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**HOUSE OF COMMONS
OFFICIAL REPORT**

**PARLIAMENTARY
DEBATES**

(HANSARD)

Wednesday 24 February 2021

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The House met at half-past Eleven o'clock

PRAYERS

[MR SPEAKER *in the Chair*]

Virtual participation in proceedings commenced (Orders, 4 June and 30 December 2020).

[NB: [V] denotes a Member participating virtually.]

Speaker's Statement

Mr Speaker: Her Majesty the Queen will, in less than one year from now, mark the 70th anniversary of her accession to the throne. The Queen's platinum jubilee will be marked by national celebrations. As with previous jubilees, it is hoped that Her Majesty will visit Parliament next year to mark the occasion. As I announced in November, both Houses of Parliament intend to present a gift to Her Majesty to mark this historic occasion. In 1977, to mark Her Majesty's silver jubilee, the fountain in New Palace Yard was built. In 2002, to mark the golden jubilee, the sundial in Old Palace Yard was installed, and in 2012, to mark Her Majesty's diamond jubilee, the stained-glass window in Westminster Hall was commissioned. The House will therefore be pleased to hear that a gift has now been commissioned for Her Majesty from Parliament to mark her platinum jubilee in 2022. It is now open to all Members of both Houses to contribute towards this gift, and I invite hon. Members to do so. As was the case in 2012, when hundreds of parliamentarians contributed towards the diamond jubilee gift, this gift will also be funded by personal contributions from Members of both Houses, entirely at their own discretion. It is proposed that no public funds will be spent on the gift. I have written to all Members with details of the gift and how they may wish to contribute. I warmly encourage them to do so.

We now come to questions to the President of COP26, and I welcome the Minister to his new position.

Oral Answers to Questions

COP26

The President of COP26 was asked—

Post Covid-19 Economic Recovery: Climate Action

Mark Menzies (Fylde) (Con): What steps he is taking to help ensure that climate action contributes to the post covid-19 economic recovery. [912519]

Mrs Flick Drummond (Meon Valley) (Con): What steps he is taking to help ensure that climate action contributes to the post covid-19 economic recovery. [912527]

Imran Hussain (Bradford East) (Lab): What steps the Government are taking to promote (a) climate action and (b) a green recovery from the covid-19 pandemic ahead of COP26. [912530]

The President of COP26 (Alok Sharma): We are determined to build back better and greener as we recover from covid-19. The Prime Minister's 10-point plan for a green industrial revolution sets out the Government's blueprint to grow the sunrise sector, support 250,000 green jobs and level up across the country.

Mark Menzies [V]: The north-west, as you are well aware, Mr Speaker, is the heart of the UK nuclear industry, including Westinghouse nuclear fuels in my constituency. With the world increasingly focused on utilising low carbon energy sources, what steps is my right hon. Friend the President taking ahead of COP26 to promote UK-based nuclear energy production satisfying our future energy needs and supporting countless high-skilled jobs across the north-west?

Alok Sharma: My hon. Friend is absolutely right. Nuclear power clearly has a part to play in our clean energy mix, and he will know that in the Prime Minister's 10-point plan we have committed to backing large-scale nuclear advanced modular reactors and small modular reactors—AMRs and SMRs. Of course, the sites such as the ones in my hon. Friend's constituency are vital in terms of creating jobs and investment in the north-west.

Mrs Drummond [V]: I welcome my right hon. Friend to his new appointment. Does he agree that the Prime Minister's 10-point plan will not only help places such as Meon Valley to build back better and greener from covid but level up all regions across the country?

Alok Sharma: My hon. Friend is absolutely right. The 10-point plan will be a catalyst to unleash innovation and jobs across the country. We are going to have a green industrial revolution, which will be powered by wind turbines in Scotland and the north-east, propelled by electric vehicles made in the midlands and, of course, supported by carbon capture clusters across our industrial heartlands.

Imran Hussain [V]: Public transport is one of the cleanest modes of transport we have, as it helps to get thousands of carbon-emitting vehicles off our roads, but our public transport infrastructure, particularly rail, is woefully outdated in the north of England and simply not fit for purpose. Will the right hon. Gentleman therefore back my calls for the Northern Powerhouse Rail scheme to be built in full, including a Bradford city centre station, to prove that we are taking this climate emergency seriously by getting more people on to public transport and more cars off our roads in the north and by providing good, green, sustainable jobs?

Alok Sharma: I certainly agree that we should be encouraging people to take public transport where that is possible. I come in from Reading to Paddington every day by train myself. The hon. Gentleman has raised a policy issue relating to the Department for Transport and I will ensure that I make representations on his behalf to the Secretary of State.

Matthew Pennycook (Greenwich and Woolwich) (Lab): Next week, the Government will co-host a summit of the Powering Past Coal Alliance to boost international co-operation on the phasing out of coal, yet at the same time, Ministers are refusing to intervene here at home to

prevent the opening of a new deep coal mine in Cumbria. The president knows full well that the proposed mine is not purely a local matter, that it will not help to secure the future of UK steel and that it will not provide the long-term secure jobs that Cumbrians need. However, it will increase emissions, undermine progress to our net zero target and damage our credibility as COP26 host. My question to him, therefore, is a simple one: in this critical year, why on earth are he and his Cabinet colleagues content to see this mine approved?

Alok Sharma: I note the hon. Gentleman's point about the Powering Past Coal Alliance, and I am very proud that the UK is part of leading it. Of course, we have made significant progress in reducing coal as part of our energy mix over the last decade. It has come down from 40% to just under 2%, and I set out my detailed views on this issue at the Business, Energy and Industrial Strategy Committee hearing, as he will know. This is now a local matter; it is a local issue. Cumbria County Council is considering the application and, like him, I wait to see the outcome.

COP26: UK's Objectives

Nicola Richards (West Bromwich East) (Con): What discussions he has had with (a) business owners and (b) other stakeholders on the UK's objectives for COP26. [912520]

Virginia Crosbie (Ynys Môn) (Con): What steps he is taking to consult businesses in preparation for COP26. [912522]

The President of COP26 (Alok Sharma): Businesses have a vital role to play in tackling climate change through the COP26 business leaders group and, indeed, through other engagements in the UK and internationally. I have spoken directly with many hundreds of global businesses, and of course we are calling on businesses, investors and other non-state actors to sign up to the Race to Zero campaign and commit to achieving net zero emissions by 2050.

Nicola Richards [V]: We are hugely proud of our diverse communities in West Bromwich East, and many of my constituents place great importance on the role of our allies across the world, especially in India, in working with the UK to tackle these global issues. Can my right hon. Friend update the House on the success of his recent international engagement?

Alok Sharma: I can tell my hon. Friend and, indeed, the House that, over the past few weeks, I have had productive discussions with Government Ministers on visits to Ethiopia, Gabon, Egypt, Nigeria, Nepal and India. She mentions India, and I met Prime Minister Modi in Delhi. I have also spoken to a range of other Governments, including the US special envoy, John Kerry, and China's special envoy for climate change, Minister Xie Zhenhua, and I stressed the importance of the three key pillars of the Paris agreement: mitigation, adaptation and finance.

Virginia Crosbie [V]: I am delighted that, on 1 July, the Minister responsible for science, research and innovation, my hon. Friend the Member for Derby North (Amanda

Solloway), will be coming to Anglesey to open an innovation jobs fair I am organising alongside the Menai science park. This event will bring together innovative green businesses such as Moorlights and Beacon biocomposites to showcase their work. The event offers a perfect opportunity to put a spotlight on COP26 for the communities and businesses here in my Ynys Môn constituency. Will the COP President ensure that there will be resources available to help me do this?

Alok Sharma: I pay tribute to my hon. Friend's excellent work in supporting green jobs in her constituency. Of course, as host of the G7 and COP26, we want to showcase innovative British green businesses, such as those housed by the Menai science park in her constituency. I am delighted that the science Minister is opening her innovation jobs fair, and I know they will work closely together to ensure it is a success.

Deidre Brock (Edinburgh North and Leith) (SNP) [V]: In those discussions with interested parties, did they ask why the UK's objectives are so vague and so unambitious? Did they point out that the UK Government have missed a slew of targets on the climate change emergency and that there appears to be little to no effort being made to catch up? How can the UK Government pretend to any world leadership on this issue when they show such a marked reluctance to act at all?

Alok Sharma: I respectfully suggest to the hon. Lady that she look at the record of this Government in cutting emissions. We were the first major economy in the world to legislate for net zero and, of course, I hope she is pleased not just with the 10-point plan but with the very ambitious, nationally determined contribution that the Prime Minister set out last year.

Climate Change: UK as a Global Leader

Alison Thewliss (Glasgow Central) (SNP): What recent assessment he has made of the UK's progress on becoming a global leader on tackling climate change in preparation for COP26. [912521]

The Minister for Business, Energy and Clean Growth (Anne-Marie Trevelyan): The UK is leading from the front and has made significant commitments under all three pillars of the Paris agreement, which, as the President set out, are mitigation, finance and adaptation and resilience. We are continuing to press for ambition internationally, and we are discussing climate action with world leaders. Our nationally determined contribution, of course, sets the highest level of emission reductions by 2030 of any major economy.

Alison Thewliss [V]: Angel Gurría, the outgoing secretary-general of the OECD, has urged countries to attach environmental conditions to bail-outs, to prioritise a green recovery with environmental jobs and to "put a big fat price on carbon."

So will the UK Government take his advice?

Anne-Marie Trevelyan: We are leading the way in making sure that we do that as part of our building back better and greener. I am co-chairing, with the Department for Education, a green jobs taskforce, to

make sure we are able both to upskill and to train all the new skills that are going to be needed for those new industries.

Stephen Morgan (Portsmouth South) (Lab) [V]: Improving air quality is an essential part of our work to tackle the climate emergency, yet the Government refused to back Labour's call to make sure that air quality targets meet World Health Organisation guidelines by 2030. What will the Minister do to ensure that we are truly world-leading in our efforts to reduce emissions?

Anne-Marie Trevelyan: As President Sharma has set out, we are absolutely world-leading in tackling our carbon dioxide emissions, and part of the work with our landmark Environment Bill will be in getting to grips with this and leading again worldwide, so that others can follow on air quality.

Paris Agreement Long-term Strategy

Sir Oliver Heald (North East Hertfordshire) (Con): If the Government will (a) submit their Paris agreement long-term strategy in preparation for COP26 and (b) meet the UK nationally determined contribution by 2030.

[912525]

The Minister for Business, Energy and Clean Growth (**Anne-Marie Trevelyan**): Ahead of COP26, the Government will publish a comprehensive net zero strategy, which will form the basis of our next long-term strategy. The UK's NDC commits to an at least 68% reduction in emissions by 2030 compared with 1990 levels, consistent with our legally binding commitment to net zero by 2050.

Sir Oliver Heald [V]: Nature can be a great ally in tackling climate change; as we restore salt marshes, peat bogs and other natural habitats, we can really make progress. However, at the moment only 3% of global climate finance is invested in nature-based solutions. So will the Minister try to establish, through COP26, a reliable market in carbon credits that have been generated by nature-based activity in restoring habitats?

Anne-Marie Trevelyan: We are promoting the restoration and protection of natural ecosystems through several different elements of COP26. Facilitating agreement on article 6, which relates to carbon markets, at COP26 is one of our top negotiating priorities. It can provide a framework for finance to be invested in climate action, including nature-based solutions, through international carbon markets and co-operation. We are indeed world-leading, in the fact that the Prime Minister has set £3 billion to be allocated to nature-based solutions from the UK's spending.

Climate Change: Raising International Ambition

Neil Parish (Tiverton and Honiton) (Con): What progress the Government have made on raising international ambition to tackle climate change as part of preparations for COP26.

[912529]

The President of COP26 (**Alok Sharma**): We have made progress over the past year, with net zero commitments from countries collectively accounting for 70% of global GDP and 75 world leaders announcing climate

commitments at the climate ambition summit that the UK hosted last December with the UN and France. However, as I said at the time, we still have some way to go and 2021 will need to be a critical year for climate action.

Neil Parish [V]: I congratulate the President of COP26 on his new role and wish him well.

Stopping deforestation in the tropics is crucial to reducing global carbon emissions, and to protecting biodiversity and the lands of local indigenous communities. However, UK firms, including several high street banks, have been found to be investing heavily in businesses directly causing deforestation. Does my right hon. Friend agree that the Government should seek to expose and prevent these funding streams, and encourage our COP26 partners to follow suit?

Alok Sharma: My hon. Friend knows a great deal about these matters, and he makes a vital point about the incredibly valuable role of tropical forests. He will be aware that the UK is championing a new global taskforce on nature-related financial disclosures to tackle nature-related risks in investments.

Darren Jones (Bristol North West) (Lab) [V]: With many developing nations further behind in the roll-out of their covid vaccinations, what steps is the COP President taking to ensure that every nation on earth is able to fully participate at COP26 in November?

Alok Sharma: The hon. Gentleman raises an incredibly important point. We want this to be the most inclusive COP ever and, of course, we are planning for it to be an in-person COP, while taking into account contingencies. The point about vaccines is important, because access to vaccines is not consistent globally. We will work very hard to ensure that we have a safe and inclusive COP for all.

I should point out that, more generally, the UK is supporting the COVAX facility and the Coalition for Epidemic Preparedness Innovations, and the Prime Minister has recently made it clear that we will send the majority of any future surplus of vaccine doses that the UK has to the COVAX scheme to support developing countries.

Consultation with Civil Society and Youth Groups

Robert Largan (High Peak) (Con): What steps he is taking to consult with (a) civil society and (b) youth groups in preparation for COP26.

[912534]

The President of COP26 (**Alok Sharma**): This is the first COP ever for which we have set up an international civil society and youth advisory council—indeed, the next meeting of the group is later today. It is co-chaired by two young climate activists, one from the global north and one from the global south. I have committed to meet civil society groups and youth groups in every country that I visit, because I really want their voices to be front and centre and at the heart of COP26.

Robert Largan [V]: I welcome the appointment of my right hon. Friend to his role, which underlines how seriously the Government are taking their efforts to find

international agreement on tackling climate change. The scale of the challenge ahead requires us to be innovative and to think outside the box. I pay tribute to the work done by local groups such as Hope Valley Climate Action, Transition Buxton, Sustainable Hayfield, Acclimatise Whaley and Transition New Mills. Is the President prepared to meet me and those groups to hear their ideas on how we can work together to tackle climate change?

Alok Sharma: My hon. Friend raises an important point, because local groups are vital to the delivery of many initiatives, not just in the UK but around the world. I pay tribute to him for his work in promoting climate action in his constituency and more widely. I will of course ensure that either I or members from the COP unit for civil society and the youth team will meet the organisations in his constituency to which he referred, particularly to hear their views.

Tackling Climate Change: Covid-19

Cherilyn Mackrory (Truro and Falmouth) (Con): What steps he has taken to maintain tackling climate change as a Government priority during the covid-19 pandemic.

[912536]

The President of COP26 (Alok Sharma): Domestically, the Government have set out their 10-point plan, their energy White Paper and an ambitious nationally determined contribution. Over the past year, the Prime Minister and I, and other Ministers and officials, have regularly engaged with counterparts around the world to raise climate action ambition.

Cherilyn Mackrory [V]: I welcome the President of COP26 to his new position and wish him every success. This year, 2021, is a key year in our battle against climate change, as we host COP26 and the G7 in Cornwall. Climate change is such an important issue for constituents in Truro and Falmouth, so will my right hon. Friend assure me that all areas of the UK, including Cornwall, will benefit from the developments that come from these two significant events, as we recover from the covid shock in a green and sustainable way?

Alok Sharma: Absolutely. It is of course very good news that the G7 is to be held in Cornwall, which is, as we know, a powerhouse for green innovation. It is home to pioneering offshore renewables technology, as well as the first geothermal plant in the UK, and I am sure it will play an important role as we seek to build back better and greener throughout the whole of our country.

Topical Questions

[912589] **Liz Saville Roberts** (Dwyfor Meirionnydd) (PC): If he will make a statement on his departmental responsibilities.

The President of COP26 (Alok Sharma): Climate change is the biggest challenge faced by humanity. The world is, on average, already 1.2° C warmer than pre-industrial levels, and if we are to deliver on limiting temperature rises to below 2°—indeed, closer to 1.5°—we must collectively act with the utmost urgency. Countries must commit to ambitious near-term emissions reductions and set net zero targets, and donor countries must fulfil their commitments to the most climate-vulnerable nations.

Next month, the UK will host a climate and development international ministerial meeting to make progress on key climate finance-related issues. We want to ensure that the green thread of climate action runs through every international event on the road to COP26.

Liz Saville Roberts [V]: I, too, welcome the right hon. Gentleman to his position as President of COP26.

With Wales possessing the oldest housing stock in the UK, what lessons has the right hon. Gentleman learned from Welsh retrofitting schemes about the challenge of reducing residential emissions globally ahead of COP26?

Alok Sharma: Retrofitting will play an important role. The right hon. Lady will know that, as part of the 10-point plan, we have also set out plans for greening our buildings and making them more energy efficient. She has raised a very specific point, and I will ensure that the Secretaries of State for Business, Energy and Industrial Strategy and for Housing, Communities and Local Government are made aware of it.

Clive Lewis (Norwich South) (Lab) [V]: The UK's credibility as COP president rests on demonstratable climate action at home, yet much like the Government's failed pandemic response, which has left 130,000 people dead, the Government are acting too slowly, prioritising profit over public wellbeing. The Government's boasts of our road building, and their plans of cutting £1 billion from the public rail infrastructure budget and allowing the Cumbria coalmine to go ahead are simply not compatible with achieving net zero. Will the Minister therefore admit that the Government's stated ideological beliefs are incompatible with even their own meagre climate goals?

Alok Sharma: I had always thought that climate action was an area that we could collectively coalesce around without the need for political name calling and fighting, but, unfortunately, that does not seem to be possible for the hon. Gentleman. I just point him to the record of this Government and say that, over the past 30 years across a range of Governments, the UK has managed to grow our economy by 75% and yet cut emissions by 43%. Green growth is possible, and that is what we are pursuing.

Mr Speaker: I call the shadow President, Ed Miliband.

Edward Miliband (Doncaster North) (Lab): I have never been called that before.

I warmly welcome the President of COP26 to his full-time role. It is in all our interests that he should succeed, and we want to do everything that we can to help. The central judgment of COP26's success is whether it keeps alive the Paris target of limiting global warming to 1.5°. To make that happen, the UN says that we need to more than halve global greenhouse gas emissions from 52 gigatonnes today to 25 gigatonnes by 2030. Will he assure us that he recognises the scale of this challenge and the need for maximum ambition, and tell the House how close to that target he thinks we can get at COP26?

Alok Sharma: The shadow President raises a vitally important point. We did make progress towards the end of last year—70% of global GDP is now covered by the net zero target—but he is absolutely right when he alludes to the fact that what we need is near-term targets to 2030

to cut emissions. We are working very hard on that, and I am very happy to hear his thoughts on how we may be able to go faster.

Edward Miliband: A crucial issue for the success of the COP is international finance for developing countries, as the right hon. Gentleman knows, and they are facing poverty, the pandemic and climate change. Yet the Government have shamefully chosen this moment to cut £25 billion to £30 billion from overseas aid over the course of this Parliament. They say that they are protecting climate aid, but they have not set out what that means year on year, so will he guarantee today that, in the coming financial year when the COP takes place, there will be no cut to the level of the UK's climate finance budget or to the climate programmes that we fund?

Alok Sharma: What I would say to the right hon. Gentleman is that, like him, I am very proud of the work that successive Governments have done in supporting the most vulnerable around the world. At 0.5% of gross national income, the UK will still remain a leading international aid donor. On the issue of international climate finance, he will know that, over a five-year period, our commitment is £11.6 billion, which is indeed a doubling of the last figure.

[912591] **Dr Andrew Murrison** (South West Wiltshire) (Con): Will there be an opportunity in Glasgow to debate so-called energy from waste? In this COP presidency year, surely we should be doing nothing to encourage old-style great incinerators that pump effluent into the great landfill in the sky in places such as Westbury in my constituency. Surely to goodness the waste hierarchy demands better than that.

The Minister for Business, Energy and Clean Growth (Anne-Marie Trevelyan): I note and support my right hon. Friend's concern and I will pass it on—particularly in terms of the UK leadership—to the Environment Minister. The work that we have done already in setting resources and waste strategy is leading the way and we as a country are looking to implement all avoidable waste by 2050. With so much of COP, it is about our leadership and proving that we are walking the walk by making these policy changes here at home. I will make sure that the Minister continues to work on that with him.

[912593] **Emma Hardy** (Kingston upon Hull West and Hessle) (Lab) [V]: Zero Carbon Humber is a partnership that aims to build the world's first net zero carbon industrial cluster while creating high-quality green jobs. My question simply is: will the COP President look kindly on its submission of interest to be part of COP26?

Alok Sharma: Of course, I am very positive about all these initiatives around the country, but the hon. Lady refers to a matter that I think sits under the Business Secretary. I am sure that when submissions come in they will be looked at very carefully.

PRIME MINISTER

The Prime Minister was asked—

Engagements

[912354] **Derek Twigg** (Halton) (Lab): If he will list his official engagements for Wednesday 24 February.

The Prime Minister (Boris Johnson): 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.

Derek Twigg [V]: Halton Borough Council ran out of funding for discretionary covid isolation payments despite the strict criteria for eligibility. Just 171 constituents have been helped. The council has applied for further funding, but what the Government have offered will not be enough. Other constituents failed to qualify for help due to the criteria set by the Prime Minister's Government. Will he look again at this and bring forward a properly funded scheme so that no constituent is in a position where they cannot afford to isolate? We need this to happen if we are to continue to drive down covid-19 infections.

The Prime Minister: I thank the hon. Gentleman and pay tribute to the work of everybody on Halton Council for everything that they have been doing throughout this pandemic. I know it has been very tough on council officials—and, indeed, on everybody else. Central Government have put in another £4.3 billion to help councils throughout the pandemic. We will continue to support our local authorities and he will be hearing more from the Chancellor next week.

[912356] **Duncan Baker** (North Norfolk) (Con) [V]: If the UK is to become the Saudi Arabia of wind power, off my coast of North Norfolk is surely the capital. But the current piecemeal and environmentally damaging connection method to the national grid is holding us back, as was proven by the Vattenfall judicial review just last week. We need legal and regulatory reform now. Prime Minister, could this be a job for the new Taskforce on Innovation, Growth and Regulatory Reform to help us to implement the much-needed offshore transmission network and meet our net zero targets?

The Prime Minister: Yes indeed. I congratulate my hon. Friend on his campaign to make his constituency the Riyadh, or possibly the Jeddah, of offshore wind. I can tell him that we are certainly looking at the issue of the transmission network review and we are developing the necessary regulatory changes.

Keir Starmer (Holborn and St Pancras) (Lab): The principles behind the Prime Minister's recovery plan—of caution and it must be irreversible—are plainly right, but one of the biggest threats to that is misinformation about the risks of the deadly virus. For example, there have been people saying that covid statistics

“appear to have been manipulated”

and that Monday's road map is based on “dodgy assumptions” and “false modelling”. Does the Prime Minister agree that these kinds of comments are irresponsible and undermine our national recovery?

The Prime Minister: The road map that we have set out will, I believe, set us on a cautious but irreversible journey to freedom. I am glad that the right hon. and learned Gentleman supports the four steps of 8 March for schools, 12 April for shops, 17 May for hospitality and 21 June for everything. The data supporting all of that has been available to the House since I announced it on Monday.

Keir Starmer: I think the Prime Minister dodged that question, no doubt because all those comments came from his own MPs—some of the 60 or so members of the Covid Recovery Group. Perhaps the Prime Minister should have a word with them.

Another big threat to the recovery plan is that around three in 10 people who should be self-isolating are not doing so. That is a huge gap in our defences, and the small changes on Monday will not fix it. That is why Labour has called for the £500 self-isolation payment to be made available to everybody who needs it. Will the Prime Minister just fix this?

The Prime Minister: The right hon. and learned Gentleman knows very well that those who are asked to self-isolate already have the £500 test and trace support payment, and I think he also knows, because he supported the road map on Monday, that the eligibility criteria are being extended to allow parents and guardians who are staying off work also to receive a payment, provided they meet the criteria. I think he is aware of that.

Keir Starmer: Three out of 10 people who should be self-isolating are not doing so. That matters to millions of people, and it matters if we are going to get the virus under control. The chair of Test and Trace said that people are “scared” to come forward for a covid test because they cannot afford to isolate. The chair of Test and Trace says they cannot afford it. The Government’s Joint Biosecurity Centre concluded that “unmet financial need” was why some lower-income areas are seeing “stubbornly high” infection rates. Why, after all the billions the Government have thrown around, is it still people in low-paid jobs who are at the bottom of this Government’s priorities?

The Prime Minister: Actually, I think that most people looking at what we have done throughout the pandemic and looking at the £280 billion package of support can see that it is the poorest and neediest in society—those on the lowest incomes—who have been at the top of the Government’s priorities, and that is quite right. We will continue to act in that way, and the right hon. and learned Gentleman will be hearing more about that next week from the Chancellor. That is in addition to the discretionary funding we have given councils to support those who need it most, including those who have to self-isolate.

Keir Starmer: Here is the difference. If you need £500 to isolate, you are out of luck. If you have got the Health Secretary’s WhatsApp, you get a £1 million contract.

Turning to next week’s Budget, I do not expect the Prime Minister to pre-empt what is in the Budget—if I want that, I can read it on the front page of *The Times*—but will he at least agree with me today that now is not the time for tax rises for families and for businesses?

The Prime Minister: I don’t know about you, Mr Speaker, but the Budget is happening next week, and it is not a date that is concealed from the right hon. and learned Gentleman. He knows when it is happening and he knows what to expect, but it is preposterous for him to talk about tax rises when he stood on a manifesto only a little over a year ago to put up taxes by the biggest amount in the history of this country. It is the Labour party—including his Labour council in Camden—that

puts up taxes across the country. That is the way Labour behaves, and it is thanks to prudent fiscal management by this Government that we have been able to fight this pandemic in the way that we have.

Keir Starmer: The Prime Minister wants to talk about tax rises, and he should, because it matters. Councils up and down the country are being forced to decide now whether to put council tax up. That is a £2 billion rise on families. I am not blaming councils. They have been starved of funding for a decade, and Labour and Conservative councils are in the same position. For example, the Prime Minister might want to concentrate on his own constituency. His own council, Conservative-run Hillingdon, is voting to increase council tax by 4.8%. Does the Prime Minister think that the council is right to do that?

The Prime Minister: Hillingdon Council, in common with most Conservative councils, has been running lower council taxes than Labour up and down the country. The right hon. and learned Gentleman is completely wrong, so I will correct him. The top 10 highest council taxing councils in this country are run by the Labour party, and they are all going to put their taxes up, except for one in the top 10, which is Burnley, which is currently in no overall control. He talks about London and my own record on taxes, but he should talk to the current Labour Mayor of London, who is putting up his council tax by 10%. I can tell him that the previous Conservative Mayor of London cut council tax by 20%. That is what Conservative councils do.

Keir Starmer: The fact is that £15 billion has been taken out of council budgets over the last 10 years. The Prime Minister should stop blaming others for the damage he has done. He quotes the Mayor. This is the former Mayor who bought water cannon that could not be used, spent millions on a garden bridge that never got built and then more recently gave a pay rise to Dominic Cummings.

This is yet another PMQs with no answers. The truth is this. The Government spent a decade weakening the foundations of our economy and our country. As a result, we have the highest death toll in Europe. We have the worst recession of any major economy. Families are facing council tax rises and millions cannot afford to self-isolate. And all the Prime Minister offers is a return to business as usual. Next week’s Budget is a chance to choose a different path, to build a stronger future, to protect families, to give our key workers the pay rise they deserve and to back British businesses by supporting 100,000 new start-ups. Will the Prime Minister do so?

The Prime Minister: If the right hon. and learned Gentleman will only wait until next week, I think he will find that we will do far more than that paltry agenda he has set out. It is quite mystifying to see the way that he weaves hither and yon like some sort of druidical rocking stone. One week he claims that he supports the vaccination roll-out. The next week, he attacks the vaccine taskforce, when it is spending money to try to reach hard-to-reach, vaccine-resistant groups, and says that that kind of spending cannot be justified. He calls for us to go faster with rolling out vaccines, when he would have stayed in the European Medicines Agency, which would have made that roll-out impossible. He vacillates. We vaccinate.

We are going to get on with our agenda, cautiously but irreversibly taking this country forward on a one-way road to freedom, and I very much hope that his support, which has been so evanescent in the past, will genuinely prove irreversible this time.

[912358] **Andrea Jenkyns** (Morley and Outwood) (Con) [V]: The Prime Minister's road map will provide many of my constituents in Morley and Outwood with a vision of hope that life is set to return to a new normal before the end of June, allowing us to celebrate the great British summer. Can he inform the House of the pre-emptive actions that the Government are taking to spot, prevent and limit the damage of any future health emergencies, so that local economies in constituencies such as mine have certainty that this will be their last lockdown?

The Prime Minister: My hon. Friend is right to raise the issue of local outbreaks and how to tackle them, particularly with the threat of new variants, which she rightly raises. That is why we have a very tough border regime but also a programme as we go forward for surge testing—door-to-door testing—to ensure that, when there is a local outbreak, we keep it local and keep it under control, as we are trying to do at the moment with the South African variant.

Ian Blackford (Ross, Skye and Lochaber) (SNP) [V]: Next week's Budget gives the opportunity to tackle the financial costs of this pandemic. The UK has suffered its worst recession in 300 years. We now need a Government who understand the scale of this crisis, yet at the very moment that we need maximum investment to recover, the Tories are threatening austerity cuts that will leave lasting scars on all our communities. Families have already seen their incomes slashed under this Government, and now the Tories want to impose a public sector pay freeze and cuts to universal credit. Will the Prime Minister rule out a return to Tory austerity cuts and commit to a major fiscal stimulus of at least 5% of GDP, or will he threaten the recovery and leave millions of people worse off?

The Prime Minister: I am proud of the massive investments that the UK Treasury has made throughout the whole of the United Kingdom, with £13 billion and more going to Scotland and huge sums going throughout the country. I wish that the Scottish nationalist Government would spend that money better, because it is very sad to see some of the failures in education policy in Scotland and the failures in their criminal justice policy and fighting crime. I think what the people of the whole UK and, I believe, the people of Scotland would like to see is less talk about a referendum, which is the right hon. Gentleman's agenda, and more talk about the real issues facing our country.

Ian Blackford: The Prime Minister is boasting, but the cold, hard reality is that the United Kingdom has suffered the worst slump of any major economy and 120,000 people have lost their lives. That is under your guidance, Prime Minister. Coronavirus has exposed the deep inequalities under this broken Westminster system. After a decade of Tory cuts, millions of families are in poverty and UK unemployment is soaring.

In contrast, in the United States, President Biden understands what is needed. He has proposed a \$1.9 trillion stimulus package to restart and renew the American

economy. Prime Minister, will your Government follow the example of the US and boost the economy like Biden, or is the Tory plan to return to type and impose yet another decade of Tory austerity?

The Prime Minister: This Government are investing £640 billion in infrastructure alone throughout the UK—a massive programme to get our country rebuilt and restarted again. I think that is what people would like to focus on, rather than the right hon. Gentleman's agenda. He has talked about our broken politics, our broken country. All they want to do is break up Britain with another referendum, and I think that is the last thing this country needs at the moment.

[912359] **Damien Moore** (Southport) (Con): My right hon. Friend the Prime Minister knows how important the rail link between Southport and Manchester Piccadilly is for my constituents and those living in the wider Lancashire area. All the changes put forward by the Manchester rail recovery taskforce are unacceptable: they would stop this service from happening and take our levelling-up agenda off track. Will my right hon. Friend meet me to discuss changes to these proposals, so that we can keep this service and keep my constituents with the service that they have come to rely on and which is vital for their economy?

The Prime Minister: I congratulate my hon. Friend on his campaign for better local transport, and we are investing massively in rail connectivity in his area and in local bus routes. The particular line that he advocates is, I know, one of great interest to my right hon. Friend the Secretary of State for Transport, and I will make sure that he has a chance to discuss it personally with my hon. Friend.

Ed Davey (Kingston and Surbiton) (LD) [V]: Can I start by thanking the Government for their change of policy, announced today, on the vaccination priority for people with learning disabilities, despite the Prime Minister's rather more equivocal answer to me on this last Monday?

Today, millions of Uyghur people in China live in fear under a cruel regime. The BBC, international media and human rights non-governmental organisations are all reporting on forced labour camps, women being raped and sterilised, and families being separated. This is a genocide happening in front of our eyes. So does the Prime Minister agree with me that, unless China ends this genocide, Britain and Team GB should boycott the winter Olympics in Beijing next year?

The Prime Minister: The right hon. Gentleman is absolutely right to highlight the appalling campaign against the Uyghurs in Xinjiang, and that is why my right hon. Friend the Foreign Secretary has set out the policies that he has—the package of measures to ensure that no British companies are complicit in or profiting from violations. We are leading international action in the UN to hold China to account, and we will continue to work with the US, friends and partners around the world to do just that.

The right hon. Gentleman raises a point about a sporting boycott. We are not normally in favour of sporting boycotts in this country, and that has been the long-standing position of this Government.

[912361] **Dr Neil Hudson** (Penrith and The Border) (Con) [V]: Penrith and The Border struggles with poor broadband and phone signal connectivity, with download speeds around 56% of the UK average. Many of my constituents have been quoted large and unfeasible sums for new cables to be installed, which is often their only option to improve coverage.

I welcome the potential of the shared rural network, the gigabit voucher scheme and the universal service obligation to help, but what reassurance can my right hon. Friend give my constituents that Government are striving to address these broadband and phone signal notspots in rural Cumbria?

The Prime Minister: I thank my hon. Friend for all he does to campaign for the hardest-to-reach areas in rural Cumbria. I know that we are doing all we can because I raise it virtually every day, and we are rolling it out as fast as we can. We have committed about £5 billion to connect those areas, £1 billion for the shared rural network agreement and a voucher scheme to target predominantly rural areas, but we are intending to get everything we can possibly done in the next five years.

[912355] **Dame Diana Johnson** (Kingston upon Hull North) (Lab) [V]: Is the 40% cut to Transport for the North's budget part of the Prime Minister's plans for levelling up the north?

The Prime Minister: There has been no such cut, and we intend to invest massively in Northern Powerhouse Rail, and in railways in the north and across the entire country.

[912362] **Suzanne Webb** (Stourbridge) (Con): Although hospitality has had to close its doors, in true black country spirit many of my venues have been entrepreneurial and now offer a great takeaway service. To celebrate that entrepreneurial spirit, today I am launching a "favourite takeaway" competition in my constituency. Will the Prime Minister join me in launching that competition, and will he also join me in a takeaway from the winning entrant when he is next in wonderful Stourbridge? He will receive a very warm welcome, and I would be happy to throw in a trip on the country's finest shuttle, which I hope to see soon, called the "Stourbridge Dasher."

The Prime Minister: I congratulate my hon. Friend on what she is doing to champion takeaways in Stourbridge. I am not sure it would be environmentally friendly for me to order a takeaway from Stourbridge to Westminster, but I thank her very much for her initiative. I look forward to visiting the hospitality sector in her constituency as soon as possible.

[912357] **Wes Streeting** (Ilford North) (Lab): The education and wellbeing recovery of children from the pandemic is one of the biggest challenges facing our country. We went into this pandemic with rising child poverty, a widening attainment gap, and school funding falling in real terms. Given that, does the Prime Minister believe that the 43 pence per pupil per day announced today really cuts it? If he does, would he be happy to see that amount spent on his own children?

The Prime Minister: I passionately disagree with what the hon. Gentleman has just said about the spending that was going on. Even before the pandemic we were

increasing funding for primary schools—up to £4,000 per pupil, and £5,000 for secondary school pupils—and putting up starting salaries for teachers across the board to £30,000. That was a massive investment in education across the board, including in further education.

The catch-up funds now amount to £2 billion—*[Interruption.]* No, the hon. Gentleman is wrong. They amount to £2 billion. Yes, we will have to do more, because this is the biggest challenge our country faces. We will get it done. We are able to do it because we have been running a strong economy. We had the resources to do it, because we had not followed the bankrupt policies of the hon. Gentleman and the Labour party.

[912363] **Rob Roberts** (Delyn) (Con): Janene Maguire in my constituency, a mother of three, suffered a unusual, unexpected and immediate cardiac arrest that sadly saw her pass away in February 2000. Twenty years later, in August last year, one of her daughters, Cara, strangely suffered the same fate, with an unexpected cardiac arrest. Fortunately, her friend Michael was with her. He was a former soldier and thus trained in first aid and lifesaving, and despite Cara's heart stopping for 20 minutes, he managed to save her life.

In September last year, the UK Government made it mandatory for CPR skills to be taught in secondary schools, but despite a campaign and a letter from all my Welsh Conservative colleagues, the Minister for Education in Wales has declined to do that. Will my right hon. Friend throw the weight of his office behind my campaign to have CPR skills taught in Wales, so that the Maguire family, and those like them, no longer have to suffer such tragic circumstances?

The Prime Minister: The sympathies of the whole House will be with my hon. Friend's constituents and their family and friends, and I agree very much about the importance of learning CPR. That is why we introduced it into the curriculum for all state funded schools in England. It is of course a devolved issue, but I share his urgency that the policy should be adopted in Wales as well.

[912360] **Rosie Cooper** (West Lancashire) (Lab) [V]: There has been much focus of late on children returning safely to school. In my constituency, successive cohorts of pupils have had to wade through overflowing drains to get into school, and they are routinely evacuated from flooded classrooms. That takes a huge toll on the quality of their learning.

Will the Prime Minister work again with Lancashire County Council and the headteacher of Town Green Primary School to ensure that no child in West Lancashire loses a vital day of education, especially to flooding-related issues?

The Prime Minister: I sympathise very much with the hon. Lady's constituents and the pupils who have to put up with disruption caused by flooding. I know that the Environment Agency continues to work very actively with the county council to resolve the issues and that the Environment, Food and Rural Affairs Minister has written to her about what more can be done.

[912364] **Giles Watling** (Clacton) (Con) [V]: My right hon. Friend will know that pubs have been closing all over Britain for decades now, tearing the hearts out of

communities. This terrible pandemic has made things even worse. Part of the problem is undercutting by cheap supermarket booze. Surely, now that we are out of the EU, we can do as we please with beer duty. Differentiation in favour of on-sales could deliver great benefits to pubs in communities such as Clacton, at nil cost to the taxpayer. Will my right hon. Friend commit Ministers to looking at that differentiation proposal?

The Prime Minister: My hon. Friend makes an extremely good point, which I am sure will be heard with great interest around the country. There is just such a review being carried out after consulting pub owners, brewers and others, and I know that the Chancellor is looking very closely at the findings.

[912365] **Alex Cunningham** (Stockton North) (Lab) [V]: I was disappointed that the Prime Minister did not accept my offer to meet him when he recently visited my constituency's wonderful Fujifilm vaccine complex in Billingham to celebrate our local success story. I could have taken him to nearby Billingham food bank, where he would have learned that over a third of the children in my constituency live in poverty, yet two in five of those same children are still not entitled to free school meals because the threshold is so low. Will he urgently address that scandal, take long-term action on universal credit and school meals, and help free our children from poverty?

The Prime Minister: I certainly am proud of what universal credit is doing. It is odd to be attacked by a Labour Member over universal credit when it is his party's policy to abolish that benefit, but the best thing we can do for families in Billingham is to ensure that there are very good jobs there.

It was wonderful to see what is happening in Teesside under the leadership of Mayor Ben Houchen—the investment that is going in by Fujifilm and others, which will create long-term jobs. It is the belief of those on the Government side of the House that that is the route out of poverty—fantastic education and top-quality jobs—and that is what this Government aim to deliver.

[912366] **Jack Lopresti** (Filton and Bradley Stoke) (Con) [V]: My right hon. Friend will recall from his visit in 2019 that the port of Bristol would make an excellent location for a great western freeport. The West of England Mayor, Tim Bowles, has submitted a bid that could create 50,000 jobs in the region. Will the Prime Minister back our bid, and does he agree that, with house prices in the west of England sitting at nine times average earnings, we need a home building revolution to provide much more affordable housing for our young people as we build back better?

The Prime Minister: My hon. Friend is absolutely right in what he says about home building and the need for housing across the country. We sometimes hear that

this is a problem mainly in London and the south-east. It is not at all; it is everywhere in the country, as he rightly says. I thank Tim Bowles, the Mayor of the West of England, for everything that he has done as he stands down. We intend to help build on his legacy with a massive home building programme and home ownership programme across the country.

[912368] **Stuart C. McDonald** (Cumbernauld, Kilsyth and Kirkintilloch East) (SNP) [V]: Before the Budget is finalised, will the Prime Minister ensure that his Chancellor reads the Trussell Trust's new report, "Dignity or Destitution? The case for keeping the Universal Credit lifeline"? His Government have been incredibly generous to pals with personal protective equipment contracts, so surely, instead of cutting employment-related benefits to the lowest real-terms level in 30 years, he must now afford some basic dignity to 6 million people on universal credit and make the uplift permanent.

The Prime Minister: We will continue to look after people throughout this pandemic and beyond, and the best thing we can do across the whole country is to bounce our economy back as fast as we can and get people into high-quality jobs. As I said in response to the hon. Member for Stockton North (Alex Cunningham), that is the agenda of this Government.

[912367] **Christian Wakeford** (Bury South) (Con): I start by thanking my right hon. Friend the Education Secretary for his announcement of a new high school for Radcliffe, on the back of my campaign. This new high school will kickstart the regeneration that the town desperately needs. On towns such as Radcliffe and Prestwich, which have not received towns fund or future high streets funding, can my right hon. Friend advise on what assistance this levelling-up Government can provide to make sure these towns are not forgotten?

The Prime Minister: First of all, I congratulate my hon. Friend on his successful campaign to get a new high school; it is absolutely vital. The best place for kids is in school, as I hope we will hear from the Labour party very shortly. We are investing in his area to the tune of £660 million and more through the local growth fund, and £54 million through the getting building fund—and, of course, we are also investing in the transport network. Next week, the whole House will hear even more about what we propose to do to steer a path, cautiously but irreversibly, out of this pandemic, allow this economy to recover, and build back better across the whole of the United Kingdom.

Mr Speaker: I am suspending the House for three minutes to enable the necessary arrangements to be made for the next business.

12.31 pm

Sitting suspended.

Covid Contracts: Judicial Review

12.34 pm

Rachel Reeves (Leeds West) (Lab) (*Urgent Question*): To ask the Minister for the Cabinet Office if he will make a statement on the recent judicial review ruling, which found the Government had acted unlawfully in respect of covid contracts.

The Minister for Health (Edward Argar): Protecting those who protect us has been one of the Government's most important goals in our fight against covid-19. To do that, we have had to expand our personal protective equipment supply chain—it has gone from supplying 226 NHS trusts in England to supplying more than 58,000 different settings—and we have had to create a whole new logistics network from scratch. Thanks to the hard work and dedication of so many people, we have delivered more than 8.6 billion items of PPE to the frontline so far, with billions more ordered and being supplied.

Our team worked night and day to procure PPE within very short timescales and against the background of unparalleled global demand. That often meant working at incredible speed, especially in the early months of the pandemic, to secure the vital supplies required to protect NHS workers and the public, which we did.

Let me turn specifically to the High Court judgment. There has been a lot of confusion about what the ruling said and did not say, and I welcome the opportunity to clarify that to the House today. The High Court case did not look at the awarding of the contracts; rather, it looked at the timing of the publication of the details of contracts awarded. The court ruled that at this time of unprecedented pressure, contract award notices were not all published in the timescales required by the regulations. However, it also found that there was no deprioritisation policy in that respect in the Department. As we set out to the court, the delays were caused by the workload involved in responding to one of the greatest threats to public health that this country has ever seen.

We take our transparency requirements very seriously, and it is important that I put on the record that we of course take the judgment of the court very seriously and respect it. We are working with colleagues across Government to implement the recommendations set out in the report published earlier this month by the Public Accounts Committee, chaired by the hon. Member for Hackney South and Shoreditch (Meg Hillier), but as we do that, we will keep acting quickly and decisively to respond to this deadly threat, and we continue to do all we can to help save lives.

Rachel Reeves: A stain has emerged on this Government's response to the crisis. There has been an unedifying goldrush of chums and chancers; £2 billion-worth of contracts have been handed to those with close links to the Conservative party, from the Health Secretary's pub landlord, to the donors, manifesto writers and the old boys' club—they have all had a return on their investment at our expense.

The Government have been taken to court, and they lost, which cost taxpayers even more money. The Home Secretary once said that she wanted people "to literally feel the terror at the thought of committing offences."

She does not have to look to the streets to find law-breakers; she only has to look across the Cabinet table. This Government are not terrified of breaking the law, because they think they are above the law.

Now that the Government have lost in court, I ask the Minister: what was the cost to taxpayers of fighting this case? Will the Government agree today to publish the names of all businesses in their VIP fast lane and say how they got on that list? Will all overdue contracts be published by the end of this week? When will the management consultants hired locate the billions of pounds of PPE that the Government seem to have misplaced? When will clawback be used to get back taxpayers' money for contracts that have failed to deliver? Will the Minister take this opportunity to apologise to the doctors, nurses, care workers and other frontline workers who did not have the PPE that they needed, and who had to make makeshift PPE—because, contrary to what the Health Secretary said, there was a shortage of PPE and those working on the frontline were not protected?

While he is here, will the Minister, Serco's former head of public affairs, reveal the mystery of why the Government created Serco Test and Trace, rather than a true NHS test and trace embedded in our communities? NHS workers, care workers and taxpayers deserve better. We deserve the end of crony contracts from this Government.

Edward Argar: Notwithstanding the circumstances and the approach adopted by the hon. Lady, it is a pleasure to appear opposite her at the Dispatch Box for the first time. She raised a number of specific points, but before I turn to them, I have to reiterate what the judgment did and did not do. The judgment focused on timely publication of contract notices; it did not make any judgment on, or consider in any way, the appropriateness of the contracting process or any of the individual processes.

The hon. Lady alleges impropriety and inappropriate behaviour—wrong. The National Audit Office report was absolutely clear that there was no evidence of any inappropriate behaviour, and indeed no court has found this. I highlight to her that the judgment was a declaratory judgment, and it stated that there had been a breach of the regulation 50 requirements. The judge subsequently highlighted, in paragraph 149:

"But the overall picture shows the Secretary of State moving close to complete compliance. The evidence as a whole suggests that the backlog arose largely in the first few months of the pandemic and that officials began to bear down on it during the autumn of 2020."

I remind the House, and indeed the hon. Lady, of the situation we faced back in April. There were 3,301 people in mechanical ventilation beds, 21,307 people in hospital with covid, and at the beginning of April, according to our best understanding of positive cases at the time, the average number of positive cases and patients in hospital was doubling every seven days. In those circumstances, I make no apologies for the Government doing everything in our power to ensure that the NHS and frontline workers did not run out of PPE. As the National Audit Office has acknowledged, there was no national shortage of PPE at the time and throughout the pandemic.

The hon. Lady asked a number of questions. She talked about the current situation regarding publication, compliance and costs. As I have mentioned to her briefly before, there is an element of this case that is yet

to be concluded, as some information is due to be provided to the judge on Friday. We will do exactly that, and the information will be made public when it goes to the court. We respect the court's role in the process, but I expect the judge to have that published in a couple of days' time.

On the priority route, if I recall correctly, many Members on both sides of the House requested expeditious consideration of offers of help, and I am grateful to all who made those offers. Every one of those went through an eight-stage process, run by civil servants, entirely appropriately. They checked the appropriateness of the PPE and the organisation supplying it, and conducted due diligence. Indeed, as I recall, the hon. Lady herself, on 22 April, published a letter that she had sent to the Chancellor of the Duchy of Lancaster—it was helpfully analysed at the time by the Guido Fawkes website—sharing some of her suggestions of companies or individuals that should be put through rapid assessment. I acknowledge that she said that there should be assessment and due diligence, but she asked that they be assessed rapidly. I believe that many Members of the House took the same approach. In that letter, she concluded:

“We need Government to strain every sinew and utilise untapped resources in UK manufacturing, to deliver essential equipment to frontline workers. This must be a national effort which leaves no stone unturned.”

She was right. I agreed with her sentiment then, and I still do, but she no longer appears to agree with herself.

Sir Peter Bottomley (Worthing West) (Con): I think we understand the point that the judgment was about the timescale, and not all the contracts meeting the regulation. It would be good for the House to hear how much of the supply of PPE now comes from this country, rather than from abroad. If I was Minister at the time, and officials told me that we could either get more ventilators and PPE, or ensure that we did not fail to meet any of the regulation timescales, I would have said, “As Minister, I will take responsibility for the failure on the timescales; you can take responsibility for getting the equipment that people need.”

Edward Argar: I am grateful to my hon. Friend. In answer to his first question, at the start of the pandemic, roughly 1% of the PPE used in these settings was produced in this country. Due to the incredible efforts of businesses and individuals across the country—and, I must say, of civil servants and officials in Government, who are often the unsung heroes of the pandemic—up to 70% is now being supplied by this country. He is absolutely right that transparency is important. It is hugely important, and we respect it and take it very seriously, but I make no apologies for what I and the Secretary of State consider to be the most important thing, which is doing whatever is necessary to save lives in the course of this pandemic.

Stewart Hosie (Dundee East) (SNP) [V]: I am glad the Minister mentioned transparency because, of the £15 billion-worth of PPE contracts awarded up until last October, barely £3 billion-worth were properly published, and we had £252 million given to a finance company, £108 million to a confectionery supplier and £345 million to a pest control company—a catalogue of cronyism, described variously as a “wholesale failure”, a “dismal failure” and a “historic failure”. It was a process that deprioritised compliance and has ended up

with the taxpayer, in some cases, buying expensive and unusable PPE. Ultimately, the Cabinet Office is responsible for the co-ordination of the cross-Government response to covid-19. So let me ask the Minister when the Minister for the Cabinet Office and, indeed, the Prime Minister were first made aware that failure to properly publish details of PPE contracts might be unlawful?

Edward Argar: I am grateful to the right hon. Gentleman. He will appreciate that some of the contracts that some colleagues have alluded to remain subject to separate litigation before the courts, including some by the Good Law Project, which I will refer to as the GLP as I suspect it may come up a number of times and it might save a few minutes in my answers. I hope he will understand that I will avoid straying into something that may still be before the courts, because I do not want to show any disrespect for the legal process. He talked about the number published and where we have got to now. That will be some of the information put before the judge on Friday as per his request, but for the latest figures that are in the public domain, which were covered in the judgment and indeed more broadly, I think 100% of the contract award notices have been published, and we are up to 99% under regulation 108 on the latest figures I have. As the judge said, the overall picture does show the Secretary of State

“moving close to complete compliance.”

In respect of the right hon. Gentleman's broader point, I would expect that Ministers in my Department—which is why I am here—as well as Ministers in the Cabinet Office, will have followed the process very closely.

Mr William Wragg (Hazel Grove) (Con): I welcome my hon. Friend to the Dispatch Box. I hope that the Chancellor of the Duchy of Lancaster was not too indisposed cooking up plans for the domestic covid passports that he had previously ruled out to attend the House today. Most fair-minded people will look at this situation in the round and perhaps give the Government the benefit of the doubt, because the judgment found against the allegation of a secret deprioritisation policy to deliberately breach procurement rules.

Further to the question from the Father of the House, my hon. Friend the Member for Worthing West (Sir Peter Bottomley), can my hon. Friend the Minister give greater detail of the extent of the increase in domestic production of PPE in this country so that we have security of supply?

Edward Argar: My hon. Friend is absolutely right. I believe that officials did do the right thing in prioritising getting the PPE that we needed for our frontline, and he is also right to highlight an aspect of Justice Chamberlain's judgment, which found there was no policy of deprioritising the publication of contract notices and data. On his final point, I said to the Father of the House that we have moved from 1% domestically produced PPE to 70% now. To put that in context, we have supplied 8.6 billion items, and we have more than 30 billion on order or being supplied at present. I suspect that as my hon. Friend is a former teacher, albeit a history teacher, his mental arithmetic is probably more rapid than mine in calculating that proportion as an absolute number, but I hope it illustrates to him just how much we have moved in the past year to utilise the fantastic resource we have in manufacturing in this country.

Sarah Owen (Luton North) (Lab) [V]: Covid contracts continue to be literally a matter of life and death, so the public are right to expect accountability and transparency. While nurses wore bin bags instead of proper PPE, contracts were handed out to Ministers' mates. Will the Minister do the right thing and, at the very least, reveal the 29 businesses Serco outsourced operations to?

Edward Argar: We have been clear, and as I highlighted earlier, the NAO has been exceptionally clear, that there are no suggestions of Ministers behaving inappropriately in any way in the awarding of these contracts. The judge did not find that in this case; it was not a factor. On the hon. Lady's broader point, we have been clear that we believe in and fully respect transparency requirements, and the Department is publishing—as I illustrated with those latest figures that I put out earlier—the contracts it has. I once again come back to the judge's saying that the Secretary of State is “moving close to complete compliance.” That is exactly what we will continue to do.

Antony Higginbotham (Burnley) (Con) [V]: At the height of the pandemic last year, the priority for the whole country was getting PPE to where it was needed—on the frontline. I received offers of help from many businesses that I fed into the Department. Will the Minister confirm how many items of PPE have been delivered because of these contracts that came in over the course of last year?

Edward Argar: I am grateful to my hon. Friend. As I said, contracts secured by the Department since the start of the pandemic have delivered 8.6 billion items, and around three times that number have been ordered to ensure that we continue to have a robust supply, to ensure that our frontline health and social care and other workers have the PPE they need to protect them, which is the most important thing in this situation.

Caroline Lucas (Brighton, Pavilion) (Green) [V]: Both the Health Secretary and the Prime Minister have repeatedly claimed that all the information relating to PPE and other covid contracts is published online, so will the Minister tell us specifically where to find details about the VIP lane, including who the entrants were, what they were paid and who introduced them? On behalf of the Government, will he apologise to the numerous NHS and care staff who have been deeply upset by comments made by the Health Secretary yesterday—echoed by himself today—that there was not a shortage of PPE? Does he understand why that is so insulting to the doctors who were forced to wear bin bags in the absence of gowns and to the nurses who were wearing goggles from Screwfix?

Edward Argar: As I highlighted to the hon. Lady, we are at 100% compliance on contract award notices. The Prime Minister was referring to the obligation to publish, and that is what we have done. Although the judge ruled that the hon. Lady had no standing to bring this case, I appreciate her long-standing interest in this matter. In respect of her point about the supply of PPE, as the NAO report highlighted, we did not run out of PPE nationally. That is not to say that there were not significant challenges in some hospitals in some areas regarding the distribution of that PPE. That has been acknowledged throughout this pandemic. Our frontline health and social care workers did an amazing job in challenging

circumstances, and civil servants across my Department and others worked flat out, day and night, doing an amazing job to get the PPE that was needed.

Finally, I know that transparency and the timely publication of the data are important to the hon. Lady. I highlight one of her own Green councillors in Brighton and Hove who, in a recent written answer on that council's failure to publish its financial spending figures since, I think, last June, said that the council

“quite rightly, prioritised paying our suppliers and providers as quickly as possible”,

and that it was “prioritising payment of suppliers and providers over production of this information.”

Mr Speaker: Order. I think we need to try to keep to the questions, not score points. Let us go to Aaron Bell, who will not want to score a point.

Aaron Bell (Newcastle-under-Lyme) (Con) [V]: As my hon. Friend just did, I note from the judgment that Mr Justice Chamberlain found that the three Members of Parliament who sought to join this case did not have standing. In paragraph 107, he stated:

“In a case where there is already a claimant with standing, the addition of politicians as claimants may leave the public with the impression that the proceedings are an attempt to advance a political cause”.

Does my hon. Friend agree that this recent practice of trying to extend politics through court cases is becoming quite damaging to our democracy as a whole, particularly when technical judgments are then deliberately misrepresented, as seems to have happened in this case?

Edward Argar: I am grateful to my hon. Friend for what he has said. As a former Justice Minister, I have huge respect for the legal process and, indeed, for the judgment of the courts, but he is right to highlight once again the point that the judge made in his finding that the Members of this House who sought to bring this case had no standing in doing so and that it was the GLP that did. Although I appreciate that Members of this House feel strongly on this issue, and understandably so, I echo his point that I hope they do not seek to use the courts to make political points but rather to use them for what they are there for, which is to highlight legal issues.

Bell Ribeiro-Addy (Streatham) (Lab) [V]: The scandal surrounding covid contracts has not just been about the lack of transparency, but about the poor performance of these companies: £350 million to PestFix for PPE that did not meet the required standards; another £347 million to Radox, which had failed on its original £133 million contract by distributing test kits that were not sterile; and, of course, the millions to Serco and others that failed with the track and trace system. Does the Minister agree that all public sector contractors should be held to the highest standard, no matter who their friends are, and will he outline what plans the Government have to hold such contractors to account and recoup millions of pounds of public money, or will he uphold these standards depending on whether the contractors have links with the Conservative party?

Edward Argar: On the hon. Lady's first point, a number of specific cases relating to specific contracts remain before the courts, so if I may I will address her

broader point about pursuing the appropriateness of the contractors—whether they could deliver—where they failed to deliver to the appropriate standards, and what steps the Government will take. All contracts were assessed against the eight criteria for appropriateness, including due diligence, safety standards, and whether they meet the specifications and so on. If any contractor did not deliver against that, we will either refuse to pay or we will be seeking to recoup that money, and a number of investigations are already under way to fulfil that commitment.

The hon. Lady also touched on and made a very particular point about Serco—I should have answered this point when the shadow Minister mentioned it, so I hope she will forgive me for coming back to it now. Let me make one point, which I hope the hon. Member for Streatham (Bell Ribeiro-Addy) will be aware of, and I am sure she was not suggesting anything to the contrary. As was made very clear on the “Today” programme last year, I had no involvement with those contracts in any way, shape or form. Although I left the company seven years ago, although I was never a director of that company, and although I have no ongoing links with it, so there would have been no conflict, I none the less had no involvement at any point or at any level with those contracts and I continue to adopt that position. I hope that that is helpful to her in clarifying that point.

Jonathan Gullis (Stoke-on-Trent North) (Con) [V]: The British people want us to keep on fighting this virus, protecting our NHS as we roll out the vaccine and saving lives. Does my hon. Friend agree that sniping from the side lines, as the Labour party is doing, is the opposite of what the people of Stoke-on-Trent North, Kidsgrove and Talke want to see right now in these unprecedented times?

Edward Argar: I recognise that all Members of this House and all members of the public in our constituencies want transparency, and quite rightly so, but what is most important to them in the midst of this pandemic and as we emerge from it, is to know that this Government and those who work for them have done everything they can to ensure that we procured the PPE that was necessary, when it was necessary, to protect the frontline and help save lives.

Layla Moran (Oxford West and Abingdon) (LD) [V]: Whether I have standing or not, I am proud to have helped bring this case, alongside the hon. Members for Brighton, Pavilion (Caroline Lucas) and for Oldham East and Saddleworth (Debbie Abrahams). We did it because we could not get the information through the normal channels in this place. It is also worth noting that, rather than simply admit the breach and then promptly publish all contracts at the beginning of the process, the Secretary of State for Health and Social Care chose to push the case to court and then, when he lost, said that he would break the law again. At the heart of the case was always transparency and fairness. Many established businesses felt frozen out because they happened to not be chums with a parliamentarian or a Minister, so my question is this: can the Minister not see how this looks, and can he also not see how delays in publishing these contracts in good time further undermine trust in Government, at a time when trust, as much as PPE, is necessary for saving lives?

Edward Argar: Although I made the legal point about lack of standing, I hope that the hon. Lady heard me highlight and acknowledge the fact that she and two other hon. Members clearly have an interest in this, and that she has long-standing interest in this issue and this case. She is right to highlight trust; I think what is central to the trust of the British public is the Government doing everything they can to deliver for our frontline workers the protection they needed to make sure they could keep protecting us safely.

The Secretary of State highlighted at the weekend—I think this is the latest figure—that the publication of notices was, on average, 17 days over the 30 days required. I do believe it is important that transparency is adhered to, but I also remind the hon. Lady that it is extremely important to highlight why this happens. That is why we filed the court papers and defended the case as we did, because it is hugely important for the Court to see why this occurred. The Government continue to do what I believe the public expect us to do: focus on protecting the frontline.

Craig Whittaker (Calder Valley) (Con) [V]: Many excellent companies in the Calder Valley that would not normally bid for Government contracts have stood up for the national effort, and have been making PPE for the national cause even when this is not their core business. This has secured jobs, secured business, and ensured our NHS has had the PPE when it needed it. Can my hon. Friend confirm that all these, and other, Government contracts were awarded in a fair, open and transparent way, following due process, and that this Government have remained committed to publishing them as quickly as possible, even under the pressures of the pandemic?

Edward Argar: I am grateful to my hon. Friend, and like him, I pay tribute to all those businesses and individuals who stepped up in this country’s moment of need, and were willing to put themselves forward and repurpose their factories to try to find ways to help that the national effort. All the contracts have been found so far to be awarded entirely appropriately; there has been no adverse judgment in respect of any of that. Indeed, regulation 32 highlights that in an emergency, contracts can be awarded without tender, and I certainly take the view that the situation we face with this pandemic constitutes a national emergency.

Hannah Bardell (Livingston) (SNP) [V]: Can the Minister tell me whether it is coincidence, incompetence, or just rank stupidity that his Government and Health Secretary awarded a £30 million contract for testing vials to the Health Secretary’s former neighbour, a former pub landlord who had no experience in this field and is now being investigated by the Medicines and Healthcare Products Regulatory Agency? Surely, the Minister agrees that these breaches mean the Health Secretary must resign.

Edward Argar: The hon. Lady will not be surprised to know that I completely and utterly disagree with her. I think my right hon. Friend has done, and continues to do, an extraordinary job under extraordinary pressure to help this country through this pandemic over the past year.

The hon. Lady raised a very specific issue. It has been made clear that neither the Health Secretary nor any other Minister had any involvement in the assessment, the due diligence, or any decisions in respect of that contract.

Sir Robert Neill (Bromley and Chislehurst) (Con) [V]: The judge very clearly found that there was a breach in relation to one matter: the 17-day average delay. He rejected the suggestion that there was a systematic failure. He rejected the suggestion that there is any impropriety in the system for awarding the contracts and did not impugn any of the contracts themselves or the process by which they were awarded. Most lawyers would know that this was a technical breach, as it has been described, albeit a breach. Is not the real moral of this that when those of us in politics seek to comment upon judgments, it is a good idea to actually read the judgment first and understand the law on which it is based, rather than grandstanding inaccurately, as has too often been the case here?

Edward Argar: I am grateful to my hon. Friend for his comments. He is absolutely right to highlight what this judgment actually said. It found, in what had to be a binary judgment—either it was complied with or it was not—that the Government failed to comply with the 30-day publication timing for all contracts. He is right: the judge rejected the suggestion of any policy of deprioritisation. I read the 40 pages of Justice Chamberlain’s judgment, including the setting out of the different cases put by the two parties, the discussion of it and then, crucially, his findings on it. I would advise all Members who take an interest in this issue to do exactly the same thing, because legal judgments are rarely as clearcut or as simple as some commentators and others might wish to suggest.

Chi Onwurah (Newcastle upon Tyne Central) (Lab) [V]: The Government’s infatuation with private sector delivery of pandemic public services has led them to ignore basic procurement best practice, replacing value for money with cronyism and due diligence with pub pals. Will the Government commit, as Labour has done, to a programme of insourcing and start by handing over the failing Serco test and trace to the public sector, which has made such a success of the vaccine delivery?

Edward Argar: On the hon. Lady’s main point about private and public and, I would add, voluntary sector organisations, every one of those has stepped up and made a hugely important contribution to our country’s response to this pandemic. I wish to pay tribute to public sector organisations. I spent 10 years as a councillor, and I entirely recognise the amazing work they do. I pay tribute to private sector organisations, which have also stepped up for our country, and to voluntary sector organisations. For me, it is not an either/or; it is both, and it is about what delivers the best outcome for the public. Anything less would be letting down our constituents and letting down our public services.

Angela Richardson (Guildford) (Con) [V]: At the height of the pandemic, the contracts we signed allowed us to stand side by side with the private sector, procuring enormous volumes of goods and expertise with extreme urgency. Does my hon. Friend agree that without these vital contracts, our covid response would have suffered as a result?

Edward Argar: I agree entirely. Some of the narrative around this reminds me slightly of my days back at school and “Animal Farm”—“Four legs good, two legs bad.” The reality is that both private sector and public sector have played an incredible role in tackling this

pandemic, for which we should be extremely grateful. We need both, and we need both to continue delivering in the public interest, which is what we have secured.

Debbie Abrahams (Oldham East and Saddleworth) (Lab) [V]: A couple of points seem to be coming up from this discussion. The first is that there were no shortages of PPE. That is patently not true. We have clear evidence that that was the case, not least from Exercise Cygnus back in 2016, but also from constituents working in the NHS who have reported this directly to me and to colleagues. The second is that the Government have published all the contracts, and the Minister has made reference to 100% of contract award notices being published. Unfortunately, we are not able to verify that. That is the key point made by the NAO, which said that there are still £4 billion-worth of contracts since November 2020 where we have no idea who they have gone to or how much for. Once again, will the Minister commit to publishing these VIP contracts, how much they were for, who they were awarded to and what for?

Edward Argar: The hon. Lady and I have known each other for a long time and she made her point forcefully but, as ever, fairly. She raised a number of points. In respect of PPE supplies, as I made clear to the hon. Member for Brighton, Pavilion (Caroline Lucas), the NAO report—I believe from last November—said that supplies did not run out nationally, but as I have clarified that is not to say that there were not local shortages and challenges in individual trusts, as I acknowledged to the hon. Member for Brighton, Pavilion. That is why we procured as much as we could as quickly as we could.

The hon. Member for Oldham East and Saddleworth (Debbie Abrahams) raised Exercise Cygnus, which has come up a number of times. It is important to remember that Exercise Cygnus did not look at tackling a novel pandemic; it looked at influenza specifically. The PPE required for dealing with a disease of covid’s nature is very different from that required for flu. That exercise had, as one of its predicated actions, the swift arrival of antivirals to be delivered to tackle the flu; such antivirals did not exist until much later in the case of covid. It is important that we learned from Exercise Cygnus, but we should be careful about reading it directly across as representing a blueprint for how to tackle a pandemic of this sort.

On the hon. Lady’s final point about transparency, as I have made clear, the Government remain committed to transparency and to the publication of contracts, as required under the regulations.

Holly Mumby-Croft (Scunthorpe) (Con) [V]: At the height of the first wave of the pandemic, we looked to the Government to procure and distribute tens of thousands of critical items of PPE in Scunthorpe. Does my hon. Friend agree that the Government should of course remain committed to following all the detail of procurement rules, but that protecting our frontline health workers should always come first?

Edward Argar: I agree entirely with my hon. Friend. It should not have to be an either/or, but we all remember the conditions in which our amazing civil servants were working at pace back at the start of this pandemic. They were working flat out and they included, as was

acknowledged in the Court papers, civil servants who were not Department of Health and Social Care civil servants but were seconded from other Departments to work on different systems just to get that PPE ordered and delivered to protect the frontline, which was the priority. It should not be an either/or, but my hon. Friend is absolutely right that at the height of that first wave, it was absolutely right that the focus of those dedicated officials was on getting the PPE that we needed.

Jonathan Edwards (Carmarthen East and Dinefwr) (Ind) [V]: I am not an expert in public procurement, but even in an emergency I would expect that diligent contracts would include full payment-on-delivery clauses or clawback measures for failure to supply. The Minister mentioned in an earlier reply that the British Government are pursuing contractors who have failed to meet their obligations. How much public money has been regained to date? Will he ensure that the House is updated on the Government's efforts to recoup misspent public money?

Edward Argar: The hon. Gentleman is absolutely right to highlight the fact that if contracts do not deliver, either to standard or not at all, public money should either not be paid or be recouped. We are currently going through a number of investigations to deliver exactly that, and I am happy to commit that at the appropriate juncture we will of course update the House.

John Howell (Henley) (Con) [V]: Does the Minister accept that illegal acts are those that contravene the law and that unlawful acts are those that contravene the rules? A handball in soccer is unlawful, not illegal. Does he accept the point made by the Chairman of the Justice Committee, my hon. Friend the Member for Bromley and Chislehurst (Sir Robert Neill), that this was a technical breach that has been overcome, and that the Department is going out of its way to make sure that that happens quickly?

Edward Argar: I suspect I can do no better than to quote the judgment, which stated that in respect of regulation 50 the Government "acted unlawfully", but my hon. Friend is right to highlight the fact that—again, as the judgment set out—the Secretary of State is almost at complete compliance, which is exactly what the Government are committed to.

Liz Twist (Blaydon) (Lab) [V]: The Government claim that this is just a case of a few PPE contracts being published a couple of weeks late, but in fact we know that hundreds of millions of pounds' worth of contracts also went to management consultants. Will the Minister confirm whether all the contracts for which the publishing deadline was missed, from the start of the pandemic until now, were in fact for PPE, or did they also include contracts that have gone to private consultants? Will he explain why those contracts were not published on time?

Edward Argar: My understanding is that this data relates to all contracts by the Department. If I am inaccurate in that, I will of course correct the record for the House, but my understanding is that this data refers to all contracts by the Department itself.

Stephen Metcalfe (South Basildon and East Thurrock) (Con) [V]: Can my hon. Friend confirm that all Government contracts are awarded in a fair, open and transparent

way following correct due process, and that this Government remain committed to publishing them as quickly as possible, even under the pressure of this pandemic? Does he agree that the public are much keener that we address the real issues of the pandemic than engage in political point scoring?

Edward Argar: I could not agree more with my hon. Friend, about both the Government's commitment to transparency and to publishing contracts within the regulations, and in reminding everyone about where we were a little under a year ago, and the absolute focus by so many amazing and dedicated civil servants on getting the PPE we needed and getting it in quantity.

Owen Thompson (Midlothian) (SNP) [V]: The United Nations Office on Drugs and Crime says in its "Recover with Integrity" campaign that emergency responses "must be anchored in law and be implemented by strong public institutions, with the involvement and under the oversight of members of parliament, anti-corruption bodies, civil society and the private sector."

It is clear that hon. Members have numerous questions on these contracts, so will the Minister now advocate such action as backing my Ministerial Interests (Emergency Powers) Bill to make sure that Parliament can scrutinise the Government's actions and that Members of this House and the public can be confident that there is no suggestion of any corruption taking root?

Edward Argar: I would rebut any suggestion that there is any corruption taking root, to use the hon. Gentleman's words. Members of this House have the ability to ask questions and the NAO has the ability to ask questions. The hon. Member for Hackney South and Shoreditch (Meg Hillier) will, I suspect, ask me a question in a moment, but she also has the ability to ask questions in the Public Accounts Committee, which she chairs, which, I believe, took evidence for three and a half hours in December from various senior officials in the Department. I am aware of the hon. Gentleman's Bill, which I am sure the Government will look at in the usual way.

Scott Benton (Blackpool South) (Con) [V]: At the start of this pandemic the British people rightly expected the Government to leave no stone unturned in securing the vital supplies of PPE that were needed to fight the pandemic. Does the Minister agree that the findings from the National Audit Office make it clear that while we were in the grip of the global shortage of PPE, no health trust ran out of supplies at any point, and that that was thanks to the contracts that the Government managed to secure?

Edward Argar: I am grateful to my hon. Friend. We did take every step we could to ensure that trusts had the PPE they needed. The NAO report said:

"The NHS provider organisations we spoke to told us that, while they were concerned about the low stocks of PPE, they were always able to get what they needed in time."

Meg Hillier (Hackney South and Shoreditch) (Lab/Co-op): I will touch on that point first. Paragraph 18 of the summary says exactly what the Minister said, but it then goes on to say, however, that frontline workers reported shortages of PPE. It ill behoves him to come to this House clearly having had Back Benchers briefed

[Meg Hillier]

about a partial element of the National Audit Office's report that is inaccurate when taken in the round. He needs to deal with that point.

My bigger point is on the transparency of the contracts. The Minister has talked breathlessly about the urgency at the early stage of the pandemic. Let us be clear: by the end of the summer and the autumn, many of the contracts had still not been published. The civil service is usually good at record-keeping and transparency, but on this occasion there was a failure. He should have the guts to come to the House, apologise, and promise it will not happen again. More transparency, not less, is vital when billions of pounds are being spent, in haste in a pandemic.

Edward Argar: I am grateful to the hon. Lady, who knows this issue exceptionally well and has investigated it over a number of months. Of course, as always, I listen to what she says carefully and with considerable respect. On her first point, she is right to say that the NAO reported that some frontline workers had told it that they had experienced shortages. We are reflecting what we were told by our trusts and by those running the delivery of PPE in those trusts, and what the NAO was told by them. She alluded to the key point—as I believe I said in response to the hon. Member for Brighton, Pavilion (Caroline Lucas)—that we did not run out of PPE nationally, but there were challenges, which I acknowledged and do acknowledge, at some individual trusts and in some localities. That is why we worked at pace to make sure that they got what they needed and did not run out of PPE. That is exactly why officials in the Department were working so hard and pulling out all the stops to make sure we ordered more PPE and got more of it delivered.

The hon. Member for Hackney South and Shoreditch made a broader point about transparency, and of course it is a vital point. I believe it was the hon. Member for Oxford West and Abingdon (Layla Moran) who highlighted trust. Trust is always the currency of politics; it is always the one thing that everyone requires, in government and in this House. It is important that that is fostered by as much transparency as possible. The judgment found that in a number of cases the Government did not meet the 30-day deadline. The hon. Member for Hackney South and Shoreditch asks for an assurance now, and I can give her the assurance that the Government are doing everything they can to ensure that regulation 50 is complied with, and complied with fully.

Selaine Saxby (North Devon) (Con) [V]: The British people want us to focus on fighting this virus, so that we can protect our NHS as we roll out the vaccine and save lives. Does my hon. Friend agree that the political sniping some of the Opposition are engaging in is the exact opposite of what people expect and want to see politicians doing?

Edward Argar: I think what my constituents and the British public want to see us all doing is working together to make sure we get through this pandemic and get those on our frontline what they need to keep them safe.

Peter Kyle (Hove) (Lab): There are 60,000 pub landlords in this country and many of them have lots to give in a time of crisis, but is it not a coincidence that the one

who gets a massive contract happens to be the one who has the mobile phone number of the Health Secretary? There are hundreds of racehorse owners in this country. Is it not funny that it just so happens that the one who gets a top job, without the need for an interview, happens to be a mate of the Health Secretary? And on and on it goes. If this behaviour was going on in a country in the developing world, there would be howls of "Corruption!" from those on the Tory Benches and calls for the aid budget to be cut. Is it not true that, when it comes to jobs for friends, dodgy contracts and all the rest that has been going on which has been normalised by this Government, they and the Tory party have a blind spot?

Edward Argar: Again, I have huge respect for the hon. Gentleman, who is normally measured and tempered, but I fear on this occasion that he has not done himself justice in the points he makes. As I have made clear, and as has been made clear, all contracts that were awarded were assessed by an eight-stage process run by the civil service—checking due diligence, appropriateness, ability to deliver and price—and not by Ministers. On the specific contract he mentioned, it has been made clear that the Secretary of State had no involvement in the award of that contract or its assessment.

John McDonnell (Hayes and Harlington) (Lab) [V]: I think the whole tenor of the discussion today demonstrates a need for greater transparency, as the Minister has said. One way of doing that is by extending freedom of information to include all companies engaged in publicly funded contracts. I am concerned about the data contract with the US data company Palantir, which is notorious for its links with Trump and the white supremacist far right. Will the Minister confirm whether that contract has been the subject of a data protection impact assessment, including a public consultation, and whether Palantir will be able to sell on NHS data at a later stage, even, for example, to the Conservative party for electoral purposes?

Edward Argar: I will not stray near the wilder accusations made by the right hon. Gentleman. What I will say to him is that the data of NHS service users is always protected by this Government.

Bob Blackman (Harrow East) (Con) [V]: I am a great believer in competitive tendering to gain the right value for money for the public sector. At the height of the first wave of the pandemic, my local hospital, Northwick Park, came perilously close to being overwhelmed by the number of patients and by having only one day's supply of PPE within the hospital. Thanks to Government actions and the Department of Health and Social Care, that was remedied. What does my hon. Friend think would have happened if the Government had decided to competitively tender all those items and wait potentially three months before the supplies were available?

Edward Argar: My hon. Friend highlights the work of his fantastic hospital at Northwick Park and the fact, which I alluded to in response to the Chair of the Public Accounts Committee, that while we did not run out of PPE nationally, there were some real challenges at a number of sites. They did an amazing job to ensure that they had the PPE they needed. I believe the minimum time it can take to run a tender is around a month, and I certainly would not have wished to see us not utilising

regulation 32 and waiting a month to order and secure the PPE that his hospital and those working in it needed.

Ruth Jones (Newport West) (Lab) [V]: The people of Newport West have looked at the media reports, the court judgments and the answers given in this House on this matter with horror. There appears to be no respect for honest, law-abiding citizens who play by the rules, and that is unacceptable, so when will Ministers finally show their respect for the will of the people and the ruling of the court and stop this reckless behaviour?

Edward Argar: I have made it clear that I and Ministers always respect the courts and the judgments delivered in them. I also have great respect for, and recognise the importance of, transparency. I would say to the hon. Lady, however, that I also respect the need to rapidly deliver the PPE that was needed last year at the height of the pandemic, which is what our constituents would expect us to do. As we cast our minds back, I think that is what they would have wanted us to focus on at that time. On her final point, yes I am quite happy to restate the Government's commitment to the importance of transparency.

Hywel Williams (Arfon) (PC) [V]: Using the VIP lane, a PPE contract for £313 million was awarded to PestFix, a company that had never before supplied medical PPE. To put this fantastical sum into perspective, a free school meal every day for a year for every child in Wales in a family getting universal credit would cost £101 million—less than a third of the sum gifted to PestFix. Given the Minister's unapologetic replies so far, does he even begin to understand why the perception of his Government's default cronyism has angered so many people?

Edward Argar: I am grateful to the hon. Gentleman. I will not comment on specific cases because, as I mentioned at the beginning, some are still subject to actions before the courts and I do not want to cut across those legal processes. The broader point I would make is that I think people will understand that this Government and the unsung heroes of the pandemic—the civil servants and officials who have worked throughout it—pulled out all the stops to do what was necessary and essential to procure the PPE. If we look back 10 months or so, it was the most pressing issue in this country to ensure that our frontline workers got the protection they needed.

David Simmonds (Ruislip, Northwood and Pinner) (Con) [V]: When I reflect on my inbox from nearly a year ago, I remember that my constituents were expressing huge anxiety about access to PPE in nursing homes and medical establishments, so will my hon. Friend accept the thanks of my constituents for having acted so swiftly to ensure that the necessary essential equipment got where it needed to be? Does he share my frustration that that success is being overshadowed by the frankly dubious attempts to muck-rake in respect of the process that was undertaken?

Edward Argar: The equipment was procured, it was secured and it was delivered. It did what we would all have wished it to do: it went to the frontline to protect people and to ensure that hospitals and trusts did not run out of PPE at that crucial point in the first wave. My hon. Friend is absolutely right to highlight what I

believe the British public would have wished to see us doing, which was focusing on getting the PPE to those who needed it as fast as we could in that crisis.

Wendy Chamberlain (North East Fife) (LD): The Committee for Standards in Public Life is currently undertaking an inquiry focused on the upholding of the Nolan principles of public life, which include integrity, accountability and openness. Given that it has been reported that civil servants delayed publications at the behest of No. 10 special advisers, and given that we have ended up in a situation where this matter has been taken to court, does the Minister believe that the Government have met those standards?

Edward Argar: I am grateful to the hon. Lady for her question, but in answer I revert back to what the judge, Mr Justice Chamberlain, said in his findings in this case: he found no evidence of a policy of deprioritisation of meeting transparency requirements on publication.

Marco Longhi (Dudley North) (Con) [V]: My Dudley North constituents, like me, can see right through this urgent question for its petty political intent. For the avoidance of doubt, will my hon. Friend confirm how many people came to harm because this paperwork was two weeks late, compared with the harm that would have arisen from PPE and medical equipment being received two weeks late?

Edward Argar: Transparency is important. The Chair of the Public Accounts Committee and others have rightly made that point, but saving lives is important and, I would argue, in the height of the pandemic, more important. It was right that civil servants and others focused entirely on that purpose of getting the PPE to reduce the risk of loss of life, and as the judge acknowledged, they have worked very hard subsequently to catch up with the transparency requirements to ensure that the information is published and is available for interrogation.

Matt Western (Warwick and Leamington) (Lab): As they say, if it smells of fish, it is fish, but in this case it is like Billingsgate market. When it comes to Government contracts, someone is 10 times more likely to get one if they have a Government contact. The protocols are clear, as the Supreme Court confirmed, and the Health Secretary acted unlawfully in not revealing the details of contracts with his pub landlord, a hedge fund in Mauritius or the jeweller in Florida, yet there was insufficient PPE available in our social care system. As the NAO said, it was 10% of what was required. For our frontline health workers, there was just not enough FFP3. The Minister says that trust is vital, but is it not the truth that Ministers' mates and their suppliers in China have been favoured in supplying PPE over UK companies such as Tecman and Contechs in my constituency?

Madam Deputy Speaker (Dame Eleanor Laing): Order. That was a very long speech. I do not want the hon. Gentleman to create a precedent.

Edward Argar: I am grateful to the hon. Gentleman for his initial analogy. He made a couple of points there. I believe—this is from memory, so forgive me if I am slightly out, and I will correct the record if I am—that

[Edward Argar]

around 90% of those bids that came through the high-priority lane were rejected. They were carefully assessed by civil servants against the eight stages of the procurement process set up to ensure that due diligence was followed.

The hon. Gentleman raised a very specific point, which I want to address, because he talked in his question not just about NHS trusts, but quite rightly about those working on the frontline in social care settings and the PPE they needed. He quotes accurately, if my recollection is correct, from the NAO report. One of the factors here was that traditionally, social care settings are private businesses in most cases and procured their PPE directly in private contracts with their suppliers. That is one of the reasons why, as I mentioned in my opening remarks, during the early phase of the pandemic we moved from supplying 226 trusts with PPE to making that service available to 58,000 or so settings to get PPE to social care. That was a reflection of the Government's commitment and work to make sure that we could use centralised procurement and centralised supply to help support the social care sector get what it needed.

Jacob Young (Redcar) (Con): I commend the Government for their efforts to do whatever it took to protect the frontline during the height of the pandemic. Will the Minister join me in extending our thanks to the amazing NHS workforce and the armed forces personnel working at James Cook University Hospital and Redcar Primary Care Hospital, as well as our teams in primary care, without whom we would not have vaccinated 18 million people?

Edward Argar: I am very happy to join my hon. Friend in doing that. I suspect that, in what has been a contentious urgent question, that is a point on which there will be consensus between me and the shadow Minister. We pay tribute to those working on the frontline of our NHS and social care, and those helping with the vaccination programme.

Jim Shannon (Strangford) (DUP): Does the Minister share my view that, although transparency is important, saving lives is even more important, and that the public servants who have done much to secure the vital supplies

of protective equipment that we need deserve our praise, not criticism? Will he clarify that the information required by the judicial review judgment will be revealed in a timely manner?

Edward Argar: I am grateful to the hon. Gentleman, who is absolutely right to pay tribute to the officials and those who were working flat out at the height of the pandemic, often through the night and at weekends. Even when working from home, they did not see much of their families because they were working incredibly hard to procure the PPE we needed to keep people safe. I pay tribute to them. On the hon. Gentleman's final point, my understanding is that the additional information required by the judgment must be supplied to the court by Friday, and I expect that the judge will make that public.

Mike Wood (Dudley South) (Con) [V]: Speed is vital during a public health emergency, but transparency remains important. What assurances can my hon. Friend give us that, although paperwork can never come before delivering essential medical equipment and services to the frontline, the Government are committed to publishing contracts in a timely manner to ensure that my constituents in Dudley South can have confidence that the processes are fair, open and transparent?

Edward Argar: I thank my hon. Friend. He is absolutely right. Getting PPE to the frontline, procuring what we needed and getting it delivered was the absolute priority. As I have expressed throughout my remarks, I recognise that transparency is hugely important, and we will supply the court with the further information it needs. As the judge said, we are now virtually in complete compliance, and we will continue to work hard to ensure we comply with the requirements under regulation 50 and the other requirements of the Public Contracts Regulations 2015.

Madam Deputy Speaker (Dame Eleanor Laing): I will now briefly suspend for a few minutes in order that arrangements can be made for the next item of business.

1.37 pm

Sitting suspended.

Uber: Supreme Court Ruling

1.42 pm

Andy McDonald (Middlesbrough) (Lab) (*Urgent Question*): To ask the Secretary of State for Business, Energy and Industrial Strategy if he will make a statement on the Supreme Court's ruling on Uber.

Madam Deputy Speaker (Dame Eleanor Laing): I call Minister Paul Scully, who has three minutes.

The Parliamentary Under-Secretary of State for Business, Energy and Industrial Strategy (Paul Scully): I want to begin by making it absolutely clear that everyone deserves to be treated fairly at work and rewarded for their contribution to the economy with both fair pay and fair working conditions. This means that employers must take their responsibilities seriously, not simply opt out of them. If there is a dispute between the individual and an employer, as seen in the recent case involving Uber, the courts consider each case on an individual basis. The courts are independent and the Government do not intervene. As such, with the Supreme Court being the final stage of the appeal, its judgment is final and Uber will need to take action to align with the judgment.

The Government recognise concerns about employment status being unclear in some cases, and we are committed to making it easier for individuals and businesses to understand which rights and tax obligations apply to them. We have made good progress in bringing forward measures that add flexibility for workers while ensuring the protection of employment rights. For example, we have legislated to extend the right to a written statement of core terms of employment to all workers, making access to a written statement a day one right and extending the contents of a written statement. We have also banned the use of exclusivity contracts and zero-hours contracts to give workers more flexibility. This means an employer cannot stop an individual on a zero-hours contract from looking for, or accepting work from, another employer. We will continue to explore options for employment status that protect rights while also maintaining flexibility in the labour market. This Government have a proud history of protecting and enhancing workers' rights, and we are committed to making the UK the best place in the world to work.

Andy McDonald [V]: Last Friday's Supreme Court ruling on Uber was a landmark victory for working people, and testament to the hard work of the GMB union, the App Drivers and Couriers Union and the drivers who brought the action. It rejected Uber's bogus claim that its drivers are self-employed, ruling instead that they are workers and therefore entitled to basic rights that they have so far been denied, such as the national minimum wage and holiday pay. The ruling has far-reaching consequences for tens of thousands of Uber drivers as well as all gig economy workers.

Yet Uber is attempting to dodge the Supreme Court's ruling, just as it attempts to dodge its responsibilities to its drivers, by trying to interpret the ruling so that it applies to only a tiny minority of its workforce. If Uber ignores the ruling, tens of thousands of workers will be cheated out of their rights, forcing low-paid and precarious workers to spend time and money that they can ill afford in order to litigate to recover withheld wages, in

cases that they will likely win but will take years to conclude. The Government should not abandon working people to fight for their rights in the courts, so will the Minister take this opportunity to make it clear that the judgment applies to all Uber drivers, and that the company cannot continue to cheat its drivers out of their basic rights?

Even before the pandemic, one in 10 working adults—around 5 million—were found to be working in the gig economy, in fragile and insecure work, and with one-sided flexibility. It is bad for those workers, bad for the economy and, as we have seen from the pandemic, a disaster for public health. Will the Minister confirm that the principles of the judgment in the Uber case must apply not only to all Uber drivers, but to all those on similar arrangements across the country?

Let me say again that the Government cannot abrogate their responsibility by telling workers to fight for their basic protection through an employment tribunal system that barely functions following a decade of neglect. Working people need a Government who will stand behind them, so will the Minister commit now to legislate to end bogus self-employment and provide security to all gig economy workers?

Paul Scully: As I have said, the Government are clear that everybody deserves to be treated fairly at work and rewarded for their contribution to the economy. The judgment has been laid down and there are no further avenues for appeal, so Uber must respond accordingly. The hon. Gentleman talked about clarifying employment status and rights. We are committed to continuing to look at workers' rights, and to ensure that we consider carefully and in the round all the questions about the various workers' rights, while keeping flexibility in our employment market.

Sir Edward Leigh (Gainsborough) (Con): May I urge the Government not to take an Uber free market approach in these matters, and to recall that the Conservative party has a long history of defending workers from ruthless entrepreneurs? For instance, in the 19th century, Disraeli resisted attempts by the then Liberal Government to prevent workers from picketing when on strike. Can the Minister be absolutely robust today and say, following the question from the hon. Member for Middlesbrough (Andy McDonald), that we believe this is a landmark judgment and that Uber must now accept that its hard-working drivers, many of whom have come from abroad and deserve protection, are employed and deserve all the rights of fully employed people?

Paul Scully: My right hon. Friend talks about Uber in isolation, but clearly any number of other operators in the gig economy will be looking at the judgment, and it is important that they respond accordingly. The Government will also respond accordingly, because we always recognise the valuable contribution made by those working in the gig economy, and people do value the flexibility it offers, but we must also ensure that those workers are adequately protected.

Stephen Flynn (Aberdeen South) (SNP) [V]: I commend the shadow Minister, the hon. Member for Middlesbrough (Andy McDonald), for securing this urgent question. In towns and cities across Scotland, the rise of the gig economy has been clear for all to see. Despite the

[Stephen Flynn]

flexibility that it offers some workers, it is nowhere near giving them the same rights and protections as others—there is no maternity leave, no holidays and no sick leave. This ruling by the Supreme Court should rightly change that, and I say “should” because, ultimately, employment law remains in the grip of the Tories at Westminster, rather than in the hands of Scotland’s Parliament.

We are all worried about a bonfire of workers’ rights in this post-Brexit world. We have all seen the Government refuse to support the Bill put forward by my hon. Friend the Member for Paisley and Renfrewshire North (Gavin Newlands) to end the appalling practice of fire and rehire. I heard the Minister’s warm words, but this is an easy opportunity for him to take a small step in the right direction when it comes to workers’ rights. Will he confirm that his Government fully back the Supreme Court ruling and that they will make no attempt through legislation to overturn, undermine or circumvent it?

Paul Scully: The Supreme Court ruling is final. We recognise the concerns about employment status and the potential for exploitation. We want to make it easier for individuals and businesses to understand what rights and tax obligations apply to them, and we are currently considering options to improve clarity around employment status. I have previously talked about the fact that ACAS was charged with considering fire and rehire and gathering evidence, and it has done so. It reported back to BEIS, and we will consider what it found.

Damian Collins (Folkestone and Hythe) (Con) [V]: This is a landmark ruling by the Supreme Court, but many people will be concerned that companies such as Uber should not be left to interpret what it means, because otherwise we will see a disparity between the different companies employing workers in the gig economy—for example, a deliverer for Just Eat is an employee, but one for Deliveroo is not. Will my hon. Friend give serious consideration to the Government legislating to create a level playing field and to stop these abuses?

Paul Scully: As I have said, we will look at employment conditions and ensure that employees can understand their status and tax payment conditions. There is a complication, in that the companies my hon. Friend mentioned each have different contracts, so it is important that we have something that looks at all those things in the round.

Mike Amesbury (Weaver Vale) (Lab) [V]: Does the Minister agree with the GMB union, which fought this legal battle for four years, that now is the time for Uber to face up to its legal and moral responsibilities, pay decent wages and give decent holidays to its employees? It truly is time to legislate, legislate, legislate, rather than look again.

Paul Scully: Uber has to respond to the Supreme Court’s judgment, which is final. We have talked about the fact that the gig economy offers individuals flexibility and provides opportunities for those who may not be able to work in more conventional ways, but we must make sure that they are protected and that we have a balance between flexibility and protecting employment rights.

Paul Bristow (Peterborough) (Con) [V]: Does my hon. Friend agree that the UK has often led the way on workers’ rights internationally? What plans does he have to ensure that that continues?

Paul Scully: My hon. Friend is absolutely right in terms of what we have done on workers’ rights. We have talked about the fact that in no way will we be diluting workers’ rights. We want to make sure that employers, workers and the self-employed understand exactly what their status means and their tax protections, but we have a number of rights that stand up incredibly well in comparison with the EU and other countries around the world.

Zarah Sultana (Coventry South) (Lab) [V]: The Court ruling has confirmed that taxis are a form of public transport, but they are the only ones to not receive coronavirus-specific funding. Will the Government urgently launch a sector-specific support package for taxis set at the same pro rata level as funding for the bus sector and applied retrospectively?

Paul Scully: Some taxi drivers will be able to access the self-employed income status and other protections, and discretionary grants are available, but any further support will be outlined in the Budget next Wednesday.

David Johnston (Wantage) (Con) [V]: I welcome the Supreme Court judgment. Companies such as Uber can provide well-regarded flexibility, but they can also have staff retention problems globally. Does my hon. Friend agree that companies such as Uber should look at this judgment and, rather than try to find ways around it, look at what they can change that will, among other things, likely help them keep their people for longer?

Paul Scully: My hon. Friend raises a really good point. It is important that no employer seeks to wriggle out of its responsibilities, and retention is a sensible approach for any responsible employer.

Wes Streeting (Ilford North) (Lab): I know that these issues are close to your heart, Madam Deputy Speaker, as a constituency neighbour of mine, so it is good to see you in the Chair.

Does not the Minister understand that these issues cannot just be left to the courts and that, in this David versus Goliath battle with big multinational companies that are exploiting workers, avoiding tax and flouting safety rules, people need to see the Government on their side? With that in mind, will the Government finally legislate to give gig economy workers the protection they deserve? Further to the question from my hon. Friend the Member for Coventry South (Zarah Sultana), is not it finally time to give taxi drivers and private hire drivers the support they desperately need as a result of the impact that the pandemic has had on the pound in their pockets?

Paul Scully: On the coronavirus support, as I have said, any further support beyond the self-employment income schemes, the grant schemes and the discretionary grant schemes will be outlined in the Budget by the Chancellor. However, the Government have already taken a number of commitments through, including extending the right for a written statement of core

terms of employment for all workers; quadrupling the maximum fine for employers who treat their workers badly; and closing a loophole that sees agency workers employed on cheaper rates than permanent workers. There are a number of areas—I will not go on, Madam Deputy Speaker—where we have progressed, but there is plenty more to do.

Nigel Mills (Amber Valley) (Con) [V]: Does the Minister agree that encouraging people to be in an employment situation rather than a self-employment one wherever possible is the right thing to do? Will he work with the Treasury to finally amend the tax system so we do not give a perverse incentive for people to pretend that their staff are self-employed when they are really employed, so that people are in the right legal situation and two people doing the same job have the same legal and tax position?

Paul Scully: My hon. Friend raises a really important point, but it is a complex issue, and there is complexity to the background as well, so it is only right that we take the time to consider how best to achieve a change that works for everybody. We will certainly bring proposals forward in due course.

Janet Daby (Lewisham East) (Lab) [V]: The Government have previously pledged that they will bring forward an employment Bill to make the UK

“the best place in the world to work.”

If that is true, can the Minister tell us why we are yet to see a Bill—or has it been kicked down the road indefinitely?

Paul Scully: No, it has not been kicked down the road. We are clear that any reforms we bring forward will be required to consider the needs of our labour market today. That is why we are continuing to work with stakeholders to understand the needs and challenges of modern workplaces, to ensure that our vision of the labour market is fit for purpose. We will bring forward the employment Bill in due course.

Theresa Villiers (Chipping Barnet) (Con): Does the Minister agree that Uber should pay its drivers more because that is good for those drivers but it is also good for the licensed taxi drivers who feel that they have been subjected to competition from Uber in recent years that is aggressive, unfair and predatory?

Paul Scully: My right hon. Friend knows that I am also Minister for London, so I take a keen interest in these important issues. The people who drive black cabs—that premium product—do amazing work throughout; they are icons of London. However, we must get the balance right between having a free market and making sure that the flexibility of the labour market is not impeded by any encroachment on workers’ rights and what is due to them.

Sarah Olney (Richmond Park) (LD) [V]: These contract conditions have been a feature of our economy for some time, which means that many thousands of workers have been illegally treated by companies such as Uber for years. Can the Minister tell me what the Government will be doing to ensure that those people are transferred to legal employment contracts and compensated for lost rights and benefits?

Paul Scully: As I say, it is now for Uber to respond to that judgment. It is there, and it is final: it was a Supreme Court judgment, so there is no further right of appeal for Uber. It must adhere to its legal responsibilities.

Mike Wood (Dudley South) (Con) [V]: Flexible contracts can work well for some employees, but they must not be used by firms to avoid their responsibilities. Does my hon. Friend agree that all workers should have the right to request a more predictable contract, so that the balance of power does not lie exclusively with the employer?

Paul Scully: As I said, we have extended the right to a written statement of core terms of employment to all workers, to make sure they understand the conditions they have and their status. We need to do more work in that area, which I am looking forward to doing, as we speak to people to make sure our labour market is fit for purpose.

Justin Madders (Ellesmere Port and Neston) (Lab) [V]: It is a disgrace that people have had to fight court battles over four years to get basic employment rights, and the Minister must recognise that the only reason they have had to do so is that the Government have sat on their hands for too long. Will the Government finally recognise that the trade-off between flexibility and security is an illusion, and legislate so that everyone who is in work can get the basic protections they should be entitled to in a civilised society?

Paul Scully: The gig economy offers individuals flexibility, and countless surveys have shown that the majority of people do like that flexibility—especially younger people and women. However, there is always more we can do to make sure that people understand exactly what they are signing up to, and they definitely must not be exploited.

Madam Deputy Speaker (Dame Eleanor Laing): Having been to Dudley South, we now go to Dudley North.

Marco Longhi (Dudley North) (Con) [V]: The many unsung heroes of the pandemic include bus drivers, delivery drivers and taxi drivers, with many of the latter often taking medical staff and patients to hospital and back. While the employment status of Uber drivers is a matter for the courts to determine, will my hon. Friend take this opportunity to thank them—and, indeed, all taxi drivers in Dudley North and beyond—for their efforts during these difficult times and for the risks they take?

Paul Scully: I thank my hon. Friend, and join him in taking this opportunity to thank all the transport workers and taxi drivers—whether they are black cab drivers, private hire drivers, or indeed Uber drivers—who have been taking people around throughout all of this. I speak to them on a regular basis when, on occasion, I have required a cab to come back from work, and they are in a difficult position. I am wishing them well as we start to reopen the economy.

Gavin Newlands (Paisley and Renfrewshire North) (SNP) [V]: My colleague and hon. Friend the Member for Glasgow South West (Chris Stephens) introduced a Bill to give gig economy workers the rights they have

[Gavin Newlands]

just won in court. This was ignored, as has been my Bill banning the Dickensian practice of fire and rehire, which both the Minister and the Prime Minister have termed unacceptable. Can the Minister tell us when he will report to the House on ACAS's work on fire and rehire? Does he not agree that the phrases "levelling up" and "one-nation Government" ring hollow when the Government keep blocking SNP-sponsored protections for workers?

Paul Scully: We will respond to the fire and rehire Bill when it actually comes through the parliamentary process, but ACAS has completed its work and shared its insights with officials at the Department for Business, Energy and Industrial Strategy. It conducted an independent, impartial fact-finding exercise with stakeholders, making sure there was confidentiality so that we could have frank and honest discussions. We will communicate our response to those findings in due course.

Stephen Metcalfe (South Basildon and East Thurrock) (Con) [V]: Following on from the previous question, I know that my hon. Friend shares the concerns felt across the House about the fire and rehire tactics some companies have pursued. While our flexible labour market is something to be cherished, does he agree that employers have a responsibility to do right by their workers, especially now?

Paul Scully: My hon. Friend is absolutely right. It is sensible business to do right by employees, as well as the moral thing to do.

Stephen Doughty (Cardiff South and Penarth) (Lab/Co-op) [V]: I draw attention to my entry in the Register of Members' Financial Interests about my membership of the GMB, which drove this historic victory, along with others. I work closely with drivers in my constituency, many of whom are GMB and Unite members, and I want to praise the Welsh Labour Government for the support that they have given drivers in grants, support and free personal protective equipment during the covid crisis.

However, many of the drivers tell me that although most taxi and private hire drivers charge on average £2.20 to £2.40 a mile, Uber pays only £1.10 to £1.25 a mile. Many drivers are getting into serious debt or even bankruptcy. What will the Minister do to ensure that drivers of Uber and beyond get a fair day's pay from a fair day's work?

Paul Scully: We will make sure, first, that Uber complies with this judgment. Secondly, we also want to ensure that all employees—all workers—exactly know their rights and status, so that they can look at a number of the other taxi and hire firms available, should they so require.

Selaine Saxby (North Devon) (Con) [V]: Ministers have been honest with the country that the Government cannot save every job as we emerge from the pandemic. We must ensure, however, that support is available for those who do find themselves out of work, so will the Minister confirm that the Government will prioritise making support and resources available to jobseekers as

well as the provision of retraining for those who need it? How can we ensure that this is effective in very rural areas such as North Devon?

Paul Scully: My hon. Friend is absolutely right. We talk a lot about reopening the economy, but the recovery of the economy is so important. That is why, although we have protected jobs, livelihoods and businesses, we must make sure that people coming back into work can flourish and have a course of self-development. That is why there are now a number of schemes available in Jobcentre Plus that are being rolled out to improve skills.

Bob Blackman (Harrow East) (Con) [V]: My hon. Friend will know that the private transport market is a market, and clearly the position of the iconic black taxi cabs in London and the rest of the private hire market have to be considered appropriately. I warmly welcome the decision on safeguarding Uber drivers' rights, but will he look at doing a wholesale review of the market to ensure that Uber is not advantaged in it in an unfair manner that discriminates against black taxi drivers and the rest of the private hire market?

Paul Scully: My hon. Friend is absolutely right to make sure that we continue to look at the number of private hire licences compared with black cab licences in London to ensure that there is no unfair advantage, but, ultimately, there is a market there, as he rightly says.

Peter Grant (Glenrothes) (SNP) [V]: We can judge this Government's sincerity and their claims to care about workers' rights by the fact that the Secretary of State is on record as saying that British workers are among the worst idlers in the world; of course, her own treatment of her staff would have got her sacked from almost any other job.

Given that in just over two months the Scottish people will, for the sixth time in succession, elect a Scottish Government who care about the rights of workers, is it not time that employment legislation was delegated to the Scottish Parliament and the Scottish Government so that, at the very least, the workers of Scotland can get the government that they vote for?

Paul Scully: I am afraid that the question just goes to show that the hon. Member is more interested in votes than jobs and workers' rights. That is why the employment rights Bill will come before this House in due course.

Jacob Young (Redcar) (Con): In Teesside, one of the myths that the Labour party is spreading about our freeport policy is on workers' rights. Our Teesside freeport bid will create 18,000 new jobs over the next five years. Will the Minister confirm that, if our freeport bid is successful, there will be no downgrades in workers' rights?

Paul Scully: My hon. Friend is a real champion for the Teesside freeport, and he is absolutely right. We have talked a lot here about Uber and drivers, but our drive to ensure that we can have great workers' rights in this country extends to all manner of employment, including the freeport that he describes and which I hope he gets.

Mary Kelly Foy (City of Durham) (Lab) [V]: With taxi drivers facing mounting debt and, tragically, recent reports of at least five suicides in the sector, including three mentioning financial worries in their suicide notes, does the Minister agree that drivers and operators need urgent access to extra financial support—including small business grants of £10,000, in line with other small businesses?

Paul Scully: There is support for some drivers, although I appreciate that some people fall between the cracks. There is the self-employment scheme for some, discretionary grants are available, and each local authority has had to come up with a policy for how they used that money, which could include drivers. Any further support will be subject to the Chancellor's announcement in the Budget next Wednesday.

Madam Deputy Speaker (Dame Eleanor Laing): I will now suspend the House so that arrangements can be made for the next item of business.

2.10 pm

Sitting suspended.

Points of Order

2.17 pm

Sarah Owen (Luton North) (Lab) [V]: On a point of order, Madam Deputy Speaker. The last year has been difficult for so many people at work, and as our constituents' lives have been thrown into uncertainty by covid, our staff teams have been dealing with more cases than ever. In my office, our workload has increased by over 300%. That is why I was so frustrated, to put it mildly, to read about a study by King's College London, which sent fake casework to MPs, including me, to test how efficiently our staff responded. Our small but wonderful teams are working all the hours they can to answer genuine constituents' concerns. It is unacceptable that people faked being constituents, and took up time that could have been spent helping real people. Our time is paid for by the taxpayer, and this is a gross exploitation of that. It is unethical, it is a waste of taxpayers' money, and it shows a complete lack of understanding of the pressures on our offices' resources a year into a global pandemic.

Madam Deputy Speaker, could you please advise me on how I can put on record my thanks to MPs' staff across the House at this busy, stressful time, including GMB and Unite staff branch members, and could you please advise the House on how we can ensure that our staff's time and public funds are not wasted like this again?

Madam Deputy Speaker (Dame Eleanor Laing): I am grateful to the hon. Lady for raising this matter on the Floor of the House, and for giving notice of her intention to make this point of order, drawing to the attention of everyone this disgraceful situation.

Mr Speaker is aware that there is a great deal of concern about this among Members and, not surprisingly, their very hard-working and hard-pressed staff. I can see, and it may help the hon. Lady to know, that everyone present in the Chamber is in total agreement with what she has said. So am I, and so is Mr Speaker. As is apparent from our debates, covid-19 has resulted in a significant increase in constituency work, which is heavy at the best of times. As the hon. Lady said, Members and their staff are working flat out to help individuals and businesses in their constituencies who are facing very real and very serious problems. At such a time, it is hard to see how any responsible researcher could have thought that sending more than 1,000 spoof emails that added to this workload was a good idea; how any responsible ethics committee could have approved it; or how any responsible body could have decided to fund it.

Mr Speaker is extremely concerned about these matters, and he will be writing directly to those involved. I note also that it is possible for Members to withdraw their data from the study, and they may wish to do so. The hon. Lady asked me the simple question of how she could draw attention to this matter. She has done so, and her points, and those of every other hon. Member of this House, are taken into consideration by Mr Speaker—very seriously, in this matter.

Dr Liam Fox (North Somerset) (Con): On a point of order, Madam Deputy Speaker. Yesterday, the former First Minister of Scotland, Alex Salmond, accused the Scottish Government of

“the complete breakdown of the necessary barriers which should exist between government, political party and indeed the prosecution authorities in any country which abides by the rule of law.”

[Dr Liam Fox]

That would be a damning indictment in a tinpot dictatorship, but this is happening in a part of the United Kingdom. Given that the Scottish Parliament derives its authority from legislation passed in this Parliament, what mechanisms do we have to ensure that the conduct of the Scottish Government does not bring politics in the whole of the United Kingdom into international disrepute?

Madam Deputy Speaker: I am grateful to the right hon. Gentleman for having given notice that he intended to raise this point of order. He has raised very significant issues concerning the relationship between the legislature, the Executive and the courts; that is the doctrine known as the separation of powers, which is the very bedrock of our constitutional settlement. It is not, of course, for the occupant of the Chair to make any judgment about what the right hon. Gentleman has specifically said, or the quotation that he used, but of course this House is always concerned with safeguarding democratic standards. I am sure that he will use his ingenuity to find a way of bringing this matter before the House once again, when it can be fully examined.

Meg Hillier (Hackney South and Shoreditch) (Lab/Co-op): On a point of order, Madam Deputy Speaker. In a previous urgent question, a Minister came to the House and cited the National Audit Office in support of arguments that he was making about the procurement of personal protective equipment in the middle of the pandemic. This is a growing trend. Ministers come to the House, or appear in the media, and cite the National Audit Office, as though comments in those reports are a conclusion and a determination by the National Audit Office.

Will you help the House and Ministers, Madam Deputy Speaker, by telling me and others how Mr Speaker can enforce the understanding that the National Audit Office is an independent body, headed by the Comptroller and Auditor General, who is an officer of this House, and whose integrity should never be questioned, and that reference to the NAO should never be used in an improper way in this House or in the media to back up arguments that it does not back up? I have the privilege of reading all the National Audit Office reports, and I see them in the round. We are all careful with this, but it would be very helpful if you could rule as Chair on what you think could be done to improve how these reports are used by Ministers in particular.

Madam Deputy Speaker: I thank the hon. Lady for her point of order. She seeks to draw the House's attention to a point that she wishes to make; she has succeeded in so doing by raising the point of order. Of course, as Mr Speaker has said many times, it is not for the occupant of the Chair, or for the Speaker in any other capacity, to interfere in any way with what Ministers say at the Dispatch Box—that is up to Ministers—but the hon. Lady has drawn her concerns to the attention of those on the Treasury Bench, and I am quite sure that the points she has made will have been noted.

High Performance Vehicle Renting (Regulation)

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

2.25 pm

Holly Lynch (Halifax) (Lab): I beg to move,

That leave be given to bring in a Bill to regulate the renting of high performance road vehicles; and for connected purposes.

Residents have for years been raising with me and fellow West Yorkshire MPs the issue of high-powered vehicles being driven recklessly in and around neighbourhoods. Various attempts have been made to combat the issue; communities have come together with and worked alongside authorities such as West Yorkshire police and the local council in the attempt to find solutions to the problem. This Bill is about recognising that such partnership initiatives can go only so far, and are too often reactive. Police efforts to keep the roads safe, such as Operation Hawmill in Calderdale, will not prevent a bad driver from getting behind the wheel of a supercar. The changes that I propose would go some way towards doing that.

More often than not, in the examples that I see, and the cases reported to me, of road traffic offences being committed in high-powered vehicles—supercars, prestige cars or whatever we want to call them—the driver is not the owner of the vehicle, but has hired it. In recent years, there has been a rise in people hiring cars such as Lamborghinis and Ferraris and passing the keys to someone else, if not several other people. The vehicles are then driven at dangerously high speeds, which puts other road users, pedestrians and the drivers themselves at risk.

Often, the driver will not have the appropriate insurance; they will argue that they believed they were somehow covered by the rental agreement, by their own insurance, or simply by the fact that the person who hired the car had given them consent to take it around the block—and they had not intended to crash, so did not need it. In a majority of cases, they will not have experience of handling a 300-plus-horsepower vehicle, which can be deadly in the wrong hands. One roads policing officer tells me that he stopped two high-performance vehicles, both of which were rented, within a week on the same 40-mph road in Halifax. One was going at 76 mph and the other at 86 mph.

Although many companies that hire out vehicles operate responsibly and with transparency, there are some much darker elements in the industry. The sliding scale of criminality ranges from drivers engaging in antisocial use of the roads in communities to dangerous and reckless driving, through to serious and organised crime. What can we do to ensure that all companies that rent performance vehicles act responsibly, and that drivers are accountable for their actions behind the wheel? I propose that all vehicles with more than 300 horsepower that are rented for use on public highways be fitted with a black box, which is typically the size of a matchbox and records information about how and when a car is driven. The information in the black box would have to be made available to the police on request.

The second, related change that I propose is that a person who hires a car must be insured as the named driver for that specific vehicle for the entire duration of

the rental agreement, and must satisfy the hire-car company of that before being allowed to drive the vehicle away. This is incredibly basic, and we would hope that it already happens under the law, but as I have said, too often keys are swapped around among those who do not have the appropriate insurance, under a vague sense that the car came with a package that allows others to drive it, or that a driver's existing insurance covers them to drive other vehicles, when that is just not the case.

I am sorry to say that companies plead ignorance, and too often do not do their due diligence to make sure that the hirer has the appropriate cover and understands their responsibilities. Inevitably, the police have to embark on a lengthy and opaque quest at the roadside to establish the insurance details. I am reliably informed that the difficulty of doing that has been exacerbated by the reduced operating hours of insurance companies during the pandemic.

When dealing with individuals from the young and irresponsible through to those involved in serious criminal enterprises, that leaves far too many loopholes in the law that allow for the abuse of our highways to the detriment of our community safety. I hear regular examples of the police having contacted hire car companies for details of the driver at the time an offence was committed, only for the companies then to fail to provide those details. Although that is already an offence in itself—I welcome cases where prosecutions have been secured against the owners of such companies—a black box and named driver vehicle insurance combination would significantly undermine someone's ability to abuse the system.

In addition to the changes proposed in my Bill, I call on the Government to establish a taskforce to look at this issue holistically. Having spoken extensively to MPs and the Motor Insurers' Bureau, I know that this problem extends right across the country and cannot be addressed by any one agency alone. I was approached by the Royal Borough of Kensington and Chelsea Council, which has deployed acoustic cameras—such is the effect of the prevalence of engines revving on its local residents. It is faced with organised car meets and races, and super-rich visitors to the UK who hire supercars and leave before enforcement action can be taken. It would like to be able to increase the fines it can issue to ensure there are consequences for driving irresponsibly. The dynamics of the problem are different in different areas, but it is widespread.

With that in mind, I urge the Government to form a taskforce and consider going further by, for example, introducing minimum licensing requirements for those seeking to hire a performance vehicle, which could include things such as being over a certain age to hire a car over 300 hp, or a requirement to have a clean licence or a minimum number of years' experience as a driver. It could include restrictions on how much noise a vehicle can make, to get to the bottom of whether the noise generated by a supercar is an unavoidable consequence of its enhanced engine, or whether it has in fact been engineered for effect.

There is a cost not only to the communities that face disruption and noise from these types of vehicles being driven antisocially, and the associated risk, but to all responsible road users, who are penalised through their own insurance to cover the risk of a minority of reckless road users when a vehicle without insurance is involved in a crash. The Motor Insurers' Bureau has shared with me some troubling examples of questionable insurance policies being used by some companies. Agencies agree that costs are passed on to law-abiding road users for these abuses of the system. In the worst cases, the abuses are driving huge sums of money into the pockets of organised crime.

I have seen the police and various partnerships deploy several attempts to address this issue over the years, some more successful than others. This Bill says that Westminster must play its role in calling time on reckless drivers and irresponsible hire companies, and in standing with the communities blighted by this issue.

I want to thank local neighbourhoods inspector Ben Doughty, who has led Operation Hawmill in Calderdale, for his ongoing commitment to community safety and his assistance with this Bill. I also thank Chief Inspector Gary Panther and PC Richard Brimelow of West Yorkshire Police's roads policing unit for their insight in shaping the detail of this Bill, and Paul Farley and Craig Conlon of the Motor Insurers' Bureau for their assistance. I hope the Government have listened carefully to the points that I have made and will look favourably on the proposals I have outlined.

Question put and agreed to.

Ordered.

That Holly Lynch, Lilian Greenwood, Tracy Brabin, Shabana Mahmood, Darren Jones, Dan Jarvis, Tonia Antoniazzi, Neil Coyle, Catherine McKinnell, Mr Barry Sheerman, Chris Bryant and Rushanara Ali present the Bill.

Holly Lynch accordingly presented the Bill.

Bill read the First time; to be read a Second time tomorrow, and to be printed (Bill 261).

FIRE SAFETY BILL (PROGRAMME) (NO. 2)

Motion made, and Question put forthwith (Standing Order No. 83A(7)),

That the following provisions shall apply to the Fire Safety Bill for the purpose of supplementing the Order of 29 April 2020 (Fire Safety Bill (Programme)):

Consideration of Lords Amendments

(1) Proceedings on consideration of Lords Amendments shall (so far as not previously concluded) be brought to a conclusion three hours after their commencement.

Subsequent stages

(2) Any further Message from the Lords may be considered forthwith without any Question being put.

(3) The 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.—(Mr Marcus Jones.)

Question agreed to.

Fire Safety Bill

Consideration of Lords amendments

Madam Deputy Speaker (Dame Eleanor Laing): I must draw the House's attention to the fact that financial privilege is engaged by Lords amendment 3. If Lords amendment 3 is agreed to, I will cause the customary entry waiving Commons financial privilege to be entered in the Journal.

It may be helpful for Members who wish to take part in today's debate to know that there will be an initial four-minute time limit on Back-Bench speeches. That gives people the opportunity to tailor their remarks accordingly.

After Clause 2

RISK BASED GUIDANCE ABOUT THE DISCHARGE OF DUTIES UNDER THE FIRE SAFETY ORDER

2.35 pm

The Minister for Crime and Policing (Kit Malthouse): I beg to move, That this House agrees with Lords amendment 1.

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

Lords amendment 2, and Government motion to disagree.

Lords amendment 3, and Government motion to disagree.

Lords amendment 4, amendment (e) thereto, Government motion to disagree, and amendments (a) to (c) in lieu, amendments (f) and (g) in lieu, amendment (d) in lieu and amendment (i) in lieu.

Lords amendment 5, and Government motion to agree.

Kit Malthouse: It seems a long time since I spoke on this Bill in Committee in June last year. I am playing a small part in the Bill's passage through both Houses, and I stand in today for the Minister for Security, my right hon. Friend the Member for Old Bexley and Sidcup (James Brokenshire), who led on the Bill at Second Reading and on Report last year. I am sure everyone in this House wishes him a full recovery.

Lords amendments 1 and 5 were moved by the Government on Report following advice that the Home Office received from fire safety operational experts on how to commence the Fire Safety Bill. In Committee, I announced that the Home Office had established an independent task and finish group whose role was to provide a recommendation on the optimal way to commence this Bill. The group was chaired jointly by the National Fire Chiefs Council and the Fire Sector Federation, and it brought together experts from across the fire and housing sectors.

On 28 September, the task and finish group submitted its advice to the Home Office that the Bill should be commenced at once for all buildings in scope. The Government accepted this recommendation.

The group also recommended that responsible persons under the Regulatory Reform (Fire Safety) Order 2005 should use a risk-based approach to carry out or review fire risk assessments, upon commencement, using a building prioritisation tool, and that the Government should issue statutory guidance to support this approach. The Government accepted this recommendation, which will support responsible persons. The Home Office,

with support from the National Fire Chiefs Council and the Fire Sector Federation, will host the model once it has been finalised.

Lords amendment 1 will allow us to take forward the provision of statutory guidance to support that approach. The amendment ensures that the risk-based guidance, which will be issued by the Secretary of State to support commencement of the Bill for all relevant buildings, will have the appropriate status to incentivise compliance. It does this by stating explicitly that a court can consider whether a responsible person has complied with their duties under the fire safety order by complying with the risk-based guidance. Equally, if a responsible person fails to provide evidence that they have complied, it may be relied upon by a court as tending to support non-compliance with their duties under the order.

The amendment also creates a provision to allow the Secretary of State to withdraw the risk-based guidance, but this can be done only after consultation with relevant stakeholders. Our rationale for inserting this provision is that we believe a point will eventually be reached where, having followed a risk-based approach to prioritisation, responsible persons will have assessed all the fire safety risks for the external walls of their buildings. At that stage, there may no longer be a need for the guidance to remain in place.

I assure Members that the Government will commence the Bill at the same time as issuing the guidance, and Lords amendment 5 ensures that will happen. This amendment gained the support of the Opposition in the other place when put to a vote on Report. I also recall the comments of the hon. Member for Croydon Central (Sarah Jones) in Committee, when she said this Bill should be commenced at once for all buildings in scope and that a risk-based approach, like the one modelled in her home town of Croydon, should be adopted.

One of the recurring themes during the passage of this Bill has been concern over the number of fire risk assessors with the skills to undertake work on external wall systems. The task and finish group considered this issue as it looked at how responsible persons will be able to update their fire risk assessments, given there is limited capacity in the fire risk assessment sector—primarily of fire engineers working on complex buildings.

The group's recommendation for a risk-based approach to an all-at-once commencement, on which we are acting, is the most practical way to deal with what is a complex issue. Our approach sends a signal to the fire risk assessor sector—mainly fire engineers—that their expertise should be directed where it is needed most, to the highest-risk buildings.

I thank all members of the task and finish group for their work in developing advice to the Home Office. The group has provided an optimal solution for commencing the Fire Safety Bill, allowing the Government to introduce the provisions at the earliest opportunity. It is important that we continue the good work undertaken with those relevant stakeholders on the task and finish group to regularly monitor the effectiveness of the risk-based guidance and the building prioritisation tool. These provisions will allow us to take forward the recommendations from operational experts in the field of fire safety. I hope that hon. Members will support Lords amendments 1 and 5, as agreed in the other place.

Lords amendment 3 seeks to introduce a power that the Secretary of State must use to make regulations to establish and keep up to date a public register of fire risk assessments. As you have confirmed, Madam Deputy Speaker, this amendment engages financial privilege and will not be debated. The amendment invokes significant financial concerns. To provide a sense of the scale of costs, we can point to two things. First, based on the number of buildings requiring a fire risk assessment, our initial estimate is that the cost to the public purse of a public register of fire risk assessment is above £2 million per annum.

Secondly, these costs would likely be broadly commensurate with the expenditure of maintaining a database of energy performance certificates. That system was mentioned by Opposition colleagues in the other place, who stated that something similar should be introduced for fire risk assessments. The current database of energy performance certificates is housed centrally in the Ministry of Housing, Communities and Local Government. The current costs for this are around £2 million per year, but under private contractual arrangements used previously, they were approximately £4 million a year. Notwithstanding the issue of financial privilege, I sympathise with the intent behind the amendment, and we will not rule out doing this in the future. However, there is a need for detailed policy consideration prior to implementation of such a database, which makes this the wrong time to impose this measure in primary legislation.

I raise just a couple of points to underline our view that the amendment is not appropriate. The amendment would, in effect, create a legal duty on responsible persons to make publicly available the full fire risk assessment for all buildings falling within the scope of regulation owing to the fire safety order. In its current form, the amendment would potentially mean that anyone would be able to access the fire risk assessments for a wide range of premises, including schools, hospitals, care homes and Government buildings. We would have concerns over the risk that posed to security, particularly if the information was accessed by somebody with malicious intent.

Linked to the security issue is the level of information that could and should be made available if a system of recording fire risk assessments is created. For example, a fire risk assessment can often be technical and is very different from an energy performance certificate. It may, for example, prove more effective and transparent to publish a summary of a fire risk assessment, rather than the full document. However, the Government agree with the principle of residents being able to access vital fire safety information for the building in which they live, and we propose introducing legislative provision to allow them to do so in our fire safety consultation. It is important to take a proportionate and appropriate approach to sharing information with residents. However, I hope that hon. Members will understand my concerns and the reason why the Government will resist the amendment.

Lords amendment 2 would place in primary legislation several specific requirements on the owner or manager of a building that contained two or more domestic premises. I recognise that many in this House and the other place wish to see legislative change on this as soon as possible. The Government share that objective, which is why we committed to implementing and legislating for the Grenfell inquiry's recommendations in our manifesto.

The Fire Safety Bill is the first step towards this. It was always intended to be a short, technical piece of legislation designed to clarify that structure, external walls and flat entrance doors should be included within the fire safety order. We need to deliver on that as soon as possible, to ensure that fire risk assessments are updated to take account of the risks in those areas. We intend to implement the areas specified in Lords amendment 2 through regulations, and as such the amendment is unnecessary.

It is not helpful, I have to say, for the House to keep returning to this issue. It risks causing confusion, as we saw through misleading media coverage of Commons Report stage. It also raises doubts in relation to the Government's commitment to implementation, when all along we have been crystal clear about our intentions. I reassure the Grenfell community, who I know were distressed by the publicity at Committee stage, and those in the House and the wider public that the Government remain absolutely steadfast in our commitment to implement the inquiry's recommendations.

I am sure everyone across the House accepts the importance of consulting when proposing significant changes to legislation. The importance of that was underlined by the Grenfell inquiry chair, who said that it was important that his recommendations

"command the support of those who have experience of the matters to which they relate."

Furthermore, the National Fire Chiefs Council's published response to our fire safety consultation states:

"NFCC supports the Government's approach to publicly consulting on how to implement the Grenfell Tower Inquiry Phase 1 recommendations. This consultation provides an opportunity to gather wider views on how to practically deliver the recommendations in a way that brings the maximum benefits to public safety."

2.45 pm

We consulted on our proposals to deliver on the inquiry's recommendations and to strengthen the fire safety order. This consultation closed in October 2020 and we intend to publish our response this spring. We also intend to bring forward legislation as soon as practicable after the Bill is commenced. Our consultation gave all those affected the opportunity to make their voices heard. This Lords amendment, however, does not do that. It disregards the intent of the statutory duty to consult and seeks to implement changes that do not take account of the responses to the fire safety consultation.

I should restate to the House that we intend to use article 24(1) of the fire safety order, which provides a regulation-making power and a statutory duty to consult, to deliver the Grenfell Tower inquiry's recommendations. Our proposals will include creating new legal duties for the responsible person in the most practical and effective manner. This includes a proposal for the responsible person to provide information to their local fire and rescue authority about the design of their building's external walls and the materials they are constructed from, and provide it with up-to-date building floor plans in a standard format, highlighting the location of key firefighting systems within their building. Responsible persons will be required to undertake checks of flat entrance doors, fire doors in the common parts and self-closing devices. Regular inspections of all lifts and other key firefighting equipment in their building will be mandatory, reporting any faults to their local fire and rescue authorities alongside this. There will be an

obligation to produce and regularly review evacuation plans for their buildings, and we will look to impose requirements on premises' information boxes, which will include up-to-date floor plans and other documents as recommended by the inquiry. We will also require the installation of way-finding signage in all multi-occupational residential buildings of 11 metres and over. We are also committed to seek further views on the complex issue of personal emergency evacuation plans. A further consultation will open in the spring and details will soon be available on the Government website.

Some of our proposals from the consultation will require primary legislation. These include strengthening the effect of guidance relating to the discharge of duties under the fire safety order; providing for responsible persons in all regulated premises to record who they are and to provide a UK-based address; the placement of a new requirement on responsible persons for all regulated premises to take reasonable steps to identify themselves to all other responsible persons—this could apply, for example, to a building that houses both commercial and residential units; a requirement that those completing a fire risk assessment must be competent; an obligation on all responsible persons to record their completed fire risk assessments; and for responsible persons to record the name and organisation of those they have engaged to complete the fire risk assessments. There will also be the obligation that any outgoing responsible person be required to pass on all relevant fire safety information to those taking over such responsibilities under the fire safety order. And there are potential measures to increase fines, particularly with regard to the impersonation of an inspector. We intend to include those measures, and possibly others, in the Building Safety Bill, which will be introduced after the Government have considered the recommendations made by the Select Committee on Housing, Communities and Local Government and when parliamentary time allows.

I also wish to place on record the Government's view that there are fundamental flaws with this Lords amendment. First, on the issue of lift checks, the Grenfell inquiry's recommendation was specific in that it called for checks of lifts to be carried out on high-rise buildings at monthly intervals. The Lords amendment goes a lot further and applies to all multi-occupied residential buildings. That means that even if such a building was only two storeys high but happened to have a lift, it would require the same approach as a high-rise block. This is not a proportionate solution.

I am also concerned about how inflexible this amendment is. In respect of both lifts and fire doors, it offers no ability to change the frequency of checks without further primary legislation. For example, it may be the case in future that the most appropriate course of action to respond to an evolving situation would be to have a bespoke checks regime for certain types of building that is different from that for other properties. This is but one example of how this amendment could constrain the Government's ability to keep residents safe, and it is right that we maintain the flexibility to react responsibly to future changes in circumstances.

We have talked about the financial privilege grounds in relation to this amendment, and the reason for this is that we already intend to cover the areas of the Grenfell Tower inquiry's recommendations mentioned in the Opposition amendment through regulations. We have

provided an estimate of the impact of our consultation proposals, which has also been published on the Fire Safety Bill pages of the parliamentary website. It is important to mention in respect of undertaking monthly checks on lifts in all buildings, for example, rather than just in high-rise residential premises, that the costs would be significantly higher than we have accounted for.

I am also concerned about the territorial scope of this amendment. The Bill applies to England and Wales, with the exception of the Government's amendment on risk-based guidance, which will be for England only. The Opposition want this amendment to apply to Wales, but it does not have the explicit consent of the Senedd. The Welsh Government have expressed the view that this would be a breach of the Sewel convention.

I reiterate the Government's view that this amendment is unnecessary. It seeks to create delegated powers to lay regulations on these specific areas, despite the fact that this power already exists under article 24(1) of the fire safety order. However, I recognise that those on both sides of this House, those in the other place and the public want greater reassurance that we will deliver on our commitment to implement the Grenfell Tower inquiry's phase 1 recommendations. It is important that we reach a conclusion on this issue, not least because we owe that to the Grenfell community, and I want to underline the Government's commitment to delivering on the inquiry's recommendations.

The Fire Safety Bill is an important first step in the process, which must come first in terms of sequencing. Our intention is to commence this as soon as possible, with supporting risk-based guidance to be ready to support commencement. This will ensure the highest-risk buildings are assessed first. We intend to respond formally to the fire safety consultation shortly. Following on from that, we intend to bring forward regulations as soon as possible. In addition, we have brought forward the Building Safety Bill, which was recently subject to pre-legislative scrutiny. We aim to introduce this after we have considered the recommendations from the Housing, Communities and Local Government Committee report. To underline the Government's firm commitment to deliver on the Grenfell Tower inquiry's recommendations, we have published our first quarterly updates on the progress being made to implement the recommendations. These updates are broken down by the themes set out in the inquiry's phase 1 report on the Government website.

In the interests of getting the Bill finalised and to deliver on important building safety reforms, we were prepared to offer a legislative amendment that would require the Government to report back to Parliament on the specific areas highlighted in the Opposition amendment within 12 months of commencement of the Bill. That would have resolved this issue, and I am disappointed that my offer of this amendment was not accepted by the Opposition. For the extensive reasons I have provided, I hope the House will agree that we are right to reject Lords amendment 2.

Lords amendment 4 seeks to protect leaseholders and tenants from paying for the remediation of unsafe cladding from their buildings. I recognise that a number of alternative amendments have been tabled. I expect we will hear a number of views on this issue today, and I intend to respond to them at the end of the debate, given that many of those interventions will be virtual. First, I should state that we agree with the intent to give

leaseholders peace of mind and financial certainty. That is why the Government have recently announced that we will be providing an additional £3.5 billion to fund the removal and replacement of unsafe cladding, targeted at the highest-risk buildings. That brings the total investment in building safety to an unprecedented £5 billion.

Gary Sambrook (Birmingham, Northfield) (Con): I am glad that the Minister has confirmed that extra £3.5 billion, bringing the total to £5 billion. Will he confirm that this will fully cost the removal of the cladding, and that those leaseholders who live in high-rise buildings will not have to foot the bill?

Kit Malthouse: That is the case. I know that my MHCLG ministerial colleagues have been in this place and debated this extensively and, having made the case to the Treasury, it was gratifying to see this money come forward. It will assist those who are living in fear in high-rise buildings in particular, but also those in mid-rise buildings, who, as I am sure my hon. Friend knows, will benefit from a financing scheme.

Stephen Doughty (Cardiff South and Penarth) (Lab/Co-op): Unfortunately, leaseholders in my constituency have been left in the dark after the announcement the other day because, despite the co-operation between the Welsh Government and the UK Government on the details of this Bill, they have been unable to get answers on the crucial issues of the building development levy and the new tax and on whether there will be any new money for Wales in the proposals laid out by the Secretary of State. Will the Minister urgently respond to the letter from the Welsh Housing Minister, Julie James, which asks reasonable questions and sets out constructive solutions, and will he and his MHCLG colleagues meet me to discuss these issues and find a solution for leaseholders across the United Kingdom?

Kit Malthouse: I understand the hon. Gentleman's impatience, and it is shared by us all across the House. The scheme is in development, as I understand from MHCLG, and I know that Ministers are working hard to get the basis, the foundations and the system in place so that the money can be distributed as quickly as possible. Happily, in terms of high-rise buildings, I think we are well over 90% that are either remediated or in the process of being remediated, but I completely agree with him that we need to work with all urgency to bring as much possible relief from the stress of living with this cladding in the future. I will certainly ask my colleagues at MHCLG to consider his offer of a useful meeting. I know they will be responding to correspondence from the Welsh Government as quickly as possible.

Ben Everitt (Milton Keynes North) (Con): I think we all recognise the frustration exhibited by the hon. Member for Cardiff South and Penarth (Stephen Doughty), which is shared across the House. Perhaps the Minister could explain what steps the Government are taking to make sure that the construction industry pays its fair share in the remediation and the future prevention of risk.

Kit Malthouse: I am grateful to my hon. Friend. As Members who have perhaps been in the House a little longer than he has will know, I was Housing Minister for a brief period of 12 months about 18 months ago,

and the work started then of sitting alongside the construction industry to get it to stand up and fulfil its obligations to the people who were living in defective high-rise buildings in particular. A number of firms did and, from working with them through the Treasury, the Department for Business, Energy and Industrial Strategy and MHCLG, I know that there is a new atmosphere abroad. That is certainly part of the challenge that we face: it is not just about the regulation we are putting in place today, but a cultural change in the industry towards building safety so that it is now a full partner in facing the challenge for the future.

Government funding does not absolve building owners of their responsibility to ensure their buildings are safe. We have been clear that building owners and the industry, as my hon. Friend has just said, should make buildings safe without passing on costs to leaseholders. They should consider all routes to meet costs including, for example, through warranties and recovering costs from contractors for incorrect or poor work.

We have always been clear that all residents deserve to be and feel safe in their homes. We are working at pace to ensure remediation of unsafe cladding is completed, and we have an ambitious timescale to do so. As I said earlier, about 95% of high-rise buildings with Grenfell-type ACM cladding identified at the start of 2020 have completed remediation or had works on site by the end of last year. However, I am afraid the Bill is not the correct place for remediation costs to be addressed. It is a short but critical Bill to clarify that the fire safety order applies to the external walls, including cladding, and flat entrance doors in multi-occupied residential buildings. That means the responsible person must include those parts of the building in their fire risk assessment. That does not include the remediation of historical defects. It does not have the necessary legislative detail that would be needed to underpin such amendments in regulations. The Building Safety Bill is the appropriate legislative mechanism for addressing these issues, and it will be introduced in the spring. It will contain the detailed and complex legislation that is needed to address remediation costs.

Gareth Davies (Grantham and Stamford) (Con): Does my hon. Friend believe that incorporating these amendments might delay the Bill and mean that we cannot execute these measures now?

Kit Malthouse: I am afraid that that is the fundamental risk we face at the moment. We want to get the Bill on the statute book as quickly as possible. It forms the starting block of a complex web of legislation and regulation that is required to bring about changes in building safety across the whole country. I hope that Members recognise that the potential delay that may be inserted by a back and forth between the Houses over this particular issue is not useful. As I say, this issue should be debated during consideration of the Building Safety Bill, which will be brought forward shortly, and I know that Members will embrace that particular piece of legislation.

Kevin Hollinrake (Thirsk and Malton) (Con): Will my hon. Friend give way?

Kit Malthouse: I will make a little progress, if I may, just to outline why that is. These amendments, I am afraid, are not sufficiently clear or detailed to deliver on

[Kit Malthouse]

what Members say they wish to achieve. They would require extensive drafting in primary legislation, thereby, as we have just discussed, delaying the implementation of the Fire Safety Bill and the crucial measures it puts forward to improve the fire safety regulatory system.

3 pm

The amendments would also be impractical—for example, in cases where it would be difficult to identify whether a risk has materialised from wear and tear or due to a building safety defect. Stating what the landlord can and cannot recover from leaseholders may well contradict the provisions set out in the contractual terms of the lease. It would be unclear where these costs should lie, rather than their being determined by the terms of the lease. This might result in delay to crucial interim measures to protect residents while remediation is being brought forward, meaning that fire rescue services would have no choice but to evacuate residents. Additionally, the amendments, though well-intentioned, would not always protect leaseholders from all remediation costs. They apply only to defects uncovered through a fire risk assessment, but not, for example, to defects discovered as a result of an incident, or indeed other works taking place.

Members will be aware that, as I have said, we will soon be bringing to Parliament the Building Safety Bill, which is a once-in-a-generation change to the building safety regime. It will bring about fundamental change in both the regulatory framework for building safety and the construction industry culture, creating a more accountable system to ensure that a tragedy such as Grenfell can never happen again.

Kevin Hollinrake: I am grateful to my hon. Friend for all the work he did as Housing Minister to resolve this issue; we met on many occasions to discuss it. Does he agree that this amendment is self-defeating in that it puts the onus for any fire safety work back on the owner, who, given debts or the cost of that work, will simply walk away? These owners have probably paid a few thousand pounds per flat to collect, rightly, ground rent. If we put a debt on them for £40,000 per flat, they will simply walk away, and who will then carry the can for the work?

Kit Malthouse: My hon. Friend speaks with some expertise in this area and has been a constant presence in debates on this matter over the past few years. He is right. The amendment is self-defeating given the number of, for example, freeholds that are held in limited liability vehicles, which could, in the position he points out, simply put themselves into some kind of insolvency procedure. That is why any measure along these lines would need to be scrutinised carefully and thought about in a little more detail before we brought it in.

Alongside all that, my right hon. Friend the Secretary of State for Housing, Communities and Local Government has committed to taking decisive action to end the cladding scandal once and for all through the Government's five-point plan to provide reassurance to homeowners and build confidence in the housing market. Funding will be targeted at the highest-risk buildings, in line with long-standing independent expert advice and evidence. Lower-rise buildings with a lower risk to safety will gain new protection from the costs of cladding removal

through a long-term, low-interest Government-backed financing scheme. The Government are also committed to making sure that no leaseholder in these buildings will pay more than £50 per month towards this remediation. Let me be clear: it is unacceptable for leaseholders to have to worry about the cost of fixing historical safety defects in their buildings.

I ask hon. Members to recognise that while these amendments are based on good intentions, they are not the appropriate means to solve these complex problems. By providing unprecedented funding and a generous financing scheme, we are ensuring that money is available for remediation, accelerating the process, and making homes safer as quickly as possible. I give my assurance that the Government schemes to address these issues will be launched as a matter of priority and that we will provide an update on the underpinning details, as Members have urged us, as soon as we are in a position to do so. For the reasons set out, I hope that the House will see fit to support me in my aspirations with regard to these and other amendments.

Sarah Jones (Croydon Central) (Lab): It is a pleasure to follow the Policing Minister. I, too, put on record my best wishes to the right hon. Member for Old Bexley and Sidcup (James Brokenshire), who cannot be here to lead for the Government today. We all wish him a speedy recovery.

I thank our fire and rescue services, who are going above and beyond to keep us safe and have worked tirelessly to protect us throughout the covid pandemic. I am grateful to Ministers, to officials and to House staff who have worked with us on this Bill. I give particular thanks to Yohanna Sallberg and Kenneth Fox, who have supported me, in particular, throughout the Bill's passage. I thank Lord Kennedy of Southwark, and all those Lords who have led this Bill through the House of Lords, and ensured that Labour's key amendment on implementing the Grenfell phase 1 recommendations was accepted there.

Every time we debate and discuss the aftermath of the Grenfell Tower fire, we hold the memory of those who died in our hands. We must be gentle and respectful, but we must also see the injustice, and honour those who died by taking action, and by not resting until justice has been done and everybody has a safe home that they can afford. I pay tribute to the campaigners—Grenfell United, the families, survivors, and the entire community—for their tireless fight for justice. I also pay tribute to those campaigners who are fighting every day for the hundreds of thousands of people who are trapped in unsafe buildings, and who face extortionate bills and are unable to move. The drumbeat of their lives is fear and anxiety. No Parliament can ignore that.

Thousands of people are working on this, but I particularly thank Ritu and Will from the UK Cladding Action Group, for their assiduous efforts. I thank the 200 people who joined our roundtable this morning, so that we could hear at first hand the horrors that this Government are wilfully enabling. As Ritu said, "we are fellow human beings in these buildings—your family, your friends, your colleagues." To everyone who is affected, and who is living in fear and anxiety, I say sorry—we must do better.

As we have said throughout the passage of the Bill, we support it, but it is small and the only piece of concrete legislation we have had since Grenfell. That is

not an adequate response to the biggest housing safety crisis in a generation. It does not even scratch the surface of the work that must be done to fix the wild west of building control and fire safety that we have seen played out with such horror over the past few weeks during phase 2 of the Grenfell inquiry. It has taken so long to get here, and at every stage we have had to drag the Government into action.

The Government promised to act swiftly after Grenfell, yet it took them almost three years to introduce this Bill. We waited 12 weeks just for them to bring the Bill back to consider Lords amendments. This is intended to be a foundational Bill. Its purpose is to provide clarity, and state what is covered by the fire safety order, which will inform other related and secondary legislation. In Committee the Minister said that the Government intend to legislate further, and he spoke many times of action still to come, as he did today. By this stage, however, we need more than vague commitments about secondary legislation. At the very least, we need a clear timetable from Government that sets out when further changes to the Regulatory Reform (Fire Safety) Order will be delivered, when secondary legislation will be introduced, and when the Bill will be implemented.

In response to a deeply frustrated letter from Grenfell survivors in September, the Government said that the introduction of the Fire Safety Bill was a key priority, yet the Bill does not include provision for any of the measures called for by the first phase of the Grenfell inquiry. We would like many issues around improving fire safety to be included in the Bill, but many will now have to be introduced through the draft Building Safety Bill and by secondary legislation. We have no idea when any of those things will happen.

Jim Shannon (Strangford) (DUP): I have been asked to speak by my party leader, my right hon. Friend the Member for Lagan Valley (Sir Jeffrey M. Donaldson), and by other Members who have relatives who own such flats on the mainland. They have extreme concerns, and the fears that the hon. Lady has referred to about their properties, and what that means for the future. Although the Government have good intentions, I believe—as I think does she—that the Bill does not go far enough. Is she convinced by what the Minister has said, and if not, will she push the amendment to a vote?

Sarah Jones: I thank the hon. Gentleman for his intervention. I do not think the Government have gone far enough, and I do not accept the reasons why we are going at such a snail's pace on something so important. I will come to what we think should be done about it.

The Government rejected many attempts to amend the Bill. The draft Building Safety Bill places various requirements on what is called the “responsible person” and refers to the fire safety order for the definition of that, but the fire safety order does not provide a definition of the responsible person. The draft Building Safety Bill even attempts to put into law a building safety charge. It is vital that the fire safety order makes it clear that there is no ambiguity around the definition of responsible person and that it does not mean leaseholders. However, the Government chose to reject that amendment.

The fire safety order requires regular fire risk assessments in buildings, but it includes no legal requirement for those conducting the assessment to have any form of

training or accreditation. In Committee and on Report, we tabled amendments that would bring into force an accreditation system for fire risk assessors, rather than waiting for more secondary legislation. We also tabled an amendment to require the schedule for inspecting buildings to be based on a prioritisation of risk, not an arbitrary distinction of types and heights of building. On that point, I am glad that the Government have listened, having turned us down in the initial stages, and taken good practice from Croydon and other areas and introduced a risk-based approach to the Bill.

We tabled an amendment on waking watch to require the Government to specify when and for how long such measures should take place. Thanks to Lord Kennedy of Southwark, our amendment on implementing key measures from the first phase of the Grenfell inquiry passed in the Lords, despite the Government's attempts to block it. The Government have made so many promises to address the fire safety crisis but failed to keep them. The families and survivors are still waiting for justice, and hundreds of thousands of leaseholders and tenants are still trapped.

As we debate the Lords amendments this afternoon, the Government face a choice on what they include in the Bill. They could do the right thing and fulfil their promises, or they could push the can down the road again—“We do care, just not quite enough, not quite yet.” There are two answers that thousands of people across the country are watching and waiting for today: will the Government change their mind and back the Lords amendment to implement recommendations from the Grenfell inquiry, and will the Government legislate to ensure that leaseholders—blameless victims of this crisis—do not have to foot the bill for measures to make their buildings safe?

Kevin Hollinrake: Although I understand the point behind the hon. Member's position—I assume she will vote for Lords amendment 4—can she answer the point I made to the Minister? What will she do when the building owners simply walk away? Where will the costs go? Does she have a solution for that? Does she not accept that this amendment is fundamentally flawed and is not the right way to achieve what she wants to achieve?

Sarah Jones: I thank the hon. Member for his intervention. He is an expert in this area, and I very much respect what he says. The answer is that it is for the Government to resolve this crisis. It is not for leaseholders to foot the bill. We suggested a national taskforce, whereby the Government could take responsibility for assessing the costs of the remediation work and then find out who is responsible, so that, as with the polluter pays principle, we could get to the point where the people who were responsible for the problem were paying the bill. That is fundamentally what we are trying to achieve, because in law at the moment, those who can least afford to pay are the only ones having to pay. The Minister says that there are flaws in the way the amendment is worded, but he could have amended it.

Lords amendment 2 would place robust requirements on building owners or managers and implement the key recommendations from phase 1 of the Grenfell inquiry. The Minister said that he had concerns with the way the amendment was worded. Again, the Government could have tried to amend it and to fix some of the problems along the way, but have chosen not to do so.

[Sarah Jones]

The Government said that they would implement the Grenfell phase 1 inquiry recommendations in full and without delay, and Lords amendment 2 would be a straightforward way for them to fulfil that promise. It seeks to require the owners of buildings that contain two or more sets of domestic premises to do four simple things: to share information with their local fire and rescue service about the design and make-up of the external walls; to complete regular inspections of fire entrance doors; to complete regular inspections of lifts; and to share evacuation and fire safety instructions with residents. Those measures are straightforward and supported by key stakeholders. Indeed, a common response is incredulity that these measures are not already in law.

The Government have even tried to water down proposals on the evacuation of disabled people, as has been reported today. They have proposed requiring personal evacuation plans for disabled people only in buildings with known safety issues and a waking watch. It is only after legal action by the families of those who died in the Grenfell Tower fire that the Government have relaunched a consultation on this.

3.15 pm

The fire safety consultation included proposals to check flat entrance doors every six months, but Sir Martin Moore-Bick said that all fire doors should be checked every three months. Ahead of setting up the Grenfell Tower inquiry, the then Prime Minister, the right hon. Member for Maidenhead (Mrs May), said that “we cannot wait for ages to learn the immediate lessons.”—[*Official Report*, 22 June 2017; Vol. 626, c. 168.]

Nearly four years after Grenfell, and over a year after the recommendations were published, we have waited ages. It is shameful that these things are not enshrined in law.

Stephen Doughty: I wholeheartedly agree with the points that my hon. Friend is making. I want to emphasise the importance of paragraph (a) of Lords amendment 2, on sharing information about the materials that a building is constructed of, because my constituents in Cardiff South and Penarth have real difficulties getting hold of, for example, architectural drawings and original “as built” drawings. There is simply no consistency in this across the UK, which means that fire and rescue services, let alone anybody trying to undertake works, have a much harder job.

Sarah Jones: My hon. Friend is absolutely right, and I have had many similar cases in my constituency, with people just trying to get to the bottom of what the issues are, and meanwhile they cannot sell their flat and are facing fire remediation and waking watch charges, their insurance is rocketing and their lives are on hold. We heard from many such people this morning, and it really was very sad.

It is hard to understand why the Government have put forward a motion to disagree with Lords amendment 2. I heard what the Minister said, but my challenge is that he could have tried to amend our amendments if he had a problem with them, to make them work. The answer, “We will do these things, but later” is simply inadequate.

Felicity Buchan (Kensington) (Con): I think that we all share the same objective across the House. I certainly want the recommendations of the first phase of the

Grenfell inquiry to be implemented as quickly and robustly as possible. I am afraid, however, that the hon. Lady is trying to make a political point, because my has made it very clear that we have a robust system in place. We have the Fire Safety Bill. We have already done the consultation on the fire safety orders, which will be coming out in the spring. Our methodology has been backed by the National Fire Chiefs Council, and the step-by-step process has also been backed by Dame Judith Hackitt.

Sarah Jones: I thank the hon. Lady for her intervention, and I do not doubt her sincerity or the work that she has done on this since becoming a Member of Parliament, but I fundamentally disagree. The step-by-step process might be the right process, but it is so slow. It is almost four years since the Grenfell fire, and it is a year since the recommendations were made. The consultation finished in October, and the Government are still considering the responses. It is painfully slow. Have we not seen with covid what is possible when we put our minds to something? Look at how tremendously quickly we have achieved amazing things through this year of trauma. I think that, with commitment, the Government could work faster on this.

Ben Everitt: We all share the frustration and want this to be done quickly, but it has to be done right. If it comes down to a choice between quick and right, we owe it to the leaseholders to do it right.

Sarah Jones: I hear what the hon. Member says, but whether we should have a system in law whereby we check that a lift is safe is really not that complicated. Of course there are experts, but throughout all stages of the Bill the Government and the Minister have referred to steering groups, taskforces and consultations, rather than actually implementing the recommendations. We could have gone much faster. The Government published the consultation on fire safety in July and it closed in October, but four months later they are still analysing the feedback. They cannot keep promising to act later; they need to act now. There really are no more excuses. There is no reason why this amendment could not be made. The Lords were right.

I will now move on to Lords amendment 4, to which many amendments have been tabled in an attempt to improve it and build on it. This morning I heard from many leaseholders in this very situation. They told me of their desperation, how their lives have been put on hold, how they face mental health issues, how their insurance has rocketed, how their waking watch costs are exorbitant, how they cannot get EWS forms and so cannot sell their homes, how they face costs of other fire remediation way beyond cladding, and how they live in blocks not covered by the Government schemes. Many of them face bankruptcy. They simply cannot understand the injustice of having to pay for things that were never their fault. They cannot understand how the Government do not get this and will not put it right.

Christian Wakeford (Bury South) (Con): To echo the comment from my hon. Friend the Member for Milton Keynes North (Ben Everitt), it is about getting this right, rather getting it done quickly. Does the hon. Lady not agree that a lot of these policies that we are bringing forward have been measured, have been accepted by experts and are tackling the issue? It is right that we

tackle those at most concern of not being safe first, and then follow through afterwards, rather than trying to do all of them at the same time and getting it wrong.

Sarah Jones: I thank the hon. Member for his intervention. I genuinely struggle to understand why the Government have not grasped the scale of this crisis and the quantity of people who cannot sell their flat, who cannot afford the costs that they are currently looking at, who cannot change jobs and who cannot get married or have children because their lives are on hold. Many are first-time buyers who have saved up, worked really hard and got their flat. If the Government would say today, “We will commit to legislate to say that leaseholders should not have to foot the bill”, we could accept that there was a commitment there, but there is not.

There is no commitment to say that leaseholders should not have to foot the bill. The words are said, but there is no action to put it into law. [*Interruption.*] The Minister says from a sedentary position that there is £5 billion, and that is true, but that does not cover the vast number of people who are still affected—the vast number of people whose lives are still on hold. One could say that some of them are perhaps traditional Conservative voters. We struggle on this side of the House to understand how the Treasury has not grasped the scale of this crisis and is not putting it right.

Stephen Doughty: I know for a fact that some of those affected are traditional Conservative voters. I have spoken to people from all walks of life, and they are in absolute anguish about this. They are being left in the dark. We had the announcement the other day—it was typical to announce a big sum of money and then not be clear about how much would come to Wales, how the system would work or when the money would come through. These people have been living in the dark and in anguish for months and for years, and it is completely unacceptable.

Sarah Jones: My hon. Friend is completely right. There is the idea that someone would have a long-term loan where they pay £50 a month. If someone needs to pay off a £20,000 loan, and that loan stays with the building, they have no chance of selling their flat. Nobody is going to want to buy a flat with a bill that high.

Kevin Hollinrake: What evidence does the hon. Lady have for that claim? This is a maximum charge per unit per month of £50. If she understands how property transactions work, that is a maximum of £600 a year, which capitalises to about £12,000. I am not saying it would not affect the value of that property, but it does not make them unsaleable. It makes them far more saleable—I draw the House’s attention to my declaration in the Register of Members’ Financial Interests—than they are today and actually affects the value by a relatively small amount.

Sarah Jones: The hon. Member said, “I am not saying it would not affect the value of that property”, and that is the key. This issue should not be affecting the value of the property when people have saved up for many years, worked hard, bought their flat and then through no fault of their own suddenly finds that the value of their property goes down because of the Government failure to deal with the problem.

Through successive lockdowns, the people in these blocks have gone to bed at night with the added pressure of sleeping in a building at risk of fire or being themselves at risk of bankruptcy and deep financial trouble. It is taking a heavy toll on people’s mental health and putting millions of lives on hold. Leaseholders have been trapped in this impossible position for far too long.

I hate that we are still having this conversation. I hate that I have stood here at this Dispatch Box time after time for years saying the same thing to Ministers, and I hate that good people on both sides of this House are saying the same things and it is still falling on deaf ears. The problem is not going to go away. The Government could legislate today to ensure that leaseholders do not pay by supporting the Lords amendment, the McPartland-Smith amendment or the Labour amendments. At this point, I do not mind which one they pick; I just want the job done.

Jim Shannon: One of the items that has been brought to my attention is that 57% of flats requiring remediation were purchased for under £250,000, which means that many of those people are living in negative equity in their properties. Does the hon. Lady agree that this is not about cake tomorrow, but about what happens today, and unless the Government accept the amendments that have been tabled, those people will feel that they have no hope for the future?

Sarah Jones: The hon. Member is absolutely right. We heard from a lady this morning that the cost of insurance for her small block had gone up from £30,000 a year to £500,000 a year. We heard from a lady who lives in a block in Kent—I know one Government Member has stood up for her in this place many times—where the residents have already spent £500,000 on a waking watch. It is quite extraordinary.

I was alarmed to see reports this afternoon that the Prime Minister’s press secretary, Allegra Stratton, has said:

“Our problem with McPartland’s amendment is that, far from speeding things up for constituents across the country who are worried about finding themselves in these properties, it would actually slow things down.”

That mirrors the intervention that the hon. Member for Strangford (Jim Shannon) has made, and it is an absolute cop-out. We are four years on, and leaseholders are struggling. We think that 11 million people are affected by this—not necessarily those living in dangerous blocks, but those living in blocks where they do not know, because they have not got the forms sorted and they are paying more insurance. That is a huge crisis.

Royston Smith (Southampton, Itchen) (Con): Does the hon. Lady recall that in the Opposition day debate called by the Labour party just a few weeks ago, I asked the Minister, if our amendment is defective, why do the Government not take it, fix it, and make it work? They had the opportunity then. Does the hon. Lady think they should have done that?

Sarah Jones: The hon. Gentleman is absolutely right: if there were any problems with these amendments, they could have been addressed by the Government through this process. They had 12 weeks between the Bill leaving the Lords and coming here to try to effect some of these things, but have chosen not to.

[Sarah Jones]

The amendments tabled by the hon. Member for Stevenage (Stephen McPartland) and for Southampton, Itchen (Royston Smith) are to prevent leaseholders from being billed for fire safety repairs. Labour's amendments went further, because the McPartland-Smith amendments—supportive and good though they are—would not cover leaseholders in blocks where flammable cladding had been added at some stage following the building of the block. Labour's amendments would have included, for example, Grenfell Tower, which was built in the '70s but to which the flammable cladding was added later, in 2017.

In our amendments (f), (g), (h) and (i) to Lords amendment 4, we have sought to go even further, to make sure that the cost of fire safety problems from refurbishment jobs such as the cladding of Grenfell Tower cannot be passed on to leaseholders. Our amendments (f) and (g) would ensure that leaseholders cannot be passed on the cost of remediating problems issued under the fire safety order wherever the problem was created. Labour's amendment (i) would ensure that the Bill protects leaseholders from the day it comes into law, instead of an unknown date in the future, and Labour's amendment (h) would have ensured that if the fire safety order is extended in the future, the Secretary of State must publish an analysis of the financial implications for leaseholders—although that amendment was not selected today, as it was out of scope. [Interruption.] You are hurrying me along, Madam Deputy Speaker, so I am turning pages so that I can speed up, which I will of course do.

To conclude, Labour's amendments in lieu are straightforward. They are based on issues that the Government need to address and have pledged to do so, but have not acted on. The risk of fire and looming bankruptcy will not wait while the Government dither and delay, with inaction or failed proposals that keep many leaseholders in debt. Each amendment I have spoken to today corresponds to a broken promise from the Government.

Today is another chance for the Government to finally put public safety first, and bring forward a set of legally binding commitments to deliver on the promises they made to leaseholders and implement the recommendations of the Grenfell phase 1 inquiry. Blameless victims of this crisis, who are in dangerous homes and facing financial ruin, expect nothing less. As debates over the past four years have repeatedly shown, solving this issue fairly would command cross-party support, and today should be a day to deliver justice. It is not too late for the Government to put the British public first and do the right thing.

3.30 pm

Madam Deputy Speaker (Dame Eleanor Laing): I am grateful to the hon. Lady for concluding bang on time. As the House knows, this debate is limited to three hours, and one of those hours has now passed. I did say at the beginning of the debate that there would be a time limit of four minutes on Back-Bench speeches. I make no criticism of the Minister or the shadow Minister—if I were going to criticise, I would have stopped them long before now—and I appreciate that both hon. Members have taken a lot of interventions and dealt with a great many different matters, so it was

necessary to spend the first hour in this way. But that does mean that, although there will be a limit of four minutes for the hon. Members for Stevenage (Stephen McPartland) and for Sheffield South East (Mr Betts), after that, the limit will be reduced to three minutes.

Stephen McPartland (Stevenage) (Con) [V]: It is a pleasure to be able to speak in this debate. I would also like to send my best wishes to my right hon. Friend the Member for Old Bexley and Sidcup (James Brokenshire).

It is a great pleasure to see the Minister in his place and responding to this debate. I listened to him very carefully and I detect a hint that there could be a compromise, for which I and my hon. Friend the Member for Southampton, Itchen (Royston Smith) have been calling for many months now. We are very keen to work with the Government. We are very keen for the Government to table an amendment in lieu, to accept our amendment today or, if the Minister feels so inclined, even to move our amendment to a vote to test the will of the House, but I imagine that, sadly, we will not have the opportunity to vote on what is called the McPartland-Smith amendment today.

I would like to pick the Minister up on the point he made about this Bill not being the correct place for the amendment. I believe it is, which I will come on to in a moment. I would also like to put on record that I, my hon. Friend the Member for Southampton, Itchen, those who have supported our amendment and the leaseholders themselves are all very clear that we have never asked the Government to pay for the full costs of remediation, or the taxpayer to bail people out. We just want the taxpayer to provide a safety net for leaseholders to ensure the fire safety works are actually undertaken; it has been nearly four years.

We want to be in a position whereby the Government provide the cash flow up front, and then they can levy those who have been responsible within the industry to recoup those funds over the next 10 years. That is our plan and objective. We would love to work with the Minister and the Government to get this resolved in the Lords. I say to the Minister today that their lordships have already agreed to re-table the amendment if it is not accepted. It will be tabled in the Lords on Friday. I am sure we will be back to discuss this later on—in a few months. So I hope that we can work in the in-between time to come to some solution together.

I am very proud to be the Chairman of the Regulatory Reform Committee. The Fire Safety Bill does amend the Regulatory Reform (Fire Safety) Order 2005. The reason why the Bill is so important is that it creates a financial obligation on leaseholders to pay freeholders for the costs of remedying any fire safety defects on external walls and doors, such as cladding, but not limited to cladding, so it can include fire safety breaks and a whole variety of other issues. I assume that this is an unintended consequence. The Government do not want leaseholders to pay—that is very clear from what the Minister said earlier—but they are not sure how they can resolve the problem and get the works fixed without leaseholders actually paying.

From my point of view, we are very keen to ensure that leaseholders are not responsible. In terms of dealing with that order, we have to amend the Fire Safety Bill, because we cannot wait for the Building Safety Bill. The Fire Safety Bill creates this legal obligation. It creates

the position whereby a fire authority, which is a competent authority, can order a freeholder to do the works. They have 21 days to agree to do the works and provide a timescale, or that is a criminal offence. Once they have had this direction from a competent authority, the leaseholders are then required to refund the freeholder for the works that are done. Up and down the country we already have thousands of leaseholders who are on the verge of bankruptcy—some have already gone bankrupt—just waiting and, before they actually get to the costs of remediation, paying £15,000 a week for waking watch in blocks of flats and excessive insurance premiums. The costs are huge.

I urge the Government to accept our amendment, to let us vote on it, or to work with us to ensure that we resolve this issue in the Lords and that leaseholders do not have to pay.

Mr Clive Betts (Sheffield South East) (Lab) [V]: First, may I send my best wishes to the right hon. Member for Old Bexley and Sidcup (James Brokenshire)? When he was Secretary of State, he and I discussed our respective illnesses, and I really feel for him and his family at this very difficult time.

The Housing, Communities and Local Government Committee has discussed the issue of cladding remediation and fire safety works on many occasions. In June, we made it clear that

“residents are in no way to blame”

for defects from cladding

“and it is our view that they should bear none of the cost of remediation.”

We repeated those sentiments in our prelegislative scrutiny of the Building Safety Bill. Again, we said:

“The Government must recommit to the principle that leaseholders should not pay anything towards the cost of remediating historical building safety defects...for which they were not responsible.”

That is very clear.

The question is who should pay: the initial developer—the Government could help to co-ordinate action against them—the taxpayer, of course, or the industry as a whole? Unfortunately, the amendments tabled by the hon. Member for Stevenage (Stephen McPartland)—I very much agreed with the sentiments of his comments—and by the Labour Front Benchers seek to place responsibility on the freeholder.

For reasons that the Minister gave, those amendments cut across the contractual relationship between freeholder and leaseholder. The hon. Member for Thirsk and Malton (Kevin Hollinrake), who raised this issue a number of times in the Select Committee when he was a member, showed that freeholders are often quite small companies that, where they were not responsible for the initial development, simply collect ground rent. If faced with the cost of remediation, they would simply walk away. Those amendments will not get the work done. That is the fundamental issue. We want to see it done without leaseholders having to pay for it.

Turning to who should pay, certainly, the Government have put on the table £3.5 billion in addition to the £1.6 billion, but that does not include anything other than cladding remediation. All the other works, which for many leaseholders are as substantial in cost as cladding remediation, are not covered, and of course that funding does not cover buildings below 18 metres.

The Government have come up with a loan scheme for buildings below 18 metres, but that places the loan charge on the freeholder. Surely, we are back to the same problems: if we cannot interfere with the contractual relationship between the freeholder and the leaseholder—according to the Minister, with respect to the amendments before us from the Opposition and the hon. Member for Stevenage, we cannot—then surely that is a problem for the Government’s loan scheme too, and if freeholders are going to walk away from a direct charge on properties, as the hon. Member for Thirsk and Malton said, they will walk away from a loan too. That is a real problem that the Government have to address.

I welcome that the Government are going to introduce a levy and a financial contribution from the industry, but we appear to be in a position where they cannot tell us whether the money raised from the levy will be in addition to the £3.5 billion or whether it will be taken from the £3.5 billion—in other words, that the Treasury will get some of that money back. That, to my view, would be wrong. The Minister is going to come to the Select Committee on 8 March; hopefully, we will be a bit wiser after that visit.

Finally, we have talked a lot about leaseholders, but what about social housing tenants? The National Housing Federation says that there is £10 billion of remedial work to be done in the social housing sector, and more for council housing properties, yet the only automatic right that social housing landlords have to any funding is for help with the removal of ACM cladding; everything else they are likely to have to pay for. Tenants are going to have to pay through rent increases, cuts to future maintenance or cuts to the house building programme, none of which is acceptable. So we have a perverse situation where the social housing landlord, as a freeholder, could be ensuring that tenants have to pay for the remediation of properties next door that have been subject to the right to buy. That cannot be right.

All these matters need resolving. We hope that the Minister does so on his visit to the Select Committee.

Mr Deputy Speaker (Mr Nigel Evans): We now move to a three-minute limit. I call Royston Smith.

Royston Smith: I draw Members’ attention to my entry in the Register of Members’ Financial Interests. I have no axe to grind with the Government. They are my friends and colleagues. I like them and I get on with them, but I am not going to blindly follow them when I can see that the treatment of leaseholders is wrong.

First, in tabling our amendment, we have never said that we would ask for taxpayers’ money. We made that fundamentally clear right at the beginning, and it is worth repeating that. I know that many of my colleagues would have supported our amendment, but they were told that it would be an open cheque book and therefore they chose not to. Secondly, our amendment will not wreck the Bill. It will make it fair for the innocent leaseholders caught up in this crisis.

There are three parts to this, in my opinion. There is the moral issue. Who, in good conscience, could leave these people to pay huge insurance premiums, sometimes increased by over 1,000%, huge waking watch charges and crippling costs of remediation if we could do something to help? Who would do that?

[Royston Smith]

Then there is the economic issue. When someone owns just 10% of their home, but they are responsible for 100% of the remediation cost, what do we think people are going to do? They will be saddled with tens of thousands of pounds-worth of debt while their home is valued at nothing. This part of the housing market is heading for collapse and thousands of leaseholders are heading for bankruptcy. The Government could and should prevent this from happening.

Finally, there is a political dimension. Successive Governments have put home ownership at the centre of Government policy. They have encouraged people to get on the property ladder. We have incentivised them through schemes such as Help to Buy and shared ownership. Imagine the howls of derision when the first Government Minister stands up and claims that we are the party of home ownership.

The recent Government announcement is very welcome, and I know that many people are grateful, but what sort of solution says, “We concede that it is not your fault, but we are only going to help half of you?” For those buildings over 18 metres, cladding will be removed for free, but not in buildings below that height. Worse than that, those people living in buildings below 18 metres will be saddled with unaffordable debt to pay for cladding remediation. Even worse, they will know that their taxes will be paying for their neighbours’ remediation.

Kevin Hollinrake: I absolutely understand the spirit behind my hon. Friend’s amendment. Will he answer the point that I made earlier? How would his amendment operate if the building owner walks away? Also, does he accept that his amendment would put somebody else on the hook for the costs of remediation, not just for historical defects, but for any defects in future?

Royston Smith: What I will do is refer my hon. Friend to two things that he has said. First, he said, “We will carry the can”, and he has now said, “Who is going to be on the hook?” It sounds to me like he is very happy for leaseholders to carry the can and be on the hook, but not to find a solution. The Government’s problem is to find the solution. Our problem is to say that leaseholders should never have to pay. That is not an unreasonable position for us to take.

In trying to help, the Government have satisfied no one and they have upset just about everyone. The leaseholders are not responsible for this. They know they are not. We know they are not. The Government know they are not and, therefore, the Government’s position is now untenable.

In conclusion, I appeal to the Government and to all my colleagues to think very carefully before they abandon thousands of their constituents, because I know this: they will not forget and they will not forgive.

Hilary Benn (Leeds Central) (Lab) [V]: I am speaking in support of all the amendments before us that seek to protect leaseholders from having to pay. First, on the Minister’s argument that this will delay matters, I think that leaseholders are left perplexed by the Government’s position. One day Ministers say that the cost of fixing historical defects should not fall on leaseholders—the Minister said it again today—but on another day, they

say that it should. The £50 a month towards the loans that the Government propose to give to buildings below 18 metres shows that that is their policy. I do not think that Ministers can criticise others who are trying to address the problem—I support the speeches we have heard from supporters of the amendment tabled by the hon. Member for Stevenage (Stephen McPartland)—because the Government are completely unclear about what their policy is on who should bear the cost. It is clear to me that it should be the people who built the blocks.

On the argument that leaseholders who are also part-owners of the freehold may walk away from their flats, that is a very fair point, but exactly the same argument applies to loads of leaseholders who will not be able to afford to meet these costs. What this tells us is that if we are to solve this we must deal with the whole problem, not just part of it.

Secondly, to argue that this is the wrong Bill misses the urgency of the situation. Leaseholders are facing bills that they cannot afford now—waking watch bills now, insurance bills now—and they still face the prospect of being asked to pay to make safe homes that they bought in good faith. That is why we should take the first available opportunity to protect them from this great injustice.

3.45 pm

Thirdly, although the Secretary of State’s recent announcement represented progress, it has not solved the problem. Ministers have not addressed the question of how other defects that many buildings have—missing firebreaks, flammable insulation not connected to cladding, wooden balconies and walkways—will be fixed, because leaseholders do not have the money to meet the cost of repairing these defects. Even if the dangerous cladding is removed, either under the grant or the loan scheme, their blocks will still be regarded as a fire risk, because the other problems will not have been remedied. We cannot make a building half-safe, as that will mean that they will still need waking watches, there will be high insurance bills, and EWS1 certificates will not be issued—people’s homes will still be worthless, and they will not be able to be sold. An important part of the housing market will remain stuck.

The question for the Minister in replying to this debate today is very simple: what will he do about this? If we together do not find an answer, the suffering of hundreds of thousands of leaseholders in Leeds, in my constituency, and up and down the land will carry on.

Felicity Buchan (Kensington) (Con): This Bill is very important to me and my constituents, and I want to pay tribute to the Grenfell community—the bereaved and the survivors. I want the Bill to be implemented as quickly and as robustly as possible so that it is not subject to any future uncertainty or challenge.

We need to get on with this. We need to stop all the ping-ponging between this place and the other place. It is very clear that there is a systematic scheme here. There is this Bill, which is very simple. We have had the consultation on the fire safety orders and the regulation. We need to get on with that. We need to implement that work and then get on with it. We then need the Building Safety Bill. That needs to come to this House and, again, we need to get on with it. We owe that to my constituents.

The first phase of the Grenfell inquiry report came out in October 2019, 16 months ago. We, collectively—both in this place and the other place—need to get this legislation implemented and make sure that these dangerous buildings are remediated. The more we talk, the more we argue, nothing gets done—and there are dangerous buildings out there.

We have a simple piece of legislation that we can get enacted. We have a big pot of money. The totality of the pot could be as high as £10 billion. Let us implement this legislation, let us start assessing and prioritising the buildings, and let us start spending this Government money. We have time to review the details of the financing scheme. I just want to make the point that, yes, the Government are taking responsibility for buildings over 18 metres, but there is a reason for that: buildings over 18 metres, according to all the independent risk assessors, are way more dangerous. They are four times more likely to have fatalities.

I empathise hugely with leaseholders, but there is still a subsidy in there for leaseholders of buildings between 11 metres and 18 metres. So let us just get on with this today. After that, we can review the details of the financing package and amend the Building Safety Bill, but this Bill is the first step and we need to get on with it.

Andy Slaughter (Hammersmith) (Lab) [V]: It is shameful that this modest Bill is the Government's legislative response thus far to Grenfell, almost four years after that tragedy took place. We might expect, therefore, that it would at least address the most significant and urgent wrongs that the Grenfell fire brought to the Government's attention. The purpose of the Bill is to update the fire safety order and better manage and reduce the risk of fire. What better and more straightforward way of achieving that than to implement the recommendations of part 1 of the Grenfell inquiry, which deals with issues such as the inspection and maintenance of lifts and doors, and having proper systems of evacuation in place and communicated to residents? It is impossible to imagine those steps, backed by the moral and legal authority of the inquiry, not becoming law. That is the purpose of Lords amendment 2.

Although safety is the paramount concern, the treatment of leaseholders and tenants living in unsafe blocks is a wholly new scandal that this Bill will fail to address unless Lords amendment 4 is agreed today. Those tenants should not bear the cost of remedial work to their flats where they did not and could not have known the risks posed by their construction. The Government do not seek to deny that, but instead make a series of partial concessions. That is the wrong approach. We should start, as amendment 4 does, with the presumption that remedial costs attributable to the Bill should not be borne by leaseholders. They should not be borne by tenants or social landlords either, or by the rents of the least well off or the limited funds set aside for the provision and repairing of social homes.

The cynical disregard for the lives of our fellow citizens that Grenfell exposed will take years, billions of pounds and the concentrated efforts of the Government and industry to address. Building design, materials, construction, maintenance and inspection are all in the dock. Height is a factor, but so is who the occupants and users are and how they are taught to behave, especially in an emergency.

For the Government constantly to adopt a reductive approach to the crisis is irresponsible. This is not just about one or two types of cladding, buildings over 18 metres or residential buildings. Today is an opportunity not to address all those issues, important as they are, but to show a serious intent to act now on the most obvious faults and injustices. The Government should take it by accepting all the amendments before the House.

Bob Blackman (Harrow East) (Con) [V]: It is a pleasure to follow the hon. Member for Hammersmith (Andy Slaughter). This is a horrendously complicated issue involving cladding—ACM, high-pressure laminate and other forms of inflammable cladding—fire safety measures and the height of buildings. I warmly welcome the fact that the Government have come up with the money to remedy the most unsafe buildings—tall buildings—and the cladding that was put on them, which fails to provide safe accommodation to residents.

The reality is that the £5.1 billion will remediate only the unsafe cladding and will not do the comprehensive work. The issue then becomes one of the fire safety work that has to be carried out as well. There is no funding to provide for that, so it has to be paid for by someone.

I have a series of suggested tests that could apply. The first is that, emerging from the Grenfell inquiry, it is quite clear that the ACM cladding was illegal, so those responsible for developing the cladding and putting it on the building must pay for the remediation in all other buildings where that is the case. Similarly, for other forms of unsafe cladding, if those people fail to accord with the building regulations that exist at the time, they should pay the cost of removing and correcting it.

Leaseholders could not reasonably have been expected to foresee the fire safety issues when they bought the leases on their flats, so the fundamental issue is that they should not have to pay the cost of remediation, either of cladding or of fire safety defects. My hon. Friend the Minister said that he finds the amendments defective. My challenge to him, when he responds to this debate, is to make it clear from the Dispatch Box that the Government will bring forward proposals in the Lords to amend the Bill to make sure leaseholders do not pay.

The defence seems to be that the Building Safety Bill will eventually come through and be implemented. The problem is that we have sat through the pre-legislative scrutiny of that Bill and recommended at least 40 changes to it. It will take probably 18 months for it to reach the statute book, and then we have the secondary legislation. Leaseholders do not have the time: this work needs to be carried out now. The industry estimates that it will take some four years to implement all the safety works required. It must be made clear that the leaseholders are not the ones to pay.

Currently, leaseholders cannot insure or sell their properties and no one wants to buy them. We are in danger of freezing the housing market because of this problem. I urge the Minister, when he responds, to—

Mr Deputy Speaker (Mr Nigel Evans): Order. We will have to leave it there.

John McDonnell (Hayes and Harlington) (Lab) [V]: I, too, send my best wishes to the right hon. Member for Old Bexley and Sidcup (James Brokenshire) and wish him a speedy recovery.

[John McDonnell]

I have been listening to the debate and the various interventions. A question asked consistently in interventions from Conservative Members has been whether it is not best to put things right rather than act quickly. I remind those Members, as others have, that it is now four years on from Grenfell. Four years is a timescale in which we should have been able to address this issue and give people security and some form of confidence.

Confidence has been shattered by the failure to include in the legislation the recommendations from the first phase of the Grenfell inquiry. I share the view of the Fire Brigades Union that the Government seem to be doing the bare minimum to fend off bad headlines. I have not the eloquence to speak on behalf of my constituents and portray just how strongly they feel about this matter. They are really very angry—and, I have to say, distressed. They feel not only at risk but that their lives have been put on hold by their inability to sell their properties and move from them.

We have heard today about the £5 billion that the Government have allocated; my constituents, like those of other Members, are asking what happens if the money runs out—the costs so far have been estimated to be nearer £15 billion. In addition to that, just as the hon. Member for Harrow East (Bob Blackman) said, the money will not cover many of the defects that have now been found and the additional measures that have been demanded and required. My constituents are now being hit with potential bills from the developers—including the worst, Ballymore—for things such as rectifying wooden balconies and other defects that were not of their making. The idea of waiting for the Building Safety Bill is like “Waiting for Godot”, what with the time it takes to get the right type of Bill and then get the legislation through and implemented.

My constituents in lower-rise blocks do not see why they are being discriminated against. My constituents were blameless. They were failed by developers, regulators, suppliers of materials, inspectors—all of them. Many of those developers made fortunes out of developments in my constituency; it is they who should pay the cost of their own failures. I urge urgency, which is why I will support all the amendments that would protect leaseholders from being burdened with the debt caused by others who have failed us all.

Chris Green (Bolton West) (Con): I welcome the Government’s commitment to correct the historic wrongs, and I especially welcome my hon. Friend the Minister’s commitment to fundamentally change the culture in the building sector and to take a more robust, risk-based approach. Leaseholders are the innocent parties in this matter and rightly expect that the developers, builders and current landlords—some of whom were developers—along with the local building controllers, national regulators and component manufacturers, should be the ones to bear the costs.

My constituents have raised a range of their outstanding concerns that they feel still need to be addressed. They are concerned, first, that those responsible should take far more of the financial burden; secondly, that they have the unfair burden of massively increased insurance costs and waking watches; and thirdly, about the distinction between buildings above and below 18 metres and why they should be treated so differently.

To many people, a monthly cost of £50 may not be a great deal, but for many others who are already at their financial limit, the equivalent of a 13th month of mortgage payments is a huge burden that they can barely afford—if they can afford it. They want to be able to move on with their life—they may want to have a family, or move for work or for a whole range of other reasons—but they cannot. They feel trapped.

4 pm

I am particularly concerned about the 18-metre distinction, especially because of the Cube fire in Bolton about 16 months ago. As it was 16 cm below the threshold, there were lower safety expectations for the cube, including regarding the requirement to have fire-resistant cladding. The Cube turned into an inferno in a matter of minutes, and if the carelessly discarded cigarette had been thrown at four o’clock in the morning rather than eight o’clock in the evening, we can only imagine the toll on the 217 residents. I urge the Minister to change the focus from 18 metres-plus, as with Grenfell, or 18 yards-plus, which would apply to the Cube, and to move towards taking a fully risk-based approach to dealing with this crisis, because ultimately this is about protecting leaseholders, who have done no wrong.

Rebecca Long Bailey (Salford and Eccles) (Lab) [V]: I too send my best wishes to the right hon. Member for Old Bexley and Sidcup (James Brokenshire). I have told the Government repeatedly that many residents in Salford face exorbitant fire and safety remediation costs—up to £100,000 per flat in some cases. I told them that even buildings under 18 metres were failing EWS1, and that many residents were being forced to pay thousands for measures such as waking watch, and increased insurance premiums.

On 10 February, I hoped against hope that the Government had listened—that they had heeded the recommendations of the Housing, Communities and Local Government Committee, the all-party parliamentary group on leasehold and commonhold reform, a range of sector bodies and MPs from across the political spectrum, and had decided finally to address this great moral injustice, to ensure an urgent national effort to make buildings safe, and to guarantee that no resident or leaseholder would ever have to pay for a crisis that they did not cause. Sadly, the Government did not listen. The extra £3.5 billion of funding announced was only for cladding removal, not for remediating fire safety defects, which usually accounts for the majority of remediation costs. Only buildings over 18 metres are eligible. Residents in all other buildings, including those even one metre under, will need to apply for a loan, and buildings under 11 metres will receive nothing at all.

My constituents are devastated. Every day, bills for interim fire safety measures and increased insurance premiums rack up. They cannot move or sell; they struggle to get credit; and, worse, some may face bankruptcy or homelessness. It is so bad that the UK Cladding Action Group reports suicides nationally, and 23% of those surveyed by the group had considered suicide or self-harm. My constituents are victims of systemic regulatory failure or, worse, corporate malfeasance, but the Government are making the victims take responsibility. This has to end today. I say to the Minister that his Government have a moral duty to agree to legislate for the principle that residents and leaseholders should not

pay for historical fire safety defects. I urge him to support amendments to that effect today; to ensure that the Government lead an urgent national effort to carry out fire safety remediation by June 2022; to forward-fund that work; and to reclaim the costs from those responsible and via a levy on new development.

Joy Morrissey (Beaconsfield) (Con) [V]: I, too, thank the Government for the £5 billion that they have committed to targeting and helping to make safe these high-risk buildings. May we remember the lives lost in the Grenfell Tower tragedy. I thank my hon. Friend the Member for Kensington (Felicity Buchan) for all she has done to fight for justice for the Grenfell Tower survivors. I volunteered to help; I first went there two days after the fire. The tales of the fires that consumed the outward escape mechanisms because of the cladding, and of the way the building was encased with flames, are not something I have wanted to speak about, but I feel that it is appropriate to do so today, because I see that the Government are trying to bring some justice to the victims and to future-proof the safety of social tenants in tower blocks, and I thank them for that.

My concern is the long-term unintended consequences of the high levels of fire safety regulations for private leaseholders. They are often young men and women who have saved their whole life to buy their first home. Oftentimes the flat is in London, and as leaseholders, they are now unable to leave that flat. Many of my constituents have written to me about their children in London who have purchased a flat and are now trapped. They can no longer afford the soaring costs of their debts, and some have even moved home to their parents in Beaconsfield because they cannot afford the financial burdens they are now under as leaseholders. I hope that we can continue to address this issue long term, but I want to see this legislation passed and this first stage accomplished. I appreciate and sympathise with many of the amendments, but I would ask that we just move forward and support the Government to ensure that this first level of safety is on offer for residents across the UK.

Florence Eshalomi (Vauxhall) (Lab/Co-op) [V]: I am grateful for the opportunity to speak in this important debate. We are in the middle of a building safety crisis, and post Grenfell, we must all play our part in ensuring that no one is ever unsafe in their home again. The amendments we are discussing are a step in the right direction, and I urge my colleagues to support those that enhance protections for leaseholders, but the Bill is a missed opportunity to enshrine in law further amendments to protect leaseholders.

The issue I want to draw the House's attention to is interim costs of temporary fire safety measures that leaseholders have to put in place while they wait for the start of long-term remedial work, such as the replacement of dangerous cladding. They have to put those measures in place, because they have been told by the fire authorities that their buildings are too unsafe to live in without them. The vast majority of these interim costs are not covered by any Government assistance, and hundreds of my leaseholder constituents in Vauxhall are already paying out, and will continue to do so for the foreseeable future.

The amendment that I tabled to the Bill would have ensured that building owners could not pass these interim safety costs on to leaseholders. These costs are extortionate,

involving eye-watering sums of money. Thousands of pounds are being paid by ordinary, working people, and it is money that they just do not have. How can that be right or fair? I am sure that my honourable colleagues do not need reminding that this building safety crisis was not caused by leaseholders. They are the innocent victims, caught between an industry that has failed them and a Government who are unwilling to go the full distance. Ensuring that leaseholders do not pay these interim costs is not only morally right, but essential if they are not to face financial hardship or ruin. The building industry and the Government must take full responsibility for protecting leaseholders from these interim costs. No leaseholder should have to pay a penny for making their home safe.

Mrs Natalie Elphicke (Dover) (Con) [V]: It is with deep sadness, but also with optimism, that I speak today—sadness because I recall only too clearly the shock of hearing about Grenfell Tower. That shock turned to horror when I went to pay my respects in person. I stood by those charred remains, the dense and acrid smoke heavy in the air, with an inescapable horror at the awareness of what was mingled in the smoke and the dust, at the horrendous loss of life, and at the harm to so many who still carry the terror and fear of that night.

Housing has been my lifelong passion and was my career before I came into Parliament. My interest in and deep commitment to it continues, as shown in my entry in the Register of Members' Financial Interests. I chair the New Homes Quality Board, which is bringing in a new code of practice and a new homes ombudsman. It complements the serious and vital work of Dame Judith Hackitt on the building safety regulator, as well as the essential remit of the Fire Safety Bill.

This Bill is not the whole solution to the Grenfell tragedy, but it is an essential and important technical Bill that needs to be brought in as a matter of urgency. That is why today we must not confuse the purpose of this Bill and the immediate necessity of bringing in laws to protect every person in every constituency, whether they live in a terraced home, a bungalow, or a low, medium or high-rise building. Back in 2017, I called for leaseholders to be protected against remediation costs in high-rise buildings where cladding such as Grenfell's had to be removed. I therefore welcome the Government making that happen through a £5 billion investment for that activity and for building safety; it is the right thing to do.

I called for changes in obligations, and for the ability of fire services, councils and Government to intervene in fire safety matters, so that where there were known problems—for example, with doors or common areas—they could be corrected. The Bill will put that right, and it will give authorities the power to intervene and protect lives. That is what the Bill is all about. I commend the actions of the Housing Secretary and the Government in recent months, and encourage them to look at a broader review of the rights of leaseholders and renters alike, but I welcome the Bill. It is the right thing to do, and it needs to be urgently concluded.

Paul Blomfield (Sheffield Central) (Lab) [V]: I have spoken previously on the nightmare facing residents in the Wicker Riverside complex in my constituency, who were evacuated before Christmas with no notice because

[Paul Blomfield]

of multiple fire safety failings. We got them back, and I thank Lord Greenhalgh for his assistance with that, but their problems remain. They face waking watch costs of up to £600 a month, which for some is almost twice their mortgage payments, and they are still waiting for huge bills for works that they anticipate will be needed to make their homes safe. Nearby leaseholders in Daisy Spring Works received a bill this week for £7,000 to cover compartmentation works, to be paid within 28 days, on top of £10,000 of previous costs, with bigger bills yet to come. In the Metis building, the removal of ACM cladding will be covered by Government funding, but leaseholders still face bills of up to £50,000 to make good other faults.

Of course, there are others across my constituency and the country who are in the same situation. In all these cases, they are expected to pay simply to make their homes safe by putting right the mistakes of others. That is the central wrong that we have an opportunity to remedy today by supporting the amendment of the hon. Member for Stevenage (Stephen McPartland) and the amendments tabled by those on the Opposition Front Bench. I hope that the Government will not try to prevent a vote, because Ministers know that there is a grave injustice here that must be remedied. They must know, too, in their hearts that the action they have taken so far falls well short of what is needed.

This is a huge problem. We should start from the basic principle that those who are responsible for the failings should be responsible for putting them right. In any other consumer purchase, a dangerous item would be recalled by the company that made it and repaired or replaced at no cost to the person who bought it. The same principle should apply here. Leaseholders in these buildings have not just been let down by developers; they were people who exercised due diligence, undertaking all the checks that were needed before they bought their flats, but they were let down by comprehensive regulatory failure, which was the responsibility of successive Governments. That is why we must step in and ensure that their homes are made safe as a matter of urgency. Of course we should seek to recover as much of the cost as possible from the developers and others responsible, but the principle must be that leaseholders pay nothing, either now or in the future, through any loan scheme. Many leaseholders have stretched their finances to the limits to buy these homes. Some have become bankrupt already, and others are facing ruin and unimaginable mental strain. This is wrong and we can begin to put it right today.

4.15 pm

Dr Liam Fox (North Somerset) (Con): The cladding issue is of great importance to many of my constituents, particularly in Portishead. They understand that a balance must be struck between the problems of leaseholders caught in the cladding trap and the interests of taxpayers at a difficult time for the public finances. We know that the Government will publish more details of the financing scheme when further discussions with the Treasury are completed, so we still have time to make changes. Although it would be completely improper to ask the taxpayer to, in effect, sign a blank cheque, it has to be a basic principle that those who have to undertake changes purely as a result of change in government regulation

should have any remediation underwritten. As these changes will affect dwellings irrespective of their height, such support should be available to all. Where changes are required not as a result of change in government regulation but because of faulty workmanship or frank dishonesty in the declaration of materials used, all costs should fall directly on developers, builders and insurers—indeed, there may be occasions when criminal sanctions are required. Although it is generally unacceptable for taxpayers to pay in these circumstances, there will have to be exceptions, particularly when the developers in question have gone out of business and leaseholders have no other options from which to seek redress.

We must also see a number of practical issues resolved, including through urgent Royal Institution of Chartered Surveyors guidance on EWS1 certification and the speeding up of the training of qualified staff able to conduct EWS1 assessments. We need building societies and banks to take a realistic and constructive attitude to the buying and selling of these properties, especially when a taxpayer safety net is being deployed to provide greater certainty. We also need the Association of British Insurers to provide realistic guidance to its members, so that on top of the financial worries they already have leaseholders are not subjected to the added anxiety about the failure to insure their properties. As I have said in the House before, we have to ensure that surveys are factually accurate, as we have seen too many examples of shoddy practice that adds both financial cost and unnecessary worry for the leaseholders concerned.

We all understand the problems facing the public finances and we all welcome the £5 billion of taxpayers' money that the Government have already put forward. What we need to see as soon as possible are fair and equitable solutions for all those caught in a trap not of their own making.

Daisy Cooper (St Albans) (LD) [V]: Lords amendment 4 is about protecting blameless leaseholders from the extortionate costs of fire safety remediation. I tabled it initially in Committee and it has been re-tabled by Liberal Democrat peer Baroness Pinnock in the other place. I thank the hon. Member for Stevenage (Stephen McPartland), the right hon. and learned Member for Holborn and St Pancras (Keir Starmer) and their colleagues, who have improved upon it, and I support all these amendments. Hundreds of thousands of people affected by this fire safety scandal are counting on us to put our party political differences to one side and work across party lines to protect them. The Government have made three claims today. They say that this Lords amendment should not be dealt with now, that it is defective and that it will delay this Bill. Let us address those in turn.

First, the Government say this Bill is not the time and place to protect leaseholders, and that they should wait until the Building Safety Bill. The Government are wrong. From the date this Bill comes into force, leaseholders will be required to pay for any costs incurred consequent to a notice by a competent authority. If they receive a notice from a fire service or a local council in relation to the external wall of a building of two or more dwellings, those leaseholders will be liable to pay from day one of the Bill taking effect. Leaseholders cannot afford to be hit with huge costs, and that is why this Bill is exactly the right Bill to address the issue, and it is why leaseholders cannot wait any longer.

Secondly, the Government say that the various amendments under consideration today are defective. Well, why have they not proposed their own amendments to solve any defects? I first tabled this amendment on 25 June last year, which is eight months ago, and I note that the Government have failed to bring anything forward in all that time.

Thirdly, the Government say this amendment could delay the Bill. With respect, that is a bit flippin' rich, given that it has taken three and a half years to bring forward a Bill that extends to a whole two pages.

We cannot end the whole fire safety scandal today, but we can protect leaseholders from having to pay for it. I call on the Government to put all the amendments to a vote, and I call on all Members of this House to put our party differences to one side and to vote for them all.

Mrs Maria Miller (Basingstoke) (Con) [V]: I start by sending my very best wishes to my right hon. Friend the Member for Old Bexley and Sidcup (James Brokenshire). We want to see him back soon, but it is good to see this Minister, my Hampshire neighbour, leading the debate today.

Owning your own home is a very British dream, but it has turned into a nightmare for thousands in the aftermath of Grenfell. That is why there is such strength of feeling across the House today. Our thoughts will always be with those lost in the Grenfell tragedy, with those who are grieving and with those who survived, but there are now thousands more who are dealing with the building safety consequences of those events.

In the UK it should not be high risk to buy a home in a block of flats built and marketed by a reputable house builder under strict building control regimes, only to find that the professional and regulatory checks have been a fiction. That is a situation in which hundreds of my constituents find themselves.

It is clear from today's debate that no one wants residents to pay for this disgraceful behaviour, that there cannot be a blank cheque from Government, and that those who caused the problem have to pay for the works that are needed. The only question is how we achieve all that, so I warmly welcome the Government's announcement of an additional £3.5 billion to fund remedial work, a grant scheme for low-rise buildings, a builders levy and a property developer tax. This will be of some reassurance to leaseholders, and a start to making sure that those responsible for the failings are made to pay for what they did wrong.

I accept the argument of my hon. Friend the Minister that this may not be the right place for further assurances on remediation costs and, given his undertaking to look at this further in the Building Safety Bill, I will pause my support for the amendments today. He has been constructive and helpful in his contribution.

In the meantime, the Government have to show how funding promises will work in practice. I thank my right hon. Friend the Secretary of State for working with me to identify how funds will flow for the waking watch relief fund and remedial works. Making this work in practice has to be a ministerial priority in the coming weeks.

There also needs to be complete transparency from Homes England on which buildings have been accepted into the scheme, and that if eligible costs legitimately

increase from the initial assessment, applicants can claim from the fund for a cost variation. Above all, these plans need to be in place as quickly as possible, and the Government need to tackle the insurance problems that many leaseholders now face.

Remediation works will not happen overnight, but it is in no one's interest to delay this Bill, which includes provisions from my 2018 fire safety ten-minute rule Bill. If there is not clear progress, more action will be needed in the Building Safety Bill when it is considered later this year.

Apsana Begum (Poplar and Limehouse) (Lab) [V]: I rise to speak in support of Lords amendment 4 and the amendments tabled by those on the Labour Front Bench. I also express my support for what is colloquially coined the McPartland-Smith amendment. The common thread is to urge the Government to ensure that freeholders do not unjustly pass fire safety remediation costs on to leaseholders and residents. Too many of my constituents are living in dangerous homes, facing huge financial and legal liabilities for remediation of building safety defects not of their making. Too many are suffering anxiety and stress from living in blocks with ACM and other types of cladding, whether in New Providence Wharf, New Festival Quarter or Indescon Square, to name just a few. Residents have contacted me in despair, devastated that they have been hit with huge bills for work to make their buildings fire safe. They have described the nightmarish situation they are in, living in unsafe homes that they cannot sell, with no idea when they will be made safe. Meanwhile, developers such as Bellway and Ballymore have continued to make huge profits, thanks to Government inaction, privatisation, and deregulation of the housing sector.

The cladding scandal must end. How is it possible that so many residents are still living in blocks that are unsafe? This is the reality of what so many people are enduring on a day-to-day basis, trapped in a never-ending game of buck-passing between the Government and the developers. No one wants to take responsibility; no one wants to pay to resolve the situation; and each looks to the other to step up. However, what is clear and indisputable is that people in my constituency and all over the country bought homes in good faith to build their lives in. I urge the Government today to rethink their approach and finally do the right thing by people who are having a really difficult time, and support amendments to the Bill.

I also express support for Lords amendment 2, which would place robust requirements on building owners or managers, and implement recommendations from phase 1 of the Grenfell Tower inquiry. We need to be sure that the Grenfell Tower fire never, ever happens again. Years have passed since the catastrophe, and still no one has been called to account. When will we ever get answers? When will victims ever get justice? The truth is that decisions stretching back years have led to the gutting of the UK's fire safety regime, and the failure to regulate high-rise residential buildings properly for fire safety.

I conclude with this: our constituents and our communities need much more decisive action than we are getting from this Government. It is absolutely not fair that leaseholders or residents are left to pay for building safety works that have not arisen because of any fault on their part, and it is unacceptable that

[Apsana Begum]

people continue to live in their current state of limbo in unsafe buildings. I plead with the Minister today to end this impasse, and finally do the right thing.

Stephen Hammond (Wimbledon) (Con) [V]: I am pleased to make a small, short contribution to this afternoon's debate and, like so many others, wish my right hon. Friend the Member for Old Bexley and Sidcup (James Brokenshire) all the best.

For many in Wimbledon, the dream of home ownership—the aspiration to have a home—has gone from a dream to a nightmare because of these cladding and safety problems. I listened carefully to the Minister, and he is right: it is our duty to protect and provide legal certainty to leaseholders who are facing these issues through no fault of their own. As such, I warmly recognise and welcome the efforts of my right hon. Friends the Secretary of State and the Housing Minister, who have provided an extra £3.5 billion to make a total of £5 billion. I also recognise that this is for cladding, and that a number of other remedies will be required. On that basis, the principle must be that the defector must pay.

The Government have rightly said on a number of occasions that the costs must not fall on the leaseholder, and, in making the extra contribution to the fund, my right hon. Friend the Secretary of State said that he was taking a risk-based approach. The approach for people living in buildings under 18 metres is supposedly similar. We are told there is going to be new guidance that will ensure that risk-based approach will happen, so that many buildings under 18 metres will not necessarily be within the scope of remediation, and that no one will pay more than £50 even if they are. However, we have no details. We have no guarantees that the banks and the insurers will respect these new assessments, and provide mortgages and decrease insurance costs. We have no guarantee that when the Royal Institution of Chartered Surveyors produces this guidance it will take precedence, and that the EWS1 forms will be produced.

The Government have said that the details of these schemes will be available shortly. However, until they are available, there is no certainty for leaseholders in blocks under 18 metres, and, as has already been said, they may become liable for costs earlier than that. My hon. Friend the Member for Southampton, Itchen (Royston Smith) has already pointed out that this is not an unlimited ask of the Government; it is a specific ask, saying that those who caused the defects should pay.

I listened carefully to the Minister, and I will listen again, but I say to him that the Government could have provided some certainty today by agreeing to bring forward an amendment in the Building Safety Bill, or indeed an amendment that would have given a clear hint in this Bill. Until that happens, unfortunately, leaseholders in buildings under 18 metres will have no certainty, and they deserve it.

4.30 pm

Stephen Doughty: May I add my warm words to those of other Members in wishing the Minister for Security, the right hon. Member for Old Bexley and Sidcup (James Brokenshire), a full and swift recovery?

I think that many constituents, from constituencies across the country, will struggle to understand some of the arguments and excuses that the Government have

put forward today. I support the amendments tabled by hon. Friends on the Opposition side, and also those tabled by the hon. Members for Stevenage (Stephen McPartland) and for Southampton, Itchen (Royston Smith), who made powerful speeches. To emphasise that, I have received an email during the course of the debate, from a leaseholder from a Conservative English constituency, in support of those amendments. He says, "I am a Conservative, and the Housing Department is a disaster in this regard." That is the message that I am getting from people. Regardless of their political affiliation or where they live in the country, they want this resolved. They are living in anguish and uncertainty, and it is affecting their mental health. It is affecting key workers in our covid response. It is affecting people who are trying to support young families. It is just a completely untenable situation for them to find themselves in. I think they will find some of the excuses we have heard today very difficult to hear.

This is a national scandal that has been brewing for decades, and it needs urgent action to resolve it. It needs action across the United Kingdom, so it needs the UK Government to work constructively with the Welsh Government. They have worked constructively in preparing this Fire Safety Bill, so it was really disappointing the other day when the Secretary of State for Housing, Communities and Local Government brushed off any questions about Wales, saying, "I don't know what's going on there"—or something to that effect—at the end of the debate. He simply has not answered any of the questions, or responded to a very reasonable letter from our Housing Minister in Wales, Julie James.

I have submitted a series of parliamentary questions over the past few weeks to try to get some clarity on the gateway 2 builder levy, the proposed new tax, and on related matters, and I have received completely opaque answers. That is simply not good enough for leaseholders who want those answers and want to know what support is coming from the UK Government to ensure that their concerns are dealt with, not least because many of these pre-date devolution. I hope that the Minister will be able to look constructively on my request for those meetings, and will be able to arrange urgent briefings on these matters between officials in the Welsh Government and the UK Government.

I must go back to one of the biggest problems, which is the developers. I have called them out before and will do it again. Companies such as Redrow, Laing O'Rourke and Taylor Wimpey need to be held accountable for this. They have been raking in billions in profits while building shoddy buildings, in relation to fire safety and building safety, and it is simply unacceptable that leaseholders might then be expected to pick up part of the cost. I am very pleased that the Welsh Government have confirmed unequivocally that they should not have to do that, but that requires working together across the UK—across the Union that the Minister and I support—to ensure that we deliver for them.

Lastly, we urgently need clarity on the EWSI issue, because it is still affecting lots of people and it is not getting through to the ground, and on insurance, working with the Association of British Insurers and others.

Mr Deputy Speaker (Mr Nigel Evans): The comms with Tom Randall are a bit unstable, and we want to be absolutely certain that they are perfect, so we will go to Meg Hillier next.

Meg Hillier (Hackney South and Shoreditch) (Lab/Co-op): Thank you, Mr Deputy Speaker; I was tempted for a moment to think that you were saying that I am just perfect.

I must first declare an interest, as I am a leaseholder in a building with dangerous cladding, but happily for me and my neighbours, our developer stood up and is paying for every aspect of the costs, which is what every developer should do, although clearly that is not the case. I, too, pay tribute to the Minister for Security, the right hon. Member for Old Bexley and Sidcup (James Brokenshire), and commend him for his decisive action at the early stages of this challenge, when he issued a ministerial direction to ensure that ACM cladding was removed from blocks. He recognised that it would take too long legally to chase down who should pay, and in the meantime the urgency of the issue was so great that it needed to be done. I feel that sets the tone for what the Government should be doing.

I commend the hon. Members for Stevenage (Stephen McPartland) and for Southampton, Itchen (Royston Smith) for their work to try to maintain the profile of this issue, which is particularly difficult to do as a Back Bencher. I also align myself completely with my hon. Friend the Member for Cardiff South and Penarth (Stephen Doughty) and my right hon. Friend the Member for Leeds Central (Hilary Benn) on the impact on residents. I am not going to go into that, because I have repeated that many times and my constituents know that I understand their challenges.

This is the biggest consumer and fire safety failure in a generation. Both the Public Accounts Committee, which I chair, and the Housing, Communities and Local Government Committee have said that we need to make sure this is dealt with, and that we need to deal with the many challenges. I refer hon. Members to those reports. The housing association sector alone estimates £10 billion costs, so although I welcome the Government's recent £3.6 billion injection, we know it is not going to be enough, and we are concerned about the £50 a month loan fee, on which I hope the Minister will come back to us at the end with a bit more information.

While ideally the taxpayer should not pay, the fact that the right hon. Member for Old Bexley and Sidcup recognised that that direction had to be made and that the Government needed to step in with taxpayers' money sends, to me, a very clear signal that that is the very best way of approaching this. Yes, we should be recovering money from the developers, ultimately, but we need to get the Government to do that. The Government are not always very good at getting money back from the private sector, but I am sure we can work together, across parties, to support the Government in that endeavour.

I do welcome the Bill. It is right that it should be introduced, and I hear the heartfelt plea from the hon. Member for Kensington (Felicity Buchan). It is the right thing to do, but it contains an inherent contradiction: to implement it, work needs to be funded, because without that funding the Bill cannot be implemented. That is the problem, and that is why I support the amendments. I hope the Minister will come back, in his closing remarks, to explain what evaluation will be made about the £50 a month loan scheme. I refer him to the not great success of the green deal, which also put a charge on homes and failed badly. I would also like more detail and clarity on the timing of the Building Safety Bill, because all our constituents need that clarity.

Mr Deputy Speaker: The video link appears to be working. I call Tom Randall.

Tom Randall (Gedling) (Con) [V]: The Fire Safety Bill is a short Bill of seven clauses that amends the Regulatory Reform (Fire Safety) Order 2005. That order consolidated different pieces of fire safety legislation, and this Bill clarifies that the order applies to a building's structure, external walls and any common parts. I am sympathetic to the aims of Lords amendment 4, but I am concerned that the fire safety order, or any Bill concerned with amendments to it, is not the appropriate legislative device to resolve the problem of remediation costs. The fire safety order is designed to place duties on the person who has some level of control in a premises to ensure that they identify the fire safety risks for the building for which they are responsible and, if necessary, put the relevant precautions in place.

I understand the Government are looking to the Building Safety Bill to address the issues raised in this amendment, and I agree that that would be a more relevant place to consider them. I also understand that the clauses, as drafted, would stop all remediation costs being passed on to leaseholders, including those that one might expect to be covered by service and maintenance charges, such as safety work required as a result of routine wear and tear. There is a further concern that the amendment, as drafted, could delay the implementation of the Bill itself and crucial measures to improve the fire safety regulatory system, including delaying recommendations from the first phase of the Grenfell inquiry.

I am, however, pleased that the Government are paying for the removal of unsafe cladding for leaseholders in all residential buildings of over 18 metres in England. As Dame Judith Hackitt, the independent adviser to the Government on building safety, has said:

"Statistics show...that buildings above 18 metres have a four times greater risk of fatality in the event of a serious fire than lower rise buildings",

and these buildings are rightly being prioritised for funding. For lower-rise buildings of between four to six storeys, there is a lower risk to safety, and leaseholders will gain the new protection of having cladding removed with a generous scheme to pay for it through a long-term, low-interest, Government-backed finance arrangement, where leaseholders never pay more than £50 a month for cladding removal.

I appreciate that nothing can compensate for the horror of the prospect of being liable for the costs of remedial work following the joy of moving into one's home, bought on the entirely reasonable assumption that the block it is in would have been built correctly. However, given the complexity of this issue and the fact that leaseholders face paralysis, this does offer a route forward. I believe that these measures will help provide some certainty and confidence in this part of the housing market so that the affected flats can be bought and sold again, which would be a significant step forward from where we are at the moment.

For these reasons, I hope that the Fire Safety Bill can reach the statute book quickly, together with the Building Safety Bill, so that we will have a comprehensive set of measures in place to correct past wrongs and also to move forward safely.

Suzanne Webb (Stourbridge) (Con) [V]: I welcome the steps the Government are taking to improve fire safety, including through this important Bill, which is

[Suzanne Webb]

critical in clarifying that fire risk assessments are updated to take account of external walls and flat entrance doors. The Bill provides clarity as to what needs to be covered in fire risk assessments and empowers fire and rescue services to confidently take enforcement action and hold building owners or managers to account if they have not complied with their duties in respect of these parts of the building.

The Bill is an important first legislative step in implementing the Grenfell inquiry phase 1 recommendations and one part of the Government's major building and fire safety reform programme, which I warmly welcome. Building safety is the Government's priority, and I am pleased that there is now an independent expert panel convened after Grenfell to consult on fire safety issues.

My concern over the amendments is that they would not be cost-free and would render the Bill legally unsound, so the Government would be unable to proceed. We would not be able to give fire and rescue services the powers they need to keep people safe. These powers have been needed for some time, as Grenfell has shown us, without any doubt. We would also not be able to proceed to implement the Grenfell inquiry phase 1 recommendations, and that would be a travesty. For the bereaved or for those who have worked closely with the survivors, to say that delaying this Bill would not be a welcome move is an understatement. There is clearly a lot at stake in not implementing this Bill. The Grenfell enquiry reinforced the fact that the Government needed to do more, and so to stall on this Bill would not reflect the Government's own commitment to never see such a tragedy again.

On whether leaseholders should have to pay for defects, it is clear that there has been a lot of substandard work that should never have been passed and had circumnavigated fire safety standards. We need to recognise this by holding those responsible to account. None of us wants to see leaseholders foot the bill. We need to see the sector step up and foot the cost of the remediation. We should not forget that the Government stepped in and put £5 billion against these issues, not forgetting the extra £3.5 billion. This is £8.5 billion to support leaseholders in a very difficult situation. Leaseholders in buildings over 18 metres will not have to pay for the cost of remediation, and those in buildings between 11 and 18 metres no more than £50 per month, compared with what could have been thousands of pounds.

I wanted to speak in this debate as I strongly echo the words of my hon. Friend the Member for Kensington (Felicity Buchan), who spoke so passionately earlier. We need to just get on with this Bill; surely we owe that to her constituents.

Ruth Cadbury (Brentford and Isleworth) (Lab) [V]: Any debate about fire safety should not just be about cladding, nor just about buildings over 18 metres high, as residents of the four-storey block, Richmond House, which burned down in just 11 minutes in 2019, would testify. Nor is just about leaseholders, as the students and tenants, as well as leaseholders, in the Paragon building in my constituency found when they were evicted last October with one week's notice as their blocks were found to be too dangerous to live in. Both blocks were built by Berkeley Homes. Nor is it just

about residential housing, as those in student flats in Bolton found when fire crawled up the sides of their building.

The fire safety crisis did not just start with the tragedy at Grenfell Tower; it has been growing for years. As a result, hundreds of thousands of residents and users of thousands of buildings live in fear of being caught in a fire, and leaseholders face bankruptcy in having to fund the costs. In her report on building regulations, Judith Hackitt summed up a

"mindset of doing things as cheaply as possible and passing on responsibility for problems and shortcomings".

One could start with the deregulation of the building and fire safety standards that began in the '80s, when building control services were opened up to the private sector so that building inspectors now price for work on the number of visits, so fewer visits mean a cheaper bid. Developers have been cutting costs for years, going for the cheapest materials and corner-cutting again and again on site. Then we have had the growing skills crisis in the construction industry. The Government ignored the recommendations of the inquiries into the Lakanal House and Shirley Towers fatal fires almost 10 years ago. Even now, there is the inability to train and accredit qualified fire safety inspectors who are needed to inspect the properties that in fact should never have been signed off as safe to occupy in the first place.

As I said, the scope of this Bill is far too limited. It is fiddling while too many of our constituents and their homes are at risk of burning, and leaseholders face unaffordable costs. Responsibility for sorting this should lie with those who are responsible—the Government and their friends in the construction sector. As other speakers have said, the Bill hardly scratches the surface of the crisis. It does not even implement the recommendations of phase 1 of the Grenfell inquiry.

4.45 pm

Despite its limitations, I support the Bill, as well as the amendments tabled in the names of my right hon. and learned Friend the Member for Holborn and St Pancras (Keir Starmer), my right hon. Friend the Member for Torfaen (Nick Thomas-Symonds), my hon. Friend the Member for Croydon Central (Sarah Jones), and the hon. Member for Stevenage (Stephen McPartland).

Ben Everitt: The tragedy of Grenfell should never have happened, and the lessons we have learned are not ones we can ignore. I am glad that, today and over the past few years, we have found consensus in the House that fire safety and the regulatory system should be improved, even if not about the pace of implementing those reforms. I welcome the clear commitment from my Treasury colleagues in putting together a comprehensive solution to make homes safe, while protecting leaseholders from unaffordable costs.

Christian Wakeford: As has been highlighted, more than £5 billion has been put into remediation. Does my hon. Friend agree that taxpayer contributions are finite, and that we cannot at this time be giving a tax bombshell to everyone across the country?

Ben Everitt: I welcome my hon. Friend's intervention. He is right. We are operating within a financial envelope, and one of the most pleasing things about the intervention

from the Treasury announced last week is that it is what we would probably call an “elegant” financial solution. The transfer of risk away from the leaseholder to the building, combined with capping repayments at £50 a month, is possibly the most generous and neatest way that the Treasury could do that, and in effect it has gone a long way to protecting leaseholders from those unaffordable costs.

We have all been working towards a comprehensive solution for redressing those defects and reforming safety practices in the industry, in order to ensure that the heart-breaking events of Grenfell never happen again. The Bill is a key part of that, and significant progress has been made across the board, with ACM cladding either removed or in the process of being removed from every building in the social sector, and work on private sector buildings taking place at pace.

I also welcome the agreement on EWS1 forms, which will provide much-needed reassurance to leaseholders. We need such reassurance so that leaseholders face fewer burdens when they are trying to get on with their lives. We sometimes forget that we are here for people who have lives and worries, and we need to get out of their way and let them get on with their lives. These measures go a long way to addressing leaseholders’ largest concerns. This Bill and the draft Building Safety Bill are big bits of government, and more bits of government will be added. However, it is all necessary. Reference has already been made to the pre-legislative scrutiny carried out by the Select Committee, of which I was part. It was a big bit of government, but it is all necessary.

This scandal has highlighted the security of everyone living in buildings, and that must be the principal concern of this Bill and the draft Building Safety Bill. We must protect people’s lives where they are most at risk. There are some well-meaning amendments to the Bill but, as my hon. Friend the Member for Grantham and Stamford (Gareth Davies) noted, they would slow down the pace of the Bill’s implementation. I do not want to see the Bill frustrated. It is crucial to building safety that we get it up and running. We have heard in this debate about the difference between pace and speed, and about getting it right. We need to get this right.

Stephen Timms (East Ham) (Lab) [V]: I support Lords amendment 2, and I hope we will be able to vote on the amendments that Members have tabled. I also hope the Government will finally honour the promises to leaseholders that they have been making for the past three years, and this Bill is an opportunity to do that.

I want to draw the attention of the House to a problem facing hundreds of my constituents living in flats recently built by Barratt at Waterside Park alongside the Thames and Upton Gardens on the site of the Boleyn Ground, where West Ham used to play. Freeholds have since been bought from Barratt by Aviva. The landlord agent is Mainstay, and the property manager is FirstPort. The buildings in both developments have a B1 EWS1 certificate. There is combustible material in the walling, but the risk is not sufficient to warrant requiring its replacement. The combustible material is in a vapour layer within the structure. That material is still being used in buildings being built now, and there has been no suggestion that builders should stop using it. Leaseholders in the development have had no problems in obtaining a mortgage, given the B1 certification.

These buildings clearly do not meet the criteria for the Government’s cladding fund. Nevertheless, the property managers made an application for funding to replace this combustible vapour layer. In the case of Upton Gardens, the application has been refused. In the case of Waterside Park, the decision is still awaited, but presumably that will be refused as well. However, the property managers appear poised to embark on replacing this combustible material at an estimated cost of £30,000 per flat, which they will charge to the leaseholders. They have appointed contractors and paid for preliminary work already, although work has not yet begun in earnest. The material to be replaced is being used in buildings being built at the moment. There is no requirement to replace it, and the residents do not want to fund its replacement, so why is replacement poised to go ahead? The only motivation the leaseholders have been able to identify is to provide fee income for the managers.

Will the Minister state clearly today that buildings with B1 certification should not be remediated without agreement of the leaseholders? At the start of the debate, he said that 95% of high-rise buildings with unsafe ACM cladding have either been remediated or have workers on site doing the job. Can he tell us the actual figures? How many buildings have been remediated? How many buildings have workers on site? My constituents would be very interested to hear those numbers.

Brendan Clarke-Smith (Bassetlaw) (Con) [V]: This is a short but critical Bill. The Lords amendments, while well-intended, are inappropriate for the Bill and would require the drafting of primary legislation to make them legally workable. To make things worse, if these amendments were added to the Bill, both the Government and the taxpayer could be exposed to action by the owners of these buildings. That must be avoided, and therefore the Bill must be watertight. It would be quite wrong if we had to withdraw the Bill because of this.

Those undertaking inspections and assessments need clarity, and the key to that is to keep the Bill short. It would also be wrong to delay the implementation of the judge’s recommendations from the first phase of the Grenfell inquiry, which the amendments would potentially cause. Legal advice must be accepted and forms the basis for making good on our promises, as does the input of independent experts.

Decisive action must be taken. The extra £3.5 billion committed by the Government, bringing total funding to £5 billion, is to be welcomed. This has culminated in a commitment to fully fund the replacement of unsafe cladding for all leaseholders in residential buildings of 18 metres and higher. While that is not the case for buildings between 11 and 18 metres, the new scheme will protect against unaffordable costs and limit them to £50 per month towards remediations. That also gives reassurance to banks and mortgage lenders. The new developer levy will ensure that developers make a contribution, and Gateway 2 should raise an extra £2 billion towards this.

As has been stated before, the Building Safety Bill will provide a new era of accountability for managing risk with the construction of these buildings. There will be tougher sanctions for those who fail to meet their obligations and a guarantee that it is they, not the taxpayer or leaseholders, who will remedy that. The Bill will also ensure that there is more transparency about

[Brendan Clarke-Smith]

the cost of maintaining a safe building, such as in the annual service charge. It is right that reasonable limits are placed on those charges and that leaseholders are protected from large-scale remediation costs. The Association of British Insurers has also backed the Government's stance, as has Dame Judith Hackitt, the Government's independent adviser on building safety.

The replacement of unsafe cladding and other remedial works must be taken seriously. The Fire Safety Bill alone cannot remedy that. Therefore, although these well-intentioned amendments are not appropriate, the wider approach must be considered and, indeed, welcomed.

Rachel Hopkins (Luton South) (Lab) [V]: Nearly four years after the terrible Grenfell disaster, it is shameful that people are still living in unsafe buildings. More than 50% of blocks identified as having unsafe cladding have either not started or not completed remediation. That is causing sleepless nights for many across the country and deep anxiety about the threat of huge financial costs. The Government have failed to step in to protect leaseholders. The Minister said that these issues should be dealt with in another piece of legislation, but that comes across to the public as simply an excuse to kick these issues further down the road. As other Members have said, they are affecting our constituents now and should be tackled now.

I speak in support of the amendments in the names of the Leader of the Opposition, my hon. Friend the Member for Vauxhall (Florence Eshalomi) and the hon. Members for Stevenage (Stephen McPartland) and for Southampton, Itchen (Royston Smith). Although the Government announced additional funding for cladding remediation on 10 February, leaseholders living in buildings under 18 metres will still have to cover some cladding-related costs. The fund fails to cover the huge cost of rectifying other fire safety defects and the necessary interim safety measures. According to the UK Cladding Action Group, the average total cost of building remediation for cladding and other fire safety defects is £49,000. The group states that 33% of affected flat owners earn £35,000 or less a year. Those people cannot afford to cover the cost of high interim safety measures, excessive insurance premiums, the Government's piecemeal loan scheme for buildings under 18 metres with cladding or the huge cost of remediating other fire safety defects.

Luton South constituents have told me that living with the threat to their safety and facing exorbitant remediation costs has severely impacted their mental health. Some are on the brink of bankruptcy as they are unable to cover the cost or sell their homes. That is an issue across the country. Seventeen per cent. of respondents to an *Inside Housing* survey said that they are exploring bankruptcy.

Let us be clear who we are talking about. The people affected are social workers, teachers, nurses and other key workers in our communities. Many are first-time buyers. It is unjust to leave leaseholders to bear the costs. Leaseholders bought their properties in good faith, and were unaware of the failures of the regulatory system. The Government must deliver on their promise to keep the public safe by urgently remediating the remaining unsafe buildings, ensuring that leaseholders do not have to foot the bill and implementing the recommendations from phase 1 of the Grenfell tower inquiry.

Christian Wakeford: All that many people seek is certainty, an assurance that they will not face unaffordable costs and the confidence that they are not trapped in a home they cannot sell. The Government have worked hard to deliver that. There has been clear action to make the most unsafe buildings secure, and they are fully funding the replacement of cladding from buildings deemed by independent expert assessment as the highest risk, ultimately with no cost to the leaseholders. That is what we are discussing today.

Ben Everitt: We have talked a lot about taxpayers' money in this debate, but does my hon. Friend agree that it is also right that the Government work with the industry, the construction sector, financial services providers and the insurance industry to find ways of making sure those parts of the private sector can also contribute?

Christian Wakeford: Before coming to this place, I worked as an insurance broker, so I do know a thing or two about the insurance industry. One of the things that came up for those properties most likely to flood was the Flood Re scheme. I urge Ministers in the Treasury and on the Front Bench today to see what they can do with the insurance sector to bring in a similar scheme for the affected properties.

5 pm

It is right that public money has been committed to those buildings most at risk. As has been discussed many times already in this debate, those over 18 metres are at four times the risk of any other property, so it is right that we are tackling those to begin with. I know there are calls for more money to be made available, but there is a balance to be struck and accommodations to be made. As has been said already, public finances are finite and we cannot create a further tax bombshell at this time for those who are struggling across the country, who are not all leaseholders.

There is no such thing as Government money—it is taxpayers' money—so we need to find the right balance, and so far we have found the middle ground. Yes, we can do more. The Building Safety Bill, which has been discussed previously, will be a good avenue to address some of those further concerns, as next week's Budget may be. It is right to contemplate these things in a broader spectrum, rather than just making a knee-jerk reaction to this Bill today.

We all have a responsibility to strike a fair settlement, to balance concerns and to find a way to ensure for people affected by this scandal that safety and security are the No. 1 priority. We also have a duty to consider, particularly in a difficult economic environment, the spending of taxpayers' money. We should consider that many taxpayers are not homeowners and ask whether it is fair to ask them to step in.

We must remember why the Government introduced the Bill in the first place, and why its scope is so focused and specific in what it is designed to achieve. The focus of this legislation is, as should be clear, safety—ensuring that those responsible for fire safety and the safety of those living in their buildings know their duties and are held to those duties. Leaseholders, building owners and the taxpayer deserve a solid legislative base with clarity.

Royston Smith: I am listening carefully to what my hon. Friend is saying, and he has mentioned the taxpayer several times. I said in my opening remarks, as did my

hon. Friend the Member for Stevenage (Stephen McPartland), that our amendment would not put any burden on the taxpayer. If my hon. Friend is worried about the taxpayer, as I am, and we are saying that the taxpayer will not be responsible, will he therefore say that we should protect all the leaseholders?

Christian Wakeford: I thank my hon. Friend for that intervention. Unfortunately, I think there cannot be a guarantee. A lot of the developers may no longer exist and insurance schemes may no longer be applicable. There will be gaps, and we do have to be responsible. Although his amendment is very well intentioned, and I am incredibly sympathetic towards it, there are gaps in it, and that is why, unfortunately, I will not be able to join him in the Lobby today, although I very much applaud the sentiment of it and the work he has put into it.

Leaseholders, building owners and taxpayers deserve a solid legislative base. That is what we are trying to do today by making sure that our properties and our leaseholders are safe. That is why we need to focus on those who are most likely to be affected. I do not want to see the Bill's implementation frustrated. It has already taken far too long to get to this point, and we need to ensure that we can proceed.

As has been said many times, including by my hon. Friend the Member for Milton Keynes North (Ben Everitt) and the Minister, we have a duty: do we get this right, or do we do it quick? From my perspective, we need to get it right. Far too many people have fallen through the gaps, are struggling and are unable to afford this, so it is right that we take a fully reasoned approach, speaking to experts and to all trade bodies to ensure that we get it right. That is what I urge Ministers, the Treasury and everyone else to continue to do. I finish by thanking all Members for bringing forward some of these amendments. They do not quite deal with the Bill at hand. That is why I will not be able to support them and will be backing the Government today.

Fleur Anderson (Putney) (Lab) [V]: I am speaking in utter frustration, having heard many of the comments so far in the debate today, I am speaking in support of the amendments tabled by the Opposition and by the hon. Members for Stevenage (Stephen McPartland) and for Southampton, Itchen (Royston Smith), and I am speaking on behalf of the hundreds of thousands of leaseholders, including in Putney, Roehampton and Southfields, who are staring down the barrel of this scandal. And I thank the cladding action campaigners across the country.

I welcome the Bill, but it is too small and too slow. There is frustration across the House of Commons today. We can do this right and do it faster, and we must. Today, we had another statement of support for leaseholders from the Minister, who said that he agrees with the intent to give leaseholders peace of mind and financial certainty, yet the Government did not write that into the Bill and are not supporting the amendments. No leaseholders of buildings of any height should be made to foot a bill of thousands of pounds that they cannot afford.

At the sharp end of the failings of this Bill are millions of leaseholders trapped in unsafe homes who are suffering enormous stress, anxiety and emotional anguish, and who feel totally abandoned. I have met

many of them in my constituency. Their lives are on pause and might be for years. This is what some have told me. One said:

“As every day, week or month goes by, our financial liability and stability become ever more disturbing and deeply troubling. When will it end?”

Another resident, who bought her flat using money inherited from her mother's passing, said to me:

“Despite my emotional attachment to my flat, current circumstances make me almost wish that I had never bought it. It is a burden and a hindrance to me moving forward with the next stage of my life, at a prime time when I want to start a family.”

Another resident, a victim of domestic violence, has been trying to sell her property to raise money for legal fees. She has had to receive food parcels due to lost income during the pandemic. Her insurance premiums have now increased by 500%. Under no circumstances should leaseholders, regardless of the height of their building, have to pay for cladding remediation costs that are the fault of developers and a failed regulatory system. Funding should be based on fire risk, not on height. It should include upfront costs—it should not be loans—for all leaseholders and it should include other fire safety issues. Some Putney leaseholders face up to £100,000 in charges.

At the current pace of spend, the building safety fund, which has only approved 12 applications, will only approve all the applications—the 532 applications—by 2031. The pace of change is far too slow, so I urge colleagues on both sides of the House: please do the right thing today, back the British people and make sure that leaseholders do not pay.

Marco Longhi (Dudley North) (Con) [V]: One of the lessons from the Grenfell tragedy was that a number of companies in the construction sector had been recklessly gaming the system, resulting in unsafe materials being used. But crucially, construction and post-occupancy inspections did not pick up those risks.

As someone who worked in oil and gas and then in construction over several years, I can see the very different approach taken by the two sectors. Many of our constituents who live in leasehold flats face significant costs, such as waking watch costs and several other fire risk liabilities not related to cladding. The new £30 million waking watch relief fund, the £1.6 billion remediation funding and the commitment to recruit hundreds of specialist risk assessors and specialist workers show that this Government are committed to resolving the problem and to supporting people stranded in their property through no fault of their own.

I wish to raise issues brought to me by a constituent. At present, buildings over 18 metres will have all cladding remedial work paid for by the Government. Those in buildings between 11 metres and 18 metres will be offered a loan, with residents in buildings lower than 11 metres receiving no financial support at all, the latter being the situation my constituent's daughter finds herself in. Although it is right to target remediation first at highest-risk buildings, there is a question of fairness as to who pays if a person happens to have purchased a building that is not as tall.

In addition to the removal of cladding, inspections have highlighted further building faults, such as missing firebreaks, wooden balconies and combustible insulation. The repair costs alone could be in excess of £25,000 per

[Marco Longhi]

flat. There is no provision for support with these repairs, which will be required before a fire safety certificate can be issued, allowing the resident to eventually sell their home. They would not have been privy to these liabilities as the conveyancing process would not have highlighted the possibility of these risks existing at point of purchase. Risk awareness at the conveyancing stage is something that I raised in my ten-minute rule Bill.

Fire safety officers should not only be competent by the certifications that they hold; they should be present and responsible for sign-off on site at all key stages. While the amendments before us were tabled with good intentions, we cannot delay the Bill any longer. I hope that Ministers will consider a post-construction and occupancy model for fire safety, much as gas and electrical checks are carried out, to pick up on changes to the fabric of a building that could be made over time.

Mr Deputy Speaker (Mr Nigel Evans): Thank you, Marco. We lost your video early on, but we could hear you perfectly.

Kim Johnson (Liverpool, Riverside) (Lab) [V]: I welcome the Bill but, nearly four years after the Grenfell disaster and despite assurances by the Government, hundreds of thousands of people are still living with the fear that they could be next. It is a scandal that this is the first and only piece of primary legislation on fire safety that this Tory Government have brought forward to prevent such a disaster from ever happening again.

In Liverpool, 10% of buildings are still covered in highly flammable cladding, with a further 5% covered in fire-retardant cladding. Merseyside Fire and Rescue Service has suffered a 35% cut to its funding and lost one third of its firefighters since 2010. Austerity has combined with roll-backs and safety regulations to make a perfect storm.

Time and again, we have heard promise after promise that the recommendations of the first phase of the Grenfell Tower inquiry will be fully implemented, yet the Bill does not include a single recommendation from the inquiry's first phase. Does the Minister agree that his Government have fundamentally failed to take the necessary steps to keep people safe in their own homes?

Today, and for months now, we have heard from Members across the House about the nightmare situations faced by many leaseholders across the country who have been left physically, mentally and financially trapped in dangerous housing. Many of my constituents have contacted me for support. They are worried sick about being trapped in unsafe housing, crippled by costs they did not incur and with no end in sight.

One pensioner wrote to tell me that he had just been sent a bill for £20,000. He has no savings and no possibility of paying the bill. Two young NHS doctors want to sell up and take positions in hospitals in the north-east, but they cannot; they are trapped in a flat they cannot sell, faced with the possibility of mounting debts due to flammable cladding that they did not install.

I ask the Minister how he sleeps at night, knowing that his Government's move to cut red tape has left hundreds of thousands at risk in their own homes, and how he can justify asking the leaseholders of those

unsafe homes to foot the bill. It is the responsibility of this Government to identify the buildings covered in dangerous cladding and make them safe before another disaster occurs, and to bring the companies that profited from cutting corners and compromising the safety of residents to justice.

Enough is enough. We are now at a crisis point. Instead of further delays and prevarication, I call on Members across the House to do the right thing today and back Lords amendments 2 and 4 so that we can get a grip of this crisis before it is too late.

Tom Hunt (Ipswich) (Con): The first surgery I ever had as a Member of Parliament was about the issue of cladding. It was with residents of St Francis Tower in Ipswich. They were being chased for bills of thousands of pounds for unsafe cladding that they had nothing to do with; it was not their fault. Since that first meeting, there has been case after case after case after case. It is a huge issue in Ipswich, a huge issue in my constituency, and it is destroying the lives of many of my constituents. That is why I am speaking here today.

There has been a significant move forward since that first meeting; since that first surgery appointment, we have moved forward. The £5 billion support has helped many of my constituents. The waking watch fund, although I do not think it will be enough, is a step in the right direction—we are getting there—and the Building Safety Bill is itself 100% necessary and welcome. However, I am still at a point right now where there are a significant number of my constituents who are leaseholders, often living in buildings over 18 metres, where there are significant issues to do with fire safety that will cost thousands of pounds to remedy, as my hon. Friend the Member for Dudley North (Marco Longhi) has just touched on, and the support announced recently does not cover them. So they continue to have this uncertainty hanging over them, not just at a regular time but during a pandemic, when, more often than not, they have a million and one other concerns and anxieties influencing their lives. Ultimately, that is why I believe that we have moved significantly forward. I am very interested in the possibility that a Building Safety Bill will pick up on the issue and make sure that we address those leaseholders who are living in buildings that are unsafe and where there are significant issues and significant costs are currently being placed on them. It is not specifically about cladding; there are other issues and other factors that make these properties unsafe.

5.15 pm

As the Member of Parliament for Ipswich, I realise that this is a huge issue. I need to have assurances that the Building Safety Bill will cover those constituents and give them certainty, because I made a promise to my constituents when I met them that I would leave no leaseholder behind, and I take my commitment as a Member of Parliament very seriously. I promised them—I looked them in the eye and I said, “I won't leave any of you behind.” Sadly, there are still a significant number of those constituents who feel like they are left behind, because they are. It is our duty, I believe, to alleviate that and, for that reason, my name is on the amendment put forward by my hon. Friends the Members for Southampton, Itchen (Royston Smith) and for Stevenage (Stephen McPartland).

Andy Carter (Warrington South) (Con) [V]: The subject of the debate we are having today—worries about fire safety—has, I am afraid, blighted far too many lives for far too long. That is why this is a particularly important Bill. It is short, it has a very clear purpose, and we need to implement it as quickly as possible. Why? It is 16 months since the first report from the Grenfell Tower inquiry was published, and we need to get a robust piece of legislation on to the statute book to deal with the fire safety issues identified. We owe it to that community to address these issues in a way that will not be open to legal challenge and that brings to a halt the to-ing and fro-ing between this place and the other, which will delay the changes that are needed.

With this Fire Safety Bill, we have rightly had the consultation on fire safety orders, and that now needs to be enacted. At the same time, we have the Building Safety Bill. That needs to come to this House so that many of the issues that are understandably being debated today can be resolved in that legislation. This is about doing things in the right way, so that they are not able to be challenged in the courts in future.

I am not taking away anything at all from the many leaseholders who bought their homes in good faith, trusting developers to build a safe home and purchasing with what they believed to be confidence that all had been done in accordance with the law. My constituency does not have any buildings over the height of 18 metres that require remediation, and we are not hit by the same issues as, say, cities such as Manchester or Liverpool. However, I have constituents with families and friends who are desperately worried about their loved ones' safety and the costs of potential remediation, because they have used some of their savings to invest in a property to give them a future income.

I welcome the £5 billion already put forward by the Government to begin to allow some of the issues to be addressed, with a commitment to funding all buildings over 18 metres high. I welcome the clear indication today from the Minister that Government will work with hon. Members to address the many concerns being raised through the forthcoming Building Safety Bill. We must also recognise the daily worries and distress among people who have been caught in this nightmare situation. The Government now have an opportunity to show how funding promises will work in practice. In fact, it should be a ministerial priority.

To conclude, I echo the words of my hon. Friend the Member for Kensington (Felicity Buchan): this Bill is the first step, and we need to get on with it.

Tim Farron (Westmorland and Lonsdale) (LD) [V]: To follow on from the hon. Member for Warrington South (Andy Carter), I cannot believe the Government think that this is the end of the matter, and I do not understand why they will not commit now to meeting the needs of all of those whose lives have been blighted through no fault of their own. This is a colossal injustice and a very simple one to solve: the Government just need to make sure that it is not those blameless people who bear the burden.

People bought their leasehold properties in good faith. They are in the situation that they are in—those properties are unsafe—through no fault of the owners and entirely through the fault of the developers, the regulatory framework and the Governments of various

colours over the years who permitted unsafe buildings to be built. How outrageous would it be if the blameless and the poorest were left to pay the burden and the bill? The reality is that so many leaseholders in my constituency and elsewhere throughout the country are in no position to move and cannot sell. They are at their wits' end and they are facing the end of their financial resources, too.

The Government say they will fund the making safe of blocks that are higher than 18 metres, but actually that funding relates only to the cladding of those buildings; it does not cover other things that may make those buildings unsafe. What about wooden balconies or cement particle board behind the cladding? That also needs to be covered. Those in buildings that are higher than 11 metres but lower than 18 metres will potentially have to take out colossal debts to pay privately for the work required to make their properties safe. Those who own flats in buildings that are smaller than 11 metres get no support whatsoever. The vast majority, if not all, of the relevant properties in constituencies like ours, Mr Deputy Speaker—I bet it is similar in your constituency—are much smaller than 11 metres. The provisions in the Bill ignore in particular those in rural communities who are in need.

It is a massive injustice that we should be forcing people to be fretting, worrying and facing bankruptcy and all sorts of other challenges to their lives because of a burden that is not their fault, that they cannot afford and for which the Government are refusing to pay. As things stand, the Government will meet the costs of the removal and making safe of cladding on properties that account for only 13% of those affected and less than a third of the costs, and leave the massive majority of the burden on people who are blameless and the poorest. That is unjust, and that is why the Bill needs amending.

Aaron Bell (Newcastle-under-Lyme) (Con) [V]: It is a pleasure to follow the hon. Member for Westmorland and Lonsdale (Tim Farron). Like many other Members, I extend my best wishes to my right hon. Friend the Member for Old Bexley and Sidcup (James Brokenshire). We all hope to see him back in his place as soon as possible.

I welcome the opportunity to speak in this debate. This is the first opportunity I have had to speak on this extremely important Bill, and naturally my thoughts turn to the unimaginable tragedy of Grenfell Tower, which none of us will forget—it shocked and horrified us all throughout the country. I know that the Government are gripped by a determination to right the wrongs of the past and to bring about the biggest improvement to building safety in a generation, to prevent such a tragedy from ever happening again.

While I am speaking about Grenfell, I pay tribute to my hon. Friend the Member for Kensington (Felicity Buchan) and her speech earlier. She is right that we need to get on with it rather than muck about with parliamentary procedure. That brings me to the reason why I support the Government's positions today. The Queen's Speech committed the Government to introducing two Bills on fire and building safety. This Bill, the first, is straightforward but is nevertheless an important step. I very much await the second Bill, the Building Safety Bill. We have to get things right in the right order, and we have to proceed as quickly as possible.

[Aaron Bell]

On the substance of this Bill, I certainly welcome the policy intention. It is a profoundly important step towards remedying the flaws in the building safety regime that were identified in the Hackitt report. It is a narrowly drafted Bill, but it enables legal certainty. When the Housing, Communities and Local Government Committee did pre-legislative scrutiny of the Bill, we heard a lot of evidence suggesting that it was a compelling vision for the future of the industry. The Fire Action Safety Group called it “a positive first step”—I recognise that the group said “first step”—and the London Fire Brigade said it went

“a long way towards meeting the policy objective of a robust regime.”

On that, I think we can all agree.

There are, though, other issues in respect of the remediation of safety problems. I am sure I am not alone in having received emails from a number of leaseholders worried about the unaffordable costs of remediation. They are uncertain and worried, and some face negative equity. I agree with those who have said today that nobody should be in such a position. I can only imagine how I would have felt in my 20s or 30s if I had received a letter suggesting that I had a liability of tens of thousands of pounds. I do not minimise those concerns. However, I do take the Government at face value when they say that the Bill, as drafted, does not have the necessary legislative detail to underpin the amendments in the names of my hon. Friends the Members for Stevenage (Stephen McPartland) and for Southampton, Itchen (Royston Smith)—a problem my hon. Friend the Minister referred to in his opening speech. Accepting these amendments would require extensive drafting of primary legislation to make them legally workable. That would significantly delay the implementation of the Bill, and I am concerned about the consequences of that.

It is clear that high-rise buildings in this country should never have been fitted with this dangerous, unsafe cladding. It is vital that we take the steps to make this right once and for all—making those buildings safer and protecting residents from crippling costs—and at a pace that the severity of the situation demands. We must ensure that Grenfell can never, ever happen again.

Kit Malthouse: I thank the many Members who contributed to this at times impassioned debate about a matter that is of interest to all of us. I know that my fellow Ministers at the Home Office and, indeed, at the Ministry of Housing, Communities and Local Government will take on board the many points raised. Given the time available to me, I apologise that I am not able to address all the questions put forward. However, I will turn to some of the main themes that have dominated the debate, not least the remediation issue, about which there has been such natural and understandable focus.

It might be worth restating at the beginning the broad task that lies ahead of us as a House and, indeed, as a Government. It falls in three areas. First, we have to deal with remediation as quickly as possible. We talked a lot about that today, and about how we can perhaps increase the pace. Obviously there have been significant steps recently, not least the money that has been put forward. Secondly, we have to restore a proper appreciation of risk and value to affected properties, so that the

finance industry and insurance industry can do their work in enabling the transfer of those properties and their protection correctly, rather than the current “computer says no” system.

Kevin Hollinrake: The Minister mentions the time that this will take. Whatever money is put forward, it will take five or 10 years to remediate many buildings. Insurance costs have quadrupled for many residents. There is a solution on the table, provided by the Association of Residential Managing Agents, in which the Government take a top-sliced risk, which would put those premiums back down. Will he look at that proposal and see whether that could be put in place to ease the burden on many leaseholders?

Kit Malthouse: Secretary of State—sorry; Mr Deputy Speaker. You never know. My hon. Friend raises, as usual, a constructive point. I know that the Secretary of State for Housing, Communities and Local Government and, indeed, the Chancellor are meeting with banks and the insurance industry to see what solutions may come forward. The third strand of work is obviously to build a system of building safety and regulation for the future, so that the terrible tragedy of Grenfell can never happen again.

I turn to some of the questions asked. First, I was asked, not least by the hon. Member for Croydon Central (Sarah Jones), why we cannot give a firm timetable for the building safety legislation programme. I recognise that there is an intent and a desire for certainty, and we want to legislate at the earliest possible opportunity. However, Members should also be aware that making these fundamental reforms to building safety is incredibly complex, so it is important that we get this right, as a number of Members raised, by ensuring that our measures are properly scrutinised by experts and Parliament before we legislate.

The Building Safety Bill has more than 140 clauses, and I cannot prejudge the time that Parliament will need to properly scrutinise this important piece of legislation before it is put on the statute book. It is for that reason that I cannot provide specific dates for when legislation will come into force, but I emphasise again that the Government are as committed as ever to delivering the inquiry’s recommendations. We will bring the Fire Safety Bill into force as early as possible after Royal Assent. The regulations will follow as early as practicable, and we expect the Building Safety Bill to be introduced after the Government have considered the recommendations from the HCLG Committee, and when parliamentary time allows. We are therefore resisting the Labour amendment, for the extensive reasons that I mentioned in my opening speech. We think it is unnecessary and inflexible. I restated various points as to why we think that is the case earlier.

I turn to remediation, and particularly the amendments laid by my hon. Friend the Member for Stevenage (Stephen McPartland) and my good and hon. friend the Member for Southampton, Itchen (Royston Smith). We recognise that they care deeply about this issue, as do many Members from across the House, and they have obviously worked hard to represent their constituencies with dedication and passion. Having sat with leaseholders, in my role as Housing Minister, and with the bereaved and survivors of the Grenfell community, I am aware, as of course we all are, of the terrible anguish and

worry that this has caused to many. We agree with the intent to give leaseholders the peace of mind and financial certainty they crave.

5.30 pm

The funding the Government have given to leaseholders is unprecedented. In total, we have supported them to the tune of £5 billion. That is a very significant commitment indeed. It means that the Government will pay for the removal of unsafe cladding where people are in a building of over 18 metres. It means that people who live in a building of between 11 metres and 18 metres in height and need to remove unsafe cladding will never have to pay more than £50 a month. That is certainty and clarity that leaseholders have asked for and we have provided. As my hon. Friend the Member for Thirsk and Malton (Kevin Hollinrake) pointed out, this is a complex area, where we are more than happy to continue conversations with my hon. Friends and others as we move towards the Building Safety Bill.

A number of Members, not least my hon. Friend the Member for Bolton West (Chris Green), my right hon. Friend the Member for North Somerset (Dr Fox) and my hon. Friend the Member for Dudley North (Marco Longhi), raised the issue of height, and there was a focus on 18-metre buildings. We have rightly focused on those above 18 metres with unsafe cladding for the most generous and comprehensive support package. The Department's position on this has been set out on a range of guidance. It has not changed and remains clear: we are taking a proportionate approach to fire safety, based on long-standing expert advice. The importance of height alongside use as a risk factor is recognised around the globe. The number of people potentially exposed to a fire increases with the height of the building, and at greater heights firefighting and rescue becomes more challenging. In this country, 18 metres is the height at which building standards become more restrictive and presumptions about firefighting tactics change. The advice from the expert panel recognises that the risk from cladding fires reduces for lower-rise buildings.

Finally, let me turn to the broad issue of where the measure or debate should happen and whether this is the right Bill for that, which was raised by a number of Members, not least by my hon. Friend the Member for Dover (Mrs Elphicke) and, in particular, my hon. Friend the Member for Kensington (Felicity Buchan). I know that she has been working extremely hard on this issue, with some dedication, not surprisingly, given that Grenfell Tower lies in her constituency—it also lies in my former London Assembly constituency. I pay tribute to the work she has done alongside that community to push the Government and challenge us to do better and go faster all the time. Both those Members and others made the point that this Bill is not the correct vehicle to address the matter. As I said earlier, this is a short but crucial Bill to ensure that fire risk assessments are updated to take account of external walls and flat entrance doors. The Building Safety Bill is the appropriate legislative mechanism for addressing the other issue, and it will be addressed in the spring. That Bill will contain the detailed and complex provisions that are needed to address remediation costs.

It might be worth my rehearsing what will come in that Bill, just to outline its complexity. It will produce a new national building safety regulator to enforce a

more stringent regime for high-risk buildings, to oversee safety and the standards of all buildings, and enhance industry and regulatory competence. It will introduce clearer accountability for and stronger duties on those responsible for the safety of buildings in scope of the new more stringent regulatory regime through design, construction and occupation. It will give residents a stronger voice in the system, ensuring that their concerns are never ignored. It will create a stronger enforcement and sanctions regime to deter non-compliance with the new regime, along with regulatory resources to use sanctions effectively. It will put in place a new stronger and clearer framework to provide national oversight of construction products to ensure that all products meet high performance standards. It will also introduce a requirement that developers of new build housing belong to a new homes ombudsman and removal of the need for social housing residents to pass through the democratic filter in order to access the housing ombudsman. Members will recognise that this is an extremely complex piece of work and we think that for us to try to reproduce that in what is meant to be a short, technical Bill to kick off this process of work would be an incorrect way to go.

However, our programme of work outside this House is not limited just to legislation. As I said earlier, we have a £5 billion investment in building safety, including the £3.5 billion announced on 10 February, which will fully fund the cost of replacing unsafe cladding for all leaseholders in buildings over 18 metres. Obviously, we have the financing scheme for the removal of unsafe cladding on buildings of 11 metres to 18 metres, under which leaseholders will contribute no more than £50 a month. As the hon. Member for Hackney South and Shoreditch (Meg Hillier) said, we have banned the use of combustible materials in cladding systems on high-risk blocks, as well as on hospitals, care premises and student accommodation. We are also establishing a fire protection board, chaired by the National Fire Chiefs Council, which is leading a programme of work supported by £10 million of Government funding to ensure that all high-rise residential buildings in England are inspected or reviewed by the end of 2021. It is for this reason, and for the various reasons that I outlined in my opening speech, that we wish to support amendments 1 and 5, and resist those—

5.36 pm

Three hours having elapsed since the commencement of proceedings on consideration of Lords amendments, the debate was interrupted (Programme Order, this day).

The Deputy Speaker put forthwith the Question already proposed from the Chair (Standing Order No. 83F), That this House agrees with Lords amendment 1.

Question agreed to.

Lords amendment 1 agreed to.

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

After Clause 2

PROHIBITION ON PASSING REMEDIATION COSTS ON TO LEASEHOLDERS AND TENANTS

Motion made, and Question put, That this House disagrees with Lords amendment 2.—(Kit Malthouse.)

The House divided: Ayes 345, Noes 226.

Division No. 233]

[5.36 pm

AYES

Adams, Nigel
 Afolami, Bim
 Afriyie, Adam
 Ahmad Khan, Imran
 Aiken, Nickie
 Aldous, Peter
 Allan, Lucy
 Amess, Sir David
 Anderson, Lee
 Anderson, Stuart
 Andrew, rh Stuart
 Argar, Edward
 Atherton, Sarah
 Atkins, Victoria
 Bacon, Gareth
 Bacon, Mr Richard
 Badenoch, Kemi
 Bailey, Shaun
 Baillie, Siobhan
 Baker, Duncan
 Baker, Mr Steve
 Baldwin, Harriett
 Barclay, rh Steve
 Baynes, Simon
 Bell, Aaron
 Benton, Scott
 Beresford, Sir Paul
 Berry, rh Jake
 Bhatti, Saqib
 Blunt, Crispin
 Bone, Mr Peter
 Bowie, Andrew
 Bradley, Ben
 Bradley, rh Karen
 Braverman, rh Suella
 Brereton, Jack
 Bridgen, Andrew
 Brine, Steve
 Bristow, Paul
 Britcliffe, Sara
 Brokenshire, rh James
 Browne, Anthony
 Bruce, Fiona
 Buchan, Felicity
 Buckland, rh Robert
 Burghart, Alex
 Burns, rh Conor
 Butler, Rob
 Cairns, rh Alun
 Carter, Andy
 Cartlidge, James
 Cash, Sir William
 Cates, Miriam
 Chalk, Alex
 Churchill, Jo
 Clark, rh Greg
 Clarke, Mr Simon
 Clarke, Theo
 Clarke-Smith, Brendan
 Clarkson, Chris
 Cleverly, rh James
 Clifton-Brown, Sir Geoffrey
 Coffey, rh Dr Thérèse
 Colburn, Elliot
 Collins, Damian
 Costa, Alberto
 Courts, Robert

Coutinho, Claire
 Cox, rh Sir Geoffrey
 Crabb, rh Stephen
 Crosbie, Virginia
 Crouch, Tracey
 Daly, James
 Davies, David T. C.
 Davies, Gareth
 Davies, Dr James
 Davies, Mims
 Davies, Philip
 Davis, rh Mr David
 Davison, Dehenna
 Dinenage, Caroline
 Dines, Miss Sarah
 Djanogly, Mr Jonathan
 Docherty, Leo
 Donelan, Michelle
 Dorries, Ms Nadine
 Double, Steve
 Dowden, rh Oliver
 Doyle-Price, Jackie
 Drax, Richard
 Drummond, Mrs Flick
 Duddridge, James
 Duguid, David
 Duncan Smith, rh Sir Iain
 Dunne, rh Philip
 Eastwood, Mark
 Edwards, Ruth
 Ellis, rh Michael
 Ellwood, rh Mr Tobias
 Elphicke, Mrs Natalie
 Eustice, rh George
 Evans, Dr Luke
 Evennett, rh Sir David
 Everitt, Ben
 Fabricant, Michael
 Farris, Laura
 Fell, Simon
 Fletcher, Katherine
 Fletcher, Mark
 Fletcher, Nick
 Ford, Vicky
 Foster, Kevin
 Fox, rh Dr Liam
 Francois, rh Mr Mark
 Frazer, Lucy
 Freeman, George
 Freer, Mike
 Fuller, Richard
 Fysh, Mr Marcus
 Garnier, Mark
 Ghani, Ms Nusrat
 Gibb, rh Nick
 Gibson, Peter
 Gideon, Jo
 Gillan, rh Dame Cheryl
 Glen, John
 Goodwill, rh Mr Robert
 Gove, rh Michael
 Graham, Richard
 Grant, Mrs Helen
 Gray, James
 Grayling, rh Chris
 Green, rh Damian
 Griffith, Andrew

Griffiths, Kate
 Grundy, James
 Gullis, Jonathan
 Halfon, rh Robert
 Hall, Luke
 Hammond, Stephen
 Hancock, rh Matt
 Hands, rh Greg
 Harper, rh Mr Mark
 Harris, Rebecca
 Harrison, Trudy
 Hart, Sally-Ann
 Hart, rh Simon
 Hayes, rh Sir John
 Heald, rh Sir Oliver
 Heapey, James
 Heaton-Harris, Chris
 Henderson, Gordon
 Henry, Darren
 Higginbotham, Antony
 Hinds, rh Damian
 Hoare, Simon
 Holden, Mr Richard
 Hollinrake, Kevin
 Hollobone, Mr Philip
 Holloway, Adam
 Holmes, Paul
 Howell, John
 Howell, Paul
 Huddleston, Nigel
 Hudson, Dr Neil
 Hughes, Eddie
 Hunt, Jane
 Hunt, rh Jeremy
 Hunt, Tom
 Jack, rh Mr Alister
 Javid, rh Sajid
 Jayawardena, Mr Ranil
 Jenkin, Sir Bernard
 Jenkinson, Mark
 Jenkyns, Andrea
 Jenrick, rh Robert
 Johnson, rh Boris
 Johnson, Dr Caroline
 Johnson, Gareth
 Johnston, David
 Jones, Andrew
 Jones, rh Mr David
 Jones, Fay
 Jones, Mr Marcus
 Jupp, Simon
 Kawczynski, Daniel
 Kearns, Alicia
 Keegan, Gillian
 Knight, rh Sir Greg
 Knight, Julian
 Kruger, Danny
 Kwarteng, rh Kwasi
 Lamont, John
 Langan, Robert
 Latham, Mrs Pauline
 Leadsom, rh Andrea
 Leigh, rh Sir Edward
 Levy, Ian
 Lewer, Andrew
 Lewis, rh Brandon
 Liddell-Grainger, Mr Ian
 Loder, Chris
 Logan, Mark
 Longhi, Marco
 Lopez, Julia
 Lopresti, Jack

Lord, Mr Jonathan
 Loughton, Tim
 Mackinlay, Craig
 Mackrory, Cheryl
 Maclean, Rachel
 Mak, Alan
 Malthouse, Kit
 Mangnall, Anthony
 Mann, Scott
 Marson, Julie
 May, rh Mrs Theresa
 Mayhew, Jerome
 Maynard, Paul
 McCartney, Jason
 McCartney, Karl
 McVey, rh Esther
 Menzies, Mark
 Mercer, Johnny
 Merriman, Huw
 Metcalfe, Stephen
 Millar, Robin
 Miller, rh Mrs Maria
 Milling, rh Amanda
 Mills, Nigel
 Mitchell, rh Mr Andrew
 Mohindra, Mr Gagan
 Moore, Damien
 Moore, Robbie
 Mordaunt, rh Penny
 Morris, Anne Marie
 Morris, David
 Morrissey, Joy
 Morton, Wendy
 Mullan, Dr Kieran
 Mumby-Croft, Holly
 Mundell, rh David
 Murray, Mrs Sheryll
 Murrison, rh Dr Andrew
 Neill, Sir Robert
 Nici, Lia
 Nokes, rh Caroline
 Norman, rh Jesse
 O'Brien, Neil
 Opperman, Guy
 Parish, Neil
 Patel, rh Priti
 Paterson, rh Mr Owen
 Pawsey, Mark
 Penning, rh Sir Mike
 Penrose, John
 Philp, Chris
 Pincher, rh Christopher
 Poulter, Dr Dan
 Pow, Rebecca
 Prentis, Victoria
 Pritchard, rh Mark
 Pursglove, Tom
 Quin, Jeremy
 Quince, Will
 Raab, rh Dominic
 Randall, Tom
 Redwood, rh John
 Rees-Mogg, rh Mr Jacob
 Richards, Nicola
 Richardson, Angela
 Roberts, Rob
 Robertson, Mr Laurence
 Robinson, Mary
 Ross, Douglas
 Rowley, Lee
 Russell, Dean
 Rutley, David

Sambrook, Gary
 Saxby, Selaine
 Scully, Paul
 Seely, Bob
 Selous, Andrew
 Shapps, rh Grant
 Sharma, rh Alok
 Shelbrooke, rh Alec
 Simmonds, David
 Skidmore, rh Chris
 Smith, Chloe
 Smith, Greg
 Smith, Henry
 Smith, rh Julian
 Solloway, Amanda
 Spencer, Dr Ben
 Spencer, rh Mark
 Stafford, Alexander
 Stephenson, Andrew
 Stevenson, Jane
 Stevenson, John
 Stewart, rh Bob
 Stewart, Iain
 Streeter, Sir Gary
 Stride, rh Mel
 Stuart, Graham
 Sturdy, Julian
 Sunak, rh Rishi
 Sunderland, James
 Swayne, rh Sir Desmond
 Syms, Sir Robert
 Thomas, Derek
 Throup, Maggie
 Timpson, Edward
 Tolhurst, Kelly

Tomlinson, Justin
 Tomlinson, Michael
 Tracey, Craig
 Trevelyan, rh Anne-Marie
 Trott, Laura
 Truss, rh Elizabeth
 Tugendhat, Tom
 Vara, Mr Shailesh
 Vickers, Martin
 Vickers, Matt
 Villiers, rh Theresa
 Wakeford, Christian
 Walker, Mr Robin
 Wallace, rh Mr Ben
 Wallis, Dr Jamie
 Warburton, David
 Warman, Matt
 Watling, Giles
 Webb, Suzanne
 Whately, Helen
 Wheeler, Mrs Heather
 Whittaker, Craig
 Whittingdale, rh Mr John
 Wiggin, Bill
 Wild, James
 Williams, Craig
 Williamson, rh Gavin
 Wood, Mike
 Wright, rh Jeremy
 Young, Jacob
 Zahawi, Nadhim

Tellers for the Ayes:

**Maria Caulfield and
 James Morris**

NOES

Abbott, rh Ms Diane
 Abrahams, Debbie
 Ali, Rushanara
 Ali, Tahir
 Allin-Khan, Dr Rosena
 Amesbury, Mike
 Anderson, Fleur
 Antoniazzi, Tonia
 Ashworth, rh Jonathan
 Barker, Paula
 Beckett, rh Margaret
 Begum, Apsana
 Benn, rh Hilary
 Betts, Mr Clive
 Blake, Olivia
 Blomfield, Paul
 Brabin, Tracy
 Bradshaw, rh Mr Ben
 Brennan, Kevin
 Brown, Ms Lyn
 Brown, rh Mr Nicholas
 Bryant, Chris
 Buck, Ms Karen
 Burgon, Richard
 Butler, Dawn
 Byrne, Ian
 Byrne, rh Liam
 Cadbury, Ruth
 Campbell, rh Sir Alan
 Campbell, Mr Gregory
 Carden, Dan
 Carmichael, rh Mr Alistair
 Chamberlain, Wendy
 Champion, Sarah

Clark, Feryal
 Cooper, Daisy
 Cooper, Rosie
 Cooper, rh Yvette
 Corbyn, rh Jeremy
 Coyle, Neil
 Creasy, Stella
 Cruddas, Jon
 Cryer, John
 Cummins, Judith
 Cunningham, Alex
 Daby, Janet
 Davey, rh Ed
 David, Wayne
 Davies, Geraint
 Davies-Jones, Alex
 De Cordova, Marsha
 Debbonaire, Thangam
 Dhesi, Mr Tanmanjeet Singh
 Dodds, Anneliese
 Donaldson, rh Sir Jeffrey M.
 Doughty, Stephen
 Dowd, Peter
 Dromey, Jack
 Duffield, Rosie
 Eagle, Dame Angela
 Eagle, Maria
 Eastwood, Colum
 Edwards, Jonathan
 Efford, Clive
 Elliott, Julie
 Elmore, Chris
 Eshalomi, Florence
 Esterson, Bill

Evans, Chris
 Farron, Tim
 Farry, Stephen
 Ferrier, Margaret
 Fletcher, Colleen
 Fovargue, Yvonne
 Foxcroft, Vicky
 Foy, Mary Kelly
 Furniss, Gill
 Gardiner, Barry
 Gill, Preet Kaur
 Girvan, Paul
 Glendon, Mary
 Green, Kate
 Greenwood, Lilian
 Greenwood, Margaret
 Griffith, Nia
 Gwynne, Andrew
 Haigh, Louise
 Hamilton, Fabian
 Hanna, Claire
 Hardy, Emma
 Harman, rh Ms Harriet
 Harris, Carolyn
 Hayes, Helen
 Healey, rh John
 Hendrick, Sir Mark
 Hill, Mike
 Hillier, Meg
 Hobhouse, Wera
 Hodge, rh Dame Margaret
 Hodgson, Mrs Sharon
 Hollern, Kate
 Hopkins, Rachel
 Howarth, rh Sir George
 Huq, Dr Rupa
 Hussain, Imran
 Jardine, Christine
 Jarvis, Dan
 Johnson, rh Dame Diana
 Johnson, Kim
 Jones, Darren
 Jones, Gerald
 Jones, rh Mr Kevan
 Jones, Ruth
 Jones, Sarah
 Kane, Mike
 Keeley, Barbara
 Kendall, Liz
 Khan, Afzal
 Kinnock, Stephen
 Kyle, Peter
 Lake, Ben
 Lammy, rh Mr David
 Lavery, Ian
 Lewell-Buck, Mrs Emma
 Lewis, Clive
 Lloyd, Tony
 Lockhart, Carla
 Long Bailey, Rebecca
 Lucas, Caroline
 Lynch, Holly
 Madders, Justin
 Mahmood, Mr Khalid
 Mahmood, Shabana
 Malhotra, Seema
 Maskell, Rachael
 Matheson, Christian
 McCabe, Steve
 McCarthy, Kerry
 McDonagh, Siobhain
 McDonald, Andy

McDonnell, rh John
 McFadden, rh Mr Pat
 McGinn, Conor
 McGovern, Alison
 McKinnell, Catherine
 McMahon, Jim
 McMorris, Anna
 Mearns, Ian
 Miliband, rh Edward
 Mishra, Navendu
 Moran, Layla
 Morden, Jessica
 Morgan, Stephen
 Morris, Grahame
 Murray, Ian
 Murray, James
 Nandy, Lisa
 Nichols, Charlotte
 Norris, Alex
 Olney, Sarah
 Onwurah, Chi
 Opong-Asare, Abena
 Osamor, Kate
 Osborne, Kate
 Owatemi, Taiwo
 Owen, Sarah
 Paisley, Ian
 Peacock, Stephanie
 Pennycook, Matthew
 Perkins, Mr Toby
 Phillips, Jess
 Phillipson, Bridget
 Pollard, Luke
 Powell, Lucy
 Qureshi, Yasmin
 Rayner, rh Angela
 Reed, Steve
 Rees, Christina
 Reeves, Ellie
 Reeves, Rachel
 Reynolds, Jonathan
 Ribeiro-Addy, Bell
 Rimmer, Ms Marie
 Robinson, Gavin
 Rodda, Matt
 Russell-Moyle, Lloyd
 Saville Roberts, rh Liz
 Shah, Naz
 Shannon, Jim
 Sharma, Mr Virendra
 Sheerman, Mr Barry
 Siddiq, Tulip
 Slaughtier, Andy
 Smith, Cat
 Smith, Jeff
 Smith, Nick
 Smyth, Karin
 Sobel, Alex
 Spellar, rh John
 Starmer, rh Keir
 Stevens, Jo
 Stone, Jamie
 Streeting, Wes
 Sultana, Sarah
 Tami, rh Mark
 Tarry, Sam
 Thomas, Gareth
 Thomas-Symonds, rh Nick
 Thornberry, rh Emily
 Timms, rh Stephen
 Trickett, Jon
 Turner, Karl

Twigg, Derek
Twist, Liz
Vaz, rh Valerie
Webbe, Claudia
West, Catherine
Whitehead, Dr Alan
Whitley, Mick
Whittome, Nadia
Williams, Hywel

Wilson, Munira
Wilson, rh Sammy
Winter, Beth
Yasin, Mohammad
Zeichner, Daniel

Tellers for the Noes:
Matt Western and
Bambos Charalambous

Djanogly, Mr Jonathan
Docherty, Leo
Donelan, Michelle
Dorries, Ms Nadine
Double, Steve
Dowden, rh Oliver
Doyle-Price, Jackie
Drax, Richard
Drummond, Mrs Flick
Duddridge, James
Duguid, David
Duncan Smith, rh Sir Iain
Dunne, rh Philip
Eastwood, Mark
Edwards, Ruth
Ellis, rh Michael
Ellwood, rh Mr Tobias
Elphicke, Mrs Natalie
Eustice, rh George
Evans, Dr Luke
Evennett, rh Sir David
Everitt, Ben
Fabricant, Michael
Farris, Laura
Fell, Simon
Fletcher, Katherine
Fletcher, Mark
Fletcher, Nick
Ford, Vicky
Foster, Kevin
Fox, rh Dr Liam
Francois, rh Mr Mark
Frazer, Lucy
Freeman, George
Freer, Mike
Fuller, Richard
Fysh, Mr Marcus
Garnier, Mark
Ghani, Ms Nusrat
Gibb, rh Nick
Gibson, Peter
Gideon, Jo
Gillan, rh Dame Cheryl
Glen, John
Goodwill, rh Mr Robert
Gove, rh Michael
Graham, Richard
Grant, Mrs Helen
Gray, James
Grayling, rh Chris
Green, rh Damian
Griffith, Andrew
Griffiths, Kate
Grundy, James
Gullis, Jonathan
Halfon, rh Robert
Hall, Luke
Hancock, rh Matt
Hands, rh Greg
Harper, rh Mr Mark
Harris, Rebecca
Harrison, Trudy
Hart, Sally-Ann
Hart, rh Simon
Hayes, rh Sir John
Heald, rh Sir Oliver
Heapey, James
Heaton-Harris, Chris
Henderson, Gordon
Henry, Darren
Higginbotham, Antony
Hinds, rh Damian

Hoare, Simon
Holden, Mr Richard
Hollinrake, Kevin
Hollobone, Mr Philip
Holloway, Adam
Holmes, Paul
Howell, John
Howell, Paul
Huddleston, Nigel
Hudson, Dr Neil
Hughes, Eddie
Hunt, Jane
Hunt, rh Jeremy
Jack, rh Mr Alister
Javid, rh Sajid
Jayawardena, Mr Ranil
Jenkin, Sir Bernard
Jenkinson, Mark
Jenkyns, Andrea
Jenrick, rh Robert
Johnson, rh Boris
Johnson, Dr Caroline
Johnson, Gareth
Johnston, David
Jones, Andrew
Jones, rh Mr David
Jones, Fay
Jones, Mr Marcus
Jupp, Simon
Kawczynski, Daniel
Kearns, Alicia
Keegan, Gillian
Knight, rh Sir Greg
Knight, Julian
Kruger, Danny
Kwarteng, rh Kwasi
Lamont, John
Largan, Robert
Latham, Mrs Pauline
Leadsom, rh Andrea
Leigh, rh Sir Edward
Levy, Ian
Lewer, Andrew
Lewis, rh Brandon
Liddell-Grainger, Mr Ian
Loder, Chris
Logan, Mark
Longhi, Marco
Lopez, Julia
Lopresti, Jack
Lord, Mr Jonathan
Loughton, Tim
Mackinlay, Craig
Mackrory, Cherilyn
Maclean, Rachel
Mak, Alan
Malthouse, Kit
Mangnall, Anthony
Mann, Scott
Marson, Julie
May, rh Mrs Theresa
Mayhew, Jerome
Maynard, Paul
McCartney, Karl
McVey, rh Esther
Menzies, Mark
Mercer, Johnny
Merriman, Huw
Metcalfe, Stephen
Millar, Robin
Miller, rh Mrs Maria
Milling, rh Amanda

Question accordingly agreed to.

Lords amendment 2 disagreed to.

The list of Members currently certified as eligible for a proxy vote, and of the Members nominated as their proxy, is published at the end of today's debates.

Lords amendment 3 disagreed to.

After Clause 2

PROHIBITION ON PASSING REMEDIATION COSTS ON TO LEASEHOLDERS AND TENANTS

Motion made, and Question put, That this House disagrees with Lords amendment 4.—(Kit Malthouse.)

The House divided: Ayes 340, Noes 225.

Division No. 234]

[5.47 pm

AYES

Adams, Nigel
Afolami, Bim
Afriyie, Adam
Ahmad Khan, Imran
Aiken, Nickie
Aldous, Peter
Allan, Lucy
Amess, Sir David
Anderson, Lee
Anderson, Stuart
Andrew, rh Stuart
Argar, Edward
Atherton, Sarah
Atkins, Victoria
Bacon, Gareth
Bacon, Mr Richard
Badenoch, Kemi
Bailey, Shaun
Baillie, Siobhan
Baker, Duncan
Baker, Mr Steve
Baldwin, Harriett
Barclay, rh Steve
Baynes, Simon
Bell, Aaron
Benton, Scott
Beresford, Sir Paul
Berry, rh Jake
Bhatti, Saqib
Blunt, Crispin
Bone, Mr Peter
Bowie, Andrew
Bradley, Ben
Bradley, rh Karen
Braverman, rh Suella
Brereton, Jack
Bridgen, Andrew
Brine, Steve
Bristow, Paul
Britcliffe, Sara
Brokenshire, rh James

Browne, Anthony
Bruce, Fiona
Buchan, Felicity
Buckland, rh Robert
Burghart, Alex
Burns, rh Conor
Butler, Rob
Cairns, rh Alun
Carter, Andy
Cartledge, James
Cash, Sir William
Cates, Miriam
Chalk, Alex
Churchill, Jo
Clark, rh Greg
Clarke, Mr Simon
Clarke, Theo
Clarke-Smith, Brendan
Clarkson, Chris
Cleverly, rh James
Clifton-Brown, Sir Geoffrey
Coffey, rh Dr Thérèse
Colburn, Elliot
Collins, Damian
Costa, Alberto
Courts, Robert
Coutinho, Claire
Cox, rh Sir Geoffrey
Crabb, rh Stephen
Crosbie, Virginia
Crouch, Tracey
Daly, James
Davies, David T. C.
Davies, Gareth
Davies, Dr James
Davies, Mims
Davies, Philip
Davis, rh Mr David
Davison, Dehenna
Dinenage, Caroline
Dines, Miss Sarah

Mills, Nigel
 Mitchell, rh Mr Andrew
 Mohindra, Mr Gagan
 Moore, Damien
 Moore, Robbie
 Mordaunt, rh Penny
 Morris, Anne Marie
 Morris, David
 Morrissey, Joy
 Morton, Wendy
 Mullan, Dr Kieran
 Mumby-Croft, Holly
 Mundell, rh David
 Murray, Mrs Sheryll
 Murrison, rh Dr Andrew
 Nici, Lia
 Nokes, rh Caroline
 Norman, rh Jesse
 O'Brien, Neil
 Opperman, Guy
 Parish, Neil
 Patel, rh Priti
 Paterson, rh Mr Owen
 Pawsey, Mark
 Penning, rh Sir Mike
 Penrose, John
 Philp, Chris
 Pincher, rh Christopher
 Poulter, Dr Dan
 Pow, Rebecca
 Prentis, Victoria
 Pritchard, rh Mark
 Pursglove, Tom
 Quin, Jeremy
 Quince, Will
 Raab, rh Dominic
 Randall, Tom
 Redwood, rh John
 Rees-Mogg, rh Mr Jacob
 Richards, Nicola
 Richardson, Angela
 Roberts, Rob
 Robertson, Mr Laurence
 Robinson, Mary
 Ross, Douglas
 Rowley, Lee
 Russell, Dean
 Rutley, David
 Sambrook, Gary
 Saxby, Selaine
 Scully, Paul
 Seely, Bob
 Selous, Andrew
 Shapps, rh Grant
 Sharma, rh Alok
 Shelbrooke, rh Alec
 Simmonds, David
 Skidmore, rh Chris
 Smith, Chloe

Smith, Greg
 Smith, Henry
 Smith, rh Julian
 Solloway, Amanda
 Spence, Dr Ben
 Spencer, rh Mark
 Stafford, Alexander
 Stephenson, Andrew
 Stevenson, Jane
 Stevenson, John
 Stewart, rh Bob
 Stewart, Iain
 Streeter, Sir Gary
 Stride, rh Mel
 Stuart, Graham
 Sturdy, Julian
 Sunak, rh Rishi
 Sunderland, James
 Swayne, rh Sir Desmond
 Syms, Sir Robert
 Thomas, Derek
 Throup, Maggie
 Timpson, Edward
 Tolhurst, Kelly
 Tomlinson, Justin
 Tomlinson, Michael
 Tracey, Craig
 Trevelyan, rh Anne-Marie
 Trott, Laura
 Truss, rh Elizabeth
 Tugendhat, Tom
 Vara, Mr Shailesh
 Vickers, Martin
 Vickers, Matt
 Villiers, rh Theresa
 Wakeford, Christian
 Walker, Mr Robin
 Wallace, rh Mr Ben
 Wallis, Dr Jamie
 Warburton, David
 Warman, Matt
 Watling, Giles
 Webb, Suzanne
 Whately, Helen
 Wheeler, Mrs Heather
 Whittaker, Craig
 Whittingdale, rh Mr John
 Wiggin, Bill
 Wild, James
 Williams, Craig
 Williamson, rh Gavin
 Wood, Mike
 Wright, rh Jeremy
 Young, Jacob
 Zahawi, Nadhim

Tellers for the Ayes:
Maria Caulfield and
James Morris

NOES

Abbott, rh Ms Diane
 Abrahams, Debbie
 Ali, Rushanara
 Ali, Tahir
 Allin-Khan, Dr Rosena
 Amesbury, Mike
 Anderson, Fleur
 Antoniazzi, Tonia
 Ashworth, rh Jonathan
 Barker, Paula

Beckett, rh Margaret
 Begum, Apsana
 Benn, rh Hilary
 Betts, Mr Clive
 Blake, Olivia
 Blomfield, Paul
 Brabin, Tracy
 Bradshaw, rh Mr Ben
 Brennan, Kevin
 Brown, Ms Lyn

Brown, rh Mr Nicholas
 Bryant, Chris
 Buck, Ms Karen
 Burgon, Richard
 Butler, Dawn
 Byrne, Ian
 Byrne, rh Liam
 Cadbury, Ruth
 Campbell, rh Sir Alan
 Campbell, Mr Gregory
 Carden, Dan
 Carmichael, rh Mr Alistair
 Chamberlain, Wendy
 Champion, Sarah
 Clark, Feryal
 Cooper, Daisy
 Cooper, Rosie
 Cooper, rh Yvette
 Corbyn, rh Jeremy
 Coyle, Neil
 Creasy, Stella
 Cruddas, Jon
 Cryer, John
 Cummins, Judith
 Cunningham, Alex
 Daby, Janet
 Davey, rh Ed
 David, Wayne
 Davies, Geraint
 Davies-Jones, Alex
 De Cordova, Marsha
 Debbonaire, Thangam
 Dhesi, Mr Tanmanjeet Singh
 Dodds, Anneliese
 Donaldson, rh Sir Jeffrey M.
 Doughty, Stephen
 Dowd, Peter
 Dromey, Jack
 Duffield, Rosie
 Eagle, Dame Angela
 Eagle, Maria
 Eastwood, Colum
 Edwards, Jonathan
 Efford, Clive
 Elliott, Julie
 Elmore, Chris
 Eshalomi, Florence
 Esterson, Bill
 Evans, Chris
 Farron, Tim
 Farry, Stephen
 Ferrier, Margaret
 Fletcher, Colleen
 Fovargue, Yvonne
 Foxcroft, Vicky
 Foy, Mary Kelly
 Furniss, Gill
 Gardiner, Barry
 Gill, Preet Kaur
 Girvan, Paul
 Glindon, Mary
 Green, Kate
 Greenwood, Lilian
 Greenwood, Margaret
 Griffith, Nia
 Gwynne, Andrew
 Haigh, Louise
 Hamilton, Fabian
 Hanna, Claire
 Hardy, Emma
 Harman, rh Ms Harriet
 Harris, Carolyn

Hayes, Helen
 Healey, rh John
 Hendrick, Sir Mark
 Hill, Mike
 Hillier, Meg
 Hobhouse, Wera
 Hodge, rh Dame Margaret
 Hodgson, Mrs Sharon
 Hollern, Kate
 Hopkins, Rachel
 Howarth, rh Sir George
 Huq, Dr Rupa
 Hussain, Imran
 Jardine, Christine
 Jarvis, Dan
 Johnson, rh Dame Diana
 Johnson, Kim
 Jones, Darren
 Jones, Gerald
 Jones, rh Mr Kevan
 Jones, Ruth
 Jones, Sarah
 Kane, Mike
 Keeley, Barbara
 Kendall, Liz
 Khan, Afzal
 Kinnock, Stephen
 Kyle, Peter
 Lake, Ben
 Lammy, rh Mr David
 Lavery, Ian
 Lewell-Buck, Mrs Emma
 Lewis, Clive
 Lloyd, Tony
 Lockhart, Carla
 Long Bailey, Rebecca
 Lucas, Caroline
 Lynch, Holly
 Madders, Justin
 Mahmood, Mr Khalid
 Mahmood, Shabana
 Malhotra, Seema
 Maskell, Rachael
 Matheson, Christian
 McCabe, Steve
 McCarthy, Kerry
 McDonagh, Siobhain
 McDonald, Andy
 McDonnell, rh John
 McFadden, rh Mr Pat
 McGinn, Conor
 McGovern, Alison
 McKinnell, Catherine
 McMahon, Jim
 McMorris, Anna
 Mearns, Ian
 Miliband, rh Edward
 Mishra, Navendu
 Moran, Layla
 Morden, Jessica
 Morgan, Stephen
 Morris, Grahame
 Murray, Ian
 Murray, James
 Nandy, Lisa
 Nichols, Charlotte
 Norris, Alex
 Olney, Sarah
 Onwurah, Chi
 Opong-Asare, Abena
 Osamor, Kate
 Osborne, Kate

Owatemi, Taiwo
 Owen, Sarah
 Paisley, Ian
 Peacock, Stephanie
 Pennycook, Matthew
 Perkins, Mr Toby
 Phillips, Jess
 Phillipson, Bridget
 Pollard, Luke
 Powell, Lucy
 Qureshi, Yasmin
 Rayner, rh Angela
 Reed, Steve
 Rees, Christina
 Reeves, Ellie
 Reeves, Rachel
 Reynolds, Jonathan
 Ribeiro-Addy, Bell
 Rimmer, Ms Marie
 Robinson, Gavin
 Rodda, Matt
 Russell-Moyle, Lloyd
 Saville Roberts, rh Liz
 Shah, Naz
 Shannon, Jim
 Sharma, Mr Virendra
 Sheerman, Mr Barry
 Siddiq, Tulip
 Slaughter, Andy
 Smith, Cat
 Smith, Jeff
 Smith, Nick

Smyth, Karin
 Sobel, Alex
 Starmer, rh Keir
 Stevens, Jo
 Stone, Jamie
 Streeting, Wes
 Sultana, Zarah
 Tami, rh Mark
 Tarry, Sam
 Thomas, Gareth
 Thomas-Symonds, rh Nick
 Thornberry, rh Emily
 Timms, rh Stephen
 Trickett, Jon
 Turner, Karl
 Twigg, Derek
 Twist, Liz
 Vaz, rh Valerie
 Webbe, Claudia
 West, Catherine
 Whitehead, Dr Alan
 Whitley, Mick
 Whittome, Nadia
 Williams, Hywel
 Wilson, Munira
 Wilson, rh Sammy
 Winter, Beth
 Yasin, Mohammad
 Zeichner, Daniel

Tellers for the Noes:
 Matt Western and
 Bambos Charalambous

Question accordingly agreed to.

Lords amendment 4 disagreed to.

The list of Members currently certified as eligible for a proxy vote, and of the Members nominated as their proxy, is published at the end of today's debates.

Lords amendment 5 agreed to.

Motion made, and Question put forthwith (Standing Order No. 83H), That a Committee be appointed to draw up Reasons to be assigned to the Lords for disagreeing to their amendments 2, 3 and 4;

That Kit Malthouse, Tom Pursglove, Scott Mann and Sir Alan Campbell be members of the Committee;

That Kit Malthouse be the Chair of the Committee;

That three be the quorum of the Committee.

That the Committee do withdraw immediately.—(*James Morris.*)

Question agreed to.

Committee to withdraw immediately; reasons to be reported and communicated to the Lords.

Covert Human Intelligence Sources (Criminal Conduct) Bill

Consideration of Lords message

After Clause 2

CRIMINAL INJURIES COMPENSATION

5.57 pm

The Solicitor General (Michael Ellis): I beg to move, That this House agrees with Lords amendment 3B.

Madam Deputy Speaker (Dame Rosie Winterton): With this it will be convenient to consider Lords amendments 4B to 4J.

The Solicitor General: I am very pleased to be here today for the final debate on this important Bill before it receives Royal Assent and becomes law.

The Government introduced the Bill in order to provide a clear and consistent legal basis for the rare occasions when, in the course of their important work keeping us safe, it is necessary and proportionate for undercover agents to themselves participate in criminal conduct. That is a long-standing practice that has proved critical, frankly, in identifying and disrupting terrorist plots, drugs and firearms offences, and child sexual exploitation and abuse. For the first time, the Bill places that covert human intelligence source activity on an expressly statutory basis, providing our operational partners with the certainty that they can continue to utilise this tactic as we continue to respond to the evolving threat picture we face as a nation.

The Bill also resolves the tension that has previously existed where the state is asking an individual to engage in the difficult and dangerous work of frustrating crime without providing those self-same individuals with protection from prosecution for doing so. It will therefore benefit our ability henceforth to recruit and retain covert human intelligence sources.

I want to take this opportunity to thank all colleagues, in this House and in the other place, who have contributed to the thoughtful and detailed debates that we have had on the Bill. It is right that the important issues that it raises are subject to scrutiny, and I hope that Her Majesty's Government have demonstrated a willingness to engage and provide reassurance where possible, including through private briefings with operational partners such as MI5 and others.

I believe that we have a good piece of legislation, which will now move on to the statute book. It strikes an important balance by providing for clear safeguards and independent oversight without jeopardising the operational workability of the regime.

6 pm

I turn to the amendments that are to be considered today. The Government brought forward an amendment in the other place that provides that the conduct authorised under the Bill does not affect a person's ability to access the criminal injuries compensation scheme where appropriate. Although the Government believe that the amendment is not actually necessary, as the Bill does not in practice impact a person's ability to access the

criminal injuries compensation scheme, we have listened to the view put forward by Parliament that we could be more explicit on that point. The amendment therefore makes it clear in the Bill that, where appropriate, the criminal injuries compensation scheme remains an available route of redress.

The Government also brought forward amendments in the other place providing additional safeguards in relation to the authorisation of juveniles or vulnerable covert human intelligence sources. I pay tribute to Members on both sides of the House and in both Houses who engaged with the Government and our operational partners on this issue and helped to refine these substantive safeguards.

Let me briefly set out what the amendments do. The Government amendments make it clear that the authorising officer is under a duty to safeguard and promote the best interests of the juvenile, and that the authorisation must be compatible with that duty. That reflects article 3 of the UN convention on the rights of the child. It also applies the same statutory safeguards that are in place for CHIS use and conduct authorisations to the new criminal conduct authorisations, and requires the Investigatory Powers Commissioner to keep those enhanced safeguards under particular review, as they relate to children and vulnerable people. In addition, the amendments also put in the Bill the requirement that a juvenile covert human intelligence source be authorised only in exceptional circumstances. Such exceptional circumstances will exist only where there is no reasonably foreseeable harm to the juvenile as a result of the authorisation, and where the authorisation is believed to be compatible with the best interests of the juvenile.

The amendments further clarify in the Bill that an appropriate adult must be in place in any meetings with any individual under the age of 16 years, and there is a presumption that an appropriate adult will attend meetings with 16 and 17-year-olds, with any derogation from that presumption justified in writing. The amendments also add additional safeguards for vulnerable individuals to the Bill. They require an enhanced risk assessment to be carried out, state that the source must be capable of understanding and consenting to the deployment and any associated risks, and state that consideration must be given to the best interests of the source.

These substantive amendments focus on the wellbeing and safety of the juvenile or vulnerable adult. It is right that there be additional safeguards for those authorisations, and the amendments provide them, but we have also ensured that the amendments do not create any unintended consequences that risk the safety of any individual involved in this covert activity. I am pleased that we have been able to reach positions of consensus on this Bill across both Houses and on both sides of the Chamber. I am reassured that the legal certainty that the Bill provides will soon be in place to ensure that our operational partners can continue their important work to keep us safe.

Conor McGinn (St Helens North) (Lab): It is a pleasure to follow the Solicitor General. Given the seriousness and sensitivity of these matters, it is right to recognise the challenging but constructive engagement that we have had with the Government throughout the passage of this Bill. I again pay tribute to colleagues in the other

place. The experience and expertise that so well informs their scrutiny has, without a shadow of a doubt, strengthened this legislation and the protections and safeguards in it. I think the whole House can agree that the Bill before us is in much better shape. We welcome the Government concessions that the shadow Home Secretary and Labour Members, as well as other colleagues, have secured during the Bill's parliamentary passage.

Turning to the amendments in lieu, Lords amendment 3B relates to the criminal injuries compensation scheme and the vital matter of redress for innocent victims. It would properly ensure that victims were protected and unimpeded in obtaining justice if harm came to them during authorised conduct. Throughout this process, we and colleagues across both Houses have stressed the importance of a viable route to redress for innocent victims if boundaries are broken, and we have tabled and supported amendments to that effect. It is an important principle in law that victims of crime can seek recompense, and these circumstances should be no exception. We therefore welcome the amendment and the Government's change of heart on the need to make it explicit in the Bill that individuals can access criminal injuries compensation whenever appropriate. I pay tribute to colleagues on the Joint Committee on Human Rights for the work that they have carried out on this alongside Lord Anderson and his colleagues in the other place.

Lords amendments 4B to 4J relate to safeguards for juveniles and vulnerable adults. I pay tribute to my hon. Friend the Member for Walthamstow (Stella Creasy), the right hon. Member for Haltemprice and Howden (Mr Davis), noble lords in the other place and many civic society groups, charities and experts who have worked tirelessly on this issue. We maintain that the protections could go further, but none the less welcome movement on this issue. It was very important to Labour Members and colleagues across the House that the heightened protections for children and vulnerable adults outlined in these amendments should make it clear that criminal conduct authorisations can be granted to minors only in exceptional circumstances, and should take into account any potential physical or psychological harm and wider safeguarding issues, as well as the results of an appropriate risk assessment. The amendments also provide that an appropriate adult must be present at meetings with individuals under 16 years old; most 16 and 17-year-olds will have this right, too. I echo Lord Rosser, who said:

“On this issue, we have not achieved everything that was asked for”.—[*Official Report, House of Lords*, 9 February 2021; Vol. 810, c. 201.]

but we are pleased to see the Government have listened to our and others' concerns, and gone beyond prior commitments.

Labour Members will continue to monitor these matters and work to assess their impact. In addition, following the Bill's passage, we will keep a close eye on the upcoming consultation on the CHIS code of practice to ensure and, if necessary, enhance safeguards in this arena and make them as effective as possible.

As I have said in this House previously, this is not the Bill that we would have proposed or passed. It is far from perfect, but it has been vastly improved during its passage. The amendments in lieu being considered—and, I hope, accepted—today are proof of that. I reiterate that Labour Members recognise the importance and

[Conor McGinn]

significance of putting CHIS activities on a statutory footing for the first time through this Bill, while ensuring vital safeguards, accountability and protections.

We are eternally grateful to those in the police, the security services, the National Crime Agency and wider law enforcement who put their safety and life at risk to protect ours—as indeed do covert human intelligence sources. Through this Bill, we have sought to meet our duty to support them. The resolute focus on national security, on tackling serious and organised crime, on human rights and on supporting victims that has guided us throughout this Bill’s passage will continue to be a central tenet of our approach as we seek to keep this country, its citizens and our communities safe.

Madam Deputy Speaker (Dame Rosie Winterton): We have until 6.56 pm to conclude proceedings on the Bill, so if Back-Bench contributions were less than five minutes long, that would enable us to get as many Members in as possible. I do not want to impose a time limit, but I hope that colleagues will be considerate of one another. I call Dr Julian Lewis, Chair of the Intelligence and Security Committee.

Dr Julian Lewis (New Forest East) (Con): Right from the outset, the Intelligence and Security Committee has supported the principle behind the Bill, although we have also welcomed attempts by Members in both Houses to improve it. It is a very important Bill. Covert human intelligence sources or agents provide vital information to assist the security and intelligence agencies in their investigations. They save lives. As the head of MI5 recently said, without them, many of the attacks foiled in recent years

“would not have been prevented.”

In working undercover, CHIS need to be trusted by those they are reporting on, so that they can gain the information that the authorities need. CHIS may therefore need to carry out criminal activity to maintain their cover. Their handlers must be able to authorise them to do so, in certain circumstances and subject to specific safeguards. The Bill places the powers that certain organisations have to authorise such activity on an explicit statutory basis—something that we should all welcome.

The Bill before us has been improved since it was introduced in September, and that is a measure of the effective scrutiny of national security legislation by Parliament, including by the ISC. These are very serious powers for the state to exercise, and it is right that they be properly scrutinised. In particular, the ISC welcomes the provisions brought forward in the other place by Lord Anderson, the former independent reviewer of terrorism legislation, requiring all criminal conduct authorisations to be notified to judicial commissioners as soon as possible and within seven days. Judicial oversight is a vital safeguard, and this measure should give the public confidence that these powers will be used only when proportionate, necessary, and in accordance with the law.

The final amendments to the Bill that the House is being asked to approve today are sensible provisions that the House should welcome. The additional safeguards for children and vulnerable people are particularly welcome,

and it is clear that the Government have listened to the strength of feeling in both Houses on this matter. Many of the changes made to the Bill will be reflected in an updated CHIS code of conduct, which I understand will be drafted over the coming months. This revised code of conduct will include new language emphasising the important oversight role of the Intelligence and Security Committee in relation to the use of these powers by the intelligence agencies. The Committee welcomes that, and I can assure the House that the ISC fully intends to exercise its oversight powers to ensure that criminal conduct authorisations are used appropriately.

I thank Ministers and those who support them for the constructive way in which they have engaged with the Committee on the Bill. I pay particular tribute to my right hon. Friend the Minister for Security, who unfortunately cannot be with us today. I wish him the very best for his recovery, and I look forward to working with him in future. Finally, I pay tribute to the men and women of our security and intelligence agencies and, most importantly on this occasion, to their covert human intelligence sources—individuals whom few of us will ever know, but whose bravery saves lives. We all owe them a great debt of gratitude for their courageous service.

Stuart C. McDonald (Cumbernauld, Kilsyth and Kirkintilloch East) (SNP) [V]: It is a pleasure to follow the Chair of the Intelligence and Security Committee, and I join him in sending my party’s best wishes to the Minister for Security.

There is absolutely no disagreement about the need for a Bill. These are self-evidently significant, extraordinary and important powers being put on the statute book, and not before time. However, it is precisely because of the significance and importance of these powers that, although we acknowledge the need for a Bill, we could not support one that did not provide proper safeguards, oversight and limitations on these powers. Those points were made at earlier stages by my hon. Friends, including my hon. and learned Friend the Member for Edinburgh South West (Joanna Cherry) and my hon. Friend the Member for Gordon (Richard Thomson), and that is why we ultimately voted against the Bill on Third Reading.

As the Solicitor General set out, the latest round of ping-pong has produced additional protections in cases where authorisations are being considered for covert sources who are children or vulnerable people. It has also ensured that some access to criminal injuries compensation will continue when a person is a victim of the criminal conduct of a covert source. The Bill is certainly better with these changes. In particular, we welcome the work undertaken by Just For Kids Law, and others, in advocating for safeguards for children and vulnerable adults. They could, and probably should have been even stronger, but even speaking about authorising criminal conduct by a child operating covertly feels very troubling. Hopefully those limits will make such occurrences very rare, as they should be, and we must and will monitor risk closely.

6.15 pm

Although the amendments improve the Bill, they do not resolve its fundamental problems or answer the serious questions asked about it. The amendments that tried to do that have been taken out. The Government continue to protest that the Human Rights Act is the

answer to those questions, yet at the same time they are undertaking a review of that Act, and, significantly, their own European convention on human rights memorandum and legal submissions appear to cast serious doubt on the extent of the protections offered, and whether they cover the actions of covert agents. The memorandum anticipates that there would

“not be State responsibility...for conduct where the intention is to disrupt and prevent that conduct, or more serious conduct...or where the conduct would take place in any event.”

What does that mean? What is its impact in relation to torture, for example? Is there state responsibility if covert agents commit torture? Is it, or is it not, the Government's view that such acts could conceivably be justified if they might prevent something more serious, or if the torture would have occurred anyway? Those questions require serious answers.

A failure to provide a suitable oversight mechanism is why the Scottish Government did not recommend legislative consent for the Bill regarding devolved issues, and why the Scottish Parliament, including the Labour party, overwhelmingly agreed with that approach. The protections in the Bill are not enough—for example, the Lord Advocate and Police Scotland were clear that a system of prior authorisation was required. It is welcome that on this occasion the Government have respected the devolution settlement and taken the relevant devolved provisions out of the Bill. That they were required to come out of the Bill was unfortunate, however, because the same system of authorisation for devolved and reserved powers would have made life simpler, and there was extensive and constructive engagement between Governments in trying to make that happen.

Ultimately, but not for the first time on issues relating to intelligence and investigatory powers, I believe the UK Government are failing to get the balance right between giving agencies the powers that we all recognise they need, and giving people the human rights, freedoms and protections that they deserve. The amendments would redress that balance a little, but nowhere near enough, and it will now be for the Scottish Government and Parliament to take forward legislation that gets that balance right.

Sir Robert Neill (Bromley and Chislehurst) (Con) [V]: I welcome the Bill and the approach that the Government have adopted. I thank the Solicitor General for his willingness to listen to arguments regarding the amendments, and I join others in paying tribute to my right hon Friend, and good personal friend, the Member for Old Bexley and Sidcup (James Brokenshire). I wish him well in his recovery.

The Bill is important because legal certainty in such sensitive and delicate matters is crucial for upholding the rule of law. That is why the Bill was necessary. There can be arguments about where the balance should be, but I believe a fair balance has now been struck, and it enhances the rule of law and accountability. I also pay tribute to those men and women who operate in extremely dangerous, sensitive and difficult circumstances, and who put their lives on the line for our safety. They deserve a proper legal framework to safeguard their activities. Equally, those who in certain rare circumstances might be the innocent victims of collateral damage caused by such activities ought to have proper redress and compensation. I therefore welcome the Government's

acceptance of the amendment that would make that explicit in the Bill. I understand the points that have been raised, but as the Solicitor General will know, criminal compensation law and procedure can seem quite arcane to the lay person, and it was a sensible and helpful move to put that measure in the Bill.

I also welcome the strengthening of provisions for protection for juveniles. For example, the use of appropriate adults more closely mirrors the protections that we recognise for juveniles elsewhere in elements of the justice system. That is a welcome improvement, and I am confident that the Investigatory Powers Commissioner and the judicial commissioners will give full and proper weight to those important safeguards.

I pay tribute to the work of the Investigatory Powers Commissioner and the judicial commissioners who work with him. Many of us know Sir Brian Leveson, the Investigatory Powers Commissioner, as a judge of the very highest integrity, and the same is true of some of those judicial commissioners who work with him and the staff who support that office. That system of checks and balances is critical to ensuring the rule of law, and it is important that such oversight exists.

On balance, the Bill has been improved by the amendments and by the co-operative approach adopted by right hon. and hon. Members on both sides of the House and in both Houses. I hope that we can leave those who operate on our behalf in this critical manner not only with a greater measure of legal certainty, but with a proper balance to ensure that both access to justice and the rule of law itself are properly preserved in a workable and modernised framework.

Stella Creasy (Walthamstow) (Lab/Co-op): I agree with the hon. Member for Bromley and Chislehurst (Sir Robert Neill) when he said that this Bill has been improved by the work that has been done across the two Houses of Parliament and across the Benches. With that in mind, I will start by acknowledging the work that has been done on the issue around the use of children—the concept of juvenile CHIS. I acknowledge the work of Baroness Kidron, Lord Russell, Lord Young and Lord Kennedy who led the debates and discussions on these issues in the other place, and they have brought us to a much better place as a result. If we are honest, when this Bill first came to us, there was no discussion about children and what might happen if children were used as covert intelligence sources, so it is important that we recognise the work that they did to get us to this place, with the amendments before us.

I also put on record my thanks to the right hon. Member for Haltemprice and Howden (Mr Davis). I do not know whether that is helpful to him, but I know that he is speaking after me. Certainly, it might be of concern to our Whips that I agree with much of what he has said with regard to this Bill. We share the concern that it is important to have the right legislation in place for these issues, because we know that covert intelligence sources are already being used. In that sense, I also want to thank the Minister for Security for listening to our concerns and I wish him well in his recovery.

I also pay tribute to the work of Just for Kids Law and JUSTICE, which have been phenomenal champions of the young people we are talking about today. I also thank the Minister in the other place, Baroness Williams, for her work and the Solicitor General before us today,

[Stella Creasy]

who has had to step into this debate. I hope that now that he has had time to look at this issue, he will reconsider what he said a couple of weeks ago when he suggested that some of our concerns and examples were not valid and could not have happened, not least because his colleague, Baroness Williams, has acknowledged that those very cases about vulnerable children aged 16 and 17 being exploited and then put at risk and used as covert intelligence sources were in fact real.

With that in mind, I agree very much with the shadow Minister that the Bill is much improved and that the Government have moved on this issue. We now have in the Bill the exceptional circumstances principle—that we should only ever ask children to put themselves in harm’s way and to commit criminal acts in very exceptional circumstances. Indeed, our argument that there should always be an appropriate adult as part of those conversations has certainly moved forward, as has our suggestion that IPCO should be overseeing this. Those are very welcome developments and it is important that we recognise that.

There is an understanding that we need to go further in recognising that appropriate adults are not always part of these conversations and the discrepancies that that creates. If a child is arrested for shoplifting at the age of 16 or 17, there will always be an appropriate adult involved in their conversations with the police, but if a child is asked at the age of 16 or 17 to spy on their parents or to commit a criminal act as part of an investigation there might not always be an appropriate adult. That reflects a bigger challenge that I hope the Minister will take up: that this legislation is obviously looking only at the use of criminal conduct authorisations, and yet what this debate has shown is that across the House and across the different sections of Parliament there is a concern about the use of children at all as covert intelligence sources. I make a plea to him today that the long-awaited code of practice be published—we were promised it during the passage of the Bill, but we have not yet seen it—and that we look at that much bigger concern about ensuring that there is always appropriate welfare and safeguarding protection for children of all ages, recognising that the United Nations and, indeed, this country have signed up to recognising children under the age of 18—so 16 and 17-year-olds—as children who require our protection. We need to extend the principles that we have put in this Bill regarding criminal activities to all their engagement.

I think that everyone recognises that our security services and the police do a phenomenal job and work in some very difficult circumstances. We also recognise our responsibility in this place to those young people that we ask, in these exceptional circumstances, to put themselves in the way of harm. The Bill certainly takes us much further towards having the protections in place that we would all wish, but we know that there is more work to do. I appeal to Ministers to continue to work with organisations such as Just for Kids Law, to listen to the concerns of not just the right hon. Member for Haltemprice and Howden but Members across the House about where we might cut across international standards and welfare protections, and to recognise that the best states are those that protect everyone, including those people that we put in harm’s way, whether they are in our secret services or they are young people.

Thank you very much, Madam Deputy Speaker, for allowing me to participate in this debate and support the hard work of our Members of Parliament on this issue.

Mr David Davis (Haltemprice and Howden) (Con): I start by sending my wishes, with everyone else’s, to the Minister for Security, my right hon. Friend the Member for Old Bexley and Sidcup (James Brokenshire). The House would perhaps like to know that I spoke to him this afternoon and he is making very good progress. We are all happy about that.

I also commend, in the strongest possible terms, the hon. Member for Walthamstow (Stella Creasy) for the campaign that she has put together, particularly with respect to the Bill as it applies to children. She has proved yet again a formidable campaigner, for which we should all be grateful.

I am still completely against the division between children above and below the age of 16 on whether there is an absolute requirement for an appropriate adult in meetings with the child. Of course, we all know 17-year-olds who are very mature, but we also all know 17-year-olds who are very immature, and in the context of being involved in a criminal investigation, I suspect the latter are far more common than the former. For that reason, I think it entirely wrong that a police officer or officers, no matter how responsible, should be allowed, even in exceptional circumstances, to make judgments about whether an appropriate adult should be present. That being said, the Bill has made significant movements in the right direction—just, I think, not far enough.

The SNP spokesman, the hon. Member for Cumbernauld, Kilsyth and Kirkintilloch East (Stuart C. McDonald), raised the more general question of the extent of the sort of crime that CHISs could be approved to authorise. Since the Lords dropped the amendments that related to that, that ambiguity—namely, the sheer scope of crimes and whether they could include torture, murder and the like—still applies to the Bill.

That ambiguity arises because of the following. On the one hand, the Government have said that the Human Rights Act intervenes to limit what can be done. I quote Baroness Williams who said that the Human Rights Act provides

“limits to the conduct that can be authorised. An authorisation that is not compatible with the Human Rights Act will not be lawful”.—[*Official Report, House of Lords*, 9 February 2021; Vol. 810, c. 181.]

However, in the court case that precipitated the Bill, that of *Privacy International v. the Home Secretary*, on 7 May 2019 Mr James Eadie, the Government’s QC, said that

“the state, in tasking the CHIS...is not the instigator of that activity and cannot be treated as somehow responsible for it...it would be unreal to hold the state responsible.”

I have always viewed that as a rather Pontius Pilate statement on this matter by the Government’s lawyer.

That introduces an ambiguity. The Minister, who is an old friend of mine, will understand better than most the standing of what he says since the *Pepper v. Hart* case of some years ago—namely, that the courts will interpret ambiguous legislation in the light of the way the Minister describes it. I therefore ask him to confirm, in unequivocal terms, for *Pepper v. Hart* purposes, that

authorisation of acts that would breach the Human Rights Act would always be unlawful. I will give way to him now or he can answer when he winds up; I really do not mind.

The Solicitor General: I will do it at the end.

Mr Davis: That is fine. I will say one last thing with respect to that. If the Government do not make it clear and that still hangs as an ambiguity around the Bill, then the Bill, along with the Overseas Operations (Service Personnel and Veterans) Bill, could well end up with this country being in the International Criminal Court for reasons that the House did not intend. It is that important that the Minister makes that clear.

6.30 pm

Apsana Begum (Poplar and Limehouse) (Lab) [V]: I rise to speak on Lords amendments 3B and 4B to 4J. While there are improvements to the legislation, I would like to reaffirm on record that I continue to be utterly astounded at the chilling gravity and significance of this piece of legislation, which seeks to decriminalise criminal conduct by intelligence and undercover agents, representing another departure from the recognised rules of domestic and international law.

Amendments 4B to 4J provide safeguards where children and vulnerable individuals who are involved in criminality become covert human intelligence sources. However, I would have liked this to go much further and, in particular, include safeguards for ethnic minorities, protest movements and trade unions in particular. The amendments outline that no criminal conduct authorisation can be made for a source who is under the age of 18 or is a vulnerable individual unless in exceptional circumstances, yet human rights and the rights of children are absolute in my mind, and I am not sure what circumstance could possibly render this fundamental principle secondary.

As a Muslim growing up in east London, I have experienced the well documented rise in Islamophobia and the steady erosion of civil rights, including the installation of cameras on street corners and increased surveillance. Our communities are too often seen not as citizens worthy of equality and respect, but as a threat viewed with hostility and suspicion. Indeed, Prevent has been widely criticised for fostering discrimination against people of Muslim faith or background. It was developed without firm evidence, and is rooted in a vague and expansive definition of extremism, including overt targeting of Muslim children in schools, which has meant that our Muslim young people in particular are being increasingly viewed through the lens of security. I fear that, as currently drafted, amendments 4B to 4J, while a moderate improvement, do not provide the safeguards for ethnic minority children. They will not protect my constituents from what they increasingly feel to be the lawlessness of undercover agents, which makes our communities feel less safe.

The use of undercover police posing as protesters, committing crimes and provoking violence, including violent responses from the authorities, has been discussed in the public domain in recent years in relation to Black Lives Matter protests, actions on climate change and G20 demonstrations. Lords amendment 3B seeks to ensure that innocent victims are able to seek compensation from the Criminal Injuries Compensation Authority. Throughout its passage, this Bill has triggered alarm bells for trade unions and justice campaigns such as the

Orgreave Truth and Justice Campaign, which fear that these latest draconian powers could be used to interfere with the legitimate activities of trade unions. The deployment of agents provocateurs to commit and incite criminal activity, misconduct, malpractice and corruption during the miners' strike has been well documented—the idea being to sabotage and destroy from within. Lords amendment 3B, while an improvement, falls far short of providing innocent victims with the right to seek justice.

To conclude, it is because I believe in a free and democratic society that I have opposed this Government's authoritarianism with all my might. Our police and security services should exist to uphold the rule of law, not to break it. Human rights are absolute. The amendments today, despite their relative merit, are unable to counterbalance this legislation's unprecedented breach of this essential principle.

Sir John Hayes (South Holland and The Deepings) (Con) [V]: This legislation is first and foremost about taking risks to save lives. The information acquired by covert human intelligence sources, often requiring great personal sacrifice at the cutting edge of terror, disrupts plots, secures prosecutions and prevents death and destruction, all of which takes courage and skill; sharp minds and brave hearts. As the Chairman of the ISC, my right hon. Friend the Member for New Forest East (Dr Lewis), said, reiterating the advice from MI5, if it was not for the covert intelligence sources, many of the attacks foiled in recent years would not have been prevented, and dozens of individuals presently alive would have been killed and, with them, lives lost and lives blighted.

The Bill before us is timely and necessary. It is right that the Government have engaged with those in the other place and elsewhere to improve safeguards, but in the end, for all the talk of rights, it is wrongs that ruin lives. The people whom we mission to keep us safe expect of us the legal means and mechanisms that are necessary for them to succeed, and by definition, those tasked with infiltration of organisations intent on wickedness are fraternising with individuals and groups capable of ruthlessness, often rationalised as a means to a desirable end. Not only would abject and inflexible refusal to engage in any and all criminal activity by covert human intelligence sources render it impossible to gain or retain trust, it would place those who are defending our interests in direct danger.

I am grateful, therefore, that this Bill provides our brave operatives with legal protection. While carefully authorised participation in criminality has been, for some time, accepted in the UK courts as a necessary and proportionate means to safeguard the public, there remains at present no formal, single, statutory basis for that. This Bill alters that by providing legal clarity, as previous contributors have made clear. It means that the current authorisation to engage in monitored criminal activity, which confers no immunity from prosecution, will be put to an end. By amending the Regulation of Investigatory Powers Act 2000, we can correct what has, up until now, been an uncertain situation by ensuring that those engaged in preserving and protecting our freedoms and liberties are not themselves treated as common criminals.

Of course, all criminal authorisations by the security and intelligence agencies must be properly circumscribed, absolutely necessary, proportionate, compatible with

[*Sir John Hayes*]

law, and—most importantly—subject to proper scrutiny, which is what this Bill also does. I am pleased that the Government have added to that scrutiny during the course of the Bill’s consideration and through the amendments they have accepted. Along with other members of the ISC, I have made clear that any and all authorisations must be specifically limited, and any criminal activity outside that expressly approved can, of course, be prosecuted. Moreover, authorisation must be reasonable, and positive and potential outcomes should outweigh criminal conduct. I think all Members of the House will agree that it is essential that criminal conduct authorisations must only be granted by highly trained and experienced authorising officers.

Finally and most importantly, effective scrutiny must underpin the entirety of this legislation. Authorisations must be overseen by the independent investigatory powers commissioner; the ISC should be kept informed of the use of CCAs; and the Investigatory Powers Tribunal will investigate any complaints about public authorities using this power. Lord Anderson’s amendment, accepted by the Government, on the timely referral of these matters to a judicial commissioner is helpful and valuable.

It is the very nature of law enforcement that risks and rewards must be balanced and considered. Few would doubt that access to unique information is essential to the prevention of horrors beyond our dreams but, tragically, not beyond our lived experience. Certain controlled criminal conduct, subject to specific safeguards, is necessary for our protection. This is the pragmatic principle on which the Bill is based, and I am pleased to support it.

This Bill does strike a balance between powers and scrutiny. It strikes a balance between giving those whom we have missioned to defend us what they need, and ensuring that in doing so, they act properly. It clarifies the law protecting operatives, and makes clear the circumstances in which those powers should be used. Its provisions are specific and limited; its purpose is right; and its time is due. It should be supported by all Members across the House.

Mr Alistair Carmichael (Orkney and Shetland) (LD) [V]: First, on behalf of my party, I welcome the amendments that have come from the other place that the Government are accepting. These are important concessions, which certainly improve the Bill. It has been said, however, that the Bill as a whole remains inadequate in the protections that it puts in place, and it bears the hallmarks of its history. Let us not forget that the Government did not bring in this Bill because they had a sudden damascene conversion to the need for scrutiny of this particular area of security and intelligence. They brought it in because they thought that they were at risk of losing a case in the Court of Appeal, having had a very close judgment in the Investigatory Powers Tribunal.

Essentially, in bringing in the Bill in this way, the Government have tried to recreate in statute the very loose and uncontrolled system that they have had prior to this. I suggest to the House that that will not stand the test of time. The right hon. Member for Haltemprice and Howden (Mr Davis) is absolutely right when he says that we need to hear from the Solicitor General at

the Dispatch Box tonight clear undertakings in regard to the operation of the Human Rights Act as it applies to this Bill—soon to be an Act, no doubt.

The ambiguity is not just inherent in the Bill, as the right hon. Member for Haltemprice and Howden correctly said. Actually, that ambiguity can be seen between the way in which the Government have sought to argue their case in the Investigatory Powers Tribunal and the way in which they have presented their case in relation to this Bill. The Government have sought to claim that acts of torture by covert agents could be justified

“where the intention is to disrupt and prevent that conduct, or more serious conduct...or where the conduct would take place in any event.”

That, in itself, is not consistent with the Human Rights Act. It is clearly wrong and has been described as such by the Joint Committee on Human Rights in its report on the Bill. The Committee found that covert agents could not be authorised to get involved in abuses such as torture and that

“the intention behind that conduct cannot justify the violation.”

It has also been said, I think by the Intelligence and Security Committee, that the Bill is effectively about the Government outsourcing decisions that they could not take for themselves. That approach should provide us with concern and does worry us, because we know that these provisions will not then stand the test of time, and we will be back in the same territory that we have seen in recent years with other legislation, where the Government have to come back with legislation that is retrospective or seeks to amend the law to catch up with the courts.

I fear that we have a Bill that is not the last word on this matter. The Houses have made significant improvements to it, but it remains some distance from what the country needs and what those who do this very dangerous work on our behalf deserve to have.

James Sunderland (Bracknell) (Con): This Bill is vital and goes to the heart of keeping communities safe from those seeking to do us harm. Covert human intelligence has been essential in disrupting many of the terrorist plots stopped by our agencies, and I was happy to vote the Bill through on Second Reading, the simple reason being that defence of the realm is the primary objective of any Government.

As we know, a criminal conduct authorisation may be granted where it is necessary for one of three purposes: national security, the prevention or detection of crime, or the interests of the economic wellbeing of the UK. From the relative comfort of this place, it is perhaps not for us to reason why, nor should we dare to understand the pressures that our security services are under, but it is for us to give them the tools that they need to do their job and to allow them the freedom of action that they need to keep us safe. There is a clear distinction, for clipping the wings of the Bill could be, and will be, counter-productive.

Lords amendment 3 allows anyone who has been the victim of a crime under a CCA to remain able to claim compensation under the criminal injuries compensation scheme or Northern Ireland’s CICS. That is fine, but as the Minister has outlined, the Government are listening to ways of providing additional resources to Parliament and the public on what safeguards may be possible and operationally workable. That would be achieved by an

amendment in lieu that makes it clear that a person can access the compensation scheme where appropriate, so I am sympathetic to Lords amendment 3B on criminal justice compensation and urge the Government to consider it as a concession, as they now are.

6.45 pm

This House disagreed with Lords amendment 4 on the basis that the provision of its safeguards for juveniles and vulnerable individuals would be unworkable. The other place conceded, and in its place has proposed Lords amendments 4C to 4F. Again, the Government have said that although they agree in principle, they cannot support the amendments in their current form because they would create operational issues that risk unintended consequences for the young person or vulnerable adult.

I agree that the requirement in the proposals risks the viability of the power and, crucially, the safety of the juvenile, but I support the Government's counter-amendments that put into the Bill the requirement for juvenile criminal conduct to be authorised only in exceptional circumstances. I also agree with the decision to tighten the definition of exceptional circumstances, which is welcome. Such circumstances will exist only where there is no reasonably foreseeable harm to the juvenile as a result of the authorisation and where it is believed to be compatible with the best interests of the individual, as per Lords amendment 4, with an appropriate adult in place for meetings with under-16s and the presumption that that would be the same for 16 and 17-year-olds.

To conclude, I will support the Government today, but I urge the Minister to be mindful of the recommendations in Lords amendment 3. I also welcome the compromises in Lords amendment 4.

Jim Shannon (Strangford) (DUP): May I say what a pleasure it is to follow the contributions made by right hon. and hon. Members so far? I put on record my thanks to the Minister and the Government for their efforts in bringing forward this legislation. In particular, I put on record my thanks to my hon. Friend the Member for Belfast East (Gavin Robinson) for his knowledgeable contribution to the formation of the Bill.

It is right and proper that a Bill to provide legislation of this magnitude and importance has had the scrutiny that it deserves. The Government's proposed alternative to Lords amendment 3, providing for access to the criminal injuries compensation scheme, seeks to add a further layer of scrutiny and protection to ensure that there is no exception to the effect of a criminal conduct authorisation. Lords amendment 3B purports to provide for access to the scheme where appropriate.

It is clear from the to-ing and fro-ing that good legislation takes time, and it is my hope that that is what we have achieved today. The Government have set in place a Bill to defeat and disadvantage, internally, criminal and terrorist gangs—as the Minister said, those involved in drugs, guns and weapons and trafficking. I also welcome the direct focus on human rights, to which the Minister and other Members referred. I am greatly reassured that that is in the Bill.

Lords amendment 4 provides for safeguards for children and vulnerable adults—a matter that I have previously raised, along with others. I absolutely agree with and

support the Government's attempt to bring in the desire behind the amendment and, as the Minister said, include significant additional safeguards for authorisation in respect of the relevant groups. The Government have addressed that and brought forward the refinements necessary to safeguard children and vulnerable adults. They have done that in an operationally workable form and I fully support the amendment.

The Government and the Minister have stepped up, and I am very pleased. I put on record my thanks to the Royal Ulster Constabulary—the Police Service of Northern Ireland—the British Army and MI5 for protecting us. Many of us are here today, alive and breathing, because of their work, and we thank them for it.

Imran Ahmad Khan (Wakefield) (Con) [V]: It is always a pleasure to follow my hon. Friend the Member for Strangford (Jim Shannon). The legislation that we are debating today is an act of avowal that ensures legitimacy, responsibility and co-ordination. Human agents—CHISs—remain a vital source of intelligence gathering, despite the rise of electronic surveillance. Human eyes and ears will always be critical in complementing other intelligence-gathering methods. Sometimes, only a CHIS on the inside can reveal the aims, intentions and actions of groups and individuals who seek to harm society. That view is widely accepted by experts.

Open and clear legislation in this matter will establish a more effective framework and reduce the collusion activities previously seen in locations such as Northern Ireland. Avoiding such situations requires an objective understanding of what went wrong in the past.

Given the importance of this legislation in allowing open and honest debate, it is important to take on board the points raised about safeguarding children. It is therefore vital that training and implementation are taken just as seriously as the legislation itself. Human error is an ever-present reality. We must ensure that systems are established that ensure that people are properly trained, equipped and supported in making difficult decisions and that a continuous improvement system is in place to investigate and learn from mistakes made, so that they are not repeated.

By way of example, let me point to the 2019 annual report of the Investigatory Powers Commissioner. The report highlights some good levels of conformity, including with juvenile CHIS handling. It also highlights good examples of training, as well as areas where training needs to be improved. I recommend that the Investigatory Powers Commissioner's Office adds to its already good work by attempting to identify the reasons behind errors, including the human factors involved, so that corrective action can be more accurately identified.

This legislation goes to the heart of efforts to safeguard our communities. The Bill will set out a framework to help reduce collusion activities, such as those that happened in Northern Ireland, in which agents ended up complicit in murder. It is important to remember that oversight, training and improvement programmes help protect the safety and wellbeing of CHIS agents, especially those classified as juvenile or vulnerable.

Without these agents, we would all be far less safe. I wholeheartedly support them and thank them for their invaluable work, and I thank the Ministry of Justice for its work. I urge all Members to support this necessary Bill.

The Solicitor General: I thank Members for their contributions to this debate this afternoon. I will be brief in my response, as there has been extensive discussion on these issues during the Bill's passage. First, in response to my right hon. Friend the Member for Haltemprice and Howden (Mr Davis), I am happy to confirm that an authorisation of conduct that would breach the Human Rights Act would always be unlawful. All authorisations issued under the Bill must comply with the Human Rights Act or they will be unlawful. I can therefore confirm and place on record that the Human Rights Act binds all the authorised activity of undercover agents, alongside the state itself.

The Government have taken a collaborative approach to the passage of the Bill, as the House knows, recognising the seriousness of national security issues, and I thank Her Majesty's Opposition for their similar approach. Where we have been able to provide greater reassurance in response to concerns raised by Parliament—for example, on oversight—we have done so, either through briefings, amendments to the code of practice or amendments to the Bill itself.

The Bill provides for a substantive oversight role for the Investigatory Powers Commissioner, who is independent, giving him real-time sight of every authorisation. It sets out detailed additional safeguards for the authorisation of juveniles or vulnerable adults, which will all be subject to oversight by the Investigatory Powers Commissioner. The code of practice that underpins the legislation, which will be subject to debate and vote by Parliament, then sets out the detailed processes that support the Bill and this activity.

Our approach to the Bill has been led by the advice and expertise of our operational partners, who will now implement it. We have sought to ensure that, in seeking to provide greater clarity and reassurance on the safeguards and processes, the Bill is both operationally workable and avoids any unintended consequences for the safety of a covert human intelligence source or, indeed, the wider public. I believe, and operational partners agree, that the Bill does that, and it will now move to Royal Assent.

I close by sending my best wishes to the Minister for Security, as many in the House have done, and expressing my gratitude and abiding respect for our security services and covert human intelligence sources in their work to protect the safety of this realm.

Lords amendment 3B agreed to.

Lords amendments 4B to 4J agreed to.

Madam Deputy Speaker (Dame Rosie Winterton): I will suspend the House for two minutes, to enable arrangements to be made for the next business.

6.56 pm

Sitting suspended.

TELECOMMUNICATIONS INFRASTRUCTURE (LEASEHOLD PROPERTY) BILL (PROGRAMME) (NO. 3)

Motion made, and Question put forthwith (Standing Order No. 83A(7)),

That the following provisions shall apply to the Telecommunications Infrastructure (Leasehold Property) Bill for the purpose of supplementing the Order of 22 January 2020 (Telecommunications Infrastructure (Leasehold Property) Bill (Programme)), as varied by the Order of 4 February 2020 (Telecommunications Infrastructure (Leasehold Property) Bill (Programme) (No. 2)):

Consideration of Lords Amendments

(1) Proceedings on consideration of Lords Amendments shall (so far as not previously concluded) be brought to a conclusion one hour after their commencement.

Subsequent stages

(2) Any further Message from the Lords may be considered forthwith without any Question being put.

(3) The 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.—(*Scott Mann.*)

Question agreed to.

Telecommunications Infrastructure (Leasehold Property) Bill

Consideration of Lords amendments

Clause 1

CODE RIGHTS IN RESPECT OF LAND CONNECTED TO LEASED PREMISES

6.59 pm

The Parliamentary Under-Secretary of State for Digital, Culture, Media and Sport (Matt Warman): I beg to move, That this House disagrees with Lords amendment 1.

Madam Deputy Speaker (Dame Rosie Winterton): With this it will be convenient to discuss the following:

Government amendments (a) and (b) in lieu of Lords amendment 1.

Lords amendment 2.

Lords amendment 3, and Government motion to disagree.

Matt Warman: At the time of the Bill's Second Reading in the House in early January 2020, it would have been impossible for any of us to foresee the challenges that this country would endure over the following 12 months.

Throughout the pandemic and the lockdowns, this nation's telecommunications network has provided information and enabled education; it has allowed businesses to operate, children to continue to learn and those in isolation to continue to speak with their families. I take this opportunity to pay tribute to the UK's digital infrastructure providers, our internet service providers and our mobile network operators. They have stepped up and worked with us to bridge gaps in provision, be that through whitelisting websites, providing data to struggling families or connecting the Nightingale hospitals. They have done Herculean work, and we should all be grateful.

7 pm

Proceedings interrupted (Standing Order No. 9(3)).

BUSINESS OF THE HOUSE

Motion made, and Question put forthwith (Standing Orders No. 15 and No. 41A),

That, at this day's sitting, the motion in the name of Mr Jacob Rees-Mogg relating to Business of the House (Today) may be proceeded with, though opposed, until any hour and Standing Order No. 41A (Deferred divisions) will not apply.—(*Scott Mann.*)

Question agreed to.

Proceedings resumed.

Matt Warman: Members will be aware, none the less, that despite the importance of that connectivity, there are barriers facing infrastructure deployment, and there is no panacea. But there are steps and then strides and then leaps in the right direction, and this Bill is an important one of those steps.

We expect these provisions, which will affect some 10 million people in the UK who live in flats and apartments, to make a real difference to the vital roll-out of better broadband to which the Government remain totally committed. I trust that Members will have seen that a consultation on further potential changes to the electronic communications code has now been published.

We will carefully consider whether further legislative changes are necessary as a result of what we learn from that consultation. Crucially, these measures will take into account the interests of those needing greater connectivity, balancing the interests of landowners as well. Just as with the Bill, that balance is crucial to ensuring that we continue to bridge the digital divide.

The House is here to debate three Lords amendments. I will deal with Lords amendment 1 first. The purpose of Lord Clement-Jones's amendment on Report in the other place was to clarify that people who rent their flat can make use of the policy in the Bill. Earlier this year, when the Bill made its way through this House, hon. Members felt similarly to Lord Clement-Jones, and that sentiment was subsequently shared in the other place. It remains the case that the Bill has always applied to people living in a flat under the terms of any lease. The most common form of tenancy in the UK, assured shorthold, is a lease, and it has never been our intention to provide otherwise. However, we are aware of the strength of feeling, and while, as drafted, Lords amendment 1 would create an inconsistency with the rest of the electronic communications code, the amendment I am moving clarifies that people who occupy a property under a lease are able to make use of this policy, and it does so in a way that avoids legal ambiguity by clarifying the definition of the lease in the electronic communications code to ensure that that definition includes, for example, any tenancy.

I also encourage the House to agree with Lords amendment 2, tabled in the name of the Minister, Baroness Barran, on Third Reading in the other place in the light of concerns that have been raised there—and, indeed, here—regarding anti-competitive behaviour. It protects competition in the market and ensures that those installing infrastructure do not do so in a way that would prevent a subsequent operator from installing their own apparatus.

I now turn to the main business, which is really in Lords amendment 3. This amendment would add a new clause to the Bill requiring the Secretary of State to commission a review of the impact of the Bill on the electronic communications code, including an assessment of whether the code is sufficient to support 1 gigabit broadband roll-out to every premises by 2025, and further requiring that separate assessments be made of whether the code should be amended to introduce a number of rights, which I will come on to in a minute.

I am grateful to members of the other place for bringing forward the amendment, which the Government understand aims to provide transparency, but those good intentions would none the less introduce some impractical and unnecessary measures to the code that fall outside the purpose of the Bill and, indeed, the code itself. The code is a framework for regulating agreements between landowners and telecoms operators for the installation and maintenance of communications equipment on public and private land. The code is technology-neutral. It is simply not possible to judge whether the code supports access to 1 gigabit broadband because it is not designed to facilitate solely gigabit-capable connections; it is about access to land to facilitate installation, maintenance and upgrading.

That said, while it is logical to assume that, with the market currently deploying those connections, the provisions in this Bill will be used for deployments of those connections, they may equally be used for superfast, ultrafast or

[*Matt Warman*]

other services. The only basis on which to judge the code is to examine the availability of all types of connections. That is why Ofcom, the independent regulator, publishes its annual “Connected Nations” report, which provides a wealth of information on fixed and mobile connections. Should Ofcom raise questions, the Government continue to provide answers in the House and the other place. The report shows progress in 4G and 5G.

Furthermore, there are also other established means of scrutiny through Select Committees. In the past three months, there have been a number of reports from various Select Committees. Hon. Members can rest assured that the Department’s feet are being firmly and regularly held to the fire. Ministers, of course, always relish that process.

The amendment moves on to matters relating to the powers of gas, water and electricity suppliers. The Government recognise that further changes to the code may be required if it is to support the achievement of our coverage and connectivity targets effectively. Shortly before the Bill’s Third Reading in the other place, the Government published a further consultation on possible changes. I encourage Members to respond to that consultation. I am sure they will appreciate and understand the importance of respecting a person’s right to enjoy their property peacefully, so any intervention that seeks to interfere with property rights must be proportionate and justified. The new consultation seeks those reports until 24 March.

Additional permitted development rights are a planning matter and an issue not for this Bill or the electronic communications code. I am sure that many Members know that telecoms operators are afforded significantly more flexibility in how they install their infrastructure. That includes, for example, permitted development rights and exemptions from a number of requirements to request planning permission. That is why my Department continues to work very closely with colleagues in the Ministry of Housing, Communities and Local Government. In August 2019, we launched a joint consultation with MHCLG regarding potential reform of permitted development rights. The Government published our response in July 2020, and, subject to a technical consultation, we will take forward proposed reforms. We expect to publish that consultation in spring this year.

Encouraging telecommunications operators to undertake infrastructure works alongside other works was another issue raised. It relates to the co-ordination of streetworks to promote greater collaboration between telecoms providers, local authorities and the suppliers of gas, water and electricity. My Department has worked closely with the Department for Transport on a number of areas of mutual interest, and it will continue to do so.

In 2020, the Government released a new street manager digital service—the largest update to streetworks in a generation—that has already helped to simplify and improve the planning and co-ordination of works throughout England. That is vital for the deployment of broadband. I hope that hon. Members recognise that streetworks are a transport issue, and not a matter for this Bill or the electronic communications code. It should be noted, furthermore, that roads are a devolved matter and therefore should not be considered in legislation that relates to the reserved matter of telecoms, as this Bill does.

Although we absolutely appreciate and understand that this is a well-intentioned amendment, it is, as I have outlined, none the less impractical. It seeks details on matters outside the code’s competence to provide, such as gigabit connections, and improved planning and streetworks. I hope hon. Members are none the less reassured by the recent publication of the Government consultation, which seeks responses on whether further changes are required to the electronic communications code. I also hope they trust that the Government stand ready to look at the evidence that is made available and act where the need to act is demonstrated. We are hopeful that, once the responses are received and considered, we will have an even more informed idea about the way forward to support the delivery of connectivity and the role that the Government should play in relation to that. I ask the House to disagree with amendment 3.

I thank all hon. Members who are down to contribute for taking an interest in this vital issue. Parliamentary scrutiny is an important part of our commitment to rolling out the broadband that all our constituents deserve across the country. I look forward to hearing the subsequent debate.

Chi Onwurah (Newcastle upon Tyne Central) (Lab) [V]: I begin by thanking colleagues in the other place who have worked so hard to improve the Bill—and for longer than many would have expected, as the Government delayed the Bill until they thought they could resolve their Back Benchers’ concerns on the human rights amendment. That continues to ping-pong as part of the Trade Bill, but I hope we can now move quickly and decisively to resolve the matters of telecoms infrastructure.

The pandemic has shown us how important good fast stable broadband is, with so many people currently depending on it to work from home and stay in contact with friends and family. It is just over a year since I stood at the Dispatch Box for the Second Reading of the Bill and argued that broadband was a vital utility. The pandemic has proved that beyond doubt. I join the Minister in paying tribute to the infrastructure providers who have supported our connectivity at this difficult time, while recognising how much still needs to be done to close the digital divide. I am pleased that the Lords amendments we will be discussing today reflect the issues that Labour has been raising consistently at every stage of the Bill.

The first amendment removes ambiguity over the definition of a lessee and expands the scope of the Bill to be more inclusive with regard to tenants. The amendment would ensure that introductory or probationary tenancies in local authority housing, flexible or joint tenancies and demoted tenancies were all covered. Labour first raised this as amendment 2 on Report, and the Liberal Democrats tabled an amendment in the Lords. This has been replaced by the Government amendment in lieu, with parts (a) and (b) making technical changes to avoid contradictions between this Bill and the Communications Act 2003. We welcome that, but we are concerned that the Government missed this issue, leaving it for others to raise. The interests of tenants as well as those of leaseholders must be kept in mind.

The Government’s amendment, Lords amendment 2, is based on Labour’s amendment 3 on Report. Labour is the party of business, and we are keen to remove barriers

to competition and interoperability, and to encourage a competitive market. However, we feel that the Government's changes to this amendment mean that it does not go far enough.

As the Bill stands, one operator can technically "capture" a building, locking the residents into its service. The Government amendment seeks to ensure that this cannot happen, and the option for diversification is left open. However, it does not encourage deployment and interoperability. Labour is pleased that the Government have offered concessions on competitiveness and interoperability, so we will not oppose this amendment as we consider it a gesture in the right direction. However, UK businesses and consumers deserve more than gestures. They need real action to promote competition, and the Bill was a chance for the Government to do that.

Finally, Lords amendment 3 is Labour's new clause. This has been designed to provide accountability and transparency via a review of the impact of the Bill and the sufficiency of the electronic communications code to support gigabit roll-out. Labour believes that this is vital to ensure that the mechanisms in the Bill are robust and well resourced enough to ensure that legislation does not fail when it makes contact with reality. We do not want to be back here with further legislation after more wasted years for our telecoms infrastructure. This amendment provides the mechanisms to empower the Government to meet and assess their roll-out targets. The Government tell us that the Bill is just about freeholders, but it is clearly part of a larger puzzle. Indeed, the noble Lord Parkinson confirmed that, stating that the Bill was

"one discrete instrument in the Government's overall strategy"—
[*Official Report, House of Lords, 2 June 2020; Vol. 803, c. 1331.*]

We must know, first, what that strategy is and, secondly, how this Bill is contributing positively or negatively to the telecoms landscape. The Minister said that this would undermine technology neutrality, which is somewhat rich, given that the gigabit ambition was a technologically neutral downgrading of the Prime Minister's original fibre ambitions.

7.15 pm

The Minister also mentioned the Government's recently launched consultation on changes to the electronic communications code, but that consultation is hemmed in by Department for Digital, Culture, Media and Sport issues. As he indicated, it also fails to go into details about planning permission, streets and pathways, or to anticipate issues associated with antennas on houses or church steeple-tops. Those are real, practical issues that we do not have a mechanism in the Bill for predicting and addressing. Labour's amendment will plug the holes in the consultation and allow the Secretary of State to take a wider view of the issues broadband roll-out faces.

The Government keep changing their targets and rolling back on their commitments, and are notoriously slow at bringing forward meaningful legislation. We do not know the Government's overall strategy for roll-out. We do not know whether there are long-term plans to support sovereign providers. We do not know whether OneWeb will play a part in broadband provision—and we do not know whether we will ever get answers to these questions! Labour's amendment would ensure that we know where we are today and can accurately determine where we need to invest tomorrow.

In closing, let me say that Labour has consistently welcomed this Bill throughout its stages, but it will play a very small part in improving our digital infrastructure. There is so much more to be done, and we feel this could be done more quickly. This Government have no idea how they will achieve their broadband roll-out targets. Given their track record, we do not even know whether the targets will still be the same in a year's time. This is why we need a clear strategy that provides direction and focus to businesses, healthy competition and lower prices for consumers.

Mr Tobias Ellwood (Bournemouth East) (Con): It is good to see the Under-Secretary of State for Digital, Culture, Media and Sport, my hon. Friend the Member for Boston and Skegness (Matt Warman), in his place, discussing telecommunication matters again—it does not seem a long time ago that we were debating the whys and wherefores of Huawei. I am pleased to support him in encouraging us to ensure the completion of this Bill, albeit of course with due scrutiny, because it is well overdue. It seeks to establish a new security framework for the UK telecoms sector, and to ensure that telecommunications providers operate secure and resilient networks and services and manage their supply chains.

The Minister mentioned just how fundamentally this will change all our lives—how we live, work, socialise, travel and manufacture things. He is right to focus on how these difficult times of the pandemic have illustrated the importance of connectivity. It is all the more important that we are able to get Britain connected.

The Bretton Woods agreement after the second world war saw trading links—roads, ports and airports—deemed a priority so that we could get trade and the economy moving. As we come out of this pandemic and endure the recession, our digital economy will mean so much to our ability to advance and get back on our feet. I very much welcome the energy the Government are putting in here today.

I mentioned Huawei, but there is a wider dimension to this. Britain is in competition with other parts of the world, not least China, in making sure we have the high-tech digital capabilities to meet our future needs. The Bill is about not only putting in place protections against a country we are obviously in challenge with—China—but making sure we protect ourselves. The digital sphere provides not just opportunities but vulnerability to cyber-attacks; disinformation campaigns; interference, even in elections; manipulations on social media; data theft; and so on. The importance of security in communication links is paramount, and the longer we delay the Government's being able to get on with this, the longer we have to lean on the older systems, which are very vulnerable indeed.

The Government's target is to deliver nationwide gigabit-capable broadband by 2025. When he winds up the debate, will the Minister update the House on the ambitions for gaining full access to dwellings? I note with interest that gigabit availability is at only 16% in Bournemouth, so we would be delighted if the south-west, which, at 18.6%, is again below the national average, could receive support.

With your indulgence, Madam Deputy Speaker, I will digress from the main theme of the amendments and pose what I call the Rockefeller question, which is related

[Mr Tobias Ellwood]

to data. Rockefeller, of course, was the multibillionaire who formed Standard Oil. It took a US President, more powerful than Rockefeller, to stand up and break that monopoly. Arguably, today's tech giants are replacing those monopolies of the 1900s, and that poses some awkward questions for all of us—for Government and society. The likes of Google and Facebook dominate the digital world. They now own 80% of the advertising market alone here in the UK. That poses big questions about how data is harvested, about the levels of tax paid, and about the stifling of fair competition. Those difficult questions must be answered. I appreciate that they are beyond the scope of the Bill, but it is important to get them on the record.

Ronnie Cowan (Inverclyde) (SNP) [V]: It is always a pleasure to speak in the House on behalf of the Scottish National party. Telecommunications is a reserved matter, and we have continued to engage constructively in refining the Bill from our part of the Opposition Benches. As I have previously highlighted in the Chamber, it is for the UK Government to ensure that our digital infrastructure is appropriately protected and managed as a key component of Scotland's future economic success and of our position as a global leader in technology. Never has the importance of digital connectivity been more sharply brought into relief than during the ongoing pandemic. The fact that I am delivering a parliamentary speech from my home is evidence of this necessity.

On that note, I reiterate that the SNP supports the general aims of the Bill and wants to see it successfully implemented, with the appropriate amendments. I read with interest the recent debates on amendments proposed to the Bill in the Lords. Although the first amendment, in the name of Lord Alton, was withdrawn, I do not want to pass over it without making a quick comment. The purpose of the amendment was to prevent companies using UK telecommunications infrastructure to facilitate human rights abuses. The amendment was obviously not an accusation against Virgin Media, BT or others of having nefarious motives in allowing us to watch Netflix at home. Rather, it touched on a recurring theme in the Bill: our concern about the expanding tech influence of the Chinese Government.

I will not go over the debate on that amendment in detail, as Members can read it in *Hansard*. However, although the amendment was withdrawn, let us keep the spirit of it in mind. As the world becomes interconnected to an unprecedented degree, we must be vigilant about how our technology can inadvertently support abuses taking place elsewhere. Let us also take Lord Alton's amendment as a worthy attempt to draw more attention to the increasingly disturbing evidence emerging from China regarding human rights abuses.

Not wishing to digress too far, I turn my attention to Baroness Barran's amendment, relating to uncompetitive behaviour and a review of the Bill's impact on the electronic communications code. The Scottish National party broadly welcomes this principled amendment, which would introduce sufficient measures to ensure that residents in multi-dwelling accommodation could access connectivity from the provider of their choice. Infrastructure provided by one supplier should not prevent

a subsequent provider from installing their own service within the same building. Concerns were raised in the Lords about whether the amendment was necessary. Given that 10 million people could be affected by this legislation, there is no harm in taking a comprehensive approach. Some 76% of multi-dwelling units missed out on the initial efforts to deploy fibre because of problems in gaining access, so it should be self-evident to everyone in the Chamber that we must improve access and consumer choice.

Let us not pretend that previous amendments have created a perfect Bill. Industry experts have raised concerns that the legislation does not go far enough in providing flexibility for network operators. BT in particular is concerned that the bar set for a landlord to be classified as engaging with the network builder, and therefore not be subject to the Bill's provisions, is far too low. Likewise, Virgin Media is seeking further clarity on the definition of "meaningful response" in relation to landlords' communications with operators.

Questions have also been raised by operators on the balance the Government are seeking to create between the rights of landowners and the rights of telecoms operators. What does this mean in practice? Why would affording an operator the right to ask a court to grant access, independent of a tenant request, be against the public interest, especially if it ensures that tenants are given access to digital connectivity that may not have existed previously?

As the Minister will be aware, many utilities already have the right, with appropriate safeguards, to enter a property in order to maintain infrastructure. Do the Government agree with the future telecoms infrastructure review's recommendation that telecoms operators' right of entry should be brought in line with that of other utilities?

Of course, the process should be reviewed as per Lords amendment 3. If we are to achieve continual, irreversible improvement, the process must remain open to review. The Bill is now at such a late stage that I suspect some operators have effectively given up on seeing it reformed further, and they are merely accepting legislation that does not meet its full potential. Clearly, operators welcome this progress, but the industry is asking for greater clarity and engagement. It is unfortunate that the operators are still asking the Government to confirm basic definitions in legislation that is on the brink of becoming law.

Looking ahead, undoubtedly the consultation on changes to the electronic communications code is a primary way to build on the improvements that will come from this Bill. As the Government move ahead with the legislation and the review, it is vital that they consult more closely with relevant actors in the sector. After all, the telecoms operators are the only ones with the practical knowledge to make a success of the Government's long-term ambitions for digital connectivity.

Jamie Stone (Caithness, Sutherland and Easter Ross) (LD) [V]: Greetings from the far north of Scotland. I would like to put on record my thanks to my excellent Speaker's intern, Mohamed; without his patience in explaining to me exactly what "gigabit-capable" means, I probably would not be quite as knowledgeable as I hope I am on these matters.

Clearly, my party and I welcome the Government's commitment to speeding up gigabit-capable by 2025, but of course that takes us to 85% coverage. What we really need is 100% coverage, so I still await something better than 85% coverage.

Secondly, the involvement of private companies is noted, but of course there are areas of Scotland that—how shall I put it?—are less commercially viable for such firms. My constituency of Caithness, Sutherland and Easter Ross in the far north, and perhaps the highlands and islands in general, might be rather lacking when it comes to what private companies can do.

I also note that the Government are saying that they will commit real money, as opposed to there being private investment. Madam Deputy Speaker, you have heard me talk many times about connectivity in my constituency, and I make no apologies for saying that I will keep a very close eye on what actually happens in terms of Government money, as opposed to private investment, to make sure that the highlands are not disadvantaged.

Of course, we have a mixture at the moment. I have previously made jokes in the House about our having zero G in some parts of my constituency. We have 4G and 3G, but it needs to be improved right now, because what we have is not adequate. Such regional disparity is unfair on my constituents.

I welcome Lords amendment 1, which was tabled by my noble Friend Lord Clement-Jones. It is hugely important that tenants and other legal occupants in exclusive possession be within scope of the Bill. We wait to see what happens on that one.

Lords amendment 3 is fully supported by my party. Of course, a review is vital in assessing the impact of the legislation, but I understand that the Government will not be supporting the amendment, which I regret.

My maiden speech in this place three and a half years ago was about connectivity, which is a subject, as I said, that I return to again and again. As the hon. Members for Newcastle upon Tyne Central (Chi Onwurah) and for Inverclyde (Ronnie Cowan) said, the very nature of my speaking to the Chamber via Zoom right now demonstrates the fact that connectivity and the ability to do this has been crucially important during the pandemic. Thinking of the future, if we are to punch to the best of our ability in challenging circumstances post Brexit and post the pandemic, mobilising our resources and our abilities will be absolutely crucial, and connectivity will be part and parcel of that. At the end of the day, my plea is that nobody in the United Kingdom should be disadvantaged in this regard because of where they live.

7.30 pm

Christian Wakeford (Bury South) (Con): The last time I spoke on this Bill, I was waxing lyrical about Radcliffe, Whitefield, Prestwich, Ainsworth and Simister in my constituency, because it was my maiden speech. Unfortunately the Minister was rather confused as to whether I was supporting the Bill because of the number of times I had to namecheck which Bill I was speaking on.

I will be extremely brief because there seems to be a level of consensus and the Bill is extremely narrow in what it seeks to address. While I fully understand the premise behind it, Lords amendment 1 is not necessarily

needed, so I would not be in a position to support it. As for Lords amendment 3, the Bill is so narrow that it does not need it. As regards the technology being put in by suppliers, that is not often done anyway. As far as I am aware, the Kingston area of Hull, where there is a monopoly in the market because of the local exchange, is the only area where there is that level of in-built monopoly. However, with the expansion of boundless and satellite broadband, this is progressing. Gigabit connectivity, which my hon. Friend the Minister mentioned, was important when we were discussing this just over a year ago, and it is even more important now in terms of our access to being able to work from home and learn from home—in fact, being able to do almost anything from home. The past year has shown the importance of that.

Agreeing to any of these amendments would prolong the Bill's journey through both Houses, and we cannot afford for that to be the case for such a narrow Bill. I will support amendment 2 but hopefully we will not divide on amendments 1 and 3.

John Nicolson (Ochil and South Perthshire) (SNP) [V]: I, too, will be brief, because my hon. Friend the Member for Inverclyde (Ronnie Cowan), who led for my party, made several astute points on the Bill.

The pandemic has shone a light on how essential good broadband is for so many people's lives. Businesses are often the focus, but we should not forget the role that a steady wi-fi connection can play for residential communities in preventing loneliness through, for example, the ability to attend online classes, watch online events, or video chat with loved ones. In my own constituency of Ochil and South Perthshire, the number of people unable to access decent broadband is nearly three times as high as the UK average, and constituents frequently write to me saying that they cannot make a living during the pandemic because of the poor connection. For example, one constituent now forced to teach the violin over Zoom often cannot do so because his connection is too poor. Living in rural areas should no longer be an excuse for inadequate connection.

This Bill is essential. It will lead not only to gigabit-capable broadband roll-out but to Scotland's R100 programme. I note that the UK Government have retreated from their full-fibre manifesto commitment. Industry and consumers will be disappointed, but at least they now have clarity. I look forward to seeing the Bill progress.

Shaun Bailey (West Bromwich West) (Con) [V]: In line with the sentiment across the House today, I will attempt to keep my comments as brief as possible, and I will confine them to Lords amendments 2 and 3. However, with your indulgence, Madam Deputy Speaker, I would like to make a brief comment about the broader point of the Bill.

As my hon. Friend the Minister pointed out, and as many other hon. and right hon. Members have pointed out in this debate, access to fast broadband and a stable internet connection is vital. I want to talk about my community, because we have seen during this pandemic the need for a stable internet connection. I know from the correspondence I have received from teachers and parents who have not had that, where children have had to access the internet via a parent's mobile phone to do their work, that the Bill is necessary.

[Shaun Bailey]

I want to pay tribute in particular at this time to my schools, which have met the challenge of the digital divide—particularly the amazing team at Summerhill Primary Academy in Tipton, who have gone above and beyond to ensure that our most vulnerable students can still access education. That absolutely demonstrates why the Bill is necessary.

Lords amendment 2 is simple: it is about ensuring that someone's access to the market should not depend on where they live. A competitive and open marketplace and the ability to access various providers is essential to ensuring access to a decent internet connection. It is right that where someone lives or where they are residing should not influence their access to a competitive internet supply. In my region of the Black Country alone, there are roughly 174 properties that will be impacted by the Bill, and more than 3,000 people more widely. Lords amendment 2 is welcome and I most certainly support it; I think it is the right one.

However, as my hon. Friend the Minister pointed out, the substantive amendment here is Lords amendment 3, which provides some food for thought. The sentiment behind the amendment, which requires the Secretary of State to provide a review of the Bill's impact on the telecommunications code, in terms of whether the code is sufficient to support access to 1 gigabit per second broadband, is interesting.

The Government have been clear that the Bill is not a panacea; it addresses a very specific issue. The wider gigabit connectivity agenda needs its own legislative framework and its own level of scrutiny. My hon. Friend the Minister pointed out that the House has many mechanisms by which we are able to scrutinise the roll-out of that agenda, so I question whether Lords amendment 3 is necessary, given the various mechanisms that we have to hold the Government's feet to the fire.

However, I am interested in some of the principles in the amendment, in particular the idea of rights of access for operators, akin to what we see for water, gas and electricity. The amendment recognises—I think this is a point that we all agree on across the House—that broadband connectivity and an internet connection will be just as vital as we come into this new economy as water, gas and electricity. It triggers an interesting debate and, I believe, a conversation that we are going to have for years to come as this develops.

I am conscious of time and my promise to keep my contribution brief; I would never wish to mislead you, Madam Deputy Speaker. At its heart, the Bill is about communities. Communities such as mine, which wish to aspire and achieve, need access to a basic, stable internet connection. Considering that 90% of job applications are based online and that the internet economy in the UK is worth around £180 billion, for me this issue is simple. It is vital for my communities in Wednesbury, Oldbury and Tipton that they have access to the opportunities that they have missed out on for far too long, and I believe that the Bill, and particularly the Government amendment, Lords amendment 2, allows that.

Tim Farron (Westmorland and Lonsdale) (LD) [V]: I too wish to support the Bill and the amendments made in the other place. I am deeply concerned, though, about the practice of the Government's moves to meet their own self-imposed universal service obligation.

In my constituency, we are looking at around 1,000 properties—domestic properties, never mind businesses—that will not meet the USO. Indeed, even when we factor in those properties that can be supported via 4G to receive that kind of basic broadband connectivity, hundreds of properties in places such as Coniston, the Langdales, north Windermere, Ambleside, Hawkshead and Cartmel Fell are left still unable to access the Government's targets or avail themselves of them, and have no source of appeal and no form of redress. The only thing they can do about it is to shell out tens of thousands of pounds of their own money, if they are able and willing. It turns out that the Government's universal service obligation is not universal, and is not an obligation. That is going to, and does, hit rural communities such as ours all the more.

I am also concerned that, as has been mentioned by others in this debate, the Government's commitment to full fibre roll-out has fallen by the wayside to a significant degree, and a breaking of manifesto promises is now clearly taking place. The commitment to £5 billion being spent in this Parliament has dropped to less than a quarter of that amount—less backhaul, more backsliding. That is deeply concerning for rural communities such as ours that thought they could rely on the promise that was made to them. The Government's reappraising of its targets—that is, the breaking of its promises—will mean that rural communities such as mine miss out the most, which is deeply regrettable. Through conversations with BT and others, we now calculate that nearly half of my constituents will not get ultrafast full fibre broadband for at least another decade. That is not acceptable, and not in keeping with the spirit of this Bill.

I will focus on two final points. The first is that our experience during this pandemic tells us something very important about the nature of work. Here I am, speaking to Members from Milnthorpe in Cumbria while simultaneously being in the House of Commons. People working at home and making use of broadband connectivity has been transformative, and in one sense we are very grateful to be in this situation at this time, when we have this technology available to us. Imagine what it might have been like 20 or so years ago, when this technology was not available!

However, with so many more people working from home, we begin to realise that the Government's fixation and focus on download speeds is somewhat misleading—maybe not intentionally, but it is misleading. For so many people in business working from home, it is upload speeds that matter. They are the benchmark of whether or not we are genuinely, properly connected. I can think of people in our big town of Kendal with upload speeds of less than one megabit per second, who are meant to be working from home, running companies of many dozens of people with large turnovers. That is not conducive to communities like ours. I have one of the most entrepreneurial communities in the country, with one of the highest numbers of people working for themselves when compared with any other community elsewhere in the United Kingdom. We are really proud of that, yet the Government hobbles us by not having ambitions that are ambitious enough to allow people to work from home and within their communities, and to enable them to contribute to our economy. Let us focus on the reality of connectivity and realise that the Government's own ambitions are still very unambitious, given the new world that we find ourselves in.

My final point is this: we are very proud of, and very grateful to, our mountain rescue services, and indeed all our emergency services here in the lakes and the dales. Only recently, a leading member of our mountain rescue teams here in the Lake district suffered very serious injuries rescuing a member of the public, and we remember how vital their service is, both the service given voluntarily by the mountain rescue services and that given by the professional emergency services. We owe them so much, and one of the things we owe them is decent connectivity. In three parts of my constituency, and in many other parts of the country, we have promises from the Home Office for new emergency service masts. In my community, that means the Langdales, Longsleddale, and Kentmere. Those Home Office masts are vital to the safety of people in those communities, and to the emergency services that often operate in those communities. They are also vital because they then provide a platform for commercial delivery for mobile telecommunications in vast, underpopulated—but not unpopulated—areas.

The Home Office continuously puts off the erection and bringing into operation of the Longsleddale, Kentmere and Langdale masts. At the moment, we understand that the Home Office has no plan to activate those masts for another three or four years. Will the Minister put strong pressure on the Home Secretary to act swiftly to make sure that our emergency services, the people they come to aid and the wider community in the lakes have the benefit of those masts and have them quickly?

Jim Shannon (Strangford) (DUP): I am pleased to see the Minister in his place. The Bill is very important, and I welcome it. The Bill and the Minister's direction of it have given us a chance to tidy up the process, and it does just that. I support the aim of the Bill to tackle absent landlords impacting on broadband, to ensure that they face a greater obligation to facilitate the deployment of digital infrastructure when they receive a request from their tenants. That is in-built, and I support ensuring that tenants are not waiting months to get a simple permission or access.

7.45 pm

Over the years, I have heard many concerns and complaints from constituents in relation to broadband access. A great many of my constituents are self-employed, working from the countryside, and they need the most up-to-date broadband access more than ever. The Bill points us in that direction. At this moment in time, BT is progressing broadband access in Greyabbey and Kircubbin, in the area where I live. Unfortunately, the access and the speed of it may not be exactly what everyone wants, so there is a lot more to do.

In this world of technology, it is imperative that all those who need them have access to the fastest speeds. As displayed recently, at-home ability to access a fast and reliable network is essential. While I understand the sentiment behind the Lords amendments, I believe that the provision of a quicker, cheaper court process following a request notice, two warnings and a final notice—all within six weeks, after which operators can apply to the court for interim access rights, which may endure for up to 18 months—most certainly ensures that owners understand their legal obligation and the clear timescale, and sends the message that this is a right of any tenant and not a privilege. The Bill achieves that and is a massive step forward.

Matt Warman: I will address the number of interesting points that have been raised.

The hon. Member for Newcastle upon Tyne Central (Chi Onwurah) raised a number of interesting points. She talked about satellite broadband and a broader strategy for this Government's vital gigabit ambitions. The Opposition are right to raise those issues, but I humbly suggest that they also know that this Bill is not the place to put a wide-ranging review of the Government's gigabit strategy. They will get that strategy in short order, but I think they know that this is not the place to insert that review. I hope that they will not seek to turn the Bill into a Christmas tree, as has previously happened, but I have huge sympathy with the hon. Lady and look forward to providing her with the detail that she craves.

A number of Members made points on broader connectivity. Whether it is the issue that my hon. Friend the Member for Bury South (Christian Wakeford) raised in his maiden speech or the communities that my hon. Friend the Member for West Bromwich West (Shaun Bailey) mentioned, people have been held together in a way that we had not envisaged before the pandemic, and now we realise that connectivity is essential for that sense of community.

The hon. Member for Inverclyde (Ronnie Cowan) raised issues around definitions. The drafting of the Bill and our consultation on the electronic communications code are specifically to address those legitimate issues he raises, but we do not envisage them arising in practice. The hon. Member for Westmorland and Lonsdale (Tim Farron) is absolutely right that the USO does not function perfectly; Ofcom is investigating it. He is absolutely right that the emergency services network is a core part of the ambitions of the Department for Digital, Culture, Media and Sport to deliver a shared rural network, and we are engaging intensively with the Home Office on that. I remember being involved in an incident myself at the top of Scafell Pike, where we had to descend the mountain in order to get mobile phone signal to call a helicopter, which thankfully came rather quickly, but would have come earlier had we had a signal on the top of that mountain.

Finally, let me address the international issues that were raised by my right hon. Friend the Member for Bournemouth East (Mr Ellwood). The global role of the UK's potential as a leading digital economy is well documented, and Bills such as this are part of our ability to make the very most of those ambitions. We will use this as a small piece in the puzzle, and it is a part of that broader strategy that we will be delivering to the House as soon as we can. He also tempted me to talk about broader tech monopolies, but because this is a small and tightly drawn Bill, I will resist that temptation.

I thank the Bill team and all the officials across many Departments who have worked so hard over the past year to reach this stage. It will help people up and down the country to access the digital services that they need, and I commend it to the House.

Lords amendment 1 disagreed to.

Government amendments (a) and (b) made in lieu of Lords amendment 1.

Lords amendment 2 agreed to.

Motion made, and Question put, That this House disagrees with Lords amendment 3.

The House divided: Ayes 365, Noes 264.

Division No. 235]**[7.52 pm****AYES**

Adams, Nigel
Afolami, Bim
Afriyie, Adam
Ahmad Khan, Imran
Aiken, Nickie
Aldous, Peter
Allan, Lucy
Amess, Sir David
Anderson, Lee
Anderson, Stuart
Andrew, rh Stuart
Ansell, Caroline
Argar, Edward
Atherton, Sarah
Atkins, Victoria
Bacon, Gareth
Bacon, Mr Richard
Badenoch, Kemi
Bailey, Shaun
Baillie, Siobhan
Baker, Duncan
Baker, Mr Steve
Baldwin, Harriett
Barclay, rh Steve
Baron, Mr John
Baynes, Simon
Bell, Aaron
Benton, Scott
Beresford, Sir Paul
Berry, rh Jake
Bhatti, Saqib
Blackman, Bob
Blunt, Crispin
Bone, Mr Peter
Bowie, Andrew
Bradley, Ben
Bradley, rh Karen
Brady, Sir Graham
Braverman, rh Suella
Brereton, Jack
Bridgen, Andrew
Brine, Steve
Bristow, Paul
Britcliffe, Sara
Brokenshire, rh James
Browne, Anthony
Bruce, Fiona
Buchan, Felicity
Buckland, rh Robert
Burghart, Alex
Burns, rh Conor
Butler, Rob
Cairns, rh Alun
Campbell, Mr Gregory
Carter, Andy
Cartlidge, James
Cash, Sir William
Cates, Miriam
Chalk, Alex
Chishti, Rehman
Churchill, Jo
Clark, rh Greg
Clarke, Mr Simon
Clarke, Theo
Clarke-Smith, Brendan
Clarkson, Chris
Cleverly, rh James

Clifton-Brown, Sir Geoffrey
Coffey, rh Dr Thérèse
Colburn, Elliot
Collins, Damian
Costa, Alberto
Courts, Robert
Coutinho, Claire
Cox, rh Sir Geoffrey
Crabb, rh Stephen
Crosbie, Virginia
Crouch, Tracey
Daly, James
Davies, David T. C.
Davies, Gareth
Davies, Dr James
Davies, Mims
Davies, Philip
Davis, rh Mr David
Davison, Dehenna
Dinenage, Caroline
Dines, Miss Sarah
Djanogly, Mr Jonathan
Docherty, Leo
Donaldson, rh Sir Jeffrey M.
Donelan, Michelle
Dorries, Ms Nadine
Double, Steve
Dowden, rh Oliver
Doyle-Price, Jackie
Drax, Richard
Drummond, Mrs Flick
Duddridge, James
Duguid, David
Duncan Smith, rh Sir Iain
Dunne, rh Philip
Eastwood, Mark
Edwards, Ruth
Ellis, rh Michael
Ellwood, rh Mr Tobias
Elphicke, Mrs Natalie
Eustice, rh George
Evans, Dr Luke
Evennett, rh Sir David
Everitt, Ben
Fabricant, Michael
Farris, Laura
Fell, Simon
Fletcher, Katherine
Fletcher, Mark
Fletcher, Nick
Ford, Vicky
Foster, Kevin
Fox, rh Dr Liam
Francois, rh Mr Mark
Frazer, Lucy
Freeman, George
Freer, Mike
Fuller, Richard
Fysh, Mr Marcus
Gale, rh Sir Roger
Garnier, Mark
Ghani, Ms Nusrat
Gibb, rh Nick
Gibson, Peter
Gideon, Jo
Gillan, rh Dame Cheryl
Girvan, Paul

Glen, John
Goodwill, rh Mr Robert
Gove, rh Michael
Graham, Richard
Grant, Mrs Helen
Gray, James
Grayling, rh Chris
Green, Chris
Green, rh Damian
Griffith, Andrew
Griffiths, Kate
Grundy, James
Gullis, Jonathan
Halfon, rh Robert
Hall, Luke
Hammond, Stephen
Hancock, rh Matt
Hands, rh Greg
Harper, rh Mr Mark
Harris, Rebecca
Harrison, Trudy
Hart, Sally-Ann
Hart, rh Simon
Hayes, rh Sir John
Heald, rh Sir Oliver
Heapey, James
Heaton-Harris, Chris
Henderson, Gordon
Henry, Darren
Higginbotham, Antony
Hinds, rh Damian
Hoare, Simon
Holden, Mr Richard
Hollinrake, Kevin
Holloboone, Mr Philip
Holloway, Adam
Holmes, Paul
Howell, John
Howell, Paul
Huddleston, Nigel
Hudson, Dr Neil
Hughes, Eddie
Hunt, Jane
Hunt, rh Jeremy
Hunt, Tom
Jack, rh Mr Alister
Javid, rh Sajid
Jayawardena, Mr Ranil
Jenkin, Sir Bernard
Jenkinson, Mark
Jenkyns, Andrea
Jenrick, rh Robert
Johnson, rh Boris
Johnson, Dr Caroline
Johnson, Gareth
Johnston, David
Jones, Andrew
Jones, rh Mr David
Jones, Fay
Jones, Mr Marcus
Jupp, Simon
Kawczynski, Daniel
Kearns, Alicia
Keegan, Gillian
Knight, rh Sir Greg
Knight, Julian
Kruger, Danny
Kwarteng, rh Kwasi
Lamont, John
Largan, Robert
Latham, Mrs Pauline
Leadsom, rh Andrea

Leigh, rh Sir Edward
Levy, Ian
Lewer, Andrew
Lewis, rh Brandon
Lewis, rh Dr Julian
Liddell-Grainger, Mr Ian
Lockhart, Carla
Loder, Chris
Logan, Mark
Longhi, Marco
Lopez, Julia
Lopresti, Jack
Lord, Mr Jonathan
Loughton, Tim
Mackinlay, Craig
Mackrory, Cherylyn
Maclean, Rachel
Mak, Alan
Malthouse, Kit
Mann, Scott
Marson, Julie
May, rh Mrs Theresa
Mayhew, Jerome
Maynard, Paul
McCartney, Jason
McCartney, Karl
McPartland, Stephen
McVey, rh Esther
Menzies, Mark
Mercer, Johnny
Merriman, Huw
Metcalfe, Stephen
Millar, Robin
Miller, rh Mrs Maria
Milling, rh Amanda
Mills, Nigel
Mitchell, rh Mr Andrew
Mohindra, Mr Gagan
Moore, Damien
Moore, Robbie
Mordaunt, rh Penny
Morris, Anne Marie
Morris, David
Morrisey, Joy
Morton, Wendy
Mullan, Dr Kieran
Mumby-Croft, Holly
Mundell, rh David
Murray, Mrs Sheryll
Murrison, rh Dr Andrew
Neill, Sir Robert
Nici, Lia
Nokes, rh Caroline
Norman, rh Jesse
O'Brien, Neil
Offord, Dr Matthew
Opperman, Guy
Paisley, Ian
Parish, Neil
Patel, rh Priti
Paterson, rh Mr Owen
Pawsey, Mark
Penning, rh Sir Mike
Penrose, John
Philp, Chris
Pincher, rh Christopher
Poulter, Dr Dan
Pow, Rebecca
Prentis, Victoria
Pritchard, rh Mark
Pursglove, Tom
Quin, Jeremy

Quince, Will
Raab, rh Dominic
Randall, Tom
Redwood, rh John
Rees-Mogg, rh Mr Jacob
Richards, Nicola
Richardson, Angela
Roberts, Rob
Robertson, Mr Laurence
Robinson, Gavin
Robinson, Mary
Rosindell, Andrew
Ross, Douglas
Rowley, Lee
Russell, Dean
Rutley, David
Sambrook, Gary
Saxby, Selaine
Scully, Paul
Seely, Bob
Selous, Andrew
Shannon, Jim
Shapps, rh Grant
Sharma, rh Alok
Shelbrooke, rh Alec
Simmonds, David
Skidmore, rh Chris
Smith, Chloe
Smith, Greg
Smith, Henry
Smith, rh Julian
Smith, Royston
Solloway, Amanda
Spencer, Dr Ben
Spencer, rh Mark
Stafford, Alexander
Stephenson, Andrew
Stevenson, Jane
Stevenson, John
Stewart, rh Bob
Stewart, Iain
Streeter, Sir Gary
Stride, rh Mel
Stuart, Graham
Sturdy, Julian
Sunak, rh Rishi

Sunderland, James
Swayne, rh Sir Desmond
Syms, Sir Robert
Thomas, Derek
Throup, Maggie
Timpson, Edward
Tolhurst, Kelly
Tomlinson, Justin
Tomlinson, Michael
Tracey, Craig
Trevelyan, rh Anne-Marie
Trott, Laura
Truss, rh Elizabeth
Tugendhat, Tom
Vara, Mr Shailesh
Vickers, Martin
Vickers, Matt
Villiers, rh Theresa
Wakeford, Christian
Walker, Sir Charles
Walker, Mr Robin
Wallace, rh Mr Ben
Wallis, Dr Jamie
Warburton, David
Warman, Matt
Watling, Giles
Webb, Suzanne
Whately, Helen
Wheeler, Mrs Heather
Whittaker, Craig
Whittingdale, rh Mr John
Wiggin, Bill
Wild, James
Williams, Craig
Williamson, rh Gavin
Wilson, rh Sammy
Wood, Mike
Wragg, Mr William
Wright, rh Jeremy
Young, Jacob
Zahawi, Nadhim

Tellers for the Ayes:
Maria Caulfield and
James Morris

NOES

Abbott, rh Ms Diane
Abrahams, Debbie
Ali, Rushanara
Ali, Tahir
Allin-Khan, Dr Rosena
Amesbury, Mike
Anderson, Fleur
Antoniazzi, Tonia
Ashworth, rh Jonathan
Bardell, Hannah
Barker, Paula
Beckett, rh Margaret
Begum, Apsana
Benn, rh Hilary
Betts, Mr Clive
Black, Mhairi
Blackford, rh Ian
Blackman, Kirsty
Blake, Olivia
Blomfield, Paul
Bonnar, Steven
Brabin, Tracy
Bradshaw, rh Mr Ben

Brennan, Kevin
Brock, Deidre
Brown, Alan
Brown, Ms Lyn
Bryant, Chris
Buck, Ms Karen
Burgon, Richard
Butler, Dawn
Byrne, Ian
Byrne, rh Liam
Cadbury, Ruth
Callaghan, Amy
Cameron, Dr Lisa
Campbell, rh Sir Alan
Carden, Dan
Carmichael, rh Mr Alistair
Chamberlain, Wendy
Champion, Sarah
Chapman, Douglas
Cherry, Joanna
Clark, Feryal
Cooper, Daisy
Cooper, Rosie

Cooper, rh Yvette
Corbyn, rh Jeremy
Cowan, Ronnie
Coyle, Neil
Crawley, Angela
Creasy, Stella
Cruddas, Jon
Cryer, John
Cummins, Judith
Cunningham, Alex
Daby, Janet
Davey, rh Ed
David, Wayne
Davies-Jones, Alex
Day, Martyn
De Cordova, Marsha
Debonnaire, Thangam
Dhesi, Mr Tanmanjeet Singh
Docherty-Hughes, Martin
Dodds, Anneliese
Doogan, Dave
Dorans, Allan
Doughty, Stephen
Dowd, Peter
Dromey, Jack
Duffield, Rosie
Eagle, Dame Angela
Eagle, Maria
Eastwood, Colum
Edwards, Jonathan
Efford, Clive
Elliott, Julie
Elmore, Chris
Eshalomi, Florence
Esterson, Bill
Evans, Chris
Farron, Tim
Farry, Stephen
Fellows, Marion
Ferrier, Margaret
Fletcher, Colleen
Flynn, Stephen
Fovargue, Yvonne
Foxcroft, Vicky
Foy, Mary Kelly
Furniss, Gill
Gardiner, Barry
Gibson, Patricia
Gill, Preet Kaur
Glendon, Mary
Grady, Patrick
Grant, Peter
Gray, Neil
Green, Kate
Greenwood, Lilian
Greenwood, Margaret
Griffith, Nia
Gwynne, Andrew
Haigh, Louise
Hamilton, Fabian
Hanna, Claire
Hanvey, Neale
Hardy, Emma
Harman, rh Ms Harriet
Harris, Carolyn
Hayes, Helen
Healey, rh John
Hendrick, Sir Mark
Hendry, Drew
Hill, Mike
Hillier, Meg
Hobhouse, Wera

Hodge, rh Dame Margaret
Hodgson, Mrs Sharon
Hollern, Kate
Hopkins, Rachel
Hosie, rh Stewart
Howarth, rh Sir George
Huq, Dr Rupa
Hussain, Imran
Jardine, Christine
Jarvis, Dan
Johnson, rh Dame Diana
Johnson, Kim
Jones, Darren
Jones, Gerald
Jones, rh Mr Kevan
Jones, Ruth
Jones, Sarah
Kane, Mike
Keeley, Barbara
Kendall, Liz
Khan, Afzal
Kinnock, Stephen
Kyle, Peter
Lake, Ben
Lammy, rh Mr David
Lavery, Ian
Law, Chris
Lewell-Buck, Mrs Emma
Lewis, Clive
Linden, David
Lloyd, Tony
Long Bailey, Rebecca
Lucas, Caroline
Lynch, Holly
MacAskill, Kenny
MacNeil, Angus Brendan
Madders, Justin
Mahmood, Mr Khalid
Mahmood, Shabana
Malhotra, Seema
Maskell, Rachael
Matheson, Christian
Mc Nally, John
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
McKinnell, Catherine
McLaughlin, Anne
McMahon, Jim
McMorris, Anna
Mearns, Ian
Miliband, rh Edward
Mishra, Navendu
Monaghan, Carol
Moran, Layla
Morden, Jessica
Morgan, Stephen
Morris, Grahame
Murray, Ian
Murray, James
Nandy, Lisa
Newlands, Gavin
Nichols, Charlotte
Nicolson, John
Norris, Alex

O'Hara, Brendan
 Olney, Sarah
 Onwurah, Chi
 Oppong-Asare, Abena
 Osamor, Kate
 Osborne, Kate
 Oswald, Kirsten
 Owatemi, Taiwo
 Owen, Sarah
 Peacock, Stephanie
 Pennycook, Matthew
 Perkins, Mr Toby
 Phillips, Jess
 Phillipson, Bridget
 Pollard, Luke
 Powell, Lucy
 Qureshi, Yasmin
 Rayner, rh Angela
 Reed, Steve
 Rees, Christina
 Reeves, Ellie
 Reeves, Rachel
 Reynolds, Jonathan
 Ribeiro-Addy, Bell
 Rimmer, Ms Marie
 Rodda, Matt
 Russell-Moyle, Lloyd
 Saville Roberts, rh Liz
 Shah, Naz
 Sharma, Mr Virendra
 Sheerman, Mr Barry
 Sheppard, Tommy
 Siddiq, Tulip
 Slaughter, Andy
 Smith, Alyn
 Smith, Cat
 Smith, Jeff
 Smith, Nick
 Smyth, Karin

Sobel, Alex
 Spellar, rh John
 Starmar, rh Keir
 Stephens, Chris
 Stevens, Jo
 Stone, Jamie
 Streeting, Wes
 Stringer, Graham
 Sultana, Zarah
 Tami, rh Mark
 Tarry, Sam
 Thewliss, Alison
 Thomas, Gareth
 Thomas-Symonds, rh Nick
 Thompson, Owen
 Thomson, Richard
 Thornberry, rh Emily
 Timms, rh Stephen
 Trickett, Jon
 Turner, Karl
 Twigg, Derek
 Twist, Liz
 Vaz, rh Valerie
 Webbe, Claudia
 West, Catherine
 Whitehead, Dr Alan
 Whitford, Dr Philippa
 Whitley, Mick
 Whittome, Nadia
 Williams, Hywel
 Wilson, Munira
 Winter, Beth
 Wishart, Pete
 Yasin, Mohammad
 Zeichner, Daniel

Tellers for the Noes:
**Bambos Charalambous and
 Matt Western**

Question accordingly agreed to.

Lords amendment 3 disagreed to.

The list of Members currently certified as eligible for a proxy vote, and of the Members nominated as their proxy, is published at the end of today's debates.

Motion made, and Question put forthwith (Standing Order No. 83H), That a Committee be appointed to draw up Reasons to be assigned to the Lords for disagreeing to their amendment 3;

That Matt Warman, Maria Caulfield, Scott Mann, Bambos Charalambous and Ronnie Cowan be members of the Committee;

That Matt Warman be the Chair of the Committee;

That three be the quorum of the Committee.

That the Committee do withdraw immediately.—(David T. C. Davies.)

Question agreed to.

Committee to withdraw immediately; reasons to be reported and communicated to the Lords.

Madam Deputy Speaker (Dame Rosie Winterton): In order to observe social distancing, the Reasons Committee will meet in Committee Room 12.

BUSINESS OF THE HOUSE (TODAY)

Ordered,

That, at this day's sitting, the Speaker shall put the Question necessary to dispose of the Motion in the name of Bill Wiggin, on behalf of the Committee of Selection, relating to the nomination of Members to the Select Committee on the Armed Forces Bill not later than one hour after the commencement of proceedings on the motion for this Order; the Motion may be proceeded with, though opposed, after the moment of interruption; and Standing Order No. 41A (Deferred divisions) shall not apply.—(David T C Davies.)

Select Committee on the Armed Forces Bill

Motion made, and Question proposed,

That Stuart Anderson, Tonia Antoniazzi, Dan Carden, Leo Docherty, Martin Docherty-Hughes, Darren Henry, Mrs Sharon Hodgson, Mr Richard Holden, Mr Kevan Jones, Jack Lopresti, Johnny Mercer, Carol Monaghan, Stephen Morgan, Dr Andrew Murrison, James Sunderland and Mrs Heather Wheeler be members of the Select Committee on the Armed Forces Bill.—(*Bill Wiggin, on behalf of the Committee of Selection.*)

8.3 pm

David Linden (Glasgow East) (SNP): It is a pleasure to see the Chamber so busy tonight and, in particular, to see the Parliamentary Secretary to the Treasury on the Bench tonight; I know that he will be taking a very keen interest in how Select Committees are operating in the House.

I know that the sight of a Member rising with “Erskine May” and the Standing Orders with the ability to speak for up to an hour might be something that would concern Members of the House. I do not intend to take the full hour tonight, but I want to make some comments about the conduct of Select Committees. People outside the Chamber will be aware of the reasons why I am doing so.

I have no objection to the principle of the Select Committee on the Armed Forces Bill being set up; I wish it well. Indeed, I understand that the right hon. Member for North Durham (Mr Jones) is perhaps the Chair-designate, and I wish him well for that. An interesting point on that subject is that the right hon. Gentleman is also a member of the Intelligence and Security Committee, so he has obligations to other Committees in this House as well. Like many of us, he serves on a Select Committee but also fulfils other roles.

I ask the Government to reflect on the fact that we in this House have conventions that dictate how we conduct our business. They are documented in “Erskine May”

and it is important to make sure that we adhere to those conventions. If we are to pass this motion, which suggests that the right hon. Member for North Durham can serve as the Chair of Select Committee on the Armed Forces Bill and on the Intelligence and Security Committee—something we would agree with—we would not want to see double standards in respect of how the Government and their Members conduct the business of other Select Committees.

I know that the Government Chief Whip will be listening closely, and on that basis I very much hope that some of the issues he is aware of can be resolved as timeously as possible.

Question put and agreed to.

Business without Debate

DELEGATED LEGISLATION

Motion made, and Question put forthwith (Standing Order No. 118(6)),

IMMIGRATION

That the draft Nationality, Immigration and Asylum Act 2002 (Juxtaposed Controls) (Amendment) Order 2021, which was laid before this House on 19 January, be approved.—(*David T. C. Davies.*)

Question agreed to.

Motion made, and Question put forthwith (Standing Order No. 118(6)),

LOCAL GOVERNMENT

That the draft Northamptonshire (Structural Changes) (Supplementary Provision and Amendment) Order 2021, which was laid before this House on 25 January, be approved.—(*David T. C. Davies.*)

Question agreed to.

Oxford West and Abingdon: Flooding

Motion made, and Question proposed, That this House do now adjourn.—(David T. C. Davies.)

8.6 pm

Layla Moran (Oxford West and Abingdon) (LD) [V]: I am ever so grateful that the House has allowed me to raise the vital issue of flooding in my constituency. This is the second debate on this issue that I have had in two years, which I hope shows just how important an issue it is to my constituents. Our area has historically flooded, in most recent times devastatingly so in 2007 and again, notably, in 2014. Literally every year some portion of my constituency has an event, most recently over Christmas.

As a community we of course understand that we cannot prevent floods, only reduce their risk, and I give credit to all the community for their resilience and fortitude. However, despite the prevalence and severity of floods in our area, I have asked for this second debate because we have seen precious little progress from the Government since the first. I was promised a meeting with the Minister's predecessor that never took place, despite my best efforts. There is much to discuss, including the delays in the Oxford flood alleviation scheme, funding for the Abingdon scheme and much more. As a result of the lack of progress, my constituents feel that their concerns have not been taken seriously by the Government.

I wish to take this opportunity to thank the incredibly hard-working staff at the Environment Agency for everything they have done and continue to do in our community. They do what they can with the funding and resourcing that they have been given. We do not need to hear from the Minister how much money is being spent nationally and how with limited budgets we have to prioritise certain places, because, bluntly, that is not going to help my community. I want to hear from the Minister how the Government plan to help the people of Abingdon, Yarnton, Begbroke and South Hinksey. Climate change means that flooding events are going to become only more frequent and more extreme, and every time they come, anxiety rises. What can we do to give people a sense of relief?

Let me talk about the scheme for which we do have funding: the Oxford flood alleviation scheme. We found out late last year that the scheme may be delayed by up to five years because of necessary bridge works that need to be completed in Kennington. For the villagers of South Hinksey, every month of delay is another month of anxiety. During the recent floods, which frankly ruined people's Christmases, I inspected the temporary flood barriers that were brought into the village from Osney. The floodwater was literally just 5 cm from coming over the top. Temporary barriers are obviously gratefully received, but they are no substitute for the real deal. Let us take David and Claire: their garden backs on to the floodplain. When floods hit, they are on the frontline. Part of the Oxford scheme is a permanent flood barrier that will be built just behind their home and around the edge of the village. Can the Minister tell us why the South Hinksey permanent flood barrier cannot go ahead sooner as a stand-alone project while the wider scheme is delayed? Will she ask the Environment Agency and the county council to press on with it?

The village remains vulnerable until the new scheme is in place. In the more immediate term, I have asked the Environment Agency to store full-sized temporary barriers at South Hinksey. At the moment, the large temporary barriers need to be collected from Northampton. That is a four-hour round trip, and this time that was just too slow, so smaller barriers had to be brought in from closer by in Osney. However, as I just described, those barriers were literally just centimetres away from failing. Can the Minister help me to relay that ask to the Environment Agency? The villagers will provide the storage, and given the delay, I do not think it is too big of an ask.

Notwithstanding those issues, the village remains concerned about the impact of the Oxford scheme on the A34 and local roads. Once it starts, the current plan is for there to be pollution and traffic for four years. The residents have ideas about how to make that better, and it is after all in their interests that the scheme is done as quickly as possible, but with minimal impact. They feel that often they have not been heard by the Highways Agency or the Environment Agency on these matters. Can the Minister help me to bring together the Environment Agency, Highways England, local councils, local councillors and the community to ensure that we solve this problem together?

Finally on this issue, is the Minister aware of the environmental concerns that have come up with the scheme, such as the damage that will be done to Hinksey meadows and the loss of hundreds of trees and much habitat in the medium term? I think the scheme should go ahead—do not get me wrong—and in the very long term, there is a great opportunity to increase biodiversity, but it should not be a matter of taking with one hand and giving with the other. We need to do much more to help protect precious habitat and wildlife now.

Moving on to the Abingdon scheme, in recent weeks and months my constituents have seen floodwater rise, and they worry about a repeat of 2007. It is, of course, only a matter of time. Councillor Samantha Bowring received an award from the Prime Minister for the work she did to support flood victims after the 2007 floods, despite having had to move out of her own flooded home. Speaking at the Vale of White Horse District Council meeting two weeks ago, she reminded us that once someone has been flooded, they worry every single time there is heavy rain and the rivers start to rise.

The crude cost-benefit ratio system used to decide whether schemes get funding found that the Abingdon scheme—already designed and ready to go—does not score highly enough. The original scheme was estimated to cost £5.2 million, but after the costs doubled for several reasons, including the drop in the value of the pound post the Brexit referendum, the scheme was not deemed to be viable. However, the need for the scheme, if we look at it from the point of view of residents, has only become even more urgent. They are frustrated and feel left behind. They went from having a scheme to suddenly not having one at all, and that is simply not good enough. We are not spending enough on communities like Abingdon.

Equally, we cannot say with any confidence that what is being spent elsewhere is being used effectively. In its annual report on the Department for Environment, Food and Rural Affairs, which was published yesterday, the National Audit Office made that very clear. Abingdon

is a large town—indeed, it is the oldest continuously inhabited town in the country—and it is getting larger, with big housing developments on the horizon. Can the Minister tell us whether the cost-benefit calculation for the alleviation scheme took the new housing into account?

We know that the 2007 floods left emotional scars for hundreds of families to endure. Will the Government ensure that the Environment Agency is adequately funded, so that it can afford to fund prevention schemes such as this one? Surely the real test of value for money is whether people's lives and the economy in towns such as Abingdon benefit.

The Environment Agency is clear that it believes a scheme in the town is necessary and would make a huge difference, but funding is the issue. I thank the Minister for her letter to me yesterday, in which she reiterated what her predecessor said, but I wonder how many other towns stand to receive no help from the Government because of crude calculations like this. If the Minister stands by the calculations, will she at the very least ask the Environment Agency to help draw up new plans for what can be done in Abingdon that it can afford?

That brings me to the village of Yarnton and the problems it is facing. In Yarnton, we have a whole different problem: there are no schemes at all in place and no plans for them, even in theory. When flooding hits, we see what that means for residents: agencies pass the buck to one another reactively, and Yarnton's residents buy their own pumps to stop foul, stinking sewage water flowing through their homes. Michael, a constituent in Yarnton, told me:

"whenever rain is forecast we are on edge. It is hugely stressful for me and my family."

They and their neighbours, rather than spending their time preparing for Christmas, spent 14 hours the day before Christmas eve pumping that water away from their homes. If the Minister were in their shoes, would she not want that addressed urgently? Michael and his neighbours are calling for a multi-agency approach with our local councils to fix it.

To add insult to injury, the Cherwell local plan was recently approved and will lead to developments around Yarnton and Begbroke. In a very small area that we know floods, more than 2,000 homes are due to be built, with the groundwater runoff associated with that. I think it is fair that residents are concerned that their existing problems are likely to be made even worse.

We have seen a similar issue in Radley in recent weeks. Years of underfunding in infrastructure have taken their toll, and new housing is coming without any more drainage investment from Thames Water. Our parish councils need help. There are problems with things as basic as broken underground pipes and blocked ditches. Parish councils and residents cannot do that on their own. They need help from Thames Water, landowners and upper-tier councils to resolve these problems. Will the Minister speak to Thames Water about its response times? We need the agencies to work together, not pass residents between them. Will the Minister agree to meet me, agency representatives and local councillors to try to resolve these issues?

Meanwhile, residents are very keen, in the absence of bigger schemes, to protect themselves. Recently a local campaigner called Mary phoned into my virtual surgery

on BBC Radio Oxford and asked whether we could extend the green homes grant to allow homeowners to make their homes more flood resilient. I think that is a fantastically simple idea, and I have already tabled a motion in the House to do that.

However, it seems that the Chancellor is thinking of cutting the green homes grant in next week's Budget, to the dismay of environmental and business groups alike. What does the Minister think of that? I cannot imagine she is a fan. Does she agree with me that extending the grants to cover home improvements that help residents to future-proof houses against flooding is a quick, easy way of helping them right now to protect their homes from damage? Can she tell us whether the property flood resilience grants scheme will be extended so that my constituents, who have already been flooded in recent weeks, will be able to continue to apply for those grants?

Thames valley is the largest unprotected floodplain in England. Just last week, the Government announced ambitious new plans for the Oxford-to-Cambridge arc. It is an area the Government are relying on to drive the post-covid recovery. Does the Minister agree with me that investment in protecting our area from flooding is, bluntly, a no-brainer? It makes a huge amount of sense with the arc in mind. Investment in flood protection for our area is insurance for Government investment from other Departments. Have the plans for the arc been taken into account in her Department's thinking and cost-benefit ratios?

To conclude, the coronavirus pandemic has been awful. We have all had to make incredible sacrifices, but that will be just a dress rehearsal for the ongoing climate emergency. We can either act proactively and future-proof our communities against flood devastation, by doing what we can sooner in Oxford, funding the Abingdon scheme, and fixing the agency's approach in Yarnton and other villages, or we can wait until it is too late, react desperately after the fact, and see more and more homes damaged and people's lives ruined.

As I am sure the Minister knows, I will keep campaigning on this issue, so to make things easier for everyone, will she commit to meeting me—as her predecessor promised to do but never did—to discuss each of the issues that I have touched on, so that we can continue this discussion as we go along? I appreciate that it has been an incredibly tough time for the Government in many ways, but on this we do not have time to wait. Let us get ahead of the game and finally give the residents of Oxford West and Abingdon the peace of mind they deserve.

8.21 pm

The Parliamentary Under-Secretary of State for Environment, Food and Rural Affairs (Rebecca Pow): As ever, it is a pleasure to have you with us tonight, Madam Deputy Speaker. We have a small group of people here, but thank you none the less. I congratulate the hon. Member for Oxford West and Abingdon (Layla Moran) on securing this debate. As she says, it is her second debate on flooding in her constituency, and she is raising awareness of the risks of flooding. She has also written to me recently, which she referred to, and I am happy for the contents of that letter to be shared with interested parties if that is helpful, as it covers a number of issues.

[Rebecca Pow]

Flooding is a real and increasing risk for many people across the country. The Government take it extremely seriously—I am sure you have heard me say that many times, Madam Deputy Speaker—and recognise the devastating impact and harm that flooding can cause, affecting people's livelihoods, lives, businesses and communities. The Government are doubling the amount that they invest in flooding and coastal defence in England to £5.2 billion between 2021 and 2027.

The hon. Lady stated clearly that she did not want the Minister to mention how much the Government have committed or want to spend on flooding, but I think that is incredibly important, particularly as we have doubled the funding, which shows the Government's commitment. That funding will provide around 2,000 new defence schemes better to protect a further 336,000 properties in every region of the country. That includes better protection for homes and non-residential properties such as schools, hospitals, transport links and utility sites.

The investment programme aims to reduce the national flood risk by up to 11% by 2027, and it will help to avoid £32 billion in future economic damages, providing economic benefits across the nation and supporting job creation; although this debate is about Abingdon, I thought we had to note that. The hon. Lady will recognise that it is important to invest money fairly and well throughout England, ensuring that we secure value for money as we aim to protect those most at risk.

Let us now turn to the hon. Lady's constituency of Abingdon. I am mindful of the challenges that the town has faced, and faces, and particularly the flooding experience of 2007, when more than 400 homes were flooded by the River Ock, and water levels exceeded the 1947 flood, which I am sure people in her constituency still talk about. Over recent years, the Environment Agency has taken action to reduce flooding in Abingdon, including increased levels of river maintenance, the provision of a flood wall along St Helen's Mill, and a robust deployment plan for temporary defences, should they be needed.

Thankfully, this winter, these temporary defences were not needed. The Environment Agency responded to the high river levels in the Abingdon area during Storm Christoph, from 19 to 22 January, including by issuing flood alerts and warnings. During the peak water levels, the Environment Agency field team were up 24 hours a day clearing trash screens and bridges to allow the water to move more freely. I welcome the fact that the hon. Lady acknowledged the hard work that those from the EA certainly do. It really is thanks to this work that there were no reports of property flooding this time.

Of course, that is a reminder that there is always a flood risk—it is still there. The Environment Agency's modelling recognises that some 561 properties in Abingdon are at risk from fluvial and surface water flooding, which is flooding that has a one in 1,000 chance of occurring in any given year. That is why the agency continues to work in partnership with the Vale of White Horse District Council, Oxfordshire County Council and the Thames regional flood and coastal committee to find ways to further reduce flood risk in Abingdon.

The hon. Lady mentioned working with all these different groups, and that indeed is what the Environment Agency is doing.

Back in 2018, the Environment Agency investigated the development of a flood storage area upstream of Abingdon on the River Ock. The investigations found that while a flood storage area was technically feasible, the benefits it would provide would not be much greater than those delivered by the Environment Agency's routine river maintenance. The flood storage area would have provided better protection from flooding to 30 houses initially; when climate change is taken into account, that drops to just three properties at the end of the scheme's lifetime. That means that the flood storage area would deliver additional benefits worth only £2 million to homes and businesses, but they would come at an estimated cost of £10 million. Quite clearly, it did not represent value for money to the taxpayer, and that is why this option could not be progressed. I asked particular questions about that to check up on the detail of it.

It is of course always disappointing when a flood scheme cannot be taken forward, especially for local residents who feel that it would have provided better protection for them and their neighbours. However, our funding policy is designed to be fair and equitable, and it remains people-centred: it focuses the case for Government support more on households, and so on people, than on gaining other economic benefits.

DEFRA's partnership funding approach helps to make the grant in aid funding go further. The partnership funding policy clarifies the level of Government investment a scheme will secure, so that it is clear what funding communities need from other sources to allow projects to go ahead. Partnership funding can be secured from a range of sources, including local beneficiaries, partners and growth funds. However, it is worth noting that the local council was engaged in this bid, and it itself concluded that it was not value for money, as I am sure the hon. Lady knows.

However, we do not rest on our laurels when it comes to the funding framework; we consider how it might be improved to reflect our changing climate—and it is changing. The hon. Lady rightly mentioned this. We are getting more frequent extremes of weather. Last year, the Government announced amendments to the partnership funding rules to ensure we better recognise the full range of benefits that flood schemes can bring.

The hon. Lady may be interested to know that, on 1 February, we launched a call for evidence to explore whether any specific changes should be made to strengthen the assessment of local circumstances in the new 2021 to 2027 investment programme. This includes looking at the funding formula to see if we can provide further benefit to frequently flooded communities. That was something I specifically made a point of highlighting, as did the Secretary of State, because there are lots of communities that are frequently flooded, but perhaps do not have the big numbers of homes needed to attract funding under a particular funding formula. The call for evidence is also further exploring ways of increasing the uptake of property flood resilience measures that enable householders and businesses to better prepare for flooding.

While the flood storage area is one proposal for alleviating the problem in Abingdon, there are alternative ways to further reduce the risks and impacts, including

the flood wall at St Helen's Mill, which I have mentioned, and the temporary defences. The Environment Agency is reviewing further suggestions from the local community flood group, and I know that a very active local community is working on this. I believe it is called the Ock Valley Flood Group, and its input is much valued. It is looking at whether there is scope for the temporary flood barrier alignment to be made into a permanent defence, and the agency is gathering evidence on whether this would be technically and economically viable.

The Environment Agency is also investigating whether natural flood management options would be effective in contributing to reduced flood risk in Abingdon. It is working in partnership with the Freshwater Habitats Trust, and they are engaging with landowners who have expressed an interest in introducing measures such as tree planting to hold back the flow. These investigations will be concluded later in the year, but obviously this has to work all the way round for everyone. The hon. Lady rightly mentioned farmers, whose crops also have to be protected from flooding, so there needs to be a balanced approach. Should natural flood management be included, the landowners would have to be fully involved, and would have to engage on the question of whether that scheme would work for them.

Before I wind up, I want to touch on a couple of points raised. The hon. Lady mentioned the South Hinksey area, and yes, there were high river levels this winter on the Thames through South Hinksey. The Environment Agency used temporary barriers on Christmas day and again at the end of January, and successfully prevented flooding to properties. The agency received very positive feedback from local residents, but this seems contrary to what the hon. Lady has told me today. I think she mentioned that people were not happy, so that needs a bit of clarification. Anyway, the South Hinksey temporary defences are due to be replaced by a permanent flood bund as part of the Oxford flood alleviation scheme, so I hope that gives her some assurance.

The hon. Lady also mentioned Yarnton and Begbroke. They were affected by surface water flooding, and three properties were flooded recently in Yarnton. No properties

were flooded in Begbroke. The risk to those communities is, as I said, from surface water flooding, which is the responsibility of the lead local flood authority. The EA therefore does not have plans for permanent or temporary flood defences at those locations, but it is ready to work with the lead local flood authority and other partners to help with possible mitigations for those communities, and I urge them all to get together and do that.

On the question of funding, Oxford is receiving a large amount of money, and where costs do stack up, of course schemes are going ahead. The Oxford flood alleviation scheme will cost around £150 million and is one of the biggest flood schemes in the country. Construction on the scheme was expected to start in 2020, subject to a compulsory purchase order. However, Oxfordshire County Council found that a bridge was in need of replacement, so that has to be sorted out before progress can be made, but surely it will be made. The benefits of this programme to the huge wider area of the community will be really significant. Similarly, the EA is working with partners on the Thames Valley flood scheme, which involves a wide catchment approach to mitigating the increasing flood risk resulting from climate change.

I thank the hon. Lady for raising these issues, and I hope I have given her some assurances tonight and also in her letter. If she wants to follow up with me on any of these issues, I am of course happy to discuss them, because we want people to be assured that the Government are taking flooding seriously. Indeed, I hope I have conveyed that I believe we are taking it seriously. Not every flood mitigation proposal will go ahead, but I think I have highlighted that there are many ways of skinning a cat, and many approaches to flood mitigation, all of which need to be taken into consideration with all the different partners brought to the table, including our MPs who are standing up for their constituents. I believe that that is the way forward.

Question put and agreed to.

8.34 pm

House adjourned.

Members Eligible for a Proxy Vote

The following is the list of Members currently certified as eligible for a proxy vote, and of the Members nominated as their proxy:

Member eligible for proxy vote	Nominated proxy
Ms Diane Abbott (Hackney North and Stoke Newington) (Lab)	Bell Ribeiro-Addy
Debbie Abrahams (Oldham East and Saddleworth) (Lab)	Sir Alan Campbell
Nigel Adams (Selby and Ainsty) (Con)	Stuart Andrew
Bim Afolami (Hitchin and Harpenden) (Con)	Stuart Andrew
Imran Ahmad Khan (Wakefield) (Con)	Stuart Andrew
Nickie Aiken (Cities of London and Westminster) (Con)	Stuart Andrew
Peter Aldous (Waveney) (Con)	Stuart Andrew
Rushanara Ali (Bethnal Green and Bow) (Lab)	Sir Alan Campbell
Tahir Ali (Birmingham, Hall Green) (Lab)	Sir Alan Campbell
Lucy Allan (Telford) (Con)	Stuart Andrew
Dr Roseana Allin-Khan (Tooting) (Lab)	Sir Alan Campbell
Mike Amesbury (Weaver Vale) (Lab)	Sir Alan Campbell
Sir David Amess (Southend West) (Con)	Stuart Andrew
Fleur Anderson (Putney) (Lab)	Sir Alan Campbell
Lee Anderson (Ashfield) (Con)	Chris Loder
Stuart Anderson (Wolverhampton South West) (Con)	Stuart Andrew
Caroline Ansell (Eastbourne) (Con)	Stuart Andrew
Tonia Antoniazzi (Gower) (Lab)	Sir Alan Campbell
Edward Argar (Charnwood) (Con)	Stuart Andrew
Jonathan Ashworth (Leicester South) (Lab)	Sir Alan Campbell
Sarah Atherton (Wrexham) (Con)	Stuart Andrew
Victoria Atkins (Louth and Horncastle) (Con)	Stuart Andrew
Gareth Bacon (Orpington) (Con)	Stuart Andrew
Mr Richard Bacon (South Norfolk) (Con)	Stuart Andrew
Kemi Badenoch (Saffron Walden) (Con)	Stuart Andrew
Shaun Bailey (West Bromwich West) (Con)	Stuart Andrew
Siobhan Baillie (Stroud) (Con)	Stuart Andrew
Duncan Baker (North Norfolk) (Con)	Stuart Andrew
Mr Steve Baker (Wycombe) (Con)	Stuart Andrew
Harriett Baldwin (West Worcestershire) (Con)	Stuart Andrew
Steve Barclay (North East Cambridgeshire) (Con)	Stuart Andrew
Hannah Bardell (Livingston) (SNP)	Patrick Grady
Paula Barker (Liverpool, Wavertree) (Lab)	Sir Alan Campbell

Member eligible for proxy vote	Nominated proxy
Mr John Baron (Basildon and Billericay) (Con)	Stuart Andrew
Simon Baynes (Clwyd South) (Con)	Stuart Andrew
Margaret Beckett (Derby South) (Lab)	Sir Alan Campbell
Apsana Begum (Poplar and Limehouse) (Lab)	Bell Ribeiro-Addy
Aaron Bell (Newcastle-under-Lyme) (Con)	Stuart Andrew
Hilary Benn (Leeds Central) (Lab)	Sir Alan Campbell
Scott Benton (Blackpool South) (Con)	Stuart Andrew
Sir Paul Beresford (Mole Valley) (Con)	Stuart Andrew
Jake Berry (Rossendale and Darwen) (Con)	Stuart Andrew
Clive Betts (Sheffield South East) (Lab)	Sir Alan Campbell
Saqib Bhatti (Meriden) (Con)	Stuart Andrew
Mhairi Black (Paisley and Renfrewshire South) (SNP)	Patrick Grady
Ian Blackford (Ross, Skye and Lochaber) (SNP)	Patrick Grady
Bob Blackman (Harrow East) (Con)	Stuart Andrew
Kirsty Blackman (Aberdeen North) (SNP)	Patrick Grady
Olivia Blake (Sheffield, Hallam) (Lab)	Sir Alan Campbell
Paul Blomfield (Sheffield Central) (Lab)	Sir Alan Campbell
Crispin Blunt (Reigate) (Con)	Stuart Andrew
Mr Peter Bone (Wellingborough) (Con)	Stuart Andrew
Steven Bonnar (Coatbridge, Chryston and Bellshill) (SNP)	Patrick Grady
Andrew Bowie (West Aberdeenshire and Kincardine) (Con)	Stuart Andrew
Tracy Brabin (Batley and Spen) (Lab/Co-op)	Sir Alan Campbell
Ben Bradley (Mansfield) (Con)	Stuart Andrew
Karen Bradley (Staffordshire Moorlands) (Con)	Stuart Andrew
Ben Bradshaw (Exeter) (Lab)	Sir Alan Campbell
Suella Braverman (Fareham) (Con)	Stuart Andrew
Kevin Brennan (Cardiff West) (Lab)	Sir Alan Campbell
Jack Brereton (Stoke-on-Trent South) (Con)	Stuart Andrew
Andrew Bridgen (North West Leicestershire) (Con)	Stuart Andrew
Steve Brine (Winchester) (Con)	Stuart Andrew
Paul Bristow (Peterborough) (Con)	Stuart Andrew
Sara Britcliffe (Hyndburn) (Con)	Stuart Andrew
Deidre Brock (Edinburgh North and Leith) (SNP)	Patrick Grady
James Brokenshire (Old Bexley and Sidcup) (Con)	Stuart Andrew
Alan Brown (Kilmarnock and Loudon) (SNP)	Patrick Grady

Member eligible for proxy vote	Nominated proxy	Member eligible for proxy vote	Nominated proxy
Ms Lyn Brown (West Ham) (Lab)	Sir Alan Campbell	Brendan Clarke-Smith (Bassetlaw) (Con)	Stuart Andrew
Anthony Browne (South Cambridgeshire) (Con)	Stuart Andrew	Chris Clarkson (Heywood and Middleton) (Con)	Stuart Andrew
Fiona Bruce (Congleton) (Con)	Stuart Andrew	James Cleverly (Braintree) (Con)	Stuart Andrew
Chris Bryant (Rhondda) (Lab)	Sir Alan Campbell	Sir Geoffrey Clifton-Brown (The Cotswolds) (Con)	Stuart Andrew
Felicity Buchan (Kensington) (Con)	Stuart Andrew	Dr Thérèse Coffey (Suffolk Coastal) (Con)	Stuart Andrew
Ms Karen Buck (Westminster North) (Lab)	Sir Alan Campbell	Elliot Colburn (Carshalton and Wallington) (Con)	Stuart Andrew
Robert Buckland (South Swindon) (Con)	Stuart Andrew	Damian Collins (Folkestone and Hythe) (Con)	Stuart Andrew
Alex Burghart (Brentwood and Ongar) (Con)	Stuart Andrew	Daisy Cooper (St Albans) (LD)	Wendy Chamberlain
Richard Burgon (Leeds East) (Lab)	Bell Ribeiro-Addy	Rosie Cooper (West Lancashire) (Lab)	Sir Alan Campbell
Conor Burns (Bournemouth West) (Con)	Stuart Andrew	Yvette Cooper (Normanton, Pontefract and Castleford) (Lab)	Sir Alan Campbell
Dawn Butler (Brent Central) (Lab)	Bell Ribeiro-Addy	Jeremy Corbyn (Islington North) (Ind)	Bell Ribeiro-Addy
Rob Butler (Aylesbury) (Con)	Stuart Andrew	Alberto Costa (South Leicestershire) (Con)	Stuart Andrew
Ian Byrne (Liverpool, West Derby) (Lab)	Sir Alan Campbell	Robert Courts (Witney) (Con)	Stuart Andrew
Liam Byrne (Birmingham, Hodge Hill) (Lab)	Sir Alan Campbell	Claire Coutinho (East Surrey) (Con)	Stuart Andrew
Ruth Cadbury (Brentford and Isleworth) (Lab)	Sir Alan Campbell	Ronnie Cowan (Inverclyde) (SNP)	Patrick Grady
Alun Cairns (Vale of Glamorgan) (Con)	Stuart Andrew	Sir Geoffrey Cox (Torridge and West Devon) (Con)	Stuart Andrew
Amy Callaghan (East Dunbartonshire) (SNP)	Patrick Grady	Neil Coyle (Bermondsey and Old Southwark) (Lab)	Sir Alan Campbell
Dr Lisa Cameron (East Kilbride, Strathaven and Lesmahagow) (SNP)	Patrick Grady	Stephen Crabb (Preseli Pembrokeshire) (Con)	Stuart Andrew
Mr Gregory Campbell (East Londonderry) (DUP)	Jim Shannon	Angela Crawley (Lanark and Hamilton East) (SNP)	Patrick Grady
Dan Carden (Liverpool, Walton) (Lab)	Sir Alan Campbell	Stella Creasy (Walthamstow) (Lab)	Sir Alan Campbell
Mr Alistair Carmichael (Orkney and Shetland) (LD)	Wendy Chamberlain	Virginia Crosbie (Ynys Môn) (Con)	Stuart Andrew
Andy Carter (Warrington South) (Con)	Stuart Andrew	Tracey Crouch (Chatham and Aylesford) (Con)	Stuart Andrew
James Cartlidge (South Suffolk) (Con)	Stuart Andrew	Jon Cruddas (Dagenham and Rainham) (Lab)	Sir Alan Campbell
Sir William Cash (Stone) (Con)	Stuart Andrew	John Cryer (Leyton and Wanstead) (Lab)	Sir Alan Campbell
Miriam Cates (Penistone and Stocksbridge) (Con)	Stuart Andrew	Judith Cummins (Bradford South) (Lab)	Sir Alan Campbell
Alex Chalk (Cheltenham) (Con)	Stuart Andrew	Alex Cunningham (Stockton North) (Lab)	Sir Alan Campbell
Sarah Champion (Rotherham) (Lab)	Sir Alan Campbell	Janet Daby (Lewisham East) (Lab)	Sir Alan Campbell
Douglas Chapman (Dunfermline and West Fife) (SNP)	Patrick Grady	James Daly (Bury North) (Con)	Stuart Andrew
Joanna Cherry (Edinburgh South West) (SNP)	Patrick Grady	Ed Davey (Kingston and Surbiton) (LD)	Wendy Chamberlain
Rehman Chishti (Gillingham and Rainham) (Con)	Stuart Andrew	Wayne David (Caerphilly) (Lab)	Sir Alan Campbell
Jo Churchill (Bury St Edmunds) (Con)	Stuart Andrew	David T. C. Davies (Monmouth) (Con)	Stuart Andrew
Feryal Clark (Enfield North) (Lab)	Sir Alan Campbell	Gareth Davies (Grantham and Stamford) (Con)	Stuart Andrew
Greg Clark (Tunbridge Wells) (Con)	Stuart Andrew	Geraint Davies (Swansea West) (Lab/Co-op)	Sir Alan Campbell
Mr Simon Clarke (Middlesbrough South and East Cleveland) (Con)	Stuart Andrew	Dr James Davies (Vale of Clwyd) (Con)	Stuart Andrew
Theo Clarke (Stafford) (Con)	Stuart Andrew	Mims Davies (Mid Sussex) (Con)	Stuart Andrew

Member eligible for proxy vote	Nominated proxy	Member eligible for proxy vote	Nominated proxy
Alex Davies-Jones (Pontypridd) (Lab)	Sir Alan Campbell	Julie Elliott (Sunderland Central) (Lab)	Sir Alan Campbell
Philip Davies (Shipley) (Con)	Stuart Andrew	Michael Ellis (Northampton North) (Con)	Stuart Andrew
Mr David Davis (Haltemprice and Howden) (Con)	Stuart Andrew	Mr Tobias Ellwood (Bournemouth East) (Con)	Stuart Andrew
Dehenna Davison (Bishop Auckland) (Con)	Ben Everitt	Chris Elmore (Ogmore) (Lab)	Sir Alan Campbell
Martyn Day (Linlithgow and East Falkirk) (SNP)	Patrick Grady	Mrs Natalie Elphicke (Dover) (Con)	Stuart Andrew
Thangam Debbonaire (Bristol West) (Lab)	Sir Alan Campbell	Florence Eshalomi (Vauxhall) (Lab/Co-op)	Sir Alan Campbell
Marsha De Cordova (Battersea)	Bell Ribeiro-Addy	Bill Esterson (Sefton Central) (Lab)	Sir Alan Campbell
Mr Tanmanjeet Singh Dhese (Slough) (Lab)	Sir Alan Campbell	George Eustice (Camborne and Redruth) (Con)	Stuart Andrew
Caroline Dinenage (Gosport) (Con)	Stuart Andrew	Chris Evans (Islwyn) (Lab/Co-op)	Sir Alan Campbell
Miss Sarah Dines (Derbyshire Dales) (Con)	Stuart Andrew	Dr Luke Evans (Bosworth) (Con)	Stuart Andrew
Mr Jonathan Djanogly (Huntingdon) (Con)	Stuart Andrew	Sir David Evennett (Bexleyheath and Crayford) (Con)	Stuart Andrew
Leo Docherty (Aldershot) (Con)	Stuart Andrew	Ben Everitt (Milton Keynes North) (Con)	Stuart Andrew
Martin Docherty-Hughes (West Dunbartonshire) (SNP)	Patrick Grady	Michael Fabricant (Lichfield) (Con)	Stuart Andrew
Anneliese Dodds (Oxford East) (Lab/Co-op)	Sir Alan Campbell	Laura Farris (Newbury) (Con)	Stuart Andrew
Sir Jeffrey M. Donaldson (Lagan Valley) (DUP)	Jim Shannon	Tim Farron (Westmorland and Lonsdale) (LD)	Wendy Chamberlain
Michelle Donelan (Chippenham) (Con)	Stuart Andrew	Stephen Farry (North Down) (Alliance)	Wendy Chamberlain
Dave Doogan (Angus) (SNP)	Patrick Grady	Simon Fell (Barrow and Furness) (Con)	Stuart Andrew
Allan Dorans (Ayr, Carrick and Cumnock) (SNP)	Patrick Grady	Marion Fellows (Motherwell and Wishaw) (SNP)	Patrick Grady
Ms Nadine Dorries (Mid Bedfordshire) (Con)	Stuart Andrew	Margaret Ferrier (Rutherglen and Hamilton West) (Ind)	Stuart Andrew
Steve Double (St Austell and Newquay) (Con)	Stuart Andrew	Colleen Fletcher (Coventry North East) (Lab)	Sir Alan Campbell
Stephen Doughty (Cardiff South and Penarth) (Lab)	Sir Alan Campbell	Katherine Fletcher (South Ribble) (Con)	Stuart Andrew
Jackie Doyle-Price (Thurrock) (Con)	Stuart Andrew	Mark Fletcher (Bolsover) (Con)	Stuart Andrew
Peter Dowd (Bootle) (Lab)	Sir Alan Campbell	Nick Fletcher (Don Valley) (Con)	Stuart Andrew
Oliver Dowden (Hertsmere) (Con)	Stuart Andrew	Stephen Flynn (Aberdeen South) (SNP)	Patrick Grady
Richard Drax (South Dorset) (Con)	Stuart Andrew	Vicky Ford (Chelmsford) (Con)	Stuart Andrew
Jack Dromey (Birmingham, Erdington) (Lab)	Sir Alan Campbell	Kevin Foster (Torbay) (Con)	Stuart Andrew
Mrs Flick Drummond (Meon Valley) (Con)	Stuart Andrew	Yvonne Fovargue (Makerfield) (Lab)	Sir Alan Campbell
James Duddridge (Rochford and Southend East) (Con)	Stuart Andrew	Dr Liam Fox (North Somerset) (Con)	Stuart Andrew
Rosie Duffield (Canterbury) (Lab)	Sir Alan Campbell	Vicky Foxcroft (Lewisham, Deptford) (Lab)	Sir Alan Campbell
Sir Iain Duncan Smith (Chingford and Woodford Green) (Con)	Stuart Andrew	Mary Kelly Foy (City of Durham) (Lab)	Bell Ribeiro-Addy
Philip Dunne (Ludlow) (Con)	Stuart Andrew	Mr Mark Francois (Rayleigh and Wickford) (Con)	Stuart Andrew
Ms Angela Eagle (Wallasey) (Lab)	Sir Alan Campbell	Lucy Frazer (South East Cambridgeshire) (Con)	Stuart Andrew
Maria Eagle (Garston and Halewood) (Lab)	Sir Alan Campbell	George Freeman (Mid Norfolk) (Con)	Stuart Andrew
Colum Eastwood (Foyle) (SDLP)	Patrick Grady	Mike Freer (Finchley and Golders Green) (Con)	Stuart Andrew
Mark Eastwood (Dewsbury) (Con)	Stuart Andrew	Gill Furniss (Sheffield, Brightside and Hillsborough) (Lab)	Sir Alan Campbell
Jonathan Edwards (Carmarthen East and Dinefwr) (Ind)	Stuart Andrew	Marcus Fysh (Yeovil) (Con)	Stuart Andrew
Ruth Edwards (Rushcliffe) (Con)	Stuart Andrew		
Clive Efford (Eltham) (Lab)	Sir Alan Campbell		

Member eligible for proxy vote	Nominated proxy	Member eligible for proxy vote	Nominated proxy
Sir Roger Gale (North Thanet) (Con)	Stuart Andrew	Matt Hancock (West Suffolk) (Con)	Stuart Andrew
Barry Gardiner (Brent North) (Lab)	Sir Alan Campbell	Greg Hands (Chelsea and Fulham) (Con)	Stuart Andrew
Mark Garnier (Wyre Forest) (Con)	Stuart Andrew	Claire Hanna (Belfast South) (SDLP)	Ben Lake
Ms Nusrat Ghani (Wealden) (Con)	Stuart Andrew	Neale Hanvey (Kirkcaldy and Cowdenbeath) (SNP)	Patrick Grady
Nick Gibb (Bognor Regis and Littlehampton) (Con)	Stuart Andrew	Emma Hardy (Kingston upon Hull West and Hessle) (Lab)	Sir Alan Campbell
Patricia Gibson (North Ayrshire and Arran) (SNP)	Patrick Grady	Ms Harriet Harman (Camberwell and Peckham) (Lab)	Sir Alan Campbell
Peter Gibson (Darlington) (Con)	Stuart Andrew	Mr Mark Harper (Forest of Dean) (Con)	Stuart Andrew
Jo Gideon (Stoke-on-Trent Central) (Con)	Stuart Andrew	Carolyn Harris (Swansea East) (Lab)	Sir Alan Campbell
Preet Kaur Gill (Birmingham, Edgbaston) (Lab/Co-op)	Sir Alan Campbell	Rebecca Harris (Castle Point) (Con)	Stuart Andrew
Dame Cheryl Gillan (Chesham and Amersham) (Con)	Stuart Andrew	Trudy Harrison (Copeland) (Con)	Stuart Andrew
Paul Girvan (South Antrim) (DUP)	Jim Shannon	Sally-Ann Hart (Hastings and Rye) (Con)	Stuart Andrew
John Glen (Salisbury) (Con)	Stuart Andrew	Simon Hart (Carmarthen West and South Pembrokeshire) (Con)	Stuart Andrew
Mary Glindon (North Tyneside) (Lab)	Sir Alan Campbell	Helen Hayes (Dulwich and West Norwood) (Lab)	Sir Alan Campbell
Mr Robert Goodwill (Scarborough and Whitby) (Con)	Stuart Andrew	Sir John Hayes (South Holland and The Deepings) (Con)	Stuart Andrew
Michael Gove (Surrey Heath) (Con)	Stuart Andrew	Sir Oliver Heald (North East Hertfordshire) (Con)	Stuart Andrew
Richard Graham (Gloucester) (Con)	Stuart Andrew	John Healey (Wentworth and Dearne) (Lab)	Sir Alan Campbell
Mrs Helen Grant (Maidstone and The Weald) (Con)	Stuart Andrew	James Heappey (Wells) (Con)	Stuart Andrew
Peter Grant (Glenrothes) (SNP)	Patrick Grady	Chris Heaton-Harris (Daventry) (Con)	Stuart Andrew
James Gray (North Wiltshire) (Con)	Stuart Andrew	Gordon Henderson (Sittingbourne and Sheppey) (Con)	Stuart Andrew
Neil Gray (Airdrie and Shotts) (SNP)	Patrick Grady	Sir Mark Hendrick (Preston) (Lab/Co-op)	Sir Alan Campbell
Chris Grayling (Epsom and Ewell) (Con)	Stuart Andrew	Drew Hendry (Inverness, Nairn, Badenoch and Strathspey) (SNP)	Patrick Grady
Damian Green (Ashford) (Con)	Stuart Andrew	Darren Henry (Broxtowe) (Con)	Stuart Andrew
Kate Green (Stretford and Urmston) (Lab)	Sir Alan Campbell	Anthony Higginbotham (Burnley) (Con)	Stuart Andrew
Lilian Greenwood (Nottingham South) (Lab)	Sir Alan Campbell	Mike Hill (Hartlepool) (Lab)	Sir Alan Campbell
Margaret Greenwood (Wirral West) (Lab)	Sir Alan Campbell	Damian Hinds (East Hampshire) (Con)	Stuart Andrew
Andrew Griffith (Arundel and South Downs) (Con)	Stuart Andrew	Simon Hoare (North Dorset) (Con)	Stuart Andrew
Nia Griffith (Llanelli) (Lab)	Sir Alan Campbell	Wera Hobhouse (Bath) (LD)	Wendy Chamberlain
Kate Griffiths (Burton) (Con)	Stuart Andrew	Dame Margaret Hodge (Barking) (Lab)	Sir Alan Campbell
James Grundy (Leigh) (Con)	Stuart Andrew	Mrs Sharon Hodgson (Washington and Sunderland West) (Lab)	Sir Alan Campbell
Jonathan Gullis (Stoke-on-Trent North) (Con)	Stuart Andrew	Kate Hollern (Blackburn) (Lab)	Sir Alan Campbell
Andrew Gwynne (Denton and Reddish) (Lab)	Sir Alan Campbell	Kevin Hollinrake (Thirsk and Malton) (Con)	Stuart Andrew
Louise Haigh (Sheffield, Heeley) (Lab)	Sir Alan Campbell	Adam Holloway (Gravesham) (Con)	Stuart Andrew
Robert Halfon (Harlow) (Con)	Stuart Andrew	Paul Holmes (Eastleigh) (Con)	Stuart Andrew
Luke Hall (Thornbury and Yate) (Con)	Stuart Andrew	Rachel Hopkins (Luton South) (Lab)	Sir Alan Campbell
Fabian Hamilton (Leeds North East) (Lab)	Sir Alan Campbell	Stewart Hosie (Dundee East) (SNP)	Patrick Grady
Stephen Hammond (Wimbledon) (Con)	Stuart Andrew		

Member eligible for proxy vote	Nominated proxy	Member eligible for proxy vote	Nominated proxy
Sir George Howarth (Knowsley) (Lab)	Sir Alan Campbell	Daniel Kawczynski (Shrewsbury and Atcham) (Con)	Stuart Andrew
John Howell (Henley) (Con)	Stuart Andrew	Alicia Kearns (Rutland and Melton) (Con)	Stuart Andrew
Paul Howell (Sedgefield) (Con)	Stuart Andrew	Gillian Keegan (Chichester) (Con)	Stuart Andrew
Nigel Huddleston (Mid Worcestershire) (Con)	Stuart Andrew	Barbara Keeley (Worsley and Eccles South) (Lab)	Sir Alan Campbell
Dr Neil Hudson (Penrith and The Border) (Con)	Stuart Andrew	Liz Kendall (Leicester West) (Lab)	Sir Alan Campbell
Eddie Hughes (Walsall North) (Con)	Stuart Andrew	Afzal Khan (Manchester, Gorton) (Lab)	Sir Alan Campbell
Jane Hunt (Loughborough) (Con)	Stuart Andrew	Stephen Kinnock (Aberavon) (Lab)	Sir Alan Campbell
Jeremy Hunt (South West Surrey) (Con)	Stuart Andrew	Sir Greg Knight (East Yorkshire) (Con)	Stuart Andrew
Rupa Huq (Ealing Central and Acton) (Lab)	Sir Alan Campbell	Julian Knight (Solihull) (Con)	Stuart Andrew
Imran Hussain (Bradford East) (Lab)	Bell Ribeiro-Addy	Danny Kruger (Devizes) (Con)	Stuart Andrew
Mr Alister Jack (Dumfries and Galloway) (Con)	Stuart Andrew	Kwasi Kwarteng (Spelthorne) (Con)	Stuart Andrew
Christine Jardine (Edinburgh West) (LD)	Wendy Chamberlain	Peter Kyle (Hove) (Lab)	Sir Alan Campbell
Dan Jarvis (Barnsley Central) (Lab)	Sir Alan Campbell	Mr David Lammy (Tottenham) (Lab)	Sir Alan Campbell
Sajid Javid (Bromsgrove) (Con)	Stuart Andrew	John Lamont (Berwickshire, Roxburgh and Selkirk) (Con)	Stuart Andrew
Mr Ranil Jayawardena (North East Hampshire) (Con)	Stuart Andrew	Robert Langan (High Peak) (Con)	Stuart Andrew
Sir Bernard Jenkin (Harwich and North Essex) (Con)	Stuart Andrew	Mrs Pauline Latham (Mid Derbyshire) (Con)	Mr William Wragg
Mark Jenkinson (Workington) (Con)	Stuart Andrew	Ian Lavery (Wansbeck) (Lab)	Bell Ribeiro-Addy
Andrea Jenkyns (Morley and Outwood) (Con)	Stuart Andrew	Chris Law (Dundee West) (SNP)	Patrick Grady
Robert Jenrick (Newark) (Con)	Stuart Andrew	Andrea Leadsom (South Northamptonshire) (Con)	Stuart Andrew
Boris Johnson (Uxbridge and South Ruislip) (Con)	Stuart Andrew	Sir Edward Leigh (Gainsborough) (Con)	Stuart Andrew
Dr Caroline Johnson (Sleaford and North Hykeham) (Con)	Stuart Andrew	Ian Levy (Blyth Valley) (Con)	Stuart Andrew
Dame Diana Johnson (Kingston upon Hull North) (Lab)	Sir Alan Campbell	Mrs Emma Lewell-Buck (South Shields) (Lab)	Sir Alan Campbell
Gareth Johnson (Dartford) (Con)	Stuart Andrew	Andrew Lewer (Northampton South) (Con)	Stuart Andrew
Kim Johnson (Liverpool, Riverside) (Lab)	Sir Alan Campbell	Brandon Lewis (Great Yarmouth) (Con)	Stuart Andrew
David Johnston (Wantage) (Con)	Stuart Andrew	Clive Lewis (Norwich South) (Lab)	Sir Alan Campbell
Darren Jones (Bristol North West) (Lab)	Sir Alan Campbell	Dr Julian Lewis (New Forest East) (Con)	Stuart Andrew
Andrew Jones (Harrogate and Knaresborough) (Con)	Stuart Andrew	Mr Ian Liddell-Grainger (Bridgwater and West Somerset) (Con)	Stuart Andrew
Mr David Jones (Clwyd West) (Con)	Stuart Andrew	David Linden (Glasgow East) (SNP)	Patrick Grady
Fay Jones (Brecon and Radnorshire) (Con)	Stuart Andrew	Tony Lloyd (Rochdale) (Lab)	Sir Alan Campbell
Gerald Jones (Merthyr Tydfil and Rhymney) (Lab)	Sir Alan Campbell	Carla Lockhart (Upper Bann) (DUP)	Jim Shannon
Mr Kevan Jones (North Durham) (Lab)	Sir Alan Campbell	Mark Logan (Bolton North East) (Con)	Stuart Andrew
Mr Marcus Jones (Nuneaton) (Con)	Stuart Andrew	Rebecca Long Bailey (Salford and Eccles) (Lab)	Bell Ribeiro-Addy
Ruth Jones (Newport West) (Lab)	Sir Alan Campbell	Marco Longhi (Dudley North) (Con)	Stuart Andrew
Sarah Jones (Croydon Central) (Lab)	Sir Alan Campbell	Julia Lopez (Hornchurch and Upminster) (Con)	Stuart Andrew
Simon Jupp (East Devon) (Con)	Stuart Andrew	Jack Lopresti (Filton and Bradley Stoke) (Con)	Stuart Andrew
Mike Kane (Wythenshawe and Sale East) (Lab)	Sir Alan Campbell	Mr Jonathan Lord (Woking) (Con)	Stuart Andrew

Member eligible for proxy vote	Nominated proxy	Member eligible for proxy vote	Nominated proxy
Tim Loughton (East Worthing and Shoreham) (Con)	Stuart Andrew	Julie Marson (Hertford and Stortford) (Con)	Stuart Andrew
Caroline Lucas (Brighton, Pavilion) (Green)	Bell Ribeiro-Addy	Rachael Maskell (York Central) (Lab)	Sir Alan Campbell
Holly Lynch (Halifax) (Lab)	Sir Alan Campbell	Christian Matheson (City of Chester) (Lab)	Sir Alan Campbell
Kenny MacAskill (East Lothian) (SNP)	Patrick Grady	Mrs Theresa May (Maidenhead) (Con)	Stuart Andrew
Steve McCabe (Birmingham, Selly Oak) (Lab)	Sir Alan Campbell	Jerome Mayhew (Broadland) (Con)	Stuart Andrew
Kerry McCarthy (Bristol East) (Lab)	Sir Alan Campbell	Paul Maynard (Blackpool North and Cleveleys) (Con)	Stuart Andrew
Jason McCartney (Colne Valley) (Con)	Stuart Andrew	Ian Mearns (Gateshead) (Lab)	Bell Ribeiro-Addy
Karl McCartney (Lincoln) (Con)	Stuart Andrew	Mark Menzies (Fylde) (Con)	Stuart Andrew
Siobhain McDonagh (Mitcham and Morden) (Lab)	Sir Alan Campbell	Johnny Mercer (Plymouth, Moor View) (Con)	Stuart Andrew
Andy McDonald (Middlesbrough) (Lab)	Sir Alan Campbell	Huw Merriman (Bexhill and Battle) (Con)	Stuart Andrew
Stewart Malcolm McDonald (Glasgow South) (SNP)	Patrick Grady	Stephen Metcalfe (South Basildon and East Thurrock) (Con)	Stuart Andrew
Stuart C. McDonald (Cumbernauld, Kilsyth and Kirkintilloch East) (SNP)	Patrick Grady	Edward Miliband (Doncaster North) (Lab)	Sir Alan Campbell
John McDonnell (Hayes and Harlington) (Lab)	Bell Ribeiro-Addy	Robin Millar (Aberconwy) (Con)	Stuart Andrew
Mr Pat McFadden (Wolverhampton South East) (Lab)	Sir Alan Campbell	Mrs Maria Miller (Basingstoke) (Con)	Stuart Andrew
Conor McGinn (St Helens North) (Lab)	Sir Alan Campbell	Amanda Milling (Cannock Chase) (Con)	Stuart Andrew
Alison McGovern (Wirral South) (Lab)	Sir Alan Campbell	Nigel Mills (Amber Valley) (Con)	Stuart Andrew
Craig Mackinlay (South Thanet) (Con)	Stuart Andrew	Navendu Mishra (Stockport) (Lab)	Sir Alan Campbell
Catherine McKinnell (Newcastle upon Tyne North) (Lab)	Sir Alan Campbell	Mr Andrew Mitchell (Sutton Coldfield) (Con)	Stuart Andrew
Cherilyn Mackrory (Truro and Falmouth) (Con)	Stuart Andrew	Gagan Mohindra (South West Hertfordshire) (Con)	Stuart Andrew
Anne McLaughlin (Glasgow North East) (SNP)	Patrick Grady	Carol Monaghan (Glasgow North West)	Patrick Grady
Rachel Maclean (Redditch) (Con)	Stuart Andrew	Damien Moore (Southport) (Con)	Stuart Andrew
Jim McMahon (Oldham West and Royton) (Lab)	Sir Alan Campbell	Layla Moran (Oxford West and Abingdon) (LD)	Wendy Chamberlain
Anna McMorrin (Cardiff North) (Lab)	Sir Alan Campbell	Penny Mordaunt (Portsmouth North) (Con)	Stuart Andrew
John Mc Nally (Falkirk) (SNP)	Patrick Grady	Jessica Morden (Newport East) (Lab)	Sir Alan Campbell
Angus Brendan MacNeil (Na h-Eileanan an Iar) (SNP)	Patrick Grady	Stephen Morgan (Portsmouth South) (Lab)	Sir Alan Campbell
Stephen McPartland (Stevenage) (Con)	Stuart Andrew	Anne Marie Morris (Newton Abbot) (Con)	Stuart Andrew
Esther McVey (Tatton) (Con)	Stuart Andrew	David Morris (Morecambe and Lunesdale) (Con)	Stuart Andrew
Justin Madders (Ellesmere Port and Neston) (Lab)	Sir Alan Campbell	Grahame Morris (Easington) (Lab)	Sir Alan Campbell
Khalid Mahmood (Birmingham, Perry Barr) (Lab)	Sir Alan Campbell	Joy Morrissey (Beaconsfield) (Con)	Stuart Andrew
Shabana Mahmood (Birmingham, Ladywood) (Lab)	Sir Alan Campbell	Wendy Morton (Aldridge-Brownhills) (Con)	Stuart Andrew
Alan Mak (Havant) (Con)	Stuart Andrew	Dr Kieran Mullan (Crewe and Nantwich) (Con)	Chris Loder
Seema Malhotra (Feltham and Heston) (Lab)	Sir Alan Campbell	Holly Mumby-Croft (Scunthorpe) (Con)	Stuart Andrew
Kit Malthouse (North West Hampshire) (Con)	Stuart Andrew	David Mundell (Dumfriesshire, Clydesdale and Tweeddale) (Con)	Stuart Andrew
Scott Mann (North Cornwall) (Con)	Stuart Andrew	Ian Murray (Edinburgh South) (Lab)	Sir Alan Campbell
		James Murray (Ealing North) (Lab/Co-op)	Sir Alan Campbell

Member eligible for proxy vote	Nominated proxy	Member eligible for proxy vote	Nominated proxy
Mrs Sheryll Murray (South East Cornwall) (Con)	Stuart Andrew	Christopher Pincher (Tamworth) (Con)	Stuart Andrew
Andrew Murrison (South West Wiltshire) (Con)	Stuart Andrew	Luke Pollard (Plymouth, Sutton and Devonport) (Lab/Co-op)	Sir Alan Campbell
Lisa Nandy (Wigan) (Lab)	Sir Alan Campbell	Dr Dan Poulter (Central Suffolk and North Ipswich) (Con)	Stuart Andrew
Sir Robert Neill (Bromley and Chislehurst) (Con)	Stuart Andrew	Rebecca Pow (Taunton Deane) (Con)	Stuart Andrew
Gavin Newlands (Paisley and Renfrewshire North) (SNP)	Patrick Grady	Lucy Powell (Manchester Central) (Lab/Co-op)	Sir Alan Campbell
Charlotte Nichols (Warrington North) (Lab)	Sir Alan Campbell	Victoria Prentis (Banbury) (Con)	Stuart Andrew
Lia Nici (Great Grimsby) (Con)	Stuart Andrew	Mark Pritchard (The Wrekin) (Con)	Stuart Andrew
John Nicolson (Ochil and South Perthshire) (SNP)	Patrick Grady	Tom Pursglove (Corby) (Con)	Stuart Andrew
Caroline Nokes (Romsey and Southampton North) (Con)	Stuart Andrew	Jeremy Quin (Horsham) (Con)	Stuart Andrew
Jesse Norman (Hereford and South Herefordshire) (Con)	Stuart Andrew	Will Quince (Colchester) (Con)	Stuart Andrew
Alex Norris (Nottingham North) (Lab/Co-op)	Sir Alan Campbell	Yasmin Qureshi (Bolton South East) (Lab)	Sir Alan Campbell
Neil O'Brien (Harborough) (Con)	Stuart Andrew	Dominic Raab (Esher and Walton) (Con)	Stuart Andrew
Brendan O'Hara (Argyll and Bute) (SNP)	Patrick Grady	Tom Randall (Gedling) (Con)	Stuart Andrew
Dr Matthew Offord (Hendon) (Con)	Stuart Andrew	Angela Rayner (Ashton-under-Lyne) (Lab)	Sir Alan Campbell
Sarah Olney (Richmond Park) (LD)	Wendy Chamberlain	John Redwood (Wokingham) (Con)	Stuart Andrew
Chi Onwurah (Newcastle upon Tyne Central) (Lab)	Sir Alan Campbell	Steve Reed (Croydon North) (Lab/Co-op)	Sir Alan Campbell
Guy Opperman (Hexham) (Con)	Stuart Andrew	Christina Rees (Neath) (Lab)	Sir Alan Campbell
Abena Opong-Asare (Erith and Thamesmead) (Lab)	Sir Alan Campbell	Ellie Reeves (Lewisham West and Penge) (Lab)	Sir Alan Campbell
Kate Osamor (Edmonton) (Lab/Co-op)	Bell Ribeiro-Addy	Rachel Reeves (Leeds West) (Lab)	Sir Alan Campbell
Kate Osborne (Jarrow) (Lab)	Bell Ribeiro-Addy	Jonathan Reynolds (Stalybridge and Hyde) (Lab)	Sir Alan Campbell
Kirsten Oswald (East Renfrewshire) (SNP)	Patrick Grady	Nicola Richards (West Bromwich East) (Con)	Stuart Andrew
Taiwo Owatemi (Coventry North West) (Lab)	Sir Alan Campbell	Angela Richardson (Guildford) (Con)	Stuart Andrew
Sarah Owen (Luton North) (Lab)	Sir Alan Campbell	Ms Marie Rimmer (St Helens South and Whiston) (Lab)	Sir Alan Campbell
Ian Paisley (North Antrim) (Con)	Jim Shannon	Rob Roberts (Delyn) (Con)	Stuart Andrew
Neil Parish (Tiverton and Honiton) (Con)	Stuart Andrew	Mr Laurence Robertson (Tewkesbury) (Con)	Stuart Andrew
Priti Patel (Witham) (Con)	Stuart Andrew	Gavin Robinson (Belfast East) (DUP)	Jim Shannon
Mr Owen Paterson (North Shropshire) (Con)	Stuart Andrew	Mary Robinson (Cheadle) (Con)	Stuart Andrew
Mark Pawsey (Rugby) (Con)	Stuart Andrew	Matt Rodda (Reading East) (Lab)	Sir Alan Campbell
Stephanie Peacock (Barnsley East) (Lab)	Sir Alan Campbell	Andrew Rosindell (Romford) (Con)	Stuart Andrew
Sir Mike Penning (Hemel Hempstead) (Con)	Stuart Andrew	Douglas Ross (Moray) (Con)	Stuart Andrew
Matthew Pennycook (Greenwich and Woolwich) (Lab)	Sir Alan Campbell	Lee Rowley (North East Derbyshire) (Con)	Stuart Andrew
John Penrose (Weston-super-Mare) (Con)	Stuart Andrew	Dean Russell (Watford) (Con)	Stuart Andrew
Mr Toby Perkins (Chesterfield) (Lab)	Sir Alan Campbell	Lloyd Russell-Moyle (Brighton, Kemptown) (Lab/Co-op)	Sir Alan Campbell
Jess Phillips (Birmingham, Yardley) (Lab)	Sir Alan Campbell	Liz Saville Roberts (Dwyfor Meirionnydd) (PC)	Ben Lake
Bridget Phillipson (Houghton and Sunderland South) (Lab)	Sir Alan Campbell	Selaine Saxby (North Devon) (Con)	Stuart Andrew
Chris Philp (Croydon South) (Con)	Stuart Andrew	Paul Scully (Sutton and Cheam) (Con)	Stuart Andrew
		Bob Seely (Isle of Wight) (Con)	Stuart Andrew
		Andrew Selous (South West Bedfordshire) (Con)	Stuart Andrew
		Naz Shah (Bradford West) (Lab)	Sir Alan Campbell

Member eligible for proxy vote	Nominated proxy	Member eligible for proxy vote	Nominated proxy
Grant Shapps (Welwyn Hatfield) (Con)	Stuart Andrew	Graham Stuart (Beverley and Holderness) (Con)	Stuart Andrew
Alok Sharma (Reading West) (Con)	Stuart Andrew	Julian Sturdy (York Outer) (Con)	Stuart Andrew
Mr Virendra Sharma (Ealing, Southall) (Lab)	Sir Alan Campbell	Zarah Sultana (Coventry South) (Lab)	Bell Ribeiro-Addy
Mr Barry Sheerman (Huddersfield) (Lab/Co-op)	Sir Alan Campbell	Rishi Sunak (Richmond (Yorks)) (Con)	Stuart Andrew
Alec Shelbrooke (Elmet and Rothwell) (Con)	Stuart Andrew	James Sunderland (Bracknell) (Con)	Stuart Andrew
Tommy Sheppard (Edinburgh East) (SNP)	Patrick Grady	Sir Desmond Swayne (New Forest West) (Con)	Mr William Wragg
Tulip Siddiq (Hampstead and Kilburn) (Lab)	Sir Alan Campbell	Sir Robert Syms (Poole) (Con)	Stuart Andrew
David Simmonds (Ruislip, Northwood and Pinner) (Con)	Stuart Andrew	Mark Tami (Alyn and Deeside) (Lab)	Sir Alan Campbell
Chris Skidmore (Kingswood) (Con)	Stuart Andrew	Sam Tarry (Ilford South) (Lab)	Sir Alan Campbell
Andy Slaughter (Hammersmith) (Lab)	Sir Alan Campbell	Alison Thewliss (Glasgow Central) (SNP)	Patrick Grady
Alyn Smith (Stirling) (SNP)	Patrick Grady	Derek Thomas (St Ives) (Con)	Stuart Andrew
Cat Smith (Lancaster and Fleetwood) (Lab)	Sir Alan Campbell	Gareth Thomas (Harrow West) (Lab/Co-op)	Sir Alan Campbell
Chloe Smith (Norwich North) (Con)	Stuart Andrew	Nick Thomas-Symonds (Torfaen) (Lab)	Sir Alan Campbell
Greg Smith (Buckingham) (Con)	Stuart Andrew	Owen Thompson (Midlothian) (SNP)	Patrick Grady
Henry Smith (Crawley) (Con)	Stuart Andrew	Richard Thomson (Gordon) (SNP)	Patrick Grady
Julian Smith (Skipton and Ripon) (Con)	Stuart Andrew	Emily Thornberry (Islington South and Finsbury) (Lab)	Sir Alan Campbell
Nick Smith (Blaenau Gwent) (Lab)	Sir Alan Campbell	Maggie Throup (Erewash) (Con)	Stuart Andrew
Royston Smith (Southampton, Itchen) (Con)	Stuart Andrew	Stephen Timms (East Ham) (Lab)	Sir Alan Campbell
Karin Smyth (Bristol South) (Lab)	Sir Alan Campbell	Edward Timpson (Eddisbury) (Con)	Stuart Andrew
Alex Sobel (Leeds North West) (Lab)	Sir Alan Campbell	Kelly Tolhurst (Rochester and Strood) (Con)	Stuart Andrew
Amanda Solloway (Derby North) (Con)	Stuart Andrew	Justin Tomlinson (North Swindon) (Con)	Stuart Andrew
Dr Ben Spencer (Runnymede and Weybridge) (Con)	Stuart Andrew	Michael Tomlinson (Mid Dorset and North Poole) (Con)	Stuart Andrew
Alexander Stafford (Rother Valley) (Con)	Stuart Andrew	Craig Tracey (North Warwickshire) (Con)	Stuart Andrew
Keir Starmer (Holborn and St Pancras) (Lab)	Sir Alan Campbell	Anne-Marie Trevelyan (Berwick-upon-Tweed) (Con)	Stuart Andrew
Chris Stephens (Glasgow South West) (SNP)	Patrick Grady	Jon Trickett (Hemsworth) (Lab)	Bell Ribeiro-Addy
Andrew Stephenson (Pendle) (Con)	Stuart Andrew	Laura Trott (Sevenoaks) (Con)	Stuart Andrew
Jo Stevens (Cardiff Central) (Lab)	Sir Alan Campbell	Elizabeth Truss (South West Norfolk) (Con)	Stuart Andrew
Jane Stevenson (Wolverhampton North East) (Con)	Stuart Andrew	Tom Tugendhat (Tonbridge and Malling) (Con)	Stuart Andrew
John Stevenson (Carlisle) (Con)	Stuart Andrew	Karl Turner (Kingston upon Hull East) (Lab)	Sir Alan Campbell
Bob Stewart (Beckenham) (Con)	Stuart Andrew	Derek Twigg (Halton) (Lab)	Sir Alan Campbell
Iain Stewart (Milton Keynes South) (Con)	Stuart Andrew	Liz Twist (Blaydon) (Lab)	Sir Alan Campbell
Jamie Stone (Caithness, Sutherland and Easter Ross) (LD)	Wendy Chamberlain	Mr Shailesh Vara (North West Cambridgeshire) (Con)	Stuart Andrew
Sir Gary Streeter (South West Devon) (Con)	Stuart Andrew	Martin Vickers (Cleethorpes) (Con)	Stuart Andrew
Wes Streeting (Ilford North) (Lab)	Sir Alan Campbell	Matt Vickers (Stockton South) (Con)	Chris Loder
Mel Stride (Central Devon) (Con)	Stuart Andrew	Theresa Villiers (Chipping Barnet) (Con)	Stuart Andrew
Graham Stringer (Blackley and Broughton) (Lab)	Sir Alan Campbell	Mr Robin Walker (Worcester) (Con)	Stuart Andrew
		Mr Ben Wallace (Wyre and Preston North)	Stuart Andrew

Member eligible for proxy vote	Nominated proxy
Dr Jamie Wallis (Bridgend) (Con)	Stuart Andrew
David Warburton (Somerset and Frome) (Con)	Stuart Andrew
Matt Warman (Boston and Skegness) (Con)	Stuart Andrew
Giles Watling (Clacton) (Con)	Stuart Andrew
Suzanne Webb (Stourbridge) (Con)	Stuart Andrew
Claudia Webbe (Leicester East) (Ind)	Bell Ribeiro-Addy
Catherine West (Hornsey and Wood Green) (Lab)	Sir Alan Campbell
Helen Whately (Faversham and Mid Kent) (Con)	Stuart Andrew
Mrs Heather Wheeler (South Derbyshire) (Con)	Stuart Andrew
Dr Alan Whitehead (Southampton, Test) (Lab)	Sir Alan Campbell
Dr Philippa Whitford (Central Ayrshire) (SNP)	Patrick Grady
Mick Whitley (Birkenhead) (Lab)	Sir Alan Campbell
Craig Whittaker (Calder Valley) (Con)	Stuart Andrew
John Whittingdale (Malden) (Con)	Stuart Andrew
Nadia Whittome (Nottingham East) (Lab)	Sir Alan Campbell

Member eligible for proxy vote	Nominated proxy
Bill Wiggin (North Herefordshire) (Con)	Stuart Andrew
James Wild (North West Norfolk) (Con)	Stuart Andrew
Craig Williams (Montgomeryshire) (Con)	Stuart Andrew
Hywel Williams (Arfon) (PC)	Ben Lake
Gavin Williamson (Montgomeryshire) (Con)	Stuart Andrew
Munira Wilson (Twickenham) (LD)	Wendy Chamberlain
Sammy Wilson (East Antrim) (DUP)	Jim Shannon
Beth Winter (Cynon Valley) (Lab)	Sir Alan Campbell
Pete Wishart (Perth and North Perthshire) (SNP)	Patrick Grady
Mike Wood (Dudley South) (Con)	Stuart Andrew
Jeremy Wright (Kenilworth and Southam) (Con)	Stuart Andrew
Mohammad Yasin (Bedford) (Lab)	Sir Alan Campbell
Jacob Young (Redcar) (Con)	Stuart Andrew
Nadhim Zahawi (Stratford-on-Avon) (Con)	Stuart Andrew
Daniel Zeichner (Cambridge) (Lab)	Sir Alan Campbell

Written Statements

Wednesday 24 February 2021

TREASURY

Infrastructure: Levelling-up Fund

The Chief Secretary to the Treasury (Steve Barclay):

The Government will deliver the levelling-up fund UK-wide using the financial assistance powers in the UK Internal Market Act. This will extend the benefits of funding for priority local infrastructure to local areas in Scotland, Wales and Northern Ireland.

The £4 billion announced at the spending review will now make available £4.8 billion UK-wide between 2021-22 and 2024-25.

It will be allocated competitively and be open to all local areas across the UK to boost growth and spread opportunity.

Making the fund UK-wide ensures that UK Government can target funding more efficiently and responsibly between different parts of the country. It will enable the Government to take a strategic approach across the UK, allocating funding in all parts of the country, irrespective of administrative borders.

Further details on how the fund will operate will be published at Budget.

[HCWS795]

EDUCATION

Support for Education Recovery

The Secretary of State for Education (Gavin Williamson):

The pandemic and associated restrictions have had a substantial impact on children and young people's learning. To address this challenge, the Government have committed to work with parents, teachers and education providers to develop a long-term plan to make sure pupils have the chance to make up their learning over the course of this Parliament. We have also appointed Sir Kevan Collins as education recovery commissioner to advise on this work and review how evidence-based interventions can be used to address the impact the pandemic has had on learning.

More immediately, we are putting in place a range of additional measures to help children and young people across England. The package of measures gives early years settings, schools and providers of 16-19 education the tools they need to target support to their students, tailored to the differing impact the pandemic has had on each individual.

New measures include:

A new, one-off £302 million recovery premium for state primary and secondary schools, building on the pupil premium, to further support pupils who need it most. The average primary school will receive around £6,000 extra, and the average secondary school around £22,000 extra. This will help schools to bolster summer provision for their students, for example laying on additional clubs and activities, or for evidence-based approaches for supporting the most disadvantaged pupils from September.

£200 million will fund:

- An expansion of the national tutoring programme for primary and secondary schools, to allow more pupils to benefit from the power of regular tutoring, which has been shown to boost catch up learning by much as 3-5 months at a time.
- An extension of the 16-19 tuition fund for a further year to support more students in English, maths and other vocational and academic subjects.
- Support for early language development in the early years, supporting a critical stage of child development.

£200 million will be available to secondary schools to deliver face-to-face summer schools. Schools will be able to target provision based on pupils' needs but as evidence suggests that incoming year 7 pupils may be in particular need of support, schools will want to consider their needs in particular. These schools will operate alongside wider summer support funded across the country through our holiday activities and food programme.

A range of high-quality online resources will be available for all teachers and pupils, starting from the summer term and throughout summer holidays, provided by Oak National Academy, to help give pupils the confidence they are ready for the next academic year.

This £700 million package incorporates the £300 million announced by the Prime Minister on 27 January and will build on the £1 billion support package that was announced in June 2020. This forms part of the wider response to help pupils make up their learning over the course of this Parliament.

[HCWS794]

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**not later than
Wednesday 3 March 2021**

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