government Minister will give leadership. I have explained that we are still reliant on a series of local decisions. I would be delighted to meet her to discuss the best way to take forward the A12 scheme. Once those housing proposals are settled, we will be in a much better place. Highways England, which works closely with Essex County Council and other district councils in promoting garden communities and developing the realignment options for the A12, is not in a position—neither are we—to commit now to a realignment of the A12. That is potentially a very significant additional cost, but may prove not to be needed in the event that the housing proposals do not go ahead. She is right to maintain the tempo and we will meet her on that, but we are reliant on decisions made locally. I understand that the council has agreed to undertake the work requested by the inspector; that is scheduled to be completed by June 2019, with a public consultation expected in autumn 2019. With luck, decisions on route alignment can be made in a co-ordinated fashion after that.

My right hon. Friend asked what assessment the Government may have made on the impact of the delays on the economy and on other strategic road schemes. We are acutely aware of the economic impact, which is why it is a priority for us to ensure that we get the right solution across all the considerations. The Government have made it clear that we are committed to strategic road schemes such as the A120 dualling and the delays. We also believe that the A12 scheme delays should not affect the prospects for the A120 proposal or compromise its consideration for inclusion in RIS2.

My right hon. Friend asked what has been done to support constituents who live close to the A12 and are unable to sell properties, and the victims of blight. I have massive sympathy for people in that situation—it goes with uncertainty about these decisions. We have

not been the cause of that uncertainty. There are established rules about property and compensation for residents affected by major infrastructure proposals. They apply in this case, but I understand the human cost of the delay.

My right hon. Friend asked whether I recognised that the delays to the A12 widening scheme might delay plans to widen the A12 north of junction 25. The scheme to widen the A12 Colchester bypass was included along with the Chelmsford bypass in RIS1. These are being developed as potential candidates for RIS2, along with the proposed A120 scheme and other proposals across the country. We are determined to run a fair process on the merits, but the merits of Essex are considerable, so we hope they will be successful.

I recognise the importance of the county of Essex as a driver of growth and a source of much-needed housing. However, there are also further opportunities for the region to take advantage of Government funding and investment, such as the housing infrastructure fund, and I urge colleagues and Essex County Council to renew their excellent work in developing a robust, evidence-based case for the inclusion of their schemes in the second road investment strategy.

10.58 am

Priti Patel: I thank all colleagues for their contributions, and the Minister and his team for his very considered and detailed response. I do not need to press him on anything in particular, but I thank him for the opportunity to meet and follow up with him on the need for a working group, to ensure that we stay on track and pursue the integrated way of working across the Department, Highways England, local authorities and Members of Parliament. There is a lot of work to do, and we are all committed to supporting each other to deliver for our communities and for the county of Essex.

Question put and agreed to.

Resolved,

That this House has considered transport infrastructure in Essex.

Civil Nuclear Constabulary: Pensions

10.59 am

Patricia Gibson (North Ayrshire and Arran) (SNP): I beg to move,

That this House has considered the pensions of Civil Nuclear Constabulary officers.

This is an opportunity to set out the case for the Civil Nuclear Constabulary's pension age to be set at 60. That is not just a common-sense position but an urgent issue of national security. I am sure we can all agree that the effectiveness of the Civil Nuclear Constabulary is essential for maintaining the UK's nuclear security.

The job with which the CNC is charged must be clearly understood as part of any discussion about the retirement age of its officers. In partnership with the civil nuclear industry, national security agencies and regulatory bodies, the CNC deters any attacker whose intent is the theft or sabotage of nuclear material, whether static or in transit. It defends such material and will recover it should it be seized. Such dangerous work means that all CNC officers are heavily armed and are required to meet demanding levels of physical fitness. In addition, they are employed as armed officers alongside other UK armed police, as we have seen in recent operations following terror attacks. They play a crucial role in keeping us—the public—safe, and theirs is one of the most dangerous professions to enter.

The prospect of a retirement age of 67, rising to 68, is causing real concern to CNC officers. The chief constable of the CNC has warned that the change to the retirement age would render the service “unsustainable” and is undoubtedly creating “insurmountable” difficulties for CNC officers and the mission they seek to fulfil. Indeed, that unrealistic retirement age is already damaging recruitment. Police Oracle reports that turnover among CNC personnel has deteriorated, rising to 12%. The Civil Nuclear Police Federation says that the force is 142 authorised firearms officers under strength and has seen 79 unscheduled leavers since April 2018, with 32 signalling their intention to quit recently and recruitment numbers decreasing by half. Alarming, one in every eight CNC officers is leaving for another force or heading for civvy street.

Mike Hill (Hartlepool) (Lab): The hon. Lady is making a powerful speech. Does she agree that the CNC's size means that if an officer were injured or unable to carry the equipment it would be practically impossible, or certainly very difficult, to redeploy that officer within the force? That has to be considered as a factor in arguing that the default pension age should be 60.

Patricia Gibson: Absolutely. That is a very important point. When any of these officers suffers an injury in the line of duty, the service has a duty of care to look after them until they are fit to return to duty. They will not necessarily be on sick leave the whole time, but it is difficult to redeploy them because of the nature of the work they undertake.

It is not difficult to see why the number of CNC officers has been eroding. CNC officers have been categorised as public sector workers for the purpose of their pension, meaning that full benefits kick in only at age 67 or 68, whereas conventional Home Office police officers are able to retire at 60. Does the Minister think

that disparity fair, given that CNC officers are expected to carry five different weapons and 30 kg of heavy equipment at the age of 65-plus, as they are charged with protecting UK nuclear assets and act as a vital armed reserve force? If these officers' retirement age is not given parity with the rest of the police service, there can be little doubt that it will continue to damage the recruitment and retention of CNC officers.

Jamie Stone (Caithness, Sutherland and Easter Ross) (LD): I congratulate the hon. Lady from the bottom of my heart on bringing this debate forward. Although I represent the far north of Scotland, this issue is every bit as big to my constituents who serve in the force at Dounreay. I recognise the contribution they make, which she outlined, in assisting Police Scotland in its endeavours. Surely, the loss of skills as people leave the force represents a misuse of money. A lot of money is spent training these officers up, so it seems to me that public money is poured down the drain if they leave altogether and go to civvy street.

Patricia Gibson: Absolutely. That is a very important point, which I need not add to. I am sure the Minister is listening. That loss of skills is extremely concerning.

The damage to the recruitment and retention of CNC officers can only compromise, perhaps dangerously, the effectiveness of the force, and it could have extremely serious consequences for public safety. In addition, if we expect such exacting standards of CNC officers, while demanding that they wait until 68 to retire, of course there will be a temptation for ageing officers who know their job could be under threat to mask health conditions that may undermine their performance.

We all know that most public sector workers are now expected to work for longer. However, there are exceptions for certain classes of worker, and it seems obvious that CNC officers should be included in those exceptions. Perhaps the Minister can explain why conventional police officers will continue to retire at 60 but CNC officers will not. What is the logic for that? Despite that fact, CNC officers must meet much higher standards of physical fitness to keep their jobs. Conventional police officers perform firearms duties as an optional part of their duties and can relinquish them as they get older. Every single CNC officer is required to be fully trained in firearms, and they cannot relinquish firearms duties as they get older; they are an inherent part of their duties. In addition, the requirement for CNC officers to retain a very high standard of fitness until the age of 67 or 68 discriminates against women, since only an elite standard of fitness is expected to be sufficient for those aged over 60 to continue their duties.

The vast majority of public servants will be able to draw down a full pension. Should a public service employee choose to retire early, they will have 6% of their pension deducted for each year they retire early. The problem for CNC officers is that they are not choosing to retire early; they are being forced out because of physical inability to maintain obligatory standards of physical fitness and weaponry skills. CNC officers are likely to have their careers terminated as they approach the higher retirement age, and they will see their pensions reduced, perhaps by up to 25% to 30%, as a result. That considerable financial penalty is proving a major career disincentive. In such a situation, how can the CNC stem the decline in recruitment and retention?

[Patricia Gibson]

I hope the Minister does not respond by telling us that we are all living longer and that keeping the CNC retirement age at 60 would set a dangerous precedent. The CNC is asking only for the same provisions that are in place for conventional Home Office police officers.

Let us turn our attention to costs. Perhaps the Minister will find it reassuring to learn that the CNC has done its own cost modelling, which shows that the gross cost of a retirement age of 60 versus the current plans would be only £4.4 million per year from 2023 to 2030 and £5.2 million a year in the long run. In the short run, those costs would be more than offset by extra case management costs, early retirement and compensation costs, so keeping the retirement age at 60 would produce a net saving of £4.3 million a year. In the long run, once compensation costs were paid, the net saving would be around £1.9 million per year.

Make no mistake, the Civil Nuclear Police Federation has accepted the potential for increased employee contributions to cover increases in costs. That means there is no real financial obstacle to correcting the unfairness between police services created by the Public Service Pensions Act 2013 and securing the UK's nuclear safety.

I say to the Minister that increasingly this fine service has been rendered ineffective, due to the dithering and delay from his Government's unwillingness to resolve the issue.

Trudy Harrison (Copeland) (Con): I congratulate the hon. Lady on securing this important debate. Does she agree that with the addition of the £40 million CNC training facility at Sellafield, where we have the biggest CNC employment base, and with the nuclear future we are looking forward to, it is more important than ever that we ensure we have a CNC fit for the future?

Patricia Gibson: Absolutely. I applaud the new training facility that the hon. Lady mentions, but I am sure that many CNC officers would see an irony in investing in training when there is a serious recruitment and retention crisis. There has to be more joined-up thinking.

We know that potential recruits are looking elsewhere and serving officers are voting with their feet. If the UK Government are not willing to listen to CNC officers and continue to deny the truth that everyone in this Chamber can see, perhaps the Minister will explain why his Government have set a pension age for this service which he and they know full well cannot be realistically reached by those who put themselves in harm's way to keep us safe. Does he accept that if this service continues to be eroded as it has been in recent years—the Government were warned that it would be three years ago and the truth of that is becoming clearer every single day—it will be for his Government to explain its decisions if there is a situation where nuclear security in the UK is compromised? The service will continue to erode unless action is taken.

As this service is eroded, every single CNC officer's job becomes more unsafe and more dangerous. As the Minister's Government dither and delay, the welfare, wellbeing and morale of our 1,250 CNC officers is being undermined. That is simply unacceptable. In today's

context, nobody needs to be reminded of the increased importance of the role these officers play in keeping us safe.

CNC officers do not want the Minister to stand up and pay them compliments about their bravery and the value of their work. They do not want platitudes; they want action, commitment and parity with conventional officers. I know that the Minister is sympathetic and that there is sympathy on the Government Benches for CNC officers. It is time to get this matter sorted. It has already dragged on for far too long and every day is doing more damage to the service.

If the Government do not see, or will not pay attention to, the evidence that is staring them in the face, they should not be surprised if we see serious and catastrophic consequences for national security. The CNC will undoubtedly struggle increasingly to fulfil its important mission of protecting the UK's civil nuclear sites at home or in transit, and to supplement the resources of armed conventional officers as a part of the strategic armed policing reserve and Operation Temperer.

I urge the Minister to be mindful of the fact that this debate is not just about pensions. It is not about pounds and pence. Ultimately, it is about whether or not his Government think nuclear security, public safety and national security are worth paying for and valuing, and how much he and his Government believe they matter. I know that those things matter to everyone in the Chamber and to my constituents in North Ayrshire and Arran, in which the nuclear site of Hunterston sits. We all know it matters. What are his Government willing to do, in the face of a mountain of evidence, to show that they too believe that the work, health, wellbeing, careers, and, ultimately, the safety of our CNC officers matter?

11.14 am

The Parliamentary Under-Secretary of State for Business, Energy and Industrial Strategy (Richard Harrington): It is a pleasure to serve under your chairmanship this morning, Mr Stringer, as, indeed, on other mornings and afternoons.

I thank the hon. Member for North Ayrshire and Arran (Patricia Gibson) for securing the debate. I know that is a platitude and she asked me not to use platitudes, but I felt I ought to say that. She and I have been involved in quite a few things together, always on opposite sides, but I hope we have a mutual respect and she knows I am doing my best to resolve the issue. I cannot disagree with a lot of what she said—that is the last platitude, I promise.

The other Members who intervened showed their commitment to everything that goes on with nuclear in their areas. I mention first my hon. Friend the Member for Copeland (Trudy Harrison), not because she is on my side of the House, but because rarely a week goes by without us meeting two or three times, including the night before last, when we met the Secretary of State. I have had discussions on these matters with the hon. Member for Caithness, Sutherland and Easter Ross (Jamie Stone) and the hon. Member for Liverpool on many occasions, and I am always available to them for further discussion.

Jamie Stone: Will the Minister give way?

Richard Harrington: Of course, although I was just getting going.

Jamie Stone: I thank the Minister for giving way. There is a level of frustration. I appreciate the kindness of intent in his having discussions, but, as the hon. Member for North Ayrshire and Arran (Patricia Gibson) said, there is frustration over the continuing delay, which has gone on for years. Could we all keep it our mission to try to reach a positive conclusion?

Richard Harrington: I utterly accept that point. I must apologise to the hon. Member for Hartlepool (Mike Hill) for mixing up Hartlepool and Liverpool; I do not know why I did it. I hope the hon. Gentleman is not too offended. Perhaps it is because I come from Leeds, which is between the two. I got mixed up.

I am not going to say how important the Civil Nuclear Constabulary is to the nuclear industry, because everybody knows that. One of my early visits, and one of the most significant I have had in this job, was to Sellafield, where I saw the training centre. I did not just have a tour; I also saw how heavy the kit is, I spoke to a lot of officers and I heard about the training regimes they undertake. I do not think I could walk around all day and be fully mobile with the kit they have to wear and carry. I fully accept the level of fitness that is required. Chief Constable Mike Griffiths, who is about to leave the force, explained it clearly to me. He transformed the CNC so that it has become the modern force it is today.

The CNC is moving to the new pension scheme on 1 April next year. I have been keen to hear evidence and representations on the effect of the higher pension age on the effectiveness of the force. We engage with the CNC and the Civil Nuclear Police Federation, which I met last year, and I am well aware of their views. As soon as those views were brought to my attention, I contacted the Treasury and others in Government to try to resolve the issue. The least I could do was hear their representations—that is my job, as I am doing today—but I fully accept the importance of getting the matter resolved as quickly as possible.

I have contacted the Cabinet Office, because it administers the civil service pension scheme. The Treasury is responsible for public pensions policy and I have set out the arguments to officials there. It is easy to regard the Government as one collective group—that is perfectly reasonable and I understand that—but it is my job to support the causes within my Department within Government, and this issue is a top priority.

My officials have been working with the constabulary to gather additional evidence of the impact on national security, which the hon. Member for North Ayrshire and Arran mentioned, of the higher pension age. I have also facilitated a meeting this week between special advisers from No. 10 and the constabulary, in which these matters were discussed. I am trying to bring all these things together to resolve the problem.

However, like most things in life, the problem is more complex than it would appear on the surface. We know, as I have said, that the tests and weapons are very important; I do not think anyone who visits or sees pictures of them could deny that. On the question of why CNC officers are not treated as police officers in the normal way, a judicial review in 2016 determined that they are employees of the Civil Nuclear Police Authority, so they come under the Department for

Business, Energy and Industrial Strategy and are not defined as police officers for the purposes of the Public Service Pensions Act. That is the legal position.

Fitness standards were rolled out, as the hon. Lady said, in 2015-16, and authorised firearms officers must meet College of Policing mandated standards.

Patricia Gibson: The Minister has set out his understanding of the challenging and important job that CNC officers do. I put it to him that perhaps the reason for the dither and delay across Government is because there appears to be, as I know from questions I have asked on the Floor of the House, a real lack of understanding at the heart of Government of what these officers are required to do, the challenges they face and the importance of the role they play.

Richard Harrington: I must respectfully disagree with the hon. Lady, if only because I have tried it myself. I have been there and seen that, so my understanding is not just based on representations. I hope she accepts that I understand this; there may be others who do not, but it is my job to make sure that they do. I accept that—it is my responsibility and my job.

The capabilities are very complex. The two tests of fitness and firearms capability determine whether an officer is deployable. It is the officer's capability, rather than age, that is the determining factor, and I think that must be the right approach. Being in the age range of those who would be in such a position, as I was explaining to the hon. Lady before the debate started, I admit that, although some people are vastly fitter than I am, I would find it very difficult myself at my age of 61. I know it is harder for older officers to attain the fitness standards, but the College of Policing independently determines the standard that authorised firearms officers must achieve to do their job effectively and safely. That is a matter of national security and I accept that it cannot be compromised.

The Public Service Pensions Act legislated to introduce the link between scheme normal pension age and state pension age for most public service pension schemes, to ensure that the cost over the long term remains sustainable. I will not go further into that, because the hon. Lady marked my card that I might, and she does not want platitudes about people getting older. She is quite right, so I will not say it, but we must accept the fact that, in the end, all public service schemes have to be funded and public service employees have to work for longer.

In certain areas—prison officers are another case—there are not a lot of back-office jobs that people who are older can do. In the police force generally, there are plenty of those functions; I do not just mean some back-office clerical function, because there are many things that are less active but still fully contribute to the objectives of a particular police force. I accept that nuclear is one sector where that is less possible, because there just are not many similar functions.

The equality analysis accepted that it is harder for older female officers to attain such high fitness standards. A pension scheme has to be fair to females too, because they have a flatter career trajectory for that reason. The proposed pension scheme, alpha, is a career average earnings scheme rather than a final salary scheme. Changed contribution rates under this scheme will help employees with shallower career trajectories, which

[Richard Harrington]

historically means women rather than men, although, obviously, male officers in the same position will also benefit.

I will also highlight the ill-health retirement provisions. We recognise that CNC officers have a higher rate of musculoskeletal disorders from carrying the heavy kit. The ill-health retirement provisions in their current pension scheme are quite strict and allow an ill-health retirement only where the officer is not capable of any other work. Consequently, officers who gain an ill-health retirement are not allowed to do any work after their exit from the force.

The alpha scheme, however, gives its members choice and recognises that it is desirable for people to continue working if they are able. It affords a lower tier of benefit to those who are unable to continue working in their role or a comparable one, so an officer could leave the CNC with an ill-health pension but still gain employment elsewhere to supplement their income and have a full working life in a more suitable job.

I am very aware of the current retention issues affecting the constabulary. I have been informed that there have been an unusually high number of resignations—in the last month alone there were 26—and that 19 officers are moving across to the Ministry of Defence Police. I do not think that the evidence presented is strong enough to draw a direct link between the current retention issues facing the CNC and the move to a different pension scheme, since many of the officers resigning are moving to a force that has the same pension scheme that the Civil Nuclear Police Federation is resisting.

I also do not consider the current retention issues facing the CNC to be a national security crisis. The CNC has assured us that it can operate with its current

force strength, albeit officers are being asked to do overtime. If that changes, I will reappraise my position, but the CNC is still policing our nuclear sites to its required regulatory strength and our nuclear estate remains secure. I am grateful for the explanation and arguments that the hon. Lady and other colleagues have given today.

Patricia Gibson: I thank the Minister for his response, but can I ask him to explain something? I know that a lot of CNC officers do not understand this, and I do not either: why has a retirement age for CNC officers been set that, realistically, they cannot reach?

Richard Harrington: I do not accept the hon. Lady's premise that realistically those officers cannot reach it. I accept that some of them cannot, but obviously some people can and some cannot; I mentioned myself, but many people are far fitter than me in doing that job and other dangerous jobs in society.

The hon. Lady told me—I know this is not your fault, Mr Stringer—that she had applied for this debate quite some months beforehand. I am glad we have had the debate, but if that happens in the future, she is welcome to contact me directly to discuss issues such as this. That would perhaps not be in such a public forum, but if she finds the system frustrating and she cannot get a debate, she is welcome to contact me.

In summary, I have met everyone concerned in this matter. I am pushing colleagues in the Treasury and the Cabinet Office, and I would like to see it resolved as soon as I possibly can.

Question put and agreed to.

11.28 am

Sitting suspended.

Housing Associations and Public Contractors: Freedom of Information

[MR CLIVE BETTS *in the Chair*]

2.30 pm

Andy Slaughter (Hammersmith) (Lab): I beg to move,

That this House has considered extending the Freedom of Information Act 2000 to housing associations and public contractors.

It is a pleasure to serve under your chairmanship, Mr Betts. This issue is very dear to my heart and, I know, to those of several colleagues. I am pleased to see the hon. Members who have attended, particularly the Scottish National party spokesperson, the hon. Member for Edinburgh East (Tommy Sheppard), who is here on his 60th birthday. I will try to keep my remarks on this complex and interesting topic within reasonable bounds.

I start by referring to a report from BuzzFeed News this morning on the specialist police unit that investigates crimes against MPs, which has received 558 complaints since it was set up after the tragic death of our colleague Jo Cox in 2016. Those complaints include four assaults, five bomb threats, seven hoax noxious powders, four reports of trespassing and 20 reports of criminal damage. There has been a threefold increase in reporting in the second half of that period since 2016, compared with the first part. I would have thought that was of great interest to many people, and particularly to Members.

Those details were obtained under the auspices of the Freedom of Information Act 2000 and are just one topical example of the importance of that Act, which was one of the great successes of the last Labour Government. It is used by individuals, campaign groups, journalists and Members to obtain information that the Government and public authorities have been unwilling to disclose voluntarily. In a 2012 report, the Justice Committee described it as

“a significant enhancement of our democracy.”

In a Supreme Court judgment of the same year, Lord Mance said the Act

“reflects the value to be attached to transparency and openness in the workings of public authorities in modern society”,

while Lord Phillips said it

“adds to parliamentary scrutiny a further and more direct route to a measure of public accountability”.

It is therefore sad that some former exponents of the Act have in the past 20 years sought to limit its scope, usually on one of two grounds. The first is on policy grounds, saying that they believe the Act restricts the ability of the Government to debate freely, because sensitive matters might be disclosed, which is at least honest. Secondly, and more commonly, it is on resource grounds by trying to restrict the amount of money spent by public authorities on responding to inquiries inquiry, which is ostensibly to save public money but is really to restrict the right of the public and others to freedom of information.

I am afraid that that still goes on. The excellent Campaign for Freedom of Information published a report only this week on the variation between London councils’ response times to freedom of information inquiries. I will not go there, because that is not the topic of the debate, but that report bears a lot of scrutiny, as

all its reports do. Interestingly, the establishment of the Independent Commission on Freedom of Information, chaired by Lord Burns, by the coalition Government was widely believed to be paving the way for new restrictions; I believed that it was. However, having looked at the merits of freedom of information, it ended up recommending the opposite. Its 2016 report found that freedom of information had “enhanced openness and transparency”, and called for the right of access to be strengthened, not restricted.

Indeed, one of that commission’s recommendations for strengthening the Act was to address the problem of obtaining information from contractors, which would also be addressed by my private Member’s Bill, the Freedom of Information (Extension) Bill, which is still before the House but is rapidly running out of time.

However good the legislation, in the 20 years since its passage, as it will be next year, we have fallen behind other countries and some of the limitations of the Act have been exhibited, which we probably now need to correct. I hope to hear from the Minister that we will attend to that. I am sure that my friend, the hon. Member for Edinburgh East, will tell us that things are done better in Scotland, but they are also done better in Brazil, Estonia, Macedonia, New Zealand, South Africa, Ireland and Hungary, some of which have incorporated some of the measures I propose. That is a rather eclectic group of countries.

It is right that there have been some changes to the Act, but they have been limited; a certain number of bodies that were perhaps in a grey area are now subject to the Act. The only ones that have been added since the Act’s passage are—I think this is an exhaustive list—the Financial Reporting Council, the Association of Chief Police Officers, the Universities and Colleges Admissions Service, the Financial Ombudsman Service, Network Rail and, most recently, the National Police Chiefs’ Council. It is inarguable that any of those bodies should have been within the ambit of the Act, but it took two years to designate the NPCC in that way. I will come on to this in more detail in a moment, but there are essentially two ways to expand the ambit of the Act: by adding bodies to the schedule or by incorporating different types of bodies, such as contractors, under the powers granted by section 5 of the Act. No use of those powers has been made at all, so far as I can see.

An enormous range of public services are now delivered by private companies, charities or not-for-profit agencies under contracts with public authorities, ranging from the running of prisons and immigration removal centres to the provision of meals on wheels, social care visits and parking services. The Information Commissioner estimated recently that more than £284 billion—a third of all Government spending—goes on the purchasing of public services. Some of the main recipients of that spending have become household names; some are perhaps better known than certain Government Departments, including Serco, G4S, Capita and the now infamous Carillion. Unfortunately, under FOI, those contractors are significantly less accountable to the public than the authorities that previously delivered the services directly.

Here the story becomes a little more complicated. The Freedom of Information Act applies not only to information held by a public authority, but to information held by someone else on an authority’s behalf. But when is information held on an authority’s behalf? The test

[*Andy Slaughter*]

applied by the Information Commissioner and, on appeal, the information rights tribunal, is whether the contract between the authority and the contractor empowers the authority to demand that information from the contractor. If it does, that information is considered to be held on the authority's behalf, and is available, via an FOI request, to the authority. If it does not, the information is considered to be held for the contractor's own purposes and is not subject to FOI.

The FOI requests that have been refused because the contract gave the authority no right to the information form a long list. That list includes a request for information on fire safety defects in the CT scanner room of a hospital that the NHS trust leased under a private finance initiative contract that did not give it the right to such information from the PFI body. When the request was made, the trust could not obtain the information, so neither could the requester. The list also includes a request for information on the number of complaints made against court security staff, and the number of those staff with criminal convictions. The staff were provided by G4S, and the Ministry of Justice's contract did not entitle it to such information.

There was also a request for information on the number of prison staff at the privately run HMP Birmingham, and the number of attacks at the prison. Again, that information was held only by G4S and was not covered by the MOJ's contract. A request for information on the value of penalty fares issued by London Overground and docklands light railway was also refused, as the information was held by private sector inspectors, as was a request on the cost of bringing TV licensing prosecutions, because the information was held by Capita and was not even known to the BBC.

I will add two examples that are close to home. Last Friday, I attended a demonstration outside Hammersmith Hospital in my constituency by portage, cleaning and catering staff, who are on very poor terms and conditions and, in many cases, the minimum wage. They are all employed by Sodexo—another large multinational company—and I heard horrific stories of the conditions that people had to work under and what happened when people were sick. If they had been directly employed, I could have made inquiries to find out the truth of the matter about at least some of those terms and conditions, but I know there is no possibility of that. I could try to talk to Sodexo if it would talk to me; I could try to talk to the trust about the contract, but I would like to be able to get access to information of that kind. I have only praise for the workers, who provide an essential public service, and for the GMB union, which is representing them in the dispute. It is difficult to do that when one hand is tied behind your back.

The other example is from the neighbouring constituency of Kensington and relates to a tragedy with which we will all be very familiar—the Grenfell Tower fire. For some time, the Kensington and Chelsea Tenant Management Organisation, which managed Grenfell Tower, refused FOI requests on the grounds that it was not itself a public authority. The Information Commissioner upheld such a refusal in 2012.

KCTMO latterly accepted that it held information on behalf of the Royal Borough of Kensington and Chelsea and began to reply to requests, but in July 2017, after the fire, it refused another request, again on the grounds

that it was not subject to the Act. That was in relation to a 2005 consultant's report documenting the failure by KCTMO and one of its contractors to maintain the Grenfell Tower emergency lighting system. The extraordinary risk of allowing such information to be withheld from the public is obvious. We need to remove the uncertainty that led to that thoroughly unsatisfactory and dangerous situation.

It is common to find contracts containing some impressive-sounding clause such as: "The contractor undertakes to assist the authority in complying with its obligations under the Freedom of Information Act." That sounds fine until we realise that the authority's obligations are to deal with FOI requests for information that the contractor holds on its behalf. What information is held on the contractor's behalf? Such clauses take us no further in establishing that.

One answer is to introduce into contracts an umbrella clause saying that all information relating to the performance or planned performance of the contract is held on the authority's behalf for FOI purposes. All such information will then be accessible under the FOI Act or under the Environmental Information Regulations 2004 via a request to the authority. That is what my private Member's Bill would do. The Freedom of Information (Extension) Bill would insert into the FOI Act a new section 3A stipulating that all contracts entered into by public authorities for the provision of services are deemed to include such a disclosure clause. The clause would also apply to the contractor's subcontracts. It would cover existing as well as future contracts.

The result would be that all information about the planned or actual performance of the contract would be subject to the FOI Act or, in the case of environmental information, to the parallel EIR. That does not mean that all such information would automatically be released. Disclosure would depend on whether exemptions applied—for example, for information whose disclosure would be harmful to the contractor's or the authority's commercial interests, or be a breach of confidence. I stress that the measure is not intended to guarantee disclosure of contractors' information. Its aim is to ensure that the FOI process applies, so that information is disclosed unless there is good reason not to disclose. The advantage of that approach is that it would not require contractors and, in particular, small bodies with few staff to spend time learning how to deal with FOI requests. The request would be answered by the public authority.

The Freedom of Information Act itself contains a separate, but so far never used, mechanism for bringing contractors directly within its scope. Under section 5(1)(b), contractors can be designated as public authorities in their own right for FOI purposes and required to deal directly with requests. The procedure can be used only where the contract is for a service that it is the authority's function to provide, which is not the case for all contracts. The Scottish Government have brought contractors that run prisons and their subcontractors under the Freedom of Information (Scotland) Act 2002 via such a mechanism. I regret that that has not been done under the UK Act as well.

There is substantial support for action to deal with contractors. In 2012, the Public Accounts Committee said that

"where private companies provide public services funded by the taxpayer, those areas of their business which are publicly funded should be subject to the Freedom of Information Act provision."

In 2018, the Committee on Standards in Public Life urged the Government to consult on extension of the FOI Act to cover information held by public service contractors. The Burns commission, which I have mentioned, recommended, in relation to larger contractors, that

“information concerning the performance or delivery of public services under contract should be treated as being held on behalf of the contracting public authority. This would make such information available to requestors who make requests to the contracting public authority.”

Most importantly, this January the Information Commissioner, Elizabeth Denham, published her report entitled “Outsourcing Oversight? The case for reforming access to information law”, which calls for changes in the FOI Act similar to those proposed in my Bill. It is not the first time that the commissioner has indicated that that is what she wishes to see, but this weighty and authoritative report makes the case far more stringently than I can, with the resources available to me.

The report calls for, as one option, greater use of existing powers under section 5 of the FOI Act. It recommends—this is what I was explaining earlier—that the Government should:

“Designate contractors regarding the public functions they undertake where this would be in the public interest”.

It also recommends that they:

“Designate a greater number of other organisations exercising functions of a public nature, and do so more frequently and efficiently.”

The report states:

“Designation orders under section 5...would give the public the right to make requests directly to these organisations and require them to proactively disclose information in line with a publication scheme.”

The alternative would be to amend the primary legislation. Given the 20-year gap, that might be a more sensible course. It would allow for amendment of the environmental regulations as well.

The Government often plead lack of time for this, but given that there are at least three routes to reach the same objective, as I have explained, one of those must suit the Government’s purposes. As I have said, there has been no attempt at all to bring private contractors within the remit of the Act so far. There have been some additions—I read out the list earlier—to the schedule of bodies that are subject to the Act, but that has been, if not grudging, rather nugatory in its effect. Some of the leading contenders are not yet on the list, and perhaps the leading contender—this is the second part of the debate today—is housing associations.

Housing associations are not covered by freedom of information, although many of them have inherited local authority housing stock. This will be a matter close to your own heart, Mr Betts, given that you chair the Housing, Communities and Local Government Committee. In some cases, the tenants, and therefore the public, have lost freedom of information rights that they previously enjoyed when those homes were under council control. I have examples of such estates in my constituency. The Grenfell fire has highlighted what I would say is the irresistible need for a right of access if only on safety grounds, yet when *Inside Housing* asked 61 housing associations for copies of their fire risk assessments in 2017, only seven provided them.

Let me give just a few more examples. A housing association tenant who asked for information about the cause of a fire in his premises in 2009 received no answer. A tenant who asked whether the water supply to his premises was provided through potentially toxic lead pipes received no answer. A tenant was refused a copy of an electricity bill, which led to his being charged £1,200 to cover the cost of six communal light bulbs. Another unsuccessfully asked for the make and model of estate street lighting that he found “overpowering” at night. He wanted the information in order to contact the manufacturer to see whether it could suggest a remedy, but he was refused. Requests for the number of repossession orders served since the bedroom tax came into force and the number of those tenants who had no arrears before that date were also refused.

Those are hardly state secrets; they would be available to any council tenant. It seems entirely anomalous and illogical that they are not available to other social landlords’ tenants as well. In 2011, the coalition Government announced that they would consult housing associations on bringing them under freedom of information. Regrettably, they failed to consult or act, and the current Government show no sign of doing so either.

I will refer briefly to the National Housing Federation. I ought not to have a go at the National Housing Federation, because it generally does a good job in representing its members. However, its arguments for not coming under the Freedom of Information Act, which it barely puts forward in its briefing, are thin. I think it knows in its heart of hearts that it should just give in gracefully, which actually would be to its advantage. The NHF’s arguments, whether commercial confidentiality, the ability to purchase land or the idea that housing associations might need to be reclassified as public bodies, are chimeras and fabulous tales. I believe that the legislation has been passed in Scotland and housing associations there will come under the equivalent Act later this year. There seems to have been no problem there.

As for commercial confidentiality, there are exemptions in the Act, which are there to be used. All institutions, including universities, have used the excuse of financial burden. Any public body or a quasi-public body of this kind will have expenses. It will have to do consultations, run democratic organisations and be subject to more regulations on the whole than individual private citizens. That is just a fact of life, and freedom of information is another fact of life along those same lines. There is no barrier to charities—universities are a good example—coming under the Freedom of Information Act. There is no reason why they will be reclassified as public bodies simply by coming under the Freedom of Information Act. I cannot even say “good try” to the NHF on this occasion. It cannot actually bring itself in the document to say what it wants us to do. It just leaves it there. I think another push might take it on to the side of the angels on this one, but we will see.

For completeness, in the Information Commissioner’s report and in my Bill there are some other anomalies that we ask the Government to address as a matter of simple logic. One such anomaly is electoral registration officers and returning officers. At one stage the Government agreed with us on that, so why it has not been done is a mystery. Local safeguarding children boards are another anomaly. They are not the subject of this debate and

[*Andy Slaughter*]

therefore I will not say a great deal more about them. However, it is an indication that, rather than being entirely resistant, having to be pushed every time and taking their time over it, it would be nice if the Government had a proper review and decided what would bring the Freedom of Information Act up to date in some of the ways that have been indicated.

To conclude, I believe that a consensus is growing. The Information Commissioner is doing an excellent job not only of clearing the backlog of complaints and administering the scheme, which was the primary function, but of championing the cause of freedom of information. Equally, Maurice Frankel and the Campaign for Freedom of Information, which was instrumental all those years ago in getting the Freedom of Information Act passed, are constantly scrutinising and pushing it in an exemplary way. I thank them in particular for their assistance with my Bill and with this debate.

There have been previous attempts at legislation. My hon. Friend the Member for Sheffield, Heeley (Louise Haigh), the shadow Policing Minister, is ably ploughing the same furrow. There is even some support from the Government Benches. The hon. Member for Shipley (Philip Davies), after talking out my Bill, assured me that it was nothing personal; he was actually talking out another Bill at the time, and he commended my Bill and said he will fully support it next time there is an opportunity. What more rousing recommendation does one need than that? Not only my party, but the Scottish National party, the Liberal Democrats and the Green party support this measure. The Minister might begin to cotton on to the fact that she is in a small minority here, constantly being pushed in the right direction.

I will end by putting the following questions to the Minister. Given that the situation that I have outlined—in respect of contractors and the work that they do, and in respect of housing associations and other organisations—is exactly analogous to those public sector bodies that are fully subject to the Freedom of Information Act, so that there could be two institutions next to each other operating under completely separate regimes, this is not really a question of the Government making concessions, but simply a case of the Government correcting anomalies. Whether they do that through secondary legislation, by supporting my Bill or through primary legislation, the time has come for it to happen.

I hope the Minister is grateful for this opportunity to indicate where the Government's thinking is on this matter, in respect of the individual examples that I have given and in respect of reviewing the Freedom of Information Act generally. I hope that there will be enough time for her to reply in detail.

2.56 pm

Daniel Zeichner (Cambridge) (Lab): It is a pleasure to serve with you in the Chair, Mr Betts. I congratulate my hon. Friend the Member for Hammersmith (Andy Slaughter) on securing the debate and making an extraordinarily persuasive case, as he always does. It was so persuasive that, were the Minister not constrained by her place on the Government Front Bench, I am sure she would agree with it entirely.

This is not a new issue. I should declare at the outset that when I worked for the public services union Unison before coming to this place, it was already a matter of great concern to us. We could see the way the world was changing and the potential pitfalls that lay ahead. We were delighted that through our work with the Labour party, via our Labour link, we were able to secure a commitment from the then shadow Front Bench that freedom of information would indeed be extended to all public service providers.

The coalition Government at the time did not agree with that and sadly—2015 did not see the return of a Labour Government—this woefully out-of-date position persists. As my hon. Friend the Member for Hammersmith said, the Information Commissioner agrees. In the weighty report—we have all been carrying it around—entitled “Outsourcing Oversight? The case for reforming access to information law”, the commissioner makes a compelling case. The argument is essentially that the Freedom of Information Act should be extended to all public services, even when they are carried out by private companies.

I will say a bit more about the report and give some examples of where this creates problems in my constituency—I suspect that similar cases would be found across the country. The Information Commissioner recently came to Parliament to launch her report at an event, which I was very pleased to be on the panel for, organised by the parliamentary internet, communications and technology forum. Her team has done an excellent job of highlighting the problem, which is central to the issues that my hon. Friend has pointed out.

The key point is to understand how different the world now is from the world of the late 1990s, when the Freedom of Information Act was first introduced. Government now spend almost a third of our total expenditure with external suppliers—some £284 billion a year, which is an extraordinary amount of money. These external suppliers deliver services on behalf of public authorities. They are often private companies, charities and other not-for-profit organisations, which are not necessarily subject to freedom of information, thus massively diminishing the accountability of public service delivery.

As we have heard, the Information Commissioner uses the examples of the Grenfell Tower tragedy and the collapse of Carillion to show the consequences of a lack of transparency and accountability. They are both particularly awful examples. I have raised that concern with Ministers before. The answer was that extending the Freedom of Information Act would have made little difference, but I disagree. I think there is an essential problem with delivering public services in an opaque manner.

When councils run services, if we think they are doing a bad job, there is a simple solution: we vote them out—we get rid of them. That concentrates minds. Sadly, however good the service delivery may be through housing associations or public service contractors, or local charities providing social services and so on, when questions are asked it is much harder to know what to do about them. Extending the Freedom of Information Act hands that power of exposure and transparency back to citizens, and that ultimately is how to drive up standards. It reduces the risk of narrow or neglectful practices in the delivery of those services.

As constituency MPs—I am sure colleagues have the same experience—residents write to us about all manner of issues, some of which we have more control over resolving than others. In Cambridge, where the cost of living is extremely high, housing makes up a significant part of my postbag. For example, Montreal Square is a small area of housing—a delightful oasis of calm in the busy Romsey part of the city. Cambridge Housing Society, a local housing association, proposed to replace the 18 existing homes with 45 new, affordable, energy-efficient homes. Understandably perhaps, it wants to modernise existing homes on the site, and add more. Equally understandably, some of the residents who live there—some have been there for more than 35 years—are very unhappy about that fundamental change to their local community.

I pay tribute to Cambridge Housing Society and its chief executive, Nigel Howlett. It is an excellent organisation doing a great job, and Nigel is an outstanding leader in the sector. It is a charity that aims to provide the maximum amount of housing possible, but it also wants to take into account the concerns of the local community, so it is in a difficult position. It is trying to balance the needs of existing tenants against potential future tenants who do not have homes at the moment. That is a hard choice, but essentially it is a political one and, in my view, it should be taken by people who are democratically accountable. People come to me and ask, “Who makes the decision? What can be done about it?” If it was a council decision, the answer would be very clear.

Extending freedom of information to housing associations would not automatically solve the problem, but it would be a significant step forward. It would allow far greater accountability for residents and members of the wider community. It would give them a much stronger lever to question how decisions are being made and, most crucially, to get the information behind the decisions. I know that the Minister will say, “We are putting out more and more data.” It is not more data we want; it is the key data that they do not want to share that we want. That is what freedom of information gets to.

My hon. Friend already referred to the National Housing Federation’s briefing. I am delighted to say that there has been no collusion, but my reaction was exactly the same—my office colleague will testify to my reaction. The briefing states that extending freedom of information legislation could put

“not-for-profit providers at a disadvantage against commercial bodies in bidding for land...reducing housing associations’ ability to obtain private investment.”

As my hon. Friend so eloquently put it, those are fairly woeful excuses. The Information Commissioner has assured me that the Freedom of Information Act already has mechanisms in place to deal with such issues. It is a flimsy set of arguments, frankly. I certainly want to find ways of helping housing associations in their battle against developers for land, but diminishing public accountability is the wrong way to go about it. It would be much better to address the very real problem of secrecy in the commercial land market. It should not be forgotten, of course, that huge amounts of public money goes through housing associations, and has done so in the past, to provide essential homes for people. We must protect the democratic accountability of our public services.

I have two further examples in other sectors, which show how freedom of information can make a difference. Across the country, and in Cambridge and Cambridgeshire, we have seen mass academisation of schools, which is often unpopular. Parents, children and local communities feel very strongly about this issue. In my city there is currently a proposal for a merger of a local multi-academy trust with a large national one, which has caused some upset among my constituents, who are concerned—rightly, in my view—about the potential consequences.

Both academies and multi-academy trusts are subject to FOI, but the position is far from clear. Academies were brought under the FOI Act in 2010 and have to answer FOI requests. With multi-academy trusts, the situation is a little more complex. I sought advice from the Information Commissioner’s Office, which told me:

“MATs will be covered by the FOI Act (and are ultimately responsible for the FOI obligations of all the academies)”,

but

“the information requested must be held ‘for the purposes of the proprietor’s functions under Academy arrangements’. It’s very likely that the information held will fall into the purposes specified”.

However, it is not hard to imagine that if a multi-academy trust wanted to, it could use the FOI exemption for information that is a trade secret or

“would be likely to prejudice the commercial interests of any person or body”

in some of those cases. Where questions have been asked locally regarding the merging of academy trusts, I have been assured by the MAT in question that it is releasing as much information as it is permitted to through the current FOI regime. I commend them for that, but it is easy to see that less scrupulous trusts may not always choose that course of action.

This is not simply about the facts of legislation; it is also about how it feels to the public, and the need for communities to feel that they have genuine ownership over the services that their taxes fund. After all, whose schools are they? I think they are our schools, but all too often it does not really feel like that. Extending the Freedom of Information Act in the way suggested might help a little, although I would argue that a much more substantial overhaul is needed.

This is not my first foray into arguing with the Cabinet Office about extending the Freedom of Information Act. I have an excellent exam board in my constituency, Cambridge Assessment, which is a major local employer. As Cambridge Assessment is a department of the University of Cambridge, it is subject to freedom of information requests. Other exam boards are not. That issue was first raised with me, astonishingly, as long ago as 2010, at a public hustings event hosted by Cambridge Assessment and chaired by the inestimable Simon Lebus, then chief executive. He challenged each candidate to declare whether they would pursue the issue and help him resolve it before his retirement, which at that point he thought was still some way off. As happens at public hustings events, we all pledged to pursue it. Little did we know that it would be quicker to build the fantastic new buildings that those visiting Cambridge see on the railway line—a huge set of buildings—than to get the Cabinet Office to move on this question. The skewed playing field for exam boards does a major disservice to Cambridge Assessment, because it is treated differently from its

[Daniel Zeichner]

competitors. It argues that the Act should be extended to all exam boards because they use public money to perform a public service.

The Minister has been good enough to sit down with me and her officials on a number of occasions on this issue, a while ago. The letter I received from her this week was profoundly disappointing. She told me that she had had discussions with the relevant Education Minister, with the conclusion that although

“the Minister of State agreed in principle that there are other awarding organisations that carry out functions of a public nature”,

because

“the Department for Education has undertaken significant reforms of A Levels and GCSEs, which has placed significant additional burdens on awarding organisations, the Government is currently not in a position to being another process of consultation and possible legislative change”.

That is a dreadful argument, even by this Government’s miserable standards—I am cross about this. They have made some woefully unpopular and regressive education policy changes, and they are using that as an excuse for not being prepared to make some that might actually improve the accountability and transparency of the way we educate our young people.

Andy Slaughter: My hon. Friend has a long track record of campaigning on FOI—far longer than mine—and I am grateful that he is here for the debate. Does he agree that the decision to move freedom of information to the Cabinet Office—I do not mean this to reflect on the current Minister—was a mistake? It has been put in with data protection, which is often about restricting access to information, for the right reasons. In the Ministry of Justice, and with the Justice Committee, there was a far more robust approach to calling out the Government’s questions. A reassignment of Department and Committee might be a suitable step.

Daniel Zeichner: My hon. Friend is far more of an expert than I am on the matter. He has made an interesting observation that might be worth pursuing further. He may well have a very strong point there.

To return to my quest that is now nine years on. In fact, it is probably more than nine years, because I know that my predecessors, Julian Huppert and David Howarth, pursued the matter. I fear it might go back as far as Anne Campbell’s time. As I have said, I made a pledge to Simon Lebus that we would try to resolve the issue before his retirement. Sadly, it has not been achieved. I fear it might have to wait for a Labour Government, which I am sure will be along soon.

Freedom of information is sometimes considered a slightly nerdy issue—no apologies to colleagues present—but it is an incredibly important mechanism to secure proper accountability and democratic oversight. It is disappointing that we have not yet had a proper Government response to the Information Commissioner’s report, although, to be fair to the Minister, she has said that they are considering it carefully and will respond in due course, which of course is wonderful civil service speak. We will await events. We cannot let private companies get away with always doing their dealings out of the public eye when their decisions have a serious

impact on the lives of all our constituents. We need the tools to provide the checks and balances. Too often it seems to be a carry-on behind closed doors and it cannot continue.

Mr Clive Betts (in the Chair): We will now move on to the Front-Bench speakers. The first is the SNP spokesman, the hon. Member for Edinburgh East (Tommy Sheppard), who will be pleased to know that it is not the Chair’s responsibility to sing him happy birthday.

3.11 pm

Tommy Sheppard (Edinburgh East) (SNP): Thank you, Mr Betts. I can think of no finer way to celebrate my 60th birthday than to be here arguing for an extension of the rights of people to information from the companies that do things for them or sometimes to them. I had hoped the debate would be a little better attended; we are somewhat thin on the ground. I assume that that is not to do with the importance that colleagues attach to the topic, but more to do with the bizarre timetabling of this week in Westminster where we have a faux tranquillity—the calm before next week’s storm—because there is not much going on in terms of debates and votes. Perhaps that has led colleagues to make a beeline for their constituencies to do important work there, rather than being available to participate in this discussion. We will have to make up for absent colleagues, but that does not undermine the importance of this subject.

My purpose here today on behalf of the third party is to support the arguments of the hon. Member for Hammersmith (Andy Slaughter) and to advocate for a change in the law. Also, I will try to use this brief presentation to suggest some of the things that have already happened in Scotland, from which colleagues here might be able to learn.

Before I go into that, I want to put on the record a first-principles argument as to why freedom of information is important, because sometimes that gets lost in debate when it becomes technical and legalistic.

The greatest advocates for freedom of information are journalists—the press. That is correct because it is impossible to have a free press without the people who look at and scrutinise public institutions having the right and the ability to gain information about what the institutions are doing. If barriers are put up against that process, we diminish the role of a free press and undermine one of the pillars of our democratic system.

Freedom of information is also important for campaign groups that seek a change in how things are organised in our society. For me, the most fundamental importance of freedom of information relates to the individual: it gives the individual citizen, who is often the client, the consumer and the user of what is provided by corporations and companies, the right to understand what is being done to them or for them. It is very much about the contract between governors and the governed and making sure we live in a democratic society. Information flow and the ability to get it are absolutely central to that.

There has been debate about who should be covered by freedom of information legislation. The purpose is to try to look at organisations or institutions that operate in the public interest or at the behest of the public. They provide a public service. Even before the complexities of today’s modern governmental apparatus,

it was the case for decades and for generations that the purpose of Governments was not always just directly to provide things. Often, the purpose of Government was to regulate or mandate other independent organisations to provide things. So, if we do not cover those organisations that are directed by public bodies, as well as the public bodies themselves, we get only half the picture.

In this world in which we live, where over the past 10 to 20 years we have seen an awful lot of debate about whether a public service should be provided directly or put out to the private sector to provide on behalf of the public, as that debate has got more and more complex so our legislation and its reach need to become more complex. If the privatisation of a service can be used to deny people the right to information on how it is run, that is a process where one Government policy—privatisation—leads to the undermining of another, freedom of information. So it is right that we review that situation.

In Scotland, the situation has been different. The UK passed the Freedom of Information Act 2000 and two years later the fledgling Scottish Parliament passed the Freedom of Information (Scotland) Act 2002, which had many of the same provisions and many of the same abilities in terms of the Parliament being able to extend the reach of the legislation. Of course, the Scottish legislation applies only to Scottish organisations. Organisations that operate in Scotland but are headquartered here are covered by the UK legislation, which is another reason it is in our interest to share information and let colleagues benefit from the experience that the Scottish Government have in this area, and a reason it is important for us to try to see the legislation here at Westminster improve—because Scotland is still, for the time being, part of the UK, and we therefore wish to benefit from any improvements that might be made at UK level.

The Information Commissioner, Elizabeth Denham, is fairly clear—scathingly so in many ways—about the fact that the current legislation is not fit for purpose. She also commends the experience in Scotland. I will quote from her recent speech. The hon. Member for Hammersmith compared us to other countries, and she said:

“Closer to home, the Scottish law provides greater coverage than our own.”

On page 7 of the report, she states that

“we are falling behind our counterparts in Scotland... who have done more to expand the reach of information access”.

In Scotland, we have already extended the scope of freedom of information provision to a range of bodies operating on behalf of the public sector—for example, private prisons, private contractors providing public services, and some private contractors or organisations that provide an important component within the matrix of social services where services are provided by a number of different providers. I think, for example, of independent special schools, which provide a vital service and to which the reach of the law now applies.

In Scotland, we have spent much of the past year debating the proposal that is in front of us today: to extend freedom of information legislation to registered social landlords, principally to housing associations. I recommend that colleagues look at not only what happens, but the process by which we got there and by which the

Scottish Government and Scottish Parliament got there. An 11-month consultation took place throughout 2018, a lot of it with the housing associations—either individually or collectively—that were going to be affected by it. A lot of complex aspects of this debate came to light, but the important thing is that they came to light, were considered and were resolved. They were not barriers to moving forward. I hope the Minister will take it upon herself to be the champion of navigating this process and these reforms, rather than seeing what are perceived as difficulties or anomalies, or things that need to be exempt, and regarding those as a reason for inaction.

I will give a couple of examples from the consultation. There are specific requirements in the Scottish housing legislation—and, I think, in the equivalent English legislation—on providing accommodation for particular groups. Gypsies and Travellers are mentioned, for example. Some housing associations did not think it was right for freedom of information to apply in that case, because what they did would be specific to the client group, not a matter of general public interest. The matter was debated and the Scottish Government came to the conclusion that it probably was in the general public interest for anyone to have the opportunity to know what was happening with regard to Gypsies and Travellers, because the consequences if something went wrong, or if the action in question was not taken, would be borne not just by Gypsies and Travellers but by the wider community. The Scottish Government identified and defined a wider community interest, which meant that the area in question should be included.

Housing associations in Scotland spend a lot of time not only directly managing housing, but providing services to other landlords—sometimes in the private sector—through the process of factoring, which might include cleansing or environmental services. The housing associations argued quite strongly that factoring for third parties should be excluded from the legislation because it was a private contractual matter between them and a third-party organisation; it was not a matter of the public interest. After a long period of debate, which is written up in the report that was published two weeks ago, the Scottish Government came to the conclusion that they were minded to agree in this instance with the housing associations that factoring was a specific additional service that need not come within the scope of the legislation.

Finally, some housing associations argued that the scope of the information should be limited to what they were directly providing, by way of a contracted or legislated public service, and that people should not be able to ask questions or get information about the financial or constitutional governance of the organisation. They argued quite strongly to put blinkers on the legislation so that it would be possible to look only in certain areas. Again, after a long process of debate and consultation, that argument was rejected and it was felt that the public have a right to know about the general financial governance of housing associations because that is so critical to their ability to do the job that the public expect them to do.

The report process has concluded in Scotland, and many concerns were not only listened to but taken on board. Some were agreed and some rejected. The Government are now in a position to go forward with genuine broad consent and do exactly what the hon.

[Tommy Sheppard]

Member for Hammersmith proposes should happen in England—extend the scope of freedom of information legislation to registered social landlords and housing associations. That will happen in Scotland in November, and I hope that when it does it provides further information and assistance to colleagues here, in ensuring that the rest of the United Kingdom does not lag behind and that where Scotland has pioneered, the rest of the UK will catch up.

3.22 pm

Christian Matheson (City of Chester) (Lab): It is a great pleasure to serve under your chairmanship, Mr Betts, and to follow the birthday boy, the hon. Member for Edinburgh East (Tommy Sheppard)—I wish him the best on his special day, and many more of them to come.

The debate, obtained by my hon. Friend the Member for Hammersmith (Andy Slaughter), follows on from his work on his private Member's Bill, the Freedom of Information (Extension) Bill, as well as from work done by my hon. Friend the Member for Cambridge (Daniel Zeichner). It also follows the report from the Information Commissioner's Office, which has been referred to. This is clearly not a case of the Information Commissioner making a power grab, or of mission creep. The report is based on evidence showing where the current situation is not working, or where the ICO does not have sufficient power to challenge bodies that undertake work on behalf of public authorities, such that the balance needs to be redressed. I pay tribute to my hon. Friend the Member for Hammersmith for his persistence on the matter, but I cannot help thinking that at some point the change he proposes will become inevitable.

I, too, received a briefing from the National Housing Federation, and I gave it a read. I confess that my response was similar to that of my hon. Friends: "Is that it?" The reasons given for not adopting the proposals seemed pretty thin. I wondered why such bodies might not want the change. Perhaps it is because of concern about a regulatory workload and burden. However, it is clear to me that, where freedom of information operates, there is a possibility of change in the culture of the organisations operating under its auspices. They realise that they can no longer hold on tightly to information or act in a secretive manner, and so they become more open to the people whom they exist to serve. Their manner of doing business, internally and externally, therefore becomes more open, and perhaps they become better and more efficient organisations as a result. That culture change should be embraced and welcomed.

My hon. Friend the Member for Hammersmith discussed occasions when freedom of information requests were denied, such as requests regarding the number of attacks at HM Prison Birmingham, and the number of prison staff there—figures that G4S declined to provide. G4S also declined to provide information on the number of complaints from the public against court security officers. My hon. Friend discussed television licences and Virgin Care providing NHS services—something that has recently happened in my area, where increasingly community health services are delivered by private sector contractors. That has been a deliberate policy of the Government, and we have a philosophical difference about that

privatisation. However, as the hon. Member for Edinburgh East said, the law must be able to keep up with changes in the way society is structured.

I noted something that my hon. Friend the Member for Cambridge said about public money being used for public services. That is at the core of the issue, and there cannot be any real argument about it. Where public money is being used to provide a public service, there should be no hiding place, and neither should there be any desire to hide from the necessary and, I think, welcome scrutiny that freedom of information provides.

Under the current Conservative Government there has been a clear trend in favour of large outsourcing companies, which tend to operate with little accountability or public responsibility. Carillion, Interserve, Capita and G4S are names that we regularly see. The reach of those companies is huge. I think I am correct in saying that Interserve had construction contracts to build motorway junctions, and it was running the probation service. Those companies' reach goes right across society. The Opposition believe that the lack of responsibility and openness can amplify the possibility of problems. As the companies in question have less responsibility to act openly, they tend to clam up—for want of a better expression—hunker down and try to conceal any problems. We are clear that public services need to be transparent and accountable to the people who use them, regardless of whether they are delivered by the public sector or by private companies. We were clear about that in 2017, when our manifesto stated:

"We will extend the Freedom of Information Act to private companies that run public services".

That will also be in our next general election manifesto, whenever it is required. We shall also extend the Freedom of Information Act to cover housing associations and other social landlords, as well as tenant management organisations, and we will consider extending it to cover contractor-held information.

The housing point is important because of the dreadful example discussed by my hon. Friend the Member for Hammersmith: the tragedy at Grenfell Tower. We shall never know whether openness might have prevented the tragedy. The public inquiry under way at the moment will consider those issues. We know, however, that residents were battling for several years beforehand to try to find information that was consistently denied to them—I will say no more, because the matter is currently under consideration by the inquiry.

The Freedom of Information Act does not generally apply to information held by contractors about the public service they provide to local and central Government—for example for social care, health, public transport, school inspections and privately run prisons—and that is because of a loophole in the system. Section 3(2) of the Act states that information held "by the public authority" also includes information

"held by another person on behalf of an authority".

The information that a contractor holds on behalf of a public authority is therefore within the scope of a freedom of information request, even if the authority never physically holds that information as its own hard copy or electronic files. However, that does not include all information that may be held by the contractor in connection with the performance or proposed performance of a contract.

The kind of information that has been withheld from the public includes some examples that have already been mentioned, such as the cost of TV licence prosecutions. As my hon. Friend the Member for Hammersmith reminded us, not even the BBC is allowed to receive that information, even though it always takes a battering from the general public for prosecutions undertaken by Capita.

The Freedom of Information (Extension) Bill contains provisions to ensure that all information about the provision of public service under contract could be obtained via an FOI request to the relevant authority. It seeks to provide legal certainty on the position of contractors and subcontractors by requiring all contracts between a public authority and a contractor to be deemed to include a provision that all information held by the contractor or sub-contractor in connection with the performance, or proposed performance, of a contract is held on behalf of the public authority and therefore lies within the scope of the Act. My hon. Friend the Member for Hammersmith stated at the time:

“The general public has a right to know as much about Carillion or Serco when they are given public contracts or providing public services as we do about public authorities doing the same work. My Bill would bring freedom of information into line with the way public services are now being delivered in 2018”.

The report by the Information Commissioner’s Office states:

“In the modern age, public services are delivered in many ways by many organisations”—

the point made by the hon. Member for Edinburgh East—

“yet not all of these organisations are subject to access to information laws. Maintaining accountable and transparent services is a challenge because the current regime does not always extend beyond public authorities and, when it does, it is complicated. The laws are no longer fit for purpose.”

The ICO recommended that private contractors should be FOI-able where that is in the public interest,

“whether because of the scale, duration or public importance of the contracts”.

The report continues:

“Without information to understand how public services are performing, how levels of service compare and how problems are tackled, the public will be left in the dark about the operation of public services. Access to information legislation is essential to democratic accountability and helps to create what we all want to see—better public services”.

In the case of Carillion, that lack of transparency prevented small businesses from making informed decisions as to whether to enter into contracts with it, at a time when it was financially risky to do so.

A recent TUC report recommended a number of steps to improve transparency in outsourcing. Those included, among other things, the creation of a so-called Domesday Book for all contracts. A new public body would be set up to operate at arm’s length from central Government, and it would have statutory powers to require both commissioners and contractors from across the public sector to supply it with data. It should maintain a Domesday Book for all contracts, including performance on the outsourcing of services. At the moment there is no centralised place to find a list of contracts for a specific company. I tried to find a list of contracts for Capita, but that information seemed to be fractured and diffuse across Government.

Tenants and the public have the right to information about councils under the Freedom of Information Act, but not about housing associations, which provide the same essential housing services and receive significant public investment. In my area almost all public housing is provided by three or four housing associations, and they were stock transfers previously owned by Chester City Council. The previous Labour Government and the Conservative-led coalition proposed that the legislation should cover housing associations, but that has not yet been achieved. Obtaining information from contractors, including on fire safety, can prevent a problem, and my hon. Friend’s Bill seeks to correct that serious omission by making housing associations public authorities for the purposes of the Freedom of Information Act.

Public authorities are suffering from the difficulties of austerity and cuts, and they will find it onerous to provide responses to freedom of information requests. However, the 2000 Act does contain provisions to prevent mischievous or repetitive requests from the same residents. Perhaps that has given public contractors a sense that they do not want to take on the same burdens, but if they are happy to take on public contracts they should surely be happy to take on the responsibilities of being a public contractor.

We have seen in the Government’s approach to public contracting what I believe to be a form of reverse redistribution that takes large amounts of public money and puts it into the pockets of big public contractors. From there it goes into the pockets, bank accounts, or indeed—dare I perhaps inject an unwelcome political element into the debate?—the offshore bank accounts, that belong to some of the owners of those public bodies.

Listening to the contributions from my hon. Friends, it seems that when public money is being spent on delivering public services, there can be no reason why the same public scrutiny should not be applied. It is a matter of time. Let us hope that it is only a matter of minutes, while the Minister responds, but if it does take longer to introduce such a measure, that will be achieved when the next Labour Government take office.

Mr Clive Betts (in the Chair): I call the Minister. I hope that she will allow a couple of minutes at the end for the hon. Member for Hammersmith (Andy Slaughter) to wind up the debate.

3.37 pm

The Parliamentary Secretary, Cabinet Office (Chloe Smith): It is a pleasure to serve under your chairmanship, Mr Betts, and I thank you for that reminder. I thank the hon. Member for Hammersmith (Andy Slaughter) for his points. I know that his thoughtful presentation follows on from the work on his private Member’s Bill. I also thank the hon. Member for Cambridge (Daniel Zeichner). As he noted, we have looked in some detail at an issue regarding one particular examination board, but if he will forgive me, this afternoon I will focus on responding to the more general points that have been raised.

Freedom of information is, of course, one of the pillars on which open government operates. The Government are committed to supporting the effective operation of the Freedom of Information Act 2000.

[Chloe Smith]

That Act has been in operation for more than 10 years. It received post-legislative scrutiny by the Justice Committee in 2012, and it was reviewed by the Independent Commission on Freedom of Information in 2016. One of the key questions raised by the hon. Member for Hammersmith is whether the time is right for an overall review of the Act, and I point him towards that work from 2016. It considered whether the Act still ensures an appropriate balance between transparency and the need for a private space—for example for advice and discussion—as well as whether the costs of freedom of information are proportionate to its many benefits.

The Government welcomed the commission's focus on enhancing transparency, which went a little wider than just the 2000 Act. The Information Commissioner's Office has added an important piece of research to the scrutiny of that Act with its recent report, and I am grateful to the commission and the commissioner for their work on a significant and complex matter. I will respond to that report shortly—I am sure hon. Members look forward to having that response on their bedside tables, just as they did the report itself.

As the Information Commissioner identified in her report, since the passage of the Freedom of Information Act, the UK has been at the forefront of opening up data to allow the public and press to hold public bodies to account. The Government are among the most open and transparent in the world and remain committed to the principles of transparency and openness. We launched updated transparency principles in 2017 and it is a fact that we are publishing more data than ever. We will continue to support the effective operation of the Act as part of that.

On the question of how housing associations ought to be dealt with, we fully share the view that landlords, including housing associations, should be accountable and transparent in their dealings with tenants, and should be responsive to their needs. I am not necessarily persuaded, however, that the extension of FOI to housing associations is the sole best means of achieving that. As landlords, housing associations are private sector bodies that deliver a social benefit, rather than exercising

“functions of a public nature”

or providing public functions under contract on behalf of a public authority, as the Act says. It is important to maintain that distinction; I do not think the analogy is as simple as the second key question of the hon. Member for Hammersmith suggests.

If any Government were deemed to exercise too much control over private bodies, there would be a significant risk that they could be classified as public sector bodies. That would mean that, in this case, their private debt of about £70 billion would be added to the Government's debt burden—the public's debt burden. Housing associations would also be subject to public sector borrowing constraints, which would limit their ability to finance the development of new social and affordable homes. I note that housing associations deliver 93% of all new affordable homes, so it is not a small matter.

In terms of accountability, the vast majority of housing associations are voluntarily registered with the regulator of social housing and if they seek public funding, they

must be registered and subject to that regime. That means that they have a duty to comply with the standards set by that regulator, including making information available to tenants about the running of the organisation. The key point is that last summer, the Government announced a review of social housing regulation that will look at how transparency and accountability for tenants can be further improved, including better access to landlord information.

As with every hon. Member, I add to the record my sympathy and personal anguish at the tragedy at Grenfell Tower. As the hon. Member for City of Chester (Christian Matheson) acknowledged, the inquiry is looking at some of the issues, including communications with residents, which specifically covers whether there was a formal system for recording concerns, what concerns were raised at the time or after the recent renovations, how and to whom any such concerns were expressed, and what was done in response.

Andy Slaughter: I gently say to the Minister that there are two weaknesses in her argument. First, disclosing information voluntarily, however laudable the aim or honestly done, is not the same as giving citizens the power to interrogate an organisation. Secondly, if the Minister is right—I think it was the policy of a previous Conservative Government to put the onus on housing associations, rather than councils, to deliver the lion's share of social housing—and they are standing in the shoes of councils, there is all the more reason for them to be accountable in that way. If Scotland and other charities can do it, why does the Minister appear to envisage the risk of a housing association suddenly being classed as a public body, just because it is subject to FOI?

Chloe Smith: I thank the hon. Gentleman for those points and for the way he has put his arguments. I am simply saying that such issues should be considered through the review.

I am also grateful for the points added by the hon. Member for Edinburgh East (Tommy Sheppard), to whom I wish a happy birthday. I add two points in relation to the situation in Scotland. First, we are looking to see the record that will develop there. As I understand it, the provisions have not yet come into force, so we will look at how effective they are in increasing transparency. Secondly, as the hon. Member for Edinburgh East mentioned, the Scottish Government laid the planning for the consultation on these matters in 2016 and began it in 2017, so it is not a short process. I would like to think that all hon. Members present recognise that the provisions of the 2000 Act mean that such things are not necessarily quick, simple or short. I will come on a little later to how the Act may be used to extend the scope, if desired.

On contractors—the other half of the case made by the hon. Member for Hammersmith—I remind hon. Members of the arguments made by my right hon. Friend the Minister for the Cabinet Office last year about why we as a Government use outsourcing. I say “we”, but successive Governments have used it. I will use his arguments as context in response to the contextual points that have been made today. As the hon. Member for City of Chester said, we may have philosophical differences, but this is why one would look at outsourcing as a benefit to the public.

As the Minister for the Cabinet Office said,
“you can have both good and bad in both the private and the public sectors”,
as we all know from what we get in our constituency mailbags every week. He continued to say that
“what matters is that the service works for the people who use it in their everyday needs”
and that it provides
“value for money for the taxpayer.”

It is the case that

“the private sector has a vital role to play in delivering public services,”

and the Government continue to support that position, as have successive Governments since at least the 1980s, as I said.

As my right hon. Friend said, outsourcing can deliver “economies of scale” that can mean greatly better value and lower costs for the taxpayer. It is also the case that “open and fair competition...encourages creativity and innovation” that simply would not otherwise come about. Again, that benefits the user of that public service. The private sector can also bring

“a range of specialist skills, world-class expertise and deeper knowledge to bear on what can be complex issues.”

His argument is really that the Government

“cannot do everything by itself”,

and should not, because

“It needs the...innovation that only a...marketplace of suppliers can provide.”

In another speech last year on the subject, my right hon. Friend made the argument that small businesses and the third sector have a great appetite for taking part in providing those public services, and for a good reason. In many ways, they are often “closest to our communities” and are

“in the best...position to deliver social value”

through those contracts. That is an important further argument to think about when we look at outsourcing.

Because the Government remain committed to supporting that position, we are sceptical about the introduction of additional reporting burdens on those small organisations. We think that it would weaken the resilience of the delivery for the taxpayer, reduce the value for money that the Government can deliver for the taxpayer, and affect the support that the Government can give indirectly to those jobs when we use such suppliers.

In respect of contractors, the Government have certainly considered how best to balance the competing interests of transparency and burdens. As I have said, we recognise the importance of transparency in how public money is spent, but we are concerned about a disproportionate burden, because we do not want to discourage smaller organisations from serving the public.

Andy Slaughter: I am listening to the Minister’s argument, but again, I thought I had dealt with that point in my speech. The majority of inquiries will be about the major contractors that take the lion’s share. I entirely take her point about small contractors, but my Bill would put the onus and the responsibility for the cost on the public authority to do that, so there is a way round it.

Chloe Smith: I am grateful to the hon. Gentleman for that clarification, and before I finish today I will talk briefly about that relationship between a contractor and the supplier, which is relevant to the proposal.

I will make one further general observation about the position of contractors; actually, I think the hon. Gentleman made it himself in his remarks. Of course, the Act exempts all organisations from providing information in certain ways, for example on grounds of commercial confidentiality. There are other exemptions as well. Extending freedom of information to another category of organisation does not necessarily change that fact, which is set out in the Act. I do not think the case can be made that extending freedom of information would have prevented supplier failure, of which some examples have been given this afternoon.

Let me move on to what is already done to provide information, because it is important to assess where we are working from. It is already policy for Departments to publish information during and after the awarding of a contract, with the exception of information that is commercially confidential, as I have said. That information includes a range of details. The Government’s model services contract includes clauses that reinforce that increased transparency.

The Government are now going even further and we will publish information about how our most important contracts are performing against their contractual targets. That will, of course, hold both Government and our suppliers to account. As well as increasing transparency for citizens to monitor outcomes, we think that this change will drive behaviour and improvements in delivery where they are needed. In addition, Departments are now required to publish their own commercial pipelines twice yearly, which is important to the public.

Since the Information Commissioner first published a report on this subject in 2015, the Government have introduced a range of measures to increase transparency. No doubt hon. Members have made use of the Contracts Finder website, where data can be found, and data.gov.uk, where details on spend can be found. In 2016, the transparency principles were also introduced, which make it clear to suppliers what information from bids will be released, and that any genuinely sensitive information should be highlighted with procuring Departments. That all ensures that citizens can see a clear public record of how Government money is spent on public contracts, and with what results.

I said I would turn to where information is held between the public authority and the contractor. Again, the Independent Commission on Freedom of Information looked at the issue of private contractors providing public services. First, it concluded that

“extending the Act directly to private companies...would be burdensome and unnecessary.”

However, it went on to say that

“information concerning the performance or delivery...should be treated as being held on behalf of the contracting public authority.”

Our amended freedom of information code of practice sets out that public authorities should agree what information is held on their behalf with private companies when entering into contracts, that those arrangements should be set out clearly and, indeed, that requests made to private companies providing public services

[Chloe Smith]

should be passed to the relevant authority to answer. At present, therefore, the Government feel that the Freedom of Information Act strikes broadly the right balance.

Before I close, I will deal briefly with how the Act currently functions. Of course, the point has been made by the hon. Member for Hammersmith that secondary legislation is easy to use in this space. As he knows, orders can be made under section 5 of the Act, if it appears that particular bodies are exercising functions of a public nature; a number of other specifications are also made in that section. Such an order must be preceded by consultation with every person to whom it relates or with persons appearing to represent them.

I come back to the point that, although it may appear that section 5 orders are a straightforward and quick way to bring particular bodies into scope, the provisions in the legislation require consultation with all affected parties, and they further require a careful definition of what information that is held should fall within the Act. That is complex to do, and carries risks.

Adding to the scope of the Act through section 5 also requires a debate in both Houses. Some examples have been given of where these provisions have been used most recently, but I raise this matter to emphasise that the process is not necessarily a quick or straightforward one, and indeed that it is a virtue that such a process is set out in the Act already. Although the process is neither quick nor simple, it is the process that we should use to assess questions about scope.

To conclude, before obviously leaving time for the hon. Gentleman to sum up the debate, I say again that the Government are committed to the principles of transparency and openness across the public sector. We are proud of our reputation as a leader on data transparency. Indeed, we have evidence of that from one particular index that ranks the UK as eighth in the world for transparency, which is an important record. Transparency is crucial to deliver the public value for money, to assist taxpayers and to get the best services for citizens. However, proactive publication needs to be balanced with the other considerations that I hope I have set out for the Chamber today. The Freedom of Information Act is a very important tool in that box of transparency and the Government are absolutely committed to it. We want to see freedom of information used widely, but I hope that it has helped the Chamber today that I have set out some additional considerations in response to the hon. Gentleman's arguments.

3.56 pm

Andy Slaughter: I am grateful to all those who have attended and taken part in this debate.

My hon. Friend the Member for Cambridge (Daniel Zeichner) used some very good examples from his constituency, but he also exhibited his encyclopaedic knowledge of this subject and his long track record of pushing for freedom of information. I think that he and I feel that we may be getting somewhere at last.

I also thank the shadow Housing Secretary, my right hon. Friend the Member for Wentworth and Dearne (John Healey), for attending the first part of the debate. He did not speak because of his elevated status, but I know he has a particular interest in housing association issues and particularly the issues around Grenfell. I am grateful to him for his support.

I also thank the two Opposition Front-Bench spokespersons, my hon. Friend the Member for City of Chester (Christian Matheson) and the hon. Member for Edinburgh East (Tommy Sheppard, for their comments and associate myself with them.

The Minister, in her usual gracious way, put the Government's argument as best she could, but it is wearing a little thin on these issues, as she conceded when saying, in response to my request for a fuller review, that there was the Burns commission. She quoted the matters relating to private contractors' rights, but on the whole the Burns commission was sympathetic to the points that we are putting forward today. I hope that, when the response to the Information Commissioner's report comes through, we may at last see some movement.

I remain hopeful, as always. I have noticed that there have been three private Members' Bills in the past two years that would not perhaps have been expected to receive Government support: the Homelessness Reduction Act 2018; the Homes (Fitness for Human Habitation) Act 2018, which was put forward by my hon. Friend the Member for Westminster North (Ms Buck); and the equal civil partnerships Bill, which I believe is shortly to be enacted, once it has completed its stages in the House. Indeed, there are more recent examples of the Government taking over the Bills on upskirting and female genital mutilation. I am sure that that must be happening in so many cases because of the Government's generosity and not because of their lack of a majority.

I therefore remain hopeful that—perhaps not in this Session and perhaps not even in the form of a Bill sponsored by me—a Bill of the kind that I have brought forward to extend freedom of information in the way that I have indicated will be achieved, and in the very near future.

Question put and agreed to.

Resolved,

That this House has considered extending the Freedom of Information Act 2000 to housing associations and public contractors.

Rail Services: South-east London

[SIR HENRY BELLINGHAM *in the Chair*]

3.59 pm

Sir David Evennett (Bexleyheath and Crayford) (Con): I beg to move,

That this House has considered rail services in south-east London.

It is a particular pleasure to speak in this debate with you, Sir Henry, my long-term friend and colleague, in the Chair; it is a real privilege to do so.

I am grateful to be able to raise an extremely important issue that affects my borough of Bexley, and north-west Kent—indeed, it is a common problem across south-east London and north-west Kent—and that issue is rail services. I had hoped that I would not need to raise it again, but, unfortunately, improvements have not been forthcoming. It therefore remains a real concern for my constituents and for the constituents of my neighbours, who I am particularly pleased to see in their places: my right hon. Friend the Member for Sevenoaks (Sir Michael Fallon), my hon. Friend the Member for Dartford (Gareth Johnson), the hon. Member for Eltham (Clive Efford), and my neighbour and fellow campaigner for better rail services in Bexley, the hon. Member for Erith and Thamesmead (Teresa Pearce).

My constituents, and residents across the borough of Bexley, are entirely dependent on Southeastern when travelling into central London to commute and to work, or for social or other reasons. However, that operator has a poor reputation in our area. Bexley has endured a terrible rail service, with delays and cancellations occurring regularly. In our area, we have no underground services that could be used as an alternative, so Southeastern has a monopoly, but it is failing its customers on a regular basis. Warm words and apologies will not suffice when action is required, although I apologise that I did not mention the hon. Member for Greenwich and Woolwich (Matthew Pennycook); I had thought he was here for the previous debate, but it is great to see him as well, because we all suffer from this appalling rail service.

The 2018 rail passenger survey found that just 78% of commuters were satisfied with their journey—a 2% decrease from the previous year. A mere 39% thought they got value for money, which is 5% below the average for London and the south-east. Only 72% were satisfied with the punctuality and reliability of trains, which represented no improvement from the autumn of the previous year. That shows that Southeastern is not heading in the right direction. Trains are constantly delayed, even if only for a short time. Between 2010-11 and 2017-18, Southeastern achieved its right time measure for only 62% of its main line and metro services. I regularly travel to London from my home in Barnehurst, which is in my constituency, and we recently suffered as a consequence of the Barnehurst landslip. While I appreciate that these things occur and cannot be predicted, that was the fourth landslip along the same cutting in the past 10 years, which is totally unacceptable.

Clive Efford (Eltham) (Lab): I congratulate the right hon. Gentleman on having secured this important debate. He is absolutely right: when a landslide last happened

along that line, questions were asked in this House about surveying the infrastructure to ensure it would not happen again, yet it keeps happening.

Sir David Evennett: The hon. Gentleman is quite right. We have been ignored, which is unacceptable. Travellers have faced huge disruption, with little or no support from the operator, Southeastern.

Gareth Johnson (Dartford) (Con): I congratulate my right hon. Friend on having secured the debate. He, and every Member in this Chamber, is a veteran of the campaign to improve rail services for our constituents. Does he agree that one way to improve the reliability of the service would be for a decision to be made about the franchise, which seems to be a never-ending process? I understand that a decision needs to be made by April. The making of that decision is imperative, so that investment in future services for our constituents can be forthcoming.

Sir David Evennett: I totally agree with my hon. Friend, and I will be coming to that point later.

Network Rail, of course, is responsible for the tracks and for the problems that we have had with the landslip. I recently met with its route managing director, John Halsall, to discuss the situation, and he understood that it was unacceptable. There is nothing new in that; it is unacceptable.

Network Rail has regularly let down rail users, but it is not just that: Southeastern has been unable to act when contingency plans are required. It never seems to have them, and it does not provide information to our constituents about what is going on. It supposedly put extra trains on to the Erith and Sidcup line during the Barnehurst landslip, but many of us used that service when the Bexleyheath line was out of action, and when we got to Charing Cross or wherever, those trains were cancelled. The extra trains that Southeastern put on did not exist, so it is no good Southeastern saying that it is looking after the customer, because it most certainly is not.

As I have always said, Southeastern's timetable is a work of fiction at the best of times; it was even more so on that occasion. The overcrowding, the cancellations and the distress caused to constituents who were trying to get home, pick up children from childcare, get to meetings or whatever were appalling.

Teresa Pearce (Erith and Thamesmead) (Lab): Southeastern is full to busting at the moment, and given all the new development in my patch and in the right hon. Gentleman's patch, does he share my concern about how on earth Southeastern is going to manage when it cannot manage at the moment? Does he believe that those developments will increase the risk of critical failure, given that the system will be overworked?

Sir David Evennett: The hon. Lady makes a good point. Our area is ripe for further development, which is what we want. We want jobs, houses and opportunities, but we cannot have those without infrastructure. If the infrastructure cannot cope with that development, more problems are going to occur.

The Minister may be able to tell us different, but I believe no other rail network has had as many problems as ours. The excuses for delays and cancellations beggar

[*Sir David Evennett*]

belief: bad weather, leaves on the line, snow, low-level sunshine, overrunning road engineering works, and even drivers not turning up at Dartford because their taxi from Gravesend did not arrive on time. Southeastern could not run the train from Dartford because the driver did not turn up—it is really appalling. There have been breakdowns en route and doors that will not close—the list goes on and on. In my view, older rolling stock is the cause of some of these issues, not maintenance.

Many of my constituents have been appallingly disappointed that no decision has been made about the new franchise, as was mentioned earlier. That ought to have been in place by now, but we have just extended the existing franchise, which is one of the worst possible options that we could have chosen. If the operator cannot invest for the future, it is not going to do anything.

Matthew Pennycook (Greenwich and Woolwich) (Lab): The right hon. Gentleman is absolutely right. There have been two extensions to the franchise; the latest, I think, takes us up to 22 June. Does he agree that our constituents at least deserve to know pretty soon who the new operator will be, so they can have some confidence that, going forward, that new operator is going to improve the service?

Sir David Evennett: I totally agree with that. The sooner we know, the better, so the new operator can get cracking on what needs to be done to improve the service.

The new franchise contains some good proposals. Working more closely with Network Rail will be a great improvement, because I do not think the operator and Network Rail work together terribly well at the moment. We welcome the fact that there will be direct services from Bexleyheath to Abbey Wood, tougher demands for reliability and more frequent services to Charing Cross. However, with no decision having been made and no action, we suffer more and more, and our constituents have had enough. I know that the Minister is relatively new to his post, but I have a high opinion of him, and he is well respected across the House. I hope he will take some action within his Department.

Teresa Pearce: On the point about the new franchise, commuters in the right hon. Gentleman's constituency and in mine have journeys that are meant to be about 30 to 40 minutes, but Delay Repay kicks in only if people are 30 minutes late. Under the new franchise, it will kick in if they are 15 minutes late. Does he agree that as Southeastern has opted to bid for the new franchise, it should bring in that change now?

Sir David Evennett: That would show good faith to the public, who are suffering from that situation now, would it not? I totally agree with the hon. Lady, and I hope that a 15-minute Delay Repay policy will motivate whoever holds the new franchise to operate a better service.

As the Minister will know, we have been blighted by endless signal failures at Lewisham, which again have caused misery, delays and cancellations. Sometimes, once those signals start to go wrong, they go wrong all

through the day—it is unbelievable. We have already suffered from the London Bridge development, which caused considerable distress and disappointment. I understand from Network Rail that it is going to fix the signalling problems at Lewisham; it is going to start this Easter and finish next Easter, in 12 months' time. Do we have to continue to suffer over the next year? Frankly, that is not acceptable.

There is also the problem of Crossrail. We were hopeful that Crossrail from Abbey Wood would give us an alternative and be part of what we need, but, regrettably, that has been delayed. It should have happened last December, but we do not yet have a date for when it is expected to be operational. That is a huge disappointment for our constituents. I know that it is not the Minister's responsibility, but that of Transport for London and the London Mayor, but he should put more pressure on to get a date, at least, for when it will start. We have no date.

The other thing I want to raise is something we have been campaigning for. Originally, Crossrail was not going to stop at Abbey Wood, but would go to Ebbsfleet, and we are really keen to see that happen. We have had meetings with the Secretary of State. He came down, along with the hon. Member for Erith and Thamesmead and me, to have a look at what could be done and to have discussions with the council. An extension there would be so welcome. Other parts of the capital have Crossrail going out much further. We, who do not have an underground and have a poor rail service, have been put on the back-burner.

Gareth Johnson: My right hon. Friend mentioned Ebbsfleet. Does he agree that this is not so much about an extension out to Ebbsfleet as it is about completing the project as originally envisaged? We have High Speed 1 there, but it is increasingly overcrowded for my constituents who use it. Having Crossrail go out to Ebbsfleet as originally planned is exactly what the Government's policy should still be today.

Sir David Evennett: My hon. Friend makes a good point. Solutions are what are needed. I therefore hope that the Crossrail to Ebbsfleet campaign proposals will go forward to a full business case, allowing for a detailed engineering design, land and financial modelling, and a legal framework to be progressed, because then we could get the plan on the books to look at it. Extending Crossrail is not just for commuters; it would allow a redevelopment of our area for jobs and houses eastwards along the south Thames.

Clive Efford: The right hon. Gentleman is being generous in giving way. I agree with absolutely everything he is saying about transport infrastructure. He has already referred to this, but I want to underline the fact that south-east London is a desert when it comes to infrastructure. If the rail service breaks down, we have no alternative. There is no direct access to the underground for those who are slightly away from the river. That is a real problem for south-east London and it needs to be addressed.

Sir David Evennett: I totally agree with the hon. Gentleman. I hope that the Minister will look seriously at other alternatives we could also have, such as going

into Thamesmead or wherever with the docklands light railway or something. That could help not only our regeneration, but the existing population who live there and need to commute.

I will not go into all the benefits that an extension of Crossrail to Ebbsfleet would bring, other than that it would help to deliver the Government's housing and industrial strategies, directly unlocking 55,000 homes and 50,000 jobs, as well as supporting thousands more across the sub-region. It would also deliver a vital strategic link between HS1 destinations, Canary Wharf and London City airport, and onwards to the City of London and Heathrow. With our roads so congested in south-east London, it would be a godsend to travellers and commuters. The Department has certainly procrastinated a bit on this matter and we need some action.

The Thames gateway has huge potential for economic growth and development. It has huge opportunities for the development of brownfield sites, yet connectivity is significantly holding things back. In pushing forward the original plans, we would have a unique opportunity to transform our area. When the Secretary of State visited Bexley, we highlighted the problems with our existing rail service, the problems with there being no decision on the franchise, the problems with Crossrail and the problem that when things break down, we are in difficulty.

We need the new franchise. We need Crossrail to open. We need the finance to pursue the business case for the Crossrail to Ebbsfleet campaign. I hope the Minister will respond positively.

I know that my right hon. Friend the Member for Sevenoaks wants to say a couple of words, if that is acceptable, Sir Henry. He has a slightly different perspective, being somewhat further out into Kent. We are suburban south-east London and Dartford, and we are a little region.

It is a privilege to be able to raise these matters on behalf of my constituents and my borough, and neighbouring boroughs and constituents. Their Members of Parliament have worked tirelessly together, across parties, to get things done and to improve the facilities and services for our constituents.

Sir Henry Bellingham (in the Chair): We have just heard a superb example of how to present a Westminster Hall debate. With the permission of the right hon. Member for Bexleyheath and Crayford (Sir David Evennett) and the Minister, I call the right hon. Member for Sevenoaks (Sir Michael Fallon) to make a brief contribution.

4.15 pm

Sir Michael Fallon (Sevenoaks) (Con): I am most grateful to you, Sir Henry. I, too, congratulate my right hon. Friend the Member for Bexleyheath and Crayford (Sir David Evennett) on securing this important debate. Others may want to contribute, and we want to hear from the Minister, so I hope in two minutes to cover three points very briefly.

First, in recent years we have had fare increases that are too high, but they are also unfairly constructed. For Harlow and Sevenoaks, the cost of a weekly season ticket is over 15% of average weekly earnings. There is no reason why that should be the case there when the

cost is less than 11% in Brentwood, Barking and Reigate. We need to look again at the fare structure and ensure some reasonable level of equity for our respective commuters.

Secondly, I hope the Minister will be able to dispel the rumours circulating about the franchise and say that it will not in fact be delayed again. There are even darker rumours about the faster service from Maidstone East stopping at Otford and Swanley, after already being postponed for a year. Will that still go ahead this December?

Finally, there is the whole issue of accountability. We learned during the timetable chaos of last May, as we pursued the two train operators—Southeastern and Thameslink—Network Rail and Ministers in the Department, that overall no one was actually in charge. As we look at implementing the Williams review when it comes up with its findings, we need to move to a better system where it is clear to all of us who is in charge.

I believe that our commuters deserve better. They are suffering from ever higher fares every January and unnecessarily complex fare structures. They need services that are more reliable and more fairly priced. Above all, they need a railway system that is properly accountable.

Sir Henry Bellingham (in the Chair): I thank the right hon. Gentleman for his brevity.

4.17 pm

The Parliamentary Under-Secretary of State for Transport (Andrew Jones): It is always a pleasure to serve under your chairmanship, Sir Henry. I, too, congratulate my right hon. Friend the Member for Bexleyheath and Crayford (Sir David Evennett) on securing this important debate. Many important issues have been raised, and I will be scampering through trying to answer all the comments from colleagues, including on the landslip that my right hon. Friend raised with me before the debate, as he is a vigorous champion for his constituency. I will also talk about the infrastructure works, Southeastern's performance, Crossrail and Ebbsfleet.

I will start with the landslip at Barnehurst. Landslips cause significant delays and cancellations, as trains obviously have no real capacity to deal with any kind of small obstacle. If there is debris on the track after a landslip, Network Rail will often need to re-route services to enable the landslip to be cleared and the infrastructure to be checked to ensure that it is safe and operational. There are always concerns, even after a small landslip, that the slope may be permanently weakened. Some of the slopes, or cuttings, on the side of the tracks may need to be strengthened as a result. That may include improved drainage or adding stronger materials to the slope, such as steel rods or soil nails, and that work can take some time.

The landslip at Barnehurst took place on 11 February and the service was not fully reopened until the following week on Monday 18 February. That was a significant inconvenience for the travelling public in the area, but work has been done to mitigate future landslips. I know that it has been a regular problem in the area, and to help to prevent further landslips Network Rail has installed remote sensors and cameras that send its monitoring headquarters regular information, including visual information, about the condition of the cutting.

[*Andrew Jones*]

While removing the debris and the slope, Network Rail has taken the opportunity to put in place some further mitigation. It has taken away 300 tonnes of earth and trees, and built a 30-metre retaining wall with steel beams piled six metres into the ground to stop another landslip. Network Rail has also removed and replenished the contaminated ballast, and tested all the signalling. If any slips occur again in the area, the wall that has been erected should prevent any further disruption to the line.

I know that my right hon. Friend the Member for Bexleyheath and Crayford met representatives of Network Rail to discuss the issue, and that they have explained to him what is going on. That work includes geotechnical surveys to understand the cause, not just to deal with the symptoms. Network Rail also plans to carry out more intensive remediation work at the site over the next two years. That underpins the wider investment that is being put into the south-east through a Network Rail funding settlement for the next five years. That will allow for a significant increase in expenditure on maintenance and renewals, all of which is designed to reduce the frequency of serious incidents and to provide a more reliable service. That underpins the comments we heard from Members across the Chamber.

I note the clear concerns about Southeastern's performance in the recent passenger survey. I fully understand, and strongly agree, that passengers want a timetable that they can rely on. Their days and working careers are built around predictable structures, and timetables matter. The May 2018 timetable changes caused some unacceptable disruption, but important lessons were learned and implemented. The December timetable change was introduced successfully. The industry has significantly reduced the timetable changes to minimise the risk of severe disruption, and has introduced a phased, more gradual approach to enhancements.

Many changes were focused on improving performance and reliability for passengers. It might be of interest that in the next control period, starting only next month, we will introduce a new "on time" performance measure to assess the reliability of every journey. That will provide greater transparency about performance at every station along the route, not just whether trains reach their final destination on time. It is part of a much wider commitment by the industry, and by Government, to provide a rail service on which passengers can rely.

If train operating companies are unreliable, we must hold them to account. We have worked closely with consumer groups and the industry to create an independent rail ombudsman. That scheme is free, easily accessible and simple to use. It is designed to be a one-stop shop for passengers on issues to do with complaints handling, customer service and compensation. Of course, we want to get to a place where we do not have to worry about compensation; we just want the trains to be on time, every time. That is the purpose of our investment.

Matthew Pennycook: As the right hon. Member for Bexleyheath and Crayford (Sir David Evennett) mentioned, rolling stock is key to reliability. The rolling stock on this line is, I think, 25 years old or more. Is the Department working with the operator to introduce new rolling stock in the near future?

Andrew Jones: I am coming on to the next franchise, but I should point out that we are seeing a fantastic change to the rolling stock right across our nation. We are going through a change that is equivalent to when we went from steam to diesel, with about 7,000 new vehicles entering service across our nation.

There were clear concerns about Southeastern's performance. It has been improving recently and remains stable. Cancellations are reducing. A key change has been the improved collaboration between Southeastern and Network Rail. The latest statistics on the public performance measure indicate that 88.1% of services arrive at their final destination within five minutes of the planned arrival time. Today, it is 96%—I checked just before coming into the Chamber. However, we recognise that there is much to do, and we want the trains to be on time every time.

The issue of Lewisham signalling was raised, which is a significant piece of work. More than £130 million-worth of work will take place between now and Easter 2020. This Easter, £55 million will be invested in the Lewisham, Woolwich and Charlton area. In Easter 2020, £81 million will be invested in the Hither Green area. All of that will upgrade the signalling to provide a more robust service.

I cannot announce to the House when a decision will be made on the next franchise. The current franchise was extended in December, and the agreement will now expire, as was said, on 23 June. We are still in the process of evaluating the agreement for the next franchise. It has taken longer than anticipated because we want to ensure that passengers get the best possible deal. The invitation to tender is expected to bring some significant benefits in the new franchise, including longer trains, more space for passengers, increased availability of staff and improved communication with passengers, especially during periods of disruption. A comment regularly made whenever there is disruption is, "Just tell us what's going on." That is the voice of passengers, and it has not been as strong as it should have been.

Gareth Johnson: As the Minister will know, I was very pleased to have the Oyster card extended to Dartford. Does he agree that the provision of smart ticketing must be included within any new franchise agreement?

Andrew Jones: I strongly support smart ticketing, and it will be in the next south-eastern franchise. It is popular with customers, and helps them with the convenience of their journey, though it is tough to deliver. We have also had requests regarding Delay Repay compensation. The next south-eastern franchise will include Delay Repay compensation kicking in from 15 minutes of delay. Alongside that we will see new services on Sundays, and wi-fi and mobile connectivity. I am keen to bring that significant range of customer benefits to the constituents whom the Members present serve as soon as possible. I have heard what has been said about the urgency of delivering it, and I will update the House as soon as we can.

I share both the excitement about the scale of Crossrail and what it will deliver for the country and the frustration that it will not be delivered on time. The Crossrail board decided to delay the opening on 29 August last year, and informed the Government of that. We do not yet have a new date for the opening. I have met representatives of Crossrail to press the case. I want to see the scheme

out there as fast as possible. It will increase capacity and rail transport in London by 10%, and bring an extra 1.5 million people within 45 commuting minutes of London's key business districts.

On extending Crossrail or, as my hon. Friend the Member for Dartford (Gareth Johnson) said, completing it, I am instinctively sympathetic to the idea that transport investment is a driver of economic growth. It unlocks potential for commercial and residential opportunity. I fully understand the strategic importance—not just in the areas represented by the Members present, but nationally—of the potential of the Thames estuary. A strategic outline business case has been submitted to the Department, looking at options to extend Crossrail to Ebbsfleet. We are considering those proposals and will respond to the promoters in due course. I cannot give a date yet, but I recognise the urgency.

I will look at the points made by my right hon. Friend the Member for Sevenoaks (Sir Michael Fallon) regarding fares. The Government want to help people to keep more of their own money. That is why we have increased the personal allowance, and why we are in our sixth year of freezing the regulated fares, or capping them so that they can increase only in line with inflation. However, I will look at the specific points mentioned. I will also look at the point about Maidstone. We are certainly committed to improving regular services between Maidstone and the City as soon as possible, and we are working very closely with the industry to finalise plans for the remaining stages of the Thameslink timetable. That work includes future services from Maidstone East.

I fully recognise the importance of rail to the constituents served by colleagues present. Work is taking place to strengthen the area around the Barnehurst landslip, and we are working to bring the matter of the franchise to a conclusion as quickly as possible, so that people know where they stand and the travelling public receive the benefits. I thank right hon. and hon. Members for their contributions. I hope to leave the travelling public watching the debate with the clear impression that we are working to give them the rail service that they deserve.

Question put and agreed to.

Kurdistan Region in Iraq

4.30 pm

Jack Lopresti (Filton and Bradley Stoke) (Con): I beg to move,

That this House has considered bilateral relations with the Kurdistan region in Iraq.

It is a pleasure to serve under your chairmanship, Sir Henry. It has been nearly two years since our last debate on bilateral relations with the Kurdistan region of Iraq. The political context has changed dramatically and is now improving quickly for the Kurds and for Iraq more widely.

When we last debated this matter, we were weeks away from a referendum on the principle of eventual and negotiated independence from Iraq. I supported the referendum, whereas the all-party parliamentary group for the Kurdistan region in Iraq, which I chair, broadly took a neutral position but supported the Iraqi Kurds' right to self-determination. The APPG sent observers to the referendum, including the former UK security envoy, Sir Simon Mayall, who disagreed with the referendum. We observed it in Irbil, Kirkuk and Slemani on 25 September 2017. It was clearly a joyous and colourful day, and the result was also clear: a 93% vote for independence on a 72% turnout.

Nothing changed much on 26 September, the day after the referendum, and the Kurds hope to keep negotiating with Baghdad—maybe not for full statehood, but for confederation or genuine federalism. The referendum was a reaction to the failure of federalism and the feeling that the Kurds could no longer rely on Baghdad, which had grown increasingly hostile to them. After the referendum, Baghdad quickly realised these fears by blockading the airports for six months and issuing punitive diktats to stop international money transfers. Worse than that was its use of the army to seize Kirkuk—that violated the constitution, which bars the use of the military to settle internal conflicts. Some 100 peshmerga were crushed to death by Iraqi army tanks and Iranian proxy militia, using the same tanks that were sent there to help deliver the defeat of Daesh.

Mr Philip Hollobone (Kettering) (Con): I congratulate my hon. Friend on securing this debate, and I am following his speech with great interest. Given the fact that if it had not been for the Kurds, Daesh would have been all over Iraq, does he agree that the reaction of the Iraqi Government was even more extraordinary? When the Iraqi army was in full flight, it was only the Kurds who prevented Kirkuk from being taken by Daesh, and they also saved Irbil. Without the Kurds, Daesh would probably still be in control of Iraq.

Jack Lopresti: My hon. Friend is absolutely right to say that the Kurdish peshmerga saved Iraq. When the Iraqi army dumped its weapons and ran, the peshmerga took up arms and helped contain Daesh. They were then instrumental in pushing them back. I will come on to that later in my remarks.

As my hon. Friend just said, Kirkuk had been saved by the peshmerga in 2014, but Kirkuk turned against the Kurds after the referendum. Their language was banned and their flag torn down, and Shi'a militia displayed photos of Ayatollah Khomeini in the governor's

[Jack Lopresti]

office where we met Najmaldin Karim, who only just escaped with his life thanks to an American tip-off. Arson, rape, murder and extortion fuelled a mass exodus of Kurds from Kirkuk, and the situation there is not yet back to how it was in the past. I ask the Minister to make it clear that Kirkuk and other territories are still disputed and should be subject to article 140 of the 2005 Iraqi constitution, which promised resolution of the Kurds' final status by 2007. I ask the Minister to encourage the UN mission in Iraq to make that a much bigger priority.

The Iraqi forces then sought to invade the Kurdistan region but were repulsed at several battles. France, Germany and the Holy See broke the diplomatic blockade by sending an invitation to the Prime Minister of the Kurdistan Regional Government, Nechirvan Barzani, who was able to transit via the land border—obviously the airports were out of use. Thankfully Baghdad backed down, and the KRG has parked the referendum result for now. I put on record that whatever the tactical or strategic wisdom of the referendum, I am disgusted by Baghdad's violence, which was carried out, ironically, in the name of upholding a constitution that it had flouted. Its opening article states that Iraq is a "voluntary union".

Fortunately, the supposed strongman in Baghdad, Haider al-Abadi, lost the premiership. His successor, Adel Abdul Mahdi, who once fought alongside the peshmerga, seems to be a much more reasonable character. A host of positive measures have now been agreed. Stranded oil in Kirkuk will eventually be piped via Kurdistan, and there seems to be a deal in the offing that finds a third way between total Kurdistan or Iraqi control of Kurdistan oil. Some will be sold by Baghdad in return for guaranteed salary payments to KRG civil servants and peshmerga, and some will be sold by the KRG. Internal customs posts are being demolished, which means that Shi'a militia can no longer extort duties and that Kurdistan can again become a dynamic gateway from the world to Iraq.

I think that is a positive and a potentially win-win position for all sides. Baghdad and Irbil are finding myriad ways to rebuild their relations, and we can do much more to make a strong KRG within a unified and fully federal Iraq. The Kurds might one day seek independence, as is their right, but not for now and perhaps not for a very long time.

The Minister will know that the UK is highly respected in Kurdistan. Many political leaders hold British passports, English is the second language and there is a strong Kurdish diaspora here in the UK. Four Kurdish universities teach only in English, and our active consul-general, Martin Warr, ably flies the flag and looks after and promotes our interests there. I praise the work of the British Council.

The UK Government are assisting the KRG's reform programme by encouraging a modern Finance Ministry and the professionalisation of the peshmerga. I pay particular tribute to our servicemen and women at the Zorbash base in Irbil for their work. I visited their camp on two or three occasions and have always been impressed by their professionalism and what they are doing to help train the peshmerga in things like counter-improvised explosive device measures and how to train their own troops and keep a cohesive military force.

Michael Tomlinson (Mid Dorset and North Poole) (Con): I was with my hon. Friend on the APPG's delegation. I congratulate him on securing this debate and on leading that successful delegation. We were there to monitor the referendum, but, as he said, we also had an opportunity to visit the Mercian Regiment, which was working alongside the peshmerga. Does he agree that that is another strong link between this country and the Kurdistan region in Iraq, and that it was a delight to see our troops working so hard, side by side with the peshmerga?

Jack Lopresti: My hon. Friend is absolutely right. It was an honour and a privilege to see our people making such a contribution there by training the peshmerga in vital skills such as counter-IED measures, the conduct of war and the cohesion of a modern military unit. It was inspiring to see our forces and theirs working so closely together.

I am pleased to honour the sacrifice of the peshmerga, who lost 2,000 soldiers and had 10,000 injured in defending themselves—they were our frontline against the monsters and fascists of Daesh. We owe them a massive debt of gratitude and respect, and their efforts will never be forgotten. From my four visits to Kurdistan, I can say that it is a hospitable, beautiful and relatively safe place. They have significantly advanced women's rights: nearly 40% of their MPs are women, which is a higher proportion than in Iraq and the UK. Christians, other religious minorities and ethnic minorities are respected.

The Kurdish Parliament has asked British MPs to help train its MPs in order to make it a more accessible institution and to instruct them on how better to hold the Executive to account. However, Kurdistan needs further and faster economic and political reform to take advantage of its better relations with Baghdad and its central position in the middle east. The peshmerga should be a single-state force. No political party should control security or have armed militia. The oil-dominated and state-centred economy should be diversified, and more efforts should be made to build a strong private sector so that economic pluralism underpins political pluralism and the agricultural, tourist and light-industry sectors are strengthened. We can help with that. I hope the Minister will reiterate the Government's position on favouring direct flights, and thereby encouraging a commercial carrier service to establish such routes. That would send a very strong signal indeed that Kurdistan is open for business, and would fortify our good relations.

Will the Minister look at amending the Foreign and Commonwealth Office travel advice, which currently says that people should visit Kurdistan only for essential purposes? That raises insurance costs and presents liability issues to British companies and institutions that want to operate there. With new advice, it would, for instance, be easier for British universities to set up campuses with accredited UK degrees, which are in demand and can improve the quality of higher education there.

British companies also need to invite Kurds here for training, but as the Minister knows, there is a very high visa rejection rate—over 70%, often for what seem to be spurious reasons. That does us great harm and hinders our ongoing relationship. Of course we need to control our borders, but we could do that better by reinstating interviews so minor details can be ironed out. We should allow our Ministers and diplomats to exercise

their discretion in our national interest. Trade and investment will be much more important after we have left the European Union, so we need to put Kurdistan back on the map. I suggest that she encourage an official trade mission.

We are honoured that the Kurdish Parliament has decided to set up an all-party group for the very first time, and that it will be on the UK. Kurdistan could be a hub for companies that want to help rebuild Mosul, as their personnel could be placed in relative safety in Irbil or Dohuk. We already have a small military base in Kurdistan, which is doing fantastic work, but I ask the Minister to consider the possibility of expanding our military presence there more permanently.

I welcome the Bishop of Truro's review, and suggest that the Minister and the Foreign Secretary examine the good treatment of Christians and other religious minorities, including the Yazidis, in Kurdistan. I encourage them both to go there.

There is still some unfinished business. My very good friend, Karwan Jamal Tahir, who is in the Public Gallery, said only yesterday in an email:

"Four years have passed since the crimes of genocide committed against Yazidis but as yet we have seen no justice for the victims and survivors, despite many efforts made internally and internationally. The KRG highly values all the efforts made to recognise these acts as genocide, we acknowledge that British public opinion, MPs, Lords are all asking for justice and prosecution of the perpetrators. The KRG thinks that, if previously there was no international basis for the trial, well now—there is an international and legal base in place—and that is UN resolution 2379 to collect the evidence and bring the perpetrators to justice. The KRG highly value and appreciate the British Government in initiating this resolution, lobbying to get it passed and dedicating budget for it."

The UK took the lead at the UN, but there has been slow progress in bringing the Daesh perpetrators to justice, so further action is required. Does the Minister agree that, given that the KRG has collected evidence, we should consider an international tribunal? I also ask the Minister to make plans for an official visit of the KRG President and Prime Minister. I hope that, in the very near future, they will meet our Prime Minister.

I am very pleased about the new state of relations with Baghdad. I ask the Minister to keep encouraging that and the full implementation of the Iraqi constitution. None of the all-party group's requests are about trying to encourage statehood. That is and has to be a matter for the Kurds. Next week, we are organising a unique briefing with the Minister, the Iraqi ambassador and the KRG high representative. I do not know whether I made it clear at the beginning of my remarks that I chair the all-party group for the Kurdistan region of Iraq. I draw Members' attention to that.

March is a month of many memories for the Kurds. Yesterday marked the beginning of the 1991 uprising against Saddam Hussein. We protected them thanks to public outrage and the actions of John Major and our RAF through the no-fly zone. Another anniversary is 16 March 1988, when Saddam Hussein used chemical weapons against the civilians of Halabja, killing 5,000 men, women and children in an instant and injuring 10,000 more, as part of his appalling genocide, which the Commons officially recognised in 2013.

As 21 March is the Kurdish new year, Newroz, the Minister can give the Kurds an early new year greeting by making progress on the points I have raised, and

building a better, bigger bilateral relationship with a pivotal autonomous region that is our friend and ally in defeating extremism and helping make the middle east safer and more pluralistic. The Kurds in Iraq keep surviving and thriving, but could do so much better with a bigger, deeper bilateral relationship with the United Kingdom.

4.45 pm

Mary Glindon (North Tyneside) (Lab): It is an honour to serve under your chairmanship, Sir Henry. I congratulate the hon. Member for Filton and Bradley Stoke (Jack Lopresti) on securing this important debate. He is the excellent chair of the all-party group for the Kurdistan region of Iraq, of which I am pleased to be a member. Although I have not visited the region yet, it has been an honour to meet representatives of the Kurdistan Regional Government, MPs and others from Kurdistan through my involvement with the group. It has been enlightening and valuable to learn about the region and its past struggles, and particularly about its pro-western values, its immense religious tolerance, which is unique in the middle east, and its role as the primary force in defeating Daesh.

I want to focus on early-day motion 2122, which I tabled last week, on establishing direct flights between the UK and the Kurdistan region. It focuses on an issue that the hon. Gentleman has raised and which has been pursued by the all-party group with Ministers over a number of years. We tabled it following the news that the KRG high representative to the UK, Karwan Jamal Tahir, recently met representatives of British Airways, which is considering establishing direct flights to Irbil from Heathrow from next summer.

As things stand, there is no choice but to travel via a third country. I am sure hon. Members agree that there is no incentive for companies from the UK or from across the Atlantic to explore the business opportunities that are available, especially as the region's economy improves due to the increased stability between the Kurdistan region and Baghdad, if there is no opportunity to fly there directly. I know from my airport, Newcastle International, about the importance of seeking new markets, particularly after Brexit. Connectivity is a primary factor for businesses, as it enables them to trade abroad.

A survey has deemed Irbil the fifth safest city in the world, and direct flights would surely encourage more tourism to that beautiful region, which has a wealth of cultural history. A lift in tourism would strengthen the region's economy and help to diversify it away from reliance on oil reserves. I am quite able to fly to Chicago—the most dangerous city in the whole world, in terms of murders—to visit my daughter, but not to a safer country. We should perhaps bear that in mind when considering where is safe for people in the UK to go.

Mr Hollobone: I am listening to the hon. Lady's speech with great interest—she makes a powerful point. Is she aware that Kurdistan attracts 2 million visitors per year for its tourism industry? Although it has a well-established tourism industry, very few of those tourists are westerners. Given that 95% of the economy is dependent on oil, she is absolutely right about the urgent need to diversify.

Mary Glindon: I thank the hon. Gentleman for emphasising that particular point. I think it adds fuel to the fire of why we want that situation to change.

The prospect of enhanced business connections and increased tourist travel depends on whether the Foreign and Commonwealth Office will consider revising its travel advice to UK travellers. At present, the advice means that UK travellers have to buy extra travel insurance, on top of their ordinary annual global insurance, to travel to Kurdistan. That sends out completely the wrong message to would-be travellers, who might question why they have to go for that extra insurance, and perhaps suggests to them that there might be more safety problems than there actually are. We do not want to deter would-be travellers from visiting that beautiful country.

Although the Government have to be cautious and do all they can to ensure the safety of all UK citizens, wherever we may be or are travelling to, in the light of the increased stability in the region—the hon Member for Filton and Bradley Stoke referred to it—which boasts English as its second language, I hope that the Minister will tell us that her Department will give serious and urgent consideration to revising advice for travel to Kurdistan, and that many more people will be able to enjoy all the delights that that wonderful region in Iraq has to offer.

4.52 pm

John Howell (Henley) (Con): It is a great pleasure to serve under your chairmanship, Sir Henry. I thank my hon. Friend the Member for Filton and Bradley Stoke (Jack Lopresti) for his speech introducing the debate.

I want move away from the areas that my hon. Friend covered to look at some of the capacity-building and humanitarian aid issues that occur in the country. If one thinks back, only a few years ago the humanitarian aid made available to Kurdistan was not reaching its target by around 63%. The UN could manage only 37% of its aid fund target. We have to ask why, and maybe the Minister will be kind enough to give a take on that.

It is crucial, in the light of the history of warfare with Daesh and the huge number of people who have been caught up in it, that the humanitarian aid for the crisis is more prevalent there than in other regions. The area's need for humanitarian assistance is much greater and we should therefore mention that there is and has been a major short-term funding gap in the provision of humanitarian aid for the country. That need for humanitarian aid is not finished—it is still growing because of the result of the conflict; the aid needs to be predictable; and improvements need to be seen and appreciated on the ground.

A number of things are putting enormous pressure on the provision of that humanitarian aid, one of which is the mass movement of people. Where there is a mass movement of people, there will always be a need for more humanitarian aid. As to a country where there is such need for that aid, it is difficult to talk of the need for capacity building, but I will mention five points in no particular order. They are not ordered by priority, but are just my thoughts on a number of issues.

First, I want to stress the need for capacity building in the provision of gender equality. There are two aspects to gender equality: the provision of humanitarian aid and the way women and girls have been treated as a

result of the prevalence of Daesh in the area for so long. The number of vulnerable women is quite large, and they are vulnerable whether or not they are the female heads of their households. There is an enormous risk of gender-based violence and there have been absolutely horrific reports of sexual and gender-based violence throughout the region.

We need to concentrate on a number of things to improve women's ability to survive and function in that society. A larger point on that, as we look to build an area with a great deal of capacity in future, is to ensure that women can use their skills to the best of their ability and that they play a full role, whether in politics, the economy or whatever it may be. We need to make sure that there is a tremendous amount of activity on that.

My second point on capacity building, which may seem a little strange in that these aspects are chalk and cheese, relates to cultural heritage. The UK has an enormous capacity in archaeological and cultural artefacts. In fact, I must admit that I am a product of that, having spent most of my early years as an archaeologist. I am not volunteering to go out to Kurdistan to provide the information and the training that people need, but I think we should make use of the skills that we have in the UK to deal with the tremendous trashing of cultural heritage in that region. One has only to look at the activities of Daesh there to see the effect it has on many people.

The third area is education, which my hon. Friend the Member for Filton and Bradley Stoke mentioned in the context of further education. We should be building capacity not just in further education, but in education throughout the lives of young people in the area. We should not necessarily concentrate solely on academic education, but we need to provide the skills that people need to ensure that the programmes of placements can be improved enormously—I have seen in other parts of the world how our concentration on education can achieve enormous results.

The fourth area is in the medical field. We have already heard that 10,000 people were injured in Kurdistan, and they need treatment. We need hospitals and qualified doctors to be able to provide that, and I think that a tremendous amount of capacity building could take place there to improve that situation.

The last point that I will raise, which encompasses all those things, is about dealing with corruption. I have a lot of experience of dealing with corruption—I am the Prime Minister's trade envoy to Nigeria, after all. The way corruption is dealt with needs to be tackled and made specific to each country. Corruption is not corruption is not corruption is a much broader picture there. Where there are not effective institutions that can function properly, there will always be a risk of corruption. Corruption is corrosive on everyone. It needs to be tackled head on.

Those are the five areas that I would recommend that the Department for International Trade and the Foreign and Commonwealth Office concentrate on. That does not take away the need for humanitarian aid, but those are the areas we need to concentrate on next as we develop.

5 pm

Fabian Hamilton (Leeds North East) (Lab): It is always a pleasure and a privilege to serve under your chairmanship, Sir Henry, and I congratulate the hon. Member for Filton and Bradley Stoke (Jack Lopresti) on introducing the debate. My first contact with Iraqi Kurdistan was in 2010, when I received a telephone call from the then Chief Whip of my party, asking me whether I would be willing to fly via Vienna—no direct flights even then—to Irbil in order to speak to the Kurdistan regional Parliament about the importance of opposition parties. That was a good introduction to being in opposition in 2010, which was fairly new to us after 13 years in government. I had been to Iraq once before, in 1980, but I had never been to the north, to Irbil.

As the hon. Member for Filton and Bradley Stoke said, what a surprise it was to arrive in a region of a middle eastern Arab country that I had visited so long ago—it was quite progressive in 1980 and went downhill after that—and to see the progress being made. What a surprise to see how that Parliament was developing, and to see the Kurdish values that I already know from my constituency, where we have a small but substantial population of Kurdish refugees in the city of Leeds, who sadly are now increasing. I saw for myself what was going on, and it felt like a separate nation. It felt like a region that was going to secede from the Republic of Iraq any time soon, because the values seemed so different. We were told that a visa was needed to go from Baghdad to Irbil at that time.

I was fortunate to go back to Irbil and Slemani just a year later with the all-party parliamentary group, under the leadership of the hon. Gentleman's predecessor, and with the secretary, Gary Kent, who knows the region and the country very well. During that visit we learnt more about the Anfal—the terrible slaughter of Kurds because they were Kurds under Saddam's presidency. We learnt what the Halabja gas attack really meant for men, women and children. We heard more about that in a conference two or three years ago in London on the anniversary of the 1988 atrocity. The Labour, coalition and Conservative Governments have since learned—we have agreed—that was genocide.

There is no doubt that the violence by the then leadership of Iraq was aimed at the Kurds. The Kurds always seem to attract the wrath of the regimes in the region. Let us look at what is happening in Turkey—nothing like what happened in Iraq, but quite a lot of oppression—and in Syria and Iran. But it is in Iraq that there has been the only regional autonomy, until the referendum—as the hon. Gentleman so clearly stated, until the disgusting attack and oppression by the Iraqi army in Kurdistan. We were all shocked by that violence. I was in regular contact with Gary Kent at the time.

The Opposition believe in people's right to self-determination, in whatever part of the world. I know the Minister will emphasise that too. If they have cultural integrity, linguistic individuality and cultural separateness, no matter the religion, they have the right to self-determination, to decide for themselves what their future as a nation should and could be.

In talking to the families of the victims of the Anfal in 2011, I was struck by the comparison they made to the holocaust of the Jewish people in the second world

war. I come from a Jewish background—it meant a lot to me; it meant a lot to me. My family died in the holocaust and in the concentration camps. To hear people of the Muslim faith, who are Kurds, talk about their empathy with the Jewish people and the state of Israel was a revelation. One MP said to me, “You know, if Israel opens an embassy in Baghdad tomorrow”—unlikely, but perhaps more likely today than it was seven or eight years ago—“they will open one the next day in Irbil. We would welcome an Israeli presence here.” I had never heard anybody in the region say that before, and I was struck by it.

When we drove from Slemani on that road route back to Irbil, I took a number of photographs—we were delayed by a whole load of sheep crossing the road. I was struck by the similarity of the countryside to my native Yorkshire, which I have represented for 22 years. When I showed the photograph to my wife, she asked if it was Ilkley moor. I replied, “No, this is an area you won't visit. This is Slemani to Irbil.” She was as shocked as everyone else.

I am grateful to the hon. Gentleman for raising such an important issue. He said that the Kurds could no longer rely on Baghdad. He pointed to the army seizing Kirkuk after that referendum was crushed. He talked, most importantly of all, of the Kurdish peshmerga saving Iraq. The Opposition would certainly concur with that. They contained Daesh through their bravery and extraordinary organisation. Their army contains men and women—something unseen and unheard of in the region.

My hon. Friend the Member for North Tyneside (Mary Glendon), who has considerable experience of Iraqi Kurdistan and Iraqi Kurdistan and the Kurdish cause, talked about the direct flights issue. Anyone who has been to Irbil knows what a struggle it is to have to change in Vienna, or whichever third country, but it is much more important than that. If they are going to develop tourism, as she said, there must be direct flights. The contrast with Chicago was a brilliant one, because I got that feeling too. I am sure every other right hon. and hon. Member who has been to Irbil, and had the pleasure of seeing school children in Slemani dancing the local dance and of listening to the music of the region, will know that it is a safer, more accommodating and more welcoming city than Chicago or many other American cities. They will have felt safer and not vulnerable, and that nobody was out to attack them. That is very important to the development of business and communities, and to economic development in general.

The hon. Member for Henley (John Howell) talked about the need for humanitarian assistance. We should never forget how important that is; that need may well still be growing, as he indicated. Gender inequality and the risk of gender-based violence is something we need always to be aware of and to combat.

Between 1986 and 1989, about 180,000 people—the numbers are disputed—perished in the Anfal. The UK supported the creation of the Iraqi constitution after the invasion of Iraq in 2003. The Kurdistan Regional Government were formalised in the present constitution of Iraq in 2005. The UK has given military and financial assistance to the peshmerga, especially during the ISIS surge. I hate to quote him, but the former Foreign Secretary, the right hon. Member for Uxbridge and South Ruislip (Boris Johnson), stated that

[*Fabian Hamilton*]

“we owe a great debt to the Peshmerga for their bravery and sacrifice. What they are doing is on behalf of all of us.”

That is perhaps one of the few things I have agreed with him about over the years.

Governments of all colours have agreed that it is important to have a strong Kurdistan region of Iraq, within a strong, successful, unified Iraq. We know that would ensure stability in the country and the whole region, which is why we are so concerned about the destabilising effect of what happened a couple of years ago. The Select Committee on Foreign Affairs stated in a report on the subject in 2018 that

“the FCO should support meaningful political participation and representation for Kurds, as well as cultural recognition, equal rights, and economic opportunities for them, underpinned by national constitutions and achieved through negotiation, as a means of fulfilling Kurdish aspirations. It is not in the UK’s interests for any state to deny Kurdish identity through law or force.”

I am sure that the Minister will refer to that.

The UK Government have played a diplomatic role in attempting to reduce tension between the Kurdish and the Iraqi federal Government. I pay tribute to the Foreign Office and to current Ministers for that. However, bafflingly, as my hon. Friend the Member for North Tyneside said, the Foreign Office still advises against all but essential travel to Iraqi Kurdistan, putting it in the same category as Baghdad and southern Iraq. That needs to change, and I hope we will hear more about that from the Minister.

In February 2019, one of the people I shadow, the Minister for the Middle East, announced £30 million in funding to help rebuild Iraq and to aid the economy. He visited the region in January 2019, and he gave particular support to policies preventing sexual violence in conflict areas in Iraq. As we know, since 2014 the Department for International Development has provided more than £250 million towards humanitarian assistance in Iraq, the vast majority of it in and around the Iraqi Kurdistan region. I hope that I have not stolen the Minister’s thunder—she is also a DFID Minister.

The United Kingdom gives indirect support through international bodies such as the United Nations Development Programme funding facility for stabilisation, which has focused on areas liberated from ISIS. The UK trained more than 9,000 peshmerga in infantry, counter-IED, engineering and medical skills, and provided—I believe it continues to provide them—arms and ammunition to the peshmerga.

As we know, there are still no direct flights from the UK to Irbil in Iraqi Kurdistan. As Members have said, there have been rumours that British Airways will commence flights next year. Let us hope that happens and that the Government can encourage that. As I mentioned, the authorities in Iraqi Kurdistan are particularly proud of the religious tolerance in the region. The Kurdish authorities launched a commission to investigate crimes by ISIS, particularly against the Yazidis, during the conflict. I think we all welcome that.

I again congratulate the hon. Member for Filton and Bradley Stoke on bringing this important issue before us. Let us hope that we can continue to work together to ensure that the people of Iraqi Kurdistan have a truly autonomous future, that they can govern themselves,

and that we can look forward to Irbil, Slemani and the many other cities of Iraqi Kurdistan being tourist destinations for everybody from Europe.

5.12 pm

The Minister for Africa (Harriett Baldwin): It is an honour to serve under your chairmanship, Sir Henry. I add my congratulations to my hon. Friend the Member for Filton and Bradley Stoke (Jack Lopresti) on securing this debate and on his long-standing passion and interest in this area. I am probably the only person to speak in the debate who has not had the pleasure of visiting the Iraqi region of Kurdistan. Obviously, my colleague the Minister for the Middle East would usually have responded to such a debate, but he is travelling. He sends his apologies for not being able to take part.

We have heard a range of really interesting and enlightening speeches. I will start by trying to address some of the common points that were raised before recapping the UK’s long-standing partnership with the Kurdistan region of Iraq.

Some important issues have been raised. We heard questions about the UK’s position on the 2017 referendum for independence. Colleagues will want to know that we continue to support the unity, sovereignty and territorial integrity of Iraq. That is why we did not support the Kurdistan region’s referendum and do not recognise the results of the referendum. We believe that any referendum or political process towards independence must be taken as a result of an agreement with Baghdad and in line with the Iraqi constitution. We continue to help Iraq to build a more stable, prosperous and inclusive Iraq in which all Iraqis, including Iraq’s Kurds, have the security, jobs and opportunities they want and deserve.

The UK continues to encourage the Iraqi Government to resolve outstanding disputes with the Kurdistan Regional Government, and we continue to encourage the Kurdistan Regional Government to respect the Iraqi federal court ruling that the referendum was unconstitutional. At the right time, when both parties are ready, we would want both sides to return to substantial negotiations to resolve all outstanding issues, in line with the Iraqi constitution, including making further progress on oil and revenue sharing and the status of the disputed territories, so the Baghdad-Irbil relationship is placed on a more sustainable footing within a unified Iraq.

Turning to the specific question of Kirkuk, as my hon. Friend the Member for Filton and Bradley Stoke noted, in 2014 Daesh captured large swathes of territory in northern Iraq that were disputed between Baghdad and Irbil. As the Kurds pushed Daesh back, they controlled many of those disputed territories, including the oil-rich city of Kirkuk. Following the referendum on 25 September 2017, the federal Government of Baghdad reasserted control over those areas. The UK wants to see a long-term, peaceful and sustainable solution to the governance of those territories, in line with article 140 of the Iraqi constitution.

A number of colleagues raised the question of flights. Of course, individual airlines will want to make their own commercial decisions. I certainly thought that a range of colleagues made some powerful points in support of direct flights. The Foreign Office, the Home Office and the Department for Transport keep the issue

under constant review, as indeed we at the Foreign Office keep travel advice for the Kurdistan region of Iraq under constant review.

My hon. Friend also raised the question of visas. He may want to raise that question more directly with colleagues from the Home Office, but the Foreign Office can commit that we will continue to work with Home Office colleagues to ensure that the requirements for visas to the UK are clearly, simply and effectively communicated to those applying for them.

My hon. Friend raised important issues to do with the atrocities committed during the conflict. The UK took action in 2017 to secure United Nations Security Council resolution 2379, which established an investigative team to gather evidence of Daesh's crimes in Iraq. That team has now deployed. It has the full support of this Government, and we continue to encourage the UN to make rapid progress on that important work.

My hon. Friend raised the question of an inward visit from Kurdistan to the UK. He will know that the Prime Minister herself visited Iraq in 2017, and he will appreciate that she had a bilateral meeting with President Salih last week in Sharm El Sheikh. We would be very glad, at the appropriate moment, to welcome a delegation from the Kurdistan region of Iraq to the UK.

The UK has long and historic links with the Kurdistan region of Iraq, which colleagues alluded to. My hon. Friend the Member for Henley (John Howell) raised the important work we have been doing on the humanitarian side through the Department for International Development. I did not realise that he had such an interesting experience of archaeology. I think he will be very interested in the British Museum's Iraq scheme, which is funded by the Department for Digital, Culture, Media and Sport and trains Iraqi archaeologists. It brings them to London for two months and then gives hands-on training in Iraq for a further two months. I think we can all agree wholeheartedly how important that is.

Successive British Governments have enjoyed a close working relationship with the Kurdistan Regional Government since its formation in Iraq in 1992. As a number of colleagues noted, we stood by the Kurdish people in 1991. We introduced safe havens, we policed no-fly zones, we protected thousands of lives in the Kurdistan region and we provided a refuge from the brutality of the dictatorship of Saddam Hussein for many years. We also stood by the Iraqi people in their fight against Daesh, and I take this opportunity to pay particular tribute to the courage and tenacity of the Kurdish peshmerga and the Iraqi security forces in the face of the barbaric assault by Daesh on their livelihoods and their cultural identity.

I pay tribute to the incredible generosity of Iraqis from across the country, including the Kurdistan region of Iraq, in supporting millions of people displaced from their homes by the brutality of Daesh in Syria and Iraq. As an integral part of Iraq, the Kurdistan region is a natural partner for the UK. We share many strategic interests. We respect the Kurdish people and our relationship is strong.

The strength of our partnership was evident during the recent visit to Iraq, to which the hon. Member for Leeds North East (Fabian Hamilton) alluded. During the visit, the Minister for the Middle East met senior politicians and leaders in Baghdad, as well as the Kurdish

Prime Minister, Nechirvan Barzani, and Chancellor Masrour Barzani. He reiterated the United Kingdom's deep and unwavering support to all Iraq. He also met representatives from Christian and Yazidi communities, and stressed that all groups, regardless of religion or ethnicity, should be treated equally. We continue to emphasise to our partners the importance of upholding and protecting the human rights and fundamental freedoms of all minority communities in Iraq.

It is clear that Iraq, including the Kurdistan region, continues to face significant challenges. The UK remains committed to working in partnership with the Kurdistan Regional Government to ensure a successful Kurdistan inside a thriving, multicultural, multi-ethnic and multi-religious Iraq.

As colleagues have noted, since 2014 the UK Government have committed over a quarter of a billion pounds-worth of humanitarian support to Iraq, including to the Kurdistan region. That money has provided vital food, shelter, medicines and clean water to millions of people. In addition, we have committed over £110 million to Iraq since 2015 to help to stabilise the liberated areas and to enable internally displaced persons to return to repaired homes, with rebuilt water supplies and restored electricity networks.¹ To be sustainable, that infrastructure support needs to be underpinned by an ongoing commitment to reconciliation and security. That is why we are supporting community-level reconciliation in the liberated areas of Iraq through our conflict, stability and security fund, which we believe will play a vital role in building long-term stability.

While Daesh no longer holds territory in Iraq, it continues to pose a security threat to the Kurdistan region of Iraq, and to other parts of the country. The UK is committed to working with the Iraqi Government and Kurdistan Regional Government to counter this security threat, through our ongoing support to the Iraqi security forces and to the Kurdish peshmerga. The success of the Kurdistan region of Iraq requires much more than security capabilities. It also needs political and economic stability. We are encouraged by some early signs of a rapprochement between Baghdad and Irbil, and we will continue to support the strengthening of this critical relationship.

The formation of a Government in the Kurdistan region is crucial. The people of the Kurdistan region need a stable and functioning Government who can attract business and investment, grow the economy and provide much-needed jobs. Reform will be important too—not only to strengthen the economy, but to improve public services. The current leadership recognises that and we stand ready to support it in its efforts. We will continue to urge the political parties to conclude their negotiations as soon as possible, and set a forward-thinking programme of government focused on building prosperity and security for the people.

The UK's commitment to the Kurdistan region of Iraq is long term, and we will continue to work with the Government of Iraq and the Kurdistan Regional Government to strengthen our partnership. Our defence and security support is helping to strengthen and reform the peshmerga; our humanitarian and stabilisation efforts are helping to rebuild communities; and our political support is helping to bring politicians closer together,

1. [Official Report, 12 March 2019, Vol. 656, c. 2MC.]

[*Harriett Baldwin*]

so that trade and investment can grow the economy and bring the prosperity that the people of the Kurdistan region of Iraq want and deserve.

5.24 pm

Jack Lopresti: I thank all hon. Members who have contributed to this important debate and offered their support, from across the political divide.

I will not list all the Minister's points, but I thank her for addressing important matters to do with disputed territories, religious freedom and tolerance, and giving hope on direct flights. I will take her advice and bring up matters about visas with the Home Office.

There were some kind comments from the hon. Member for Leeds North East (Fabian Hamilton). I agree with what he said when he reiterated what some of us had said about the peshmerga saving Iraq. Not only did they save Iraq; they also helped to a large degree in keeping our own streets safe and defeating some of our enemies. We owe them a huge debt of gratitude.

I was intrigued by my hon. Friend the Member for Henley (John Howell) and his past in archaeology. I would be happy to spend some of my summer with him, because there are lots of artefacts, historic battlefields

and great historical places to visit in Iraqi Kurdistan, where he could have a good dig around. I would implore anyone who has not yet done so to visit the region, for all the reasons we have discussed. It is a fantastic, wonderful place, with wonderful people, where people are always made to feel welcome and, as others have said, safe and secure.

Gary Kent would normally be here—it is rare to be at an event that has anything to do with Kurdistan and find he is not there—but I hope he does not mind me saying that he is on a pre-arranged family holiday in Madeira. He has still been emailing this week and I have spoken to him most days. He has been very helpful indeed and he epitomises what we are doing in the all-party parliamentary group for the Kurdistan region in Iraq in his running of the secretariat.

I thank hon. Members again and I thank you, Sir Henry, for your chairmanship.

Question put and agreed to.

Resolved.

That this House has considered bilateral relations with the Kurdistan region in Iraq.

5.26 pm

Sitting adjourned.

Written Statements

Wednesday 6 March 2019

HOME DEPARTMENT

Justice and Home Affairs Pre-Council Statement

The Secretary of State for the Home Department (Sajid Javid): The EU Justice and Home Affairs Council of Ministers will meet on 7 and 8 March in Brussels. This will be the last JHA Council meeting that the UK will attend as an EU member state. I will represent the UK for Interior day. The Lord Chancellor and Secretary of State for Justice, the right hon. David Gauke MP will represent the UK for Justice day. The Scottish Government Minister, James Wolffe QC, Lord Advocate, will also attend for both days.

Interior Day on 7 March will begin with a policy debate on the proposed regulation to amend the European Border And Coast Guard Regulation. The regulation aims to reinforce the EU's integrated border management strategy and further protect the external EU borders by providing the European Border and Coast Guard Agency with a standing corps of 10,000 staff with executive powers, dedicated equipment and the remit to act in third countries. This is a Schengen building measure which the UK does not participate in.

There will then be a progress report on negotiations on the package of seven legislative measures constituting the reform of the common European asylum system. The presidency are seeking compromises to enable them to make progress on these measures ahead of the European Parliament elections in May. The UK will only participate in the regulation relating to Eurodac, the EU's fingerprint database of asylum seekers and irregular migrants.

The presidency will seek an exchange of views on co-operation with third countries on migration following the recent EU-Arab League summit. Over lunch there will be a discussion on achievements and perspectives on Home Affairs activity from 2014-19. I will use these opportunities to note the UK's contribution to EU JHA activity, and to emphasise the importance of future co-operation between the EU and the UK on these issues.

The Council will then discuss the state of play on the EU's response to terrorism. Ministers will be asked to consider whether there are any gaps in EU counter-terrorism policy, and whether new legislation or activity is required. I will highlight areas where the UK considers the EU can add value to member states efforts, and emphasise the importance of future co-operation between the EU and the UK to tackle the terrorist threat.

Finally, Ministers will discuss the issue of disinformation in the context of securing free and fair elections. I will intervene to indicate our continued willingness to share examples of UK good practice and expertise in this area post-exit.

Justice day on 8 March will begin with a progress report on the directive on whistleblowing. The presidency will update on trilogue negotiations with the European Parliament on this issue. The UK has concerns about

the proportionality of this measure, and has indicated its preference for providing whistleblowers with a choice of reporting channels to support their disclosures.

The presidency will then present the text of the directive on legal representatives for gathering electronic evidence ('e-evidence'), seeking agreement for a general approach. While the UK has not opted into the regulation (which requires service providers providing services within the EU to preserve or produce electronic data on request from a law enforcement authority of an EU member state), it will be bound by this directive, which obliges the same service providers to designate a legal representative in a member state to comply with requests. The UK supports the e-evidence proposals' overall aim of enhanced international co-operation on e-evidence and its use in preventing and tackling harms to public security, and is thus content with the provisions in the directive.

The Council will also discuss Council decisions for negotiating mandates with the US for an agreement on cross-border access to e-evidence, and for negotiations on a second additional protocol to the Budapest Convention on cybercrime. The UK will need to decide whether it wishes to opt in to these Council decisions.

The Commission will provide a state of play on the implementation of the European Public Prosecutor's Office. The UK does not participate in the EPPO.

The Commission will present the results of the 4th monitoring of the code of conduct on tackling illegal hate speech and to underline the importance of the correct implementation of the framework decision on racism and xenophobia to ensure the continued effectiveness of the voluntary co-operation under the code of conduct as well as of the need to ensure that the offenders of illegal hate speech are brought to justice.

Over lunch, Ministers will discuss the impact of lawtech and artificial intelligence in the Justice System.

[HCWS1381]

Seasonal Workers Pilot

The Secretary of State for the Home Department (Sajid Javid): On 6 September last year, my right hon. Friend the Secretary of State for Environment, Food and Rural Affairs and I announced that our Departments would implement a nationwide pilot to enable non-EU migrant workers to work on UK farms, commencing in early 2019 (HCWS940).

We are now pleased to announce that the seasonal workers pilot will commence operation on Wednesday 6 March 2019.

The seasonal workers pilot will operate in the edible horticulture sector, to support farmers growing UK fruit and vegetables. This is the sector of agriculture which has been experiencing the most severe seasonal labour shortages, and which the pilot aims to support.

The horticulture sector is of course a particular UK success story, with soft fruit production having grown by 131% in the last 20 years. Seasonal migrant labour has played an important role in helping soft fruit farmers to grow, sell and export more great British food. We therefore believe that it is the right sector to host this pilot.

This pilot will enable growers to employ up to 2,500 non-EU migrant workers for seasonal work for up to 6 months. We anticipate that the first workers will start to arrive in the UK before the end of April.

Two scheme operators—Concordia and Pro-Force—have been licensed to manage the pilot and will be responsible for identifying suitable migrant workers and matching them to UK growers. They will also be required to ensure the welfare of migrant workers whilst they are in the UK. We will be working closely with the scheme operators and the gangmasters and labour abuse authority to ensure that work rights of participating migrant workers are protected.

This is a UK-wide pilot and we have placed a specific duty on the scheme operators to ensure that all regions of the UK are able to benefit.

The pilot will run until the end of December 2020 and will be monitored closely by the Home Office and the Department for Environment, Food and Rural Affairs.

[HCWS1380]

ORAL ANSWERS

Wednesday 6 March 2019

	<i>Col. No.</i>		<i>Col. No.</i>
NORTHERN IRELAND	939	NORTHERN IRELAND—continued	
Business Community	941	Stormont House Agreement: Legacy	945
Devolved Government	939	UN Committee on the Elimination of	
EU Withdrawal Agreement: Backstop Protocol.....	946	Discrimination against Women	948
Leaving the EU: No-Deal Preparations	942		
Northern Ireland Assembly: Re-establishment.....	944	PRIME MINISTER	949
Security Situation.....	946	Engagements.....	949

WRITTEN STATEMENTS

Wednesday 6 March 2019

	<i>Col. No.</i>		<i>Col. No.</i>
HOME DEPARTMENT	35WS	HOME DEPARTMENT—continued	
Justice and Home Affairs Pre-Council Statement ..	35WS	Seasonal Workers Pilot	36WS

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**not later than
Wednesday 13 March 2019**

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CONTENTS

Wednesday 6 March 2019

Oral Answers to Questions [Col. 939] [see index inside back page]

Secretary of State for Northern Ireland
Prime Minister

Social Security and Employment Support for Disabled People [Col. 968]

Answer to urgent question—(Sarah Newton)

Leaving the EU: Protection for Workers [Col. 980]

Statement—(Greg Clark)

School Uniform (Gender Neutrality) [Col. 996]

Bill presented, and read the First time

Charity Trustees (Time Off for Duties) [Col. 997]

Motion for leave to bring in Bill—(Susan Elan Jones)—agreed to
Bill presented, and read the First time

Comptroller and Auditor General [Col. 1000]

Motion—(Prime Minister)—agreed to

Northern Ireland (Regional Rates and Energy) (No. 2) Bill (Business of the House) [Col. 1006]

Motion—(Karen Bradley)—agreed to

Northern Ireland (Regional Rates and Energy) (No. 2) Bill [Col. 1009]

Motion for Second Reading—(Karen Bradley)—agreed to
Read a Second time
Considered in Committee; not amended, considered; read the Third time and passed

Petition [Col. 1060]

Special Educational Needs: Wiltshire [Col. 1061]

Debate on motion for Adjournment

Exiting the European Union (Financial Services and Markets) [Col. 1069]

Motion, on a deferred Division, agreed to

Exiting the European Union (Electricity) [Col. 1073]

Motion, on a deferred Division, agreed to

Exiting the European Union (Gas) [Col. 1075]

Motion, on a deferred Division, agreed to

Exiting the European Union (Food) [Col. 1078]

Motion, on a deferred Division, agreed to

Exiting the European Union (Electric Communications) [Col. 1081]

Motion, on a deferred Division, agreed to

Exiting the European Union (Road Traffic) [Col. 1085]

Motion, on a deferred Division, agreed to

Westminster Hall

Transport Infrastructure: Essex [Col. 381WH]
Civil Nuclear Constabulary: Pensions [Col. 405WH]
Housing Associations and Public Contractors: Freedom of Information [Col. 413WH]
Rail Services: South-east London [Col. 437WH]
Kurdistan Region [Col. 446]
General Debates

Written Statements [Col. 35WS]

Written Answers to Questions [The written answers can now be found at <http://www.parliament.uk/writtenanswers>]
