

**Tuesday
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**HOUSE OF COMMONS
OFFICIAL REPORT**

**PARLIAMENTARY
DEBATES
(HANSARD)**

Tuesday 13 December 2022

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The House met at half-past Eleven o'clock

PRAYERS

[MR SPEAKER *in the Chair*]

Oral Answers to Questions

FOREIGN, COMMONWEALTH AND DEVELOPMENT OFFICE

The Secretary of State was asked—

British Indian Ocean Territory

1. **Henry Smith** (Crawley) (Con): What recent progress he has made on negotiations on the sovereignty of the British Indian Ocean Territory. [902757]

The Secretary of State for Foreign, Commonwealth and Development Affairs (James Cleverly): I can confirm that negotiations have begun. Officials from the UK and Mauritius met at the end of last month and had constructive discussions. The UK and Mauritius have reiterated that any agreement will ensure the continued effective operation of the joint UK-US defence facility on Diego Garcia, and we will be meeting again to continue negotiations shortly.

Henry Smith: What consultations are being held with members of the Chagossian community in my constituency and around the UK ahead of any proposed changes to the British Indian Ocean Territory?

James Cleverly: I recognise my hon. Friend's championing of the Chagossian community in his constituency. He will recognise that there is a diversity of views in the various Chagossian communities in Mauritius, the UK and the Seychelles. We will of course take those views seriously, but the negotiations are between the UK and Mauritius. We will ensure that we continue to engage with those communities through this negotiating process.

Patrick Grady (Glasgow North) (Ind): Do the UK Government now accept the finding of the International Court of Justice that the process of the decolonisation of Mauritius was not lawfully completed in 1968 and that the UK's continued administration of the Chagos archipelago constitutes a wrongful act?

James Cleverly: The UK has expressed regret about the manner in which the Chagossians were removed in the late 1960s and the 1970s, but we are working constructively with the Mauritius Government and, as I say, one of the strong principles that underpins the negotiation is the reiteration that the UK and US defence facility on Diego Garcia will continue.

LGBTQ+ Rights: Qatar World Cup

2. **Dan Carden** (Liverpool, Walton) (Lab): What diplomatic steps his Department is taking to promote LGBTQ+ rights during the men's World cup in Qatar. [902758]

The Secretary of State for Foreign, Commonwealth and Development Affairs (James Cleverly): Ministers and senior officials have raised the UK's position with regard to LGBT+ football fans and the status of those fans in Qatar. I raise these issues regularly in my direct engagement with the Qatari authorities, and on my recent visit to Qatar it was again restated in the conversation between myself and my opposite number in the Foreign Ministry.

Dan Carden: I am grateful to the Foreign Secretary. Qatar has brought into focus the denial of people's basic rights over their sexuality and gender. Around 70 countries still criminalise homosexuality, with 10 or more still using the death penalty. We are seeing a regression for LGBT rights in many parts of the world. Last week in Russia, Putin criminalised any act of public mention of same-sex relationships. In parts of eastern Europe, LGBT people are facing aggression, with violence in Bulgaria, new anti-LGBT laws in Hungary and so-called LGBT ideology-free zones continuing to operate in Poland. What is the Foreign Secretary doing to ensure that we do not see a pink curtain descend across Europe?

James Cleverly: The hon. Gentleman raises incredibly important points. My position on the importance of promoting and defending the rights of LGBTQ+ people is well known, and that absolutely reflects the British Government's position. We do not shy away from raising these issues in the conversations we have with those relevant countries where there are issues and where we are seeing a slip backwards, and I can commit to him and the House that we will continue to do so.

Sir Desmond Swayne (New Forest West) (Con): A proportion of the gay and lesbian community in Qatar will statistically also be part of the Christian minority, and Qatar has one of the worst records in the world for persecution of Christians. What is the Foreign Secretary going to do about that?

James Cleverly: Again, the British Government have a long-standing commitment to the protection of freedom of religion or belief, and we report on it regularly. The Prime Minister has in the past appointed a special envoy for this issue. My ministerial friend Lord Ahmad in the other place champions it when he has conversations in the region. The protection of minorities is an issue that is brought up regularly in the conversations that I have in the region.

Ukraine: War Crimes

3. **Chris Elmore** (Ogmore) (Lab): What diplomatic steps he is taking to help ensure that perpetrators of war crimes in Ukraine are held to account. [902759]

6. **Andrew Selous** (South West Bedfordshire) (Con): What diplomatic steps he is taking to help ensure (a) prosecution of and (b) effective sanctions against perpetrators of war crimes in Ukraine. [902762]

The Secretary of State for Foreign, Commonwealth and Development Affairs (James Cleverly): The UK has led diplomatic efforts to refer the situation in Ukraine to the International Criminal Court. With the US and EU, we established the Atrocity Crimes Advisory Group. We are working closely with our international partners to ensure that our sanctions are effective, and that those who are responsible for atrocities and breaches of international humanitarian law, at whatever level, are ultimately held accountable for their actions.

Chris Elmore: I thank the Foreign Secretary for his answer. In her recent visit to Parliament, the first lady of Ukraine highlighted that Russian soldiers had carried out sexual violence, including rape, against Ukrainian women with the consent of their commanders. As the Foreign Secretary will be aware, under UN international law the use of rape in combat is a war crime. Will he set out specifically what he will be doing on the diplomatic stage to ensure that when the war is over, or indeed before then, the soldiers who committed those crimes and the officers who authorised those disgusting and heinous rapes are dealt with in the International Criminal Court?

James Cleverly: The hon. Gentleman raises an incredibly important point. I had the privilege of speaking to the first lady at the Preventing Sexual Violence in Conflict Initiative conference that we hosted in London recently. I can inform him and the House that this morning we designated 12 more Russian military officers who were in command of Russian troops when atrocities took place. We work closely with the Ukrainian chief prosecutor, the International Criminal Court and our international allies to ensure there is an accountability framework that is effective, from the people on the ground who are perpetrating these crimes directly, to the officers who are ordering them to do that, right up to and including Vladimir Putin himself, who is ultimately responsible for these vile acts, which have taken place because of his invasion of Ukraine.

Andrew Selous: Does the Foreign Secretary agree that prosecutions and sanctions for atrocities in Ukraine should also be extended to those in Russia who perpetrate violence against women and girls, such as the Russian police officer Ivan Ryabov, who tortured courageous Russian women for speaking out against the brutality done in their name but against their will in Ukraine?

James Cleverly: My hon. Friend makes an incredibly important point. There are many, many Russians who are deeply opposed to the invasion that Putin initiated against Ukraine. Their bravery is legion. We have sanctioned more than 1,200 Russians and more than 120 entities as a direct result of Putin's invasion. I will make note of the name he raised. He and I have discussed this previously, and he will understand that we do not comment on specific designations that might have been brought about.

Mr Speaker: I call the shadow Foreign Secretary.

Mr David Lammy (Tottenham) (Lab): Labour has been calling for a special tribunal to prosecute Putin personally since March. This is a necessary part of securing justice for the victims of Putin's war crime, and would add to the legal basis for confiscating frozen

Russian assets. The EU has already set out a plan to shift frozen assets into a fund to help rebuild Ukraine, and Canada has already passed laws to do that. Why are the Government not doing the same?

James Cleverly: The Government and I have committed to exploring ways of ensuring that those individuals who supported Vladimir Putin—the kleptocrats and oligarchs who have helped to fund this aggression against Ukraine—are not just sanctioned; ultimately, we will look at legally robust mechanisms to seize assets as part of the reparations, rebuilding and reconstruction phase. Of course, we work closely with the Canadian authorities. Canada has a similar legal system to ours, for obvious reasons, and we will explore what it has done to see what we can learn to ensure that whatever vehicle we put in place has the desired effect and is robust.

Northern Ireland Protocol

4. Hilary Benn (Leeds Central) (Lab): What recent discussions he has had with the European Commission on the operation of the Northern Ireland protocol.

[902760]

13. Ian Paisley (North Antrim) (DUP): How many hours his Department has spent on negotiations with (a) EU member states and (b) the European Commission on the Northern Ireland protocol in the last month.

[902770]

The Secretary of State for Foreign, Commonwealth and Development Affairs (James Cleverly): Fixing the Northern Ireland protocol is a top priority for this Government. Since September I have been in regular contact with Vice-President Šefčovič. We last spoke on 1 December and I will be seeing him for further talks this week. My officials have also been working with our counterparts in the EU on a regular basis to try to resolve the issues, which we recognise—and we are impressing this upon them—are causing serious, genuine and damaging friction in relationships between the various communities in Northern Ireland.

Hilary Benn: I am grateful to the Foreign Secretary for that answer. It was reported recently that the Prime Minister has assured President Biden that an agreement will be reached with the EU in time for the 25th anniversary of the Good Friday agreement. We also read that the Northern Ireland Protocol Bill is on ice while the negotiations continue. Can the Foreign Secretary assure the House that if an agreement with the EU is reached—and we all hope that will happen—the Northern Ireland Protocol Bill will be dropped?

James Cleverly: The Northern Ireland Protocol Bill exists for a reason. The commitment that I made to Maroš Šefčovič in the conversations that I had with him and others was that we would not either artificially accelerate that process or artificially hinder or retard it. We have always said that our preferred option is through negotiations. We speak regularly, the tone is positive, and I think that there is now an understanding that the concerns that we have raised, and that have been raised particularly by the Unionist community in Northern Ireland, are not concocted but real, and that any agreement would need to address them.

Ian Paisley: Is it not the case that there has not been one hour of actual negotiations, because the EU has not extended its mandate to allow for any changes whatsoever in the operation of the current protocol? That being the case, does the Foreign Secretary not believe that the EU will smell weakness in this Government if they take their foot off the pedal with the protocol Bill in the other place? I encourage him to press on with the Bill.

James Cleverly: I can assure the hon. Gentleman that the UK negotiating team are very conscious of the frustrations, particularly in the Unionist community in Northern Ireland. But we have also made the point to our interlocutors in the EU that, across communities in Northern Ireland, there is a recognition that the protocol is not working, that it needs to be addressed, and that the relationships between Northern Ireland and Ireland, and between Northern Ireland and the rest of the UK—of which Northern Ireland is a part—all have to function properly. That is the underpinning of the Belfast/Good Friday agreement and that is what we seek to achieve through our negotiations.

Kevin Foster (Torbay) (Con): One needs only to visit the port at Belfast and see the potential for new facilities there to realise the interruption there could be to the vital east-west trade routes that Northern Ireland relies on. Does the Foreign Secretary agree that it is vital that the Government are clear that we do not take anything off the table in getting to an agreement? Even though we want an agreement, we still need all the options to be on the table, to ensure that we get what we need for the United Kingdom.

James Cleverly: The United Kingdom's position has been consistent. We recognise that the way the protocol is working is undermining community cohesion in Northern Ireland and disrupting business flows, particularly east-west between Northern Ireland and the rest of the UK. These issues have to be addressed. That is, I think, something that the EU negotiating team understand, and we will continue negotiating in good faith. However, as I say, the Northern Ireland Protocol Bill exists for a reason, and we want to ensure that we get a good working resolution that is sustainable for all the communities in Northern Ireland.

Mr Speaker: I call the shadow Foreign Secretary.

Mr David Lammy (Tottenham) (Lab): For 18 months we have been at an impasse on the Northern Ireland protocol. Instead of negotiations, we have had cheap rhetoric and threats to break agreements. With a UK Government showing determination and diplomatic skill, and an EU willing to be flexible, these problems would be easily resolvable. Is the real problem that the Prime Minister is in the pocket of the European Research Group, too weak to stand up to his Back Benchers, and putting his party before Northern Ireland?

James Cleverly: The right hon. Gentleman needs to keep up. We have had very well-tempered negotiations between the UK and EU negotiators. He will find in our public reporting of those negotiations that there has been a high degree of mutual respect. He says that there is an easy resolution. If he believes that, all I would say is that we are waiting to hear it. If it were easy, it would have been done already.

Mr Speaker: Let us hear from the SNP spokesperson.

Alyn Smith (Stirling) (SNP): I say to the Foreign Secretary that if politics goes wrong for him, he has a great career in stand-up ahead of him.

This discussion is not happening in a vacuum. The Foreign Secretary will be aware of a poll in *The Irish Times* yesterday that showed that 54% of the people of Northern Ireland are in favour of EU membership. I want to see a negotiated outcome over the protocol; we all do. There are things with the protocol that need to be addressed, and we all agree on that, but the Northern Ireland Protocol Bill is not the way to do that. Surely he must recognise that it is the biggest block to progress in these talks, and that now is the time to scrap it.

James Cleverly: I am the one who has been in the conversations with the EU. I know that it does not particularly like the Northern Ireland Protocol Bill, but, nevertheless, the conversations that I have had with my direct interlocutors and that our officials have been having with their opposite numbers in the EU system have been progressing. As I have said, there are still a number of serious issues that need to be resolved, but we are working in good faith. The Bill exists for a reason and it is important that it is there.

I welcome the hon. Gentleman highlighting the fact that there is pretty much universal agreement now that the protocol needs to be changed, because that is what is driving an increased degree of community tension and disruption in Northern Ireland.

While I am on my feet, let me welcome the hon. Gentleman resuming his place.

Commonwealth Countries

5. **Alexander Stafford (Rother Valley) (Con):** What diplomatic steps his Department is taking to strengthen relations with Commonwealth countries. [902761]

The Minister of State, Foreign, Commonwealth and Development Office (Anne-Marie Trevelyan): We want to see a Commonwealth that delivers greater benefits to all member states across a range of policy priorities, including climate, human rights, health, education and security. We are building long-term partnerships on shared priorities, such as on trade, where we have secured free trade agreements with Australia and New Zealand and are presently negotiating further FTAs with Canada and India.

Alexander Stafford: The Commonwealth is a family of nations that shares the UK's great values, culture, history and language, and I passionately believe that it is a force for good in an ever more uncertain world, and acts as a bulwark against intolerance and authoritarianism. In the wake of our departure from the EU, what steps is my right hon. Friend taking to deepen our engagement with Commonwealth on matters to do with the economy, foreign policy, culture and security, because they truly are our brothers?

Anne-Marie Trevelyan: In an increasingly uncertain world, where sovereignty is challenged, the UK believes that the Commonwealth provides an important network of prospering free nations of brothers and sisters. At

the Commonwealth Heads of Government Meeting in June, we agreed funding of £270 million to support girls' education across the Commonwealth and £15 million to help the Commonwealth countries defend themselves against cyber-attacks, and we are supporting small states through our international climate fund.

Dame Meg Hillier (Hackney South and Shoreditch) (Lab/Co-op): One way the Minister could help to support the Commonwealth is to support the Chair of the Public Accounts Committee in Montserrat who has been trying to investigate spending under the Deputy Governor's Department, but has been told that, constitutionally, that is not allowed, even though a significant amount of taxpayers' money in Montserrat goes into that budget. Perhaps we could have a conversation about that so that we can support proper financial scrutiny of Government spending wherever it happens in the Commonwealth.

Anne-Marie Trevelyan: As a former member of the hon. Lady's Public Accounts Committee, I would be very happy to take that up. I know that Lord Ahmad in the other place would be willing to sit down with her.

Dame Maria Miller (Basingstoke) (Con): One way that we strengthen relations with the Commonwealth is through the work of the Commonwealth Parliamentary Association, which the Government work with in the UK. You, Mr Speaker, are an extremely supportive co-president and I am proud to be chair. The status of the CPA headquarters as a UK charity is creating significant problems, as the Minister knows from conversations with my predecessor, my hon. Friend the Member for Bridgwater and West Somerset (Mr Liddell-Grainger). The noble Lord Goldsmith has met me to hear the importance of changing the status of the CPA, so that our headquarters can remain in the UK, but we need to move quickly to a resolution. Will my right hon. Friend agree to meet me and Lord Goldsmith to effect that change?

Anne-Marie Trevelyan: I am happy to commit to that. I know that the Foreign Secretary and you, Mr Speaker, have also discussed this important issue, and I will make sure it is picked up as soon as possible.

Jim Shannon (Strangford) (DUP): The Commonwealth is an incredibly influential body across the whole world and we recognise the good work it does, but we must also recognise the issue of human rights abuses and the persecution of Christians and other ethnic minorities in Commonwealth countries. What discussions has the Minister been able to have with those Commonwealth countries that do not allow freedom of religion or belief and that do persecute people about human rights?

Anne-Marie Trevelyan: The hon. Gentleman is a stalwart champion on this matter. I can assure him that in all our conversations with the Commonwealth countries within my regional portfolios and those of other Ministers, we always have on our agenda the question of human rights issues. We are a strong and critical friend where we need to be, and that will always continue.

Mr Speaker: I call the shadow Minister.

Catherine West (Hornsey and Wood Green) (Lab): In the Commonwealth we have a unique vehicle with which to engage on the global stage. I welcome the Foreign Secretary's comments in his speech yesterday, but while Foreign Office budgets are under continual strain and the Department is beset by strategic incoherence, does he accept that under the current approach, his vision is simply unachievable?

Anne-Marie Trevelyan: I thank the hon. Lady for her comments on the Foreign Secretary's speech yesterday, which I thought set out very clearly the patient diplomacy that we consider the Commonwealth to be at the heart of. These are long-standing relationships, where we work together to build, to help economies to grow and on mutual security issues. I was out in the Pacific recently, where six of our Commonwealth family are. Working together on maritime security, on climate and on helping them to support their populations for the future is at the heart of what we do.

Saudi Arabia: Human Rights and Death Penalty

7. **Chris Bryant** (Rhondda) (Lab): Whether he has made recent representations to his counterpart in Saudi Arabia on (a) the use of the death penalty and (b) potential human rights violations in that country.
[902763]

The Parliamentary Under-Secretary of State for Foreign, Commonwealth and Development Affairs (David Rutley): Saudi Arabia remains an FCDO human rights priority country, particularly because of the use of the death penalty and restrictions on freedom of expression. We strongly oppose the death penalty in all countries and circumstances. We regularly raise our concerns with the Saudi authorities and will continue to do so. The Minister for the Middle East raised the death penalty and freedom of expression with the Saudi ambassador on 24 November.

Chris Bryant: I am afraid that recently it feels as if the Government are frightened of saying boo to Saudi Arabia on human rights abuses. The Minister himself, only a few days ago, said that Hussein Abo al-Kheir had been abhorrently tortured by Saudi authorities. He withdrew the remark; as I understand it, the Saudi authorities asked the Foreign Office to withdraw that remark. The truth is that Hussein Abo al-Kheir has been tortured and he has been on death row since 2015. The Saudi Government executed 81 people on one day earlier this year and are intending to execute a large number more later this year. They have already reneged on all of their promises on ending the death penalty for non-violent crimes. Will the Minister please go back to Saudi Arabia and make it clear that this country abhors torture and the death penalty?

David Rutley: I corrected my answer to the right hon. Member for Leeds Central (Hilary Benn) to clarify that those were allegations of torture, as I underline again today. That is consistent with the line I used in my opening remarks on this issue in the urgent question on 28 November. I also contacted the right hon. Gentleman to ensure that he was aware of the correction. Notwithstanding that, of course it is vital that we continue to raise these issues, as Lord Ahmad has done and will continue to do.

Mr Speaker: We come now to the SNP spokesperson.

Drew Hendry (Inverness, Nairn, Badenoch and Strathspey) (SNP): I am sure the Minister would agree that, in moving away from any possible reliance on Russian energy supplies, the UK should not simply choose further dependency on a different authoritarian regime. It has been reported that the former Chancellor, the right hon. Member for Spelthorne (Kwasi Kwarteng), when he was Business Secretary, held undisclosed meetings with Saudi Arabian firms. Will the Minister tell us what was discussed—and if he cannot, why can he not?

David Rutley: I do not recognise those conversations that the hon. Gentleman refers to, but clearly the important thing is that we have access to the energy we need with allies that we trust and, over time, build our own energy security as well.

Iran

8. **Anna McMorris** (Cardiff North) (Lab): What recent assessment he has made of the political situation in Iran. [902764]

18. **John Spellar** (Warley) (Lab): What steps his Department is taking to help tackle destabilising activities by the Islamic Revolutionary Guard Corps. [902775]

The Secretary of State for Foreign, Commonwealth and Development Affairs (James Cleverly): These protests in Iran are a watershed moment. After years of repression, the Iranian people have clearly had enough. They are standing up to the authoritarian regime under which they live. Sadly, the regime has responded in the only way it knows: with violence. The UK is committed to holding Iran to account, including with more than 300 sanctions—including the sanctioning of the Islamic Revolutionary Guard Corps in its entirety. We will continue to work with partners to challenge the regime's aggression at home and its disruptive behaviour in the region.

Anna McMorris: I thank the Secretary of State for his answer. Iranians are being hanged from cranes with black bags over their heads and their hands and feet bound while Iranian weapons are being used to perpetrate Putin's illegal war murdering Ukrainians. Will the Secretary of State join me in condemning those human rights violations and tell me exactly what sanctions he will bring forward against Raisi's abhorrent regime?

James Cleverly: I personally and the UK Government have regularly condemned the abuses in Iran. Of course, I recognise that that tone is reflected right across the House. We have sanctioned the morality police; we have sanctioned the Iranian judges whom we know to be involved in those secret trials. We will continue to work with our international partners, and directly, to sanction the members of the Iranian regime who continue to abuse the human rights of the people within that country.

John Spellar: The Minister has rightly identified that the clerical fascist regime in Tehran is increasingly using violence and terror in trying to crush the popular protests there, while also destabilising the region through proxies, as well as further afield. He knows that a vital underpinning

of this dreadful regime's activities is the Islamic Revolutionary Guard Corps. He mentioned working with other parties; he knows that the United States has already taken action to proscribe the IRGC. Will that finally persuade him to sanction to the IRGC?

James Cleverly: We already sanction the IRGC in its entirety. We will continue to work closely with our friends in the international community to prevent the point that the right hon. Gentleman raises: the exporting of attack drones and other munitions to Russia, which are then being used by Vladimir Putin's troops to attack civilians and civilian infrastructure in Ukraine. We will continue to sanction individuals, and as I say, the IRGC is already sanctioned in its entirety.

Mr Speaker: I call the shadow Minister.

Fabian Hamilton (Leeds North East) (Lab): The Metropolitan police have warned about threats described as an "imminent, credible risk" to life against British-Iranian journalists in the United Kingdom. The Iranian regime has also threatened BBC Persian journalists. I ask the Foreign Secretary again to set out what further targeted sanctions the Government will be taking against the whole Iranian regime and, more importantly, to ensure that the Government act against any threats to individuals in the United Kingdom.

James Cleverly: The hon. Gentleman will understand that it is counterproductive to detail what future sanctions designations might be brought in—we want to ensure that the targets of those sanctions do not in any way try to evade the sanctions before they are brought in. The UK remains absolutely determined to ensure that Iran does not intimidate people within this country. We will always stand up to aggression from foreign nations. We will absolutely not tolerate threats, particularly towards journalists who are highlighting what is going on in Iran, or indeed towards any other individual living in the UK. On 11 November, I summoned the Iranian chargé d'affaires to highlight the UK's position on this; and, working with our colleagues in the Home Office, we ensured that the Iranian journalists who were under threat according to our information were protected by the British police.

Recognition of Genocide

9. **Dr Rupa Huq** (Ealing Central and Acton) (Ind): If the Government will take steps to recognise (a) the Holodomor and (b) the events of 1915-16 in Armenia as genocide. [902765]

The Parliamentary Under-Secretary of State for Foreign, Commonwealth and Development Affairs (David Rutley): The long-standing position of the UK Government is that genocide recognition is a matter for competent courts, rather than Governments or non-judicial bodies. Our position in no way detracts from our recognition that the Holodomor is an appalling tragedy and an important part of the history of Ukraine and Europe. Similarly, although the massacres committed against Armenian people in the early 20th century were a tragic episode in that country's history that should never be forgotten, the Government have no plans to recognise these appalling events as genocide.

Dr Huq: November's Holodomor Memorial Day to remember Stalin's enforced starvation of millions of Ukrainians with the intended purpose of wiping out their entire culture and society particularly resonated in this 90th year, given what Putin is doing at the moment in that country. Every March, the Armenian diaspora solemnly commemorates the systematic extermination of more than 1 million of their forebears over an eight-year period, and there is also trouble in that region now in Nagorno-Karabakh. Our closest ally, the US, recognises both of these as genocide. Given the painful reverberations today, why can't we?

David Rutley: As I have said, our consistent view across successive Governments—not just this one—is that the recognition of genocide is a matter for judicial bodies, not Governments. However, we take allegations seriously, and we work hard to end violations of international human rights law, to prevent escalations of such violations and to alleviate the suffering of those affected.

Supporting Democracies

10. **Richard Graham** (Gloucester) (Con): If he will make an assessment of the potential merits of establishing an FCDO centre of expertise to help support democracies across the world. [R] [902766]

The Minister of State, Foreign, Commonwealth and Development Office (Mr Andrew Mitchell): Officials have assessed the merits of establishing an FCDO centre of expertise to support democratic governance around the world; and, funding permitting, we fully intend to establish one to address the democratic deficit that the world is facing.

Richard Graham: I am encouraged to hear that, because as Ministers know, democracy is in decline globally—not everywhere, but in aggregate—and therefore, drawing on 30 years of experience, the Westminster Foundation for Democracy's proposal is to help the FCDO build a democracy strategy, which includes this centre of expertise designed to help our embassies and high commissioners abroad. Will my right hon. Friend therefore agree to meet with the WFD as soon as possible to discuss how best we can take these proposals forward?

Mr Mitchell: I certainly will, and I congratulate the Westminster Foundation for Democracy on its 30 years. Across the House, Members have advanced democracy and accountability and, despite huge pressures on our budget, there will be no reductions in the Westminster Foundation's budget this year. May I finally commend the tremendous work being done on LGBT+ rights around the world, specifically in 20 countries?

Valerie Vaz (Walsall South) (Lab): Is the Minister aware that NATO has set up a centre for democratic resilience? Will he make sure that the Government do not undermine that work or duplicate it?

Mr Mitchell: Yes. That is a very good point, and we will enhance and emphasise the work in a perfectly seamless, joined-up approach.

Israel and Palestine

11. **Tommy Sheppard** (Edinburgh East) (SNP): What recent assessment he has made of Israel's compliance with its obligations under international law in the Occupied Palestinian Territories. [902767]

The Parliamentary Under-Secretary of State for Foreign, Commonwealth and Development Affairs (David Rutley): As a friend of Israel, we have a regular dialogue on human rights and all matters relating to the occupation. That includes encouraging the Government of Israel to abide by their obligations under international law. We are concerned by instability on the west bank and call on all sides to work together to urgently de-escalate the situation.

Tommy Sheppard: In the past year, we have had three compelling reports, produced by Amnesty International, Human Rights Watch and the Israeli organisation B'Tselem. All of them accuse the Israeli authorities of committing the crime of apartheid. We have had plans published recently to effectively annex the west bank into Israel, and we now have the appointment of violently racist Ministers into the Israeli Government. Is it not time to step up the diplomatic pressure on Israel to ensure that it abides by international law and upholds the rights of Palestinians?

David Rutley: First, we do not recognise the terminology about apartheid. Any judgment on serious crimes under international law is a matter for judicial decision, rather than for Governments or non-judicial bodies. We do work closely with the Israeli Government. We condemn any incidents of violence by settlers against the Palestinians.

Africa: Sovereign Debt

12. **Kate Osamor** (Edmonton) (Lab/Co-op): What assessment he has made of the potential effect of trends in the level of sovereign debt in Africa on stability in that region. [902768]

The Minister of State, Foreign, Commonwealth and Development Office (Mr Andrew Mitchell): The significant debt vulnerabilities in many sub-Saharan African countries create risks for their growth, development and stability.

Kate Osamor: I thank the Minister for his reply. We have seen crippling crises affect various parts of Africa this year, from drought in the horn of Africa to floods in Nigeria. The debt burden of many low and middle income countries impacts the state's capacity to cope, and the crisis only worsens the economic outlook further. As the charity Debt Justice has proposed, will the Government commit to supporting a universal framework for debt cancellation when an extreme climate event strikes, to prevent that double whammy?

Mr Mitchell: We look at every way of helping to address the problem that the hon. Lady sets out. We are providing bilateral technical assistance to help many countries better manage their public funding, and we are working with partners in the Paris Club and the G20 on how to address international debt issues together. We have already seen the progress that results from that in Ghana, where I am going today, and in Malawi.

Sir James Duddridge (Rochford and Southend East) (Con): Is my right hon. Friend concerned, as I am, that Chinese sovereign debt is perhaps understated in countries such as Zambia, where banks lend directly to the Government but are effectively controlled by the ministry of finance in China? Will he do more to understand the totality of the debt and the indebtedness of specific countries to the Chinese Government?

Mr Mitchell: Yes. My right hon. Friend makes a very good point, and we need to show through what we do that there is a much better alternative. In 2020, we provided debt relief on repayments to the International Monetary Fund for 23 countries and contributed £150 million to the IMF catastrophe containment and relief trust. It is by doing such things that we show that there is a better way than the one the Chinese are using.

Mr Speaker: I call the shadow Minister.

Preet Kaur Gill (Birmingham, Edgbaston) (Lab/Co-op): The IMF says that three out of five of the world's poorest countries are now in debt distress. The last Labour Government cancelled billions of pounds of multilateral debt. Any solution now depends on China, which receives 66% of all bilateral payments, and private creditors such as BlackRock. The future of millions of the world's poorest depends on halting debt defaults, so what steps will the Government now take to engage seriously with China and bring forward the incentives, regulation and education needed to force private creditors to the table?

Mr Mitchell: The shadow Minister makes a good point. I think she is referring specifically to vulture funds, which we will certainly address. I want to make it clear to the House that we are working very closely with the international financial community. We understand absolutely the risks of instability that the situation creates, and the hon. Lady will have seen the work on stabilisation that has been done by both the Africa Development Bank and the World Bank.

Ukraine: Energy Supplies

14. **Robin Millar** (Aberconwy) (Con): What assessment he has made of the impact of UK diplomatic and development support to Ukraine on the resilience of Ukraine's energy supplies. [902771]

The Minister of State, Foreign, Commonwealth and Development Office (Anne-Marie Trevelyan): We are supporting Ukraine on air defence to help to protect its critical national infrastructure against Russian attacks, and providing support to repair and restore energy infrastructure. We have provided £22 million to Ukraine's energy sector and a \$50 million financial guarantee to their electricity operator.

Robin Millar: Fully 40% of energy infrastructure in Ukraine has been damaged or destroyed since Putin's illegal invasion. After one strike in October, 1.5 million households were without electricity, and a winter of freezing days and dark nights lies ahead for many in Ukraine. I welcome the aid that my right hon. Friend mentions, and the £10 million that has been donated to the Ukraine energy support fund, but does she back the

Business Secretary's calls to UK business to help the UK Government and make donations of emergency energy equipment to Ukraine?

Anne-Marie Trevelyan: My hon. Friend is right that the Department for Business, Energy and Industrial Strategy and the Department for International Trade are mobilising UK industry. The DIT held an event in Manchester yesterday with UK supply chain companies to encourage them to find ways to supply Ukraine with energy equipment and services. High-voltage transformers and more generators—the UK has already provided 850—will continue to be needed through the winter.

Afghan Citizens Resettlement Scheme

15. **Caroline Lucas** (Brighton, Pavilion) (Green): How many at-risk British Council and GardaWorld contractors and Chevening alumni in Afghanistan his Department has (a) assessed as eligible for and (b) resettled under the Afghan citizens resettlement scheme pathway 3 since 6 January 2022. [902772]

20. **Sam Tarry** (Ilford South) (Lab): What humanitarian support his Department is providing to Afghan people (a) in and (b) fleeing Afghanistan. [902777]

The Secretary of State for Foreign, Commonwealth and Development Affairs (James Cleverly): The UK has already resettled more than 6,300 people through various resettlement schemes. In the first phase of the Afghan resettlement scheme pathway 3, we will offer up to 1,500 places. We have received 11,400 expressions of interest and we are working through those quickly. We have disbursed £228 million since April 2022, on top of £286 million in aid for Afghanistan last financial year.

Caroline Lucas: The Foreign Secretary says that he is working quickly, yet we know that zero Afghans have been resettled under the ACRS. No wonder yesterday the Minister of State, the right hon. Member for Sutton Coldfield (Mr Mitchell), admitted that we must do better when confronted with the staggering delay. I am in touch with Chevening alumni, for example, who have been living in fear of their lives for more than 16 months now. By the Government's own admission, pathway 3 in its first year will help only 400 applicants and their families—a tiny number—out of more than 11,000. Will the Foreign Secretary and the Home Office urgently supercharge the scheme, increase the number of people working on it in the Department and, crucially, allow the 20,000 people Ministers say they want to help over five years to come now? They cannot wait for another four or five years; they are in fear of their lives now.

James Cleverly: I have to correct the hon. Lady. She says that we have not made any resettlements under the ACRS. As I said in my answer, we have granted indefinite leave to remain to 6,300 eligible people. I think that she was making specific reference to pathway 3, which we are working on, but the House ought to recognise that we have already given indefinite leave to remain to more than 6,000 eligible people.

Sam Tarry: Last year my team and I heard countless harrowing, brutal stories of people and their families being murdered in Afghanistan, often while on the phone to my casework team. My team are still shocked

and triggered by that awful experience; by the pictures they saw and the voicemails they heard. The FCDO really has to do a lot more to make sure that more people in Afghanistan do not die at the hands of the Taliban. I do not know whether I am going to correct my friend the hon. Member for Brighton, Pavilion (Caroline Lucas), but my understanding is that only four Afghans have been resettled under the ACRS. Many of my constituents have lost loved ones, so I want to know just two things from the Foreign Secretary: what support is being offered to Afghan refugees currently stuck in Pakistan, and what will he be doing to speak to Home Office colleagues and ensure that this absolute mess of resettling people is sorted out promptly?

James Cleverly: Yet again, I have to correct the hon. Gentleman. He said that only four people had been settled under the ACRS. I say again, for the third time, that around 6,300 eligible people have been granted indefinite leave to remain under the referral pathways of the ACRS. We will of course continue to work both across HMG and with our international partners to resettle at-risk Afghans, and will particularly look at the individuals who have been supportive of the UK, and those particularly at risk because they are women, academics or members of the judiciary.

Topical Questions

T1. [902782] **Mrs Emma Lewell-Buck** (South Shields) (Lab): If he will make a statement on his departmental responsibilities.

The Secretary of State for Foreign, Commonwealth and Development Affairs (James Cleverly): Since being appointed, this ministerial team and I have criss-crossed the globe on behalf of the British people, including making visits to Somalia, Australia and Colombia. The Minister for Europe has visited more than half a dozen European capitals, I have been to multilateral events such as NATO, the G7 Foreign Ministers meeting and COP27 in Egypt. We do so to strengthen our bilateral and multilateral relationships so that we can address pressing issues such as illicit migration, climate change and the pressures being felt around the globe as a result of Russia's illegal and unprovoked invasion of Ukraine.

Mrs Lewell-Buck: I thank the Secretary of State for that response, but I am disappointed that he failed to mention the news this weekend that more than 11,000 children have been killed or maimed in the war in Yemen. As he knows, the truce has collapsed, escalation is feared and the humanitarian situation is desperate. In the past he has defended UK arms sales to Saudi Arabia on the basis of the UK's strict arms export licensing criteria. Since the Government watered down those criteria—

Mr Speaker: Order. These are topical questions; they should be short.

James Cleverly: I can inform the hon. Lady that I had a meeting with my Yemeni counterpart at COP27 in Egypt. I know that the plight of the Yemeni people is close to the hearts of many Members of the House. It remains a focus of the UK Government. We call on all sides involved in the conflict, especially the Houthis, to

abide by the ceasefire agreement, but of course Saudi Arabia has, as all countries have, a legitimate right to self-defence.

T3. [902784] **Elliot Colburn** (Carshalton and Wallington) (Con): Carshalton and Wallington is home to many Ahmadiyya Muslims, who remain concerned about the continued persecution, especially by the Pakistani Government, of the Ahmadiyya community. What steps is my right hon. Friend taking to raise the matter with the Government of Pakistan? [R]

The Minister of State, Foreign, Commonwealth and Development Office (Mr Andrew Mitchell): My hon. Friend has a long track record of pursuing these important matters. We are raising this matter with the Government of Pakistan, and we will make sure he hears the outcome of those representations in due course.

Mr Speaker: I call the shadow Foreign Secretary.

Mr David Lammy (Tottenham) (Lab): Last week, the courageous Dunn family finally secured some justice for Harry, but the disrespect that they received from Ministers at the FCDO was a disgrace. Given the latest allegations that a bullying Tory Minister caused delays to Afghan evacuations, does the Foreign Secretary accept the need for an independent review of whether there has been a toxic culture at the FCDO that is undermining Britain on the global stage?

James Cleverly: I completely reject the points the right hon. Gentleman has made. I pay tribute to my predecessor, the former Foreign Secretary, for the work that he did pursuing justice for the Dunn family, and I think it is completely inappropriate for the right hon. Gentleman to suggest anything otherwise.

T6. [902788] **Stephen Hammond** (Wimbledon) (Con): The response of the Iranian regime to political process has been judicial murder. Two young men were reported to have been executed yesterday, and there is a list of 41 executions rumoured to be happening before the weekend. Will my right hon. Friend call in the Iranian ambassador and express our revulsion, and will he also introduce immediate sanctions against the Iranian regime?

James Cleverly: My hon. Friend makes an incredibly important point. We have summoned senior Iranian diplomats to make clear the UK's position on the brutality they are meting out on their own people, we have sanctioned judges involved in the secret courts that have imposed the death sentence on Iranian protesters, and we will continue to push the Iranian regime to do better.

T2. [902783] **Ian Paisley** (North Antrim) (DUP): Is the Secretary of State aware of the abusive hate speech issued by Ken Mifsud-Bonnici, who works in the office of President Ursula von der Leyen, and his comments about Northern Ireland, which matched indeed the equivalent to a goose-step across Ireland by President Ursula von der Leyen herself when she spoke from Dublin? Could the Foreign Secretary indicate if he has spoken to those in the President's office and asked them to disassociate themselves from those abusive comments about Northern Ireland?

James Cleverly: I think it is incredibly important when we discuss issues as serious as this that everybody is cautious and thoughtful in their language. I had seen those comments, which were inappropriate.

T9. [902791] **Greg Smith** (Buckingham) (Con): Notwithstanding the answer my right hon. Friend gave earlier, given that Germany now believes that Iran's Islamic Revolutionary Guard Corps was behind several terror attacks against synagogues, that our own security services have revealed at least 10 attempted killings by the IRGC in the UK this year alone, and as the threat it poses looms ever closer to home, does the Foreign Secretary agree with me that now is the time to proscribe the IRGC?

James Cleverly: My hon. Friend, who speaks with great passion and authority on this issue, knows that it is a long-standing Government policy that we do not speculate on future proscriptions. He will know that we have sanctioned the IRGC in its entirety, and we have brought specific actions against individuals who we know to be involved either with arms distributions or violations of international humanitarian law.

T4. [902785] **Patrick Grady** (Glasgow North) (Ind): Does the Foreign Secretary or the Minister for Development believe that there should be an upper limit on the amount of the aid budget that can be spent in the UK?

Mr Mitchell: All British aid must be spent in accordance with the OECD Development Assistance Committee rules governing its spending. The hon. Member is talking about the expenditure on the first year of a refugee's time in the United Kingdom, and that is absolutely legitimate expenditure under the official development assistance rules.

Philip Dunne (Ludlow) (Con): Last week, G7 nations imposed a cap on the price of Russian oil exports in an attempt to limit the revenue fuelling Putin's war in Ukraine. As G7 nations have already largely ceased purchasing oil from Russia, can my right hon. Friend explain to the House how this measure will be effective?

The Minister of State, Foreign, Commonwealth and Development Office (Anne-Marie Trevelyan): We are working alongside the G7 to end that reliance on Russian energy and with the international community to open up alternative sources of energy, ensuring market stability. We introduced an oil price cap designed to enable countries to access the oil they need at affordable prices while undermining Russia's ability to profit from inflated prices.

T5. [902786] **Mary Glendon** (North Tyneside) (Lab): Does the Minister agree that unjustifiable Iranian bombardments on Iraqi Kurdistan and other attacks require resolving disputes between Baghdad and Irbil plus accelerating economic and political reform, and that these should continue to be key themes for our excellent diplomats there?

James Cleverly: I met the President and Foreign Minister of the newly installed Iraqi Government when I was in Egypt, and we of course have a very good working relationship with both Irbil and Baghdad. It is

in the interests of all Iraqis that the relationship between Irbil and Baghdad is fruitful and we will continue to invest diplomatic effort to ensure that continues.

Vicky Ford (Chelmsford) (Con): We have heard how Putin's henchmen in the Wagner Group are implicated in many barbaric war crimes in Ukraine, including a brutal assassination of a defector, and how they are sending Russian prisoners to their deaths as cannon fodder, and a massacre in Mali. Do we let this evil continue or should the UK proscribe the Wagner Group as a terrorist organisation?

James Cleverly: My right hon. Friend rightly speaks with great passion about this as there has been terrible behaviour by members of the Wagner Group. She has been in my position so will recognise that we do not speculate on future proscription, but the actions of the Wagner Group are being watched by this Government and other Governments around the world.

T7. [902789] **Chris Bryant** (Rhondda) (Lab): Why did the UK Government withdraw at the very last minute, on 10 December last year, from sanctioning the torturous and barbarous members of the Bangladesh rapid action battalion and then invite them to be trained in the UK in surveillance technology?

James Cleverly: Understandably, the process by which sanctions are applied needs to be done discreetly. I am not able to discuss in detail how sanctions are processed, but I will ensure we get details to the hon. Gentleman on this issue.

Tim Loughton (East Worthing and Shoreham) (Con): In the south-east corner of Europe, Azerbaijan is again waging a human rights abuse against the people of Armenia. Today it has cut off the Lachin corridor, cutting off the Armenian population of Nagorno-Karabakh from Armenia, on top of the continued detention of prisoners of war, their torture, and lobbing shells into Armenian sovereign territory. Will the Foreign Secretary haul in the Azerbaijan ambassador, read him the riot act and take a delegation of the all-party group on Armenia—I declare an interest as its chair—to put a stop to this continued attempt at genocide and ethnic cleansing?

James Cleverly: My hon. Friend takes a keen interest in this issue. I spoke with the Azerbaijan ambassador yesterday on a range of issues, and I will reiterate a point I have always called for: de-escalation in that area.

T8. [902790] **Dame Nia Griffith** (Llanelli) (Lab): Yesterday Reuters reported on a massacre by Nigerian Government forces that included at least 10 children who were allegedly unarmed and shot while lying down. Reports said children, some born from rape by Jihadist fighters, are being viewed as tainted. Treating children like that is abhorrent, so what action has the Secretary of State taken to raise these issues with the Nigerian Government and ensure accountability for alleged war crimes even during operations against jihadist armed groups?

Mr Mitchell: The hon. Lady is right to raise this matter, which is of immense concern, and we will be raising all the issues she has set out through our high commissioner in Abuja.

Daniel Zeichner (Cambridge) (Lab): The management of the official development assistance budget has been chaotic, leading to a freeze in so called non-essential spending. Can the Minister tell us what the impacts have been and will he publish any impact assessment that has been done?

Mr Mitchell: The first thing to say is that the pause has now been lifted. I know there is some concern in the hon. Gentleman's constituency about the R&D spend, and I am very pleased to tell him that, despite the extremely difficult circumstances of the ODA budget, we do not expect there to be a reduction in that level of spend.

Mary Kelly Foy (City of Durham) (Lab): The backlog of academic technology approval scheme certifications means that many research projects at Durham University are being delayed. What actions are being taken to ensure that any cases my office raises with the Department are investigated and responded to immediately?

Anne-Marie Trevelyan: We have received more than 49,000 ATAS applications, of which only 824 remain beyond the target processing time. I am happy to pick up with the hon. Lady any specific cases that she wishes me to look at.

Joanna Cherry (Edinburgh South West) (SNP): What is the Foreign Office going to do about the significant delays in the academic technology approval scheme, which is preventing professors at Edinburgh University and Heriot-Watt University from getting the top PhD candidates?

Anne-Marie Trevelyan: ATAS continues to be an essential tool to prevent sensitive UK technologies from reaching military programmes of concern, so we are

proud of the work done by our incredible team to monitor and manage every single case. I am happy to sit down with the hon. and learned Lady if there are specific cases that she wishes me to look at.

Wayne David (Caerphilly) (Lab): Yesterday, I learned that I was to be sanctioned by the Iranian regime for my support for human rights and freedom in Iran. I assure the House that that support will continue unabated. What support are the Government giving to the BBC Persian service?

James Cleverly: I am sure that the hon. Gentleman will wear that sanction designation as a badge of honour, because the point that he has made in standing up for the voice of the Iranian people who are being oppressed by their own regime is an important one. We take the protection of people here in the UK, whether British nationals or Iranians, incredibly seriously, and I will work with the Home Office to ensure that that protection is meaningful and strong.

Wendy Chamberlain (North East Fife) (LD): We know about the draconian restrictions faced by women and girls in Afghanistan. The new all-party parliamentary group for Afghan women and girls, which I co-chair, has written to the Foreign Secretary and looks forward to his response. Will he commit that in any conversations or negotiations that he has with the Taliban, the rights of women and girls in Afghanistan will be prioritised?

James Cleverly: The protection of women and girls remains an absolute foundation stone of Britain's foreign policy. We look upon the images we see coming out of Afghanistan, with humiliation and abuse meted out against Afghan women, and take our response incredibly seriously. I assure her that that will always be a firm point when we raise things with the Afghanistan Government.

Illegal Immigration

12.32 pm

The Prime Minister (Rishi Sunak): Before I start, I know that the whole House will want to join me in expressing our sympathies to the families of those who lost their children in Solihull.

With permission, Mr Speaker, I would like to make a statement on illegal migration. I hope that the whole House will agree that there is a complex moral dimension to illegal migration. The balancing of our duty to support people in dire need with the responsibility to have genuine control over our borders understandably provokes strong feelings. So it is my view that the basis for any solution should be not just what works but what is right.

The simplest moral framing for this issue, and one that I believe Members on both sides of the House believe in, is fairness. It is unfair that people come here illegally. It is unfair on those with a genuine case for asylum when our capacity to help is taken up by people coming through—and from—countries that are perfectly safe. It is unfair on those who migrate here legally when others come here by cheating the system. Above all, it is unfair on the British people who play by the rules when others come here illegally and benefit from breaking those rules. So people are right to be angry, because they see what I see, which is that this simply is not fair.

It is not cruel or unkind to want to break the stranglehold of criminal gangs who trade in human misery and who exploit our system and laws. Enough is enough. As currently constructed, the global asylum framework has become obsolete. Today, there are 100 million people displaced globally. Hostile states are using migration as a weapon on the very borders of Europe. As the world becomes more unstable, and the effects of climate change make more places uninhabitable, the numbers displaced will only grow.

We have a proud history of providing sanctuary to those most in need. Britain helped craft the 1951 refugee convention to protect those fleeing persecution. My right hon. Friend the Member for Maidenhead (Mrs May) passed the world's first Modern Slavery Act in 2015. In the last year, we have opened our hearts and our homes to people from Hong Kong, Afghanistan and Ukraine. Thousands of families will be setting extra places around the Christmas table this year. No one—no one—can doubt our generosity of spirit.

But today, far too many of the beneficiaries of that generosity are not those directly fleeing war zones or at risk of persecution, but people crossing the channel in small boats. Many originate from fundamentally safe countries. All travel through safe countries. Their journeys are not ad hoc, but co-ordinated by ruthless, organised criminals. And every single journey risks the lives of women, children and—we should be honest—mostly men at sea.

This is not what previous generations intended when they drafted our humanitarian laws, nor is it the purpose of the numerous international treaties to which the UK is a signatory. Unless we act now and decisively, this will only get worse. Already in just seven weeks since I became Prime Minister, we have delivered the largest ever small boats deal with France, with significantly more boots on the ground patrolling their beaches. For

the first time, UK and French officers are embedded in respective operations in Dover and northern France. We have re-established the Calais group of northern European nations to disrupt traffickers all along the migration route. Last week, the group set a long-term ambition for a UK-EU-wide agreement on migration. Of course, that is not a panacea and we need to go much further. Over the last month, the Home Secretary and I have studied every aspect of this issue in detail, and we can now set out five new steps today.

First, our policing of the channel has been too fragmented, with different people doing different things being pulled in different directions. So we will establish a new, permanent, unified small boats operational command. This will bring together our military, our civilian capabilities and the National Crime Agency. It will co-ordinate our intelligence, interception, processing and enforcement, and use all available technology, including drones for reconnaissance and surveillance, to pick people up and identify and then prosecute more gang-led boat pilots. We are adding more than 700 new staff and also doubling the funding given to the NCA for tackling organised immigration crime in Europe.

Secondly, those extra resources will free up immigration officers to go back to enforcement, which will, in turn, allow us to increase raids on illegal working by 50%. And it is frankly absurd that today illegal migrants can get bank accounts which help them live and work here. So we will re-start data sharing to stop that.

Thirdly, it is unfair and appalling that we are spending £5.5 million every day on using hotels to house asylum seekers. We must end this. We will shortly bring forward a range of alternative sites, such as disused holiday parks, former student halls and surplus military sites. We have already identified locations that could accommodate 10,000 people, and are in active discussions to secure these and more. *[Interruption.]*

Mr Speaker: Order. Someone has flashed a camera. It is quite serious to take photographs in the Chamber. If the Member knew they had taken a photograph, I would expect them to leave the Chamber. It is totally unacceptable to disrupt the Prime Minister when he is speaking.

Ben Bradley (Mansfield) (Con): It was an accident.

Mr Speaker: I hope the photograph is deleted. Go out and have a chat with the Serjeant at Arms, because it did not look that way to me.

The Prime Minister: These sites will accommodate 10,000 people, and we are in active discussions to secure them and many more. Our aim is to add thousands of places through this type of accommodation in the coming months, at half the cost of hotels. At the same time, as we consulted on over the summer, the cheapest and fairest way to solve this problem is for all local authorities to take their fair share of asylum seekers in the private rental sector, and we will work to achieve this as quickly as possible.

Fourthly, we need to process claims in days or weeks, not months or years, so we will double the number of asylum caseworkers. We are radically re-engineering the end-to-end process, with shorter guidance, fewer interviews and less paperwork, and we are introducing specialist

[*The Prime Minister*]

caseworkers by nationality. We will also remove the gold-plating in our modern slavery system, including by reducing the cooling-off period from 45 days to 30 days, the legal minimum set out in the Council of Europe convention on action against trafficking in human beings. As a result of all these changes, we will triple the productivity of our caseworkers and we expect to abolish the backlog of initial asylum decisions by the end of next year.

Fifthly, and most significantly, a third of all those arriving in small boats this year, almost 13,000 people, are Albanian, yet Albania is a safe, prosperous European country. It is deemed safe for returns by Germany, France, Italy and Sweden. It is an EU accession country, a NATO ally and a member of the same convention against trafficking as the United Kingdom. The Prime Minister of Albania has himself said there is no reason why we cannot return Albanian asylum seekers immediately. Last year, Germany, France, Belgium and Sweden all rejected almost 100% of Albanian asylum claims, yet our rejection rate is just 45%. That must not continue, so today I can announce a new agreement with Albania and a new approach.

First, we will embed Border Force officers in Tirana airport for the first time ever, helping to disrupt organised crime and stop people coming here illegally. Secondly, we will issue new guidance for our caseworkers to make it crystal clear that Albania is a safe country. Thirdly, one of the reasons why we struggle to remove people is that they unfairly exploit our modern slavery system, so we will significantly raise the threshold someone must meet to be considered a modern slave. For the first time, we will require a caseworker to have objective evidence of modern slavery, rather than just a suspicion. Fourthly, we have sought and received formal assurances from Albania confirming that it will protect genuine victims and people at risk of re-trafficking, allowing us to detain and return people to Albania with confidence and in line with ECAT. As a result of these changes, the vast majority of claims from Albania can simply be declared clearly unfounded, and those individuals can be swiftly returned. Lastly, we will change how we process Albanian illegal migrants with a new dedicated unit, staffed by 400 new specialists, expediting cases within weeks. Over the coming months, thousands of Albanians will be returned home, and we will keep going with weekly flights until all the Albanians in our backlog have been removed.

In addition to all these new steps, let the House be in no doubt that, when legal proceedings conclude on our migration and economic development partnership, we will restart the first flights to Rwanda, so that those who are here illegally and cannot be returned to their home country can build a new life there.

However, even with the huge progress that we will make with the changes I have announced today, there remains a fundamental question: how do we solve this problem once and for all? It is not just our asylum system that needs fundamental reform; our laws need reform too. We must be able to control our borders to ensure that the only people who come here come through safe and legal routes. However well intended, our legal frameworks are being manipulated by people who exploit our courts to frustrate their removal for months or years on end.

I said, “Enough is enough”, and I meant it. That means that I am prepared to do what must be done, so early next year we will introduce new legislation to make it unambiguously clear that, if you enter the UK illegally, you should not be able to remain here. Instead, you will be detained and swiftly returned either to your home country or to a safe country where your asylum claim will be considered. You will no longer be able to frustrate removal attempts with late or spurious claims or appeals, and once removed, you should have no right to re-entry, settlement or citizenship.

Furthermore, if our reforms on Albania are challenged in the courts, we will also put them on a statutory footing to ensure that the UK’s treatment of Albanian arrivals is no different from that of Germany or France. The only way to come to the UK for asylum will be through safe and legal routes and, as we get a grip on illegal migration, we will create more of those routes. We will work with the United Nations High Commissioner for Refugees to identify those who are most in need so that the UK remains a safe haven for the most vulnerable. We will also introduce an annual quota on numbers, set by Parliament in consultation with local authorities to determine our capacity, and amendable in the face of humanitarian emergencies.

That is the fair way to address this global challenge. Tackling this problem will not be quick; it will not be easy; but it is the right thing to do. We cannot persist with a system that was designed for a different era. We have to stop the boats, and this Government will do what must be done. We will be tough but fair, and where we lead, others will follow. I commend this statement to the House.

Mr Speaker: I call the Leader of the Opposition.

12.47 pm

Keir Starmer (Holborn and St Pancras) (Lab): I thank the Prime Minister for advance sight of his statement. I also echo his comments about the tragic loss of life in Solihull, which is unimaginably unbearable for the families, the friends, and the whole community.

Channel crossings are a serious problem requiring serious solutions. We need leadership at home and abroad, we need a Home Office that functions effectively, and we need to defeat the criminal gangs operating on the coast. Time and again, however, this Government have not provided serious solutions. The Prime Minister sat around the Cabinet table the whole time. Where there should have been solutions, we have had unworkable gimmicks.

As I listened to the Prime Minister’s statement, I thought, “All of that has been said before, almost word for word.” It was said the last time we had measures—the last time we had legislation. There have been plenty of newspaper headlines about wave machines, prison ships and fantasy islands, but there has been no effective action. It is all designed to mask failure, to distract from a broken asylum system that cannot process claims, cannot return those with no right to be here, and cannot protect our borders.

Over 40,000 people have crossed the channel this year—that is a record—but only 2% have had their asylum claim processed. What happens to the other 98%? They are placed in hotels, costing around £7 million a day. That is bad for refugees who want to rebuild their

lives and bad for taxpayers. And 2022 is not just a one-off bad year; it has been bad under the Tories for years. Last year, the percentage of channel crossing asylum claims processed was just 4%. Let those figures sink in, because that is the root of the problem. Something has to be done to clear the backlog.

I welcome the commitment to fast-track clearly unfounded claims. That is what we have been calling for, and Britain is two years behind so many of our neighbours and allies, who have been fast-tracking for years. Can the Prime Minister confirm—I want to have an answer on this—that he will clear the backlog by the end of next year? That is 150,000 cases in the backlog—*[Interruption.]* I know he has said it, but there are 150,000 cases, including the 100,000 that have been there for over six months. We need clarity about that.

I also welcome more staff for processing. It is appalling that the Government let the backlog get this big. Nearly 100,000 cases have been waiting more than six months for a decision. That is the root cause. But processing is only part of the answer. Criminal gangs are sending these people to risk their lives, and they thrive because of a total failure of any co-ordinated response or effective deterrent to their criminal activity. For months, we have been calling for action to tackle this root cause: a specialist cell in the National Crime Agency to catch, prosecute and disband criminal gangs. We need to be working internationally to end this cross-border crime. Again, new staff are welcome, but can the Prime Minister guarantee that that will result in prosecutions of those who put lives and national security at risk?

Money is being wasted on the unworkable, unethical plan to deport people to Rwanda: £140 million has been wasted already, with not a single deportation. The most senior civil servant in the Home Office is the only one in Government to tell the truth: it does not even work as a deterrent. The Prime Minister has promised more legislation, but the last time the Government legislated to tackle the broken asylum system, they made it worse. Since the Nationality and Borders Act 2022 came into force, crossings and delays have increased, and 18,000 cases have been put through the new process, adding a further six months, with only 21 returns. That is slow track, not fast track. How can the Prime Minister have any credibility to say that new legislation is going to be the answer? The unworkable gimmicks go on, and so do the crossings. We need to bring this to an end, and that means a proper plan to crack down on the gangs, quick processing, return agreements: serious solutions to a serious problem. That is what Labour will offer.

The Prime Minister: That speaks for itself, quite frankly. We are not going to take any lectures from the Labour party on tackling immigration. The right hon. and learned Gentleman has consistently tried to block steps to strengthen Britain's approach to illegal migration throughout his career. Since he was elected, he has failed on 36 occasions to vote for stronger laws and we heard that again today. He talks about processing and about the hotels, but the only way to stop that problem is to stop the boats. We are the only party that has a plan to tackle these issues, with a new small boats operational command in the channel, deals with Albania and France, cheaper accommodation, tougher immigration enforcement, and new legislation making it clear in law for the first time that, if you come here illegally, you

cannot stay. Labour now has a choice: will it show that it is on the side of the British people and back our plans to stop illegal migration? The right hon. Gentleman may want to stand in our way. He may want to block laws. We are going to block the boats.

Mrs Theresa May (Maidenhead) (Con): I thank my right hon. Friend for his reference to my passing of the Modern Slavery Act 2015. Does he agree that, in dealing with asylum claims, the onus must be on the Home Office to improve its processing; that, contrary to what is said by some commentators and, sadly, some Members of this House, people smuggling and human trafficking are distinct and separate crimes and should not be treated or spoken of as one; that modern slavery is a real and current threat, with too many people brought to this country into slavery; and that we must do nothing to diminish our world-leading protections for the victims of this terrible, horrific crime?

The Prime Minister: I know the whole House will want to join me in paying tribute to my right hon. Friend for her global leadership on that issue. She is absolutely right that it is incumbent on us to ensure our processing is swift and effective. I know she will want to join me in ensuring that our world-leading modern slavery regime actually helps the people who are most in need and most vulnerable. They are the people who need our support and that is what our reforms today will deliver.

Mr Speaker: I call the leader of the SNP.

Stephen Flynn (Aberdeen South) (SNP): I wish to begin by passing on my thoughts and those of my colleagues to the families and friends of those impacted by the terrible tragedy in Solihull.

I am going to start by saying something that I think many on the Benches behind the Prime Minister wish they could say. Nobody is illegal. Indeed, there is no such thing as an illegal asylum seeker. But what we all agree on is that the UK's system is broken and we cannot escape from the fact of who has broken it. To address some of the problems that are faced, I welcome some of what the Prime Minister said. I have personally visited hotel accommodation and seen the damaging impact that those long stays have had on people within it, so I hope we can all agree on the positive words about speeding up the process.

However, I have grave concerns about the proposed legislation, about the proposals on accommodation and about the one-size-fits-all approach to asylum seekers emanating from Albania. In that regard, I ask the Prime Minister a simple question: has he consulted with the United Nations High Commissioner on Refugees in respect of these proposals? If not, why not?

Ultimately, the solutions lie not in any of the above proposals but in ensuring that safe and legal routes exist. The Prime Minister made extensive reference to safe and legal routes, so let him rise to his feet and outline one single safe and legal route—perhaps for a family member of an asylum seeker in Afghanistan. The Home Secretary of course could not do so last week.

It would be remiss of all of us in the Chamber not to reflect on the independent Migration Advisory Committee's report from this morning, which detailed how important migration is to our public sector, our

[Stephen Flynn]

private sector and indeed our economy. How on earth does the Government's hostile approach to migration assist with that proposal?

The Prime Minister: I am happy to tell the hon. Gentleman that the Development Secretary met the UN High Commissioner for Refugees last weekend. A point of difference between us and the Opposition parties is that we believe that we should not need the permission of someone outside to control our own borders.

The hon. Gentleman also asked about Albania and our approach. I gently point out to him that what we are doing is in line with what almost every other European country already does with regard to Albanian migrants.

Lastly, the hon. Gentleman made the frankly absurd claim that we do not have safe and legal routes into the UK. In the last few years, we have made offers of over 450,000 places to welcome people from Afghanistan, Syria, Hong Kong and, most recently, Ukraine. That is because this is a compassionate, tolerant country, and it always will be.

Mr Speaker: I call the Father of the House.

Sir Peter Bottomley (Worthing West) (Con): The parliamentary leader of the SNP, the hon. Member for Aberdeen South (Stephen Flynn), can put down a debate on legal migration for next week; the subject today is illegal immigration.

The questions in front of the House and the country are: how can people be safe, how can their status be determined, will the action work, is it necessary, and is it right? I think most people listening, whether they normally support the SNP, Labour or the Conservatives, will say, "Yes, it is necessary, it will work, and it should go ahead."

The Prime Minister: I thank my hon. Friend for his support. As he knows, this problem is complicated—it is not easy, and it will not be solved overnight—but I believe the plan that we have outlined today represents the most serious step forward in getting a grip of it. The task for us now is to deliver on it. With his support and everyone else's, I am confident that we can.

Mr Speaker: I call the Chair of the Home Affairs Committee.

Dame Diana Johnson (Kingston upon Hull North) (Lab): In our report on small boat crossings published in July, the Home Affairs Committee made it clear that the No. 1 priority for Government should be to clear the asylum backlog, so we are pleased that that is now starting to be addressed. However, the backlog of 150,000 has been building since 2013, so the more recent small boat crossings have not broken the asylum system.

We noted how important it was to have sufficiently well trained, motivated and supported decision makers to make good-quality first decisions, but despite promises to increase decision-making numbers, targets have been missed, and the staff attrition rate in 2021 was a staggering 46%. In addition, the technology that staff use is creakingly antiquated and was reported by the chief inspector of borders and immigration as hampering productivity.

Will the Prime Minister ensure that he has sufficient staff to carry out what he is seeking to do? With productivity currently at 1.3 decisions per decision maker per week, with a Home Office pilot to increase that figure to 2.7, can he explain exactly how he is going to triple productivity?

The Prime Minister: I thank the Chair of the Select Committee for her excellent questions; they are the right questions to focus on. We have redesigned the entire process for caseworking on an end-to-end basis, which will take productivity from 1.2, as she says it is today, up to 4. We will do that in a relatively short period; that is how we will cut the initial asylum backlog by the end of the next year. That process is being rolled out as we speak.

The right hon. Lady talked about the reason for the backlog. It is worth bearing in mind that the number of small boat crossings has quadrupled in just the last two years. That is the scale of the challenge that we are facing, and that is leading to significant strain on the system. She also asked about numbers. We have already, in the last year, doubled the number of caseworkers to 1,200, and it will be doubling again in the next nine to 12 months.

Lastly, I will just say that a big part of the reason why our processing is slower than we would like is that, time and again, people exploit our system to make late or spurious claims. That is why our new legislation will tackle that problem, and I hope it has the support of the Labour party.

Sir Roger Gale (North Thanet) (Con): I thank my right hon. Friend for his statement and for the initiatives that he has taken with Monsieur Macron and the Prime Minister of Albania. Those are two small but significant steps forward. I also appreciate the fact that he is clearly going to take personal charge of the backlog and ensure that the lamentable performance of the Home Office to date is rectified. However, does he agree that the only way that this problem will be solved is on a pan-European basis and not domestically, and that if we are going to deal with it, we have to deal with Schengen and with countries beyond Schengen, and reach agreements? Will he use all his efforts to seek to secure that?

The Prime Minister: I thank my right hon. Friend for his excellent question and for his very constructive engagement with me and Ministers on resolving this issue. I know he speaks up very well for his local area on these matters. He is absolutely right, which why it is so crucial that, in the last few weeks, not only have we restarted meetings of the Calais group of European nations, which the Home Secretary deserves enormous credit for, but she has put that group on a permanent basis. We are making sure that we now go further, working with Frontex, the European border agency, towards a European returns agreement for the first time ever. That is the path forward. The best way to solve this problem is upstream, working with our allies in northern Europe, and the plans and progress that my right hon. Friend the Home Secretary has made are going to deliver exactly that.

Ed Davey (Kingston and Surbiton) (LD): Our thoughts and prayers are with the families and community in Solihull who have lost their young sons.

Some 97,000 people have been waiting for a decision on their asylum claim for six months or more. That is 97,000 people trapped for months in Home Office limbo, banned from working, while the NHS, social care, agriculture and hospitality are all desperately short of staff. Last month it was revealed that even the Home Office's own analysis shows that the right to work does not act as a pull factor for asylum seekers, so will the Prime Minister end this absurd ban on work, to save taxpayers money and help to grow our economy?

The Prime Minister: The simple answer is no. We will not do that, nor will we grant blanket amnesties, as happened in the past, to get the backlog down. We will go through it methodically and properly. The best way to reduce the pressure on the backlog is to stop people coming here in the first place, and if the right hon. Gentleman is interested in doing that, he should support our new legislation.

James Daly (Bury North) (Con): I warmly welcome today's announcements. They are exactly what is needed—I cannot think of anything more articulate to say than that—but will my right hon. Friend reiterate the importance of the Rwanda flights as part of the measures to address illegal immigration? That is such an important measure.

The Prime Minister: My hon. Friend is absolutely right; the Rwanda policy is an important part of our approach to tackling this problem, because it must be the case that if someone comes here illegally we can return them either to their own safe country or to an alternative such as Rwanda where their claim can be processed. That is the system we want to move to and that is what we will deliver.

Clive Efford (Eltham) (Lab): Some 83% of small boat asylum claims made in the past four years are still awaiting a decision. We have an attrition rate of 46% among caseworkers. How is the Prime Minister going to achieve his goals?

The Prime Minister: As I set out to the Chair of the Home Affairs Committee, we have redesigned the end-to-end process for asylum processing, which will triple the productivity of our caseworkers and cut through the backlog. I say the same thing to the hon. Gentleman that I have said to others: the best way to solve this problem is to stop people coming here illegally, and the best way to do that is to back our new legislation.

Tim Loughton (East Worthing and Shoreham) (Con): I strongly support these measures from the Prime Minister, particularly on the disproportionate numbers of Albanian economic migrants who are queue-jumping those genuinely fleeing danger. I heard not a single practical solution from those on the Opposition Benches—just collective amnesia about what they voted against.

The Prime Minister knows that I favour safe and legal routes as a counterbalance to tougher and swifter measures. Will he therefore, in those safe and legal routes that we need to develop, have a Dubs 2 scheme specifically aimed at unaccompanied children in peril and a proper family reunion scheme for those with close links to people legally here in the United Kingdom, so that we can control and welcome those genuinely in need of safety here?

The Prime Minister: My hon. Friend is absolutely right. As our actions over the past couple of years have shown, this is an incredibly compassionate and generous country, which has offered and always will offer sanctuary and refuge to those who really need it. We need to do that through safe and legal routes, and we want to have that conversation with him and with others such as the Red Cross and UNHCR about how to design those routes, but we can only have that conversation and implement those routes once we have proper control of our borders. That is what we must deliver first.

Holly Lynch (Halifax) (Lab): The Prime Minister said in his statement that we will remove, “the gold-plating in our modern slavery system.” That modern slavery system is something of which we, across the Labour Benches, can be incredibly proud. It protected victims of modern slavery and also, crucially, allowed us to secure prosecutions against the abusers.

It is currently taking the Home Office 531 days on average to arrive at a conclusive grounds decision for victims. Around 90% of those decisions are positive, confirming that people were indeed victims of modern slavery. This will affect British and foreign children as well as adults, and some of those locked in county lines gangs as well as in sexual exploitation. Why is the Prime Minister tearing up the modern slavery system in this way?

The Prime Minister: That is simply not right. We are very proud of our modern slavery system and we want to make sure that it protects those genuine victims of modern slavery. It is absolutely right that they get their cases considered properly. The reason why that is not happening at the moment is that the system is being deluged with far more claims than it was ever designed to cope with. When the impact assessment on the Modern Slavery Bill was done, it anticipated 3,500 claims a year. What we are now facing is 12,500 in just the first three quarters of this year. It is right that we focus our attention on those who most need our help, and, in doing so, we can get those people the help they need as quickly as possible.

Lee Anderson (Ashfield) (Con): I live in a place called the real world. In the real world, people know that the vast majority of those travelling here on small boats are not genuine refugees. Even last week, at the Home Affairs Committee, the Albanian ambassador admitted that everybody coming from Albania is economic migrants. They are coming here on small boats because they cannot come through a legal route by getting visas. The public get it. Even the Albanian ambassador gets it. We all get it. I ask the Prime Minister: when will the Opposition get it and realise that the vast majority coming over are not genuine asylum seekers?

The Prime Minister: My hon. Friend is a fantastic champion on this issue. He is right: we on the Conservative Benches are on the side of the British people. It is as simple as that. The Opposition today have put forward no plans, no action. We will soon see, Mr Speaker. When we bring forward legislation to stop the boats, they have a choice: do they want to back our legislation and be on the side of the British people?

Gavin Robinson (Belfast East) (DUP): I thank the Prime Minister for the important suite of proposals that he has outlined this afternoon and say that we will constructively engage with his Ministers on any legislation that is introduced. He has rightfully highlighted Syria, Afghanistan, Hong Kong, Ukraine, and the pressures that there have been in the Home Office over the past number of years, with staff moved continually from one place to another, and to passports and back again. That is in large part responsible for the backlog, so he is right to double the number of caseworkers. Will the new Albanian team of 400 form part of that doubling—is that additional staff, or staff moved from elsewhere?

The Prime Minister: That is part of the doubling, and that unit will be specifically trained to process the Albanian migrants in line with our new system and our new policy guidance, which will shortly be issued by the Home Office. In doing that, we are confident that we can start processing Albanian claims in a matter of weeks rather than months, and, with our new agreement, we can swiftly send them back to Albania. That is what the Albanian Prime Minister thinks should happen. That is what European countries do, and that is what we will do in our country, too.

Mr David Davis (Haltemprice and Howden) (Con): I strongly welcome the seriousness with which the Prime Minister addresses this issue, particularly his focus on stopping the Albanian gangs.

With respect to the dispersal centres, when the Home Office attempted to introduce a dispersal centre in my constituency, it ignored the local authority's concerns about healthcare, public services and children's services. It then also ignored the existing level of Albanian organised crime in Hull and did not even consult the local police chief before it moved on the matter. Needless to say, it did not consult any of the local MPs either. If we continue in this mode, the Home Office will face judicial review after judicial review and the policy will not work. Can we please see a radical improvement in decision making in the Home Office in this process?

The Prime Minister: First, I thank my right hon. Friend for his engagement with us and his specific suggestions on tackling the issue of Albanian migrants—I hope he is pleased by what he has heard today, which reflected much of what he suggested. On the issue of accommodation, I agree with him. As all Members know, this is a tricky issue for us to manage, but we will manage it with sensitivity and care, and with strong engagement with colleagues and local authorities. I make that commitment to him, and I will make sure that that is followed up.

Debbie Abrahams (Oldham East and Saddleworth) (Lab): The Prime Minister mentioned that he wanted to work with the UN High Commissioner for Refugees and that the Foreign Minister had already met the high commissioner. Did the high commissioner support these measures and their efficacy?

The Prime Minister: As I said earlier, on the Conservative Benches we believe in sovereignty. When it comes to controlling our borders, we will of course act in line

with our legal obligations, but we will do what must be done to fix the unfairness and make sure we stop illegal migration.

Sir Robert Buckland (South Swindon) (Con): I commend my right hon. Friend for his practical approach to a problem that needs practical solutions. In urging him to press on with the work to improve the efficiency of the system, including the tribunal appellate system, I urge the Government to work with the tribunal procedure committee to reactivate the detained fast-track procedure, which has been suspended for seven years now. I think it could be a reasonable part of the solution to this problem.

The Prime Minister: My right hon. and learned Friend obviously has expertise on this issue. He is absolutely right about that process and the help that it can provide. He will be pleased to know that the Immigration Minister and the Attorney General met the authorities recently. We will look forward to taking forward his suggestions.

Dame Meg Hillier (Hackney South and Shoreditch) (Lab/Co-op): In 17 years as a Member of this House, I have never known backlogs, in every avenue of Home Office processing, to be so great and so slow. The Prime Minister asked for suggestions. If he really wants to reprocess the Home Office's procedures, he could take out the ridiculous rule that people have to renew their indefinite leave to remain every 30 months, putting the same people back through the system to come out with the same outcome. He could, in one fell swoop, reduce the backlog. Will he do it?

The Prime Minister: I just gently point out to the hon. Lady that the backlog now, difficult though it is, is half as big as it was under the last Labour Government. Unlike then, we will not resort to giving people blanket amnesties, because that is not the right approach.

Simon Fell (Barrow and Furness) (Con): I warmly welcome this statement. Tackling the backlog is absolutely key to getting the heat out of the issue and dealing with it fairly and firmly. The same approach on Albania is welcome, too. Does my right hon. Friend agree that although Albania is the issue of the moment, this issue will move around the globe, and going upstream to tackle the criminal gangs, who have imported their dangerous business model from the Aegean to the channel, is absolutely crucial? Will he share his thoughts on that?

The Prime Minister: My hon. Friend is absolutely right. That is why we are doubling the funding for Operation Invigor at the National Crime Agency, which will mean that it can disrupt twice as many organised crime gangs upstream—that is a European effort, and it has proven to be very successful in the past. It will get double the amount of resources to help to disrupt the gangs upstream in the first place.

Stuart C. McDonald (Cumbernauld, Kilsyth and Kirkintilloch East) (SNP): I have a very, very simple question for the Prime Minister: does he agree that any proposed Bill or policy that breaches the UN refugee convention or the European convention on human rights should be rejected out of hand?

The Prime Minister: Our legislation will ensure that if someone comes to this country illegally, they will not have the right to stay here. It is a simple proposition; it is a fair proposition; and it is one that is supported by the vast majority of people across our country.

Chris Grayling (Epsom and Ewell) (Con): I warmly welcome my right hon. Friend's statement. This is a huge step in the right direction. I am particularly encouraged by what he says about Albania and tighter guidance for those processing decisions. Will he extend that process of tightening guidance to other countries from which people arrive and too often simply get through the system? I am thinking particularly of countries such as Vietnam, which is a fast-growing, prosperous country, making the case for claiming asylum considerably weaker than in the past. Will he also strengthen guidance for such countries?

The Prime Minister: Yes is the simple answer. Section 94 of the Nationality, Immigration and Asylum Act 2002 already gives the Home Secretary the ability to designate safe countries. Many are already there, and we will continue to add to them as appropriate.

Stella Creasy (Walthamstow) (Lab/Co-op): The Prime Minister talks about the views of the British public. I am pretty sure that the British public also think that children should not be punished for the decisions of their parents. It may be an inconvenient truth on this planet, but one in five of those coming in small boats are under 18, as verified by the Home Office, not people on Twitter.

For six weeks, I have been asking the Government for the details of the safeguarding provision. During that time we have had multiple reports of children—who are with their families in those hotels for months on end—being sexually assaulted and abused. Nothing that the Prime Minister announced today will change that situation and how we treat those children, or apply the same rules to those children as we do to other children in temporary accommodation with their families. Will he now at least do the decent thing and make the safeguarding contract public so that we can see what provision the Government have made to look after those children, and will he make a commitment that families will be housed separately from single people?

The Prime Minister: The Government take their obligations towards children extremely seriously. Of course it is right that they are treated differently, and that is why the Immigration Minister has met the hon. Lady and we continue to make sure that safeguarding is followed throughout our processing system.

Karen Bradley (Staffordshire Moorlands) (Con): My right hon. Friend is right to identify that illegal immigration and the associated people smuggling are global problems that need global solutions. May I press him to use his good offices to urge the United Nations to make this a topic for the next General Assembly and to introduce an annual Heads of Government conference that focuses on the issue?

The Prime Minister: I pay tribute to my right hon. Friend for the work she did in bringing about the Modern Slavery Act: she deserves praise and credit for

that. She is right: as I mentioned, the global picture on migration has completely changed since most of these treaties were signed. It is right that countries such as ours update their approach to the modern problem that we face, and her idea is a terrific one.

Rosie Duffield (Canterbury) (Lab): Does the Prime Minister agree with Enver Solomon, the chief executive of the Refugee Council, who said in *The Times* yesterday:

"Instead of seeking to restrict the right to asylum the government should ensure timely and fair decisions, with access to legal advice, so that those who need protection are allowed to stay and those with unfounded claims are returned with dignity. At the same time there must be more safe routes such as family reunion visas"?

That is an issue that many hon. Members across the House have raised for several years.

The Prime Minister: I agree with all of that, and that is what the reforms I have announced today will deliver. The best way to do that is to ensure that the pressure on our system is not unsustainably high, and that is why we need to stop the flow of new illegal migrants coming here, which is why legislation is important, as well as our Albania deal. I want to see the same thing as the hon. Lady—swift and effective processing of those who come here through safe and legal routes and the return of those who should not do so.

Sir William Cash (Stone) (Con): First, does my right hon. Friend accept that the legislation that he has announced is overdue? Secondly, it needs expressly to differentiate economic and illegal migrants from genuine refugees. The only way that can be done in law is through bypassing the notwithstanding formula in the European convention on human rights to ensure that we can achieve the objectives that he has set out. That needs to be done as soon as possible.

The Prime Minister: I am confident that our legislation will deliver the asylum system that we want to see, and I can tell my hon. Friend that it will come very early in the new year. We want to crack on and solve the problem, and I look forward to having his support.

Chi Onwurah (Newcastle upon Tyne Central) (Lab): When my mother fled war and famine in Biafra in the 1960s with her three small children, the cargo plane on which we travelled—the only form of transport available—landed first in Lisbon, as Portugal was the only country that recognised Biafra at the time. Does the Prime Minister think that we should have been obliged to remain in that relatively safe country, or does he agree with my mother that it was better to travel on to Newcastle, where my grandmother lived?

The Prime Minister: This country has and always will have a proud tradition of welcoming people here. We need to ensure that we can do that, but we cannot do that if our system is under unsustainable pressure from people who should not be here. By having proper control of our borders and ensuring we create a deterrent effect for those coming here illegally, we will be in a position where people do not have to travel through other countries to get here. We can work with the UN, the Red Cross and others to provide sanctuary for them wherever they are. In the long run, that is the fairest and most sustainable solution to this problem.

Sir Robert Neill (Bromley and Chislehurst) (Con): I congratulate the Prime Minister on targeted and practical measures. Does he agree that what he proposes is entirely consistent with our international obligations and, in particular, entirely consistent with our obligations under the European convention on human rights and the European Human Rights Act? Is it not better to concentrate on practical measures, rather than upending our domestic human rights legislation, which frankly would be a wasteful red herring?

The Prime Minister: I thank my hon. Friend for his support. He makes a good point. As I said earlier, the vast majority of European countries already reject almost 100% of claims from asylum seekers from Albania, for example. They are all signatories to the same conventions and treaties as us, so there is no reason why we should not be able to move to exactly the same rejection rate.

Liz Saville Roberts (Dwyfor Meirionnydd) (PC): I express my heartfelt sympathies to the people of Solihull following this week's terrible disaster.

We all know what today's announcement is: a sop to the right-wing press. It continues the Prime Minister's obsession with scapegoating asylum seekers. Fast-tracking applications and weakening modern slavery protections directly undermine Wales's nation of sanctuary policy, which includes an explicit commitment to prevent people seeking sanctuary from becoming victims of modern slavery. What discussions has he had with the Welsh Government to guarantee that fast-tracking will not frustrate our ambition to be a proper nation of sanctuary?

The Prime Minister: We were the first country in the world, thanks to the leadership of my right hon. Friend the Member for Maidenhead (Mrs May), to pass the Modern Slavery Act 2015, with a dedicated regime that does not exist in that form in basically any other European country. We require our businesses to enforce their supply chains and we have life sentences for people who traffic modern slaves. I am very proud of our record. That record will continue, but we need to ensure our system is not abused and exploited. That is what we will fix with our reforms.

Mr Simon Clarke (Middlesbrough South and East Cleveland) (Con): I warmly welcome the package of measures announced today, because this is the key issue on the doorstep in my constituency. It is something voters care about very deeply. The package being put together is very strong and, as my right hon. Friend says, it complements the Rwanda agreement. Can he just confirm, however, that if it is, like the Rwanda agreement, ultimately frustrated by the European convention on human rights, we will rule nothing out, including derogation, to ensure we can deliver this vital package?

The Prime Minister: Having been on those doorsteps in Middlesbrough South with my right hon. Friend, I know he speaks the truth and he is right to highlight this issue for his constituents. We will legislate to put our Albania proposals on a statutory footing. I am highly confident that those should be delivered. As I said, they are already in practice in all other European countries, so there is no reason why they should not happen here, too.

Chris Bryant (Rhondda) (Lab): The Prime Minister said we will restart data sharing to stop migrants getting bank accounts. Who are we going to be restarting data sharing with and why did we stop?

The Prime Minister: The hon. Member will remember, I am sure, that after the Windrush situation data sharing was stopped in a range of different places and has not restarted. We will be restarting data sharing with the banks, so that when someone tries to open a new bank account, and on a quarterly basis for existing bank accounts, the banks will have to check against the database of illegal migrants that we hold to ensure people cannot disappear into the black economy having arrived here illegally and then participate in a normal way. That is not right and not fair, and I am glad he will be supporting the proposals.

Craig Mackinlay (South Thanet) (Con): I am very pleased to hear about the new approach to Albanians, which is both obvious and very sensible. My question to the Prime Minister is on how we bridge the gap. We approve 76% of all asylum applications, but the EU average is just 14%. We are all ECHR signatories. They are not held out as international pariahs or as breaking any abstract of international law. The Prime Minister may be surprised to hear that I have no issue with the ambit of the ECHR as long as we have an outcome of about 14%, too. What has been going wrong with our approvals and refusals process?

The Prime Minister: My hon. Friend makes an excellent point. A big part of that difference is how we are treating Albania. That will be changed as a result of our new guidance and deal. More broadly, one of the changes that we have made today is to increase the threshold that someone has to meet to be considered a modern slave. It was based on simply a suspicion that someone may be; we are changing that to make sure that there is objective evidence that they are. That change will help us to close down some of those grant rates, but there is more work to do and that is what our legislation will deliver.

Fleur Anderson (Putney) (Lab): The white list of countries designated safe is not new, and Albania has been on that list since 2014, so there is nothing new about this announcement. I welcome the clearing of the backlog. The Prime Minister just said that he knew that workers would be employed within the next nine to 12 months, and the whole backlog would be cleared from the current 100,000—it was 3,000 when Labour was in power—in the same 12 months. So without the immigration workers there, how will this circle be squared and how will the backlog be cleared?

The Prime Minister: I urge the hon. Lady to go and check her figures. It was certainly a lot higher than that under the last Labour Government. As my hon. Friend the Member for South Thanet (Craig Mackinlay) said, we are currently rejecting only 45% of Albanian asylum seekers, compared to all European countries, which reject more like 98% to 100%. The changes we have made today will ensure that our rate increases up to the levels that we see elsewhere. That is as a result of the new deal that we have negotiated with Albania, which will give more comfort to our caseworkers. Combined

with the new guidance that will be issued, that will mean that we should, as we want to, return the vast majority of Albanian migrants when they come here. They should not be here; Albania is a safe and prosperous country and they should go back there.

Mrs Natalie Elphicke (Dover) (Con): I thank my right hon. Friend for his statement and for the new approach on Albania. As much as I welcome the jobs, will my right hon. Friend confirm that this will be a temporary, not permanent, new small boats operational command centre in Dover and east Kent? In relation to safe countries and immediate returns, will my right hon. Friend update the House on whether a date has been set for the summit with President Macron next year?

The Prime Minister: I pay tribute to my hon. Friend for all the work that she does on this issue in her constituency. She is right. We want to get through the challenges that we face to have a system in which people do not come here illegally. Once we have that, of course we should be able to draw down people after we have got the backlog cleared. She is also right to highlight the importance of working with the French. That is why our new deal is so important, but there is work to build on. We are keen to have that summit as early as practically possible, but it is important that it delivers tangible outcomes, and that is what the Home Secretary and I are set about doing.

Joanna Cherry (Edinburgh South West) (SNP): Yesterday I led a delegation of the Joint Committee on Human Rights to the Legal Affairs and Human Rights Committee of the Parliamentary Assembly of the Council of Europe. One of the issues we discussed was the importance of all Council of Europe states addressing migration issues in accordance with human rights and international law. International refugee law does not require asylum seekers to make their claim in the first safe country and it protects asylum seekers arriving via irregular or unofficial routes, provided they make their presence known to the authorities. Can the Prime Minister give me an undertaking that his new laws will comply with the United Kingdom's international law and human rights obligations, and if not, can he tell us from which treaties he intends to derogate? Or is it simply his intention to flout international law and, if that is the case, what kind of example does he think that sets to other countries, particularly on Europe's eastern border?

The Prime Minister: The hon. and learned Lady will know that the Immigration and Asylum Act 1999, the Nationality, Immigration and Asylum Act 2002 and the Dublin agreement all consider the proposition that it is possible to return people who have come here who should not be here. It allows the possibility of designating safe countries, and of removals, so that principle is well established in international law. We want a system whereby, if people come here illegally, they will not be able to stay. That is a simple, common-sense, fair principle that the vast majority of the country is right behind.

Sir John Hayes (South Holland and The Deepings) (Con): It is rare in this House, Mr Speaker, to agree with every single sentiment, impulse and word—unless it is a speech of my own, of course—but I did today, and I congratulate my right hon. Friend the Prime Minister. His set of measures is apposite and appropriate, and it

will be appreciated across the country. Will he, as most of my constituents would, when people travel across safe countries, as they frequently do before they claim asylum, automatically assume that their claim is spurious or at least doubtful?

The Prime Minister: That is what our new legislation will deliver. It will make it unambiguously clear: if you come here illegally, you will have no right to stay and will be removed either back to your own safe country or to a safe alternative. That is the right system to have. It is the fair system to have. It means that we can concentrate our generosity and compassion on those around the world who most need it, which I know is the type of system that my right hon. Friend wants to see.

Derek Twigg (Halton) (Lab): We should not forget why we are here with the statement: it is because the Government have lost control of the asylum and immigration system and shown a degree of incompetence that takes some beating. Three years on, they have also failed to meet their manifesto commitment to take back control of the border with a new system that would give real control. Will the Prime Minister firm up his statement and confirm that he is confident that the whole backlog of initial asylum decisions will be removed by the end of next year? Will he tell us why he did not say anything about how long he expects it will take to remove from the country those asylum seekers who have failed in their applications?

The Prime Minister: Yes, our plan is to clear the initial asylum backlog by the end of next year. It is about 117,000 on currently published statistics. The hon. Member talked about the Government and where we are, but he forgets to mention that if we look at what is currently happening across Europe, we see that the number of asylum claims in France and Germany is up by 50%, and that is because the global migratory patterns have completely and utterly changed. That is why the current system is obsolete and why we need to take steps to adapt to the new regime and ensure that we have proper control of our borders. That is what our reforms will deliver.

Damian Green (Ashford) (Con): I strongly support the measures announced by the Prime Minister and, in particular, his framing of the issue as a matter of fairness, because tough but fair border controls and asylum policy is exactly where the British people are. Does he agree that in communities across the country, including my constituency, the visible measure of success will be when some of the hotels currently housing asylum seekers can be returned to their normal use? Will he make that a priority?

The Prime Minister: I thank my right hon. Friend both for absolutely championing the issue for his constituents and for the advice that he has provided to the Home Secretary and me, given his experience, on how best to tackle the problems that we face. I very much value and appreciate that support. He is absolutely right: what people want to see is our hotels going back to their normal use in their communities and flights departing that remove people who should not be here. The Home Secretary, the Immigration Minister and I will work tirelessly to deliver that for him and for the country.

Caroline Lucas (Brighton, Pavilion) (Green): The Prime Minister talks about fairness, yet what he set out is the very opposite of a fair and efficient system. The best way to stop desperate people from dying in small boats and to stop the criminal gangs is for the Government to promote more safe and legal routes. Why are they so incapable of doing that effectively? Why can he find 500 new staff for his Albanian scheme but only eight people to process the 11,000 asylum applications from Afghanistan? That means that, contrary to what the Foreign Secretary suggested in the Chamber barely an hour ago, there have been zero Afghans resettled from Afghanistan under the Afghan citizens resettlement scheme pathway 3 since January.

The Prime Minister: We have in fact safely settled more than 23,000 people from Afghanistan in this country. The hon. Member talks about safe and legal routes and actually, in the last year, we issued more humanitarian visas than in any other year since the second world war. That is the strength and depth of our compassion, and that is what we will always do, but we cannot have that compassion and generosity exploited by people who break the rules. There is nothing fair about that, and it does nothing to help the people we really need to target. That is what we will do.

David Simmonds (Ruislip, Northwood and Pinner) (Con): I commend the Prime Minister on the approach that he has outlined today. Are there plans to examine the processes used by other states who are signatories to the European convention on human rights that enable them to be so much more robust in dealing with these issues within the law? Will he commit to working with those countries to develop safe and legal routes so that together we can ensure that that robust approach applies in the United Kingdom just as it does in those other countries?

The Prime Minister: My hon. Friend asks an excellent question and the answer is yes: that is what we have done over the past few weeks and what we will continue to do, and our Albania deal builds on exactly that learning. But where we can learn from other countries about how to do this faster and better, with a higher rejection rate, that is exactly what we want to achieve. With his support, I know we can do it.

Alison McGovern (Wirral South) (Lab): I am a bit worried: while the Prime Minister might be okay with his cheerleaders in here, I think he is out of touch, because the British public—[*Interruption.*] The public do know who has been in charge for the past 12 years. So as a matter of accountability, which of the decisions made while the Prime Minister was sat around the Cabinet table would he point as the reason why the backlog is now 14 times bigger than when Labour left office?

The Prime Minister: Difficult though the backlog is, it is half the size that it was when Labour was in office; the hon. Lady needs to get her numbers right. She talks about the British people: what the British people want is an asylum system that says, “When you come here illegally, you cannot stay here, because that is not right and it is not fair.” If she wants to be on the side of the British people, she should back our new legislation.

Kelly Tolhurst (Rochester and Strood) (Con): I thank my right hon. Friend for the measures he has outlined today, and I particularly thank him for his personal determination to find practical solutions to a very real problem. In my constituency the Home Office has, with Clearsprings, its contractor, identified a disused building for dispersal accommodation. While I greatly welcome the move from hotels to more permanent accommodation, will my right hon. Friend make sure the Home Office listens to the concerns and worries of the local authority, police and public health, and make sure we are deciding on locations that are appropriate and suitable?

The Prime Minister: I am really happy to hear from my hon. Friend, who has rightly long championed this issue. I know she has spoken to the Minister for Immigration about her concerns in her local area. I thank her for her constructive attitude in working with us, but she is absolutely right, and we will sit down and listen to her and her local authority about what is appropriate and deliver sensible solutions.

Ronnie Cowan (Inverclyde) (SNP): Because the existing system has failed so miserably, we have asylum seekers in hotels throughout the United Kingdom. I shall once again be meeting with asylum seekers in my constituency prior to Christmas. Decanting them to disused holiday parks, former student halls and surplus military sites does not solve the problem. When can I tell them that they will be allowed to sit down with an official from the Home Office so that they can start their legal process of immigration?

The Prime Minister: The hon. Gentleman is right: what will solve the problem is stopping people coming here illegally in the first place. That is how we will solve the hotel problem. That is what our new legislation will deliver, and I hope he will support it.

Mr Philip Hollobone (Kettering) (Con): I warmly welcome the Prime Minister’s action plan to tackle the problem of small boat crossings and thank him for being true to his word in prioritising this issue. The big issue in Kettering is that the Royal Hotel, which is slap bang in the middle of town, has been designated as an asylum hotel; it is one of the most inappropriate settings imaginable. Will the Prime Minister reassure my constituents in Kettering that the plan he has announced today will be the quickest way to end the use of such hotel accommodation?

The Prime Minister: I thank my hon. Friend, and he is absolutely right to stand up for his constituents, but he is also absolutely right to highlight that our approach is the best way to relieve the pressure on local services, including the use of hotels, so that we can return them back to their everyday use. We will do that fastest by providing alternative sites, which we are working on, and also by stopping the flow of small boats, and that is what our plan will deliver.

Alex Cunningham (Stockton North) (Lab): We have many thousands of asylum seekers across Teesside, and I am personally very proud of how welcoming our communities can be. However, my team in Stockton is working with many asylum seekers who have been waiting for years and years for their asylum applications to be processed, and they have waited in despair and fear. All they want is a decision. How many of them can expect one in the next few months?

The Prime Minister: The Home Secretary and I want to see exactly the same thing. That is why with our new plan we will cut the initial asylum backlog by the end of next year. People should get swift processing, but in order to deliver that sustainably we need to reduce the pressure on the system, and that means stopping the flow of new illegal migrants coming here.

Laura Farris (Newbury) (Con): It is absolutely right that there is alignment with our main European counterparts in how we deal with asylum claims from safe countries, so I congratulate my right hon. Friend on the agreement with Albania. Given the automatic return principle that will apply to arrivals from Albania, there will be an incentive to try to conceal their true country of origin on arrival. We already know that that is a problem with the channel crossings, with people disposing of their ID documents mid-crossing, often at the direction of people smugglers. In anticipation of this issue, can he reassure the House that there will be a sufficiently robust evidential threshold that will prevent people from falsifying their claim?

The Prime Minister: I thank my hon. Friend for that excellent suggestion. I also give her the reassurance that for the first time we will have British officials stationed in Albania, particularly at Tirana airport, and Albanian officials here in the UK to deal with the problem that she identifies. I am confident that that joint working will help us deliver the solution we want.

Alison Thewliss (Glasgow Central) (SNP): The Prime Minister's statement today could not be more out of touch with the people who come to my surgeries week in, week out—and I have the highest immigration case load in Scotland. Can he tell me why Mr H has been waiting a year past August for his family reunion? He is from Afghanistan. Mr A has been waiting to see his family as well. These men come to my surgeries in tears because they cannot get reunited with their families. The truth is that the Prime Minister's safe and legal routes just are not working. For those who do not even have the misfortune to be from Afghanistan—if they are from other countries—there is no legal route, and that is why so many people are coming here in boats. That is the truth of the situation. Will he accept it is unreasonable to make people wait for as long as he is in absolute misery, for a decision that just is not coming?

The Prime Minister: I do not want people to wait, and that is why we need to stop the flow of illegal migrants coming here, because they put unsustainable pressure on the system. That means we cannot process for her constituents and others as quickly as we would like. However, with the new plan we have put in place, we will be able to, and once we pass new legislation to stop the flow of small boats, we will have far less pressure on the system and be able to get people the decisions they need.

Alun Cairns (Vale of Glamorgan) (Con): I warmly welcome the Prime Minister's statement, which will answer many of the concerns expressed to me by constituents in Barry and across the Vale of Glamorgan. My right hon. Friend is taking a comprehensive, detailed approach with practical steps to resolve this problem. In spite of the calls from Opposition Members, does my

right hon. Friend recognise that this is a dynamic environment that will constantly evolve and change? Will he remain open-minded to extending the regulations, and tightening the regulations where necessary, to respond to the ingenuity and innovation shown by some of these people traffickers?

The Prime Minister: My right hon. Friend makes an excellent point. We need to remain dynamic and nimble with the new challenges we face. I have said this will not be an easy problem to fix or one we can do overnight, but I am confident that if we apply ourselves in the way I have set out, we will be able to stop the flow of illegal migrants over time, and I welcome his support in doing that.

Patrick Grady (Glasgow North) (Ind): How much of what the Prime Minister is announcing today will be paid for out of the aid budget?

The Prime Minister: Under the Development Assistance Committee OECD rules, the first year of resettlement costs for asylum seekers is actually covered by international agreements on aid. The Chancellor has provided extra funding to deal with some of the pressures we are seeing as a result of the 150,000 Ukrainians who are here, and we remain one of the largest spenders on international development anywhere in the world, and that is something of which we can all be proud.

Jack Brereton (Stoke-on-Trent South) (Con): I very much welcome what the Prime Minister has announced today. As he knows, Stoke-on-Trent has taken more than our fair share of asylum seekers and refugees. That has put significant pressure on services, council services, schools, hospitals and the police. Will my right hon. Friend look at what more can be done to put in place the money and the financial support to support those services?

The Prime Minister: May I thank my hon. Friend and pay tribute to his local community and the local council in Stoke for what they do? They go above and beyond to provide support. He is right that they deserve our support, too, and I know that the Minister for Immigration has recently met the council, where engagement will continue.

Richard Foord (Tiverton and Honiton) (LD): Back in the summer, checks on the land border between Albania and Kosovo were relaxed, so there was no need for citizens of either state to register at the border when crossing. According to INSTAT, the Albanian Institute of Statistics, more than 2.5 million people entered Kosovo from Albania in 2021. When I was travelling between London and Pristina about 20 years ago, I was stopped and questioned by British border staff. Will the Government be embedding UK Border Force staff at Pristina airport, given that the national and cultural border between Albania and Kosovo is porous?

The Prime Minister: I thank the hon. Gentleman for his suggestion; I am sure that is something the Home Secretary will discuss with her counterparts. As for his broader point, he is right. For the first time, we have UK officials in Albania working closely with the Albanian authorities to disrupt the flow of illegal migrants at source, and I will take his suggestion on board.

Selaine Saxby (North Devon) (Con): I thank my right hon. Friend for his work on this issue. Let me also take this opportunity to thank the Pickwell Foundation, the volunteers and the GPs who are currently looking after people seeking asylum who have been badly placed in a hotel in Ilfracombe. On Monday, a single mum and her eight-month-old daughter will make a 10-hour round trip to Cardiff for a biometrics and interview appointment. Given his plans to streamline the asylum system, can my right hon. Friend confirm that, as matters improve, that will no longer take place?

The Prime Minister: I pay tribute to my hon. Friend's local community in Ilfracombe for the support they are providing; they deserve credit and praise for that. As for her question, we want a processing system that is humane but also swift and effective for people, and that is what our reforms will deliver.

Jim Shannon (Strangford) (DUP): I thank the Prime Minister for his statement. This is clearly a complex and difficult issue, and he is trying to find a way forward. He has outlined the further steps that can be taken to halt the illegal crossings that are causing people to lose their lives in dreadful winter weather, which include working alongside the French Government and port authorities to prevent the trips from happening, but will he also use private companies with expertise, skills and high ethical standards? I furnished the Home Secretary with the contact details of one such company that is keen and able to assist.

The Prime Minister: The hon. Gentleman is right that this is a complex issue. We are happy to look at all the different ways in which we can make a difference. I look forward to taking his suggestion on board, and the Home Secretary will have heard what he has said.

Sir Edward Leigh (Gainsborough) (Con): I was present at the meeting of the Committee on Legal Affairs and Human Rights of the Council of Europe, which was alluded to by the hon. and learned Member for Edinburgh South West (Joanna Cherry). The legal point that she made is entirely right, and the Government must address it because it is very serious. It is possible, under current legislation, to arrest someone who lands on our shores and to detain them, but very few have been arrested under the Nationality and Borders Act 2022 because there are not legal routes that these people can take.

I am not in favour of the Opposition's argument in favour of more open legal routes because, with 100 million displaced people in the world, it is a policy that leads nowhere, but we have to address this point. The problem is that every time we pass new legislation, it is trumped by human rights lawyers who, correctly under the law, appeal to the Refugee convention, the European convention on human rights and the Human Rights Act. Will my right hon. Friend assure me that if this new legislation does not work, we will consider a derogation from the Refugee convention?

The Prime Minister: I thank my right hon. Friend for his excellent question. What our legislation will deliver is a system whereby someone who comes here illegally will not have the right to stay, and we will be able to remove them to their own country or a safe third

country. That is the system of migration that I think he and his constituents want to see, and it the system that this Government will deliver.

Dr Luke Evans (Bosworth) (Con): I thank the Prime Minister, the Home Secretary and the senior Home Office officials who have followed up my references to the unacceptable process of allocating a hotel in Earl Shilton. I am grateful for the changes that we have seen. In his statement, the Prime Minister said it was unfair and appalling that we were spending £5.5 million a day on this system. It is unfair to those who are housed there, it is unfair to the communities who see people spending this money, and it is unfair to the taxpayer. The Prime Minister said that he had identified 10,000 spaces. Can he say when those will become available and when people will be moved out of the hotels?

The Prime Minister: This is something that my right hon. Friend the Immigration Minister is working on at pace. We are keen to move as quickly as we can and to secure value for taxpayers' money through these commercial negotiations. We think most of these sites can be brought on at around half the cost of hotels, which represents a significant saving. We are keen to deliver it as quickly as possible.

Several hon. Members rose—

Madam Deputy Speaker (Dame Rosie Winterton): I want to be able to call everybody, but that requires short questions.

Dr Caroline Johnson (Sleaford and North Hykeham) (Con): Living in limbo in a hotel with an uncertain future is extremely stressful, so I welcome the Prime Minister's plans to process claims as quickly as possible, but processing is only the first step. He talks about 117,000 claims. Does the system have the capacity to ensure that people who make a successful claim are moved into permanent accommodation, and that those who make unsuccessful claims are removed quickly?

The Prime Minister: My hon. Friend is absolutely right. We want not only to process people swiftly, but to have the ability either to integrate them in the community, where required—we have done that brilliantly through other schemes—or to remove them if they should no longer be here. That is why one strand of this work is about strengthening and tightening our returns agreements with other countries, which should be a key part of our diplomacy. We must have the ability to return people to safe countries, which is something we will work on next year.

Richard Fuller (North East Bedfordshire) (Con): I welcome the Prime Minister's comprehensive statement, including his willingness to reform assessment processes, but may I ask him about accountability? We see many Government processes to improve and achieve a policy outcome, but the public do not see those outcomes achieved. They are worried that officials and agencies are not held properly to account for achieving those objectives. What are his thoughts on achieving the policy outcomes he has outlined today?

The Prime Minister: I am confident because, in the Home Secretary and the Immigration Minister, we have a crack team. I know they will work tirelessly with their

team to drive through the reforms announced today. My hon. Friend the Member for North East Bedfordshire (Richard Fuller) is right to hold us to account for that. Transparent metrics on processing, for example, are already published quarterly. People want to see flights returning people to Albania and elsewhere, and people coming out of hotels. That is what we want to deliver next year.

Jane Hunt (Loughborough) (Con): The independent chief inspector of the UK Border Agency found in July 2006 that there was a backlog of between 400,000 and 450,000 cases. On that basis, this announcement is very welcome. I thank the Prime Minister for taking hold of this issue. When will we see an actual reduction in the number of people in hotels across the country? What capacity will we have to maintain those who claim asylum, and who have a valid claim, in facilities other than hotels across the UK?

The Prime Minister: The Immigration Minister, the Home Secretary and I are keen to deliver alternative sites as quickly as we can commercially negotiate and get them up and running. I want to see what my hon. Friend the Member for Loughborough (Jane Hunt) wants to see, which is people moving out of hotels and less pressure on local communities. That is the type of accommodation we want to deliver.

Richard Graham (Gloucester) (Con): I thank the Prime Minister and the Government for their great progress on this immigration action plan, particularly their progress with both the UNHCR and Albania. He will know that delivery is key. In Gloucester, we do not want the situation to be as it was in May 2010, when not only did my Labour predecessor refuse to hand over any casework files, but we subsequently found more than 4,000 asylum cases, some of which had been waiting for resolution for more than 10 years.

The Prime Minister: My hon. Friend, as ever, makes a powerful point. I agree that we need to deliver now, and we have a plan in place. That is what we will focus on next year for his constituents and for the country. I am confident that we can do it.

Mr David Jones (Clwyd West) (Con): I refer my right hon. Friend to the point made by our right hon. Friend the Member for Gainsborough (Sir Edward Leigh). Can he specifically confirm that the legislation to be introduced next year will deal with the impediment set up by the European convention on human rights?

The Prime Minister: Our legislation will deliver a system whereby a person who comes here illegally will have no right to stay and will be removed to their own country or a safe third-country alternative. I think that is a system the British people want to see, and it is the system our legislation will deliver.

Scott Benton (Blackpool South) (Con): A person who enters this country illegally should have no right to stay here and should be swiftly deported—it really is as simple as that. I commend the Prime Minister for his bold statement in looking to legislate to that end. Does he agree that starting flights to Rwanda as soon as possible is absolutely integral to delivering this plan?

The Prime Minister: My hon. Friend put it clearly, succinctly and very well, and I completely agree with him. We are keen to restart those flights as soon as we can—we await the next stage of our legal proceedings—but he should be in no doubt but that we remain determined to make that policy work.

Marco Longhi (Dudley North) (Con): I thank the Prime Minister and the Home Secretary for their renewed focus on this really key point, which matters a lot not just to my constituents in Dudley North, but across the country. I will again address the point my right hon. Friend the Member for Gainsborough (Sir Edward Leigh) made and perhaps be a bit more specific with the question. If the Prime Minister's future legislation is indeed scuppered by an intervention by the judiciary or human rights activists' lawyers, will he have the political will to still force it through and implement what he intends to do?

The Prime Minister: First, I thank my hon. Friend for all his engagement with me and the Home Secretary on this issue. I know how important it is to his constituents, and I hope he is pleased by the steps we are taking today, but he is right that we need to go further. That is why our legislation will make it unequivocally clear that those who come here illegally have no right to stay, and his communities should be confident that that is what this Government will deliver.

Robin Millar (Aberconwy) (Con): I thank my right hon. Friend for his personal attention to this matter. I welcome his ambition for a fair and effective system rooted in an understanding that the world has changed since the 1950s, but the devil is in the detail. On a practical point, dozens of hotels have short-term—three-month—contracts with the Home Office to deliver emergency accommodation for asylum seekers right across the UK. My concern and my residents' concern is: will he reassure us, please, that these contracts will not simply be renewed quietly and simply rolled over, but will be subject to the same level of scrutiny that is promised on new contracts, including consultation with the MP, the council and local public services?

The Prime Minister: My hon. Friend makes an excellent point. I will make sure that the Home Office looks at these things not with the automaticity that he suggested might happen, but reviews them afresh and makes sure that they are still fit for purpose.

Mark Jenkinson (Workington) (Con): I thank my right hon. Friend the Prime Minister for his significant engagement in recent weeks on this and other issues. For the benefit of my constituents across Workington, can he set out his expected timescales for, first, removal of the threat of unsuitable accommodation in Workington being used, and, secondly, flights leaving the ground to Rwanda?

The Prime Minister: What I can tell my hon. Friend's constituents and community is that we want to deliver on this as soon as practically possible. Our new deal with Albania will take effect in a matter of weeks, so we will be able to swiftly return people—those who are already here and any new arrivals—back to Albania. He knows that we are keen to press on with finding new sites as soon as we can commercially negotiate them to

[*The Prime Minister*]

take people out of hotels. Of course, with regard to Rwanda, we are waiting for the latest court judgment, but he should be in no doubt but that we want to deliver on that policy.

Greg Smith (Buckingham) (Con): I am grateful to the Prime Minister for making this a top priority, and I look forward to backing the legislation in the new year. Turning to the legislation we already have, there are significant powers of detention in the Nationality and Borders Act 2022. Will he look again at how we can implement those, at the very least for those who are accused of committing heinous crimes, particularly against children?

The Prime Minister: My hon. Friend is right. We do have new powers, particularly on the enforcement side. We are very keen to use them to strengthen the deterrent impact, but as he knows, we need to go further, and that is what our new legislation will do.

Dr Ben Spencer (Runnymede and Weybridge) (Con): I very warmly welcome my right hon. Friend's announcement today, and he is absolutely right. People living in Runnymede and Weybridge want to see fairness in the system, which this announcement will deliver. I particularly welcome the new returns agreement with Albania. Does he agree that what will cut the Gordian knot is having multiple returns agreements with multiple countries, so that when people's applications are processed and found wanting, they can be returned swiftly?

The Prime Minister: My hon. Friend is absolutely right. As a matter of priority, we are looking at those countries with which we already have returns agreements, but where we are not sufficiently able to send people back. We will renew our diplomatic efforts to make that a priority, but also use visa penalties, where appropriate, to get the outcomes that we need.

Tom Hunt (Ipswich) (Con): I welcome the Prime Minister's announcement and the personal attention he has devoted to this issue. My constituents continue to be concerned about the use of the Novotel in Ipswich, which is on a 12-month contract; I thought it was six, the Home Office told me it was six, but it turned out to be 12—but that is by the bye. I welcome the move towards cheaper and more basic accommodation, but can the Prime Minister indicate when my constituents will get a timescale for when the Novotel can be back in proper use?

The Prime Minister: I share the frustration of my hon. Friend and his constituents that their local hotel, like so many others, is currently being used to house illegal migrants. That is wrong and we want to stop it as quickly as we can. The Immigration Minister is working on finding alternative sites as fast as possible, but we also want to stop the flow of new illegal migrants so

that there is not unsustainable pressure on our local services. That is what my hon. Friend and his community want, and that is what we will deliver.

James Grundy (Leigh) (Con): Earlier this year my local paper, the *Leigh Journal*, wrote about the human misery inflicted on the constituency of Leigh by a Balkan organised crime group that was engaging in people trafficking, but we have heard from some in the Opposition today that there is “no such thing as an illegal asylum seeker”. Does my right hon. Friend agree that that is sadly not the case and that we have to face reality if we are to deal with this issue?

The Prime Minister: My hon. Friend makes an excellent and very clear point. At issue today is illegal migration, which has significantly increased in the past couple of years and is putting unsustainable pressure on our local communities and public services. It must end, and our reforms are a significant step forward in delivering that outcome.

Simon Baynes (Clwyd South) (Con): Having been briefly the Minister for tackling illegal migration this summer, I warmly welcome the Prime Minister's statement. Can he provide more details on how the new small boats operational command will help to ensure that no small boat can arrive undetected on our shores?

The Prime Minister: I thank my hon. Friend for his support of our approach. The new small boat operational command will bring together our civilian capabilities, our military and the NCA in a more unified way than before and supplement that with new technology—aerial or land-based surveillance, drones and radar—and in doing all that will be able to maintain an exceptionally high interception rate and increase the level of prosecutions we currently see. I know that is something he will want to see happen.

Jonathan Gullis (Stoke-on-Trent North) (Con): The people of Stoke-on-Trent North, Kidsgrove and Talke will warmly welcome the Prime Minister's statement, albeit cautiously because they want to see delivery on the ground, but the mask has slipped on the Labour party. Labour Members have been absent throughout the majority of this statement in their north Islington coffee bars, drinking chai lattes and scoffing down quinoa. Over 19,000 people have now signed a petition titled “End Serco's Abuse of Stoke-on-Trent” because Serco is too busy taking up our hotels. In fact, the Prime Minister's own constituents have signed the petition in this cause. Will he agree with my constituents and his, and end Serco's use of hotels in Stoke-on-Trent?

The Prime Minister: I thank my hon. Friend and his local community for the way they have approached this problem and the support they give to people who need refuge. He is right that we cannot exploit that generosity and compassion, so we must relieve the pressure on hotels, and that is what our plan will deliver. Ultimately what we all want to see and what the people of Stoke-on-Trent want to see is an end to the boats coming, and that is what this Government will deliver.

Point of Order

2.7 pm

Alex Cunningham (Stockton North) (Lab): On a point of order, Madam Deputy Speaker, we seem to have been waiting for many years for the tobacco control plan from the Government—a plan to reduce and then eradicate smoking in communities by 2030. Sadly, despite promises from a series of Health Ministers, we are still waiting. Now we have mixed reports about the Government plans on funding and the proposal to increase the age at which people can buy tobacco products. Many thousands of people continue to die from smoking every year and many more suffer chronic ill health. We need action now. Have you had any indication from the Government that they plan to publish the tobacco control plan and/or make a statement, not just on the 2030 target, but on their policy going forward?

Madam Deputy Speaker (Dame Rosie Winterton): I thank the hon. Gentleman for his point of order and for giving me notice of it. I can tell him that I have had no indication from the Government that they intend to make a statement on the subject, but I am very aware that we have a well-occupied Treasury Front Bench and I am sure they will have noted his comments and will feed his concerns back.

BILL PRESENTED

COAL EXTRACTION AND USE BILL

Presentation and First Reading (Standing Order No. 57)

Tim Farron, supported by Ed Davey, Daisy Cooper, Wendy Chamberlain and Wera Hobhouse, presented a Bill to require Parliamentary approval of coal extraction from new coal mines commissioned after November 2022; to require the Secretary of State to set targets for phasing out the extraction and use of coal and to report to Parliament on performance against those targets; to require the Secretary of State to publish a strategy for increasing the use of renewable energy sources for steel production in place of coal; and for connected purposes.

Bill read the First time; to be read a Second time on Friday 24 March 2023, and to be printed (Bill 215).

Free School Meals (Primary Schools)

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

2.9 pm

Zarah Sultana (Coventry South) (Lab): I beg to move,

That leave be given to bring in a Bill to extend eligibility for free school meals to all children in state primary schools; and for connected purposes.

When I secured an opportunity to bring this Bill to Parliament, I put out a call asking parents, teachers and anyone else to get in touch with me to explain the difference that free school meals for all would make. Although I cannot do justice to the strength of feeling conveyed to me in the hundreds of emails, messages and letters I was sent, I want to begin with a snapshot of what I was told.

Peter is a teacher in Leeds who told me about a seven-year-old child at his school who burst into tears in front of him, scared that there was not any food at home. He told me about a year 3 pupil who would steal bagels from the breakfast club and put them in his bag to take home so that he had something to eat later. He told me about children who brought packed lunches into school consisting of nothing but a few biscuits or a couple of slices of bread.

Another teacher told me of young children who would steal food from shops on the way to school. When caught, they would explain that it was the only way they would have food, and they were too scared to ask for help.

My constituent Laura told me how scared she is about when her five-year-old boy gets too old for universal free school meals. She does not know how she will pay for packed lunches.

People who received free school meals as children explained to me that they do not know how they would have managed without them. Others explained the shame they felt or the bullying they endured after being identified as a free school meal kid. My inbox is flooded with heartbreaking accounts like those. Of course, they are just a tiny example of the pain and anguish that children experience when they are denied a decent meal.

Today, about 4 million children are growing up in poverty in Britain, and almost 1 million kids live in poverty but do not have access to free school meals. Those millions of heart-wrenching accounts, just like those I have described, will never get aired or acknowledged. My Bill is a response to that injustice. It is a solution to children crying because they have not had a decent meal all day, and an answer to kids who feel that they have to steal food just to get by. It would extend free school meals to all primary school children, guaranteeing that they get a good, healthy meal each day.

The arguments in the Bill's favour are overwhelming. The London Borough of Newham, which self-funds the policy, found that it improved concentration, attainment and behaviour. A Government pilot found that free school meals resulted in children being months ahead academically, and that children from the poorest backgrounds benefited most of all. That is no surprise. One teacher told me:

[Zarah Sultana]

“When the day consists of long hungry hours, where a substantial meal is nowhere in sight, who wouldn’t struggle to learn and concentrate?”

The Bill would not only combat educational inequality but improve children’s health. Just 1.6% of packed lunches are estimated to meet the Government’s school food standards of nutrition, so it is hardly surprising that obesity rates fell when the Government introduced infant free school meals in 2014, as unhealthy packed lunches were replaced with healthy school meals.

The arguments for why free school meals must be for all children are clear. The existing means-tested policy, which requires the family’s income to be below the horrifyingly low figure of just £7,400 and for them to qualify for certain benefits, not only excludes nearly half a million children who are in poverty but entails a complicated application process that creates a barrier for some of the most disadvantaged and marginalised communities. More fundamentally, means testing separates children, puts labels on them and provokes stigma. Pupils who receive free school meals tell me that they feel embarrassed and ashamed, and that they are mocked and bullied. We might wish that those things did not happen, but they do.

Earlier today, I was on “Good Morning Britain”, and the presenter, Richard Madeley, told me that he remembered the stigma that kids on free school meals faced even in his day. That stigma is an unavoidable part of means testing, but it does not exist with universal provision. Free school meals for all means that all children eat together and learn together, and it avoids the trap of second-rate provision for the poorest. Too often, services just for the poor end up being poor services.

The overwhelmingly clear benefits of free school meals for all are why countries from India to Sweden have adopted the policy; they are why the Scottish Government have implemented the policy and why the Welsh Government are doing likewise. Championed by the London Mayor Sadiq Khan, London boroughs from Islington and Newham to Southwark and Tower Hamlets are self-funding this policy, with the new Labour administration in Westminster shortly joining them. But aside from these small pockets in the capital, while children in Scotland and Wales can look forward to free school meals for all, kids in England are denied them.

I am sure that Conservative Members will want to ask the question I always get asked when I speak to the media about free school meals for all: how will you pay

for it? It is always asked as if it is a “gotcha”, as if the aim for every child to have a good meal a day was utopian and an impossible fantasy. It is a strange question to ask, after just being told that the policy is a reality in other parts of the UK and across the world. It is as if children in England were uniquely difficult to feed. It also forgets—as Conservative Members are only too pleased for us to forget—that there is immense wealth in this country. For example, there was enough wealth for the Chancellor to give a tax cut to the bankers worth an estimated £18 billion in the autumn statement, and there was so much wealth that the richest 177 people in the country added an extra £55 billion to their fortunes this year, taking their combined wealth to over £650 billion. Just for clarity, that is 65 and 10 zeros.

If Conservative Members want a more direct way to fund this, however, I have an easy answer for them. Private schools currently receive a tax break worth £1.7 billion a year, which is nearly double the cost of this policy. So the question I put to the House is: do we want to protect tax breaks for elite private schools or do we want to feed hungry kids? This Conservative Government are making a choice. They are choosing to protect tax breaks for the wealthy while denying food to hungry kids.

Free school meals for all was a vital policy before this cost of living crisis, but now it is an even more urgent demand. Families who were forced to choose between heating and eating are now unable to do either. Parents who were just about coping yesterday cannot cope today, and this winter a third of all children are predicted to go hungry. Some 70% of food banks report that they will need either to turn people away or to cut the size of their emergency rations. Soaring food prices and rocketing energy bills have pushed people to the brink. Children are going to bed hungry at home and they are forced to learn on hungry stomachs at school. Let us end this injustice and guarantee that every child gets a good healthy meal each day.

Question put and agreed to.

Ordered,

That Zarah Sultana, Ian Byrne, Kim Johnson, Sir Stephen Timms, Caroline Lucas, Daisy Cooper, Munira Wilson, Apsana Begum, Richard Burgon, Mrs Emma Lewell-Buck, Andy McDonald and Lloyd Russell-Moyle present the Bill.

Zarah Sultana accordingly presented the Bill.

Bill read the First time; to be read a Second time on Friday 20 January 2023, and to be printed (Bill 214).

Levelling-up and Regeneration Bill

[2ND ALLOCATED DAY]

[Relevant document: Correspondence from the Chair of the Levelling Up, Housing and Communities Committee to the Secretary of State for Levelling Up, Housing and Communities, on the Levelling-Up and Regeneration Bill, reported to the House on 24 August 2022, HC 309.]

Further consideration of Bill, as amended in the Public Bill Committee

New Clause 48

CONDITION RELATING TO DEVELOPMENT PROGRESS REPORTS

“(1) TCPA 1990 is amended as follows.

(2) In section 56(3) (time when development begun), after ‘89,’ insert ‘90B.’

(3) Before section 91 (including the italic heading before that section) insert—

‘Development progress reports

90B Condition relating to development progress reports in England

(1) This section applies where relevant planning permission is granted for relevant residential development in England.

(2) The relevant planning permission must be granted subject to a condition that a development progress report must be provided to the local planning authority in whose area the development is to be carried out for each reporting period.

(3) The first reporting period in relation to the development is to be a period—

- (a) beginning at a prescribed time or by reference to a prescribed event, and
- (b) during which the development is begun.

(4) A new reporting period is to begin immediately after the end of a reporting period which is not the last reporting period.

(5) A reporting period which is not the last reporting period is to be a period of 12 months.

(6) The last reporting period is to be a period ending with the day on which the development is completed (subject to any provision made under subsection (9)).

(7) A “development progress report”, in relation to relevant residential development, means a report which sets out—

- (a) the progress that has been made, and that remains to be made, towards completing the dwellings the creation of which the development is to involve, as at the end of the reporting period to which the report relates,
- (b) the progress which is predicted to be made towards completing those dwellings over each subsequent reporting period up to and including the last reporting period, and
- (c) such other information as may be prescribed in regulations under subsection (9).

(8) If relevant planning permission is granted without the condition required by subsection (2), it is to be treated as having been granted subject to that condition.

(9) The Secretary of State may by regulations make provision—

- (a) about the form and content of development progress reports;
- (b) about when and how development progress reports are to be provided to local planning authorities;
- (c) about who may or must provide development progress reports to local planning authorities;

(d) about the provision of development progress reports and other information to local planning authorities where there is a change in circumstances in connection with relevant residential development, such as (for example) where the development is no longer intended to be completed in accordance with—

- (i) the relevant planning permission;
- (ii) a previous development progress report;
- (iii) any timescales specified in a commencement notice given under section 93G;

(e) about when a condition under subsection (2) is to be treated as being discharged;

(f) about when relevant residential development is to be treated as being completed for the purposes of this section.

(10) In this section—

“relevant planning permission” means planning permission other than—

- (a) planning permission granted by a development order;
- (b) planning permission granted for development carried out before the grant of that permission;
- (c) planning permission granted for a limited period;
- (d) planning permission granted by an enterprise zone scheme;
- (e) planning permission granted by a simplified planning zone scheme;

“relevant residential development” means development which—

- (a) involves the creation of one or more dwellings, and
- (b) is of a prescribed description.’

(4) In section 69 (register of applications etc)—

(a) in subsection (1), after paragraph (e) insert—

‘(f) development progress reports under section 90B;’;

(b) in subsection (2), after paragraph (b) insert—

‘(c) such information as is prescribed with respect to development progress reports under section 90B that are provided to the local planning authority;’.

(5) In section 70 (determination of applications: general considerations), in subsection (1)(a), after ‘sections’ insert ‘90B;’.

(6) In section 73 (determination of applications to develop land after non-compliance), before subsection (4) insert—

‘(2E) Nothing in this section authorises the disapplication of the condition under section 90B (condition relating to development progress reports in England).’

(7) In section 96A (power to make non-material changes to planning permission), before subsection (4) insert—

‘(3B) The conditions referred to in subsection (3)(b) do not include the condition under section 90B (condition relating to development progress reports in England).’

(8) In section 97 (revocation or modification of planning permission), at the end insert—

‘(9) Subsection (1) does not permit the revocation or modification of the condition under section 90B (condition relating to development progress reports in England).’

(9) In section 100ZA(13)(c) (restrictions on power to impose planning conditions in England), as amended by paragraph 3(12) of Schedule 14 to the Environment Act 2021, at the end insert “or the condition under section 90B (condition relating to development progress reports in England)”.

(10) Until paragraph 3(12) of Schedule 14 to the Environment Act 2021 comes into force, section 100ZA(13)(c) has effect as if at the end there were inserted “but do not include the condition under section 90B (condition relating to development progress reports in England).” —(Lucy Frazer.)

This new clause provides that certain planning permissions for residential development must be subject to a condition which requires development progress reports to be provided to the local

planning authority in whose area the development is to be carried out, and makes related provision. The new clause will be inserted after clause 100.

Brought up, and read the First time.

2.19 pm

The Minister of State, Department for Levelling Up, Housing and Communities (Lucy Frazer): I beg to move, That the clause be read a Second time.

Madam Deputy Speaker (Dame Rosie Winterton): With this it will be convenient to discuss the following:

Government new clause 49—*Community land auction arrangements and their purpose.*

Government new clause 50—*Power to permit community land auction arrangements.*

Government new clause 51—*Application of CLA receipts.*

Government new clause 52—*Duty to pass CLA receipts to other persons.*

Government new clause 53—*Use of CLA receipts in an area to which section (Duty to pass CLA receipts to other persons)(1) duty does not relate.*

Government new clause 54—*CLA infrastructure delivery strategy.*

Government new clause 55—*Power to provide for authorities making joint local plans.*

Government new clause 56—*Parliamentary scrutiny of pilot.*

Government new clause 57—*CLA regulations: further provision and guidance.*

Government new clause 58—*Expiry of Part 4A.*

Government new clause 59—*Interpretation of Part 4A.*

Government new clause 60—*Street votes: community infrastructure levy.*

Government new clause 63—*Marine licensing.*

Government new clause 64—*Fees for certain services in relation to nationally significant infrastructure projects.*

Government new clause 67—*Power to decline to determine applications in cases of earlier non-implementation etc.*

Amendment (a) to Government new clause 67, in proposed new section 70D(1)(d), after “subsection (2) or (3)” insert “or (3B)”.

Amendment (b) to Government new clause 67, before proposed new section 70D(4) insert—

“(3B) This subsection applies in a case where there has been a failure adequately to fulfil conditions attached to a previous planning permission.”

Government new clause 68—*Duty to grant sufficient planning permission for self-build and custom housebuilding.*

Government new clause 69—*Street votes.*

Government new clause 77—*Nutrient pollution standards to apply to certain sewage disposal works.*

Government new clause 78—*Planning: assessments of effects on certain sites.*

Government new clause 79—*Remediation.*

Government new clause 118—*Pre-consolidation amendment of planning, development and compulsory purchase legislation.*

Government new clause 119—*Registration of short-term rental properties.*

New clause 3—*Solar panel requirements for new homes—*

“(1) The Secretary of State must, before the end of the period of six months beginning on the day this Act is passed, use the power under section 1 of the Building Act 1984 to make building regulations for the purpose in subsection (2).

(2) That purpose is to provide that all new homes built in England from 1 April 2025 must have solar panels installed.”

This new clause would require new homes in England from 1 April 2025 to have solar panels.

New clause 5—*Ecological surveys prior to planning application—*

“(1) TCPA 1990 is amended as follows.

(2) After section 57 (planning permission required for development) insert—

‘57A Ecological surveys prior to planning permission

(1) Before making an application for planning permission the applicant

must undertake an ecological survey of the proposed site to establish

whether the proposed development threatens the habitat of a

vulnerable species.

(2) The Secretary of State must by regulations make provision about—

(a) such ecological surveys and requirements to undertake them,

(b) the definition of “vulnerable species” for the purposes of this

section,

(c) the mitigation hierarchy being duly followed, and

(d) the relocation of species to suitable alternative habitats where

clearance or destruction of the habitat cannot be

avoided or

mitigated onsite.

(3) A person who alters a potential development site—

(a) prior to the completion of an ecological survey

under this section,

and

(b) without due regard to potential habitats of vulnerable species

on the site commits an offence.

(4) A person who commits an offence under subsection (3)

is liable on summary conviction to a fine.

(5) The Secretary of State may by regulations make provision about offences

under subsection (3).’

(3) After section 58A (permission in principle) insert—

‘58AA Duty of regard to wildlife habitats in granting permissions

In considering whether to grant planning permission or permission in principle for the development of land in England which threatens the habitat of a vulnerable species under section 57A the local planning authority or (as the case may be) the Secretary of State must have special regard to the desirability of preserving or enhancing the habitat.”’

This new clause requires ecological surveys establishing whether a proposed development threatens habitats of a vulnerable species before a planning application. It also requires planning authorities to take vulnerable species’ habitats into account in planning decisions and creates an offence relating to destroying habitats prior to the ecological survey.

Amendment (a) to new clause 5, in proposed new section 57A(1), leave out

“the habitat of a vulnerable species”

and insert—

“(a) the habitat of—

- (i) any vulnerable or endangered species, or
- (ii) any species of red status bird, or
- (b) ancient woodland.”

Amendment (b) to new clause 5, after proposed new section 57A(5), insert—

“(6) In this section—

‘vulnerable or endangered species’ means a species protected by the Wildlife and Countryside Act 1981;

‘red status bird’ means any species of bird on the latest Birds of Conservation Concern red list.”

Amendment (c) to new clause 5, at end insert—

“(4) Where an ecological survey identifies that a proposed development constitutes a threat under subsection (1), any consideration of a planning application in relation to the proposed development by the local planning authority must begin with a presumption against development.”

New clause 6—*Disposal of land held by public bodies*—

“(1) The Local Government Act 1972 is amended in accordance with subsections (2) and (3).

(2) In section 123 (disposal of land by principal councils), after subsection (2) insert—

‘(2ZA) But the Secretary of State must give consent if the disposal is in accordance with section [*Disposal of land held by public bodies*] of the Levelling-up and Regeneration Act 2022.’

(3) In section 127(3) (disposal of land held by parishes and communities), after ‘(2A)’ insert ‘, (2ZA)’.

(4) The National Health Service Act 2006 is amended in accordance with subsection (5).

(5) After section 211 (acquisition, use and maintenance of property) insert—

‘211A Disposal of land held by NHS bodies

Any power granted by this Act to an NHS body to dispose of land is exercisable in accordance with section [*Disposal of land held by public bodies*] of the Levelling-up and Regeneration Act 2022 as if the NHS body were a local authority.’

(6) Subject to subsection (8), a disposal of land is in accordance with this section if it is in accordance with the Local Government Act 1972 General Disposal Consent (England) 2003 published in Department for Communities and Local Government Circular 06/03, as amended by subsection (7).

(7) Those amendments to the Local Government Act 1972 General Disposal Consent (England) 2003 are—

(a) after paragraph 1 insert—

‘(1A) This consent also applies to any NHS body in England as if it were

a local authority in accordance with section 211A of the National Health Service Act 2006;’;

(b) in paragraph 2(b), for ‘£2,000,000 (two million pounds)’ substitute ‘£3,000,000 (three million pounds) or 40% of the unrestricted market value, whichever is greater’;

(c) for paragraph 3(1)(vii) substitute—

‘(viii) a Police and Crime Commissioner established under the Police Reform and Social Responsibility Act 2011;’;

(d) for paragraph 3(1)(ix) substitute—

‘(ix) the Mayor’s Office for Policing and Crime;’;

(e) for paragraph 3(1)(x) substitute—

‘(x) the London Fire Commissioner;’;

(f) after paragraph 3(1)(xii) insert—

‘(xiii) a combined authority;

(xiv) a mayoral combined authority;

(xv) the Greater London Authority;

(xvi) any successor body established by or under an Act of Parliament to any body listed in this subparagraph.’

(8) The Secretary of State may, to reflect inflation, further amend the cash value that the difference between the unrestricted value of the land to be disposed of and the consideration for the disposal must not exceed.” *This new clause would bring an amended and updated version of the Local Government Act 1972 General Disposal Consent (England) 2003 into primary legislation, extends its application to NHS bodies and clarifies that the Consent applies to Police and Crime Commissioners, MOPAC and the London Fire Commissioner.*

New clause 8—*National Parks purposes*—

(1) Section 5 of the National Parks and Access to the Countryside Act 1949 is amended in so far as it applies to England as follows.

(2) For section 5(1) substitute—

‘(1) The provisions of this Part of this Act shall have effect for the purpose—

(a) of restoring, conserving and enhancing the—

(i) biodiversity and the natural environment;

(ii) natural beauty; and

(iii) cultural heritage

of the areas specified in the next following subsection; and

(b) of providing equal opportunities for all parts of society to

improve their connection to biodiversity and the natural

environment, natural beauty and cultural heritage of those areas

and the enjoyment of their special qualities.’

(3) For section 5(2) substitute—

‘(2) The said areas are those extensive tracts of country in England which it appears to Natural England that by reason of—

(a) their biodiversity and natural environment, natural beauty and cultural heritage; and

(b) the opportunities they afford for providing equal opportunities for all parts of society to improve their connection to biodiversity and the natural environment, natural beauty and cultural heritage of those areas and the enjoyment of their special qualities, having regard both to their character and to their position in relation to centres of population,

it is especially desirable that the necessary measures shall be taken for the purposes mentioned in the last foregoing subsection.’

(4) Omit section 5(2A).

(5) After subsection (3) insert—

‘(4) In subsection (1) above—

“biodiversity” has the meaning given to the term “biological diversity” by Article 2 of the United Nations Environmental Programme Convention on Biological Diversity of 1992;

“natural environment” has the meaning given by section 44 of the Environment Act 2021;

“natural beauty” has the meaning given by section 114(2) of this Act;

“cultural heritage” means any building, structure, other feature of the natural or built environment or site, which is of historic, architectural, archaeological or artistic interest.’

(6) The amendments made by subsections (1) to (5) above are without prejudice to the continuing validity of any designation of an area as a National Park under subsection (3) of that section.”

This new clause will amend the statutory purposes of National Parks to make it clearer that National Parks should actively recover nature and improve people’s connection with nature, as recommended by the Glover Review. Part (3) amends the criteria for designating new National Parks in line with the updated purposes.

New clause 9—*Duty of certain bodies and persons to have regard to the purposes for which National Parks are designated*—

“(1) Section 11A (*Duty of certain bodies and persons to have regard to the purposes for which National Parks are designated*) of the National Parks and Access to the Countryside Act 1949 is amended in so far as it applies to England as follows.

(2) After subsection (1) insert—

“(1A) A National Park authority, in pursuing in relation to the National Park the purposes specified in subsection (1) of section 5 of this Act, shall seek to promote climate change mitigation and adaptation, in particular through policies and projects that restore, conserve and enhance biodiversity and the natural environment while also reducing, or increasing the removal of, greenhouse gas emissions or supporting climate adaptation.”

(3) For subsection (2) substitute—

“(2) In exercising or performing any functions in relation to, or so as to affect, land in a National Park, any relevant authority must further the purposes specified in subsection (1) of section 5 of this Act and, if it appears that there is a conflict between paragraphs (a) and (b) of that subsection, shall attach greater weight to the purpose of restoring, conserving and enhancing the natural environment and biodiversity, natural beauty and cultural heritage of the area comprised in the National Park.”

This new clause implements two recommendations from the Glover Review, to give National Park authorities a new duty to address climate change and to strengthen the existing duty on public bodies to “further” National Park purposes.

New clause 10—*National Park Management Plans*—

“(1) Section 66 (National Park Management Plans) of the Environment Act 1995 is amended in so far as it applies to England as follows.

(2) After subsection (1) insert—

“(1A) A National Park Management Plan must include targets and actions to be achieved before the review of the plan under subsection (4) by the National Park authority and other relevant authorities that are exercising or performing any functions in relation to, or so as to affect, land in the National Park.

(1B) The targets and actions must include those that will contribute to—

- (a) the furthering of the purposes specified in subsection (1) of section 5 of the National Parks and Access to the Countryside Act 1949;
- (b) the achievement of targets as may be set under
 - (i) sections 1 to 7 of the Environment Act 2021;
 - (ii) environmental improvement plans prepared under sections 8 to 15 of that Act; and
 - (iii) the Climate Change Act 2008 for the protection of the climate, including in respect of the mitigation of, and adaptation to, climate change; and
- (c) the implementation of any local nature recovery strategies for an area within the National Park prepared under sections 104 to 107 of the Environment Act 2021.

(1C) In exercising or performing any functions in relation to, or so as to affect, land in a National Park, a relevant authority must—

- (a) in the case of a relevant authority other than a National Park authority, assist with the preparation of the National Park Management Plan by providing to the National Park authority a list of the actions that the relevant authority will take reasonable steps to undertake over the 5 years of the Plan to further the purposes

specified in subsection (1) of section 5 of the National Parks and Access to the Countryside Act 1949;

(b) take reasonable steps to undertake those actions within that period; and

(c) in the case of a relevant authority other than a National Park authority, at least six months prior to the commencement of the review of the National Park Management Plan, provide to the National Park authority the details of the actions that the relevant authority has undertaken during the period to which the Plan relates.

(1D) For the purposes of (1A) and (1B) “relevant authority” has the same meaning as in section 11A(3) of the National Parks and Access to the Countryside Act 1949.”

(3) After subsection (4) insert—

“(4A) At least three months prior to the commencement of a review under subsection (4) a National Park authority must publish a report setting out, in particular, details of—

- (a) targets and actions in the National Park Management Plan that have been achieved;
- (b) targets and actions that have not been achieved;
- (c) targets and actions that the National Park authority is not yet able to determine whether they have been achieved, the reasons for that and the steps the National Park authority or any other relevant authority intends to take in order to determine whether the target or action has been achieved, and, in respect of (b), the reasons why a target or action has not been achieved and the steps the National Park authority or any other relevant authority has taken, or intends to take, to ensure the target or action is achieved as soon as reasonably practicable.

(4B) Within three months of the publication of the report prepared in accordance with subsection (4A) Natural England must provide and publish advice to the National Park authority and any relevant authority as it sees fit, in relation to the National Park Management Plan that is to be reviewed, on—

- (a) the extent to which and reasons why any targets in that Plan have not been met;
- (b) actions that should be taken by the National Park authority or any relevant authority to ensure that the target is achieved as soon as possible; and
- (c) targets to be set in the revised plan.

(4C) Advice given under (4B) must also contain the reasons for that advice.

(4D) It shall be the duty of a National Park authority and any relevant authority to follow the advice given under subsection (4B) unless it appears unreasonable to do so, in which case the National Park authority or relevant authority must publish a statement giving reasons why it is not following that advice.

(4E) At the same time as the publication of a report under paragraph (c) of subsection (6), a National Park authority must publish a report on its response to the advice given under (4B) and any actions taken by the National Park authority or any other relevant authority as a result of the advice given under paragraph (b) of subsection (4B).”

(4) For subsection (7) substitute—

“(7) A National Park authority which is proposing to publish, adopt or review any plan under this section must publish notice of the proposal and a copy of the plan, together (where appropriate) with any proposed amendments of the plan and consult—

- (a) every principal council and corporate joint committee whose area is wholly or partly comprised in the relevant Park;
- (b) Natural England;
- (c) the Environment Agency;
- (d) any other relevant authority that is exercising or performing any functions in relation to, or so as to affect, land in a National Park; and
- (e) the general public.’

(5) After subsection (7) insert—

‘(7A) A National Park authority must take into consideration any observations made by any of the persons consulted under subsection (7).’

(6) After subsection (8) insert—

‘(8A) Any plan which a National Park authority publishes, adopts or amends following a review under this section shall not be made operational until it is approved in writing by the Secretary of State on advice from Natural England.’

(7) After section 66 insert—

‘66A Guidance on the preparation of National Park Management Plans: England

- (1) Natural England must issue guidance to National Park authorities on the preparation, content and implementation of National Park Management Plans.
- (2) Guidance must be—
 - (a) published by Natural England in such manner as Natural England sees fit;
 - (b) kept under review; and
 - (c) revised where Natural England considers it appropriate.
- (3) A National Park authority must have regard to the guidance when preparing and implementing a National Park Management Plan.

66B Annual reports on the implementation of National Park Management Plans: England

- (1) As soon as practicable after the end of each financial year, a National Park authority in England must prepare a report on the implementation of the current National Park Management Plan during that year and send a copy of the report to the Secretary of State and Natural England.
- (2) The report must include an assessment of—
 - (a) the progress that has been made during the financial year in achieving the targets and actions set out in the National Park Management Plan;
 - (b) the further progress that is needed to achieve those targets and actions and the steps the National Park authority or any other relevant authority will take to ensure the target or action is achieved before the next review of the Plan under subsection (4) of section 66; and
 - (c) whether those targets and actions are likely to be achieved before the next review of the Plan under subsection (4) of section 66.
- (3) A relevant authority other than a National Park authority that is exercising or performing any functions in relation to, or so as to affect, land in a National Park in England must contribute to the report by providing to the National Park authority the details of the actions that the relevant authority has undertaken to further the purposes of the National Park specified in subsection (1) of section 5 of the National Parks and Access to the Countryside Act 1949 during the financial year to which the report relates.
- (4) The Secretary of State must lay a copy of the report before Parliament and publish the report.
- (5) “Relevant authority” has the same meaning as in section 11A(3) of the National Parks and Access to the Countryside Act 1949.

66C Duty to provide advice or other assistance on request: England

Natural England must, at the request of a National Park authority or other relevant authority, provide advice, analysis, information or other assistance to the authority in connection with—

- (a) the authority’s functions under this or any other Act; and
- (b) the progress made towards meeting the targets and actions included in a National Park Management Plan.

66D Strategic priorities and objectives for National Parks: England

- (1) Within six months of the entering into force of this section, the Secretary of State must publish a statement setting out strategic priorities and objectives for National Park authorities and relevant authorities in carrying out relevant functions.
- (2) National Park authorities and relevant authorities must carry out those functions in accordance with any statement published under this section.
- (3) In formulating a statement under this section, the Secretary of State must further the purposes in section 5 of the National Parks and Access to the Countryside Act 1949 (“the 1949 Act”).
- (4) Before publishing a statement under this section, the Secretary of State must consult—
 - (a) National Park authorities;
 - (b) Natural England; and
 - (c) such relevant authorities as the Secretary of State thinks appropriate.
- (5) Before publishing a statement under this section the Secretary of State must—
 - (a) lay a draft of the statement before Parliament; and
 - (b) then wait until the end of the 40-day period.
- (6) The Secretary of State may not publish the final statement under this section if, within the 40-day period, either House of Parliament resolves not to approve it.
- (7) “The 40-day period” means the period of 40 days beginning with the day on which the draft is laid before Parliament (or, if it is not laid before each House on the same day, the later of the days on which it is laid).
- (8) When calculating the 40-day period, ignore any period during which Parliament is dissolved or prorogued or during which both Houses are adjourned for more than 4 days.
- (9) The Secretary of State shall, in accordance with this section, publish a revised statement no later than five years after the publication of each statement.
- (10) In this section—
 - “relevant authorities” shall have the same meaning as in section 11A of the 1949 Act; and
 - “relevant functions” means, for National Park authorities, the functions mentioned in Part III of this Act and, for relevant authorities, those functions mentioned in section 11A(2) of the 1949 Act.”

This new clause would implement the recommendation of the Glover Review that National Park Management Plans should contain targets, priorities and actions to deliver the purposes of National Parks. It would also require National Park authorities and other public bodies to set out what steps they will take to achieve those targets, priorities and actions.

New clause 11—National Park Authorities—

“(1) Schedule 7 to the Environment Act 1995 is amended in so far as it applies to England as follows.

(2) In paragraph 1(3) after “must” insert “not”.

(3) In paragraph 2(3)(c) omit “only at the request of that council”.

(4) After paragraph 2(4) insert—

“(4A) In appointing local authority members of a National Park authority, a principal council must have regard to the desirability of—

- (a) the members (between them) having experience of, and having shown some capacity in, the purposes of National Parks specified in subsections (1) of section 5 of the National Parks and Access to the Countryside Act 1949; and
- (b) maintaining an overall balance between members with experience of and capacity in those purposes.”

(5) After paragraph 3(2) insert—

“(2A) In appointing parish members of a National Park authority the Secretary of State must have regard to the desirability of—

- (a) the members (between them) having experience of, and having shown some capacity in, the purposes of National Parks specified in subsections (1) of section 5 of the National Parks and Access to the Countryside Act 1949; and
- (b) maintaining an overall balance between members with experience of and capacity in those purposes.”

(6) After paragraph 4(1) insert—

“(1A) In appointing members of a National Park authority the Secretary of State must have regard to the desirability of—

- (a) the members (between them) having experience of, and having shown some capacity in, the purposes of National Parks specified in subsections (1) of section 5 of the National Parks and Access to the Countryside Act 1949; and
- (b) maintaining an overall balance between members with experience of and capacity in those purposes.”

This new clause would allow the Secretary of State to amend secondary legislation to increase the proportion of National Park authority members who are nationally appointed, on the basis of their skills and experience. It would also require that consideration is given to ensuring members have relevant experience.

New clause 12—Requirements to encourage the development of small sites—

“(1) In respect of a development where the conditions in subsection (2) are satisfied, local authorities must support opportunities to bring forward sites and apply a presumption in favour of development.

(2) The conditions are that—

- (a) the site is less than 0.25 hectares in area, and
- (b) the site contains over 60% affordable housing.

(3) In this section, “affordable housing” has the same meaning as in Annex 2 of the NPPF.”

This new clause would provide for a presumption in favour of development for affordable-led small sites and encourage councils to bring forward small sites for development.

New clause 13—Duty of regard to the right to nature—

“(1) It is the duty of public authorities when exercising their functions under this Act to have special regard to the right to nature.

(2) For the purposes of subsection (1), the “right to nature” means the right to a clean, healthy and sustainable environment.

(3) Contributing to providing and maintaining a clean, healthy and sustainable environment includes increasing access to natural spaces and reducing geographical inequalities in this access.”

This new clause would create a right to a clean, healthy and sustainable environment, and require authorities to increase access to nature and to ensure access is equitably distributed across different communities.

New clause 14—FloodRe Build Back Better scheme participation—

“(1) The Financial Conduct Authority must, before the end of the period of six months beginning on the day this Act is passed, make rules under the Financial Services and Markets Act 2000 requiring insurance companies participate in the FloodRe Build Back Better scheme to reimburse flood victims for costs of domestic flood resilience and prevention measures.

(2) In making those rules the Financial Conduct Authority must have regard to its operation objectives to—

- (a) protect consumers, and
- (b) promote competition.”

This new clause would require the Financial Conduct Authority to make rules requiring insurance companies to participate in the currently voluntary Build Back Better scheme, which was launched by FloodRe in April 2022.

New clause 15—Minimum requirements for flood mitigation and protection—

“(1) The Secretary of State must, before the end of the period of six months beginning on the day this Act is passed, use the power under section 1 of 5 the Building Act 1984 to make building regulations for the purpose in subsection (2).

(2) That purpose is to set minimum standards for new build public and private properties in England for—

- (a) property flood resilience,
- (b) flood mitigation, and
- (c) waste management in connection with flooding.”

This new clause would require the Government to set minimum standards for flood resilience, flood mitigation and flood waste management in building regulations.

New clause 16—Duty to make flooding data available—

“(1) The Secretary of State and local authorities in England must take all reasonable steps to make data about flood prevention and risk publicly available

(2) The duty under subsection (1) extends to seeking to facilitate use of the data by—

- (a) insurers for the purpose of accurately assessing risk, and
- (b) individual property owners for the purpose of assessing the need for property flood resilience measures.”

This new clause would place a duty on the Government and local authorities to make data about flood prevention and risk available for the purpose of assisting insurers and property owners.

New clause 17—Flood prevention and mitigation certification and accreditation schemes—

“(1) The Secretary of State must by regulations establish—

- (a) a certification scheme for improvements to domestic and commercial properties in England made in full or in part for flood prevention or flood mitigation purposes, and
- (b) an accreditation scheme for installers of such improvements.

(2) The scheme under subsection (1)(a) must—

- (a) set minimum standards for the improvements, including that they are made by a person accredited under subsection (1)(b), and
- (b) provide for the issuance of certificates stating that improvements to properties have met those standards.

(3) The scheme under subsection (1)(a) may make provision for the certification of improvements that were made before the establishment of the scheme provided those improvements meet the minimum standards in subsection (2)(a).

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

(5) A draft statutory instrument containing regulations under this section must be laid before Parliament before the end of the period of six months beginning with the day on which this Act comes into force.”

This new clause would require the Government to establish a certification scheme for improvements to domestic and commercial properties in England made for flood prevention or flood mitigation purposes and an accreditation scheme for installers of such improvements.

New clause 18—Insurance premiums—

“(1) The Financial Conduct Authority must, before the end of the period of six months beginning on the day this Act is passed, make rules under the Financial Services and Markets Act 2000 requiring insurance companies to take into account the matters in subsection (2) when calculating insurance premiums relating to residential and commercial properties.

(2) Those matters are—

- (a) that certified improvements have been made to a property under section [flood prevention and mitigation certification and accreditation schemes], or
- (b) that measures that were in full or in part for the purposes of flood prevention or mitigation have been taken in relation to the property that were requirements of the local planning authority for planning permission purposes.”

This new clause would require the Financial Conduct Authority to make rules requiring insurance companies to take into account flood prevention or mitigation improvements that are either certified or planning permission requirements in setting insurance premiums.

New clause 19—Flood Reinsurance scheme eligibility—

“(1) The Secretary of State must, before the end of the period of six months beginning on the day this Act is passed—

- (a) establish a new Flood Reinsurance scheme under section 64 of the Water Act 2014 which is in accordance with subsection (2), and
- (b) lay before Parliament a draft statutory instrument containing regulations under that section to designate that scheme.

(2) A new Flood Reinsurance scheme is in accordance with this section if it extends eligibility to—

- (a) premises built on or after 1 January 2009 which have property flood resilience measures that meet the standard under section [minimum requirements for flood mitigation and protection](2)(a), and
- (b) buildings insurance for small and medium-sized enterprise premises.

(3) The Secretary of State may by regulations require public bodies to share business rates information with the scheme established under subsection (1)(a) for purposes connected with the scheme.

(4) The Water Act 2014 is amended in accordance with subsections (5) to (9).

(5) In section 64 (the Flood Reinsurance scheme), after “household premises”, in each place it occurs, insert “and small and medium-sized enterprise premises”.

(6) In section 67 (scheme administration), after “household premises”, in each place it occurs, insert “and small and medium-sized enterprise premises”.

(7) After section 69 (disclosure of HMRC council tax information) insert—

“(69A) Disclosure of business rates information

- (1) The Secretary of State may by regulations require public bodies to disclose information relating to business rates to any person who requires that information for either of the following descriptions of purposes—

(a) purposes connected with such scheme as may be established and designated in accordance with section 64 (in any case arising before any scheme is so designated);

(b) purposes connected with the FR Scheme (in any case arising after the designation of a scheme in accordance with section 64).

(2) A person to whom information is disclosed under regulations made under subsection (1)(a) or (b)—

(a) may use the information only for the purposes mentioned in subsection (1)(a) or (b), as the case may be;

(b) may not further disclose the information except in accordance with those regulations.”

(8) In section 82(5) (interpretation)—

(a) for “69” substitute “69A”;

(b) after “household premises” insert “small and medium-sized enterprise premises”.

(9) In section 84(6) (regulations and orders), after paragraph (e) insert—

“(ea) regulations under section 69A (disclosure of business rates information),”.

This new clause would require the Government to extend the FloodRe scheme to premises built since 2009 that have property flood resilience measures that meet minimum standards and buildings insurance for small and medium-sized enterprise premises.

New clause 20—Strengthening local powers on new home standards, affordable housing and bus services—

“(1) The Secretary of State must make Building Regulations under section 1 of the Building Act 1984 providing that new homes in England must meet the full requirements of the Future Homes Standard from 1 January 2023.

(2) A local authority in England may choose to require and enforce minimum carbon compliance standards for new homes in its area which exceed the Future Homes Standard from that date.

(3) Notwithstanding the National Planning Policy Framework, a local planning authority may mandate that any new housing in its area is affordable.

(4) A local planning authority may define “affordable” for the purposes of subsection (3).

(5) Notwithstanding section 66 of the Transport Act 1985, a local authority in England shall have power to provide a service for the carriage of passengers by road which requires a PSV operator’s licence.”

This new clause would bring forward the date for which the Future Homes Standard for carbon compliance of new homes would apply and give local authorities the option of imposing higher standards locally; it would enable local authorities to mandate that new housing under their jurisdiction is affordable and confer new powers on local authorities to run their own bus services.

New clause 40—Requirement to hold a referendum on fracking applications—

“(1) This section applies to any planning application for the purposes of, or in connection with, hydraulic fracturing.

(2) The local planning authority may not approve an application to which this section applies unless it has been approved by a referendum in accordance with subsection (3).

(3) A referendum is in accordance with this subsection if—

(a) it is a poll of all local authority electors resident in the license area or the impact zone of the proposed hydraulic fracturing site; and

(b) it is approved by the majority of such electors who vote in the referendum.

(4) The Secretary of State may, by regulations, make further provision about the conduct of referendums under subsection (3).

(5) In making regulations under subsection (4) the Secretary of State must have regard to the provisions of the Local Authorities (Conduct of Referendums) (England) (Amendment) Regulations 2014.

(6) The total referendum expenses incurred must be paid in full by the planning applicant.”

New clause 43—Planning permission required for use of dwelling as second home—

“(1) The Town and Country Planning Act 1990 is amended as follows.

(2) In section 55 (meaning of “development” and “new development”), after subsection (3)(a) insert—

“(aa) the use of a dwelling as a second home following a change in ownership involves a material change in the use of the building (whether or not it was previously used as a second home);”.

This new clause would mean planning permission would be required for a dwelling to be used as a second home following a change of ownership.

New clause 44—Local authorities to be permitted to require that new housing in National Parks and AONB is affordable—

“(1) Notwithstanding the National Planning Policy Framework, a local planning authority may mandate that any new housing in its area that is within—

(a) a National Park, or

(b) an Area of Outstanding Natural Beauty

is affordable.

(2) A local planning authority may define “affordable” for the purposes of subsection (1).”

This new clause would enable local authorities to mandate that new housing under their jurisdiction and within a National Park or an Area of Outstanding Natural Beauty is affordable, and to define “affordable” for that purpose.

New clause 47—Disability accessibility standards for railway stations—

“(1) The Secretary of State must take all reasonable steps to ensure that railway stations in England—

(a) provide step-free access from street to train, and

(b) meet in full and as soon as possible the disability access standards in the Design Standards for Accessible Railway Stations Code of Practice published by the Department for Transport and Transport Scotland in March 2015.

(2) Any requirements made in conjunction with that duty may not make any exemptions or concessions for small or remote stations.

(3) In undertaking the duty in subsection (1) the Secretary of State may—

(a) make an application to the Office of Rail and Road under section 16A (provision, improvement and development of railway facilities) of the Railways Act 1993;

(b) revise the code of practice under section 71B (code of practice for protection of interests of rail users who are disabled) of the Railways Act 1993;

(c) amend the contractual conditions of any licenced railway operator;

(d) instruct Network Rail to take any action the Secretary of State considers necessary in connection to the duty.

(4) The Secretary of State must report annually to Parliament on performance against the duty.”

This new clause places a duty on the Secretary of State to ensure that railway stations meet disability access standards.

New clause 72—Super-affirmative procedure for EOR regulations made under Part 5—

“(1) If the Secretary of State proposes to make EOR regulations which fall under section 195(5), the Secretary of State must lay before Parliament a document that—

(a) explains the proposal, and

(b) sets it out in the form of draft EOR regulations.

(2) During the period of 60 days beginning with the day on which the document was laid under subsection (1) (“the 60-day period”), the Secretary of State may not lay before Parliament draft regulations to give effect to the proposal (with or without modifications).

(3) In preparing draft regulations under this Part to give effect to the proposal, the Secretary of State must have regard to any of the following that are made with regard to the draft regulations during the 60-day period—

(a) any representations, and

(b) any recommendations of a committee of either House of Parliament

charged with reporting on the draft regulations.

(4) When laying before Parliament draft regulations to give effect to the proposal (with or without modifications), the Secretary of State must also lay a document that explains any changes made to the proposal contained in the document laid before Parliament under subsection (1).

(5) In calculating the 60-day period, no account is to be taken of any time during which Parliament is dissolved or prorogued or during which either House is adjourned for more than 4 days.”

This new clause would require EOR regulations made under Part 5 to be subject to the super-affirmative procedure.

New clause 73—National development management policy—

“(1) A national development management policy must not include any provision that—

(a) requires any housing to be built on the green belt; or

(b) encourages the building of housing on the green belt.

(2) For the purpose of this section, “the green belt” means any land designated as green belt by a local planning authority.”

This new clause would ensure that the government cannot use national development management policies to allow housing to be built on green belt land.

New clause 80—Prohibition of onshore developments for purposes of oil and gas searching, boring and extraction—

“(1) The Petroleum Act 1988 is amended in accordance with subsection (2).

(2) In section 3 (licences to search and bore for and get petroleum), after subsection (2) insert—

“(2A) But the appropriate authority may not issue any new such onshore licence after the day on which the Levelling-up and Regeneration Act 2023 is passed.

(2B) The prohibition in subsection (2A) includes licences or consents relating to hydraulic fracturing.”

(3) A planning authority or Secretary of State may not grant planning permission to any proposed development for the purposes of searching for, boring for or getting petroleum.

(4) This section comes into force on the day on which this Act is passed.”

This new clause would prevent planning authorities or the Secretary of State from granting planning permission to any new onshore oil or gas developments, including hydraulic fracturing.

New clause 81—Prohibition of development for the purpose of coal-mining—

“(1) The Coal Industry Act 1994 is amended in accordance with subsection (2).

(2) In section 26 (Grant of licences), after subsection (2) insert—

“(2A) But the appropriate authority may not issue any new such licence after the day on which the Levelling-up and Regeneration Act 2023 is passed.

(2B) The prohibition in subsection (2A) includes licences or consents relating to—

- (a) any new coal mine; and
- (b) the expansion of, or extension to, any existing coal mine (including time-extension applications)."

(3) A minerals planning authority must not grant planning permission to any proposed development for the purposes of coal-mining operations.

(4) A minerals planning authority must not grant any extension of existing planning permission to any development for the purposes of coal-mining operations.

(5) This section comes into force on the day on which this Act is passed."

New clause 83—Industrial support reporting—

"(1) The Secretary of State must prepare annual reports on—

- (a) the rates of the matters in subsection (2), and
- (b) the extent to which the fiscal and regulatory framework supports growth in those matters in areas with rates of poverty, unemployment or economic inactivity above the national average.

(2) The matters are—

- (a) new factory openings,
- (b) investment in new factory equipment,
- (c) the introduction of tailored skills-acquisition programmes, and
- (d) the creation of manufacturing jobs.

(3) The first such report must be laid before Parliament before the end of 2023.

(4) A further such report must be laid before Parliament in each subsequent calendar year."

This new clause would require the Secretary of State to report annually to Parliament on the rates of, and the extent to which the fiscal and regulatory framework supports, new factory openings, investment in new factory equipment, introduction of tailored skills-acquisition programmes and creation of manufacturing jobs in areas with rates of poverty, unemployment or economic inactivity above the national average.

New clause 85—Wildbelt—

"(1) Local planning authorities should maintain a register of wildbelt land in their local areas (see section 106(c) of the Environment Act 2021).

(2) Wildbelt land must be recognised in Local Plans based on areas identified in the Local Nature Recovery Strategy.

(3) Local planning authorities must act in accordance with Local Nature Recovery Strategy wildbelt designations in the exercise of relevant functions, including land use planning and planning decisions.

(4) Wildbelt land should not be subject to land use change that hinders the recovery of nature in these areas."

This new clause would secure a land designation in England that provides protection for sites being managed for nature's recovery, identified through the Local Nature Recovery Strategies created by the Environment Act. Sites designated as wildbelt in Local Plans would be subject to only moderate controls, precluding development but allowing farming and other land uses which do not hinder the recovery of nature.

New clause 86—Wildbelt & the Environment Act—

"In section 106(5) of the Environment Act 2021, after paragraph (b) insert—

"(c) any sites identified as having potential for nature's recovery, to be known as wildbelt sites;"

New clause 87—Energy efficiency measures in listed buildings—

"(1) The Secretary of State must make regulations about the use of energy efficiency measures in residential listed buildings.

(2) The aim of the regulations must be to make it easier for owners of residential listed buildings to improve the energy efficiency of those buildings.

(3) The regulations may impose any requirement upon Historic England that the Secretary of State considers necessary in order to achieve the aim in subsection (2).

(4) In this section, "energy efficiency measures" include—

- (a) the installation of heat pumps; and
- (b) any measure aimed at improving the energy efficiency rating of a property."

New clause 88—New Permitted Development Right—

"(1) The Secretary of State must, by regulations, create a new permitted development right to allow existing residential buildings to be redeveloped without further planning consent if—

- (a) the building is in an urban area,
- (b) the local authority has issued one or more design codes for the area in which the building is situated, and the redevelopment complies with it,
- (c) the building is not a listed building or subject to other heritage protections, and
- (d) the redevelopment complies with all relevant building safety regulations.

(2) Subsection (1) comes into force after a period of six months beginning on the day on which this Act is passed.

(3) A local planning authority must issue one or more design codes for residential buildings in all urban areas within their boundaries within six months of the passage of this Act."

This new clause would create simplified residential planning permission for homes in towns and cities which comply with designs that have been pre-approved by their Local Authority.

New clause 89—Peat Extraction: no compensation for alteration of planning permissions—

"(1) Section 107 of the Town and Country Planning Act 1990 is amended as follows.

(2) After subsection (5), insert—

"(6) From 1 January 2024, this section does not apply to permissions relating to the extraction of peat."

This new clause removes a barrier that prevents Mineral Planning Authorities taking action to bring to an end the extraction of peat within England. It is timed to coincide with the expected legal ban on the sale of peat and peat containing products in England and Wales.

New clause 92—Chief Planning Officers—

"(1) The Town and Country Planning Act 1990 is amended as follows.

(2) After section 1 insert—

"1A Planning authorities: chief planning officer

- (1) Each planning authority must have a chief planning officer.
- (2) The role of an authority's chief planning officer is to advise the authority about the carrying out of—
 - (a) the functions conferred on them by virtue of the planning Acts, and
 - (b) any function conferred on them by any other enactment, insofar as the function relate to development.
- (3) The Secretary of State must issue guidance to planning authorities concerning the role of an authority's chief planning officer.
- (4) A planning authority may not appoint a person as their chief planning officer unless satisfied that the person has appropriate qualifications and experience for the role.
- (5) In deciding what constitutes appropriate qualifications and experience for the role of chief planning officer, a planning authority must have regard to any guidance on the matter issued by the Secretary of State."

This new clause would place a duty on local planning authorities to appoint a Chief Planning Officer to perform planning functions and requires them to appoint sufficiently qualified persons to perform them with regard to guidance from the Secretary of State.

New clause 94—Vacant higher value local authority housing—

“(1) The Housing and Planning Act 2016 is amended as follows.

(2) Leave out Chapter 2 of Part 4 (Vacant higher value local authority housing).”

This new clause would implement the decision set out in the 2018 social housing green paper to not require local authorities to make a payment in respect of their vacant higher value council homes as provided for by the Housing and Planning Act 2016.

New clause 95—Review of Permitted Development Rights—

“(1) The Secretary of State must establish a review of permitted development rights under Schedule 2 of the Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended).

(2) The review should include an assessment of—

- (a) the past effectiveness of permitted development rights in achieving housing targets;
- (b) the quality of housing delivered under permitted development rights;
- (c) the impacts of permitted development on heritage, conservation areas and setting;
- (d) the estimated carbon impact of the use of permitted development rights since the expansion of permitted development to demolition;
- (e) the relative cost to local planning authorities of processing permitted development compared to full planning consents;
- (f) potential conflict between existing permitted development rights and the application of national development management policies;
- (g) the impact of permitted development rights, or other policies in this Bill designed to deliver streamlined consent, on the efficacy of levelling-up missions.

(3) The Secretary of State must publish a report of the recommendations made by this review no later than twelve months after this Act comes into force.”

This new clause would commit the government to carrying out a comprehensive review of permitted development rights within 12 months of the Bill securing Royal Assent.

New clause 96—Local authority planning committee meetings—

“(1) The Secretary of State must by regulations make provision relating to—

- (a) requirements to hold local authority planning committee meetings;
- (b) the times at or by which, periods within which, or frequency with which, local authority planning committee meetings are to be held;
- (c) the places at which local authority planning committee meetings are to be held;
- (d) the manner in which persons may attend, speak at, vote in, or otherwise participate in, local authority planning committee meetings;
- (e) public admission and access to local authority planning committee meetings;
- (f) the places at which, and manner in which, documents relating to local authority planning committee meetings are to be open to inspection by, or otherwise available to, members of the public.

(2) The provision which must be made by virtue of subsection (1)(d) includes in particular provision for persons to attend, speak at, vote in, or otherwise participate in, local authority planning committee meetings without all of the persons, or without any of the persons, being together in the same place.”

This new clause would allow local authorities to hold planning committee meetings and reach planning decisions virtually or in a hybrid form.

New clause 97—Chief Planning Officers—

“(1) The Town and Country Planning Act 1990 is amended as follows.

(2) After section 1 insert—

“1A Planning authorities: chief planning officer

- (1) Each planning authority must have a chief planning officer.
- (2) The role of an authority’s chief planning officer is to advise the authority about the carrying out of—
 - (a) the functions conferred on them by virtue of the planning Acts, and
 - (b) any function conferred on them by any other enactment, insofar as the function relate to development.
- (3) The Secretary of State must issue guidance to planning authorities concerning the role of an authority’s chief planning officer.
- (4) A planning authority may not appoint a person as their chief planning officer unless satisfied that the person has appropriate qualifications and experience for the role.
- (5) In deciding what constitutes appropriate qualifications and experience for the role of chief planning officer, a planning authority must have regard to any guidance on the matter issued by the Secretary of State.”

This new clause would place a duty on local planning authorities to appoint a Chief Planning Officer to perform planning functions and requires them to appoint sufficiently qualified persons to perform them with regard to guidance from the Secretary of State.

New clause 98—Duty with regard to climate change—

“(1) The Secretary of State must have special regard to achieving the mitigation of and adaptation to climate change when preparing—

- (a) national policy or advice relating to the development or use of land,
- (b) a development management policy pursuant to section 38ZA of the PCPA 2004.

(2) The Secretary of State must aim to ensure consistency with achieving the mitigation of and adaptation to climate change when exercising a relevant function under a planning enactment.

(3) A relevant planning authority when—

- (a) exercising a planning function must have special regard to, and aim to ensure consistency with, achieving the mitigation of and adaptation to climate change, and
- (b) making a planning decision must aim to ensure the decision is consistent with achieving the mitigation of and adaptation to climate change.

(4) For the purposes of subsection (3), a relevant planning authority is as set out in section 81 (a) and (b) and (d) to (j).

(5) For the purposes of subsection (2) a relevant function is a function that relates to the development or use of land.

(6) For the purposes of subsection (3) a planning function is the preparation of—

- (a) a spatial development strategy;
- (b) a local plan;
- (c) a minerals and waste plan;
- (d) a supplementary plan; or
- (e) any other policy or plan that will be used to inform a planning decision.

(7) For the purposes of subsections (3) and (6) a planning decision is a decision relating to—

- (a) the development or use of land arising from an application for planning permission;
- (b) the making of a development order; or
- (c) an authorisation pursuant to a development order.

(8) In relation to neighbourhood planning, a qualifying body preparing a draft neighbourhood plan or development order must have special regard to achieving the mitigation of and adaptation to climate change.

(9) For the purposes of this section, achieving the mitigation of climate change shall include the achievement of—

- (a) the target for 2050 set out in section 1 of the Climate Change Act 2008, and
- (b) applicable carbon budgets made pursuant to section 4 of the Climate Change Act 2008.

(10) For the purposes of this section, achieving adaptation to climate change shall include the achievement of long-term resilience to climate-related risks, including—

- (a) the mitigation of the risks identified in the latest climate change risk assessment conducted under section 56 of the Climate Change Act 2008, and
- (b) the achievement of the objectives of the latest flood and coastal erosion risk management strategy made pursuant to section 7 of the Flood and Coastal Water Management Act 2010.”

This new clause would place an overarching duty on the Secretary of State, local planning authorities and those involved in neighbourhood plan-making to achieve the mitigation and adaptation of climate change when preparing plans and policies or exercising their functions in planning decision-making.

New clause 99—Permitted development: temporary use of land—

“(1) Section 3 of the Town and Country Planning (General Permitted Development) (England) Order 2015 is amended in accordance with subsection (2).

(2) After subsection (6) insert—

“(6A) Where the proposed use of any land is to operate a commercial helicopter service—

- (a) the local planning authority must be notified of the date the site will be used for this purpose, and
- (b) the site must be approved for use for this purpose by the local planning authority.””

New clause 100—Planning Application Fees—

“(1) Section 303 of the Town and Country Planning Act 1990 (Fees for planning applications etc.) is amended as follows.

(2) After subsection (4) insert—

“(4A) A local planning authority may make provision as to how a fee or charge under this section is to be calculated (including who is to make the calculation).””

This new clause would allow local authorities to set the fees for planning applications, in order that the cost of determining an application is reflected by the fee charged.

New clause 101—Greenbelt protection in the NPPF—

“(1) The Secretary of State must ensure that the National Planning Policy Framework (NPPF) is in accordance with subsection (2).

(2) The NPPF must provide that when considering any planning application in the greenbelt, unmet housing need does not constitute very special circumstances.”

This new clause would ensure that unmet housing need cannot constitute a very special circumstance when assessing harm caused by development on the greenbelt, to align with the Written Statement HCWS423 of 17 December 2015. This would, for example, enable a local planning authority to refuse an inappropriate speculative development in the absence of a local plan.

New clause 102—Calculation of housing need—

“(1) The Secretary of State must, by regulations, make provision requiring local planning authorities to use the most recently published ONS household projections when preparing their local plans.

(2) The NPPF must provide that when considering any planning application, unmet housing need is calculated using the most recent ONS household projections.”

This new clause would end the mandatory use of outdated 2014 ONS household projection figures when calculating unmet housing need using the standard method.

New clause 103—Onshore wind in the National Planning Policy Framework—

“(1) The Secretary of State must ensure that the National Planning Policy Framework (NPPF) is in accordance with subsection (2).

(2) The NPPF must not contain a presumption against a proposed wind energy development involving one or more turbines.”

This new clause would remove the presumption against onshore wind turbines, which is currently prevented in all cases by the inclusion of Footnote 54 in the NPPF.

New clause 104—Deliberative democracy: local planning—

“(1) Before the preparation of any development or outline plan the local planning authority must undertake a process of deliberative democracy which involving the community to set—

- (a) the balance of economic, environmental, infrastructure and special plans,
- (b) the type of housing to be delivered,
- (c) the infrastructure that is required to be hosted,
- (d) the type of economic space, and
- (e) environmental considerations, including making sites sustainable.

(2) A process of deliberative democracy under this section must—

- (a) invite all residents of the local authority area to apply to be a representative in the deliberative democracy process,
- (b) include measures to try to ensure that there will be a diverse representation of that community in the process, and
- (c) provide for a forum of representatives that—
 - (i) will determine its terms of reference, number of meetings and agenda at its first meeting, and
 - (ii) will produce a report from the deliberative democracy process.

(3) A report under subsection (2)(c)(ii) may determine the scope of development on a site.”

This new clause would introduce a deliberative democracy forum comprised of members of the public prior to the formation of a new development plan or outline plan.

New clause 105—Nature restoration duty—

“(1) It is the duty of relevant Ministers to identify of and maintain a network of sites for the purposes of restoring and protecting the natural environment in local areas.

(2) By 2030 and thereafter, the network must include at least 30% of land in England that is protected, monitored and managed as a “protected site” or other effective area-based conservation measures for the protection and restoration of biodiversity.

(3) For the purposes of subsection (2), “protected site” means a site that satisfies the following conditions—

- (a) habitats, species and other significant features of the natural environment with biodiversity value within the site are strictly protected from direct and indirect harm;

- (b) management and monitoring provisions are made to ensure that habitats, species and other significant features of the natural environment with biodiversity value within the site are restored to and maintained at favourable condition and are subject to continuing improvement; and
- (c) provision is made to ensure that conditions (a) and (b) are met in perpetuity.

(4) In carrying out duties under this section, the Secretary of State must be satisfied that—

- (a) any areas of special interest for biodiversity in England as defined in section 28 of the Wildlife and Countryside Act 1981;
- (b) all irreplaceable habitats; and
- (c) areas identified in Local Nature Recovery Strategies that are protected in the planning system and managed for the recovery of the natural environment have been identified and designated as a protected site.”

This new clause would require relevant Ministers to identify and maintain a network of sites for nature to protect at least 30% of the land in England for nature by 2030. The clause defines the level of protection sites require to qualify for inclusion in the new network and requires key sites for nature to be included within it.

New clause 106—Churches and church land to be registered as assets of community value—

“(1) The Assets of Community Value (England) Regulations 2012 (S.I. 2421/2012) are amended as follows.

(2) After regulation 2 (list of assets of community value), insert—

“2A Parish churches and associated glebe land are land of community value and must be listed.””

This new clause would require parish churches and associated glebe land to be listed as assets of community value, meaning communities would have the right to bid on them before any sale.

New clause 107—Licensing scheme: holiday lets—

“(1) The Secretary of State must make regulations to require each relevant local authority in England to introduce a local licensing scheme for holiday lets.

(2) Any local licensing scheme introduced pursuant to regulations made under subsection (1) must require any owner of a holiday let to—

- (a) obtain any fire, gas and electricity safety certificates as specified by the scheme;
 - (b) ensure that the holiday let complies with any health and safety regulations specified by the scheme, including the completion of any risk assessments required by those regulations;
 - (c) secure a licence for the holiday let from the local authority prior to trading;
 - (d) obtain a licence and renew this licence—
 - (i) every three years,
 - (ii) when the property changes ownership, or
 - (iii) when there is a change in the person holding day to day responsibility for the property; and
 - (e) not let out a property without a valid licence.
- (3) A local authority introducing a licensing scheme must—
- (a) outline—
 - (i) the terms and conditions of the licence,
 - (ii) the application process for securing the licence, and
 - (iii) the licence renewal process;
 - (b) determine an annual licence fee for each licensed property;
 - (c) inspect any property prior to issuing a licence;
 - (d) require the owner of a short term holiday let to—
 - (i) apply for and hold a licence to operate for each property they let prior to trading,
 - (ii) pay a licence application fee and annual charge for the licence,

- (iii) renew the licence as required by the local authority under their licensing scheme,

- (iv) pay any fines associated with breaches of a licence as laid out in the local licensing scheme,

- (v) ensure that the holiday let complies with any health and safety regulations specified by the scheme, including the completion of any risk assessments required by those regulations, and

- (vi) provide up to date property details including details of who will hold responsibility for the day to day management of the property;

(e) maintain an up to date list of all licensed short term holiday let properties within the local authority area to include—

- (i) the address of the property,

- (ii) whether this is a shared property occupied by the owner or a separate let,

- (iii) how many people are eligible to stay at the property, and

- (iv) how many days of the year that the property will be advertised for letting and be let;

(f) inspect the property following a report from the public of an issue of concern relating to the property or to any other property owned by the same person;

(g) monitor compliance with the licensing scheme;

(h) publish an annual report on the number and location of licences including the number and location of licences in each ward and their impact on local residential housing supply and details of any breaches reported and fines issued; and

(i) provide residents adjacent to the short term holiday let contact details of their enforcement officer should they experience any issue at the property.

(4) A licensing scheme must allow the local authority to—

- (a) set out details of any area where the granting or renewal of licences will be banned, suspended or limited;

- (b) set limits and or thresholds on the level of the licencing permitted in any area;

- (c) require property owners to renew their licences every three years, or when a property changes in ownership;

- (d) issue fines or remove a licence of a property if—

- (i) fire, health and safety conditions are breached,

- (ii) criminal activity occurs at the property, or

- (iii) excess noise and nuisance or anti-social behaviour rules as set out in the licensing conditions are repeatedly breached, or

- (iv) the registered owner or the person listed as holding responsibility for the property has had licences on other properties removed; and

- (e) issue penalties or licensing bans on those renting properties without a licence.

(5) In this section—

an

“area” may be—

- (a) a polling district;

- (b) a ward; or

- (c) the whole local authority area;

“holiday let” means—

- (a) a dwelling-house let for the purpose of conferring on the tenant the right to occupy the dwelling-house for a holiday, or

- (b) any part of a dwelling-house let for the purpose of conferring on the tenant to occupy that part of the house for a holiday;

“relevant local authority” means—

- (a) a district council in England;

- (b) a county council in England for an area for which there is no district council;

- (c) a London borough council; (d) the Common Council of the City of London.”

This new clause provides for the introduction of a licensing scheme for holiday lets.

New clause 108—Review of Permitted Development Rights—

“(1) The Secretary of State must, within 12 months of this Act gaining Royal Assent, commission and publish an independent review of permitted development rights under Schedule 2 of the Town and Country Planning (General Permitted Development) (England) Order 2015 (S.I. 2015/596).

(2) The review should include an assessment of—

- (a) the past effectiveness of permitted development rights in achieving housing targets;
- (b) the quality of housing delivered under permitted development rights;
- (c) the impacts of permitted development on heritage, conservation areas and setting;
- (d) the estimated carbon impact of the use of permitted development rights since the expansion of permitted development to demolition;
- (e) the relative cost to local planning authorities of processing permitted development compared to full planning consent;
- (f) potential conflict between existing permitted development rights and the application of national development management policies;
- (g) the impact of permitted development rights, or other policies in this Bill designed to deliver streamlined consent, on the efficacy of levelling-up missions.

(3) The review should make recommendations.”

This new clause requests a review of permitted development rights to run in conjunction with the development of national development management policies, which will examine the potential for conflict between existing rights and likely national policies. This review would examine the interaction between other permissive and streamlined consent provisions in the Bill.

New clause 109—Cycling, walking and rights of way plans: incorporation in development plans—

“(1) A local planning authority must ensure that the development plan incorporates, so far as relevant to the use or development of land in the local planning authority’s area, the policies and proposals set out in—

- (a) any local cycling and walking infrastructure plan or plans prepared by a local transport authority;
- (b) any rights of way improvement plan.

(2) In dealing with an application for planning permission or permission in principle the local planning authority shall also have regard to any policies or proposals contained within a local cycling and walking infrastructure plan or plans and any rights of way improvement plan which have not been included as part of the development plan, so far as material to the application.

(3) In this section—

- (a) “local planning authority” has the same meaning as in section 15LF of PCPA 2004;
- (b) “local transport authority” has the same meaning as in section 108 of the Transport Act 2000;
- (c) a “rights of way improvement plan” is a plan published by a local highway authority under section 60 of the Countryside and Rights of Way Act 2000.”

This new clause would require development plans to incorporate policies and proposals for cycling and walking infrastructure plans and rights of way improvement plans. Local planning authorities would be required to have regard to any such policies and proposals where they have not been incorporated in a development plan.

New clause 110—Consistency with the mitigation of and adaptation to climate change—

“(1) The Secretary of State must aim to ensure consistency with the mitigation of, and adaptation to, climate change in preparing—

- (a) national policy or advice relating to the development or use of land,
- (b) a development management policy pursuant to section 38ZA of the Planning and Compulsory Purchase Act 2004.

(2) A relevant planning authority when making a planning decision must aim to ensure the decision is consistent with the mitigation of, and adaptation to, climate change.

(3) For the purposes of subsection (2), a relevant planning authority is as set out in section 81.

(4) For the purposes of subsection (2) a planning decision is a decision relating to—

- (a) development arising from an application for planning permission;
- (b) the making of a development order granting planning permission;
- (c) an approval pursuant to a development order granting planning permission.

(5) For the purposes of this section—

- (a) the mitigation of climate change shall include the achievement of—
 - (i) the target for 2050 set out in section 1 of the Climate Change Act 2008, and
 - (ii) applicable carbon budgets made pursuant to section 4 of the Climate Change Act 2008.
- (b) adaptation to climate change shall include the achievement of long-term resilience to all climate-related risks, such as risks to health, well-being, food supply and infrastructure, including but not limited to—
 - (i) the mitigation of the risks identified in the latest climate change risk assessment conducted under section 56 of the Climate Change Act 2008, and
 - (ii) the achievement of the objectives of the latest flood and coastal erosion risk management strategy made pursuant to section 7 of the Flood and Coastal Water Management Act 2010.

(6) The meaning of the mitigation of, and adaptation to, climate change given by subsection (5) applies for the purposes of—

- (a) Parts 2 and Part 3 of the Planning and Compulsory Purchase Act 2004,
- (b) section 334 of the Greater London Authority Act 1999, and
- (c) Part 10A of the Planning Act 2008.”

This new clause would require planning policy prepared by the Secretary of State to inform local plan-making and planning decisions, and planning decisions themselves (including those made by the Secretary of State) to be consistent with national targets and objectives for the mitigation of, and adaptation to, climate change. To ensure consistency in implementation, the clause extends the definition to the requirements relating to the mitigation of, and adaptation to, climate change set out in the bill.

New clause 111—Vacant higher value local authority housing—

“(1) The Housing and Planning Act 2016 is amended in accordance with subsection (2).

(2) Leave out Chapter 2 of Part 4.”

New clause 112—Registers of persons seeking to acquire land to build a home—

“(1) Section 1 of the Self-build and Custom Housebuilding Act 2015 is amended as follows.

(2) In subsection (A1) omit the words “or completion”.

(3) At the end of subsection (A1) insert “, where the individuals will have the main input into the full design and layout of their home.”

(4) In subsection (A2), for “who” substitute “, firm, business or company who or which”.

(5) At the end of subsection (A2) insert “, firm, business or company; and nor does it include off-plan homes, nor homes purchased at the plan stage prior to construction and without the main input into the full design and layout from the individual or individuals who will be the future occupiers.”

This new clause would clarify the legislation with respect to self-build and custom housebuilding to recognise that most homes are built by building firms, businesses or companies for individuals who want to build a home and that self-build and custom housebuilding means individuals must have main input into the full design and layout of their home.

New clause 114—Onshore wind planning applications—

“(1) The Secretary of State shall within six months of this Bill securing Royal Assent remove from the National Planning Policy Framework the current restrictions on the circumstances in which proposed wind energy developments involving one or more turbines should be considered acceptable.

(2) The Planning and Compulsory Purchase Act 2004 is amended in accordance with subsection (3).

(3) In section 19 (preparation of local development documents), after (1B) insert—

“(1BA) Each local planning authority must consider how the desirability of the deployment of renewable energy, and specifically onshore wind generation, can be achieved in the local authority’s area.”

This new clause would commit the Secretary of State to revising the National Planning Policy Framework within six months of the Bill securing Royal Assent to remove the onerous restrictions it currently places on the development of onshore wind projects by deleting footnote 54 and ensure that local authorities are required to proactively identify opportunities for the deployment of renewable energy including onshore wind generation.

New clause 115—Duty to grant sufficient planning permission for self-build and custom housebuilding (No. 2)—

“(1) Section 2A of the Self-build and Custom Housebuilding Act 2015 is amended as follows.

(2) In subsection (2)—

(a) omit “suitable”; and

(b) for “in respect of enough serviced plots” substitute “for the carrying out of self-build and custom housebuilding on enough serviced plots”.

(3) Omit subsection (6)(c).

(4) After subsection (6) insert—

“(6) Development permission must specify the precise number of dwellings which fall within the definition of self-build and custom housebuilding in this Act and must be subject to an express planning condition or planning obligation specifically requiring dwellings to be built in line with the definition of self-build and custom housebuilding in this Act, and only in respect of the specific number of dwellings so identified.”

(5) After subsection (9) insert—

“(10) Where individuals and associations of individuals who have registered on the register identified in section 1 have not had their demand met from one base period, they will have their demand added to the subsequent base period, provided those individuals or associations of individuals remain on the register or register in that subsequent base period.

(11) Unmet demand for self-build and custom housebuilding carries forward each year until it is met, provided the individual or associations of

individuals continue to remain on the register or register each year and have not had their demand met.

(12) Once an individual or associations of individuals has been entered on the register identified in section 1, they shall not be removed from that register during the base period or for the three subsequent years during which the relevant authority is under a duty to meet the requirement for the base year in which the individual or associations of individuals has registered, other than with the express written consent of the individual or associations of individuals.”

This new clause provides that planning permission only qualifies towards meeting the demand for self-build and custom housebuilding if it is actually for self-build and custom housebuilding. It would also introduce a requirement to specify the precise number of dwellings which fall within this definition and clarify that the demand for self-build and custom housebuilding as recorded on an authority’s register is cumulative.

New clause 120—New use classes for second homes—

“(1) Part 1 of Schedule 1 of the Town and Country Planning (Use Classes) Order 1987 (S.I. 1987/764) is amended as follows.

(2) In paragraph 3 (dwellinghouses) for “whether or not as a sole or” substitute “as a”

(3) After paragraph 3 insert—

“3A Class C3A Second homes

Use, following a change of ownership, as a dwellinghouse as a secondary or supplementary residence by—

(a) a single person or by people to be regarded as forming a single household;

(b) not more than six residents living together as a single household where care is provided for residents; or

(c) not more than six residents living together as a single household where no care is provided to residents (other than a use within class C4).

Interpretation of Class C3A

For the purposes of Class C3A “single household” is to be construed in accordance with section 258 of the Housing Act 2004.”

New clause 121—New use classes for holiday rentals—

“(1) Part 1 of Schedule 1 of the Town and Country Planning (Use Classes) Order 1987 (S.I. 1987/764) is amended as follows.

(2) In paragraph 3 (dwellinghouses) after “residence” insert “other than a use within Class C3A”.

(3) After paragraph 3 insert—

“Class C3A Holiday rentals

Use, following a change of ownership, as a dwellinghouse as a holiday rental property.”

New clause 122—Report on a resources and skills strategy for the planning sector—

“(1) The Secretary of State must, within 60 days of the day on which this Act is passed, establish a review of the—

(a) resources; and

(b) skills

within and to local planning authorities.

(2) The Secretary of State must lay a report on the findings of this review before Parliament no later than 6 months after this Act comes into force.

(3) A report under subsection (2) must include a strategy for—

(a) increasing resources to; and

(b) supporting the capacity of

local planning authorities.”

This new clause would require the Secretary of State to review resources and skills within local planning authorities and those potentially available to them such as Planning Performance Agreements and to report the findings to Parliament.

New clause 123—*Housebuilding targets at a local level*—

“(1) The Secretary of State must set each local authority a reasoned housebuilding target.

(2) If the local authority accepts the housebuilding target set by the Secretary of State, it must be incorporated into the local plan.

(3) If the local authority does not accept the housebuilding target set by the Secretary of State, the decision on the housebuilding target is subject to a decision at the local inquiry stage.”

New clause 124—*Public consultation on planning and women’s safety*—

“(1) The Secretary of State must, within 90 days of the day on which this Act is passed, open a public consultation to establish the impact of proposed changes to the planning system on women’s safety.

(2) Section 70 of the Town and Country Planning Act 1990 is amended in accordance with subsection (3).

(3) After subsection (2A), insert—

“(2B) In dealing with an application for planning permission for public development, a local planning authority must establish a review of how the proposed development would impact women’s safety. The review must in particular, consider the impact of proposed development on—

- (a) open spaces,
- (b) layout of buildings,
- (c) unlit or hidden spaces,
- (d) visibility of entranceways, and
- (e) blind spots.

(2C) The local planning authority must prepare and publish a report setting out the results of the review.””

Government new schedule 1—*Amendments of the Conservation of Habitats and Species Regulations 2017: assumptions about nutrient pollution standards.*

Amendment 20, in clause 75, page 85, line 9, at end insert—

“(1A) Regulations under this Chapter may require relevant planning authorities to process data in accordance with approved data standards relating to the number and nature of—

- (a) second homes,
- (b) holiday let properties

in the planning authority area.”

This amendment would enable planning data regulations to provide for the collection of data to national standards about second homes and holiday lets.

Amendment 78, in clause 83, page 91, line 28, leave out lines 28 to 30 and insert—

“(5C) But the development plan has precedence over any national development management policy in the event of any conflict between the two.”

This amendment gives precedence to local development plans over national policies, reversing the current proposal in inserted subsection (5C).

Amendment 77, page 91, line 30, at end insert

“, subject to subsection (5D).

(5D) But any conflict must be resolved in favour of the development plan in an area if—

- (a) in relation to it, regulations under section 16 of the Levelling-up and Regeneration Act 2023 have been made to provide for the town and country planning function and the highways function and any functions exercisable under the Environment Act 2021 of a county council or a district council that is exercisable

in relation to an area which is within a county combined authority area to be exercisable by the CCA in relation to the CCA’s area,

- (b) if, in relation to it, regulations under section 17 of the Levelling-up and Regeneration Act 2023 have been made to provide for at least one function of another public body that is exercisable in relation to an area which is within a county combined authority area to be exercisable by the CCA in relation to the CCA’s area,

(c) it has a joint spatial development strategy, or

(d) it is in Greater London.”

This amendment would place limits on the primary of national development management policies over the development plan where a Combined County Authority had been handed planning, highways, environmental powers and at least one function of another public body under a devolution deal, in areas covered by a joint spatial development strategy and in Greater London.

Amendment 79, in clause 84, page 92, line 9, leave out lines 9 to 16 and insert—

“(2) Before designating a policy as a national development management policy for the purposes of this Act the Secretary of State must carry out an appraisal of the sustainability of that policy.

(3) A policy may be designated as a national development management policy for the purposes of this Act only if the consultation and publicity requirements set out in clause 38ZB, and the parliamentary requirements set out in clause 38ZC, have been complied with in relation to it, and—

- (a) the consideration period for the policy has expired without the House of Commons resolving during that period that the statement should not be proceeded with, or
- (b) the policy has been approved by resolution of the House of Commons—
 - (i) after being laid before Parliament under section 38ZC, and
 - (ii) before the end of the consideration period.

(4) In subsection (3)

“the consideration period” ,in relation to a policy, means the period of 21 sitting days beginning with the first sitting day after the day on which the statement is laid before Parliament under section 38ZC, and here “sitting day” means a day on which the House of Commons sits.

(5) A policy may not be designated a national development management policy unless—

- (a) it contains explanations of the reasons for the policy, and
- (b) in particular, includes an explanation of how the policy set out takes account of Government policy relating to the mitigation of, and adaptation to, climate change.

(6) The Secretary of State must arrange for the publication of a national policy statement.

38ZB Consultation and publicity

(1) This section sets out the consultation and publicity requirements referred to in sections 38ZA(3) and 38ZD(7).

(2) The Secretary of State must carry out such consultation, and arrange for such publicity, as the Secretary of State thinks appropriate in relation to the proposal. This is subject to subsections (4) and (5).

(3) In this section “the proposal” means—

- (a) the policy that the Secretary of State proposes to designate as a national development management policy for the purposes of this Act or
- (b) (as the case may be) the proposed amendment (see section 38ZD).

- (4) The Secretary of State must consult such persons, and such descriptions of persons, as may be prescribed.
- (5) If the policy set out in the proposal identifies one or more locations as suitable (or potentially suitable) for a specified description of development, the Secretary of State must ensure that appropriate steps are taken to publicise the proposal.
- (6) The Secretary of State must have regard to the responses to the consultation and publicity in deciding whether to proceed with the proposal.

38ZC Parliamentary requirements

- (1) This section sets out the parliamentary requirements referred to in sections 38ZA(3) and 38ZD(7).
- (2) The Secretary of State must lay the proposal before Parliament.
- (3) In this section “the proposal” means—
 - (a) the policy that the Secretary of State proposes to designate as a national development management policy for the purposes of this Act or
 - (b) (as the case may be) the proposed amendment (see section 38ZD).
- (4) Subsection (5) applies if, during the relevant period—
 - (a) either House of Parliament makes a resolution with regard to the proposal, or
 - (b) a committee of either House of Parliament makes recommendations with regard to the proposal.
- (5) The Secretary of State must lay before Parliament a statement setting out the Secretary of State’s response to the resolution or recommendations.
- (6) The relevant period is the period specified by the Secretary of State in relation to the proposal.
- (7) The Secretary of State must specify the relevant period in relation to the proposal on or before the day on which the proposal is laid before Parliament under subsection (2).
- (8) After the end of the relevant period, but not before the Secretary of State complies with subsection (5) if it applies, the Secretary of State must lay the proposal before Parliament.

38ZD Review of national development management policies

- (1) The Secretary of State must review a national development management policy whenever the Secretary of State thinks it appropriate to do so.
- (2) A review may relate to all or part of a national development management policy.
- (3) In deciding when to review a national development management policy the Secretary of State must consider whether—
 - (a) since the time when the policy was first published or (if later) last reviewed, there has been a significant change in any circumstances on the basis of which any of the policy set out in the statement was decided,
 - (b) the change was not anticipated at that time, and
 - (c) if the change had been anticipated at that time, any of the policy set out would have been materially different.
- (4) In deciding when to review part of a national development management policy (“the relevant part”) the Secretary of State must consider whether—
 - (a) since the time when the relevant part was first published or (if later) last reviewed, there has been a significant change in any circumstances on the basis of which any of the policy set out in the relevant part was decided,
 - (b) the change was not anticipated at that time, and
 - (c) if the change had been anticipated at that time, any of the policy set out in the relevant part would have been materially different.

- (5) After completing a review of all or part of a national development management policy the Secretary of State must do one of the following—
 - (a) amend the policy;
 - (b) withdraw the policy’s designation as a national development management policy;
 - (c) leave the policy as it is.
- (6) Before amending a national development management policy the Secretary of State must carry out an appraisal of the sustainability of the policy set out in the proposed amendment.
- (7) The Secretary of State may amend a national development management policy only if the consultation and publicity requirements set out in section 38ZB, and the parliamentary requirements set out in section 38ZC, have been complied with in relation to the proposed amendment, and—
 - (a) the consideration period for the amendment has expired without the House of Commons resolving during that period that the amendment should not be proceeded with, or
 - (b) the amendment has been approved by resolution of the House of Commons—
 - (i) after being laid before Parliament under section 38ZA, and
 - (ii) before the end of the consideration period.
- (8) In subsection (7) “the consideration period”, in relation to an amendment, means the period of 21 sitting days beginning with the first sitting day after the day on which the amendment is laid before Parliament, and here “sitting day” means a day on which the House of Commons sits.
- (9) If the Secretary of State amends a national development management policy, the Secretary of State must—
 - (a) arrange for the amendment, or the policy as amended, to be published, and
 - (b) lay the amendment, or the policy as amended, before Parliament.”

This amendment stipulates the process for the Secretary of State to designate and review a national development management policy including minimum public consultation requirements and a process of parliamentary scrutiny based on processes set out in the Planning Act 2008 (as amended) for designating National Policy Statements.

Amendment 21, in clause 88, page 94, line 28, at end insert—

- “(aa) policies (however expressed) relating to the proportion of dwellings which may be in—
- (i) use class 3A (second homes), or
 - (ii) use class 3B (holiday rentals)
- under Schedule 1 of the Town and Country Planning (Use Classes) Order 1987 (S.I. 1987/764).”

This amendment would enable neighbourhood plans to include policies relating to the proportion of dwellings which may be second homes and short-term holiday lets under use classes created by NC38.

Amendment 22, page 94, line 28, at end insert—

- “(aa) policies (however expressed) limiting new housing development in a National Park or an Area of Outstanding Natural Beauty to affordable housing;”

This amendment would enable neighbourhood development plans to restrict new housing development in National Parks and AONBs to affordable housing.

Amendment 74, page 95, line 6, at end insert—

- “(B1) A neighbourhood development plan must include proposals to—
- (a) achieve net zero,
 - (b) promote and increase local biodiversity, and
 - (c) improve local levels of recycling.”

Amendment 4, page 95, line 11, after “contribute” insert

“to the mitigation of flooding and”.

This amendment would require neighbourhood development plans to be designed to secure that the development and use of land in the neighbourhood area contribute to flood mitigation.

Amendment 95, in clause 90, page 96, line 34, at end insert—

“(3A) Where regulations under this section make requirements of a local authority that is failing to deliver a local plan in a timely way, the plan-making authority must consult the local community on the contents of the relevant plan.”

This amendment would require, in the event of a local authority failing to deliver a local plan in a timely way, those taking over the process to consult with the community.

Amendment 23, in clause 92, page 98, line 39, at end insert—

“a National Park	the natural beauty, wildlife and cultural heritage, and the opportunities for the understanding and enjoyment of the special qualities of the area by the public, under section 5 of the National Parks and Access to the Countryside Act 1949
an Area of Outstanding Natural Beauty	conserving and enhancing the natural beauty of the area, under section 82 of the Countryside and Rights of Way Act 2000”

This amendment would protect as heritage assets National Parks and Areas of Outstanding Natural Beauty.

Government amendments 57 and 58.

Amendment 90, page 105, leave out clause 97.

Government amendments 27, 24 and 59.

Amendment 73, in clause 100, page 118, line 31, at end insert—

“(3A) But notwithstanding subsection (3) the completion notice deadline may be less than 12 months after the completion notice was served if the local planning authority are of the opinion that—

- (a) development has not taken place on the site for prolonged period,
- (b) there is no reasonable prospect of development being completed within a reasonable period, and
- (c) it is in the public interest to issue an urgent completion notice.

(3B) A completion notice may include requirements concerning the removal of any buildings or works authorised by the permission, or the discontinuance of any use of land so authorised, at the end of the completion period, and the carrying out of any works required for the reinstatement of land at the end of that period.”

This amendment would enable the issuance of completion notices withdrawing planning permission with a deadline of less than 12 months when certain conditions are met, and enable completion notices to require that building works be removed from a site or a site be reinstated to its previous condition.

Government amendment 28.

Amendment 81, in clause 115, page 132, line 21, leave out “a charge” and insert “an optional charge”.

This amendment would ensure that application of the Infrastructure Levy would be optional rather than mandatory.

Amendment 91, page 132, leave out clause 117.

Amendment 87, in clause 118, page 134, line 17, leave out subsection (5) and insert—

“(5) Before making any EOR regulations which contain provision about what the specified environmental outcomes are to be, the Secretary of State must ensure they are in accordance with—

- (a) the current environmental improvement plan (within the meaning of Part 1 of the Environment Act 2021),
- (b) biodiversity targets including those required under sections 1 and 3 of the Environment Act 2021,
- (c) the duty to conserve biodiversity as required under section 40 of the Natural Environment and Rural Communities Act 2006,
- (d) local nature recovery strategies as required under section 104 of the Environment Act 2021, and
- (e) lowering the net UK carbon account as required under section 1 of the Climate Change Act 2008.”

This amendment would ensure that when using EOR regulations to specify environmental outcomes the Secretary of State would have to ensure they are in accordance with the current environmental improvement plan and additional criteria.

Amendment 63, page 134, line 19, leave out from “to” to end of line 20 and insert—

- “(a) the current environmental improvement plan (within the meaning of Part 1 of the Environment Act 2021);
- (b) the protection of the climate, including through meeting the UK’s domestic and international obligations in respect of the mitigation of, and adaption to, climate change;
- (c) the preservation of the green belt;
- (d) the protection of heritage in the built environment.”

This amendment would require the Secretary of State to have regard to climate obligations, the preservation of the green belt and the protection of heritage, as well as to the current environmental improvement plan, when setting EOR regulations.

Amendment 105, in clause 119, page 134, line 25, at end insert—

“(1A) Where an environmental outcomes report is required to be prepared in relation to a proposed relevant consent—

- (a) the local authority must independently commission a report; and
- (b) the developer must provide sufficient funding to the local authority to commission and to provide a reasonable fee for the undertaking of such a report.”

This amendment seeks to remove any conflict of interest, perceived or otherwise, of the developer commissioning an Environmental Outcomes Report, by establishing independent commission through the local authority. It requires the developer to fund not only the report itself but the costs accruing to the local planning authority in undertaking the commissioning process.

Amendment 88, in clause 122, page 138, line 3, leave out subsection (1) and insert—

“(1) The Secretary of State may only make EOR regulations if doing so will result in no diminution of environmental protection as provided for by environmental law at the time this Act is passed.”

This amendment would ensure that the new system of environmental assessment would not reduce existing environmental protections in any way rather than merely maintaining overall existing levels of environmental protection.

Amendment 89, in clause 129, page 142, line 14, leave out “in particular” and insert “not”.

This amendment would ensure that any specified environmental outcomes arising from EOR regulations made would augment not substitute those arising from existing environmental assessment legislation and the Habitats Regulations.

Government amendments 34 to 36, 30, 52, 99, 33, 100, 53, 31, 65, 101, 48, 25, 55, 50, 54, 26, 56, 32, 66, 49 and 102.

Amendment 92, in schedule 7, page 242, line 11, at end insert—

“(6A) In preparing their local plan, a local planning authority may have regard to whether a nationally significant infrastructure development has been granted in their area, and adjust their housing need calculation accordingly.”

This amendment would allow local authorities to consider the impact on available land of the imposition of nationally significant infrastructure developments in their area, such as rail freight terminals, power stations, or expansion of airport facilities.

Amendment 93, page 243, line 14 at end insert—

“(ha) Environmental Outcomes Reports.”

This amendment would require local planning authorities to have regard to Environmental Outcomes Reports in preparing a local plan.

Amendment 75, page 252, line 5, at end insert—

“15EZA Development prior to the adoption of a local plan

(1) This section applies—

- (a) after a draft local plan has been submitted for independent examination under section 15D but before it has been adopted under section 15EA; and
- (b) when a local planning authority considers that a planning application might conflict with the provisions of the draft local plan.

(2) The local planning authority may defer a decision on the granting of planning permission for the application in paragraph (1)(b) until the draft local plan has been adopted.”

Amendment 80, page 274, line 31, at end insert—

“(4) In this part—

“mitigation of climate change” means compliance with the objectives and relevant budgetary provisions of the Climate Change Act 2008;

“adaptation to climate change” means the achievement of long-term resilience to climate-related risks, including the mitigation of the risks identified in relation to section 56 of the Climate Change Act 2008, and the achievement of the objectives of the relevant flood and coastal erosion risk management strategy made pursuant to section 7 of the Flood and Coastal Water Management Act 2010.”

This amendment requires references to climate change mitigation and adaptation in the inserted sections on plan making to be interpreted in line with the Climate Change Act 2008.

Amendment 85, in schedule 11, page 286, line 34, at end insert—

“(2A) The intention of IL is to enable local authorities to raise money from developments to fund infrastructure to support the development of their areas while allowing planning obligations under section 106 of the Town and Country Planning Act 1990 to continue to be used to provide affordable housing and ensure that development is acceptable in planning terms.”

Amendment 82, page 287, leave out lines 28 and 29 and insert—

“(1) A charging authority in England may, if it determines that IL would be more effective than the community infrastructure levy for delivering infrastructure in its area and would not prevent it meeting the level of affordable housing need identified in its local development plan, in accordance with IL regulations, charge IL in respect of development in its area.”

This amendment to inserted section 204B, which is connected to Amendment 81, would ensure that application of the Infrastructure Levy would be optional rather than mandatory.

Amendment 97, page 289, line 30, leave out “may” and insert “must”.

Amendment 3, page 289, line 37, at end insert—

“(9) IL regulations must provide for exemption from liability to pay IL in respect of affordable housing as defined in Annex 2 of the NPPF.”

This amendment would provide for an exemption from liability to pay IL for affordable housing as defined in Annex 2 of the NPPF.

Amendment 5, page 291, line 36, at end insert—

“(1A) A charging schedule may—

- (a) require a developer to pay their full IL liability for a development before being permitted to commence work on that development,
- (b) require infrastructure funded by IL associated with a development to be built before work on that development may commence,
- (c) require a developer, at request of the local council, to pay additional money to be held in bond for remedial work.”

This amendment would enable Infrastructure Levy charging authorities to require a developer to pay their full IL liability, or for infrastructure funded by IL associated with a development to be built, before development may commence. And for developers to be required, at the request of the authority to provide money for remedial work.

Amendment 76, page 291, line 36, at end insert—

“(1A) A charging schedule must, in accordance with IL regulations require—

- (a) that a developer pay their full IL liability for a development before being permitted to commence work on that development,
- (b) that infrastructure funded by IL associated with a development be built before work on that development may commence.

(1B) Subsection (1A) applies only to proposed developments of more than 50 units.”

Amendment 84, page 291, leave out from line 37 to line 3 on page 292 and insert—

“(2) A charging authority, in setting rates or other criteria, must ensure that—

- (a) the level of affordable housing which is funded by developers and provided in the authority’s area, and
- (b) the level of the funding provided by the developers, is maintained at a level which, over a specified period, enables it to meet the level of affordable housing need identified in the local development plan.”

This amendment would require Infrastructure Levy rates to be set at such a level as to meet the level of affordable housing need specified in a local development plan.

Amendment 104, page 291, line 37, leave out from “must” to “that” in line 39, and insert “ensure”.

This amendment would require Infrastructure Levy rates to be set at such a level that funding for affordable housing is maintained at existing levels.

Amendment 86, page 292, line 14, after “development” insert “of the area”.

This amendment seeks to ensure consistency with inserted section 204A(2) on page 282 and ensure that consideration of viability relates to the area as a whole.

Amendment 96, page 292, line 28, at end insert—

“(4A) IL regulations must make provision for a sliding scale of charges increasing in proportion to the share of the development that is on greenfield land, for the purposes of incentivising brownfield development, unless any development on greenfield land is offset by the re-greening of an agreed area of brownfield land in a densely developed or populated area.”

This amendment is offered as an alternative proposition to Amendment 59, adding safeguards intended to prevent extremely dense development in urban centres with an undersupply of open space.

Amendment 2, page 298, line 21, at end insert—

“(ca) facilities providing childcare to children aged 11 or under,

(cb) the provision of subsidised or free schemes to deliver childcare for children aged 11 or under,”.

This amendment would add childcare facilities to the list of “infrastructure” in this schedule and therefore include it in the list of facilities which may be funded, improved, replaced or maintained by the charging authority, as well as allowing local authorities to use levy funds to provide subsidised or free childcare schemes in their area.

Amendment 98, page 301, line 36, at end insert—

“(c) all provision that is captured through the section 106 system.”

Amendment 83, page 312, leave out from line 40 to line 13 on page 313 and insert

“may be given under subsection (4) for authorities that have adopted an IL charging schedule, only if it is necessary for—

(a) delivering the overall purpose of IL mentioned in section 204A(2), or (b) avoiding charging a specific development more than once for the same infrastructure project through both IL and the following powers—

(i) Part 11 (Community Infrastructure Levy) (including any power conferred by CIL regulations under that Part),

(ii) Section 106 of TCPA 1990 (planning obligations), and

(iii) Section 278 of the Highways Act 1980 (execution of works) unless this is essential to rendering the development acceptable in planning terms.”

This amendment would avoid restrictions being placed on the use of the community infrastructure levy, section 106 obligations, and section 278 agreements at the Secretary of State’s discretion unless necessary to avoid double charging for the same infrastructure provision.

Government amendments 37 to 39, 67, 103 and 68.

Lucy Frazer: Our houses are not just bricks and mortar; they are homes. And those who live around us are not just our neighbours; they are our communities. We all want to live in streets that uplift our spirits and where our children, and their children, can afford to live and own their own homes alongside us. Churchill once said:

“We shape our buildings and afterwards our buildings shape us.”—[*Official Report*, 28 October 1943; Vol. 393, c. 403.]

So too, if we empower our communities, they will empower us.

We know that we can do more to ensure that, when we expand our communities, we do so in the right places, with the right infrastructure, and with the support of local people and local representatives. The think-tank Demos asked people whether they would prefer to have more say over how money is spent in their area, or to have more money. People were twice as likely to say that they would prefer to have more say and less money. Our Bill seeks to provide opportunities for collaboration and empowerment. It provides more opportunity for more homes that are beautiful, supported by infrastructure, delivered with democracy, which level up across our country.

I thank all colleagues for their extensive engagement, highlighting to me, to the Under-Secretary of State for Levelling Up, Housing and Communities, my hon. Friend the Member for Kensington (Felicity Buchan), and to

the Secretary of State the issues and concerns in their local areas. All represent different and diverse areas across the country: rural and urban, coastal and remote, island and inner city. I thank in particular my right hon. Friend the Member for Chipping Barnet (Theresa Villiers) and my hon. Friend the Member for Isle of Wight (Bob Seely) for their constructive contribution on this issue and their unwavering commitment to our planning system and their constituents.

I also thank my right hon. Friends the Members for Ashford (Damian Green) and for Romsey and Southampton North (Caroline Nokes), my hon. Friends the Members for Gosport (Dame Caroline Dinenage), for Aylesbury (Rob Butler), for Rushcliffe (Ruth Edwards), for North Devon (Selaine Saxby) and for Buckingham (Greg Smith), and the many Members across the House who have contributed significantly to our policy decisions on these issues.

It is important that we build homes this country needs in the places that we need homes most. We have a moral responsibility to get on and build, but we also have a responsibility to our existing communities to do so in the right way and with community support.

Ruth Edwards (Rushcliffe) (Con): My constituents in Rushcliffe are supportive of house building, but they rightly object to being forced to build 660% of the national average, as they were last year, often on greenfield sites and without the infrastructure to match. Can my right hon. and learned Friend confirm that the Bill will give real teeth to our brownfield-first policy and give power back to local people to shape the future of their communities?

Lucy Frazer: I was pleased to discuss these issues with my hon. Friend, and she is absolutely right that we must build on brownfield first. That is what local communities want. Through not just this Bill, but the consultation that we will bring forward on the national planning policy framework, we will identify how we can encourage local communities to do just that, with incentives through the infrastructure levy, for example, but through other measures too.

The way for a community and local representatives to shape their area’s future is through the local plan. At the moment, local plans are taking too long. The system is too onerous and councils feel that their local constraints are not properly taken into account. The result is that fewer than 40% of planning authorities have adopted a plan in the last five years. That means that, instead of developments being delivered coherently and in collaboration with communities, new houses are being imposed on local people through successive planning applications. Through the Bill and the consultation on the NPPF, which we intend to launch before Christmas, we will ensure that the needs of the community are taken into account when a plan is designed. Once the plan is in place, it will provide protection against other unwanted development.

Mr Clive Betts (Sheffield South East) (Lab): I completely agree with the Minister about local plans. The Levelling Up, Housing and Communities Committee has said that on many occasions. May I just ask her, though, whether, in national terms, the Government are still committed to the 300,000 figure, as a target, an objective, an aspiration or whatever and, if they are, how will they

[Mr Clive Betts]

achieve that figure unless the numbers agreed in local plans individually throughout the country add up to that 300,000?

Lucy Frazer: I can confirm that the Government are committed to building 300,000 homes because we do need those homes across the country and we need to ensure that young people can get on to the housing ladder. As I have just identified, communities are not agreeing local plans with those figures in them, so they are getting development where they do not want it; it is speculative development. What we will see through this measure is communities coming together with that starting point number, but seeing what works for their communities. When they engage properly on it, I think we will see that housing coming through.

Wendy Morton (Aldridge-Brownhills) (Con): My right hon. and learned Friend knows that I am a passionate campaigner for brownfield first. When it comes to this point about communities, it is refreshing to hear that the Government have taken on board the points about including communities in that process, making them feel much more involved. Will she, at some point, be giving us further detail on how that process will work and where the opportunities will be for local communities to feed in their views?

Lucy Frazer: I was happy to discuss these very issues with my right hon. Friend, who has written on this issue and I know feels very deeply about it, especially the issue of brownfield land and development. We will ensure that people will build what their local community wants through, for example, not just their local plan, but the mandatory design code. Local areas will have a design code, so that, when a building comes through, it will be in the manner and design that local communities want.

Sir John Hayes (South Holland and The Deepings) (Con): My right hon. and learned Friend will know that, from the time I was the shadow Housing Minister 15 to 20 years ago, to the Building Beautiful, Building Better Commission and now the Office For Place, I have emphasised exactly what she has just described. Too often in the modern age, development has been out of scale and out of keeping with the existing built environment. Will she ensure that local authorities are fully informed of their ability to turn down an application for housing purely on design and scale terms?

Lucy Frazer: I know that my right hon. Friend is very interested in these issues and is conscious of beauty and the importance for us to maintain that. Of course local authorities will be able to take their local decisions on those matters that concern them.

Richard Fuller (North East Bedfordshire) (Con): I am pleased to hear what the Minister is saying about improving the efficiency of the process. She will know that my amendment 75 talks about the fact that the guards are down for local authorities when their local plan is in abeyance. That was brought into sharp relief in the village of Harrold. It was only thanks to local councillor Alison Field Foster and the local parish council that development could be stopped. Is what the Minister is

saying today going to close that gap to make my amendment unnecessary, or will there still be a liability for local authorities under her plan?

Lucy Frazer: I have studied carefully my hon. Friend's amendments, which are all on interesting points. We do not think that there is a need for those amendments, because there are provisions in the Bill to ensure that local communities can make decisions to protect local communities.

John Redwood (Wokingham) (Con): Can the Minister remind the House how the Government will stop developers gaming a local plan and getting permissions that are not within the local plan under some silly rule?

Lucy Frazer: This Bill and the proposals that we are bringing forward through the revised NPPF will do exactly that. At the moment, in 60% of areas, building is through speculative development, not where communities want it. We want to streamline the local plan process, get those plans in place, where communities want it, and then we can start and continue to build.

Rachael Maskell (York Central) (Lab/Co-op) *rose—*

Lucy Frazer: I will make a little progress, but I am happy to come back to the hon. Member shortly.

In setting the principles for a local plan, we intend to retain a method for calculating local housing need figures. But these will be an advisory starting point. We propose that it will be up to local authorities, working with their communities, to determine how many homes can actually be built. They will take into account considerations such as the green belt, and the existence of a national park or coast. Building densities should not be significantly out of character with an area. We also propose making changes to the rolling five-year land supply, ending the obligation where a planned strategic housing policy is up to date. Communities will have a powerful incentive to get involved in their local plans.

2.30 pm

Kelly Tolhurst (Rochester and Strood) (Con): It is good to hear the policies that my right hon. and learned Friend is outlining. My constituency has a high housing target that is forcing the closure of a working port. How would the options she has just outlined help my constituency keep a working docks instead of seeing the development of high-rise flats?

Lucy Frazer: I know that my hon. Friend is a champion for her area, which has seen significant building. I cannot comment on any particular local plans, but an area must consider all the things that it needs to thrive, and that includes houses as well as employment facilities.

Dame Maria Miller (Basingstoke) (Con): I thank the Minister for her words, which are incredibly helpful. Not many constituencies are like Basingstoke, which has built 150,000 houses in the last five decades. Can the Minister give me some comfort that that high level of delivery will be taken into account when future house building needs are decided? At the moment, we have to build 1,400 houses a year, which is just not sustainable, not least for the NHS.

Lucy Frazer: I thank my right hon. Friend, and I was pleased to talk to her about her concerns, because I know that she is a huge advocate for her area. I can give her that comfort that we think it should be taken into account if areas have already over-delivered and taken significant housing. That should be taken into account when putting together the local plan.

Rachael Maskell: Further to the point that the hon. Member for Rochester and Strood (Kelly Tolhurst) made, when developers build luxury flats that the local community often cannot afford it adds nothing to the housing numbers that need to be delivered. How will the Bill address that issue?

Lucy Frazer: We are taking a variety of approaches. We emphasise the importance of variety, not just in the types of accommodation provided but in the type of buildings. That is how we get more housing supply, because we will have more uptake. We are also committed to more affordable homes, and we have a £11.5 billion fund to ensure that we get those homes built.

The Bill respects communities, but it also respects the environment. Central to our reforms will be a new system for assessing the impact of development on the environment. The system will replace the bureaucratic maze that we inherited from the EU. We will replace it with a system that is just as protective, but is outcomes based, not systems driven.

Clearly the Bill will not achieve the perfect planning system for every Member, councillor and constituent, when we all live in diverse areas with conflicting needs and interests, but I hope that the amendments will go even further towards improving our planning system.

Andy Carter (Warrington South) (Con): My right hon. and learned Friend will know that Warrington, as a new town, has seen thousands and thousands of homes built in the last 50 years. It is currently in the process of agreeing its local plan—the local planning inquiry finished just last week. I am pleased to hear today that many of the suggestions will be put into law. Can she confirm that there will be a period in which local plans are paused before they are agreed and adopted? Many of the proposals she talks about today are fundamental to making the changes that we need to see in local plans.

Lucy Frazer: I can give a confirmation that there will be some transitional provisions enabling local councils to proceed with the plan that they are about to adopt, but if they want to reflect, there will be an opportunity to do that as well. We believe that we are improving the system through the measures that we have set out.

Caroline Lucas (Brighton, Pavilion) (Green): Does the right hon. and learned Lady accept that we also need to level up access to green space and nature? Right now, the distribution of green space is very unequal; many people on the lowest incomes simply do not have access to green space at all. Will she look at my new clause 13 and look again at the whole issue of ensuring a right of access to good green space?

Lucy Frazer: As I mentioned just now, the Bill is not just about building; it is also about protecting the environment. A number of measures in the Bill will ensure that we protect our natural spaces—30% of our

nature—and our local nature recovery strategies, which are due to begin across England as soon as possible, were committed to in the Environment Act 2021.

Bob Seely (Isle of Wight) (Con): Does my right hon. and learned Friend agree that, following the talks between Ministers, my right hon. Friend the Member for Chipping Barnet (Theresa Villiers) and me, we should have reached a compromise on a much more community-led, environmentally friendly and regenerative housing policy? As the Minister can hear, however, there is still considerable concern about making sure that we deliver the substance of these things as well as simply the words around them. Will that be reflected in the NPPF?

Lucy Frazer: I reiterate my thanks to my hon. Friend, who has worked so hard with my right hon. Friend the Member for Chipping Barnet to make sure that we get our planning system right, on behalf of and with so many colleagues on our Benches. I assure him that we in the Department for Levelling Up—me and the Secretary of State—believe that we have come to a better solution. We are committed to delivering it, as I am sure my hon. Friend and others across this House will see in the policy that we will propose in the NPPF and bring forward before Christmas.

Mike Amesbury (Weaver Vale) (Lab) *rose*—

Lucy Frazer: I will make a little progress, because I would like to address the Government amendments, which I will do in five categories. First, we are making it easier for people to develop where they want to develop, and where it delivers the best gain to the community and ensures that planned-for development actually happens. I will highlight five measures in this first category.

Through new clauses 49 to 59, we will pilot community land auctions. They will seek to increase the supply of land and aim to capture more land value more effectively to the benefit of the local community. Planning permission will not be granted automatically on sites allocated in the local plan through the auction process.

Through new clauses 60 and 69, we are allowing for street votes enabling residents to come together and propose additional development on their streets in line with their preferences—subject to meeting prescribed requirements—and vote on whether it should be given permission. In speaking to those new clauses, I would like to acknowledge the work of my hon. Friend the Member for Weston-super-Mare (John Penrose) and the “Strong Suburbs” report by Policy Exchange.

We are making it easier for people to access suitable plots to build their own homes. We are building on the immense work of my hon. Friend the Member for South Norfolk (Mr Bacon). We recognise the importance of self-build and custom housebuilding, and new clause 68 clarifies the duty on authorities to provide for plots for such homes in their planning decisions.

We will also seek to reduce barriers to smaller-scale developments that communities can easily get behind. I know that my hon. Friend the Member for Northampton South (Andrew Lewer) has worked significantly on that area. I can confirm that our intention is to consult on changing national policy to encourage greater use of small sites, especially those that will deliver higher levels of affordable housing.

[Lucy Frazer]

Importantly, we are ensuring that when permissions are given, developments can be built out quickly. New clauses 48 and 67 deal with that. Members across the House have been concerned about the rate at which development occurs once planning permission has been granted. It is wrong for developers simply to sit on planning permissions, because that increases the number of permissions that have to be granted and risks overdevelopment. The Bill introduces further steps to tackle the issue, including a requirement for developers to report on the rate at which they build, and allowing authorities to deny permission for further development on the same sites where the developers have failed to build out. All those measures will encourage development where people want it and where they have agreed to have it.

Mr Betts: I am not sure whether the Minister has looked at my amendments to her new clause 67. I agree with her about ensuring that builders build out at the required rate. However, some builders build out while ignoring the conditions for the planning permission put on them. I have a really bad case of that in my constituency with Avant Homes, which does not connect with local people, puts mud all over the roads and puts silt in the local brook—that sort of thing. Will she accept that local councils should be entitled to take account of failures to observe conditions when looking at future planning applications?

Lucy Frazer: We are looking at the issue carefully and will consult on further measures that we might be able to bring forward. I assure the hon. Gentleman that where there are reasonable avenues that we can explore, we will look closely at them.

Dame Maria Miller: I want to build further on that intervention with regard to building out. In my constituency, many of those who have built out and built houses have not done so to the required quality, leaving many residents having to seek significant remedial works. However, my local authority is not allowed to take that into account when giving future permissions. Could the Minister look at consulting on that? Surely we should be encouraging quality over quantity.

Lucy Frazer: I am happy to discuss that issue further with my right hon. Friend. As I mentioned, we are very concerned about build-out to increase the number of homes, and I know that the Secretary of State feels strongly about quality.

The second set of measures that we are introducing by way of amendments relates to infrastructure, because put simply, we cannot have houses without services to support them. Through the Bill, we will replace the existing system with an infrastructure levy—a non-negotiable liability for the developer based on the value of the development. Our plan is to implement the levy in stages so that we can adapt it according to the latest data and the latest evidence.

Thirdly, we are protecting the environment. On top of our environmental assessment reforms, new clauses 77 to 79 will support the Government's efforts to protect and enhance our natural environment. We are creating

an obligation on water companies to go further to address nutrient pollution and clean up our rivers. That will unlock thousands of new homes, complemented by new wetland and woodland areas, improving people's access to green space and delivering new habitats for nature. I am grateful to the Under-Secretary of State for Environment, Food and Rural Affairs, my hon. Friend the Member for Taunton Deane (Rebecca Pow), for her support and to the Secretary of State for Environment, Food and Rural Affairs for working with us so closely to achieve these ends.

Fourthly, we recognise that some areas—Devon and Cornwall, for example—have particular problems with short-term lets, which, while attractive as a tourist industry, mean that large parts of an area have limited long-term residents, creating a real problem for local services. I am grateful to a number of colleagues for highlighting and campaigning on that. I thank my hon. Friends the Members for North Devon, for Cities of London and Westminster (Nickie Aiken), for Totnes (Anthony Mangnall), for Truro and Falmouth (Cherilyn Mackrory), for North Cornwall (Scott Mann) and for St Austell and Newquay (Steve Double) as well as others for the work that they have done. As a result of the points that they have raised, we intend to deliver a new registration scheme for short-term lets, starting with a further consultation on the exact design of the scheme, which will launch before the summer recess.

We will go even further by also consulting on a change to the Town and Country Planning (Use Classes) Order 1987 to enable local areas to better control changes of use to short-term lets, if they wish. Furthermore, the consultation on changes to use classes and the introduction of national permitted development rights to enable change of use where there is no local issue will be launched early next year.

Tim Farron (Westmorland and Lonsdale) (LD): I am very grateful to the Minister for taking an intervention and for the time she gave me last week to discuss this matter. Can she clarify whether it is now the Government's intention to make short-term lets a separate category of planning use following the consultation? If so, when would that come in? Will she also ensure that planning departments have the resources to enforce that?

Lucy Frazer: I am grateful to the hon. Gentleman for speaking on this issue and indeed other issues on this topic. We are committing to consulting on the issue. We propose to consult early in the new year. Following that consultation, we hope to bring in some legislation, if that is the result of the consultation. There is a very tight timetable both for that and the registration scheme, and the registration scheme will be coming through in autumn.¹

2.45 pm

Rachael Maskell: Will the Minister explain why she is not bringing in a licensing scheme that would enable local authorities to determine areas where they could exclude the expansion of Airbnbs or control licences where it was appropriate to do so?

Lucy Frazer: We are bringing through a very important first step to identify where people have short-term lets across the country and where there are local issues. We

1. [Official Report, 20 December 2022, Vol. 725, c. 4MC.]

know there are issues in some local areas, but not in others. We want to establish where they are and where they are causing issues for local communities, so we can make evidence-based policy and bring forward action to ensure those communities are not hollowed out, that people live there and that they can get the services they need. I emphasise that that builds on other action the Government have taken to ensure that we act and that people living in those communities get the support they need.

Fifthly, we are making the process work better. The Bill makes it easier to create new, locally led urban development corporations that can be the planning authority for large-scale development. We are also ensuring that all types of development corporation can have the planning powers they need. In support of that, Government amendments 34 and 36 make technical changes. Through Government new clause 64, we are facilitating charging by statutory consultees for nationally significant infrastructure projects. This recognises that commenting can be a resource-intensive exercise, and we do not want valuable advice to delay development. In addition, the Secretary of State will be given powers to commit the Marine Management Organisation to increase its fees for post-consent marine licensing monitoring, variations and transfers.

Our amendments focus on making the planning system, and the systems that interact with it, work better, innovating and improving for the benefit of all our constituents.

Philip Dunne (Ludlow) (Con): Madam Deputy Speaker, I apologise for not arriving for the beginning of my right hon. and learned Friend's remarks. On the third group of amendments, on nutrient neutrality, may I applaud the Government for the work they are doing in trying to ensure that water companies take full responsibility for their discharges into our waterways? This is an extremely important and powerful set of amendments, and I applaud her for that. In that context, and in the context of both community land auctions and the infrastructure levy, is it the case that water companies can be in receipt of both those sources of funding in the event that local authorities deem it an appropriate use either of the infrastructure levy or funds arising out of community land auctions? At present, they do not appear to be. Can they become statutory consultees on significant developments, which at present they are not?

Lucy Frazer: I am grateful for my right hon. Friend's intervention, because I know he has done significant work on this issue. The Department for Environment, Food and Rural Affairs announced future funding from fines handed out to polluting water companies being invested in schemes for the benefit of our natural environment. I know he did a lot of work on that issue.

On the infrastructure levy, water and waste water networks are covered by the broad definition of infrastructure, so the answer to my right hon. Friend's question on that issue is yes. On statutory consultees, the Secretary of State can make changes to the list of statutory consultees through secondary legislation, and we will consult on whether to make water companies statutory consultees, and if so, how best to do that.

Greg Smith (Buckingham) (Con): Before the last intervention the Minister mentioned improving communities. I am grateful for the time she has spent

with me in the last few weeks discussing this Bill, but will she give some clarity on amendment 2, on including childcare provision within the infrastructure definitions? Conversations with her outside this place indicate that she feels it would be included, but can she give me and the hon. Member for Walthamstow (Stella Creasy), in whose name the amendment stands, the reassurance that childcare provision would be included?

Lucy Frazer: My hon. Friend is a strong advocate for his area; I have dealt with him in a number of Departments, and he stands up for his community on every issue. I am grateful for the work he has done to make sure the Bill overall comes out in a good place, and I know he has also spoken to my colleagues on a number of issues.

On the amendment on childcare, I should emphasise that there is a list of what constitutes infrastructure for the infrastructure levy, and it is a non-exhaustive list, so it will be possible for other items to be included. It is drafted purposefully to give local authorities wide powers to apply the levy to infrastructure that is important and needed in their local area. It contains illustrative examples of what might be included as infrastructure, but in any event the levy will be able to be spent on childcare facilities such as nurseries and pre-schools, as these fall under the definition of

"schools and other educational facilities" already included in the list.

Stella Creasy (Walthamstow) (Lab/Co-op): I know the Minister has tried to take account of these concerns, but from what she has just said, it is not the case that childcare would, unless it is connected to a school, be considered part of this. So what amendment 2 does is set out that, whether it is a nursery, a toy library or a childminding setting, if local councils felt that was something that needed to be done, they could work with developers to deliver it. Will she make that commitment, and most importantly will she write it down? It is one thing to make a commitment at the Dispatch Box, but those of us who have dealt with local government know that it needs to be in the guidance and regulations for us to truly declare that childcare is infrastructure.

Lucy Frazer: I totally understand the hon. Lady's points, and it is crucial that children get the support, care and education they deserve. It must be the case that nurseries and pre-schools fall within the definition of "schools and other educational facilities",

which is in the list at proposed new section 204N(3)(c). There is also a question about the provision of the care within that: that would not fall within the definition of infrastructure per se, but proposed new section 204N(5) allows regulations to make provision about when local authorities could apply levy money to non-infrastructure items, which could include subsidising the cost of childcare places for parents and carers if this was considered a priority by the local area.

I want to give Members across the House an opportunity to speak in this debate. We believe that our amendments focus on making the planning system, and the systems that interact with it, work better, innovating and improving for the benefit of all our constituents, and I commend them to the House.

Several hon. Members *rose*—

Madam Deputy Speaker (Dame Rosie Winterton): I think it may be useful to colleagues if I explain how we intend to conduct the debate. Many Members wish to speak, and there have been and will be quite lengthy Front-Bench speeches. The debate has to finish at 6 o'clock. I want to give priority to those who have amendments tabled in their names—by and large, not everybody. I will have to put on a time limit of six minutes or five minutes. If we do not do that, we will not have a chance of getting anywhere near everyone in, or even everyone who has tabled amendments. That is just a warning—the time limit will come in after the shadow Minister.

Matthew Pennycook (Greenwich and Woolwich) (Lab): I rise to speak to the new clauses and amendments in my name and those of my hon. Friends. It is two weeks and two significant concessions to large groups of disgruntled Government Back Benchers later, but it is a pleasure to finally be back in the Chamber to conclude the Report stage of this Bill. As my hon. Friend the Member for Nottingham North (Alex Norris) made clear on day one of Report, in 27 sittings over a four-month period, the Bill was subject to exhaustive line-by-line consideration. Such was the appetite to participate in the Committee's proceedings that not only was it formally adjourned to allow new members to take part, but we enjoyed appearances from seven different Ministers, some of whom even had more than a passing familiarity with the contents of the legislation.

I thank my hon. Friends the Members for York Central (Rachael Maskell), for South Shields (Mrs Lewell-Buck) and for Coventry North East (Colleen Fletcher) and the hon. Member for Westmorland and Lonsdale (Tim Farron) for so ably scrutinising in Committee the many technical and complex provisions that the Bill contains. The new clauses and amendments that we have tabled for consideration today are almost identical to a number of those we discussed at length in Committee. That deliberate choice reflects not only the importance we place on the matters that they relate to, but the lack of anything resembling robust and convincing reassurances from Ministers in Committee in respect of the concerns that they seek to address. Indeed, if anything, the debates that took place and the responses provided by successive Ministers served only to harden our view that a number of the measures in the Bill relating to planning and the environment would almost certainly have adverse impacts.

Our hope, perhaps a forlorn one, Madam Deputy Speaker, is that the new ministerial team may have used the almost 50 days since their appointment to further interrogate the potential risks posed by those measures in the Bill that are controversial and to reflect on the wisdom of proceeding with them.

Part 3 of the Bill deals with a wide range of issues relating to both national planning policy and local and neighbourhood planning. Many of the clauses that this eclectic part contains are unproblematic, but others are contentious, and we raised detailed concerns in Committee about several of them. Amendments 78 and 79 seek to address arguably the most disquieting, namely clauses 83 and 84, concerning the future relationship between local development plans and national planning policy given statutory weight in the form of national development management policies. We welcome the fact that new section 38(5B) of the Planning and Compulsory Purchase Act 2004 in clause 83 provides communities with greater

confidence that finalised local plans will be adhered to and any safeguards they contain respected. However, we believe that new subsection 5C in clause 83, in providing that anything covered by an NDMP will not only have legal status but will take precedence over local development plans in any instance where there is found to be a conflict between the two, represents a radical centralisation of planning decision-making that will fundamentally alter the status and remit of local planning in a way that could have a number of potentially damaging consequences.

I must make it clear that our concern in relation to the effect of this subsection would exist even if the Government had published the national planning policy framework prospectus and provided hon. Members with an overview about what NDMPs are likely to cover. The fact that they have not and that we therefore still have no idea precisely what these new statutory national policies will eventually contain—coupled with the fact that clause 84 of the Bill makes it clear that NDMPs can cover any policy area relating to development or use of land in England and can be modified or revoked without any form of consultation if that is the wish of the Secretary of State of the day—merely heightens our concerns.

We know that there is significant anxiety across the House about the future implications of NDMPs, and rightly so, because legislating to ensure that they overrule local plans in the event of any conflict does represent a radical departure from the status quo. As we argued in Committee, what is proposed is a wholly different proposition from the current application of the NPPF, and our fear is that it will lead to the erosion of local control in a way that threatens to transform what is currently a local plan-led system into a national policy-led system.

Sir John Hayes: The hon. Gentleman must recognise that the local plan process has been distorted by the imposition of housing targets driven from the centre. Indeed, individual planning applications have often been skewed because local authorities, even where they do not want to accept the application, feel they cannot reject it because they would lose on appeal if they are not meeting the national housing targets. Surely he would welcome the Government's sharp turn in that direction.

3 pm

Matthew Pennycook: That is slightly separate from my point about NDMPs, but the right hon. Gentleman gives me an opportunity to respond to the Government's announcement on housing targets. The problem he identifies ultimately resides in the Government's lack of strategic planning and effective subregional frameworks for housing growth. There is a case for reviewing how local housing targets operate, but to render them effectively unenforceable without a viable alternative, in the middle of a housing crisis, is the height of irresponsibility. We do not know the extent, but it will cause damage by reducing housing supply, with the economic growth impact that implies. We regret that the Government have backed down in the face of their Back Benchers on this point.

Sir John Hayes: I have not heard the hon. Gentleman perform at the Dispatch Box before, but he clearly knows his subject well and delivers his case effectively.

There has long been a misunderstanding that housing is entirely about supply, as it is also about the fluidity of the housing market. He might want to add to his considerable stock of knowledge an understanding that, according to the Empty Homes Agency, there are 750,000 empty homes. That number is persistent, and no Government of any colour have managed to adopt policies to bring those homes into use.

Matthew Pennycook: There is a point to what the right hon. Gentleman says. It is partly about the distribution of who can buy the houses that come online, but it is also partly about supply. The Minister has confirmed that the 300,000 annual target remains Government policy. It remains an aspiration, yet the Government, by removing the enforceability of local housing targets, have made their job of boosting supply far harder, and they are not meeting the target as it stands.

Several hon. Members *rose*—

Matthew Pennycook: I will give way one final time, and then I will make some progress.

Chris Grayling (Epsom and Ewell) (Con): The hon. Gentleman represents a seat in outer London, so he will understand that there are constraints on the ability of some areas to absorb development. The Government are simply saying that a local authority should use best endeavours but that there will be circumstances in which it simply cannot meet an arbitrary numeric target. As an MP for an urban area, surely that is something he should welcome.

Matthew Pennycook: I disagree with the right hon. Gentleman's analysis. We do not know precisely what the Government have in mind for local housing targets, but my reading of their announcement is not that local authorities will simply use best endeavours. Although local house building targets will remain as an aspiration, they will not be enforced and we will therefore see a hit to housing supply, with a resulting hit to economic growth.

Kelly Tolhurst *rose*—

Matthew Pennycook: I want to make some progress, so I will not give way.

We take issue with the Government making local housing targets unenforceable in the absence of a viable alternative to try to maintain supply.

We believe it is essential not only that the process by which the Secretary of State must designate and review an NDMP involves minimum public consultation requirements and an appropriate level of parliamentary scrutiny, but that the scope of an NDMP to override local plans is suitably constrained. On that basis, I commend amendments 78 and 79 to the House.

Part 4 addresses the new infrastructure levy, which is the Government's proposed replacement for the present arrangement by which local planning authorities secure developer contributions. We believe the new levy is one of the most consequential aspects of the Bill and has potentially far-reaching implications not only for the provision of core infrastructure but for the supply of affordable housing. Although we fully appreciate that schedule 11 merely provides the basic framework for the levy, with a detailed design to follow, and that the levy's

implementation will take a test-and-learn approach, we are convinced that, as a proposition, it is fundamentally flawed.

As we argued in great detail in Committee, the deficiencies inherent in a rigid fixed-rate mechanism for securing both infrastructure and affordable housing, based on the metric of gross development value, almost certainly means the levy will prove onerously complicated to operate in practice and that, overall, it will deliver less infrastructure and less affordable housing in the future, while putting the development of less viable sites at risk.

For that reason, we remain of the view that if the infrastructure levy is taken forward, it should be optional rather than mandatory, with local authorities that believe that the needs of their areas are best served by the existing developer contributions system able to continue to utilise it. Taken together, amendments 81 to 83 and 91 would ensure that local authorities retain that discretion, and I hope the new Minister, whom I welcome to her place, will consider them carefully, along with amendment 86, which seeks to address a specific concern about how viability testing will inform the levy rate-setting process.

Amendment 84 seeks to ensure that if the Government insist it is made mandatory, the new infrastructure levy must deliver sufficient levels of affordable housing. Since the publication of the Bill, Ministers have repeated ad nauseam that the new levy will secure at least as much affordable housing as developer contributions do now, yet the Government have so far been unable to provide any evidence or analysis to substantiate why they believe it can fulfil that objective. More importantly, there is nothing in the Bill to ensure that the commitment made by successive Ministers with regard to affordable housing will be honoured. At present, proposed new section 204G(2) of the Planning Act 2008—in schedule 11, on page 291 of the Bill—only requires charging authorities to have regard to the desirability of ensuring that levels of affordable housing are

“maintained at a level which, over a specified period, is equal to or exceeds the level of such housing and funding provided over an earlier specified period of the same length.”

Put simply, the Bill as drafted would enable—one might even say encourage—inadequate levels of affordable housing supply to remain the norm by making them the minimum requirement.

If we want to ensure that the new levy secures at least as much affordable housing as is being delivered through the existing developer contributions system—and ideally more—we believe the Bill needs to be revised. That is not a view confined only to this side of the House. In the foreword to a report published only yesterday by the Centre for Social Justice, the hon. Member for Walsall North (Eddie Hughes)—himself a former Minister in the Department—argues in relation to the levy that

“it would be good to see stronger safeguards in primary legislation, rather than in regulations, for protecting and increasing the existing levels of affordable housing supply funded in this way”.

Not for the first time, I find myself in agreement with the hon. Gentleman.

Bob Seely: One of the specific things that my right hon. Friend the Member for Chipping Barnet (Theresa Villiers) and I requested in our agreement with Ministers was to make it easier for councils to increase the percentage

[*Bob Seely*]

of affordable housing. Clearly there is the economics of how that can happen, but we absolutely encouraged them to allow us to have that wording, so that in a place such as the Isle of Wight we could dramatically increase affordable housing as a percentage of housing. We actually put this at the centre of our plans.

Matthew Pennycook: Increasing the supply of affordable housing, which is at pitifully low levels, is a laudable aim. I agree with the hon. Member on that, and I therefore hope he can support our amendment 84, because it would achieve the objective in relation to the infrastructure levy by requiring charging authorities to ensure that levels of affordable housing are maintained at a level that, over a specified period, enables any given authority to meet the housing need identified in its local development plan, and I commend it to the House.

Turning to part 5 of the Bill, this concerns the Government's proposed new approach to assessing the potential environmental effects of relevant plans and major projects—namely, environmental outcomes reports. Chief among several concerns we have about the proposed EOR system are the deficiencies of clause 122 in relation to non-regression safeguards. While we welcome the inclusion of this clause in the Bill as a means of constraining the use of the wider regulation-making powers in part 5, we are concerned that the clause as drafted contains a series of loopholes. First, use of the relevant non-regression provisions is entirely at the discretion of the Secretary of State. Secondly, the Bill stipulates that the principle of non-regression will only apply to the “overall level of environmental protection”,

rather than specific aspects of it. Thirdly, the definition of environmental law used in the relevant subsection will limit the extent to which it can provide protection against potential future regression.

The Minister who responded to the debate on this issue in Committee provided some measure of reassurance as to why the clause is drafted in the way it is, but our concerns have not been entirely assuaged. We have tabled amendment 88 to ensure that the new system of environmental assessment would not reduce existing environmental protections in any way, and I look forward to hearing how the Minister responds to it in due course.

We want to see many other changes to the Bill. Among other things, we have tabled amendments and new clauses to ensure that the Government undertake a comprehensive review of the extension of permitted development rights since 2013; to allow local authorities to hold planning meetings virtually or in hybrid form; and to place a duty on local planning authorities to appoint suitably qualified chief planning officers.

Of particular importance to us is the need to ensure that the Bill fully aligns the planning system with the UK's climate mitigation and adaptation goals. In Committee, Ministers argued repeatedly that existing local and national duties, requirements and powers are sufficient to ensure that the planning system responds as required to the climate emergency, yet that is demonstrably not the case, given that the system regularly throws up decisions that are seemingly incompatible with the need to make rapid progress towards net zero emissions by mid-century and to prepare the country

for the changes that are already under way. That is likely to remain the case until the Government produce clear and unambiguous national policy guidance, in the form of a revised NPPF, and legislate for a purposeful statutory framework to ensure genuine coherence between our country's planning system and its climate commitments. New clause 98 would deliver the latter, and I urge Members to support it.

Before I turn to a number of the substantial Government amendments that have been tabled since the Bill left Committee, I will speak briefly to new clause 114. As you will know, Madam Deputy Speaker, despite a notional majority of more than 80, the Government are developing an alarming habit of allowing national policy to be dictated by the demands of amorphous groups of their own Back Benchers. In the case of onshore wind deployment, the Government's weakness in the face of such demands is all ostensibly to the good, because Ministers are now seemingly committed to amending the NPPF to finally end the harmful effective moratorium imposed on onshore wind since 2015.

However, the written ministerial statement published last Tuesday provoked more questions than it answered. For example, what criteria will Ministers specify to determine what qualifies as a demonstration of local support for onshore wind projects, given that there is certainly no clear indication that the Government are minded to bring consenting for onshore wind in line with other forms of infrastructure, as it should be?

To take another, there is the assertion in that statement that we need

“to move away from the overly rigid requirement for onshore wind sites to be designated in a local plan.”—[*Official Report*, 6 December 2022; Vol. 724, c. 9WS.]

What is meant by that? The Minister will know that sites do not have to be identified in local plans to receive consent for onshore wind deployment, but there is a strong presumption that they should be, and rightly so. If we are to strengthen our energy security, cut bills and reduce emissions, we need local authorities to proactively consider the opportunities within their boundaries for the deployment of all forms of renewable energy, including onshore wind generation.

Given the degree of ambiguity that now surrounds the Government's position, it is hard to escape the conclusion that the Secretary of State has simply sought to buy himself the time he needs to get this legislation passed by alighting on a form of words nebulous enough to temporarily appease the warring factions within his party.

New clause 114, in contrast, is clear and unambiguous. It would require the Government to remove the onerous restrictions that the NPPF places on the development of onshore wind projects, and it would ensure that local communities have their say via the planning process, without imposing a uniquely restrictive consenting regime upon only this form of renewable energy generation. It would ensure that local authorities must at least explore the desirability of renewable energy deployment, including onshore wind, as part of the local plan preparation process, and I commend the new clause to the House.

Turning finally to a number of the Government amendments that have been tabled in recent weeks, Government new clauses 49 to 59 insert an entirely new part into the Bill, as the Minister said, that enables

community land auction pilots to take place. As many Members will be aware, such auctions are not a novel concept, having been first proposed as far back as 2005. On paper, the premise appears entirely sensible. Landowners would have the freedom to voluntarily come together to grant options over land in the area of a participating local planning authority, with a view to it being allocated for development in the local plan. On the assumption that the option value would be significantly less than the market value for housing development, and that landlords will release said land at the lower price to realise the guaranteed short-term return, the authority in question will be able to exercise or sell the option, capturing some of the increased value uplift and using it to support local development.

In practice, the idea is riven with flaws. First, the circumstances for which this theoretical arrangement is designed—namely, a collection of small and completely substitutable land parcels with multiple landowners—bears little relation to the characteristics of the actual land market across the country.

Secondly, the idea that auctions will drive down land prices in the absence of any element of compulsion is frankly for the birds. One need only look at Transport for London's disappointing experience with the development rights auction model to see how the proposed arrangement will fall short in that regard.

3.15 pm

Thirdly, if the arrangement were proven to be workable in practice it would almost certainly only be an attractive proposition in areas with significant housing demand and high land values, in all likelihood on greenfield land rather than more complex brownfield sites, thereby compounding the inequalities between and within regions that this Bill is supposedly intended to address.

We will not vote against this group of new clauses, but we find it staggering that the Government have expended so much effort on inserting these provisions into the Bill at this late stage, given the obvious deficiencies of the concept. There is a reason successive Conservative Governments shied away from legislating for community land auctions, yet so desperate is this Administration to do everything other than what is necessary to deliver enough of the right homes in the right places that they are willing to dredge up any ill-conceived academic proposal in the hope that something might confound expectations and shift the dial when it comes to development and regeneration.

In our view, the Government's time over recent weeks would have been far better spent bringing forward for consideration today the proposals outlined in the second part of the recent compulsory purchase compensation reforms consultation to disapply section 17 of the Land Compensation Act 1961 in certain circumstances and thereby enable local authorities to acquire land at or closer to existing use value.

I turn to Government new clauses 77, 79 and 78, the last of which introduces new schedule 1. As the Minister said, these would collectively insert into the Bill another entirely new part, amending the Conservation of Habitats and Species Regulations 2017 to require local authorities to assume that certain sewage disposal works will meet new nutrient pollution standards in relation to nitrogen and/or phosphorous within new designated catchment areas by specified dates.

In general terms, we support this set of amendments, seeking as they do to address the real problem of polluting effluent discharged from sewage treatment works that causes damage to the ecological health of nutrient-sensitive habitats. In particular, we welcome the presumptive upgrade date in new clause 77, given that it aligns with the Environment Act 2021 target to halt the decline in species abundance by 2030.

However, we believe the new part these amendments introduce could be strengthened in several important ways. I will give just two examples. First, we believe the Government should reconsider the exemption new clause 77 provides for sewage works serving smaller populations where their catchment areas would impact upon sensitive upstream river sites, given their importance for biodiversity.

Secondly, given the real risk that development that contributes to nutrient pollution could be approved in areas where the necessary upgrade works ultimately do not take place by the presumptive 2030 deadline, we believe the Government should strengthen new clause 78 to provide for a robust and adequately resourced monitoring and compliance process to ensure that required upgrades are on track. Given the lack of opportunity that we have been given to scrutinise this new part appropriately, we trust the other place will consider carefully these and other potential improvements that might be made.

Finally, Government new clause 119 would require the Secretary of State by regulations to

“make provision requiring or permitting the registration of specified short-term rental properties”.

Along with highlighting the detrimental impact of excessive rates of second home ownership on many coastal and rural communities, we debated at great length during Committee the problems experienced by many coastal, rural and urban communities as a result of the marked growth in short-term and holiday lets in terms of the affordability and availability of homes for local people to buy and to rent, as well as a rise in anti-social behaviour in some circumstances.

Over a period of many years, the Opposition have not only raised concerns about the deregulated nature of the short-term lettings sector, but have resisted attempts to deregulate it further. We therefore very much welcome the fact that the Government have finally accepted that more regulation of short-term rental properties is required.

At present, there is no single definitive source of data on the total number of short-term lettings in existence, not least because it is an incredibly diverse sector, with providers offering accommodation across multiple platforms. Accurate data is essential if we are to properly regulate the sector, and we therefore welcome the principle of a registration system as provided for by Government new clause 119.

However, in our view registration is a necessary but not sufficient step towards properly addressing the impact that excessive concentrations of short-term lets are having on communities across the country. We recognise fully the need to introduce regulation in this area carefully and in a way that is proportionate, so that local economies can continue to enjoy the benefit that short-term lettings can bring.

However, such is the impact of high concentrations of short-term lets on many local housing markets and economies that we feel strongly that communities need to be given the means to limit their numbers now. That

could be facilitated by an appropriately resourced and enforceable licensing scheme, such as the one proposed in new clause 107 in the name of my hon. Friend the Member for York Central; the creation of new planning use classes, which the Government have indicated they are minded to consult on; or even a greater willingness on the part of Ministers in the short term to allow local authorities to exercise article 4 directions where they believe they are necessary.

Whatever the precise means, what is important for the purposes of the Bill is that Ministers recognise not only that registration alone will not be enough, but that they must seek to enact further measures at pace, preferably by means of this legislation. As such, although we will not oppose new clause 119, we will continue to press the Government to go further and faster on this matter.

Rachael Maskell: Every day, we see an increase of 29 new short-term holiday lets. Therefore, the Government's step-by-step process will not be sufficient in holiday hotspots, which are targeted by a very aggressive investor market for short-term holiday lets. I thank my hon. Friend, but does he agree that we need to get pace behind this to ensure we protect our communities from the extraction of housing by investors?

Matthew Pennycook: My hon. Friend is absolutely right, and she is not the only hon. Member for whom this is an acute problem: I have heard Members say in several debates over the past year that this is a huge problem in their local areas. She will remember that there was a real difference of opinion in Committee about how bold the Government need to be in response to this problem and how quickly they need to act. I urge the Minister to think again about what additional provisions can be put into the Bill to go beyond the registration system.

Nickie Aiken (Cities of London and Westminster) (Con): In Westminster alone, we have 13,000 short-term let properties, so we are fully aware of the issues. I often advocate licensing schemes, but I think that a registration scheme under new clause 119, which I support, is a good first step. It is important to remember that no two local authorities are the same, and we have to respond to them. Does the shadow Minister agree that this is a good first step? A licensing scheme may be appropriate eventually, but let us go with a registration scheme first.

Matthew Pennycook: I agree and disagree with the hon. Lady. I agree that it is a good first step, and I disagree in the sense that the Government cannot consult for a number of years on what additional measures might be required. We are ultimately talking about local discretion to apply, whether it is use classes or a licensing scheme, but we think that, such is the acute nature of the problem in particular parts of the country, a registration scheme is not enough. We cannot wait until 2024 for additional measures.

Stella Creasy: Does my hon. Friend, like me, share the sense of mysticism that I suspect parents around the country will feel about the fact that the Government consider childcare to be a “non-infrastructure item”? The Minister just said that—I hope she misspoke. Parents recognise that, just as we fund roads so they can drive to work, funding childcare helps them get to work. That is why many local authorities do not do deals to invest in

childcare and make sure it and childminders are part of our local economies. That is why we need things such as amendment 2.

Matthew Pennycook: We believe it is essential that the infrastructure levy is designed and implemented in a way that, first and foremost, ensures local authorities deliver the necessary amount of affordable housing and core infrastructure to support the development of their area. For that reason, we raised concerns in Committee about the possibility that the levy could be spent on non-infrastructure items such as services that are wholly unconnected to the impact of development on communities, without those needs having been met. However, as my hon. Friend knows—as any parent knows—childcare is infrastructure. Given the acute pressure on childcare places in many parts of the country, we agree that there is a case for explicitly making reference to childcare facilities in the list of infrastructure in proposed new section 204N so that local authorities are aware that they can use levy proceeds to fund it as part of developing their areas.

There are a number of useful provisions in the Bill that we support, but we fear that any benefits that might flow from them will ultimately be undermined by others that risk causing serious harm, whether it be to already low levels of affordable housing supply, the status and remit of local planning or important environmental protections. If the legislation before us were only an idiosyncratic mix of the good, the half-baked and the bad—a typically Govian curate's egg, one might say—that would be disappointing enough. What adds to the frustration we feel is the fact that, in a larger sense, it represents a real missed opportunity to enact the kind of planning reform that is required to meet the multiple challenges that we face as a country: to tackle the housing crisis, to respond to the climate emergency, to address our rapidly degrading natural environment, and to better promote health and wellbeing.

We have a chance today to overhaul the Bill in a number of important respects. We have a chance to rectify the aspects of it that are problematic and enable it to address the vital issues on which it is currently silent, and I urge the House to come together to do so.

Several hon. Members rose—

Madam Deputy Speaker (Dame Rosie Winterton): I will have to start with a five-minute time limit for Back-Bench speeches, I am afraid. I call Simon Clarke.

Mr Simon Clarke (Middlesbrough South and East Cleveland) (Con): I pay tribute to all who were involved in the creation of this Bill, which I had the pleasure of overseeing briefly as Secretary of State. Let me also express my appreciation for the Government's work in relation to last week's commitment to a new approach to the permitting of onshore wind, enshrining community consent as the key guiding principle when it comes to whether new developments, or indeed existing ones, can be set up. That is a hugely welcome change, and one that I believe can and should unite the House. As a result, I have withdrawn what was new clause 90 today, although I thank all those who supported it, particularly my right hon. Friend the Member for Reading West (Alok Sharma).

The hon. Member for Greenwich and Woolwich (Matthew Pennycook) mentioned the consultation which we look forward to seeing in due course. I am confident that it will be a robust, credible mechanism which will establish how we can measure community consent and how we can unlock developments when communities wish to support them, while, obviously, protecting places that do not wish to host onshore wind.

There is much that I commend in the Government's new clauses, new schedule and amendments, just as there was on the first day's debate on devolution. I particularly welcome new clause 69, on street votes, and clause 50, on community land auctions. Both are classic supply-side reforms of the kind that we badly need if we are to liberalise house building. That has clearly been a central issue of contention in recent debates on the Bill, but there are some welcome new proposals that we should also consider. I especially commend the new clauses tabled by my hon. Friend the Member for Weston-super-Mare (John Penrose), which I think would successfully complement the wider liberalisation set out in the Bill.

We should recap some of the fundamental points that we need to recognise when it comes to not just today's debate, but all debates in the House about intergenerational fairness and opportunities. Since the 1950s and 1960s the rate at which we expand our housing supply has halved, even as the population has risen. In London it would take the average worker more than 15 years to afford a deposit. To put it simply, we need more homes—as many as we can possibly build—and we should enable the free market through every possible mechanism at our disposal.

It is to the Government's credit that we have been building at the fastest rate for some 30 years, but for too many people under 50, the dream of an opportunity society is receding rather than coming closer. As recently as 1991, 78% of those aged between 25 and 44 were owner-occupiers; the figure today is 56%. For those aged between 25 and 34, it has fallen from 67% to 41%. So many of the long-term concerns that we confront in this Chamber—inequality, productivity, even fertility—are linked with our fundamental problem of not being able to build enough homes for it to be affordable for too many young people to rent, let alone buy.

I happen to believe that enabling home ownership is an existential priority for my party, but Members on both sides of the House should welcome innovative new measures in the Bill, such as street votes and community land auctions, which can progress that agenda. As my right hon. Friend the Secretary of State has said with regard to street votes—and, as so often, I cannot phrase this better than him—

“Arithmetic is important but so is beauty, so is belonging, so is democracy, and so is making sure that we are building communities.” I think that these measures will help us to realise that.

However, there are issues on which I believe we ought to go further. I am conscious of the limited time that we have today, but I will touch on the issue of nutrient neutrality. I believe that, although the Bill makes welcome progress to try to unlock this thorny problem—which is blocking 100,000 new planning permissions from being realised—we can and should go further. That potentially includes derogating from the habitat regulations, while imposing tighter restrictions on the root causes of pollution: bad farming practices, and poor management of waste water by our waterworks.

Most fundamentally, I want to go back to that point in regard to the need for us to build the homes that this country requires, and that takes us back to the underlying issue of targets and the new clauses tabled in this regard by my right hon. Friend the Member for Chipping Barnet (Theresa Villiers) and my hon. Friend the Member for Isle of Wight (Bob Seely). It is critical that, as the national planning policy framework is redrawn, we keep making the case for good, high-quality developments with the right infrastructure and rational incentives for communities to welcome new homes. If we do not, it will be a social and economic disaster for this country and a terrible problem for my party as we seek to make the case for a property-owning democracy and popular capitalism.

3.30 pm

Mr Betts: I will try to draw on the work that the Select Committee has done in a number of reports over the years. First, I want to come back to the point I raised with the Minister about planning authorities having the right to take into account whether developers have fulfilled planning conditions in the past. That is a reasonable request and I am pleased that the Minister is going to consider it. I would be grateful if she could keep me updated on that. From the Front Bench, my hon. Friend the Member for Greenwich and Woolwich (Matthew Pennycook) has mentioned the issue of ensuring that the change from 106 to an infrastructure levy does not reduce the number of affordable homes being built. Changing the present wording in the Bill, in which charging authorities must have regard to this, to make them ensure that it happens is a really important change that the Government need to think carefully about.

On the new clauses that I have tabled on skills and resources, one of the biggest challenges for planning authorities is the reduction in their spend and the reduction in the number of their planning officers. When the pressure is on to turn around individual planning applications, it means local plans get put on the back burner and do not get delivered on time. Also, as the Minister has said, too many local plans are out of date, and that needs to change. New clause 122 simply asks the Government to do a review and produce a plan for local authority planning staff and resources. We need a plan for staff and workforce in the health service and social care, and it is just as important in the long term that we have a similar approach to how we deliver our planning system. Currently that is not being done, and local authorities are struggling for those resources and that manpower.

I move on to the tricky issue of housing targets. In the end the Government cannot deliver their national target if they do not have a view about local targets. Their local targets have to add up to the national target if they are going to work. My new clause 123 says that the Government should produce a properly assessed housing need figure for each local area, that they should have discussions with local authorities about that in a transparent and open way and that, if the local authority agrees with that target, that should be the target set in the local plan. If the local council agrees with central Government, then put it in the local plan. If there is no agreement, the local authority should come forward with its own target, and that can be debated as part of the inquiry and the inspector will decide which is the appropriate

[Mr Clive Betts]

way forward. One of the problems with local plans at present is that they often get bogged down, not with discussions about where housing should go—

John Redwood *rose—*

Mr Betts: I will give way to the right hon. Gentleman.

John Redwood: Does the hon. Member not understand that the whole point about more local determination is that the local community ultimately has to say, “This is all we can manage and we cannot be overridden”?

Mr Betts: Yes, I understand that, and that should be taken into account, as it can be at the local plan stage. The problem is that, if every local community decides that it does not want house building, we end up with not enough houses being built nationally. That is the simple reality of life. What I am saying is, yes, have the argument at the local plan stage, but all too often now, local plans get bogged down not with where the houses should be built or with the quality of the housing and the infrastructure, but with arguments over housing numbers, with developers and councils employing lawyers and consultants to argue with each other. That is what happens. If we can get agreement between the council and the Government and that is then accepted as the target for the way forward, that is a suitable way to do it, rather than the current endless debate and argument about numbers and calculations.

I want to mention one other amendment, on environmental outcomes. One of the biggest arguments at local level is often on the environmental impact of development. There is great concern among local communities about the environmental impact and the fact that, when developers commission an environmental report, it is commissioned by the developer and paid for by the developer. Communities are often suspicious that the report produces what the developer wants to hear, rather than what the actual environmental impact is for those communities. My amendment 105 is simple: in future, the developer should pay, but the local authority should commission. In that way, we make it absolutely clear that environmental outcome reports on individual developments are completely independent, and that local communities can trust them. That seems to be a sensible suggestion. I hope that the Minister will accept it and move it forward.

Sir Gary Streeter (South West Devon) (Con): I rise to speak to new clauses 8 to 11 in my name and the names of other hon. Members.

As chair of the national parks all-party parliamentary group, and with a delightful corner of Dartmoor in my constituency, I am pleased to propose these new clauses. As we all know, national parks provide many benefits to nature, climate, heritage and culture. However, they are underpinned by an outdated legislative framework, which prevents them from realising their full potential for people, nature’s recovery, the 30x30 initiative and the Government’s net zero goals.

The Glover review of protected landscapes in 2019 highlighted these issues and put forward a package of recommendations to address them, the majority of which, to be fair, were accepted by the Government in their response to the review. But it is time that we implemented

them to make best use of the rich natural heritage that we have been blessed with in our country. The new clauses that I have tabled could act as a vehicle to take forward the Glover review’s recommendations.

National parks play a key role in furthering the Government’s levelling-up mission, particularly in having a positive impact on our health, wellbeing and pride of place. Given this Bill’s focus on environmental matters and the planning system, it provides the perfect opportunity to implement the Glover recommendations to strengthen national parks as planning authorities. We must take this opportunity as these next few years are vital for meeting the commitment to protect 30% of England for nature by 2030, for halting the decline in species abundance and for making progress towards net zero.

New clause 8 delivers on proposal 1 in the Glover review to give national parks a renewed mission to recover biodiversity and nature. Natural England has found that only 26% of the protected habitat area inside national parks is in favourable condition, compared with 39% for England as a whole. The new clause seeks to address this disparity by recognising that we have a role not just in protecting national parks, but in actively strengthening and recovering them. It also delivers on proposal 7 of the Glover review, which proposed a stronger mission to connect all people with our national landscapes.

National parks have invaluable potential to improve people’s connection with nature and our levelling-up goals require that we should all enjoy equal access to nature across the country. During the lockdown, we learnt that, if we did not already know it. Natural England has shown that, if everyone has access to a green space, we could save the NHS more than £2 billion a year.

New clause 9 implements two recommendations from the Glover review to give national park authorities a new duty to address climate change and to strengthen the existing duty on public bodies to further national park purposes. The Government have already said that national park management plans should contain “ambitious goals to increase carbon sequestration” and

“set out their local response to climate adaptation”.

New clause 10 helps in setting out realistic goals for national park improvement. That would deliver other key elements of proposal 3 in the Glover review, that strengthened management plans should set clear priorities and actions for nature’s recovery and climate in national parks, and that legislation should give public bodies a responsibility to help prepare and implement management plans.

New clause 11 seeks to address Glover’s ambition to increase skills and diversity on national park authority boards. The Government’s response to Glover committed to measures to ensure that boards

“have more flexibility to balance diversity and expertise”

and proposes

“a more merit-based approach”.

So let us get on with it. The new clause would deliver this flexibility, removing the restrictive legislation referred to in the Government’s response, and ensure that boards are better equipped to deliver national park purposes. I am supported in these new clauses by the Better Planning Coalition, representing 27 organisations across the key sectors of the environment, housing, planning, and heritage.

I had a positive meeting last week with the Under-Secretary of State for Environment, Food and Rural Affairs, my hon. Friend the Member for Copeland (Trudy Harrison), who is responsible for national park policy. She is committed to working with national parks to bring about the bright new future that Glover anticipates and I hope that those on the Front Bench today will assist her in that vital mission.

Stella Creasy: The “Levelling Up” White Paper set out a mission that by 2030 the number of primary school children who were achieving the expected standards in reading, writing and maths would be increased. That cannot be done without investing in early years. We already see the impact of the failure to do that, with children from disadvantaged backgrounds being 11 months behind their peers in terms of development by the time they get to primary school. Investing in early years is what bridges the gap.

We know that our early years sector is in crisis. Since 2019, 500 non-domestic early years childcare settings have closed, 300 in the last year alone. Some 65% of those closures took place this summer. In total, there are 5,500 fewer providers of early years services than there were just a few years ago, and 95% of those providers say that it is the current levels of funding and investment that are driving them out. Crucially, that is happening most in the areas that need that provision most: 15% of closures are happening in deprived areas.

I really hope that the Minister will listen to the case I make today, because it should be a no-brainer. It is not just about seeing children as part of our future and it being worth investing in them as infrastructure. Some 64,000 more women of working age are out of work today than were last year, and 35,000 of them say that caring commitments stop them going to work. I tabled amendment 2, because our economy cannot afford not to realise that childcare is infrastructure. We must realise that making sure people have the right roads and resources to get to work must include ensuring that their children can be cared for.

A report by the Centre for Progressive Policy shows that if women had access to adequate childcare they could increase their earnings from £7.6 billion to £10.9 billion. What would that mean for the Exchequer, which should be here supporting this amendment? The Women’s Budget Group estimates that 1.7 million women are prevented from taking on work for childcare reasons. That costs the economy £28 billion a year. Amendment 2 and unlocking resources for childcare would be a win-win for our economy and for our communities. It would be an investment that would save us money. It is also right that developers should play their part.

Comparing Ofsted and Office for National Statistics data shows that since 2014 the rate of population growth outstrips the growth of the childcare sector in 116 out of 149 local authorities, including 15 of the 20 areas with the highest population growth. The National Childbirth Trust now tells parents to put their not yet born children on the list for childcare providers, because there are not any and getting one is almost impossible.

I see the problem first hand in my local community. The brilliant Walthamstow Toy Library is about to be yet again kicked out of its building because developers want to turn it into flats. Those developers looked completely blank at the idea that they would invest in

providing a space for that service because it has such an impact on our local community. That is happening across the country: vital resources that help parents get to work and to develop our children are not getting the funding that they need. The Minister could change that if she would just make it explicit that the provision is not about educational settings. The list that she has now covers nurseries that are attached to schools, but what we are talking about is any form of childcare and revolutionising the funding that is available.

David Simmonds (Ruislip, Northwood and Pinner) (Con): The hon. Lady has done an excellent job in highlighting this issue in the context of the debate, but I have some sympathy with the Government’s position on this. Does she recognise that the Department for Education guidance on this matter in November 2019—and it is a DFE matter, not a DLUHC matter—explicitly states that early years and childcare is something that local authorities can use in seeking a section 106 contribution from a developer? It is already in the regulations, which I was not aware of when I put my name to her amendment. Does she also acknowledge that, while we are all sympathetic to her point about maintaining affordable childcare, developer contributions are as a rule capital only for the provision of buildings and facilities, and may not be used for the ongoing support of day-to-day services?

Stella Creasy: The hon. Member heard the words of the Minister, who called childcare a non-infrastructure item. He will know of examples, as we all do, of councils building in payments for police community support officers or ongoing maintenance as part of a development. If he is right that developers could do this, why oppose writing it into the Bill to put it beyond doubt and make sure that developers and councils know they can do it?

Passing amendment 2 is about saying the words that my party’s Front-Bench spokesperson said and, frankly, the hon. Member’s did not: “Childcare is infrastructure. The mums listening right now who feel invisible do matter. The services that would help them get back to work do matter. Parents are as important to us as potholes.”

3.45 pm

Siobhan Baillie (Stroud) (Con): The hon. Member, the Minister and everyone in the House knows that I have campaigned for and championed changes to childcare policy. The Minister absolutely did not dismiss or dilute the Government’s commitment to changing and supporting childcare. Amendment 2 covers two separate things: childcare facilities, and whether community infrastructure levy funds can be paid for ongoing amounts. It is important to be clear about that.

Stella Creasy: I quote back the words of the Minister, who talked explicitly about how non-infrastructure items could include subsidising the cost of childcare. If we subsidise police offices or anti-fly-tipping activities, why would we not subsidise parents to get to work? We have an opportunity—

Siobhan Baillie *rose*—

Stella Creasy: I am sorry, but I cannot give way, because of the time. The hon. Member will have her say too.

[*Stella Creasy*]

Amendment 2 would put childcare on an equal footing. Why are we making this form of infrastructure second best? Why are we debating the matter when it seems that there is common agreement? We all recognise, if we have dealt with local government, the need to clarify things and put them in legislation. The right hon. Member for Ludlow (Philip Dunne) talked similarly about waste and water infrastructure, and the Minister was happy to confirm that that was covered. We need to give councils a clear line, and that is what I am looking for from the Minister today, because I think she has actually muddled the water somewhat. We must ensure that we write things into legislation so that we put these debates beyond doubt.

Let us do this for the sake of our children and our economy, and for all the women sitting at home right now watching the debate because they cannot get the childcare they want to be able to get back to work and pay taxes. This is a cross-party issue, but it will divide the House, and it will send a clear message about whose side we are on when it comes to those parents. The amendment would mean the world to all those parents who are struggling to find affordable childcare places right now. I pay tribute to Pregnant Then Screwed for setting out so clearly the impact that it could have, because investment in childcare pays for itself.

I ask the Minister to rethink her words, to say clearly that childcare is infrastructure, and to write it down in the legislation in the way that she has for water and waste, so that parents and potholes get equal attention from us in this place.

Chris Grayling: I rise to talk specifically about new clauses 3 and 5, but first I should make a point on the broader housing issue. My constituency is the smallest borough in my county, and it is the most densely populated part of my county. It was never realistic for the centrally designed targets to apply to an area where we were being asked to increase the housing stock by about 25% to 30%. I praise Ministers for reaching what I believe to be a sensible compromise.

I am very much in favour of new homes in my constituency—I have argued for a number of new developments, and I continue to do so—but house building cannot be simply unrestricted. It cannot be at the level that a formula requires; we must apply common sense. My right hon. Friend the Member for Chipping Barnet (Theresa Villiers) and my hon. Friend the Member for Isle of Wight (Bob Seely), in negotiation with the Secretary of State, have come up with a sensible way forward that will deliver extra housing—I passionately believe that we have to have extra homes in my constituency—but in a sustainable way. We must remember that the national planning policy framework requires us to strike the right balance between three things: building new houses, looking after the local economy and looking after the local environment. I believe that what we have on the table now will deliver that.

I turn to the new clauses. On solar power, I have a simple message for Ministers. I cannot understand why we have not reached a point where it is mandatory to put solar panels on the roof of every new building in this country. Although I do not think new clause 3 will take us through the Division Lobbies tonight, I strongly urge Ministers to work across Government to deliver

that. When I was Secretary of State for Transport, I argued that the Department for Levelling Up, Housing and Communities should insert a requirement for a charging point in every house with off-street parking. I still believe that, but there is really no reason at all not to have solar panels on the roof of every property, whether or not it has parking space. It should be a central part of our future strategy, and I strongly urge Ministers to adopt it.

New clause 5, which I have personally pushed forward, is what I describe as “the hedgehog amendment”—I speak as the parliamentary species champion for the hedgehog—but it is much broader than that. It is about saying that it is simply wrong for a developer to be able to acquire a site and clear it without doing a proper holistic survey of the ecology on that site. It is absolutely vital that, as we are a Government who believe in strengthening biodiversity safeguards in this country, there should be tight rules for developers. They are obliged to do surveys for the presence of bats and newts, but there are a whole range of other vulnerable species that do not fall under that requirement. I want to see very clear legal rules that say, “You buy a site, you survey what is there. If you identify vulnerable species on the site, you have a duty of care to those vulnerable species to relocate them and provide alternative habitats.”

The Government have done good things on biodiversity net gain, but I want to see a situation where a vulnerable species on a site is not likely to be cleared away by a bulldozer. That does happen—there was an horrendous case in the west country recently. About 20 hedgehogs were killed by the reckless clearance of a site. We have all seen it in our constituencies. Developers do it to create the sense of, “Well, it’s a wasted site anyway. We cannot use it again, so you should give us consent to build houses on it.” My new clause provides a way to ensure that does not happen.

I want to pay tribute to the Minister. We have had some very constructive dialogue on this issue and I know she is pretty sympathetic to the aims I have put forward. What I ask of her today—I think she may have a clear sense of how we can go forward—is, in her closing remarks, to set a direction for the Government that will provide the actual protections I am seeking, which will reinforce the work we have already done to protect biodiversity and ensure the particular ability of developers to come in and clear a site is absolutely precluded in law. I wait with interest to hear what the Minister says in winding up. I praise her for what she has done so far on housing and on many other aspects to the Bill. I hope she will also be able to deal with this aspect, the biodiversity issue, in her remarks and as we go forward.

Tim Farron: There are a number of amendments in my name, but given the time we have I will focus on housing, including existing stock and new stock. Let me start by talking about new stock.

New clause 44 and amendment 22, in my name, would give local authorities, particularly in national parks and areas of outstanding natural beauty such as my own in Cumbria, the power to enforce 100% affordability in new developments. I am fed up of developments in my community where we have to build, say, 100 houses to get 30 affordables. That is 70 homes that are fundamentally a waste of bricks. We are building homes for demand, but not for need. We have thousands of

people on the council house waiting list. Homes will, of course, fly off the shelves for handsome prices in a place like Cumbria, but they are houses we do not need. They do not add to our infrastructure and in many ways they undermine it by becoming more holiday lets or second homes. Give us that power, as local communities.

Sir John Hayes: I am extremely grateful to the hon. Gentleman. I want to be absolutely clear that home ownership does all kinds of things for building personal pride and communal satisfaction. I imagine he owns his own home. Does he want more people to own their own home, or does he want more people to rent?

Tim Farron: I want more people to be able to have a home in the first place. In defending people's right to have a second home, which we will come on to in a moment, we must remember that people's right to a first home is even more important. The millions of people who have no home at all to call their own, and are desperately waiting on long waiting lists, are up against many people who have more than one home. That is an injustice that needs to be addressed. This particular set of amendments would give local authorities in communities such as Cumbria the ability to say to developers, "You may build here, but what you build must be sustainable, affordable and available for local people so there is a workforce and a local community."

I want to move on to existing stock, and in particular to the comments made by the Minister earlier. My new clause 121 would make sure there is a separate planning category for short-term lets. That matters: because of the Government's failure to scrap section 21 evictions, as they promised to do, over the past two years the long-term rented sector has collapsed. That has led to the expulsion of thousands of people from my community. There has been a 32% rise in holiday lets in just one year, and that is in the Lake district where there were already a huge number of them. Those houses are coming from local people evicted so their landlord can go to a short-term let, normally Airbnb, and therefore cash in, and there are no other places for those people to go and live so their kids are uprooted from the local school, and they have to give up their jobs and move many miles away, robbing our communities of life and of a workforce.

Duncan Baker (North Norfolk) (Con): The hon. Gentleman and I share similar constituency issues: in North Norfolk I have huge numbers of second homes and holiday properties, too. I know he has tabled his own amendments, but the Government have a very sensible amendment as well; does he not agree that we should back their amendment to start addressing the issue of people being turfed out of their homes because a landlord can earn five, six or seven times more by changing from a monthly let to a weekly holiday rental with not as much security? The right thing to do is to back the Government and try and help on this matter.

Tim Farron: I recently had a conversation with the Minister and am absolutely of the view that while Government amendment 119 does not go as far as mine, it is a step in the right direction. There is a sense of locking the stable door while the horses are well over the horizon—that is my great fear—but I will not seek to press my amendment to a Division, because I am going to trust the Government to do what they say they

are going to do: to make sure there is a consultation and that they look at having new separate categories of planning use for short-term lets.

That matters in our communities where the workforce has been decimated because of the collapse of the long-term private rented sector into Airbnb. As a result, 63% of hospitality and tourism businesses in Cumbria are working below capacity; they are not meeting the demand that is there because there simply is not a workforce. We have over 30% of the beds in our hospitals in Cumbria blocked because there are not enough social care workers as there is nowhere for them to live, resulting in a gluing-up impact on our health service. There is an urgent need to take action, therefore. It should have been taken two years ago: the Government should have abolished section 21 evictions, as they promised, but it is better to do something now than not do it at all, so I am happy to accept Government amendment 119 and will not press mine. We will wait and see, and hold the Government to account to make sure they keep the promise they made.

We in the lakes and dales are proud to be a place that welcomes visitors and are proud of the fact that people choose to have holidays with us, and indeed have second homes. We must be very careful not to demonise people who we are delighted to welcome to come and visit us, but, as I alluded to earlier, if it is sometimes a battle between defending someone's right to have a second home and defending families' right to have a first, we must be on the side of the latter. We must be on the side of people in local communities who are squeezed out because of this. Some 20 million people visit the lakes every year, and we are proud that the tourism industry generates £3.5 billion in revenue for our local economy. We do not want to push people away, but we do want to secure the communities that underpin that economy.

That is why I will seek, with your permission, Mr Deputy Speaker, to move new clause 120 in my name, because the Government are not choosing to do anything adequate about second home ownership in this Bill. Over the last two years, 80% of all house sales in my communities have been into the second home market—people who buy a home and do not live in it. For instance, 50% of properties in Coniston are empty as second homes, as are 83% of properties in Elterwater. The impact on those communities and dozens of others around Cumbria is that we get lost communities. Without a full-time permanent population of sufficient size, communities lose their school, their pub, their bus service, their GP service, their post office, and the life of those communities. It is astonishing that despite being offered many opportunities in the Bill Committee and today the Government have not tackled this blight on our rural communities.

I plead with Conservative MPs, and particularly those in rural communities, to do the right thing by those communities and stand up for them by giving Cumbria and other parts of the country that are affected by second home ownership the right to control their housing stock. Give us that control and allow us to preserve the communities of the lakes, the dales and the rest of rural Britain. Please back new clause 120.

4 pm

Richard Fuller: I thank the Minister for reaching out and having conversations with colleagues. The pace of housing development and the consequential pressure

[Richard Fuller]

on access to public services is one of the most important, and certainly one of the most frequent, issues raised with me by constituents. Context is important. The people of Bedfordshire are not against new housing—indeed, in my constituency we are doing our fair share and a lot more besides, with three to five times the national average of growth—but what local people most want from the Bill is greater local control over the siting and type of new developments, an avoidance of growth that is too rapid and, most of all, improvements to public services such as GPs and school places before there are additional large-scale housing developments. I seek changes to the Bill to achieve those ends, although I recognise from what the Minister said that the Bill is making some progress on all of those fronts.

Amendment 75 seeks to close the loophole that developers use to get around delays in local plans to secure unwanted developments. Amendment 74 seeks to include specific goals regarding net zero, biodiversity, the circular economy and recycling in neighbourhood plans. New clause 87 seeks to provide specific assistance via regulation for listed buildings where there is a wish to insulate or make other changes to the properties consistent with net zero goals. Finally, amendment 76 seeks to implement the manifesto commitment of infrastructure first to improve access to local services.

On amendment 75, good people play by not just the letter but the spirit of the rules. Right after becoming the Member of Parliament for North East Bedfordshire, I was made aware of a loophole in planning law that was being exploited by developers to obtain permission for developments not wanted by local people while a local plan confirmation is in abeyance. The amendment seeks to close that loophole.

I tabled amendment 74 because I am very concerned that Parliament has set a legal requirement to achieve net zero without properly assessing the methodologies or potential costs to taxpayers and consumers for achieving it. I am concerned that the technologies that we need are still evolving and that lowering the overall cost may take action on a community level rather than an individual level through, for example, charging points for electric vehicles or decarbonising home heat. The amendment would require neighbourhood plans to include considerations of three issues important to our natural environment: achieving net zero, promoting and increasing local biodiversity and improving levels of recycling.

New clause 87 is on listed properties. At my local surgery sessions, I have met a number of residents who live in listed buildings and are really concerned that restrictions stop them from insulating their homes or making other changes that might be needed to comply with future legislation. The new clause would place a requirement on the Secretary of State to make regulations making it easier for owners of residential listed buildings to improve the energy efficiency of their buildings and, importantly, place requirements on Historic England to be supportive of such measures and efforts taken by residents.

Finally, amendment 76 is on the Conservative manifesto commitment. I was pleased to see our manifesto commitment to infrastructure first and to listen to what the Minister has said today and in earlier stages of the Bill about the progress that we are making. However, I

want to be sure that there is sufficient progress, particularly with regard to the pressure on GP services and school places. I am hopeful that, in summing up, the Minister will talk further and in more detail about how measures in the Bill will deliver on the Conservative manifesto commitment for infrastructure first.

Through a combination of ensuring that we have local control over how housing is developed, a further, deeper commitment at a community level to understanding the practical changes that need to be made to achieve our net zero goals—things like equitable insulation for homes—and to achieve local transportation methods that are green and clean, there are great opportunities in the Bill. I look forward to hearing the Minister's comments.

Several hon. Members rose—

Mr Deputy Speaker (Mr Nigel Evans): Order. Mike Amesbury will be the last speaker on a five-minute limit. I will indicate whether the new limit is to be four or three minutes as soon as he has finished.

Mike Amesbury: I rise to speak to my amendments 97 and 98, to my new clause 111 and to other amendments that I support.

After 12 years of pursuing policies that have wrecked and hollowed out communities and deepened inequalities, this Tory Government now say that they are the ones to repair the damage and that the so-called levelling-up agenda is the way to do it. The Bill exposes levelling up as the empty promise that it is. It will not ensure that our planning system delivers for us, it will not provide the genuinely affordable housing we need, and it will not put investment and power back into communities and people's pockets. In fact, the current Government are doing exactly the opposite.

I support several Labour Front-Bench amendments, including amendments 78 and 84 and new clause 98. This Parliament declared a climate emergency in 2019, so it is somewhat bizarre that, years later, mitigation and adaptation are not hardwired into our planning system. New clause 98, which would do just that, is welcome. As it stands, the Bill will create a power grab by the centre and by the Secretary of State, undermining the local plans and neighbourhood plans that Members across the House have spoken for so strongly in this debate, so I strongly support amendment 78. If we are to build communities with the right houses in the right places that are genuinely affordable, with essential infrastructure and beautiful green spaces, they must be sufficiently funded. That is not the case now, has not been the case for 12 years and will not be the case under the Bill, which is why I am backing amendment 84.

I turn to the amendments that I have tabled. Amendment 97, which is supported by the Local Government Association, would provide local authorities with the certainty that they need about how to administer the levy in relation to retrospective planning applications; the Bill does not currently make provision for that. Amendment 98 would ensure that all forms of provision delivered through section 106 of the Town and Country Planning Act 1990, including affordable housing, are not lost but continue to be delivered by the levy. Otherwise, important schemes that do not come under the definition of infrastructure, but are currently delivered through section 106—including apprenticeships, skills development,

supporting the local workforce and supporting young people into employment—may be omitted. New clause 111 would have the same effect as new clause 94: by removing the clauses of the Housing and Planning Act 2016 that relate to the sale of vacant higher-value local authority housing, it would hold the Government to a commitment that they made in the social housing Green Paper.

I also support amendment 2, which was tabled by my hon. Friend the Member for Walthamstow (Stella Creasy). Rightly, it would add childcare, either subsidised or free, to the definition of infrastructure. It is common sense, it is the right thing to do and I wholly support it.

My amendments and many others tabled by Members across the House seek to add some substance to a discredited and vacuous slogan: namely, “levelling up”. Over the past 12 years, communities such as mine have been hollowed out, with facilities from leisure centres to libraries closed down and our high streets boarded up. We need something radically different. In fact, what we need is a Labour Government who will empower our communities, genuinely power up our communities, and fill people’s pockets with the money and opportunities they deserve.

Mr Deputy Speaker (Mr Nigel Evans): There will be a four-minute time limit. I call Sir John Hayes.

Sir John Hayes: Alongside purpose, a sense of pride nourishes personal and communal togetherness; it builds social solidarity. Where we begin, live life and end it roots our days and shapes our dreams. Homes matter because having a place of one’s own to build a family’s future makes those dreams come true. Those who advocate housing targets clinically miss the point. Making homes of which people can feel proud is what public policy must make possible.

The Government’s decision to drop mandatory housing targets, under which local communities have been obliged to endure seemingly endless and unsustainable development, is therefore wise and welcome, if overdue. I have been pleased to play my part, alongside other sensible colleagues, in encouraging that sharp turn in thinking. I am delighted that local communities and the councils they elect will no longer have housing imposed upon them. They will be in sole charge of what is built and where. Never again will the imposition of top-down targets be a justification for developments that are out of scale or character with the prevailing built environment or the local landscape. We have bolted on to villages and towns throughout this kingdom unsuitable and unsustainable housing estates of catalogue-build, identikit houses that bear no relation to the local vernacular and are, frankly, a very poor legacy to pass on to generations to come.

All that we build should make us proud. Our inheritance is what our forefathers built for us, and our responsibility is just as great as theirs. Development should, wherever possible, be regenerative, and it should be incremental. Every hamlet could take a few extra houses; every village could take more; towns many more than that; and cities, of course, many thousands. When we understand that development can be incremental, people will cease to object to it in the way they do currently.

There are those who dismiss beauty—they are crass to do so, because people deserve the chance to live in lovely places, including less well-off people. Unfortunately, that is too often not the case. I welcome the Government’s

decision to put beauty at the heart of the housing agenda by raising design standards and making sure that developers and local planners adhere to those standards. It is also important that communities have their say. When they are faced with a choice between the ubiquitous kind of bland, identikit housing that peppers too much of our country or well-designed homes, they will usually choose the latter.

There is, however, concern about the industrialisation of the countryside resulting from the Government’s relaxation of the moratorium on onshore wind. It is critical that topography, visual impact, the connection to sites of special historical interest, areas of outstanding natural beauty and sites of special scientific interest, and the connection of turbines to the grid, are all taken into account. Not only is this a dangerous energy policy—I do not have time to explore that—but it also risks spoiling much of the English landscape and ruining vistas that are cherished by local people. If we really believe in local consent for housing, we must follow through and believe in local consent for that kind of infrastructure development, too.

As I have said, all that we build should add to what is there. We will be judged as a Parliament, and indeed as a generation, by what we pass on to generations to come.

Mrs Emma Lewell-Buck (South Shields) (Lab): I will speak briefly to amendment 73 and new clause 83, which stand in my name.

As we all know, planning can be one of the most contentious issues in any community. Whether or not local communities are happy, there is nothing worse when permission has been granted than developers doing nothing at all with the site, only half completing it, or leaving it derelict for a number of years. The Government’s proposal in the Bill for completion notices is welcome, but it is still weighted in favour of faceless developers, not local communities, and gives developers too long to act. My amendment would ensure that planning permission can be withdrawn and building works removed, with the site being restored to its previous condition in a timely manner, shifting legislation in favour of local communities.

Despite levelling up being one of the Government’s flagship policies, they continue to struggle to define it and, consequently, how its success can be measured. The technical annex to the White Paper, which addresses how levelling up will be measured, says:

“Further work will be undertaken...to...refine these metrics.”

New clause 83 would help to do just that.

4.15 pm

Legislating for a reporting mechanism that is linked to a revival in manufacturing would focus the efforts of this and any future Government on job and skills creation, and on promoting the UK as a manufacturing powerhouse once again. Parts of our economy have relied on the service sector for too long, with jobs that are often low paid and insecure, especially in coastal communities such as mine.

Coastal communities, towns and cities that were once the manufacturing hubs of the UK have seen a marked increase in low rates of economic growth over the past 12 years, leading to stagnation in productivity and

living standards. That is felt most starkly in the north-east, where Hartlepool, Redcar, Cleveland, Darlington, Newcastle, South Tyneside and Sunderland have all seen decreased manufacturing output compared with 2010, and where the consequence has been a more than 50% decrease in apprenticeships across every single local authority.

In Committee, I withdrew my amendment in good faith after the Under-Secretary of State for Levelling Up, Housing and Communities, the hon. Member for Bishop Auckland (Dehenna Davison) advised me:

“There are already publicly available official statistics covering matters in the new clause, such as the number of manufacturing jobs by region.”—[*Official Report, Levelling-up and Regeneration Public Bill Committee*, 18 October 2022; c. 809.]

It has since been confirmed by the Library that this is not entirely correct, as not all the matters in my new clause are covered by available official statistics.

My amendment and new clause are straightforward, cost-neutral and meet the Bill’s aims. There is no reason why the Government should reject them again today.

John Stevenson (Carlisle) (Con): I am delighted to have this opportunity to speak to new clause 3 on the compulsory installation of solar panels on all new residential properties. I have long held an interest in this topic, having questioned Ministers, written articles and held a Westminster Hall debate a number of years ago. Needless to say all were to no avail.

I wonder how much better many people’s energy bills would be had compulsory installation been introduced when I first proposed the idea. However, it is to the future we must look. House building and construction will clearly be significant in achieving the goal of a net-zero environment.

We must also be aware of the potential cost of trying to achieve net zero, and any policies therefore need to be innovative, practical and realistic so they do not damage our economy and individual finances. It is for this reason that I tabled my amendment. Quite simply, making solar panels compulsory in all new builds will create an immediate market. Whether 100,000 or 300,000 housing units are built each year, it will create a sizeable market that is, to some extent, guaranteed. With the knowledge of that certainty, businesses will undoubtedly rise to the challenge, set themselves up and invest. We would then see many businesses, up and down the country, installing solar panels. Repair and maintenance businesses would thrive, too.

With such a large market, and with competition, I anticipate that the cost of solar panels would continue its downward trajectory, ensuring that the cost of new houses does not rise disproportionately. There would also be a benefit to those seeking to install solar panels on their existing homes, as costs would drop and many more businesses would offer that opportunity. Most importantly, innovation would kick in and solar panels would become far more efficient and, I anticipate, more aesthetically pleasing. Why not have solar-panel tiles on every new build?

Mr Richard Bacon (South Norfolk) (Con): I was recently told that there is a five-year waiting list in Norfolk to have a thatched roof replaced—waiting lists may be shorter elsewhere. Of course, there are thatched new builds.

Does new clause 3 cover thatched new builds? Would anyone who wanted to commission such a new build have to cover its thatched roof in solar panels?

John Stevenson: That is an interesting one, to say the least. I would certainly leave businesses to be innovative in their approach to dealing with that.

I am aware that there is a lot of support for my proposal and I genuinely believe it is sensible and practical. However, I understand the Government’s perspective on a number of issues. I give them credit for their principled policy of moving housing towards zero-carbon-ready homes. As our energy provision changes, homes must be adaptable and ready for the introduction of new technologies and new supplies of energy.

I appreciate, although I do not wholly agree with, the Government’s view that they should remain technology neutral. I am not entirely convinced by that argument, as any housebuilder can do what they want in ensuring a property is zero-carbon-ready, as well as having to include solar panels. However, I acknowledge that the Government have increased the uplift in the energy efficiency standard, which should lead to 30% less CO₂ emissions—something that must be welcomed as a further step forward.

I support the Government in their decision to look at solar permitted development rights, particularly with regard to commercial buildings; that decision has much to commend it and is a sensible development. I am still, of course, disappointed that the Government have still not accepted my amendment. Although I have had a Westminster Hall debate, written articles and asked questions on the topic, I genuinely feel there has not been enough debate and consideration of my amendment and its implications in this House.

I am grateful for the support from Conservative Back Benchers and indeed the support of Ministers, albeit privately. I am a little surprised that there has not been greater support from the Opposition, but that may be because the issues have not been as well publicised and debated as they should. There will, however, be an opportunity for further such debate in the other place when they consider this Bill. I would like to think that their lordships will look clearly and closely at the amendments tabled in this House but not divided on, which will include this amendment—I know there is genuine interest in it in the other place.

I will not push this amendment to a vote today, but should the other place, after further debate, conclude it is worth pursuing, I would certainly want this House to have an opportunity to express its views on the amendment, in whatever form it comes back to the House. I look forward to the Minister’s comments and observations and, very importantly, the debate that will be held by their lordships.

Caroline Lucas: I rise to speak to the amendments in my name. First, new clause 13 would recognise that everyone has the right to a clean, healthy and sustainable environment and place a duty on public authorities to have regard to that right in decision making. Although simple in its drafting, I would argue that it could have a transformative effect in providing the legislative impetus for a significant expansion in accessible, nature-rich spaces, putting green space provision on the policy priority list. Such strong legislative underpinning would unlock support

from central Government and investment from the private sector and wider civil society to meet green space creation and maintenance costs.

There is no real levelling up without levelling up access to nature. There is overwhelming evidence demonstrating the impact of access to nature on health and wellbeing—people living happier, healthier and longer lives—but sadly, this life-enhancing tonic is not distributed equally across the country. One in three people in England cannot access nature within a 15-minute walk of their home. That is a particular issue for disadvantaged communities, with some having little or no green space at all. People on low incomes are nearly twice as likely to live in a neighbourhood without nature-rich spaces as those on or above the average income.

During lockdown, when inequalities were laid bare, Natural England demonstrated that 73% of children from households with annual income below £17,000 spent less time outdoors, due to a lack of access to gardens and nearby public parks. New clause 13 would address those inequalities and spread the benefits of access to nature-rich spaces across all communities.

New clause 110 would require planning policy prepared by the Secretary of State to inform local plan making and planning decisions—as well as planning decisions themselves—to be consistent with the UK's climate targets. This amendment gets to the heart of the UK's broken planning system, which enables climate-wrecking developments such as the Cumbria coalmine or the Horse Hill oilfield to be approved without robust scrutiny against our binding carbon budget commitments. As Lord Deben told the Environmental Audit Committee, of which I am a member:

“We have a planning system that does not take adaptation or net zero into account.”

My new clause 110 would address that failing, and it would help to deliver the Climate Change Committee's recommendation that the Government embed

“Net Zero alignment as a core requirement within the planning reforms”.

It is essential that the Bill provides consistent alignment of planning policy and development management with the UK's climate targets. Without that, there is a real risk that we continue to see plans, policies and application decisions that are either weak on tackling climate change or even contradictory, allowing high-carbon development to continue. Indeed, recent research has found that, despite a climate duty having existed in relation to local plan making since 2008, there is little evidence of recently adopted plans including meaningful action to tackle climate change. Planning, legal and policy frameworks are too limited to give councils the confidence to put bolder policies in place. Yet more concerning are the rejections of strong climate policies by the Planning Inspectorate. Given the lifespan of buildings and infrastructure being constructed today, it is essential that this Bill not only ensures that planning supports the transition to net zero, but takes account of increasing climate impacts. Adaptation simply cannot continue to be the Cinderella of climate change. This new clause would ensure that our planning system is fit for the future, and I urge the Government to accept it.

Theresa Villiers (Chipping Barnet) (Con): Excessively high housing targets have been making it harder and harder for elected local councillors to turn down bad

development proposals, even where these might be wholly inappropriate for the area and there is insufficient infrastructure to support the new homes proposed. This is leading to loss of greenfield land in rural areas and increasing pressure to urbanise the suburbs through the construction of high-rise blocks. That is a matter of acute concern to my constituents in Chipping Barnet—for example, in relation to the North London Business Park scheme, against which I will be speaking when it is considered by the planning committee in Barnet on Thursday.

This erosion of local control over planning is compounded by the obligation to produce what is known as a five-year land supply to show that an area has sufficient sites to meet the target. If this obligation is not met, the so-called tilted balance comes into force—in effect, a developer free-for-all, where there is not a blade of grass or a square foot of land that is not in danger of being concreted over. We cannot go on as we are. Of course, we need new homes, and prior to the pandemic home building had risen to levels as high as anything seen in the last 30 years, but they have to be the right homes in the right places, spread fairly between different areas and delivered in a sustainable way.

That was why I tabled new clause 21, which attracted the signatures of 60 Members of the House, but the Government have listened, and I thank the Minister and the Secretary of State for bringing forward significant concessions in response to that new clause. These confirm that centrally determined targets will be advisory, not mandatory. They will be a starting point and a guide, not an inevitable final answer. Where councils can show genuine constraints on the housing they can deliver, they will be permitted to set a lower target in their local plan—for example, if delivering the top-down number would require building at densities that would involve a significant change in the character of an area. It is most welcome that the Planning Inspectorate will have its wings clipped and will no longer be able to reject reasonable plans brought forward by councils. The five-year land supply obligation and the dreaded tilted balance will go for councils with up-to-date plans. The 20% buffer of the five-year land supply will also go, and new design codes will give councils more control over the type of development permitted in their area. This should rebalance the planning system to give local communities a stronger say in what is built in their neighbourhoods. It should also give councils greater capacity to protect the rural or suburban character of their areas.

This outcome is a reasonable compromise that will strengthen local input into the planning system and help prevent environmentally damaging overdevelopment from going ahead, but which will also support the continued delivery of new homes as part of wider efforts to get more people on to the housing ladder. I see what has happened as an illustration of good co-operation between the Front Bench and the Back Benches, and it is a victory for all of us who have been trying to do everything we can to safeguard our green and pleasant land and to protect the quality of life of the constituents we are privileged to represent.

4.30 pm

Rachael Maskell: I rise to speak to new clauses 104 to 109 and amendments 93, 95 and 96, which were tabled in my name. New clause 107 was tabled in my name and

[*Rachael Maskell*]

that of Members across the House, including my new hon. Friend the Member for City of Chester (Samantha Dixon). I thank the Government for listening in Committee and introducing new clause 119, but it is simply not enough and time is not on our side. New clause 107 would address the very challenges that communities such as mine face. I feel very emotional about this because I deal with cases day after day in which I see people turfed out of their home and turfed out of our city because people come in, extract that housing and extract wealth for their own profit and gain when people simply do not have anywhere to live. The Government's new clause 119 will not resolve that issue.

My new clause 107 would enable local authorities to take the path that is right for them. If we are talking about levelling up and devolution, I struggle to understand why the Government need another consultation on this issue. They have already had a consultation, to which 4,000 people responded. It is clear to me that another consultation would delay action. In fact, the Secretary of State has said that the consultation would last until the summer. If that is the case, we will see another 6,409 homes flipped over into short-term holiday lets. A community such as mine cannot take any more. We already have 2,118 short-term holiday lets. We know where they are because they are advertised on websites, and we know the problems that they cause.

My new clause would enable local authorities to make the determinations that are necessary to license a scheme and control what is happening in housing development. I cannot see why any hon. Members would not support more powers for their local authority to take control of a local situation that no national solution will be able to resolve. Through that à la carte approach, local authorities could advance the means that they need to address the specifics of what is happening across rural, coastal and urban communities. Short-term lets have clearly taken hold in places across the world, especially in Europe, and particular measures have been put in to bring control to that market.

My new clause would enable local authorities to create control zones to determine that there should be no further growth in short-term holiday lets, to ensure that a licence was in place or to limit the number of such lets in an area. It would not restrain any local authority. An authority might want to grow its short-term holiday let environment, who knows? The new clause would certainly enable those people who are overridden by short-term holiday lets to get back control and make sure that housing went to the very people who needed it. Unfortunately, the Government have not supported that approach and want to talk further about it.

I am going to try another tack. I have tried a private Member's Bill, spent six months in Committee, talked to seven different Ministers and sat through 27 Committee sittings. It feels like I have given six months of my life solidly to this. Would the Minister consider York to be a pilot for a licensing scheme so that we can put in the measures that will make a difference to my community and my constituents can at last have a house to live in?

Greg Smith: It is a pleasure to follow the hon. Member for York Central (Rachael Maskell). I served on the Bill Committee too. While many Members will think of

politics in 2022 for other reasons, for me it will forever be the Levelling-up and Regeneration Bill year. Given the size of the amendment paper in front of us, and the scale of issues that Members have, it is vital to get this Bill right to shape all our communities. Fundamentally, the Bill—or certainly its planning clauses—is about competing demands on land use. Until yesterday, I had my own amendment on the amendment paper on food security, but when I look through some of the amendments—new clause 73, new clause 101, new clause 123—many still speak to the importance of ensuring that we get the balance right when it comes to the competing demands for land.

I represent a rural and farming community of 335 square miles of rural north Buckinghamshire, where 90% of the landmass of the constituency is agricultural land. We are seeing solar farm applications coming about time and again and massive growth in house building and commercial property, but we have to think about food security, because if all this land is taken away for energy, housing and industrial units, there will not be any land left on which to grow food.

I am grateful to the Minister and all her predecessors over the past six months for engaging on this matter and for coming up with a proposal. It is why I was happy to withdraw my own amendments to ensure that the new NPPF for the first time ever explicitly referenced food security as a material concern within the planning process. I fear that is where the new clauses I mentioned a moment ago do not go far enough, because they just talk about the green belt, as opposed to open countryside and land used for food production.

For the last few moments of my speech, I will speak to amendment 2 and urge the Minister, when she replies to the debate, to perhaps clear up some of the earlier confusion, because I see no reason whatever why the infrastructure levy cannot be used to fund childcare and childcare facilities. If we are building housing estates and family homes—two, three, four, five-bed properties—funnily enough, not every child from the families who occupy those homes will be of school age. There will be a crying need for childcare and early years provision. Clearly the buildings that are not attached to schools will be an important part of that. I am not saying that the state should take over all childcare, but some ability—

David Simmonds: Will my hon. Friend give way?

Greg Smith: I would be delighted to.

David Simmonds: Does my hon. Friend agree that, if we reference the 2019 Department for Education guidance that covers his point, it is completely explicit that early years is within the remit of section 106? Perhaps it would be helpful if the Minister could be clear, as he asked, that the legislation owned by other Departments remains in place under this Bill.

Greg Smith: I am grateful to my hon. Friend and agree entirely that those regulations make it clear. It is a shame that the shadow Secretary of State, the hon. Member for Wigan (Lisa Nandy), is not in her place, because she was a councillor with me in 2006 in Hammersmith and Fulham, where I, then charged with the community safety brief, used section 106 money in part to fund additional police officers in the town centres of that

borough. There is precedent out there that we can use funds such as the predecessor to the infrastructure levy, to fund some level of revenue services. That is why I urge the Minister, when she sums up, to acknowledge that we can do that and be true localists, so that communities that determine that childcare provision is important are enabled to make those deals as part of their infrastructure levies.

Mr Deputy Speaker (Mr Nigel Evans): Margaret Greenwood is the last Member with four minutes, and then we will move to a three-minute limit.

Margaret Greenwood (Wirral West) (Lab): Thank you, Mr Deputy Speaker. This Bill introduces national development management policies, or NDMPs, which will have primacy over local development plans, meaning that those plans could be easily and rapidly rendered out of date by changes to national policies. My constituents who are campaigning to protect the green belt will be concerned about that, and I pay tribute to them and support their campaign.

The Bill states:

“If to any extent the development plan conflicts with a national development management policy, the conflict must be resolved in favour of the national development management policy”,

so local democratic processes for determining planning decisions could be seriously undermined. New clause 73 in my name would ensure that the Government cannot use NDMPs to allow housing to be built on green-belt land. It is remarkable that, despite the Bill introducing NDMPs, the Government have not set out what will be in their scope. Surely the Government would want to be clear about that before legislating for their introduction.

It is clear that, under the Conservatives, there has not been sufficient protection for the green belt. According to the Campaign to Protect Rural England, more than 42% of planning applications submitted for green-belt land in the 10 years to 2020 were granted, and importantly, the report also points out that there is sufficient brownfield land for more than 1 million homes.

Part 5 of the Bill replaces the current system of environmental impact assessments and strategic environmental assessments with a new environmental outcomes report regime. New clause 72 would require EOR regulations made under part 5 to be subject to the super-affirmative procedure to ensure a high level of scrutiny. EIAs and SEAs have been vital to the protection of sites of local, national and international environmental importance for decades. They set out and assess the impacts that developments may have on the environment, and help local authorities to decide on planning applications. It is a matter of extreme concern that a huge amount of detail—including information on which plans and projects EORs will apply to—is deferred to secondary legislation. In effect, the Bill gives a blank cheque to Ministers to change environmental protections in the planning system. The super-affirmative procedure should be used to provide much-needed greater parliamentary oversight.

The Bill currently states that, before making any EOR regulations that contain provision for what the specified environmental outcomes are to be, the Secretary of State must have regard to the current environmental improvement plan. This omits crucial considerations such as the preservation of the green belt, the protection of heritage and climate obligations, which should be

central to any environmental assessment process. Amendment 63 addresses that omission. It is vital for the Secretary of State, as well as having regard to considerations such as protecting the green belt and meeting our climate obligations, to have regard to the protection of heritage when setting EOR regulations, because heritage and the historical character of the places where we live are immensely important.

The green belt is not safe in the hands of the Conservatives, and the Bill should be strengthened to provide much greater protections for it. People will not forgive politicians who concrete over the rural landscapes that they value so much. Nor can we trust this Government to protect the environment and address the climate emergency: that was made abundantly clear last week by the Secretary of State's decision to grant permission for a new coal mine in Cumbria, a shocking decision which has attracted the attention, and the concern, of John Kerry, the United States climate envoy.

In 2019, the UK Parliament declared a climate and environment emergency. I call on the Government to accept new clauses 72 and 73 and amendment 63, which I believe would strengthen the Bill.

Andrew Lewer (Northampton South) (Con): It is a pleasure to speak to new clause 12, which is tabled in my name and which would introduce new requirements to encourage the development of small brownfield sites. I thank colleagues on both sides of the House who have supported it. I do not propose to put it to a vote, because the Housing and Planning Minister—my right hon. and learned Friend the Member for South East Cambridgeshire (Lucy Frazer)—has indicated her interest in it and given assurances that it will be part of the Government's future thinking.

We should all know the scale of the crisis that we are facing. In 2003, 59% of households led by someone aged between 25 and 34 owned their homes; by 2020, the figure had fallen to 47%. At this rate, we are destined to see the majority of people under 50 doomed to a life of permanent renting.

Because of increasing wage-to-house-price ratios, we are witnessing a steady fall in home ownership. In 2019, 65% of households in England owned their homes, a fall from 71% in 2003. The decline in home ownership has been especially pronounced in younger age groups: the number of homeowners aged between 25 and 34 has fallen from 59% to 41%. That puts more and more pressure on the private rented sector. Rental demand is up 142% when compared with the five-year average, while supply is down by 46%. Rents are soaring as a result.

We are having this debate later than was intended, largely owing to the issue of housing targets. They are not the preserve of the left or liberals; Sir Keith Joseph was attacking Labour for not having them in the early 1960s. And I take issue with the phrase “housing target”. This is not a target, but a minimum need. It is a gaping, strategic deficit, and a clear and present danger to economic growth.

There is a need to make tough decisions. It is time to lead and not to follow. Abolishing housing targets is an example of failing by following, and opening ourselves up to the accusation of acting for perceived short-term political gain. The best time to build a house was 20 years ago; the second best time is now. As a Conservative,

[Andrew Lewer]

I believe that one of the Government's best attributes is their ability to indicate and signal to the markets, and in this case we must do all we can to let the markets know that it is time to build—and yes, to build beautifully too.

The national Government of this country nationalised land use via the Town and Country Planning Act 1947, which is still in force. Since 2001, the population of this country has increased by 8 million. That is on the national Government as well. The national Government cannot have nationalised land use and restrictions, and be responsible for such a massive population increase, and then turn round and say, “It's localism, isn't it?” It is not localism, and the dropping of targets is a very unfortunate step.

Jon Trickett (Hemsworth) (Lab): The Minister referred to environmental concerns relating to the planning process. It is remarkable, then, that there is no requirement to do an ecological survey of local wildlife—flora and fauna—before planning consent is considered, so I have proposed some amendments to new clause 5 to achieve that.

4.45 pm

I was concerned about a planning proposal in my constituency for 1,500 houses on greenfield land, when there are still brownfield possibilities elsewhere, so I commissioned an ecological survey because the council and the planning authorities were not required to do so. It turns out that in that area there are 16 bird species on the red list and 11 mammal species protected under schedule 5 to the Wildlife and Countryside Act 1981, which prohibits damage to their environment. How can it be that the planning system does not require an advance ecological survey?

I will not press my amendments to a vote. I simply want to raise the issue and give the Minister an opportunity to explain how she will enforce strict regulation of environmental protections, particularly in the light of the UN biodiversity conference in Canada, where the Secretary-General of the United Nations said that humanity is in danger of becoming a “weapon of mass extinction”. We have to protect species. I have 27 species on one site that is proposed to be destroyed.

The Minister said that the Government are moving to a brownfield-first option. I asked Ministers twice last week what firm commitments council planning officers can rely on in the Government's attitude towards green belt incursions. That seems to be a major issue affecting Members on both sides of the House, so we are looking for a firm and clear commitment on that.

The Minister was asked earlier—although I am not sure the question was fully understood—what guidance she will give to planning inspectors who are currently considering local authority planning processes, given what she said in the House today and what is in the Bill. That is where we are with the application that I mentioned, which is so damaging. It is unwanted by any representative institution in the constituency and it is damaging to the environment. It is only for planners who like drawing clean lines on a map and greedy developers. It is not wanted, it will damage our environment and it should be stopped.

Derek Thomas (St Ives) (Con): I rise to speak in support of Government new clause 119. The lack of the housing that people need to live, work and play a full part in our local community is not a new problem for Cornwall and Scilly, but it has certainly become acute during and following the covid pandemic. The demand for staycations, fuelled by stringent rules and tax changes, has caused massive numbers of long-let properties to switch to short lets to meet the demand for short breaks at the expense of those who need the security of a permanent home. We have more homes approved for building than families on our waiting list.

This Bill has a job of work to do, and I believe that, with this sensible new clause, which I and many others support, it can offer a framework that will see a shift for the better in how we deliver the homes our community needs. I am grateful for the way the Minister has engaged with us and listened to the concerns that I and colleagues have shared, including those who share the task of representing the Duchy of Cornwall.

Very early on, my Cornish colleagues and I pressed for consideration to be given to how we ensure that houses built to meet local need can enjoy protection so they stay that way. The Bill establishes a registration scheme for holiday rentals and a consultation on whether planning permission is required for new holiday rentals, especially in tourist hotspots. I very much hope that is progressed as quickly as possible to reassure my constituents that the Government and the Bill work for them. That will address a difficulty that many families face by curtailing the opportunity for a landlord to switch the home to a holiday let. I ask the Minister to consider including second homes in the consultation. With that measure in place, Cornwall Council and other local authorities can assess the housing need and choose to decline a change of use application, protecting the home for permanent residents.

I am glad that the Government have made the central plank of this legislation enabling the building of the right homes in the right places with the right infrastructure. Communities will heave a huge sigh of relief, as they have felt forced to accept housing that spoils the natural environment but that does little to meet the need in the area. It confirms the fact that when we empower a local community to fashion and design its own destiny, people step forward and give their time to meet the challenge and win the arguments. This will always be a more constructive method of addressing housing supply than the top-down, target-driven approach that we are subject to now. That approach has not worked, otherwise there would be no housing crisis in Cornwall and no need for much of this legislation.

The top-down housing targets undermine confidence, sap the energy of local volunteers and do nothing to deliver the homes that local people need. With this Bill, brownfield sites will take precedence over greenfield sites and local communities' needs over top-down diktats, and there will be confidence that priority will be given to those who live, work and are enabled to play a part in their community.

Helen Morgan (North Shropshire) (LD): I rise to speak to new clauses 20 and 40 and amendment 5, in my name. We all recognise that the UK has a housing crisis, with shortages of social, private rented and affordable housing, leaving many people in an insecure position.

One problem is that that need often conflicts with concerns that local residents have about their own stretched public services. Amendment 5 would help to address local concerns by ensuring that the infrastructure levy is paid upfront before the point of occupation. Councils would be able to ensure that a local community could cope with the additional people moving in before they were there taking up school places and nursery places, rather than trying to solve the problem of service provision once it is too late.

The amendment would also enable councils to require financial bonds from developers to complete the basic infrastructure—roads, street lights and drainage—that is meant to be adopted, but often seems to be left undone. North Shropshire is plagued with unfinished road developments, and the amendment would allow those financial bonds to be put in place, which would avoid such situations.

I fear that the Bill misses the opportunity to ensure that, when we build new homes, we protect the environment. The Conservatives have allowed around 1 million new homes to be built since 2015, which are not as efficient as they would have been had the standards put in place under the coalition Government been retained. This is a missed environmental opportunity, and it means that homeowners are paying far more to heat their homes than they might otherwise have done. New clause 20 would bring forward the date of the future homes standard to January, which may be unrealistic in the circumstances, but I hope that the Minister will consider bringing it forward to save homebuyers money and to work towards our climate objectives.

New clause 40 would create a requirement to hold local referendums on fracking applications—to be paid for by the applicant—to protect communities from unwanted fossil fuel extraction. My constituents are unconvinced by the current moratorium given the flip-flopping this summer and the disastrous decision to give the go-ahead to a new coalmine last week.

Finally, I wish to mention the critical importance of the affordability of housing. We know, as many Members have discussed, that it is worse in some parts of the country than in others. The building of executive homes in the countryside will not help us deal with the problem of affordable housing. New clause 20 also enables local authorities to require new housing to be affordable and to define affordability in their area. It would also allow them to provide additional bus services so that people did not become reliant on cars.

In summary, I am worried about the things that are missing in the Bill, which we have discussed today, and I hope that the Minister will consider them. In my final few seconds, I apologise to the House for coughing and spluttering all the way through the debate.

Ben Everitt (Milton Keynes North) (Con): It is an honour to follow the cougher and splutterer from North Shropshire. She did it very well; I did not notice her coughing and spluttering.

It is my pleasure to speak to amendment 3, which is in my name. The Bill is a landmark piece of legislation, which will go a long way to pushing the Government's ambition to level up our country.

One area of particular significance to Milton Keynes North is affordable housing. I have long campaigned and advocated for the need to build more affordable homes,

as that is the best way to bring down house prices and to help families get on the housing ladder. As of now, developers are incentivised to build the highest-value properties they can when they get the chance, and this only serves to exacerbate the problem, as the hon. Member for North Shropshire (Helen Morgan) illustrated in her speech just now. It is an issue in my constituency. Sprawling estates of executive homes have been built with no intention to meet the needs of my constituents. The housing crisis that we face in this country is unprecedented and requires vital intervention from the Government to address. Too few homes are being built, and the homes that are being built are becoming increasingly unaffordable. As a result, people never get on to the housing ladder. Affordable housing developers can provide beautiful homes for those who want to remain in their communities, and we need to work with them to ensure that they are supported in doing so.

On affordable housing, we could be doing much more right now to ensure that as many new homes are brought forward as possible. If we want to address the housing crisis directly, we must tackle the issue at source. That is why I tabled amendment 3, which would provide an exemption from the infrastructure levy for affordable housing as defined in annex 2 of the NPPF. We want to see more affordable housing built throughout the country, and I see the amendment as a simple, straightforward way of achieving that. It is a massive bit of legislation with a massive amendment paper, yet my amendment is just one and a half lines long, so I implore colleagues to add it to the Bill.

The Bill currently has no automatic exemption for housing from the infrastructure levy. My right hon. Friend the Secretary of State has indicated that such an exemption will apply in the regulations, but I think that it really should be in the Bill. This small tweak to the levy would make a great difference in the short term and pay real dividends in the long term.

Munira Wilson (Twickenham) (LD): I rise to speak to new clause 6, in my name, which seeks to ensure that publicly owned assets can be more easily retained for the public good when sold off. I thank the Minister for her time meeting me before today to discuss this. The new clause has been born out of a local campaign in my constituency but is of relevance to the whole country. Thousands of residents are calling for the former Teddington police station site to be sold to a local housing association and a GP surgery, which have put in a joint bid backed by the local council. The bid, if successful, would prioritise the needs of the local community by providing a much-needed new state-of-the-art facility for Park Road GP surgery and a number of social and affordable homes above it. Sadly, in this highly desirable location they cannot outbid private developers who will deliver yet more unneeded luxury flats with the bare minimum number of affordable units that they can get away with.

Having lobbied the Mayor of London and his deputy for policing and crime, I was told that their hands are tied by statute whereby they have to secure best value, which is defined as the best price available on the open market. The new clause has a simple aim to make the law clear and unequivocal, with a single schedule covering all relevant public bodies, from the NHS to police and fire services on the same terms, granting them permission

[Munira Wilson]

to sell publicly owned land and buildings for below market value, up to a certain level, to bids that put the environmental, economic or social infrastructure needs of the community first.

Rachael Maskell: Does the hon. Member recognise that Network Rail is trying to dispose of much of its estate and that the Department for Transport is saying that it must also get the highest level of capital receipt? That, too, could benefit from her proposal.

Munira Wilson: I could not agree more. I thank the hon. Lady for supporting my proposal today as well as in the Bill Committee.

The new clause would also update existing provisions in line with recent and rising land values. In boroughs such as Richmond upon Thames, where we have more than 5,000 people on the social housing waiting list, sites to build new homes are vanishingly scarce. My constituency casework is dominated by families in desperately overcrowded and unsuitable housing. I therefore believe that whenever a suitable site becomes available, particularly if it is publicly owned, it should be considered for social or affordable housing.

I am proud that Lib Dem-run Richmond Council is leading by example by ensuring that many of its own asset sales are prioritised for social housing, where appropriate. That comes at a cost for a cash-strapped council. Indeed, a concern has been raised with me, not least by the Metropolitan Police Commissioner, about the impact that the new clause would have on its finances if it sold below market value. We could have a debate about whether it should be better funded in the first place so that it does not have to sell off sites at top dollar, because that is robbing Peter to pay Paul.

Crucially, the amendment would allow, and not force, public bodies to put local communities at the heart of their estates strategy. Whether it is the Metropolitan police selling off sites in Notting Hill, Barnet or Teddington, or Surrey police, which has sold off 20 properties in the last five years, all those sites could potentially be used for better public infrastructure and affordable housing that would benefit key workers, such as police officers and nurses, and young people in our constituencies.

Given that the Secretary of State said to me on Second Reading that we could have consensus on that policy point, I implore the Minister to work with me to take the amendment forward and get it on to the statute book, for the sake of communities across the country, such as Teddington, that desperately need new homes, GP surgeries and other community infrastructure.

5 pm

Wendy Morton: I welcome the way in which Ministers have listened to the concerns of many of us on this side of the House and sought to improve the Bill, recognising in particular that planning is always local and it is vital that we have a locally led planning system, with local communities at its heart. I pay tribute in particular to my right hon. Friend the Member for Chipping Barnet (Theresa Villiers) and my hon. Friend the Member for Isle of Wight (Bob Seely) for the huge amount of work that they have done on what was new clause 21.

On housing targets, I am pleased that local housing need is now acknowledged as the starting point, and that centrally determined housing targets are advisory and not mandatory. That, coupled with ending the obligation of the five-year land supply—which is actually six years when the 20% buffer zone is factored in—is a step in the right direction. I would just press the Minister on how much councils may be able to challenge and reduce their targets, because that will be important to many local areas, including mine. I really hope that the changes secured will start to help local communities feel that they have a meaningful part to play in the planning process. In Aldridge-Brownhills, our experience of being listened to or even engaged with during the consultation on the Black Country plan was woefully inadequate, but the plan is now, thankfully, defunct.

The measures in the Bill will see our communities start to be able to shape their towns and villages. I am also pleased that the Government will incentivise and enable development on brownfield sites first, not least because of the real difference that could make if we are serious about delivering. Fundamentally, we all know that we cannot justify building on the green belt, greenfield and green spaces when brownfield sites on high streets and in town centres are ready to be regenerated. Continuing to tilt the playing field in favour of brownfield first is a win-win.

I welcome the response on seeing what more can be done to unlock development on small sites, especially with respect to affordable housing, and the prioritising of brownfield land again. I well remember getting the keys to my first home, and I want the next generation of homeowners to be able to get on the property ladder like I did. We can be the regeneration generation. The Bill is now in a much better place to start moving us in that direction.

Jamie Stone (Caithness, Sutherland and Easter Ross) (LD): As ever, I will contribute to the debate from a highlands perspective. I hope that all hon. Members will one day visit my constituency and see Caithness and Sutherland. If visitors drive across Caithness in a north-westerly direction on a road called the Causewaymire, they will see abandoned houses to left and right. That is because for far too long depopulation was the curse of the highlands, and that is why we have so many people with highland surnames in Canada, in the Carolinas and in Virginia.

The advent of the nuclear facility in Dounreay halted and reversed that depopulation in the 1950s. The Labour Government in the 1960s established the Highlands and Islands Development Board, which in turn led to the fabrication of oil facilities at several yards in the highlands. That, too, helped to halt and reverse depopulation in the highlands, and it is why I got married and had children myself—I worked in one of those yards at the time.

My point is a fundamental one: we talk about the definition of infrastructure and, in my mind, it is about quality employment. If we do not have quality employment for the young generation for the future, the finest housing plan, however we put it together, will be undermined. It is no accident that, after Dounreay came to be, we saw house building on a very large scale in Caithness, around Wick and Thurso. When the yards at Nigg and Kishorn in Ross and Cromarty opened, we saw large-scale housing

developments—private housing and social housing—in my home town of Tain, in Alness and in the village of Balintore. Without that part of infrastructure called employment, it ain't going to work, folks, I am afraid.

That is why I go on quite a lot in this place about space launch in Caithness and, in particular, Sutherland—because it is about jobs. This is an unashamed sales pitch, Mr Deputy Speaker; I hope you will forgive me. I hope that His Majesty's Government and the Scottish Government will look favourably on the bid to establish a green freeport on the Cromarty Firth. I must register my disappointment that there are no Members of the party that is running the Scottish Government here with us today, because I would have liked them to hear that message loud and clear.

David Simmonds: I draw the House's attention to my entry in the Register of Members' Financial Interests: I am an unpaid vice-president of the Local Government Association. I place on the record my thanks to the Conservative Environment Network and the Royal Town Planning Institute for their assistance in formulating a number of the amendments that I tabled or signed.

I also thank the Government for the interest that they have shown in the issues highlighted in my amendments on wildbelts. There is a strong sense across parties that, in the way we approach regeneration, we must take account of the needs of wildlife as well as the need to provide green space around our towns and cities. Especially in areas where large-scale housing development may take place, it is incredibly important for local authorities and developers to identify sites that contribute to biodiversity.

I welcome the progress that we have made in respect of the greater degree of rigour around the planning process. It is clear that many local authorities face challenges in recruiting sufficient professional staff and in ensuring that, from both the developer perspective and a governmental perspective, we have the necessary strategy and oversight in place to ensure that our objectives are delivered.

I will focus on three areas that are especially important. We have heard a great deal about childcare, and I have made a number of interventions on the issue. Let me clarify that the reason I signed amendment 2 is that I am pretty clear that the guidance from the Department for Education—that is one of a number of a number of Departments that own guidance that is used in the planning process, another being the Home Office, which permits PCSOs and police services to be funded through section 106 agreements; those are owned by DLUHC as the Department responsible for local government but bring in other legislation—already allows for childcare to be considered. However, I would welcome confirmation from the Dispatch Box. I think the Minister noted that in her opening speech, but it would be helpful to have clarity.

Let me add my appreciation of the Government's move on housing targets. The local authorities that serve my constituency have consistently delivered more housing than the targets that have come from any part of central Government or, indeed, the Mayor of London. It is clear that effective local leadership and a sense of ambition, particularly around regeneration, can deliver the homes that we need in this country.

Finally, let me place in the Government's mind an issue that is very much on those of my constituents: the impact of ultra low emission zones. As we consider the impact of increased traffic on areas, I hope that, in due course, the Government will be minded to accept amendments that require the consent of the local authorities affected before such policies are introduced.

John Penrose (Weston-super-Mare) (Con): There is much to like and admire in this Bill. Mention has already been made of street votes, and I want to put on the record my thanks to the Government for including them, as that has been a personal crusade of mine and many others outside the House. I am delighted that street votes are firmly and squarely in the Bill.

I am also delighted to see design codes. We have heard about the importance of beauty and of local democracy, local input and local vernacular styles; design codes are an essential way of delivering that and it is very welcome to see them in the Bill.

I also echo the comments of a number of colleagues about what had been new clause 21, which I also signed, and which the Government have responded to positively in dealing with the tyranny of housing targets. The result is to everybody's credit and very welcome.

However, there is a “but” at the end of that sentence, and it is to do with the concern that a number of Members, including the former Secretary of State, my right hon. Friend the Member for Middlesbrough South and East Cleveland (Mr Clarke), mentioned about supply: our ability to build enough homes in future. Successive Governments of all political stripes have failed to deliver nearly enough homes over decades in this country, and I worry that this Bill fails to fix that fundamental underlying issue of inadequate supply. Street votes will help, but they will not be enough on their own, which is why I tabled new clause 88, and my thanks to the colleagues who have signed it already or spoken in support of it in this debate.

New clause 88 seeks to deal with the problem of under-supply by saying that anybody who owns a home in a town, city or urban area can redevelop it as of right, provided they follow the local design code, which the local council will by then have passed. That will lead to a dramatic increase in the amount of supply. On average, our towns and cities are about two storeys tall, so if the local design code effectively allows a townhouse revolution, which is what most of them will be, that will double the amount of home space available in our towns and cities in one go.

Mr Richard Bacon: Does my hon. Friend agree that it is interesting that some of the most beautiful places in the world—Edinburgh, Cornish fishing villages, Paris or Berlin, where I lived—the normal height is four, five or perhaps six storeys without in any way over-dominating the scene?

John Penrose: My hon. Friend is absolutely right and that means we end up with gentle densification and beauty in the local style, creating spaces where people really want to live.

We will end up with a huge increase of supply from this townhouse revolution that I have described, and we will also end up with a bump-up in the value of existing homes, because we are creating brownfield sites and

[John Penrose]

every existing home ends up with a small increase in value because of the hope value created. It is greener, because we are allowing people to live nearer where they work, protecting green fields and, as we heard earlier, using brownfield sites. It creates the beauty we have all been looking for. Most importantly, it retains local decision-making sovereignty. I therefore hope the Government will pick this up, take it forward and examine it carefully. It is in the spirit of street votes, but it is street votes on steroids, and I therefore commend it to the Minister and Government.

Mr Richard Bacon: It is a great pleasure to speak in this debate under your chairmanship, Mr Deputy Speaker, even though you have restricted everyone to three minutes—I understand, of course, that you had no choice in the matter. I am also grateful to my hon. Friend the Member for Weston-super-Mare (John Penrose). When I was discussing with him what to do about this problem, obviously I had crafted an immense amount of prose, but he said, “We will remove every alternate page and then deal with what is left,” which is sort of what I have done. I am also grateful to him for drawing new clause 88 to my attention, because I have seen much of the gentle densification he refers to in different cities on the continent. I have visited the Netherlands many times in my campaign for more custom and self-build, and he is right that it does work.

John Penrose: Does my hon. Friend agree that his proposals for a greater amount of custom and self-build will be another way of increasing supply, contributing to solving the problem I mentioned in my remarks just now?

Mr Bacon: Yes, I do. That is what I have seen in the Netherlands and we should have it here too.

5.15 pm

I rise to speak to new clauses 115 and 112, both of which stand in my name. The purpose of these two new clauses is to amend the Self-build and Custom Housebuilding Act 2015, which I should point out the Government themselves are now seeking to amend in Government new clause 68. I like new clause 68, but my own new clause 115 does a similar job and is even stronger and clearer. The Self-build and Custom Housebuilding Act, which started life many years ago as my private Member’s Bill, places a statutory duty on local authorities to keep a register of persons who wish to acquire a serviced plot of land on which to bring forward their own self-build and custom house building projects.

A serviced plot of land is one where the services—the electricity, fresh water, drainage, broadband and so on—are already installed. Doubtless in the years to come that will also include an induction pad for an electric car, so that people do not have to plug them in. Serviced plots make things much easier: all the difficult bits are done. A self-build or custom house building project is one where the individual who will be the occupier of the home has the main input into the full design and layout. It does not include homes that are bought off plan or those where buyers simply have a say over the choice of carpets or tiles. Customers do not need to be involved in building the houses themselves. Indeed, the purpose of my new clause 112 is to recognise

in law that most homes are built by building firms, businesses or companies, even in the case of individuals who wish to build a home and occupy it afterwards. The design factor is the most important one.

In the Housing and Planning Act 2016, the Government strengthened the Self-build and Custom Housebuilding Act 2015 by adding a further obligation that authorities must give enough suitable planning permissions to meet the demand on the register. In effect, this means that the greater the demand, the further the legal duty on the authority to provide more planning permissions is ratcheted up. So far, so good, and many ambitious councils have taken this to heart, including councils such as Cherwell, which is delivering large-scale projects such as Graven Hill; councils such as York, Durham and Plymouth, which are releasing council-owned land for serviced plots; councils such as Bristol, Central Bedfordshire, Cornwall, Plymouth, Shropshire, Stratford-on-Avon, Teignbridge and West Oxfordshire, which already have strong policy frameworks; and councils such as South Gloucestershire and Teignbridge, which employ dedicated custom and self-build officers to co-ordinate delivery.

But there is much more to do, and some councils are trying to thwart the aims of Parliament, either by counting every application as a self-build when it is not or by seeking to manipulate downwards the numbers on the registers by insisting on a local connection test, by charging a substantial fee or even by removing people’s names when they have not yet met their obligations to those registered individuals. My proposals would make it much more difficult for councils to behave in that way, and would substantially increase the likelihood that more supply will come forward, which is what we need if we are to create a world in which more people on ordinary incomes have the chance to bring forward their own schemes and have a dwelling of their own.

Mr Deputy Speaker (Mr Nigel Evans): Happy wedding anniversary, Nickie Aiken!

Nickie Aiken (Cities of London and Westminster) (Con): Thank you, Mr Deputy Speaker.

I want to speak in favour of Government new clause 119, to which I am delighted to add my name. The campaign for a register for short-term Airbnb-style properties has been long in the making. Before I came to this place, when I was a member of Philippa Roe’s cabinet on Westminster Council, we successfully lobbied the Government of the time—the coalition Government—to secure a 90-day limit for lettings in London under the Deregulation Act 2015. Mr Deputy Speaker, I hope you will allow me to pay tribute to Philippa Roe, Baroness Coubie, who lost her battle against cancer yesterday. I pay tribute to the brilliant work she did as a councillor.

It should therefore come as no surprise that I welcome the substance of the Government’s new clause 119, which would require the Secretary of State to make provision for a registration scheme for short-term rental properties. Legislating for such a scheme, let alone understanding the scale of the problem across the country, has been hampered over the past decade by a distinct lack of evidence and data. With this in mind, I would like to stress the importance of subsection 3 of new clause 119, which will mean that the Secretary of State “must consult the public before making the first regulations under this section.”

This is absolutely the right approach, in my opinion. Consultation will be fundamental, and we need time to review the data and make sure that we are doing this right.

I have a certain amount of sympathy with the hon. Member for York Central (Rachael Maskell). There are strong commonalities between the Government's new clause 119 and new clause 107, and I know, having run a local authority, that we must allow councils the freedom to do what is best for their own area. Believe me, a one-size-fits-all approach will not work. To avoid over-legislating, it will be essential that we get this right before applying the standardised registration scheme to the to-do list of local authorities, primarily because not all local authorities need a registration scheme; for those where a scheme is necessary, it must differ according to regional trends in short-term letting. Westminster will be different from York, and requirements in York will be different from those in Cumbria and coastal communities.

I take this opportunity to thank the Minister, my right hon. and learned Friend the Member for South East Cambridgeshire (Lucy Frazer), who has really listened and got this argument. I do ask, though, that we look at announcing a timescale for the first regulations to be brought forward, to allow local authorities to start planning now for the registration if it is coming later this year. I am delighted that the Department has accepted our arguments and has brought in new clause 119.

Kelly Tolhurst: I rise to talk about targets but also, because of the shortness of time, to highlight the plight of my constituency, where targets have been on the tongues of all my constituents since I was elected to this House in 2015, predominantly because of the high level of housing needs being proposed across the unitary authority. Unfortunately, rather than being spread across the unitary authority, the majority of that proposed housing is within my constituency, particularly the Hoo peninsula, where there are many villages sandwiched between the Thames and the River Medway, surrounded by Ramsar sites and sites of special scientific interest and, of course, home to the nightingale.

As I said before, we also have Chatham docks—a thriving working port with business delivering major infrastructure for the UK. However, because of the council's need to meet the high housing target, the docks are at risk of closure for the building of high-rise flats. We have done our part in my Rochester and Strood constituency on delivering homes; we have been delivering homes for the last decade and I am blessed with many new housing estates. My constituents want to understand how we can make sure we deliver the infrastructure to meet those high targets.

I have been pleased to support my right hon. Friend the Member for Chipping Barnet (Theresa Villiers), who has worked hard with Ministers. I am pleased with the engagement we have had with Ministers, but I would like the Minister to clarify some of the detail she mentioned in opening the debate around the NPPF consultation and, working with some of the information that has been put in that document around genuine constraints, how that would really affect constituencies such as mine that face very high targets and constituents who are incredibly concerned about infrastructure delivery and how it will affect their way of life.

In her summing-up speech, I wonder whether the Minister can give us more information about that and see how we can protect our villages going forward, while bringing on the new houses that we have been building and desperately want more of, ensuring that it is properly led and the community are happy with the development.

Saqib Bhatti (Meriden) (Con): When I became the Member of Parliament for Meriden, three years ago to this day, I did so on the promise to do my utmost to protect our precious green belt. That is a promise I take seriously, and it is ever more important with the integrity of the green belt constantly coming under threat from development. In my constituency I have the Meriden Gap, the green lung of the west midlands, sandwiched between Birmingham and Coventry. It is a vital migratory thoroughway for wildlife in the United Kingdom—so much so that losing it would be catastrophic for wildlife across the country.

I stand by my constituents, who understand that, while we need more housing, we must do what we can to alleviate pressure on the green belt. Too often, I hear from constituents their dismay at the planning process. I am in no doubt that if we do not reform our planning system, we will disenfranchise whole communities and chip away at the very trust that people place in our democracy.

I am pleased that we are where we are today. Colleagues such as my right hon. Friend the Member for Chipping Barnet (Theresa Villiers) and my hon. Friend the Member for Isle of Wight (Bob Seely) have campaigned for common-sense reforms, and the Government have listened, with the result that we can now see light at the end of the tunnel. I am pleased that the Government are focused on brownfield first, a policy that I have championed for many years. In the west midlands, we have enough brownfield to meet our housing needs. The reforms around land banking are similarly important: too often, my constituents are flabbergasted that more green belt is being eaten up by development, when we know that developers have land banked for future developments.

I particularly want to address the Planning Inspectorate. I welcome the NPPF consultation announced today. My borough council has put forward a local plan: it has been a really difficult process and my constituents have been asked to make significant sacrifices to meet the duty to co-operate. The local plan was reviewed by the inspectorate. One site in it would have had 2,000 homes, but the inspector said, "You can't do it—you need to do something with about 500 houses." One site would have had an existing school moved to a new building and rebuilt, but the inspectorate effectively said, "You can have the housing, but you don't need the new school." That is clearly not okay. If we are building homes, communities deserve the infrastructure to go with it. The interim findings were against the mood and desires of the community that I serve. The planning inspectorate is clearly not in touch with the people it is meant to serve.

I have a few questions for the Minister. Can she confirm whether removing the duty to co-operate will enable Solihull Council to review the local plan again? If it says it can build 2,000 homes on one site, will it be allowed to do so? When it says it needs a new school, will it be allowed one?

[*Saqib Bhatti*]

This is about more than planning. It is about the faith that our communities place in democracy. It is about their voice. It is about their knowing that when they express their will, it will be so.

Dame Maria Miller: I rise to support the Bill. I thank the Minister and her colleagues for engaging with Back-Bench colleagues on our concerns, particularly with regard to the way in which housing numbers are calculated.

New homes in my constituency really matter. We have built 150,000 in the past 50 years, at double the rate of the rest of the country, but because we have done the right thing, the formulaic approach ratcheting house building numbers up year on year and the complication of the five-year land supply have left Basingstoke—my constituency and my borough—building 1,400 houses a year, which is probably three times more than the need in our community. That is not sustainable. Councils must be allowed to vary the figure that comes out of the formula to take into account the local needs of the community. I have been making that case ever since I was elected; I am thankful that my council now has a leadership who are on the same page.

I am pleased to support the amendments tabled by my right hon. Friend the Member for Chipping Barnet (Theresa Villiers) and my near neighbour, my hon. Friend the Member for Isle of Wight (Bob Seely). They have led the Government to agree that over-building can be just as much of a restriction on future house building as anything else. I am grateful for that recognition, as are my constituents.

New clause 123, which stands in the name of the hon. Member for Sheffield South East (Mr Betts), has echoes of the past. What got us into this situation in the first place was centrally led house building numbers. We cannot go back to that. I hope that he will decline to press his new clause, for fear that we will regress in that way.

The Government have agreed to make changes, but I urge the Minister to clarify one further thing, which my hon. Friend the Member for Meriden (Saqib Bhatti) has just mentioned: the role of the planning inspector. Planning inspectors are too often overriding local decision making and undermining local democracy. I hope that the Minister will take the time to reassure us that that will change. What guidance will be given to planning inspectors on the changes that have been announced to the calculations with regard to new homes?

Mr Richard Bacon: My right hon. Friend mentions planning inspectors and how annoying they can be. Is she minded to suggest that perhaps we could do without planning inspectors? After all, we have local councils, local democracy and a call-in process through the Secretary of State. Why do we actually need an intermediate process?

Dame Maria Miller: My hon. Friend makes a very good point, but there needs to be a way of having arbitration when there are points of concern. I can understand that, but it has to be done with the starting point that local people know what is best for their community. I am shocked to hear what my hon. Friend the Member for Meriden has been experiencing with regard to schools.

5.30 pm

Can the Minister reassure us that, if necessary, planning inspectors will be given direction on how to interpret the changes in calculations of new homes? Can we have more examples of genuine constraints? Can we make sure that the NHS's capacity is taken into account? I am waiting for my new hospital to be built in north Hampshire, but it will not be finished until 2030. That would not have been taken into account in the housebuilding numbers that would have come out of the previous calculations and that rigid strategy. Will all those changes be put into the NPPF?

We need to ensure we have levelling up in housing, too. I do not want to see all the houses in this country being built in such a small area of the UK. They need to be built up and down the land.

Siobhan Baillie: I rise to address amendment 2. With 1.2 million vacancies, recruitment issues for businesses, some of the highest childcare costs in the world and a lack of choice for parents, it is right that we try to look at all forms of legislation to see if we can make improvements to childcare policies. I listened to the hon. Member for Walthamstow (Stella Creasy). I do not accept her criticism of the Minister and of what the Minister said. There are two separate issues. The first is whether infrastructure facilities for childcare are already included in the list that can be used for CIL and section 106 infrastructure spending. We heard from a number of Members that that is already available under DFE guidelines, and that councils can already build and spend in that way—it is a capital spend. The second issue is whether we can make changes to the regulations to include spending on revenue, effectively, so subsidising free childcare, or supporting childcare places. That needs a bit more work, but I note that the hon. Member for Walthamstow, who is not in her place, took straight to Twitter to suggest that the Government are not supportive of childcare or recognising that infrastructure matters. That is simply not the case, so I welcome the Minister providing some clarity on those issues.

More generally, the issue of housing targets, five-year land supply and the 20% buffer are constantly thrown back at my communities when we challenge building matters. Often, the Government are blamed even when it is a district council matter that is being challenged. We have an emerging local plan in Stroud. I welcome what the Minister said earlier to a colleague about the fact that we can look at a pause on a local plan. Certainly, the local council will need to do that.

I welcome the work being done in particular on compulsory purchase and derelict properties. We have a property in my patch called Tricorn House. It has been there for 20-odd years and it is a complete blight on the landscape. It was the site, sadly, of the tragic loss of a young life. The family are completely devastated and they have to look at the building every day. Nothing happens. Owners change and we are waiting. I will back any legislation that can help me to sort out Tricorn House.

It is the job of hon. Members to change and amend legislation to improve it. That does not mean we are rebels trying to take down the Government. Equally, my constituents are not nimbys because they care so deeply about their communities. They are the ones who spot when there is a great big gas pipe running through a site on which a council suddenly decides it wants

to build. So let us stop the labelling, let us stop the nonsense and let us make the changes. I welcome what the Minister and her team are doing, and I thank them for it.

Selaine Saxby (North Devon) (Con): I rise to speak to new clause 119. I thank the Minister immensely for her engagement on this issue. Although she is the sixth Housing Minister I have spoken to about short-term holiday lets and second homes in my constituency, she is the first to deliver real change.

The issue in North Devon, like in many coastal communities, is acute. When I was elected to this place, Croyde was 64% second homes and short-term holiday lets. In North Devon, since the pandemic, we have lost 67% of our long-term rentals, and seen a 30% increase in property prices and a tripling of section 21 notices as people flip their long-term rentals into short-term holiday lets.

In Devon, we have worked hard to better understand what is driving some of these changes. Whereas before the pandemic we might have highlighted second homes as a particularly big issue, short-term holiday lets are now a major factor. I welcome the Minister's changes and the caution with which they are being approached, because the unintended consequences of tinkering in this market and getting it wrong are often great.

It is not only in the Department for Levelling Up, Housing and Communities that we need changes to legislation, as the changes to landlord tax relief introduced in 2016, which came into effect in 2020, have had a monumental impact on this market. Although my work here may be nearly done, I am now lobbying other Ministers for changes to make sure we properly tackle this issue, which is multifaceted and spans many different Departments.

Anthony Mangnall (Totnes) (Con): I congratulate my hon. Friend on doing a fantastic job on this issue. She has made a massive difference across the south-west. The important point is that we have to encourage long-term rental properties across the United Kingdom. We have done that by changing business rates, council tax and, now, registration.

Selaine Saxby: My hon. Friend and I share many similar issues.

I pay tribute to my hon. Friend the Member for Newton Abbot (Anne Marie Morris) for tabling the predecessor to new clauses 22 and 23. I am also one of the rebels who signed up to new clause 21. I take the opportunity to explain that I have no issue with building houses, but we have built ahead of target in my constituency, and what is the point when they are all empty and my local residents cannot move in? We need to build homes for local people so that they can live and work in the place they were born and brought up and where we have jobs for them. We have to end coastal ghost towns.

I thank the Minister again for her time. This is a big step forward.

Mrs Natalie Elphicke (Dover) (Con): I rise to speak in support of new clause 12, in the name of my hon. Friend the Member for Northampton South (Andrew Lewer), on small-site affordable housing.

The need for affordable housing, and indeed housing, across the country is very great. There is nothing like a cold snap and the crispness of fresh snow to bring front of mind people who are homeless on our streets, who have inadequate, cold housing or who need a home of their own. We also need to talk about the delivery of responsible and sustainable housing that is right for local areas, rather than simply stopping it. There is a group of people who do not have the voice of a property to object to a plan, and who do not have the voice of a community to call their home. We need to make sure they also have the homes they need.

On the delivery of affordable and other housing, I completely agree with the sentiment of moving away from nationally imposed housing targets and towards restoring stronger local accountability. Indeed, that is something for which I have long called, as set out in the 2015 Elphicke-House report. The standard method, otherwise known as the mutant algorithm introduced in 2018, has created an unhelpful backlash against house builders and developers without improving affordability in a meaningful statistical sense.

However, we must not throw the baby out with the bathwater, and I will look carefully at the consultation on the NPPF. I ask my right hon. and learned Friend the Housing Minister to consider what further steps may be taken to make sure our councils have greater responsibility for being housing enablers by bringing forward the housing needed in their areas.

As well as the financial, social and wellbeing costs for those who need homes, insufficient building has a very high economic cost to GDP. It is estimated that the house building industry generates over £40 billion of economic activity, including the delivery of £6.6 billion in affordable housing, while 100,000 fewer homes—that is not impossible in a sharp contraction or loss of confidence in the house building sector—could be a loss of £17 billion of economic activity and put 800,000 jobs at risk. So I ask my right hon. and learned Friend the Minister to consider accepting the sentiment behind new clause 12, and to ensure, as the Bill progresses and as the new NPPF is put forward for consultation, that the proper delivery of housing is at the forefront of her mind.

Dame Maria Miller: I want to build on my hon. Friend's point about affordable housing. In my local authority area, more than 1,700 affordable homes have been built in the last four years, which is significantly higher than almost any other council in my county. It seems to me that the Government need to learn from those local authorities that are successfully delivering affordable housing, so that they can share that understanding more widely.

Mrs Elphicke: I thank my right hon. Friend for her comments, and she is absolutely right. Some local councils are over-delivering and overperforming, and some are underperforming. If we look at, for example, some areas of London, the Mayor's plan for London is not delivering the homes that London needs, is not providing the densification and is not providing homes for people who live in London. Instead, that is getting exported to the home counties, to places such as Kent and Basingstoke. I completely agree that we need to look at making sure that the local plans and local delivery are appropriate, and that it is locally-led planning, but we also need to

[Mrs Elphicke]

ensure that councils are responsible about meeting their housing needs. That balance must be there in the new NPPF because house building is not just a very important industry in terms of GDP. It is also the means by which we live better financial, better social and better connected lives in our community. It has a really important part to play.

Madam Deputy Speaker (Dame Eleanor Laing): I call Gagan Mohindra.

Mr Gagan Mohindra (South West Hertfordshire) (Con): Thank you, Madam Deputy Speaker. It is a real pleasure to be called in this debate, especially with you in the Chair, because a lot of what I am going to say now is about when I was a councillor in your beautiful constituency of Epping Forest.

First, I thank my right hon. Friend the Member for Chipping Barnet (Theresa Villiers) and my hon. Friend the Member for Isle of Wight (Bob Seely), who have done a substantial amount of work over close to two years now. I also thank those on the Front Bench for their proactive engagement to ensure that this legislation is in a fit state. I hope we will all be voting to support it in due course.

Prior to getting into this place, as I have said, I spent many years in local government. I ended up sitting on a planning committee for close to 17 years, during most of which I was chairing at both district and county council level, and I was holding the pen when the Essex design guide was adopted by Essex County Council. The point I want to make is that, while the public normally focus on housing, the local plan model is actually one that works. I have the scars of the regional development agencies, prior to local plans being introduced—actually by a Liberal Democrat Cabinet member at the time—back in 2011. The importance of this is that planning is one of those emotive issues that, if we get wrong, are a blight on our community for many years. I am sure I speak on behalf of the whole House when I say that we need to make sure we get this right.

I am fortunate enough to represent the beautiful constituency of South West Hertfordshire, which is approximately 80% green belt. While there is absolutely a demand for new homes, they do need to be the right type of homes. We have spoken about housing numbers before, but I want to focus on housing type. While we are blessed with a lot of medium to large-sized homes in my constituency, it is the first-time homeowners who inevitably will have to move out of my constituency to get on to the property ladder. As someone who bought their first home two years ago, the biggest and most frustrating issue I had in my constituency was trying to afford a home of a reasonable size. That was a challenge, even at my age and with what is the very well-paid job I do now.

I commend the Bill to the House. I hope that further engagement will happen, because I think this will be an evolution of the planning reform that we so desperately need in this place. I am conscious that I am before the Minister and the votes, so I am going to sit down now.

Lucy Frazer: I know that colleagues across the House have dedicated a huge amount of time to getting the Bill to this point, and I thank them for their thoughtful

contributions in Committee, in their engagement with me since I took office, and throughout today's session, which I think has illustrated how important this piece of legislation is to the future of this country. It is further evidence of the commitment of Members across the House to finding solutions enabling us to build more homes in the right areas.

5.45 pm

I thank my right hon. Friends the Members for Aldridge-Brownhills (Wendy Morton), for Chipping Barnet (Theresa Villiers) and for Basingstoke (Dame Maria Miller) and my hon. Friend the Member for Rochester and Strood (Kelly Tolhurst) for their points on the housing need allocation. I can confirm for my right hon. Friend the Member for Basingstoke that planning inspectors will be instructed to ensure that they are more responsive to the needs of local communities, and we will review the soundness test. My hon. Friend the Member for North Devon (Selaine Saxby) was right to point out the need to ensure that local areas bring forward the housing we need.

I want to pay special tribute to a number of MPs, including my right hon. Friends the Members for Middlesbrough South and East Cleveland (Mr Clarke) and for Tunbridge Wells (Greg Clark), who, during their time as Housing Secretary this year, both helped to expand and enhance the Bill, building on the work of the current Secretary of State and that of my right hon. Friend the Member for Newark (Robert Jenrick).

I would like to touch on the critique made by the those on the Opposition Benches about the infrastructure levy. That critique is wide of the mark and altogether misses the point of the levy. For too long, there has been too little incentive for developers to marry their developments to good-quality infrastructure and new affordable housing. That is going to change with the infrastructure levy, which is a huge upgrade on the status quo and will allow all English charging authorities to adopt a more coherent and streamlined approach. It will bring to an end one of the principal issues behind the current shortages of affordable homes: the unequal negotiating positions between under-resourced local planning authorities and deep-pocketed developers.

Mr Betts: Will the Minister give way?

Lucy Frazer: I am not going to give way; I will make substantial progress, because a lot of people have asked me questions. I want to give them commitments, and I will then be very happy to take interventions. I took all the interventions in opening the debate.

My hon. Friend the Member for Milton Keynes North (Ben Everitt) made an important point about exempting affordable housing from the infrastructure levy. I assure him that we intend for the full value of on-site affordable homes delivered by the levy to be offset by the total levy liability. That means that the affordable housing element of a development is not itself chargeable for the levy but that the scheme as a whole still contributes towards the infrastructure that may be needed to support it.

On infrastructure, my hon. Friend the Member for North East Bedfordshire (Richard Fuller) and the hon. Member for North Shropshire (Helen Morgan) spoke about paying money up front. The Bill already provides powers for levy regulations to make provision for payment

on account and payment by instalment. It will also be possible for local authorities to borrow against future levy receipts. On top of all that, the infrastructure levy is a test-and-learn approach, so as we roll out it out going forward, we will improve it.

The shadow Minister, the hon. Member for Greenwich and Woolwich (Matthew Pennycook), raised points about the national development management policies. Those policies will cover the common issues already dealt with in national planning policy, such as green belt and areas at risk of flooding. That will reduce the burdens on local authorities by removing the need for those issues to be repeated in local plans.

I turn now from the infrastructure levy to issues relating to the environment. My hon. Friend the Member for South West Devon (Sir Gary Streeter) mentioned the Glover review. He will know that DEFRA is implementing several recommendations from that landscapes review and is also continuing to consider how best to implement others.

My right hon. Friend the Member for Epsom and Ewell (Chris Grayling) mentioned hedgehogs and vulnerable species. We have discussed that issue, and as he knows, we are already taking steps to protect vulnerable species and prevent the destruction of habitats prior to any survey taking place. The legislative framework for biodiversity net gain already includes provisions to address that. I am very grateful for the conversations we have had, because as a result of the points he has brought to my attention we intend to look further at how we can strengthen that, and we will consider it further in the Lords.

My hon. Friend the Member for Ruislip, Northwood and Pinner (David Simmonds) made a number of valid points, and he was right to highlight the importance of wild belts. Our local nature recovery strategies are at the centre of the Government's approach to driving nature's recovery. The Environment Act 2021 already obliges responsible authorities to map sites that could be of particular importance for nature's recovery. Local authorities must have regard to the sites identified and the reasons behind their identification. That duty applies to all their planning functions. We will continue to look at that issue as we enable the preparation of local nature recovery strategies, which will begin across England soon.

Local support underpins our approach to changing planning policy on onshore wind development in England. I thank my right hon. Friends the Members for Middlesbrough South and East Cleveland and for South Holland and The Deepings (Sir John Hayes) for their thoughtful contributions on this matter. We will consult on onshore wind using a more localist approach, which will give local authorities more flexibility to respond to the views of their local communities.

We recognise that although some communities will want onshore wind, some may not. That is why important safeguards will be in place. Authorities will be able to identify appropriate locations for onshore wind that do not have a significant impact on precious visible amenity. Special consideration will have to be given to preserving the landscapes of, for example, the Somerset Levels, Romney Marsh and the magnificent fens of Cambridgeshire, Lincolnshire and Norfolk.

Our valued landscapes—particularly national parks and areas of outstanding beauty—and important habitats such as sites of special scientific interest will continue to

be protected. Councils will be in full control of what is developed within the local authority boundaries. A combination of robust national and local planning policies will ensure that communities are able to rebuff unwanted speculative development by appeal.

Rehman Chishti (Gillingham and Rainham) (Con): Will the Minister give way?

Lucy Frazer: I will take interventions at the end if I have time.

As with any other developments, Members of Parliament and members of the public will be able to request that a DLUHC Minister call in a specific scheme if they wish, and their views will be given appropriate weight.

I turn to the important matter of short-term lets. I particularly praise, as I did at the outset, the work of my hon. Friends the Members for Cities of London and Westminster (Nickie Aiken) and for St Ives (Derek Thomas). My hon. Friend the Member for Totnes (Anthony Mangnall) made an excellent point, because this is not the first time that we have taken action on these issues. We are already taking action: we introduced higher rates of stamp duty land tax for those purchasing additional properties in 2016, and a new SDLT surcharge for UK non-residents in 2021. Through this Bill, we are giving councils the power to introduce a discretionary council tax premium of up to 100% on second homes, and we will allow them to introduce an empty homes council tax premium of up to 100% after 12 months. We need to build more homes, increase supply and increase affordable housing in various areas. I am very pleased to have worked with the hon. Member for Westmorland and Lonsdale (Tim Farron), and we are taking welcome steps.

Tim Farron *rose*—

Lucy Frazer: I am going to press on, because so many Members have raised points for me to respond to, and I would like to ensure that I cover them all.

My hon. Friend the Member for Carlisle (John Stevenson) and my right hon. Friend the Member for Epsom and Ewell mentioned the work that we need to do on solar panels. My hon. Friend the Member for Carlisle said that his campaigning had been to no avail. I want to reassure him that that is absolutely not the case. The work that he has done—whether in the Westminster Hall debate, or by writing extensively—has meant that the Government have taken significant steps in this area. From 2025, the future homes standard will ensure that new homes produce at least 75% less CO₂ emissions than those built to the 2013 standards. This represents a considerable improvement in energy efficiency standards for new homes. We have introduced an uplift in standards, which came into force in June, and the uplift already requires new homes to be built in such a way that they produce 30% less CO₂ emissions than those built to the previous standards.

The performance standards in the uplift have been set in such a way as to ensure that the vast majority of developers will either need to put solar panels on new homes or use other low-carbon technology such as heat pumps. So my hon. Friend's work has not been in vain, and I am happy to continue to engage with him on this important area.

[Lucy Frazer]

My hon. Friend the Member for St Ives raised with me helicopters in his constituency, and has tabled an amendment on the issue. I am pleased to have discussed this matter with him. As the amendment would apply nationally, requiring notification and approval for all applicants and local planning authorities, we consider that this would be onerous and disproportionate. There is the possibility of making an article 4 direction. I appreciate that his local authority has not taken that course, but I am happy to arrange a meeting between my officials and the local planning authority to discuss the matter further.

I have already mentioned the considerable work that my hon. Friend the Member for South Norfolk (Mr Bacon) has done on custom build and self-build. The Government strongly believe that self-build and custom-build housing can play a crucial role as part of a wider package of measures to boost home ownership and diversify the housing market, as well as helping to deliver the homes that people want. We will look to see whether we can further tighten up any legislation, taking on board his thoughts and comments.

An amendment was tabled in relation to childcare. I disagree with the hon. Member for Walthamstow (Stella Creasy), who said that the Government were not on the side of those who support childcare. The Government introduced tax-free childcare of up to 30 hours because we believe that it is right that those who have children can go to work and support their children. I would like to clarify what has been said—my hon. Friend the Member for Stroud (Siobhan Baillie) understood what I was saying from the Dispatch Box. The position is that childcare facilities—that is buildings—including those that are not attached to schools, are included within the meaning of “infrastructure” and can therefore be funded through the levy. In addition, the Bill already includes a power to regulate to allow for the funding of services such as childcare. It is in proposed new section 204N(5), in paragraph 1 of schedule 11.

My hon. Friend the Member for Ruislip, Northwood and Pinner (David Simmonds) asked about section 103 contributions and where they continue to apply, of course nothing has changed. The Government are keen to ensure that we support childcare services, and this Bill does that.

Mr Robin Walker (Worcester) (Con): I recognise the importance of addressing this issue and welcome the clarification that she has offered. The Education Committee is about to launch an inquiry into childcare. Does my right hon. and learned Friend agree that, if recommendations come out of that relating to the Bill, our colleagues in the other place might be able to return to the matter later in the passage of the Bill?

Lucy Frazer: I am always happy to hear recommendations from the Education Committee and work with the Department for Education. As I said, the Bill includes the ability for regulations to allow for what I think is being asked for. That is already in the Bill, and that might be the place to consider it.

Mr Betts: Will the Minister give way?

Lucy Frazer: No, I would like to deal with the point that was made by my friend the hon. Member for Twickenham (Munira Wilson). She raised a completely different point about the Mayor’s Office for Policing and Crime and whether it was covered by section 123. As I have mentioned to her, we are exploring with the Home Office whether to extend section 123 to the Mayor’s Office for Policing and Crime.

Since becoming housing and planning Minister, my No. 1 priority has been bringing this Bill back to Parliament as soon as possible. The sooner we pass it, the sooner we can build the homes that we need to level up the country and grow our economy. I would like to continue working with Members across this House to ensure that this Bill completes its passage in the best place. I would like to continue working with my right hon. Friend the Member for Chipping Barnet and my hon. Friend the Member for Isle of Wight, who have done so much to improve the Bill so far. Today, I believe we have passed another milestone on that journey, and I commend this Bill to the House.

6 pm

Debate interrupted (Programme Order, 23 November).

The Deputy Speaker put forthwith the Question already proposed from the Chair (Standing Order No. 83E), That the clause be read a Second time.

Question agreed to.

New clause 48 accordingly read a Second time, and added to the Bill.

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

New Clause 49

COMMUNITY LAND AUCTION ARRANGEMENTS AND THEIR PURPOSE

“(1) In making CLA regulations, or giving a direction under this Part, the Secretary of State must aim to ensure that the overall purpose of community land auction arrangements is to ensure that costs incurred in—

- (a) supporting the development of an area, and
- (b) achieving any purpose specified under section (*Application of CLA receipts*)(7), (*Duty to pass CLA receipts to other persons*)(3) or (*Use of CLA receipts in an area to which section (Duty to pass CLA receipts to other persons)*(1) duty does not relate)(3),

can be funded (wholly or partly) by owners or developers of land.

(2) “CLA regulations” means regulations made under this Part by the Secretary of State.

(3) A “community land auction arrangement” means an arrangement provided for in CLA regulations under which—

- (a) a local planning authority is to invite anyone who has a freehold or leasehold interest in land in the authority’s area to offer to grant a CLA option over the land, with a view to the land being allocated for development in the next local plan for the authority’s area,
- (b) any CLA option granted under the arrangement ceases to have effect if the land subject to the option is not so allocated when that plan is adopted or approved (unless the option has already been exercised or been withdrawn or otherwise ceased to have effect), and
- (c) the local planning authority may—
 - (i) exercise the CLA option and dispose of the interest in the land to a person who proposes to develop the land,

- (ii) exercise the CLA option with a view to developing the land itself, or
- (iii) dispose of the CLA option to a person who proposes to exercise it and then develop the land.

(4) A “CLA option”, in relation to land, means an option to acquire a freehold or leasehold interest in the land which—

- (a) subject to CLA regulations under paragraph (c), can be—
 - (i) exercised by the local planning authority in whose area the land is situated, or
 - (ii) disposed of by that authority to any other person, on such terms as the authority considers appropriate,
- (b) is granted under a community land auction arrangement, and
- (c) meets any requirements imposed by CLA regulations.

(5) CLA regulations under subsection (4)(c) may, in particular, include provision about—

- (a) how long a CLA option must be capable of being exercised for;
- (b) when, or the circumstances in which, a CLA option may or must be capable of being exercised;
- (c) when, or the circumstances in which, a CLA option may or must cease to have effect;
- (d) when, or the circumstances in which, a CLA option may or must be withdrawn;
- (e) when, the circumstances in which or the terms on which, a CLA option may or must be disposed of;
- (f) sums that are to be paid under or in connection with a CLA option (including provision permitting or requiring such sums to be adjusted to reflect changes in the value of money);
- (g) the form and content of a CLA option.”—(*Lucy Frazer.*)

NC49 to NC59 are expected to form new Part 4A, which will make temporary provision enabling pilots to be run of an arrangement (a “community land auction arrangement”) where landowners grant options over land in the area of a participating local planning authority (“LPA”), with a view to the land being allocated for development in the local plan. The LPA will be able to exercise or sell the option, capturing some of the increased value that would result from allocation for development, which can then be used to support development of the area. This new clause contains key definitions and confers certain regulation making powers.

Brought up, and added to the Bill.

New Clause 50

POWER TO PERMIT COMMUNITY LAND AUCTION ARRANGEMENTS

“(1) This section applies where—

- (a) the Secretary of State directs that a local planning authority which is to prepare a local plan may put in place a community land auction arrangement in relation to that plan,
- (b) the local planning authority resolves to do so (and that resolution has not been rescinded), and
- (c) the community land auction arrangement has not come to an end.

(2) The local plan may only allocate land in the authority’s area for development—

- (a) if the land is subject to a CLA option or a CLA option has already been exercised in relation to it, or
- (b) in circumstances which are prescribed by CLA regulations.

(3) Any financial benefit that the local planning authority has derived, or will or could derive, from a CLA option may be taken into account—

- (a) in deciding whether to allocate land which is subject to the option, or in relation to which the option has been exercised, for development in the local plan;

- (b) in deciding whether the local plan is sound in an examination under Part 2 of PCPA 2004.

(4) CLA regulations may make provision about how, or to what extent, any financial benefit may be taken into account under subsection (3) (including provision about how any financial benefit is to be weighed against any other considerations which may be relevant to whether the land should be allocated for development in the local plan or to whether the plan is sound).

(5) References in this section to a local plan do not include references to a joint local plan (but see section (*Power to provide for authorities making joint local plans*) in relation to the application of this Part in relation to joint local plans).”—(*Lucy Frazer.*)

NC49 to NC59 are expected to form new Part 4A. See the explanatory statement to NC49 for an overview of the new Part. This new clause applies where the Secretary of State has directed that an LPA may put in place a community land auction arrangement, the LPA agrees and the arrangement has not come to an end. The ability to allocate land for development, if it is not subject to an option under the arrangement and other prescribed circumstances do not pertain, is then restricted. The financial benefits arising from options can also be taken into account (along with any other relevant considerations) in making decisions about the local plan.

Brought up, and added to the Bill.

New Clause 51

APPLICATION OF CLA RECEIPTS

“(1) CLA regulations must require a local planning authority which receives sums that represent financial benefit derived from CLA options over land in its area (“CLA receipts”) to apply them, or cause them to be applied, to—

- (a) support the development of an area by funding the provision, improvement, replacement, operation or maintenance of infrastructure, or
- (b) fund the operation of community land auction arrangements in relation to its area.

(2) Subsection (1) is subject to the following provisions of this section and sections (*Duty to pass CLA receipts to other persons*)(1) to (3) and (*Use of CLA receipts in an area to which section (Duty to pass CLA receipts to other persons)(1) duty does not relate*)(2) and (3).

(3) CLA regulations may make provision about the extent to which the CLA receipts received by a local planning authority may or must be applied to funding the provision, improvement, replacement, operation or maintenance of infrastructure of a particular description.

(4) In this section (except subsection (6)) and sections (*Duty to pass CLA receipts to other persons*)(2), (*Use of CLA receipts in an area to which section (Duty to pass CLA receipts to other persons)(1) duty does not relate*)(2) and (*CLA infrastructure delivery strategy*) “infrastructure” includes—

- (a) roads and other transport facilities,
- (b) flood defences,
- (c) schools and other educational facilities,
- (d) medical facilities,
- (e) sporting and recreational facilities,
- (f) open spaces,
- (g) affordable housing,
- (h) facilities and equipment for emergency and rescue services,
- (i) facilities and spaces which—
 - (i) preserve or improve the natural environment, or
 - (ii) enable or facilitate enjoyment of the natural environment, and
- (j) facilities and spaces for the mitigation of, and adaption to, climate change.

(5) In subsection (4)(g) “affordable housing” means—

- (a) social housing within the meaning of Part 2 of the Housing and Regeneration Act 2008, and

- (b) any other description of housing that CLA regulations may specify.
- (6) CLA regulations may amend this section so as to—
 - (a) add, remove or vary an entry in the list of matters included within the meaning of “infrastructure”;
 - (b) list matters excluded from the meaning of “infrastructure”.
- (7) CLA regulations may make provision about circumstances in which local planning authorities may apply a specified amount of CLA receipts, or cause a specified amount of CLA receipts to be applied, towards specified purposes which are not mentioned in subsection (1).
- (8) CLA regulations may specify—
 - (a) works, installations and other facilities whose provision, improvement or replacement may or is to be, or may not be, funded by CLA receipts,
 - (b) maintenance activities and operational activities (including operational activities of a promotional kind) in connection with infrastructure that may or are to be, or may not be, funded by CLA receipts,
 - (c) things within subsection (1)(b) that may or are to be, or may not be, funded by CLA receipts,
 - (d) things within section (*Duty to pass CLA receipts to other persons*)(2) that may or are to be, or may not be, funded by CLA receipts passed to a person in discharge of a duty under section (*Duty to pass CLA receipts to other persons*)(1),
 - (e) things within section (*Use of CLA receipts in an area to which section (Duty to pass CLA receipts to other persons)(1) duty does not relate*)(2) that may or are to be, or may not be, funded by CLA receipts to which provision under section (*Use of CLA receipts in an area to which section (Duty to pass CLA receipts to other persons)(1) duty does not relate*)(2) relates,
 - (f) criteria for determining the areas that may benefit from funding by CLA receipts, and
 - (g) what is to be, or not to be, treated as funding.
- (9) The regulations may—
 - (a) require local planning authorities in relation to which section (Power to permit community land auction arrangement) applies to prepare and publish a list of what is to be, or may be, wholly or partly funded by CLA receipts;
 - (b) include provision about the procedure to be followed in preparing a list (which may include provision for consultation or for the appointment of an independent person or both);
 - (c) include provision about the circumstances in which a local planning authority may and may not apply CLA receipts to anything not included on the list;
 - (d) permit or require the list to be prepared and published as part of a CLA infrastructure delivery strategy (see section (CLA infrastructure delivery strategy)).
- (10) In making provision about funding the regulations may, in particular—
 - (a) permit CLA receipts to be used to reimburse expenditure already incurred;
 - (b) permit CLA receipts to be reserved for expenditure that may be incurred in the future;
 - (c) permit CLA receipts to be applied (either generally or subject to limits set by or determined in accordance with the regulations) to administrative expenses in connection with infrastructure or anything within section (*Duty to pass CLA receipts to other persons*)(2)(a)(ii) or (*Use of CLA receipts in an area to which section (Duty to pass CLA receipts to other persons)(1) duty does not relate*)(2)(b) or otherwise in connection with a community land auction arrangement;
 - (d) include provision for the giving of loans, guarantees or indemnities;

- (e) make provision about the application of CLA receipts where anything to which they were to be applied no longer requires funding.
- (11) The regulations may—
 - (a) require a local planning authority to account separately, and in accordance with the regulations, for CLA receipts received or due;
 - (b) require a local planning authority to monitor the use made and to be made of CLA receipts in its area;
 - (c) require a local planning authority to report on actual or expected collection and application of CLA receipts;
 - (d) permit a local planning authority to cause money to be applied in respect of things done outside its area;
 - (e) permit a local planning authority or other body to spend or retain money;
 - (f) permit a local planning authority to pass money to another body (and in paragraphs (a) to (e) a reference to a local planning authority includes a reference to a body to which a local planning authority passes money in reliance on this paragraph).
- (12) For the purposes of subsection (1) a financial benefit is derived from a CLA option if it arises as a consequence of the local planning authority—
 - (a) exercising the option and developing or disposing of the land which was subject to it, or
 - (b) disposing of the option.”—(*Lucy Frazer.*)

NC49 to NC59 are expected to form new Part 4A. See the explanatory statement to NC49 for an overview of the new Part. This new clause confers a power to make provision about how the financial benefits arising from options under community land auction arrangements can be used by local planning authorities. The provision is similar to that made, in relation to infrastructure levy, by section 204N of the Planning Act 2008 (see Schedule 11 to the Bill).

Brought up, and added to the Bill.

New Clause 52

DUTY TO PASS CLA RECEIPTS TO OTHER PERSONS

- “(1) CLA regulations may require a local planning authority that receives CLA receipts in respect of development in an area to pass them to a person other than the authority.
- (2) CLA regulations imposing a duty under subsection (1) must contain provision to secure that any CLA receipts passed to a person in discharge of the duty are used to—
 - (a) support the development of the area to which the duty relates, or of any part of that area, by funding—
 - (i) the provision, improvement, replacement, operation or maintenance of infrastructure, or
 - (ii) anything else that is concerned with addressing demands that development places on an area, or
 - (b) fund the operation of community land auction arrangements in relation to land in the local planning authority’s area.
- (3) CLA regulations may make provision about circumstances in which a specified amount of the CLA receipts may be used for specified purposes which are not mentioned in subsection (2).
- (4) A duty under subsection (1) may relate to—
 - (a) the whole of a local planning authority’s area or the whole of the combined area of two or more local planning authorities, or
 - (b) part only of such an area or combined area.
- (5) CLA regulations may make provision about the persons to whom CLA receipts may or must, or may not, be passed in discharge of a duty under subsection (1).
- (6) A duty under subsection (1) may relate—
 - (a) to all CLA receipts (if any) received in respect of the area to which the duty relates, or

- (b) such part of those CLA receipts as is specified in, or determined under or in accordance with, CLA regulations.

(7) CLA regulations may make provision in connection with the timing of payments in discharge of a duty under subsection (1).

(8) CLA regulations may, in relation to CLA receipts passed to a person in discharge of a duty under subsection (1), make provision about—

- (a) accounting for the CLA receipts,
- (b) monitoring their use,
- (c) reporting on their use,
- (d) responsibilities of local planning authorities for things done by the person in connection with the CLA receipts,
- (e) recovery of the CLA receipts, and any income or profits accruing in respect of them or from their application, in cases where—
 - (i) anything to be funded by them has not been provided, or
 - (ii) they have been misapplied,
- including recovery of sums or other assets representing them or any such income or profits, and
- (f) use of anything recovered in cases where—
 - (i) anything to be funded by the CLA receipts has not been provided, or
 - (ii) the CLA receipts have been misapplied.

(9) This section does not limit section (Application of CLA receipts)(11)(f).”—(Lucy Frazer.)

NC49 to NC59 are expected to form new Part 4A. See the explanatory statement to NC49 for an overview of the new Part. This new clause allows the Secretary of State to make regulations requiring LPAs to pass the financial benefits arising from options under community land auction arrangements to other persons, so that they can be used to fund infrastructure and certain other things. The provision is similar to that made, in relation to infrastructure levy, by section 204O of the Planning Act 2008 (see Schedule 11 to the Bill).

Brought up, and added to the Bill.

New Clause 53

USE OF CLA RECEIPTS IN AN AREA TO WHICH SECTION (DUTY TO PASS CLA RECEIPTS TO OTHER PERSONS)(1) DUTY DOES NOT RELATE

“(1) Subsection (2) applies where—

- (a) there is an area to which a particular duty under section (Duty to pass CLA receipts to other persons)(1) relates, and
- (b) there is also an area to which that duty does not relate (“the uncovered area”).

(2) CLA regulations may provide that the local planning authority that receives CLA receipts in respect of development in the uncovered area may apply the CLA receipts, or cause them to be applied, to—

- (a) support development by funding the provision, improvement, replacement, operation or maintenance of infrastructure,
- (b) support development of the uncovered area, or of any part of that area, by funding anything else that is concerned with addressing demands that development places on an area, or
- (c) funding the operation of community land auction arrangements in relation to the local planning authority’s area.

(3) The regulations may make provision about circumstances in which the authority may apply a specified amount of CLA receipts, or cause a specified amount of CLA receipts to be applied, towards specified purposes which are not mentioned in subsection (2).

(4) Provision under subsection (2)(a) or (b) may relate to the whole, or part only, of the uncovered area.

(5) Provision under subsection (2) may relate—

- (a) to all CLA receipts (if any) received in respect of the area to which the provision relates, or
- (b) such part of those CLA receipts as is specified in, or determined under or in accordance with, CLA regulations.”—(Lucy Frazer.)

NC49 to NC59 are expected to form new Part 4A. See the explanatory statement to NC49 for an overview of the new Part. This new clause allows the Secretary of State to make provision about the application of the financial benefits arising from options under community land auction arrangements where there is an area which is not covered by provision under NC52. The provision is similar to that made, in relation to infrastructure levy, by section 204P of the Planning Act 2008 (see Schedule 11 to the Bill).

Brought up, and added to the Bill.

New Clause 54

CLA INFRASTRUCTURE DELIVERY STRATEGY

“(1) CLA regulations may require a local planning authority in relation to which section (Power to permit community land auction arrangements) applies to prepare and publish a CLA infrastructure delivery strategy.

(2) A CLA infrastructure delivery strategy is a document which—

- (a) sets out the strategic plans (however expressed) of the local planning authority in relation to the application of CLA receipts, and
- (b) includes such other information as may be prescribed by CLA regulations.

(3) A CLA infrastructure delivery strategy may and, if required by CLA regulations, must set out the plans (however expressed) of the local planning authority in relation to the provision, improvement, replacement, operation and maintenance of infrastructure in the authority’s area.

(4) A local planning authority may at any time prepare and publish a revision to, or replacement of, its CLA infrastructure delivery strategy.

(5) CLA regulations may make provision for the independent examination of—

- (a) CLA infrastructure delivery strategies, and
- (b) revisions to, or replacements of, such strategies.

(6) The regulations may make provision for an examination to be combined with—

- (a) an examination under Part 2 of PCPA 2004 in relation to a local plan, or
- (b) an examination under Part 10A of the Planning Act 2008 in relation to an infrastructure delivery strategy under that Part.

(7) The regulations may, in particular, make provision—

- (a) about who is to carry out the examination;
- (b) about what the examiner must, may or may not consider;
- (c) about the procedure to be followed;
- (d) about recommendations, or other consequences, arising from or in connection with the examination;
- (e) about circumstances in which an examination is not required;
- (f) applying, or corresponding to, any provision made by or under Part 10A of the Planning Act 2008 relating to an examination in relation to a charging schedule or infrastructure delivery strategy under that Part (with or without modifications).

(8) A local planning authority which is required to prepare and publish a CLA infrastructure delivery strategy must have regard to any guidance published by the Secretary of State in relation to the preparation, publication, revision or replacement of CLA infrastructure delivery strategies.

(9) CLA regulations may make provision about—

- (a) the form and content of CLA infrastructure delivery strategies;
- (b) the publication of CLA infrastructure delivery strategies and any related documents;
- (c) the procedures to be followed in relation to the preparation, revision or replacement of CLA infrastructure delivery strategies;
- (d) the timing of any steps in connection with the preparation, publication, revision or replacement of CLA infrastructure delivery strategies;
- (e) the evidence required to inform the preparation of CLA infrastructure delivery strategies;
- (f) consultation in connection with CLA infrastructure delivery strategies;
- (g) the preparation of joint CLA infrastructure delivery strategies;
- (h) the period of time for which CLA infrastructure delivery strategies are valid.”—(*Lucy Frazer.*)

NC49 to NC59 are expected to form new Part 4A. See the explanatory statement to NC49 for an overview of the new Part. This new clause allows the Secretary of State to make regulations requiring LPAs to produce infrastructure delivery strategies in connection with community land auction arrangements and for the independent examination of such strategies. The provision is similar to that made, in relation to infrastructure levy, by section 204Q of the Planning Act 2008 (see Schedule 11 to the Bill).

Brought up, and added to the Bill.

New Clause 55

POWER TO PROVIDE FOR AUTHORITIES MAKING JOINT LOCAL PLANS

“(1) CLA regulations may make provision applying any provision made by or under this Part in relation to local planning authorities whose next local plan is to be a joint local plan, with or without modifications.

(2) Where CLA regulations make provision under subsection (1) which permits local planning authorities that are to make a joint local plan to put in place a community land auction arrangement jointly, it must include provision about how CLA receipts deriving from that arrangement are to be shared between the authorities.”—(*Lucy Frazer.*)

NC49 to NC59 are expected to form new Part 4A. See the explanatory statement to NC49 for an overview of the new Part. This new clause confers a power on the Secretary of State to apply any provision made by or under the new Part to local planning authorities that are to prepare joint local plans (with or without modifications).

Brought up, and added to the Bill.

New Clause 56

PARLIAMENTARY SCRUTINY OF PILOT

“(1) The Secretary of State must prepare a report which—

- (a) assesses the effectiveness of the operation of this Part in delivering the overall purpose mentioned in section (Community land auction arrangements and their purpose)(1), and
- (b) contains such other information about, or assessments as to the effect of, community land auction arrangements as the Secretary of State considers appropriate.

(2) The Secretary of State must lay the report before each House of Parliament before the later of—

- (a) the end of the period of 24 months beginning with the day on which this Part expires in accordance with section (Expiry of Part 4A), and
- (b) the end of the period of 24 months beginning with the day on which the final community land auction arrangement comes to an end.

(3) The “final community land auction arrangement” means the last community land auction arrangement to come to an end.

(4) After the report has been laid before each House of Parliament under subsection (2), the Secretary of State must publish it as soon as is reasonably practicable.

(5) In calculating a period of 24 months mentioned in subsection (2), no account is to be taken of any time during which—

- (a) Parliament is dissolved or prorogued, or
- (b) either House of Parliament is adjourned for more than 4 days.”—(*Lucy Frazer.*)

NC49 to NC59 are expected to form new Part 4A. See the explanatory statement to NC49 for an overview of the new Part. This new clause provides for Parliament to scrutinise the pilots carried out under the new Part, with the Secretary of State required to prepare a report on the effectiveness of the Part, lay it before Parliament and publish it.

Brought up, and added to the Bill.

New Clause 57

CLA REGULATIONS: FURTHER PROVISION AND GUIDANCE

“(1) CLA regulations may make provision—

- (a) about the leasehold interests in relation to which a community land auction arrangement may, may not or must be capable of applying;
- (b) permitting a local planning authority to exclude land from a community land auction arrangement and disapply section (Power to permit community land auction arrangements)(2) in relation to that land;
- (c) about the procedures to be followed under, or in connection with, a community land auction arrangement;
- (d) about the provision or publication of information under, or in connection with, a community land auction arrangement;
- (e) about how, when or the circumstances in which anything must be done under, or in connection with, a community land auction arrangement;
- (f) about the treatment of anyone who has an interest in or over land which is subject to a CLA option;
- (g) about when a community land auction arrangement is to be taken to be put in place or to come to an end;
- (h) about how section 106 of TCPA 1990 (planning obligations) is to be used, or is not to be used, where section (Power to permit community land auction arrangements) applies or has applied (including provision about the circumstances in which a planning obligation under that section may constitute a reason for granting planning permission);
- (i) about the exercise of any other power relating to planning or development;
- (j) about anything else relating to planning or development.

(2) The Secretary of State may give guidance to a local planning authority or other authority about, or in connection with, community land auction arrangements (including guidance about how any power relating to planning or development is to be exercised in circumstances which include, or may include, a community land auction arrangement); and authorities must have regard to the guidance.

(3) Provision may be made under subsection (1)(h) to (j), and guidance may be given under subsection (2), only if the Secretary of State thinks it necessary or expedient for—

- (a) delivering the overall purpose mentioned in section (Community land auction arrangements and their purpose)(1),
- (b) enhancing the effectiveness, or increasing the use, of CLA regulations or community land auction arrangements,

- (c) preventing agreements, undertakings or other transactions from being used to undermine or circumvent CLA regulations or community land auction arrangements,
 - (d) preventing agreements, undertakings or other transactions from being used to achieve a purpose that the Secretary of State thinks would better be achieved through the application of CLA regulations or community land auction arrangements, or
 - (e) preventing or restricting the imposition of burdens, the making of agreements or the giving of undertakings, in addition to those in connection with CLA regulations or community land auction arrangements.
- (4) CLA regulations may—
- (a) confer functions on any person, including functions involving the exercise of a discretion;
 - (b) make consequential, supplementary or incidental provision under section 195(1)(c) which disapplies, or modifies the effect of, any provision made by or under an Act of Parliament (whenever passed or made).”—(*Lucy Frazer.*)

NC49 to NC59 are expected to form new Part 4A. See the explanatory statement to NC49 for an overview of the new Part. This new clause confers various powers on the Secretary of State to make regulations, or guidance, in connection with the new Part. Some of the provision draws on that made in relation to infrastructure levy by sections 204Z and 204Z1 of the Planning Act 2008 (see Schedule 11 to the Bill).

Brought up, and added to the Bill.

New Clause 58

EXPIRY OF PART 4A

“(1) This Part, other than section (Parliamentary scrutiny of pilot) and this section, expires at the end of the period of 10 years beginning with the date on which CLA regulations are first made.

(2) Subsection (1) does not affect—

- (a) any community land auction arrangement which is put in place before the expiry of this Part (whether or not it comes to an end before this Part expires);
- (b) any CLA option, or allocation of land for development in a local plan, that is made under a community land auction arrangement which is put in place before the expiry of this Part (whether or not it comes to an end before this Part expires);
- (c) the treatment of any CLA receipts after the expiry of this Part.

(3) Subsections (1) and (2) are subject to such transitional, transitory or saving provision as may be made by CLA regulations in connection with the expiry of this Part.”—(*Lucy Frazer.*)

NC49 to NC59 are expected to form new Part 4A. See the explanatory statement to NC49 for an overview of the new Part. This new clause provides for the new Part to expire 10 years after regulations are first made under the Part. It also ensures that the expiry of the Part does not affect certain things done under the pilots carried out under the Part before it expires and confers a power on the Secretary of State to make transitional, transitory or saving provision in connection with expiry.

Brought up, and added to the Bill.

New Clause 59

INTERPRETATION OF PART 4A

“In this Part—

- “CLA option” has the meaning given by section (Community land auction arrangements and their purpose)(4);
- “CLA receipts” has the meaning given by section (Application of CLA receipts)(1);

“CLA regulations” has the meaning given by section (Community land auction arrangements and their purpose)(2);

“community land auction arrangement” has the meaning given by section (Community land auction arrangements and their purpose)(3);

“joint local plan” and “local plan” have the same meaning as in Part 2 of PCPA 2004 (see, in particular, section 15LH of that Act);

“local planning authority” means a local planning authority for the purposes of Part 2 of PCPA 2004 (see, in particular, section 15LF of that Act) other than—

- (a) a joint committee constituted under section 15J of that Act,
- (b) an urban development corporation, a development corporation established under the New Towns Act 1981 or a Mayoral development corporation, or
- (c) the Homes and Communities Agency,

and references to the area of a local planning authority are to the area for which the authority is the local planning authority in accordance with Part 2 of PCPA 2004.”—(*Lucy Frazer.*)

NC49 to NC59 are expected to form new Part 4A. See the explanatory statement to NC49 for an overview of the new Part. This new clause defines certain terms used in the new Part.

Brought up, and added to the Bill.

New Clause 60

STREET VOTES: COMMUNITY INFRASTRUCTURE LEVY

“(1) The Planning Act 2008 is amended as follows.

(2) In section 211(10) (amount of levy)—

- (a) at the beginning insert “Except where subsection (11) applies,” and
- (b) from “, 213” to the end substitute “to 213 and 214(1) and (2) apply in relation to a revision of a charging schedule as they apply in relation to a charging schedule.”

(3) After section 211(10) insert—

“(11) Where the only provision made by a charging schedule or a revision of a charging schedule is provision for the purpose of determining the amount of CIL chargeable in respect of street vote development—

- (a) sections 212 to 213 and 214(1) and (2) do not apply in relation to the charging schedule or the revision of the charging schedule, and
- (b) CIL regulations may make provision about procedural requirements that must be met before the charging schedule or revision may take effect.

(12) “Street vote development” means development of land for which planning permission is granted by a street vote development order made under section 61QA of TCPA 1990.”

(4) After section 212(11) (charging schedule: examination) insert—

“(12) For exceptions to this section see section 211(11).”

(5) After section 212A(7) (charging schedule: examiner’s recommendations) insert—

“(8) For exceptions to this section see section 211(11).”

(6) After section 213(5) (charging schedule: approval) insert—

“(6) For exceptions to this section see section 211(11).”

(7) After section 214(6) (charging schedule: effect) insert—

“(7) For exceptions to subsections (1) and (2) of this section see section 211(11).”

(8) After section 214 (charging schedule: effect) insert—

“214A Secretary of State: power to require review of certain charging schedules

- (1) This section applies where—
 - (a) a charging schedule makes provision for the purpose of determining the amount of CIL chargeable in respect of street vote development, and
 - (b) section 211(11) applied in relation to the charging schedule or the revision of the charging schedule in connection with making such provision.
- (2) The Secretary of State may direct a charging authority to review the charging schedule if the Secretary of State considers that—
 - (a) the economic viability of street vote development in the charging authority’s area is significantly impaired, or
 - (b) there is a substantial risk that it will become significantly impaired,
 as a result of the CIL which is or will be chargeable in respect of street vote development in that area.
- (3) If a charging authority is directed to review its charging schedule under subsection (2), it must—
 - (a) consider whether to revise the charging schedule under section 211(9), and
 - (b) notify the Secretary of State of its decision with reasons.
- (4) If the charging authority decides to revise the charging schedule, it must do so within a reasonable time.
- (5) If a charging authority has not complied with a direction given under subsection (2) within a reasonable time and to a standard which the Secretary of State considers adequate, the Secretary of State may appoint a person to do so on behalf of the charging authority.
- (6) If a person appointed under subsection (5) decides that the charging schedule should be revised, the charging authority must revise the schedule accordingly within a reasonable time.
- (7) If the charging authority fails to revise the charging schedule in accordance with subsection (4) or (6), the Secretary of State may appoint a person to do so on behalf of the charging authority.
- (8) CIL regulations may make provision about—
 - (a) procedures for appointing a person under subsection (5) or (7),
 - (b) conditions which must be met before such an appointment may be made,
 - (c) procedures which must be followed by the person in complying with a direction given under subsection (2) or revising the charging schedule under subsection (7),
 - (d) circumstances in which the person may be replaced,
 - (e) duties of a charging authority where a person is appointed to act on its behalf under subsection (5) or (7),
 - (f) liability for costs incurred as a result of the appointment of the person, and
 - (g) what constitutes a reasonable time under subsections (4) to (6).
- (9) In this section “street vote development” has the meaning given by section 211(12).”
- (9) In section 216(2) (application), after paragraph (f) insert—

“(fa) where the CIL is chargeable in respect of street vote development, affordable housing.”
- (10) After section 216(7) insert—

“(8) In this section—

“affordable housing” means—

 - (a) social housing within the meaning of Part 2 of the Housing and Regeneration Act 2008, and
 - (b) any other description of housing that CIL regulations may specify;

“street vote development” has the meaning given by section 211(12).””—(*Lucy Frazer.*)

This new clause amends the Planning Act 2008 to make provision in relation to the community infrastructure levy charged in relation to development under a street votes development order (see NC69). The new clause will be inserted into Chapter 4 of Part 3 after NC69.

Brought up, and added to the Bill.

New Clause 63

MARINE LICENSING

- “(1) The Marine and Coastal Access Act 2009 is amended in accordance with subsections (2) to (6).
- (2) In section 72A (further fees chargeable where the Welsh Ministers are the appropriate licensing authority)—
- (a) in the heading, from “Welsh” to the end substitute “appropriate licensing authority is the Secretary of State or the Welsh Ministers”;
 - (b) in subsection (1), for the words from “Welsh” to the end substitute “appropriate licensing authority in relation to a marine licence granted under this Part is the Secretary of State or the Welsh Ministers.”;
 - (c) in subsection (2)(c), insert at the beginning “where the Welsh Ministers are the licensing authority.”;
 - (d) after subsection (2) insert—

“(2A) Where the Secretary of State is the licensing authority, the authority may charge a fee for dealing with—

 - (a) a variation of the licence under section 72(3) (whether or not on an application), or
 - (b) a transfer and variation of the licence under section 72(7).”;
 - (e) in subsection (4), for “subsection (2)” substitute “subsections (2) and (2A)”;
 - (f) In subsection (6)—
 - (i) the words from “an application” to “72” become paragraph (a),
 - (ii) at the beginning of that paragraph insert “where the Welsh Ministers are the licensing authority.”,
 - (iii) after that paragraph insert “, or
 - “(b) where the Secretary of State is the licensing authority, an application for a variation of a licence under section 72(3) or a transfer and variation of a licence under section 72(7).”;
 - (iv) in the closing words, after “licensee” insert “or (as the case may be) other applicant”, and
 - (g) In subsection (9), after “licensee” insert “or other applicant”.
- (3) In section 98 (delegation of functions), in subsection (6)—
- (a) in paragraph (ca), for “Welsh Ministers are the licensing authority” substitute “licensing authority is the Secretary of State or the Welsh Ministers”;
 - (b) in paragraph (ha), for “Welsh Ministers are the licensing authority” substitute “licensing authority is the Secretary of State or the Welsh Ministers”;
 - (c) in paragraph (hb), for “Welsh Ministers are the licensing authority” substitute “licensing authority is the Secretary of State or the Welsh Ministers”.
- (4) In section 107A (deposits on account of fees payable)—
- (a) in the heading, after “the” insert “Secretary of State or the”;
 - (b) in subsection (1), from “Welsh” to the end substitute “appropriate licensing authority is the Secretary of State or the Welsh Ministers.”
- (5) In section 107B (supplementary provision about fees)—
- (a) in the heading, after “the” insert “Secretary of State or the”;
 - (b) in subsection (1), from “Welsh” to the end substitute “appropriate licensing authority is the Secretary of State or the Welsh Ministers.”

(6) In section 108 (appeals against notices), in subsection (2A), at the beginning insert “The Secretary of State or”.

(7) The amendments made to the Marine and Coastal Access Act 2009 by sections 77 to 80 of the Environment (Wales) Act 2016 (anaw 3) extend to Scotland and Northern Ireland (as well as England and Wales).

(8) The Public Bodies (Marine Management Organisation) (Fees) Order 2014 (S.I. 2014/2555) is revoked.”—(*Lucy Frazer.*)

This new clause allows the Secretary of State to charge fees for the variation or transfer of a marine licence and for certain connected expenses. The amendment also makes supplementary and consequential provision in connection with the charging of fees. The amendment extends certain provisions of the Environment (Wales) Act 2016 to Scotland and Northern Ireland (as well as England and Wales) and revokes the Public Bodies (Marine Management Organisation) (Fees) Order 2014. The new clause will be inserted into Part 10 of the Bill, after clause 190.

Brought up, and added to the Bill.

New Clause 64

FEEs FOR CERTAIN SERVICES IN RELATION TO NATIONALLY SIGNIFICANT INFRASTRUCTURE PROJECTS

“After section 54 of the Planning Act 2008 (rights of entry: Crown land) insert—

“CHAPTER 4

FEEs

54A Power to provide for fees for certain services in relation to nationally significant infrastructure projects

- (1) The Secretary of State may make regulations for and in connection with the charging of fees by prescribed public authorities in relation to the provision of relevant services.
- (2) A “relevant service” means any advice, information or other assistance (including a response to a consultation) provided in connection with—
 - (a) an application or proposed application—
 - (i) for an order granting development consent, or
 - (ii) to make a change to, or revoke, such an order, or
 - (b) any other prescribed matter relating to nationally significant infrastructure projects.
- (3) The regulations under subsection (1) may in particular make provision—
 - (a) about when a fee (including a supplementary fee) may, and may not, be charged;
 - (b) about the amount which may be charged;
 - (c) about what may, and may not, be taken into account in calculating the amount charged;
 - (d) about who is liable to pay a fee charged;
 - (e) about when a fee charged is payable;
 - (f) about the recovery of fees charged;
 - (g) about waiver, reduction or repayment of fees;
 - (h) about the effect of paying or failing to pay fees charged (including provision permitting a public authority prescribed under subsection (1) to withhold a relevant service that they would otherwise be required to provide under an enactment until any outstanding fees for that service are paid);
 - (i) for the supply of information for any purpose of the regulations;
 - (j) conferring a function, including a function involving the exercise of a discretion, on any person.
- (4) However, the regulations may not permit a public authority to charge fees for the provision of a relevant service to an excluded person, unless the relevant service is provided in connection with an application or proposed application by that person—
 - (a) for an order granting development consent, or

(b) to make a change to, or revoke, such an order.

(5) A public authority prescribed under subsection (1) must have regard to any guidance published by the Secretary of State in relation to the exercise of its functions under the regulations.

(6) In this section—

“excluded person” means—

- (a) the Secretary of State;
- (b) the Mayor of London;
- (c) a local planning authority;
- (d) a mayoral combined authority (within the meaning given in section 107A of the Local Democracy, Economic Development and Construction Act 2009);
- (e) a qualifying neighbourhood body;
- (f) such other person as may be prescribed by regulations;

“public authority” means any person certain of whose functions are of a public nature;

“qualifying neighbourhood body” means—

- (a) a qualifying body within the meaning given by section 61E(6) of TCPA 1990 (and includes a community organisation which is to be regarded as such a qualifying body by virtue of paragraph 4(2) of Schedule 4C to that Act), or
- (b) a qualifying body within the meaning given by section 38A(12) of PCPA 2004.”—(*Lucy Frazer.*)

This new clause allows the Secretary of State to make regulations permitting certain public authorities to charge fees for the provision of advice, information or other assistance in connection with applications for development consent orders (or changes to such orders) and other prescribed matters to do with nationally significant infrastructure projects, and makes connected provision. The new clause will be inserted after clause 110.

Brought up, and added to the Bill.

New Clause 67

POWER TO DECLINE TO DETERMINE APPLICATIONS IN CASES OF EARLIER NON-IMPLEMENTATION ETC

“(1) TCPA 1990 is amended as follows.

(2) After section 70C insert—

“70D Power to decline to determine applications in cases of earlier non-implementation etc

- (1) A local planning authority in England may decline to determine an application for planning permission for the development of any land if—
 - (a) the development is development of a prescribed description,
 - (b) the application is made by—
 - (i) a person who has previously made an application for planning permission for development of all or any part of the land (“the earlier application”), or
 - (ii) a person who has a connection of a prescribed description with the development to which the earlier application related (“the earlier development”),
 - (c) the earlier development was of a description prescribed under paragraph (a), and
 - (d) subsection (2) or (3) applies to the earlier development.
- (2) This subsection applies to the earlier development if the earlier development has not begun.
- (3) This subsection applies to the earlier development if—
 - (a) the earlier development has begun but has not been substantially completed, and

- (b) the local planning authority is of the opinion that the carrying out of the earlier development has been unreasonably slow.
- (4) In forming an opinion as to whether the carrying out of the earlier development has been unreasonably slow, the local planning authority must have regard to all the circumstances, including in particular—
 - (a) in a case where a commencement notice under section 93G has been given, whether the development—
 - (i) was begun by the date specified in the notice, and
 - (ii) was carried out in accordance with any timescales specified in it,
 - (b) whether a completion notice was served in respect of the earlier development under section 93H or (before the coming into force of section 93H) section 94 or 96 and, if so, whether the permission granted became invalid under section 93J or (as the case may be) section 95, and
 - (c) any prescribed circumstances.
- (5) Where a person applies to a local planning authority for planning permission for development of a description prescribed under subsection (1)(a), the authority may by notice require the person to provide such information, being information of a prescribed description, as the authority may specify in the notice for the purpose of its functions under this section.
- (6) If a person does not comply with a notice under subsection (5) within the period of 21 days beginning with the day on which the notice was served, the local planning authority may decline to determine the application.
- (7) If a person to whom a notice under subsection (5) is given—
 - (a) makes a statement purporting to comply with the notice which the person knows to be false or misleading in a material particular, or
 - (b) recklessly makes such a statement which is false or misleading in a material particular,
 the person is guilty of an offence.
- (8) A person guilty of an offence under subsection (7) is liable on summary conviction to a fine.
- (9) Subsection (1) does not permit a local planning authority to decline to determine an application for planning permission to which section 73, 73A or 73B applies.”

(3) In section 56 (time when development begins), in subsection (3), after “61D(5) and (7),” insert “70D”.

(4) In section 76C (provisions applying to applications under section 62A), in subsection (1), for “70C” substitute “70D”.

(5) In section 78 (right to appeal), in subsection (2)(aa), after “or 70C” insert “or 70D”.

(6) In section 174 (appeal against enforcement notice), in subsection (2AA)(b) (as substituted by section 104 of this Act), for “or 70C” substitute “, 70C or 70D”.—(*Lucy Frazer.*)

This new clause allows local planning authorities in England to decline to determine applications for planning permission in cases where an earlier permission has not been implemented or the development has been carried out unreasonably slowly. The new clause is to be inserted after clause 100 in Chapter 4 of Part 3.

Brought up, and added to the Bill.

New Clause 68

DUTY TO GRANT SUFFICIENT PLANNING PERMISSION FOR SELF-BUILD AND CUSTOM HOUSEBUILDING

“In section 2A of the Self-build and Custom Housebuilding Act 2015 (duty to grant planning permissions etc)—

- (a) in subsection (2)—

- (i) omit “suitable”;
- (ii) for “in respect of enough serviced plots” substitute “for the carrying out of self-build and custom housebuilding on enough serviced plots”;
- (b) omit subsection (6)(c).”—(*Lucy Frazer.*)

This new clause provides that planning permission only qualifies towards meeting the demand for self-build and custom housebuilding under section 2A(2) of the Self-build and Custom Housebuilding Act 2015 if it is actually for self-build and custom housebuilding. The new clause will be inserted after clause 108.

Brought up, and added to the Bill.

New Clause 69

STREET VOTES

“(1) TCPA 1990 is amended in accordance with subsections (2) to (7).

(2) After section 61Q (community right to build orders) insert—

“Street vote development orders

61QA Street vote development orders

- (1) A process may be initiated by or on behalf of a qualifying group for the purpose of requiring the Secretary of State to make a street vote development order.
- (2) A “street vote development order” is an order which grants planning permission in relation to a particular street area specified in the order—
 - (a) for development specified in the order, or
 - (b) for development of any description or class specified in the order.

61QB Qualifying groups

- (1) A “qualifying group”, in relation to a street vote development order, is a group of individuals—
 - (a) each of whom on the prescribed date meet the conditions in subsection (2), and
 - (b) comprised of at least—
 - (i) the prescribed number, or
 - (ii) the prescribed proportion of persons of a prescribed description.
- (2) The conditions are that the individual—
 - (a) is entitled to vote in—
 - (i) an election of any councillors of a relevant council any of whose area is in the street area that the street vote development order would relate to, or
 - (ii) where any of the street area falls within the City of London, an Authority election,
 - (b) has a qualifying address for that election which is in the street area that the street vote development order would relate to, and
 - (c) does not have an anonymous entry in the register of local government electors.
- (3) A “relevant council” means—
 - (a) a district council,
 - (b) a London borough council,
 - (c) a metropolitan district council, or
 - (d) a county council in relation to any area in England for which there is no district council.
- (4) For the purposes of this section—
 - (a) “anonymous entry” is to be construed in accordance with section 9B of the Representation of the People Act 1983;
 - (b) “Authority election” has the meaning given by section 203(1) of the Representation of the People Act 1983;
 - (c) the Inner Temple and the Middle Temple are to be treated as forming part of the City of London;
 - (d) “qualifying address” has the meaning given by section 9 of the Representation of the People Act 1983.

61QC Meaning of “street area”

- (1) A “street area” means an area in England—
 - (a) which is of a prescribed description, and
 - (b) no part of which is within an excluded area.
- (2) An “excluded area” means—
 - (a) a National Park or the Broads;
 - (b) an area comprising a world heritage property and its buffer zone as identified in accordance with the Operational Guidelines for the Implementation of the World Heritage Convention as published from time to time;
 - (c) an area notified as a site of special scientific interest under section 28 of the Wildlife and Countryside Act 1981;
 - (d) an area designated as an area of outstanding natural beauty under section 82 of the Countryside and Rights of Way Act 2000;
 - (e) an area identified as green belt land, local green space or metropolitan open land in a development plan;
 - (f) a European site within the meaning given by regulation 8 of the Conservation of Habitats and Species Regulations 2017 (S.I. 2017/1012).
- (3) The Secretary of State may by regulations amend subsection (2) so as to add to or amend the list of excluded areas or to remove an excluded area.
- (4) In this section, “a world heritage property” means a property appearing on the World Heritage List (published in accordance with Article 11 of the UNESCO Convention Concerning the Protection of the World Cultural and Natural Heritage adopted on 16 November 1972).

61QD Process for making street vote development orders

- (1) The Secretary of State must make regulations (“SVDO regulations”) which make provision about the preparation and making of a street vote development order.
- (2) SVDO regulations must, in particular, make provision—
 - (a) for the appointment by the Secretary of State of a person to —
 - (i) handle proposals made under section 61QA(1) (“street vote proposals”) or specified aspects of those proposals,
 - (ii) carry out the independent examination of such proposals, and
 - (iii) to make street vote development orders on the Secretary of State’s behalf,
 (and for the above purposes the same or different persons may be appointed);
 - (b) as to the circumstances in which a street vote development order may be made and in particular must make provision requiring a referendum under section 61QE to be held before an order may be made.
- (3) SVDO regulations may, in particular, include provision as to—
 - (a) the functions of a qualifying group in relation to a street vote proposal and how those functions are to be discharged (including provision for a member of the group or another prescribed person to be responsible for discharging them);
 - (b) the form and content of a street vote proposal;
 - (c) the information and documents (if any) which must accompany a street vote proposal;
 - (d) the circumstances and the way in which a proposal may be withdrawn;
 - (e) the steps that must be taken, and the conditions that must be met, before a proposal falls to be considered by an appointed person;

- (f) the circumstances in which an appointed person may or must decline to consider or reject a proposal;
- (g) the steps that must be taken, and the conditions that must be met, before a proposal falls to be independently examined;
- (h) the functions of the independent examination in relation to the proposal;
- (i) the circumstances in which an appointed person may terminate the independent examination (including provision as to the procedure for doing so);
- (j) the procedure to be followed at an examination (including provision regarding the procedure to be followed at any hearing or inquiry or provision designating the hearing or inquiry as a statutory inquiry for the purposes of section 9 of the Tribunals and Inquiries Act 1992);
- (k) the power to summons witnesses at any inquiry (including by applying, with or without modifications, section 250(3) and (4) of the Local Government Act 1972);
- (l) the award of costs in connection with an examination;
- (m) the steps to be taken following the independent examination (including provision for prescribed modifications to be made to the draft street vote development order);
- (n) the payment by a local planning authority of remuneration and expenses relating to the examination;
- (o) the functions of local planning authorities, or other authorities, in connection with street vote development orders (including provision regulating the arrangements of authorities for the discharge of those functions);
- (p) cases where there are two or more local planning authorities any of whose area falls within the area of the street area that the proposal relates to (including provision modifying functions of the local planning authorities under the regulations in such cases or provision applying, with or without modifications, any provision of Part 6 of the Local Government Act 1972 in cases where the provision would not otherwise apply);
- (q) requirements about the giving of notice and publicity;
- (r) the information and documents that are to be made available to the public;
- (s) consultation with and participation by the public or prescribed persons;
- (t) the making and consideration of representations;
- (u) the determination of the time by or at which anything must be done in connection with street vote development orders;
- (v) the provision by any person of prescribed information or documents or prescribed descriptions of information or documents in connection with a street vote development order;
- (w) the making of reasonable charges for anything done in connection with street vote development orders;
- (x) when a court may entertain proceedings for questioning prescribed decisions to act or any other prescribed matter.

61QE Referendums

- (1) SVDO regulations may make provision about referendums held in connection with street vote development orders and may, in particular, include provision—
 - (a) as to the circumstances in which an appointed person or the Secretary of State may direct relevant councils to carry out a referendum in relation to a street vote development order;

- (b) the functions of such councils in relation to the referendum;
 - (c) dealing with any case where there are two or more relevant councils any of whose area falls within the area in which a referendum is to take place (including provision for only one council to carry out functions in relation to the referendum in such a case);
 - (d) prescribing a date by which the referendum must be held or before which it cannot be held;
 - (e) as to the question to be asked in the referendum and any explanatory material in relation to that question;
 - (f) as to voter eligibility for the referendum;
 - (g) as to the publicity to be given in connection with the referendum;
 - (h) as to the provision of prescribed information to voters in connection with the referendum (including information about any infrastructure levy or community infrastructure levy which is chargeable in respect of development under a street vote development order);
 - (i) about the limitation of expenditure in connection with the referendum;
 - (j) as to the conduct of the referendum;
 - (k) as to when, where and how voting in the referendum is to take place;
 - (l) as to how the votes cast are to be counted;
 - (m) about certification as to the number of persons voting in the referendum and as to the number of those persons voting in favour of a street vote development order;
 - (n) about the combination of polls at the referendum with polls at another referendum or at any election;
 - (o) as to the threshold of votes that must be met before a street vote development order may be made.
- (2) For the purposes of making provision within subsection (1), SVDO regulations may apply or incorporate (with or without modifications) any provision made by or under any enactment relating to elections or referendums.
- (3) But where the regulations apply or incorporate (with or without modifications) any provision that creates an offence, the regulations may not impose a penalty greater than is provided for in respect of that provision.
- (4) Before making provision within this section, the Secretary of State must consult the Electoral Commission.
- (5) In this section “enactment” means an enactment, whenever passed or made.

61QF Regulations: general provision

SVDO regulations may—

- (a) provide for exemptions (including exemptions which are subject to prescribed conditions);
- (b) confer a function, including a function involving the exercise of a discretion, on any person.

61QG Provision that may be made by a street vote development order

- (1) A street vote development order may make provision in relation to—
 - (a) all land in the street area specified in the order,
 - (b) any part of that land, or
 - (c) a site in that area specified in the order.
- (2) A street vote development order may only provide for the granting of planning permission for any development that—
 - (a) is prescribed development or development of a prescribed description or class,
 - (b) is not excluded development, and
 - (c) satisfies any further prescribed conditions.
- (3) A street vote development order may make different provision for different purposes.

61QH Meaning of “excluded development”

- (1) The following development is excluded development for the purposes of section 61QG(2)(b) —
 - (a) development of a scheduled monument within the meaning given by section 1(11) of the Ancient Monuments and Archaeological Areas Act 1979;
 - (b) Schedule 1 development as defined by regulation 2 of the Town and Country Planning (Environmental Impact Assessment) Regulations 2017 (S.I. 2017/571);
 - (c) development that consists (whether wholly or partly) of a nationally significant infrastructure project (within the meaning of the Planning Act 2008);
 - (d) development of a listed building within the meaning given by section 1(5) of the Planning (Listed Buildings and Conservation) Areas Act 1990;
 - (e) development consisting of the winning and working of minerals.
- (2) The Secretary of State may by regulations amend subsection (1) so as to add, amend or remove a category of excluded development.

61QI Permission granted by street vote development orders

- (1) The granting of planning permission by a street vote development order is subject to—
 - (a) any prescribed conditions or limitations or conditions or limitations of a prescribed description, and
 - (b) such other conditions or limitations as may be specified in the order (but see subsections (4) and (6)).
- (2) The conditions that may be specified include a condition that unless a relevant obligation is entered into—
 - (a) the development authorised by the planning permission or any description of such development must not be begun, or
 - (b) anything created in the course of the development authorised by the planning permission may not be occupied or used for any purpose.
- (3) A relevant obligation for the purposes of subsection (2) includes an obligation which involves the payment of money or affects any estate or interest in, or rights over, land.
- (4) But an order may only specify a condition that a person enter into an obligation under section 106 if the obligation—
 - (a) is necessary to make the development specified in the order acceptable in planning terms,
 - (b) is directly related to the development, and
 - (c) is fairly and reasonably related in scale and kind to the development.
- (5) The Secretary of State may by regulations amend the list of requirements under subsection (4) so as to add, amend or remove a requirement.
- (6) The Secretary of State may by regulations provide that—
 - (a) conditions or limitations of a prescribed description may not be imposed under subsection (1)(b),
 - (b) conditions or limitations of a prescribed description may only be imposed under subsection (1)(b) in circumstances of a prescribed description, or
 - (c) no conditions or limitations may be imposed under subsection (1)(b) in circumstances of a prescribed description.
- (7) A condition or limitation prescribed under subsection (1)(a) may confer a function on any person, including a function involving the exercise of a discretion.
- (8) If—
 - (a) planning permission granted by a street vote development order for any development is withdrawn by the revocation of the order under section 61QJ, and

- (b) the revocation is made after the development has begun but before it has been completed, the development may, despite the withdrawal of the permission, be completed.
- (9) But an order under section 61QJ revoking a street vote development order may provide that subsection (8) is not to apply in relation to development specified in the order under that section.
- (10) In this section “relevant obligation” means—
 - (a) an obligation under section 106 (planning obligations), or
 - (b) an agreement under section 278 of the Highways Act 1980 (agreements as to execution of works).

61QJ Revocation or modification of street vote development orders

- (1) The Secretary of State may by order revoke or modify a street vote development order.
- (2) A local planning authority may, with the consent of the Secretary of State, by order revoke a street vote development order relating to a street area any part of which falls within the area of that authority.
- (3) If a street vote development order is revoked, the person revoking the order must state the reasons for the revocation.
- (4) An appointed person may at any time by order modify a street vote development order for the purpose of correcting errors.
- (5) A modification of a street vote development order is to be done by replacing the order with a new one containing the modification.
- (6) Regulations may make provision in connection with the revocation or modification of a street vote development order.
- (7) The regulations may, in particular, include provision as to—
 - (a) the giving of notice and publicity in connection with a revocation or modification;
 - (b) the information and documents relating to a revocation or modification that are to be made available to the public;
 - (c) the making of reasonable charges for anything provided as a result of the regulations;
 - (d) consultation with and participation by the public in relation to a revocation or modification;
 - (e) the making and consideration of representations about a revocation or modification (including the time by which representations must be made).

61QK Financial assistance in relation to street votes

- (1) The Secretary of State may do anything that the Secretary of State considers appropriate—
 - (a) for the purpose of publicising or promoting the making of street vote development orders and the benefits expected to arise from their making, or
 - (b) for the purpose of giving advice or assistance to anyone in relation to the making of street vote proposals or the doing of anything else for the purposes of, or in connection with, such proposals or street vote development orders.
- (2) The things that the Secretary of State may do under this section include, in particular—
 - (a) the provision of financial assistance (or the making of arrangements for its provision) to any body or other person, and
 - (b) the making of agreements or other arrangements with any body or other person (under which payments may be made to the person).
- (3) In this section—
 - (a) the reference to giving advice or assistance includes providing training or education;

- (b) any reference to the provision of financial assistance is to the provision of financial assistance by any means (including the making of a loan and the giving of a guarantee or indemnity).

61QL Street votes: connected modifications

The Secretary of State may by regulations make provision modifying or excluding the application of Schedule 7A (biodiversity gain in England) in relation to planning permission granted by a street vote development order.

61QM Interpretation

In sections 61QA to 61QL—

“an appointed person” means a person appointed in accordance with section 61QD(2)(a);

“excluded development” has the meaning given by section 61QH;

“qualifying group” has the meaning given by section 61QB;

“relevant council” has the meaning given by section 61QB(3);

“street area” has the meaning given by section 61QC;

“SVDO regulations” has the meaning given by section 61QD(1);

“street vote development order” has the meaning given by section 61QA(2);

“street vote proposal” has the meaning given by section 61QD(2)(a)(i).”

(3) In section 58 (granting of planning permission: general), in subsection (1)(a), for “or a neighbourhood development order” substitute “, a neighbourhood development order or a street vote development order”.

(4) In section 69 (register of applications etc)—

(a) after subsection (1)(cza) insert—

“(czb) street vote development orders or proposals for such orders;”;

(b) in subsection (2)(b) after “mayoral development order,” insert “street vote development order or proposals for such orders,”.

(5) In section 78 (right to appeal), in subsection (1)(c), for “or a neighbourhood development order” substitute “, a neighbourhood development order or a street vote development order”.

(6) In section 108 (compensation)—

(a) in the heading, for “or neighbourhood development order” substitute “, neighbourhood development order or street vote development order”;

(b) in subsection (1)(a), for “or a neighbourhood development order” substitute “, a neighbourhood development order or a street vote development order”;

(c) in subsection (1), in the words after paragraph (b), for “or the neighbourhood development order” substitute “, the neighbourhood development order or the street vote development order”;

(d) in subsection (2), for “or a neighbourhood development order” substitute “, a neighbourhood development order or a street vote development order”;

(e) in subsection (3B)(ba), at the end omit “or”;

(f) after that paragraph insert—

“(bb) in the case of planning permission granted by a street vote development order, the condition in subsection (3DB) is met, or”;

(g) After subsection (3DA) insert—

“(3DB) The condition referred to in subsection (3B)(bb) is that—

(a) the planning permission is withdrawn by the revocation or modification of the street vote development order,

(b) notice of the revocation or modification was published in the prescribed manner not less than 12 months or more than the prescribed period before the revocation or modification took effect, and

(c) either—

- (i) the development authorised by the street vote development order had not begun before the notice was published, or
- (ii) section 61QI(8) applies in relation to the development.”

(7) In section 333 (regulations and orders)—

(a) after subsection (3) insert—

“(3ZAA) Subsection (3) does not apply to a statutory instrument containing regulations made under any of sections 61QB to 61QJ or section 61QL if a draft of the instrument has been laid before, and approved by a resolution of, each House of Parliament.”;

(b) after subsection (3ZA) insert—

“(3ZB) No regulations may be made under section 61QC(3), 61QH(2) or 61QI(5) unless a draft of the instrument containing the regulations has been laid before, and approved by a resolution of, each House of Parliament.”

(8) The Conservation of Habitats and Species Regulations 2017 (S.I. 2017/1012) are amended as follows.

(9) In regulation 75 (general development orders)—

- (a) in the heading, after “orders” insert “and street vote development orders”;
- (b) in the opening words, after “2017” insert “or a street vote development order”.

(10) In regulation 76 (opinion of appropriate nature conservation body)—

- (a) in the heading, after “orders” insert “and street vote development orders”;
- (b) in paragraph (1), after “order” insert “or street vote development order”;
- (c) in paragraph (6), after “order” insert “or street vote development order”.

(11) In regulation 77 (approval of local planning authority), in the heading, after “orders” insert “and street vote development orders”.

(12) In regulation 78 (supplementary)—

- (a) in the heading, after “orders” insert “and street vote development orders”;
- (b) in paragraph (3)(b), after “order” insert “or development order”.

(13) In regulation 85B (assumptions to be made about nutrient pollution standards)—

- (a) in the heading, after “orders” insert “and street vote development orders”;
- (b) in paragraph (1)(a) after “orders” insert “and street vote development orders”.—(*Lucy Frazer.*)

This new clause amends the Town and Country Planning Act 1990 (“TCPA 1990”) to make provision for street vote development orders. The orders will grant planning permission in relation to street areas in England. The provisions confer regulation-making powers relating to the preparation and making of an order, including provision for independent examination and a referendum. The clause also amends the Conservation of Habitats and Species Regulations 2017 to apply requirements under those regulations to street vote development orders. The new clause will be inserted into Chapter 4 of Part 3 to replace the current placeholder in clause 96.

Brought up, and added to the Bill.

New Clause 77

NUTRIENT POLLUTION STANDARDS TO APPLY TO CERTAIN SEWAGE DISPOSAL WORKS

“(1) After section 96A of the Water Industry Act 1991 insert—

“96B Nutrient pollution standards to apply to certain sewage disposal works

(1) A sewerage undertaker whose area is wholly or mainly in England must—

- (a) in the case of each nitrogen significant plant comprised in its sewerage system—
 - (i) secure that, by the upgrade date, the plant will be able to meet the nitrogen nutrient pollution standard, and
 - (ii) on and after the upgrade date, secure that the plant meets that standard;
- (b) in the case of each phosphorus significant plant comprised in its sewerage system—
 - (i) secure that, by the upgrade date, the plant will be able to meet the phosphorus nutrient pollution standard, and
 - (ii) on and after the upgrade date, secure that the plant meets that standard.

(2) “Nitrogen significant plant” means a plant in England that—

- (a) discharges treated effluent into a nitrogen sensitive catchment area, and
- (b) is not an exempt plant in relation to the nitrogen nutrient pollution standard.

(3) “Phosphorus significant plant” means a plant in England that—

- (a) discharges treated effluent into a phosphorus sensitive catchment area, and
- (b) is not an exempt plant in relation to the phosphorus nutrient pollution standard.

96C Sensitive catchment areas

(1) Where the Secretary of State considers that a habitats site that is wholly or partly in England is in an unfavourable condition by virtue of pollution from nutrients comprising nitrogen or compounds of nitrogen, the Secretary of State may designate the catchment area for the habitats site as a nitrogen sensitive catchment area.

(2) Where the Secretary of State considers that a habitats site that is wholly or partly in England is in an unfavourable condition by virtue of pollution from nutrients comprising phosphorus or compounds of phosphorus, the Secretary of State may designate the catchment area for the habitats site as a phosphorus sensitive catchment area.

(3) In determining—

- (a) whether a habitats site is in an unfavourable condition by virtue of pollution from nutrients comprising nitrogen, phosphorus or compounds of nitrogen or phosphorus, or
- (b) the catchment area for a habitats site,

the Secretary of State may take into account, in particular, advice from, or guidance published by, Natural England, the Environment Agency or the Joint Nature Conservation Committee.

(4) A designation under subsection (1) or (2)—

- (a) must be in writing,
- (b) must be published as soon as practicable after being made,
- (c) takes effect—
 - (i) on the day specified in the designation, or
 - (ii) if none is specified, on the day on which it is made,

(the “designation date”), and

- (d) if it takes effect after the end of the initial period, must specify the upgrade date (see section 96E(1)(b)).

(5) A date specified under subsection (4)(d) as the upgrade date must be at least 7 years after the designation date.

- (6) A designation under this section may not be revoked; and it is immaterial for the purposes of the continued designation of an area whether subsection (1) or (2) continues to be satisfied in relation to it.
- (7) In this section “catchment area”, in relation to a habitats site, means the area where water, if released, would drain into the site.

96D Exempt sewage disposal works

- (1) A plant is exempt in relation to a nutrient pollution standard if—
 - (a) it has a capacity of less than a population equivalent of 2000 when the designation of the associated catchment area takes effect,
 - (b) it has been designated by the Secretary of State as exempt in relation to the standard, or
 - (c) it is exempt in relation to the standard under regulations under subsection (5).

This is subject to subsection (2).

- (2) The Secretary of State may designate a plant as not being exempt in relation to a nutrient pollution standard, unless—
 - (a) the plant has a capacity of less than a population equivalent of 250, and
 - (b) the designation takes effect after the designation of the associated catchment area takes effect.
- (3) A designation under subsection (1)(b) or (2)—
 - (a) must be in writing,
 - (b) must be published as soon as practicable after being made, and
 - (c) takes effect—
 - (i) on the day specified in the designation, or
 - (ii) if none is specified, on the day on which it is made.
- (4) A designation under subsection (2) that takes effect after the designation of the associated catchment area takes effect must specify the upgrade date (see section 96E(2)(a)).

The upgrade date must be at least 7 years after the designation under subsection (2) takes effect.

- (5) The Secretary of State may by regulations specify plants or descriptions of plant that are to be exempt in relation to a nutrient pollution standard.
- (6) Subsection (7) applies where a plant that is exempt under regulations under subsection (5) can, by virtue of the regulations, cease to be exempt.
- (7) The regulations must specify or provide for determining the upgrade date (see section 96E(2)(b)) in relation to any plant that ceases, by virtue of the regulations, to be an exempt plant in relation to a standard after the designation of the associated catchment area takes effect.

The upgrade date must be at least 7 years after the plant ceases to be exempt in relation to the standard.

- (8) A designation under subsection (2) in relation to a plant and a nutrient pollution standard is of no effect if the plant ceases, by virtue of regulations under subsection (5), to be exempt in relation to the standard before, or at the same time as, the designation would otherwise take effect.
- (9) In this section “population equivalent” has the meaning given by regulation 2(1) of the Urban Waste Water Treatment (England and Wales) Regulations 1994 (S.I. 1994/2841).

96E Upgrade date

- (1) The upgrade date, in relation to a nutrient significant plant, is, unless subsection (2) applies—
 - (a) 1 April 2030, if the designation of the associated catchment area takes effect during the initial period;
 - (b) the date specified under section 96C(4)(d), if the designation of the associated catchment area takes effect after the end of the initial period.

- (2) But, if the plant becomes a nutrient significant plant after the designation of the associated catchment area takes effect, the upgrade date is—
 - (a) the date specified under section 96D(4), where it becomes a nutrient significant plant by virtue of a designation under section 96D(2);
 - (b) the date specified by or determined under provision made by virtue of section 96D(7), where it becomes a nutrient significant plant on ceasing, by virtue of regulations under section 96D(5), to be exempt.
- (3) “The initial period” means the period of 3 months beginning with the date on which the Levelling-up and Regeneration Act 2022 is passed.

96F Nutrient pollution standards

- (1) A nitrogen significant plant meets the nitrogen nutrient pollution standard if the concentration of total nitrogen in treated effluent that it discharges is not more than 10 mg/l.
- (2) A phosphorus significant plant meets the phosphorus nutrient pollution standard if the concentration of total phosphorus in treated effluent that it discharges is not more than 0.25 mg/l.
- (3) “Treated effluent”, in relation to a plant, means any effluent discharged by the plant, other than anything discharged—
 - (a) from a storm overflow, or
 - (b) by an emergency discharge.
- (4) For the purposes of subsection (3), in relation to a plant—
 - (a) “storm overflow” means any structure or apparatus comprised in the plant which, when the capacity of relevant parts of the sewerage system is exceeded, relieves them by discharging the excess contents into inland waters, underground strata or the sea, where—
 - “relevant parts of the sewerage system” means—
 - (a) storage tanks at the plant, and
 - (b) other parts of the sewerage system downstream of the plant;
 - “the sewerage system” means the undertaker’s sewerage system of which the plant forms part;
 - (b) “emergency discharge” means a discharge in circumstances where the plant’s normal treatment process has failed because of—
 - (i) electrical power failure, or
 - (ii) mechanical breakdown of duty and standby pumps.
- (5) Regulations made by the Secretary of State may specify how the concentration of total nitrogen or concentration of total phosphorus in treated effluent is to be determined.
- (6) Regulations under subsection (5) may, in particular—
 - (a) make provision for requiring regular sampling of the treated effluent that a plant discharges to ascertain the concentration of total nitrogen or concentration of total phosphorus;
 - (b) make provision for regarding a nutrient pollution standard as being met by a plant if, for example—
 - (i) it is met, with at least the frequency specified in the regulations, in samples taken in accordance with the regulations, or
 - (ii) the average concentration, calculated in accordance with the regulations, of total nitrogen or of total phosphorus in samples taken in accordance with the regulations would meet the standard;
 - (c) make provision for determining generally, or in a particular case, whether anything is, or is not, to be regarded as treated effluent discharged by a plant;
 - (d) confer any function on the Secretary of State, the Authority, the Environment Agency, statutory undertakers or any other person.

96G Information about sensitive catchment areas and nutrient significant plants

- (1) The Secretary of State must maintain and publish online a map showing—
 - (a) all the nitrogen sensitive catchment areas, and
 - (b) all the phosphorus sensitive catchment areas.
- (2) As soon as practicable after making a designation under section 96C (sensitive catchment areas), the Secretary of State must publish the revised map online.
- (3) The Secretary of State must maintain and publish online a document listing—
 - (a) all plants that are or have been—
 - (i) nitrogen significant plants, or
 - (ii) phosphorus significant plants;
 - (b) in relation to each plant listed under paragraph (a)—
 - (i) the upgrade date that applies for the time being;
 - (ii) if the plant becomes, or ceases to be, an exempt plant in relation to the related nutrient pollution standard, that fact and the date on which it occurred;
 - (iii) the figure specified in section 96F(1) or (2) (total nitrogen concentration or total phosphorus concentration) that applies to the plant;
 - (iv) where a direction relating to the plant and the related nutrient pollution standard is made or revoked under regulation 85C or 110B of the Conservation of Habitats and Species Regulations 2017 (S.I. 2017/1012) (disapplication of assumption that the plant will meet the standard on and after the upgrade date) that fact and the date on which the direction or revocation takes effect.
- (4) Where any change occurs in the information required to be listed, the Secretary of State must, as soon as practicable, publish a revised document online.

96H Section 96B: enforcement and interaction with other provisions

- (1) The duty of a sewerage undertaker under section 96B is enforceable under section 18—
 - (a) by the Secretary of State, or
 - (b) with the consent of, or in accordance with a general authorisation given by, the Secretary of State, by the Authority.
- (2) The Environment Agency must exercise its functions (whether under environmental permitting regulations or otherwise) so as to secure compliance by sewerage undertakers with the duty imposed by section 96B; those functions include, in particular, functions of determining—
 - (a) whether to grant or vary any permit under environmental permitting regulations, or
 - (b) any conditions to be included in any such permit.
- (3) The Environment Agency must exercise its functions under the Environmental Damage (Prevention and Remediation) (England) Regulations 2015 (S.I. 2015/810) so as to secure compliance by sewerage undertakers with the duties imposed by those regulations to prevent and remediate damage to protected sites attributable to failure to comply with the duty imposed by section 96B.
- (4) Nothing in section 96B or this section affects—
 - (a) any other obligation of a sewerage undertaker relating to nutrient levels in treated effluent of a plant, or any remedy available in respect of contravention of any such obligation;
 - (b) any power to impose an obligation relating to nutrient levels in treated effluent of a plant (including by means of a condition included in a permit under environmental permitting regulations); and, in particular, nothing in that section or this section is to be taken to preclude any such power being exercised so as to require a lower concentration of

total nitrogen or lower concentration of total phosphorus in treated effluent of a plant than section 96B requires.

96I Powers to amend sections 96D and 96F

- (1) The Secretary of State may by regulations amend any plant capacity for the time being specified in section 96D(1)(a) or (2)(a).
- (2) Regulations under subsection (1) may not have effect in relation to an area that is a sensitive catchment area when the regulations are made.
- (3) Subject to that, regulations under subsection (1)—
 - (a) may, in particular, amend section 96D so that different plant capacities are specified in relation to the nitrogen nutrient pollution standard and the phosphorus nutrient pollution standard;
 - (b) may, where different plant capacities will apply for different purposes or different areas as a result of regulations under subsection (1), amend section 96D so as to specify those capacities and the purposes or areas for which they apply.
- (4) The Secretary of State may by regulations—
 - (a) amend section 96F(1) so as to substitute a lower concentration of total nitrogen;
 - (b) amend section 96F(2) so as to substitute a lower concentration of total phosphorus.
- (5) Regulations under subsection (4) may not have effect in relation to an area that is a sensitive catchment area when the regulations are made.
- (6) Where, as a result of the regulations, different concentrations will apply in different circumstances, the regulations may amend section 96F(1) or (2) to specify those concentrations and the circumstances in which they apply.
- (7) A statutory instrument containing regulations under subsection (1) or (4) may not be made unless a draft of the instrument has been laid before and approved by a resolution of each House of Parliament.
- (8) If a draft of a statutory instrument containing regulations under subsection (1) or (4) would, apart from this subsection, be treated for the purposes of the standing orders of either House of Parliament as a hybrid instrument, it is to proceed in that House as if it were not a hybrid instrument.

96J Sections 96B to 96I and 96K: interpretation

- (1) This section applies for the purposes of sections 96B to 96I and 96K.
- (2) In those sections (and this section)—

“associated catchment area” —

 - (a) in relation to a plant that is a nitrogen significant plant or is exempt in relation to the nitrogen nutrient pollution standard, means the nitrogen sensitive catchment area into which it discharges;
 - (b) in relation to a plant that is a phosphorus significant plant or is exempt in relation to the phosphorus nutrient pollution standard, means the phosphorus sensitive catchment area into which it discharges;

“environmental permitting regulations” means—

 - (a) the Environmental Permitting (England and Wales) Regulations 2016 (S.I. 2016/1154) (as they have effect from time to time), or
 - (b) any other provision made after the Levelling-up and Regeneration Act 2022 is passed that is, or could have been, made under section 2 of the Pollution Prevention and Control Act 1999;

“exempt plant” , in relation to a nutrient pollution standard, has the meaning given by section 96D;

“habitats site” means a European site within the meaning of the Conservation of Habitats and Species Regulations 2017 (S.I. 2017/1012) (see regulation 8);

“the initial period” has the meaning given by section 96E(3);

“nitrogen nutrient pollution standard”, in relation to references to a nitrogen significant plant meeting the standard, has the meaning given by section 96F(1);

“nitrogen sensitive catchment area” means an area designated under section 96C(1);

“nitrogen significant plant” has the meaning given by section 96B(2);

“nutrient pollution standard” means the nitrogen nutrient pollution standard or the phosphorus nutrient pollution standard;

“nutrient significant plant” means—

- (a) a nitrogen significant plant, or
- (b) a phosphorus significant plant;

“phosphorus nutrient pollution standard”, in relation to references to a phosphorus significant plant meeting the standard, has the meaning given by section 96F(2);

“phosphorus sensitive catchment area” means an area designated under section 96C(2);

“phosphorus significant plant” has the meaning given by section 96B(3);

“plant” means a sewage disposal works;

“related nutrient pollution standard”, in relation to a sensitive catchment area or a plant, means—

- (a) if (or so far as) the area is a nitrogen sensitive catchment area or the plant is a nitrogen significant plant, the nitrogen nutrient pollution standard;
- (b) if (or so far as) the area is a phosphorus sensitive catchment area or the plant is a phosphorus significant plant, the phosphorus nutrient pollution standard;

“sensitive catchment area” means—

- (a) a nitrogen sensitive catchment area, or
- (b) a phosphorus sensitive catchment area;

“treated effluent” has the meaning given by section 96F(3);

“upgrade date”, in relation to a plant that discharges into a sensitive catchment area, has the meaning given by section 96E.

(3) References to a plant discharging into a sensitive catchment area are to the plant discharging treated effluent into the area.

(4) References to the sewerage system of a sewerage undertaker have the meaning given by section 17BA(7).

96K New and altered plants: modifications

- (1) The Secretary of State may by regulations provide for sections 96B to 96J to apply with prescribed modifications in relation to any plant that, after the Levelling-up and Regeneration Act 2022 is passed—
 - (a) operates for the first time, or
 - (b) is altered.

This is subject to subsection (3).

(2) Regulations under this section may in particular provide for sections 96C(5) and 96D(4) and (7) to apply as if they specified periods other than 7 years.

(3) But regulations under this section may not modify 96F(1) or (2) so as to apply a higher concentration of total nitrogen or higher concentration of total phosphorus than would otherwise apply.”

(2) In section 213 of the Water Industry Act 1991 (powers to make regulations), in subsection (1), insert “96I,”—

- (a) if this subsection comes into force before section 82(2) of the Environment Act 2021, before “or 105A”;
- (b) otherwise, before “105A.”—(*Lucy Frazer.*)

This new clause allows the Secretary of State to designate catchment areas for certain sites polluted by nitrogen and/or phosphorus and requires certain sewerage undertakers to ensure that treated effluent

from sewage disposal works in England that discharge into them will, unless exempted, meet specified pollution concentrations by the applicable upgrade date. It will be included in a new Part to be inserted after Part 5.

Brought up, and added to the Bill.

New Clause 78

PLANNING: ASSESSMENTS OF EFFECTS ON CERTAIN SITES

“Schedule (*Amendments of the Conservation of Habitats and Species Regulations 2017: assumptions about nutrient pollution standards*) amends the Conservation of Habitats and Species Regulations 2017 (S.I. 2017/1012) to require certain assumptions to be made in certain circumstances about nutrient pollution standards (see section (*Nutrient pollution standards to apply to certain sewage disposal works*)).”—(*Lucy Frazer.*)

This new clause introduces NSI. It will be included in a new Part to be inserted after Part 5.

Brought up, and added to the Bill.

New Clause 79

REMEDIATION

“(1) The Environmental Damage (Prevention and Remediation) (England) Regulations 2015 (S.I. 2015/810) are amended as follows.

(2) After regulation 9 insert—

“9A Nutrient significant sewage disposal works: environmental damage

- (1) This regulation applies where a sewerage undertaker whose sewerage system includes a nutrient significant plant fails to secure that the plant is able to meet the related nutrient pollution standard by the upgrade date.
- (2) Any damage attributable to the failure of the plant to meet the standard on and after the upgrade date, until it first meets the standard, that occurs to the related habitats site is to be treated for the purposes of these regulations as environmental damage to the site caused by an activity of the sewerage undertaker that—
 - (a) requires a permit under the Environmental Permitting (England and Wales) Regulations 2016, and
 - (b) falls within Schedule 2.
- (3) It is for the Environment Agency to determine the damage to the site mentioned in paragraph (2) that is attributable to the failure mentioned in that paragraph.
- (4) The reference in paragraph (2) to damage to the related habitats site includes a reference to any improvement in the integrity of the site that would have resulted from the nutrient significant plant meeting the related nutrient pollution standard on and after the upgrade date not being achieved.
- (5) Schedule 2ZA sets out modifications of these regulations that apply where this regulation applies.
- (6) In this regulation—
 - “related habitats site”, in relation to a nutrient significant plant, means the habitats site by reference to which the associated catchment area is designated under section 96C of the Water Industry Act 1991;
 - “sewerage system”, in relation to a sewerage undertaker, has the meaning given by section 17BA(7) of the Water Industry Act 1991.
- (7) For the purposes of this regulation, the following terms have the meanings given by section 96J of the Water Industry Act 1991—
 - “associated catchment area”;
 - “habitats site”;
 - “nutrient significant plant”;
 - “plant”;
 - “related nutrient pollution standard”;

“sensitive catchment area”;
“upgrade date”;

and references to a nutrient significant plant meeting the related nutrient pollution standard are to be read in accordance with section 96F(1) or (2) of that Act.”

(3) After Schedule 2 insert—

“SCHEDULE 2ZA

MODIFICATIONS WHERE REGULATION 9A APPLIES

1 In relation to anything that is treated as environmental damage by regulation 9A, these regulations apply with the following modifications.

2 Regulation 17 does not apply.

3 Regulation 18 applies as if—

(a) the opening words of paragraph (1) provided “Where damage is treated as environmental damage by regulation 9A(2), the enforcing authority must notify the responsible operator—”;

(b) for paragraph (a) there were substituted—
“(a) of the environmental damage;”.

4 Regulation 18A applies with the omission of paragraph (2).

5 Regulation 19(3) applies as if for paragraphs (a) to (e) (but not the “or” immediately following paragraph (e)) there were substituted—

“(a) the responsible operator did not fail to secure that the nutrient significant plant in question is able to meet the related nutrient pollution standard by the upgrade date;

(b) the determination by the Environment Agency of the damage to the site attributable to the failure mentioned in regulation 9A(2) was unreasonable;”

6 Regulation 25(2) applies as if—

(a) for paragraph (a) there were substituted—

“(a) determining the damage attributable to the failure mentioned in regulation 9A(2);”

(b) paragraph (b) were omitted.”—(*Lucy Frazer.*)

This new clause treats any damage to a site from failure to meet the duty introduced by NC77 as environmental damage so that provisions of the Environmental Damage (Prevention and Remediation) (England) Regulations 2015 about remediation apply. It will be included in a new Part to be inserted after Part 5.

Brought up, and added to the Bill.

New Clause 118

PRE-CONSOLIDATION AMENDMENT OF PLANNING, DEVELOPMENT AND COMPULSORY PURCHASE LEGISLATION

“(1) The Secretary of State may by regulations make such amendments and modifications of the relevant enactments as in the Secretary of State’s opinion facilitate, or are otherwise desirable in connection with, the consolidation of some or all of those enactments.

(2) “Relevant enactments” means—

(a) the enactments listed in subsection (3), and

(b) any other enactments, whenever passed or made, so far as relating to—

(i) planning or development, or

(ii) the compulsory purchase of land (including compensation for such purchases).

(3) The enactments referred to in subsection (2)(a) are—

the Land Clauses Consolidation Act 1845;

the Railway Clauses Consolidation Act 1845;

sections 9, 13, 76 and 77 of the National Parks and Access to the Countryside Act 1949;

the Land Compensation Act 1961;

the Compulsory Purchase Act 1965;

the Agriculture Act 1967;

the Civic Amenities Act 1967;

the Land Compensation Act 1973;

sections 13 to 16 of (and Schedule 1 to) the Local Government (Miscellaneous Provisions) Act 1976;

Parts 13, 14, 16 and 18 of the Local Government, Planning and Land Act 1980;

the Compulsory Purchase (Vesting Declarations) Act 1981;

the Acquisition of Land Act 1981;

the New Towns Act 1981;

Part 3 of the Housing Act 1988;

TCPA 1990;

the Listed Buildings Act;

the Hazardous Substances Act;

the Planning and Compensation Act 1991;

Part 3 and section 96 of (and Schedule 14 to) the Environment Act 1995;

GLAA 1999;

PCPA 2004;

the Planning Act 2008;

the Planning and Energy Act 2008;

Chapter 3 of Part 5, Part 6 and Chapter 2 of Part 8 of the Localism Act 2011;

Parts 6 and 7 of the Housing and Planning Act 2016;

section 15 of the Neighbourhood Planning Act 2017;

Parts 3 to 7 of this Act.

(4) For the purposes of this section, “amend” includes repeal and revoke (and similar terms are to be read accordingly).

(5) Subsection (6) applies where, in the Secretary of State’s opinion, an amendment or modification made by regulations under this section facilitates or is otherwise desirable in connection with the consolidation of certain relevant enactments.

(6) The regulations must provide that the amendment or modification comes into force immediately before an Act consolidating those relevant enactments comes into force.

(7) Regulations under this section must not make any provision which is within—

(a) Scottish devolved legislative competence,

(b) Welsh devolved legislative competence, or

(c) Northern Ireland devolved legislative competence,

unless that provision is a restatement of provision or is merely incidental to, or consequential on, provision that would be outside that legislative competence.

(8) For the purposes of subsection (7)—

(a) provision is within “Scottish devolved legislative competence” where, if it were included in an Act of the Scottish Parliament, it would be within the legislative competence of that Parliament;

(b) provision is within “Welsh devolved legislative competence” where, if it were included in an Act of Senedd Cymru, it would be within the legislative competence of the Senedd (including any provision that could be made only with the consent of a Minister of the Crown);

(c) provision is within “Northern Ireland devolved legislative competence” where the provision—

(i) would be within the legislative competence of the Northern Ireland Assembly, if it were included in an Act of that Assembly, and

(ii) would not, if it were included in a Bill for an Act of the Northern Ireland Assembly, result in the Bill requiring the consent of the Secretary of State.

(9) In this section “Minister of the Crown” has the same meaning as in the Ministers of the Crown Act 1975.”—(*Lucy Frazer.*)

This new clause gives the Secretary of State the power to amend or modify enactments relating to planning, development and compulsory purchase in order to facilitate the consolidation of all or part of those enactments, and makes related provision. The power cannot be exercised to make provision which would be within the legislative competence of any of the devolved administrations. The new clause will be inserted in Part 3 after clause 114.

Brought up, and added to the Bill.

New Clause 119

REGISTRATION OF SHORT-TERM RENTAL PROPERTIES

“(1) The Secretary of State must by regulations make provision requiring or permitting the registration of specified short-term rental properties in England.

(2) “Short-term rental property” means—

- (a) a dwelling, or part of a dwelling, which is provided by a person (“the host”) to another person (“the guest”)—
 - (i) for use by the guest as accommodation other than the guest’s only or principal residence,
 - (ii) in return for payment (whether or not by the guest), and
 - (iii) in the course of a trade or business carried on by the host, and
- (b) any dwelling or premises, or part of a dwelling or premises, not falling within paragraph (a) which is specified for the purposes of this paragraph.

(3) The Secretary of State must consult the public before making the first regulations under this section.

(4) The requirement in subsection (3) may be satisfied by consultation undertaken before the coming into force of this section.

(5) Regulations under this section may, in particular, include provision about or in connection with—

- (a) who may, or must, maintain the register or registers provided for under this section;
- (b) who may, or must, register a specified short-term rental property on any register provided for under this section;
- (c) conditions that must be satisfied for a specified short-term rental property to be registered or conditions that may be placed upon a specified short-term rental property’s registration (including provision about the circumstances in which such conditions may be varied);
- (d) the circumstances in which the registration of a specified short-term rental property may be revoked;
- (e) procedural requirements relating to the registration of a specified short-term rental property, the variation of any conditions placed on the registration or the revocation of the registration;
- (f) appeals against decisions made in relation to the registration of a specified short-term rental property;
- (g) the form or content of—
 - (i) a register provided for under this section,
 - (ii) an application for registration on such a register, or
 - (iii) any other document provided for under this section;
- (h) how the registration of a specified short-term rental property may or must be publicised;
- (i) the collection, provision or publication of information in connection with regulations under this section;
- (j) exemptions from some or all of the requirements imposed by regulations under this section;
- (k) prohibiting the provision of a short-term rental property or anything done wholly or partly for the purposes of promoting such a property to the public or a section of the public, in the course of a trade or business, where the property is not registered or another requirement imposed by regulations under this section has not been met;

(l) the enforcement of requirements or prohibitions imposed by regulations made under this section.

(6) Provision under subsection (5)(l) may, in particular, include provision—

- (a) conferring a power on a court or tribunal;
- (b) for the imposition of civil sanctions and appeals against such sanctions.

(7) Regulations under this section may make provision for the imposition of civil sanctions whether or not the conduct in respect of which the sanction is imposed constitutes an offence.

(8) Regulations under this section may—

- (a) provide for the charging of fees or other charges;
- (b) confer a function, including a function involving the exercise of a discretion, on any person;
- (c) relate to all or only part of England (and still discharge the duty in subsection (1)).

(9) In this section—

“civil sanction” means a sanction of a kind for which provision may be made under Part 3 of the Regulatory Enforcement and Sanctions Act 2008 (fixed monetary penalties, discretionary requirements, stop notices, enforcement undertakings);

“premises” includes any place and, in particular, includes—

- (a) any vehicle or vessel;
- (b) any tent or moveable structure;

“specified” means specified or described in regulations made under this section.”—(*Lucy Frazer.*)

This new clause requires the Secretary of State to make provision by regulations requiring or permitting the registration of specified “short-term rental properties”. The Secretary of State must consult before making the first regulations under the clause. The clause provides for a number of matters that may be included in the regulations, including for example provision as to who will maintain the register or registers, conditions that must be met to register a property, provision prohibiting the provision or promotion of a short-term rental property without registration or compliance with the regulations, provision as to when registration may be revoked and provision for appeals. Provision is also made for enforcement by way of civil sanctions. The new clause will be inserted at the beginning of Part 10.

Brought up, and added to the Bill.

New Clause 98

DUTY WITH REGARD TO CLIMATE CHANGE

“(1) The Secretary of State must have special regard to achieving the mitigation of and adaptation to climate change when preparing—

- (a) national policy or advice relating to the development or use of land,
- (b) a development management policy pursuant to section 38ZA of the PCPA 2004.

(2) The Secretary of State must aim to ensure consistency with achieving the mitigation of and adaptation to climate change when exercising a relevant function under a planning enactment.

(3) A relevant planning authority when—

- (a) exercising a planning function must have special regard to, and aim to ensure consistency with, achieving the mitigation of and adaptation to climate change, and
- (b) making a planning decision must aim to ensure the decision is consistent with achieving the mitigation of and adaptation to climate change.

(4) For the purposes of subsection (3), a relevant planning authority is as set out in section 81 (a) and (b) and (d) to (j).

(5) For the purposes of subsection (2) a relevant function is a function that relates to the development or use of land.

(6) For the purposes of subsection (3) a planning function is the preparation of—

- (a) a spatial development strategy;
- (b) a local plan;
- (c) a minerals and waste plan;
- (d) a supplementary plan; or
- (e) any other policy or plan that will be used to inform a planning decision.

(7) For the purposes of subsections (3) and (6) a planning decision is a decision relating to—

- (a) the development or use of land arising from an application for planning permission;
- (b) the making of a development order; or
- (c) an authorisation pursuant to a development order.

(8) In relation to neighbourhood planning, a qualifying body preparing a draft neighbourhood plan or development order must have special regard to achieving the mitigation of and adaptation to climate change.

(9) For the purposes of this section, achieving the mitigation of climate change shall include the achievement of—

- (a) the target for 2050 set out in section 1 of the Climate Change Act 2008, and
- (b) applicable carbon budgets made pursuant to section 4 of the Climate Change Act 2008.

(10) For the purposes of this section, achieving adaptation to climate change shall include the achievement of long-term resilience to climate-related risks, including—

- (a) the mitigation of the risks identified in the latest climate change risk assessment conducted under section 56 of the Climate Change Act 2008, and
- (b) the achievement of the objectives of the latest flood and coastal erosion risk management strategy made pursuant to section 7 of the Flood and Coastal Water Management Act 2010.”—(Matthew Pennycook.)

This new clause would place an overarching duty on the Secretary of State, local planning authorities and those involved in neighbourhood plan-making to achieve the mitigation and adaptation of climate change when preparing plans and policies or exercising their functions in planning decision-making.

Brought up.

Question put, That the clause be added to the Bill.

The House divided: Ayes 174, Noes 322.

Division No. 126]

[6.1 pm

AYES

Abbott, rh Ms Diane (<i>Proxy vote cast by Bell Ribeiro-Addy</i>)	Carmichael, rh Mr Alistair
Abrahams, Debbie	Chamberlain, Wendy
Ali, Rushanara	Champion, Sarah
Ali, Tahir	Charalambous, Bambos
Allin-Khan, Dr Rosena	Clark, Feryal
Amesbury, Mike	Corbyn, rh Jeremy
Anderson, Fleur	Creasy, Stella
Antoniazzi, Tonia	Cruddas, Jon
Barker, Paula	Cunningham, Alex
Begum, Apsana	Daby, Janet
Benn, rh Hilary	Davey, rh Ed
Betts, Mr Clive	David, Wayne
Bradshaw, rh Mr Ben	Davies, Geraint
Brennan, Kevin	Davies-Jones, Alex
Brown, rh Mr Nicholas	De Cordova, Marsha
Bryant, Chris	Debbonaire, Thangam
Burgon, Richard	Dhesi, Mr Tanmanjeet Singh
Butler, Dawn	Dixon, Samantha
Byrne, Ian	Dodds, Anneliese
Byrne, rh Liam	Duffield, Rosie
Cadbury, Ruth	Eagle, Dame Angela
Campbell, rh Sir Alan	Eagle, Maria
Carden, Dan	Eastwood, Colum
	Edwards, Jonathan
	Efford, Clive

Elliott, Julie	Mishra, Navendu
Elmore, Chris	Morden, Jessica
Eshalomi, Florence	Morgan, Helen
Esterson, Bill	Morgan, Stephen
Evans, Chris	Morris, Grahame
Farron, Tim	Murray, Ian
Fletcher, Colleen	Murray, James
Foord, Richard	Nandy, Lisa
Foxcroft, Vicky	Nichols, Charlotte
Foy, Mary Kelly	Norris, Alex
Gill, Preet Kaur	Onwurah, Chi
Green, Sarah	Oppong-Asare, Abena
Greenwood, Lilian	Osamor, Kate
Greenwood, Margaret	Osborne, Kate
Griffith, Dame Nia	Owatemi, Taiwo
Hamilton, Mrs Paulette	Owen, Sarah
Hanna, Claire	Pennycook, Matthew
Harman, rh Ms Harriet	Perkins, Mr Toby
Harris, Carolyn	Phillips, Jess
Hayes, Helen	Pollard, Luke
Healey, rh John	Rayner, rh Angela
Hillier, Dame Meg	Reed, Steve
Hobhouse, Wera	Reeves, rh Rachel
Hodge, rh Dame Margaret	Reynolds, Jonathan
Hollern, Kate	Ribeiro-Addy, Bell
Hopkins, Rachel	Rodda, Matt
Huq, Dr Rupa	Russell-Moyle, Lloyd
Hussain, Imran	Saville Roberts, rh Liz
Jarvis, Dan	Shah, Naz
Johnson, rh Dame Diana	Sharma, Mr Virendra
Johnson, Kim	Siddiq, Tulip
Jones, Darren	Slaughter, Andy
Jones, Gerald	Smith, Nick
Jones, rh Mr Kevan	Smyth, Karin
Jones, Ruth	Sobel, Alex
Jones, Sarah	Spellar, rh John
Kane, Mike	Stevens, Jo
Keeley, Barbara	Stone, Jamie
Khan, Afzal	Streeting, Wes
Kinnock, Stephen	Stringer, Graham
Kyle, Peter	Sultana, Zarah
Lake, Ben	Tarry, Sam
Lammy, rh Mr David	Thomas-Symonds, rh Nick
Lavery, Ian	Thornberry, rh Emily
Leadbeater, Kim	Timms, rh Sir Stephen
Lewell-Buck, Mrs Emma	Trickett, Jon
Lewis, Clive	Turner, Karl
Lightwood, Simon	Twigg, Derek
Long Bailey, Rebecca	Vaz, rh Valerie
Lucas, Caroline	Wakeford, Christian
Lynch, Holly	Webbe, Claudia
Madders, Justin	West, Catherine
Mahmood, Mr Khalid	Western, Matt
Mahmood, Shabana	Whitehead, Dr Alan
Malhotra, Seema	Whittome, Nadia
Maskell, Rachael	Williams, Hywel
McCabe, Steve	Wilson, Munira
McCarthy, Kerry	Winter, Beth
McDonald, Andy	Yasin, Mohammad
McDonnell, rh John	Zeichner, Daniel
McFadden, rh Mr Pat	
McGovern, Alison	
McMorrin, Anna	
Mearns, Ian	
Miliband, rh Edward	

Tellers for the Ayes:
Liz Twist and
Mary Glindon

NOES

Adams, rh Nigel	Aldous, Peter
Afolami, Bim	Anderson, Lee
Afriyie, Adam	Anderson, Stuart
Aiken, Nickie	Andrew, rh Stuart

Ansell, Caroline
 Argar, rh Edward
 Atherton, Sarah
 Atkins, Victoria
 Bacon, Gareth
 Bacon, Mr Richard
 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 Sir Jake
 Bhatti, Saqib
 Blackman, Bob
 Blunt, Crispin
 Bone, Mr Peter
 Bottomley, Sir Peter
 Bowie, Andrew
 Bradley, Ben
 Bradley, rh Karen
 Brady, Sir Graham
 Brereton, Jack
 Bridgen, Andrew
 Brine, Steve
 Bristow, Paul
 Britcliffe, Sara
 Browne, Anthony
 Bruce, Fiona
 Buchan, Felicity
 Buckland, rh Sir Robert
 Burghart, Alex
 Burns, rh Conor
 Butler, Rob
 Cairns, rh Alun
 Carter, Andy
 Cartlidge, James
 Cash, Sir William
 Cates, Miriam
 Caulfield, Maria
 Chalk, Alex
 Chishti, Rehman
 Churchill, Jo
 Clark, rh Greg
 Clarke, rh Mr Simon
 Clarke, Theo (*Proxy vote cast by Mr Marcus Jones*)
 Clarke-Smith, Brendan
 Clarkson, Chris
 Cleverly, rh James
 Clifton-Brown, Sir Geoffrey
 Coffey, rh Dr Thérèse
 Colburn, Elliot
 Collins, Damian
 Courts, Robert
 Coutinho, Claire
 Cox, rh Sir Geoffrey
 Crabb, rh Stephen
 Crosbie, Virginia
 Crouch, Tracey
 Daly, James
 Davies, rh David T. C.
 Davies, Gareth
 Davies, Dr James
 Davies, Mims
 Davies, Philip
 Davis, rh Mr David

Davison, Dehenna
 Dines, Miss Sarah
 Djanogly, Mr Jonathan
 Donaldson, rh Sir Jeffrey M.
 Double, Steve
 Doyle-Price, Jackie
 Drax, Richard
 Drummond, Mrs Flick
 Duddridge, Sir James
 Duguid, David
 Dunne, rh Philip
 Eastwood, Mark
 Edwards, Ruth
 Ellis, rh Michael
 Ellwood, rh Mr Tobias
 Elphicke, Mrs Natalie
 Eustice, rh George
 Evans, Dr Luke
 Everitt, Ben
 Fabricant, Michael
 Farris, Laura
 Fell, Simon
 Firth, Anna
 Fletcher, Katherine
 Fletcher, Mark
 Fletcher, Nick
 Ford, rh Vicky
 Foster, Kevin
 Fox, rh Dr Liam
 Frazer, rh Lucy
 Freer, Mike
 French, Mr Louie
 Fuller, Richard
 Fysh, Mr Marcus
 Gale, rh Sir Roger
 Garnier, Mark
 Ghani, Ms Nusrat
 Gibb, rh Nick
 Gideon, Jo
 Girvan, Paul
 Glen, rh John
 Goodwill, rh Sir Robert
 Gove, rh Michael
 Graham, Richard
 Grant, Mrs Helen
 Gray, James
 Grayling, rh Chris
 Green, Chris
 Green, rh Damian
 Griffith, Andrew
 Grundy, James
 Gullis, Jonathan
 Halfon, rh Robert
 Hall, Luke
 Hammond, Stephen
 Hands, rh Greg
 Harper, rh Mr Mark
 Harris, Rebecca
 Harrison, Trudy
 Hart, Sally-Ann
 Hart, rh Simon
 Hayes, rh Sir John
 Heapey, rh James
 Heaton-Harris, rh Chris
 Henderson, Gordon
 Henry, Darren
 Higginbotham, Antony
 Hinds, rh Damian
 Hoare, Simon
 Holden, Mr Richard
 Hollinrake, Kevin
 Holloway, Adam

Holmes, Paul
 Huddleston, Nigel
 Hudson, Dr Neil
 Hughes, Eddie
 Hunt, Jane
 Hunt, Tom
 Jack, rh Mr Alister
 Javid, rh Sajid
 Jayawardena, rh Mr Ranil
 Jenkin, Sir Bernard
 Jenkinson, Mark
 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, rh Gillian
 Knight, rh Sir Greg
 Kniveton, Kate
 Kruger, Danny
 Lamont, John
 Largan, Robert
 Latham, Mrs Pauline
 Leadsom, rh Dame Andrea
 Leigh, rh Sir Edward
 Levy, Ian
 Lewer, Andrew
 Lewis, rh Brandon
 Lewis, rh Dr Julian
 Liddell-Grainger, Mr Ian
 Loder, Chris
 Logan, Mark (*Proxy vote cast by Mr Marcus Jones*)
 Longhi, Marco
 Lopez, Julia
 Lord, Mr Jonathan
 Loughton, Tim
 Mackinlay, Craig
 Mackrory, Cherylyn
 Maclean, Rachel
 Mak, Alan
 Malthouse, rh Kit
 Mangnall, Anthony
 Mann, Scott
 Marson, Julie
 May, rh Mrs Theresa
 Mayhew, Jerome
 Maynard, Paul
 McCartney, Jason
 McCartney, Karl
 McVey, rh Esther
 Mercer, Johnny
 Merriman, Huw
 Metcalfe, Stephen
 Millar, Robin
 Miller, rh Dame Maria
 Milling, rh Amanda
 Mills, Nigel
 Mohindra, Mr Gagan
 Moore, Damien
 Moore, Robbie
 Mordaunt, rh Penny
 Morris, Anne Marie
 Morris, David
 Morris, James
 Morrissey, Joy
 Mortimer, Jill

Morton, rh Wendy
 Mullan, Dr Kieran
 Mumby-Croft, Holly
 Murrison, rh Dr Andrew
 Neill, Sir Robert
 Nokes, rh Caroline
 Norman, rh Jesse
 O'Brien, Neil
 Offord, Dr Matthew
 Opperman, Guy
 Patel, rh Priti
 Pawsey, Mark
 Penning, rh Sir Mike
 Penrose, John
 Percy, Andrew
 Poulter, Dr Dan
 Pow, Rebecca
 Prentis, rh Victoria
 Pritchard, rh Mark
 Pursglove, Tom
 Quin, rh Jeremy
 Quince, Will
 Randall, Tom
 Redwood, rh John
 Rees-Mogg, rh Mr Jacob
 Richards, Nicola
 Richardson, Angela
 Roberts, Rob
 Robertson, Mr Laurence
 Robinson, Gavin
 Robinson, Mary
 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, rh Chloe
 Smith, Greg
 Smith, Henry
 Smith, rh Julian
 Smith, Royston
 Spencer, Dr Ben
 Spencer, rh Mark
 Stafford, Alexander
 Stephenson, rh Andrew
 Stevenson, Jane
 Stevenson, John
 Stewart, rh Bob
 Stewart, Iain
 Streeter, Sir Gary
 Stride, rh Mel
 Stuart, rh Graham
 Sturdy, Julian
 Sunderland, James
 Swaney, 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
Tugendhat, rh Tom
Vara, rh Shailesh
Vickers, Martin
Vickers, Matt
Villiers, rh Theresa
Walker, Sir Charles
Walker, Mr Robin
Wallace, rh Mr Ben
Wallis, Dr Jamie
Warman, Matt (*Proxy vote
cast by Mr Marcus Jones*)
Watling, Giles
Whately, Helen

Wheeler, Mrs Heather
Whittaker, Craig
Whittingdale, rh Sir John
Wiggin, Sir Bill
Wild, James
Williams, Craig
Williamson, rh Sir Gavin
Wilson, rh Sammy
Wood, Mike
Wragg, Mr William
Wright, rh Sir Jeremy
Zahawi, rh Nadhim

Tellers for the Noes:
Jacob Young and
Amanda Solloway

Daby, Janet
Davey, rh Ed
David, Wayne
Davies, Geraint
Davies-Jones, Alex
De Cordova, Marsha
Debbonaire, Thangam
Dhesi, Mr Tanmanjeet Singh
Dixon, Samantha
Dodds, Anneliese
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
Fletcher, Colleen
Foord, Richard
Foxcroft, Vicky
Foy, Mary Kelly
Gill, Preet Kaur
Green, Sarah
Greenwood, Lilian
Greenwood, Margaret
Griffith, Dame Nia
Hamilton, Fabian
Hamilton, Mrs Paulette
Hanna, Claire
Harman, rh Ms Harriet
Harris, Carolyn
Hayes, Helen
Healey, rh John
Hillier, Dame Meg
Hobhouse, Wera
Hodge, rh Dame Margaret
Hollern, Kate
Hopkins, Rachel
Huq, Dr Rupa
Hussain, Imran
Jarvis, Dan
Johnson, rh Dame Diana
Johnson, Kim
Jones, Darren
Jones, Gerald
Jones, rh Mr Kevan
Jones, Ruth
Jones, Sarah
Kane, Mike
Keeley, Barbara
Khan, Afzal
Kinnock, Stephen
Kyle, Peter
Lammy, rh Mr David
Lavery, Ian
Leadbeater, Kim
Lewell-Buck, Mrs Emma
Lewis, Clive
Lightwood, Simon
Long Bailey, Rebecca
Lucas, Caroline
Lynch, Holly
Madders, Justin
Mahmood, Mr Khalid
Mahmood, Shabana
Malhotra, Seema
Maskell, Rachael

McCabe, Steve
McCarthy, Kerry
McDonald, Andy
McDonnell, rh John
McFadden, rh Mr Pat
McGovern, Alison
McMorris, Anna
Mearns, Ian
Miliband, rh Edward
Mishra, Navendu
Morden, Jessica
Morgan, Helen
Morgan, Stephen
Morris, Grahame
Murray, Ian
Murray, James
Nandy, Lisa
Nichols, Charlotte
Norris, Alex
Onwurah, Chi
Oppong-Asare, Abena
Osamor, Kate
Osborne, Kate
Owatemi, Taiwo
Owen, Sarah
Pennycook, Matthew
Perkins, Mr Toby
Phillips, Jess
Pollard, Luke
Qureshi, Yasmin
Rayner, rh Angela
Reed, Steve
Reeves, rh Rachel
Reynolds, Jonathan
Ribeiro-Addy, Bell
Rodda, Matt
Russell-Moyle, Lloyd
Shah, Naz
Sharma, Mr Virendra
Siddiq, Tulip
Slaughter, Andy
Smith, Nick
Smyth, Karin
Sobel, Alex
Spellar, rh John
Stevens, Jo
Stone, Jamie
Streeter, Wes
Stringer, Graham
Sultana, Zarah
Tarry, Sam
Thomas-Symonds, rh Nick
Thornberry, rh Emily
Timms, rh Sir Stephen
Trickett, Jon
Turner, Karl
Twigg, Derek
Vaz, rh Valerie
Wakeford, Christian
Webbe, Claudia
West, Catherine
Western, Matt
Whitehead, Dr Alan
Whittome, Nadia
Wilson, Munira
Winter, Beth
Yasin, Mohammad
Zeichner, Daniel

Tellers for the Ayes:
Liz Twist and
Mary Glindon

Question accordingly negated.

New Clause 120

NEW USE CLASSES FOR SECOND HOMES

“(1) Part 1 of Schedule 1 of the Town and Country Planning (Use Classes) Order 1987 (S.I. 1987/764) is amended as follows.

(2) In paragraph 3 (dwellinghouses) for “whether or not as a sole or” substitute “as a”

(3) After paragraph 3 insert—

“3A Class C3A Second homes

Use, following a change of ownership, as a dwellinghouse as a secondary or supplementary residence by—

- (a) a single person or by people to be regarded as forming a single household;
- (b) not more than six residents living together as a single household where care is provided for residents; or
- (c) not more than six residents living together as a single household where no care is provided to residents (other than a use within class C4).

Interpretation of Class C3A

For the purposes of Class C3A “single household” is to be construed in accordance with section 258 of the Housing Act 2004.”—(*Tim Farron.*)

Brought up.

Question put, That the clause be added to the Bill.

The House divided: Ayes 172, Noes 321.

Division No. 127]

[6.16 pm

AYES

Abbott, rh Ms Diane (*Proxy
vote cast by Bell Ribeiro-
Addy*)
Abrahams, Debbie
Ali, Rushanara
Ali, Tahir
Allin-Khan, Dr Rosena
Amesbury, Mike
Anderson, Fleur
Antoniazzi, Tonia
Barker, Paula
Begum, Apsana
Benn, rh Hilary
Betts, Mr Clive
Bradshaw, rh Mr Ben
Brennan, Kevin
Brown, rh Mr Nicholas

Bryant, Chris
Burgon, Richard
Butler, Dawn
Byrne, Ian
Byrne, rh Liam
Cadbury, Ruth
Campbell, rh Sir Alan
Carden, Dan
Carmichael, rh Mr Alistair
Chamberlain, Wendy
Champion, Sarah
Charalambous, Bambos
Clark, Feryal
Corbyn, rh Jeremy
Creasy, Stella
Cruddas, Jon
Cunningham, Alex

NOES

Adams, rh Nigel
 Afolami, Bim
 Afriyie, Adam
 Aiken, Nickie
 Aldous, Peter
 Anderson, Lee
 Anderson, Stuart
 Andrew, rh Stuart
 Ansell, Caroline
 Argar, rh Edward
 Atherton, Sarah
 Atkins, Victoria
 Bacon, Gareth
 Bacon, Mr Richard
 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 Sir Jake
 Bhatti, Saqib
 Blackman, Bob
 Blunt, Crispin
 Bone, Mr Peter
 Bottomley, Sir Peter
 Bowie, Andrew
 Bradley, Ben
 Bradley, rh Karen
 Brady, Sir Graham
 Brereton, Jack
 Bridgen, Andrew
 Brine, Steve
 Bristow, Paul
 Britcliffe, Sara
 Browne, Anthony
 Bruce, Fiona
 Buchan, Felicity
 Buckland, rh Sir Robert
 Burghart, Alex
 Burns, rh Conor
 Butler, Rob
 Cairns, rh Alun
 Carter, Andy
 Cartlidge, James
 Cash, Sir William
 Cates, Miriam
 Caulfield, Maria
 Chalk, Alex
 Chishti, Rehman
 Churchill, Jo
 Clark, rh Greg
 Clarke, rh Mr Simon
 Clarke, Theo (*Proxy vote cast
 by Mr Marcus Jones*)
 Clarke-Smith, Brendan
 Clarkson, Chris
 Cleverly, rh James
 Clifton-Brown, Sir Geoffrey
 Coffey, rh Dr Thérèse
 Colburn, Elliot
 Collins, Damian
 Courts, Robert
 Coutinho, Claire
 Cox, rh Sir Geoffrey
 Crabb, rh Stephen

Crosbie, Virginia
 Crouch, Tracey
 Daly, James
 Davies, rh David T. C.
 Davies, Gareth
 Davies, Dr James
 Davies, Mims
 Davies, Philip
 Davis, rh Mr David
 Davison, Dehenna
 Dines, Miss Sarah
 Dianogly, Mr Jonathan
 Donaldson, rh Sir Jeffrey M.
 Double, Steve
 Doyle-Price, Jackie
 Drax, Richard
 Drummond, Mrs Flick
 Duddridge, Sir James
 Duguid, David
 Dunne, rh Philip
 Eastwood, Mark
 Edwards, Ruth
 Ellis, rh Michael
 Ellwood, rh Mr Tobias
 Elphicke, Mrs Natalie
 Eustice, rh George
 Evans, Dr Luke
 Everitt, Ben
 Fabricant, Michael
 Farris, Laura
 Fell, Simon
 Firth, Anna
 Fletcher, Katherine
 Fletcher, Mark
 Fletcher, Nick
 Ford, rh Vicky
 Foster, Kevin
 Fox, rh Dr Liam
 Frazer, rh Lucy
 Freer, Mike
 French, Mr Louie
 Fuller, Richard
 Fysh, Mr Marcus
 Gale, rh Sir Roger
 Garnier, Mark
 Ghani, Ms Nusrat
 Gibb, rh Nick
 Gideon, Jo
 Girvan, Paul
 Glen, rh John
 Goodwill, rh Sir Robert
 Gove, rh Michael
 Graham, Richard
 Grant, Mrs Helen
 Gray, James
 Grayling, rh Chris
 Green, Chris
 Green, rh Damian
 Griffith, Andrew
 Grundy, James
 Gullis, Jonathan
 Halfon, rh Robert
 Hall, Luke
 Hammond, Stephen
 Hands, rh Greg
 Harper, rh Mr Mark
 Harris, Rebecca
 Harrison, Trudy
 Hart, Sally-Ann
 Hart, rh Simon
 Hayes, rh Sir John

Heapey, rh James
 Heaton-Harris, rh Chris
 Henderson, Gordon
 Henry, Darren
 Higginbotham, Antony
 Hinds, rh Damian
 Hoare, Simon
 Holden, Mr Richard
 Hollinrake, Kevin
 Holloway, Adam
 Holmes, Paul
 Huddleston, Nigel
 Hudson, Dr Neil
 Hughes, Eddie
 Hunt, Jane
 Hunt, Tom
 Jack, rh Mr Alister
 Javid, rh Sajid
 Jayawardena, rh Mr Ranil
 Jenkin, Sir Bernard
 Jenkinson, Mark
 Jenrick, rh Robert
 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, rh Gillian
 Knight, rh Sir Greg
 Kniveton, Kate
 Kruger, Danny
 Lamont, John
 Langan, Robert
 Latham, Mrs Pauline
 Leadsom, rh Dame Andrea
 Leigh, rh Sir Edward
 Levy, Ian
 Lewer, Andrew
 Lewis, rh Brandon
 Lewis, rh Dr Julian
 Liddell-Grainger, Mr Ian
 Loder, Chris
 Logan, Mark (*Proxy vote cast
 by Mr Marcus Jones*)
 Longhi, Marco
 Lopez, Julia
 Lord, Mr Jonathan
 Loughton, Tim
 Mackinlay, Craig
 Mackrory, Cherilyn
 Maclean, Rachel
 Mak, Alan
 Malthouse, rh Kit
 Mangnall, Anthony
 Mann, Scott
 Marson, Julie
 May, rh Mrs Theresa
 Mayhew, Jerome
 Maynard, Paul
 McCartney, Jason
 McCartney, Karl
 McVey, rh Esther
 Mercer, Johnny
 Merriman, Huw
 Metcalfe, Stephen
 Millar, Robin
 Miller, rh Dame Maria

Milling, rh Amanda
 Mills, Nigel
 Mohindra, Mr Gagan
 Moore, Damien
 Moore, Robbie
 Mordaunt, rh Penny
 Morris, Anne Marie
 Morris, David
 Morris, James
 Morrissey, Joy
 Mortimer, Jill
 Morton, rh Wendy
 Mullan, Dr Kieran
 Mumby-Croft, Holly
 Murrison, rh Dr Andrew
 Neill, Sir Robert
 Nokes, rh Caroline
 Norman, rh Jesse
 O'Brien, Neil
 Offord, Dr Matthew
 Opperman, Guy
 Patel, rh Priti
 Pawsey, Mark
 Penning, rh Sir Mike
 Penrose, John
 Percy, Andrew
 Philp, rh Chris
 Poulter, Dr Dan
 Pow, Rebecca
 Prentis, rh Victoria
 Pritchard, rh Mark
 Pursglove, Tom
 Quin, rh Jeremy
 Quince, Will
 Randall, Tom
 Redwood, rh John
 Rees-Mogg, rh Mr Jacob
 Richards, Nicola
 Richardson, Angela
 Roberts, Rob
 Robertson, Mr Laurence
 Robinson, Gavin
 Robinson, Mary
 Ross, Douglas
 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, rh Chloe
 Smith, Greg
 Smith, Henry
 Smith, rh Julian
 Smith, Royston
 Spencer, Dr Ben
 Spencer, rh Mark
 Stafford, Alexander
 Stephenson, rh Andrew
 Stevenson, Jane
 Stevenson, John
 Stewart, rh Bob
 Stewart, Iain
 Streeter, Sir Gary
 Stride, rh Mel

Stuart, rh Graham
 Sturdy, Julian
 Sunderland, James
 Swayne, rh Sir Desmond
 Syms, Sir Robert
 Throup, Maggie
 Timpson, Edward
 Tolhurst, Kelly
 Tomlinson, Justin
 Tomlinson, Michael
 Tracey, Craig
 Trevelyan, rh Anne-Marie
 Trott, Laura
 Tugendhat, rh Tom
 Vara, rh Shailesh
 Vickers, Martin
 Vickers, Matt
 Villiers, rh Theresa
 Walker, Sir Charles
 Walker, Mr Robin

Wallace, rh Mr Ben
 Wallis, Dr Jamie
 Warman, Matt (*Proxy vote
 cast by Mr Marcus Jones*)
 Watling, Giles
 Whately, Helen
 Wheeler, Mrs Heather
 Whittaker, Craig
 Whittingdale, rh Sir John
 Wild, James
 Williams, Craig
 Williamson, rh Sir Gavin
 Wilson, rh Sammy
 Wood, Mike
 Wragg, Mr William
 Wright, rh Sir Jeremy

Tellers for the Noes:
Jacob Young and
Amanda Solloway

Question accordingly negated.

New Schedule 1

AMENDMENTS OF THE CONSERVATION OF HABITATS AND SPECIES REGULATIONS 2017: ASSUMPTIONS ABOUT NUTRIENT POLLUTION STANDARDS

“PART 1

INTRODUCTORY

1 Part 6 of the Conservation of Habitats and Species Regulations 2017 (S.I. 2017/1012) (assessment of plans and projects) is amended as set out in this Schedule.

PART 2

PLANNING

2 Chapter 2 of Part 6 of those Regulations (assessment of plans and projects: planning) is amended as follows.

3 In regulation 70 (grant of planning permission), after paragraph (4) insert—

“(5) See regulation 85A for the assumptions about nutrient pollution standards to be made in certain circumstances.”

4 In regulation 71 (planning permission: duty to review), after paragraph (9) insert—

“(10) See regulation 85A for the assumptions about nutrient pollution standards to be made in certain circumstances.”

5 In regulation 77 (general development orders: approval of local planning authority), after paragraph (7) insert—

“(8) See regulation 85B for the assumptions about nutrient pollution standards to be made in certain circumstances.”

6 In regulation 79 (special development orders), after paragraph (5) insert—

“(6) See regulation 85A for the assumptions about nutrient pollution standards to be made in certain circumstances.”

7 In regulation 80 (local development orders), after paragraph (5) insert—

“(6) See regulation 85A for the assumptions about nutrient pollution standards to be made in certain circumstances.”

8 In regulation 81 (neighbourhood development orders), after paragraph (5) insert—

“(5A) See regulation 85A for the assumptions about nutrient pollution standards to be made in certain circumstances.”

9 In regulation 82 (simplified planning zones), after paragraph (6) insert—

“(7) See regulation 85A for the assumptions about nutrient pollution standards to be made in certain circumstances.”

10 In regulation 83 (enterprise zones), after paragraph (6) insert—

“(7) See regulation 85A for the assumptions about nutrient pollution standards to be made in certain circumstances.”

11 After regulation 85 insert—

“85A Assumptions to be made about nutrient pollution standards: general

(1) Paragraph (2) applies where—

- (a) a competent authority makes a relevant decision,
- (b) the potential development includes development in England,
- (c) the competent authority is required to make a relevant assessment before the decision is made,
- (d) waste water from any potential development would be dealt with by a plant in England that, at the time of the decision, is—
 - (i) a nitrogen significant plant, or
 - (ii) a phosphorus significant plant, and
- (e) the decision is made before the upgrade date.

(2) In making the relevant assessment, the competent authority must assume—

- (a) in a case within paragraph (1)(d)(i), that the plant will meet the nitrogen nutrient pollution standard on and after the upgrade date;
- (b) in a case within paragraph (1)(d)(ii), that the plant will meet the phosphorus nutrient pollution standard on and after the upgrade date.

(3) Paragraph (2)—

- (a) is subject to regulation 85C (direction that assumptions are not to apply), and
- (b) does not prevent the competent authority, in making a relevant assessment, from having regard to outperformance, or expected outperformance, by a plant.

(4) In paragraph (1) “relevant decision” means—

- (a) where any of the following provides that the assessment provisions apply in relation to doing a thing, the decision whether or not to do it—
 - (i) regulation 70 (grant of planning permission),
 - (ii) regulation 79 (special development orders),
 - (iii) regulation 80 (local development orders),
 - (iv) regulation 81 (neighbourhood development orders),
 - (v) regulation 82 (simplified planning zones), or
 - (vi) regulation 83 (enterprise zones), or
- (b) where any of the following provides that the review provisions apply in relation to a matter, a decision under regulation 65(1)(b) on a review of the matter—
 - (i) regulation 71 (planning permission: duty to review),
 - (ii) regulation 79 (special development orders),
 - (iii) regulation 80 (local development orders),
 - (iv) regulation 81 (neighbourhood development orders),
 - (v) regulation 82 (simplified planning zones), or
 - (vi) regulation 83 (enterprise zones);

but this does not apply to a matter mentioned in regulation 71(4) (any review of which would be conducted in accordance with another Chapter).

(5) In paragraph (1) “potential development”, in relation to a relevant decision, means development—

- (a) that could be carried out by virtue of the planning permission, development order or scheme to which the decision relates, or
- (b) to which the decision otherwise relates.

- (6) In this regulation “relevant assessment” means—
- where the assessment provisions apply and an appropriate assessment of the implications of the plan or project for a site is required by regulation 63(1), that assessment;
 - where the review provisions apply and an appropriate assessment is required by regulation 65(2), that assessment.

85B Assumptions to be made about nutrient pollution standards: general development orders

- (1) This regulation applies where—
- a local planning authority (within the meaning given by regulation 78(1)) makes a decision on an application under regulation 77 (general development orders: approval of local planning authority) for approval as mentioned in regulation 75 relating to proposed development in England,
 - the authority is required by regulation 77(6) to make an appropriate assessment of the implications of the proposed development,
 - any waste water from the proposed development would be dealt with by a plant in England that, at the time of the decision, is—
 - a nitrogen significant plant, or
 - a phosphorus significant plant, and
 - the decision is made before the upgrade date.
- (2) In making the relevant assessment the local planning authority must assume—
- in a case within paragraph (1)(c)(i), that the plant will meet the nitrogen nutrient pollution standard on and after the upgrade date;
 - in a case within paragraph (1)(c)(ii), that the plant will meet the phosphorus nutrient pollution standard on and after the upgrade date.
- (3) Paragraph (2)—
- is subject to regulation 85C (direction that assumptions are not to apply), and
 - does not prevent the local planning authority, in making a relevant assessment, from having regard to any outperformance, or expected outperformance, by a plant.

85C Direction that assumptions are not to apply

(1) The assumptions in regulations 85A(2) and 85B(2) do not apply in relation to a particular plant and a particular nutrient pollution standard if the Secretary of State so directs.

(2) A direction under this regulation may be made in relation to a plant and a standard only if the Secretary of State is satisfied that the plant will not be able to meet the standard by the upgrade date.

(3) The Secretary of State may revoke a direction under this regulation if satisfied that the plant will meet the standard on the upgrade date.

(4) In deciding whether to make a direction under this regulation in relation to a plant and a standard, the Secretary of State may, in particular, have regard to when the plant can be expected to meet the standard.

(5) Before making or revoking a direction under this regulation, the Secretary of State must consult—

- the Environment Agency,
- Natural England,
- the Water Services Regulation Authority,
- any local planning authority who it appears to the Secretary of State would be affected by the direction or revocation,
- the sewerage undertaker whose sewerage system includes the plant, and
- any other persons that the Secretary of State considers appropriate.

(6) A direction or revocation under this regulation—

- is to be made in writing, and
- takes effect—
 - on the day specified in the direction or revocation, or
 - if none is specified, on the day on which it is made.

(7) As soon as practicable after making or revoking a direction under this regulation, the Secretary of State must—

- notify—
 - the Environment Agency,
 - Natural England,
 - every local planning authority who appears to the Secretary of State to be affected by the direction or revocation, and
 - any other persons that the Secretary of State considers appropriate, and
- publish the direction or revocation.

85D Regulations 85A to 85C: interpretation

(1) In regulations 85A to 85C and this regulation, the following terms have the meanings given by section 96J of the Water Industry Act 1991—

- “nitrogen significant plant”;
- “nitrogen nutrient pollution standard”;
- “nutrient pollution standard”;
- “phosphorus significant plant”;
- “phosphorus nutrient pollution standard”;
- “plant”;
- “sewerage system”, in relation to a sewerage undertaker;
- “treated effluent”;
- “upgrade date”.

(2) For the purposes of regulations 85A and 85B, “outperformance” by a plant, in relation to a nutrient pollution standard, occurs where—

- the plant meets the standard before the upgrade date, or
- the total nitrogen concentration (in the case of a nitrogen significant plant), or total phosphorus concentration (in the case of a phosphorus significant plant), in treated effluent that it discharges is less than the concentration specified in section 96F(1) or (2) (as the case may be) of the Water Industry Act 1991 that applies to the plant.”

PART 3

LAND USE PLANS

12 Chapter 8 of Part 6 (assessment of plans and projects: land use plans) is amended as follows.

13 In regulation 105 (assessment of implications for European sites and European offshore marine sites), after paragraph (6) insert—

“(7) See regulation 110A for the assumptions about nutrient pollution standards to be made in certain circumstances.”

14 In regulation 106 (assessment of implications for European site: neighbourhood development plans), after paragraph (3) insert—

“(3A) See regulation 110A for the assumptions about nutrient pollution standards to be made in certain circumstances.”

15 In regulation 110 (national policy statements), in paragraph (3)(a), for “and 108” substitute “, 108 and 110A”.

16 After regulation 110 insert—

“110A Assessments under this Chapter: required assumptions

- (1) This regulation applies where—
- a plan-making authority makes a relevant decision in relation to a land use plan relating to an area in England,
 - the authority is required to make a relevant assessment before the decision is made,

- (c) waste water from the area to which the plan relates could be dealt with by a plant in England that, at the time of the decision, is—
 - (i) a nitrogen significant plant, or
 - (ii) a phosphorus significant plant, and
 - (d) the decision is made before the upgrade date.
- (2) In making the relevant assessment, the authority must assume—
- (a) in a case within paragraph (1)(c)(i), that the plant will meet the nitrogen nutrient pollution standard on and after the upgrade date;
 - (b) in a case within paragraph (1)(c)(ii), that the plant will meet the phosphorus nutrient pollution standard on and after the upgrade date.
- (3) Paragraph (2)—
- (a) is subject to regulation 110B (direction that assumptions are not to apply), and
 - (b) does not prevent the authority, in making a relevant assessment, from having regard to any outperformance, or expected outperformance, by a plant.
- (4) In paragraph (1) “relevant decision” means—
- (a) a decision whether to give effect to a land use plan, or
 - (b) a decision whether to modify or revoke a neighbourhood development plan.
- (5) In this regulation “relevant assessment”, in relation to a land use plan, means—
- (a) in relation to a decision within paragraph (4)(a), where an appropriate assessment of the implications for a site of the land use plan is required by regulation 105(1), that assessment;
 - (b) in relation to a decision within paragraph (4)(b), where such an assessment is required by regulation 105(1) as applied by regulation 106(3), that assessment.

110B Direction that assumptions are not to apply

(1) The assumptions in regulation 110A(2) do not apply in relation to a particular plant and a particular nutrient pollution standard if the Secretary of State so directs.

(2) A direction under this regulation may be made in relation to a plant and a standard only if the Secretary of State is satisfied that the plant will not be able to meet the standard by the upgrade date.

(3) The Secretary of State may revoke a direction under this regulation if satisfied that the plant will meet the standard on the upgrade date.

(4) In deciding whether to make a direction under this regulation in relation to a plant and a standard, the Secretary of State may, in particular, have regard to when the plant can be expected to meet the standard.

(5) Before making or revoking a direction under this regulation, the Secretary of State must consult—

- (a) the Environment Agency,
- (b) Natural England,
- (c) the Water Services Regulation Authority,
- (d) any plan-making authority who it appears to the Secretary of State would be affected by the direction or revocation,
- (e) the sewerage undertaker whose sewerage system includes the plant, and
- (f) any other persons that the Secretary of State considers appropriate.

(6) A direction or revocation under this regulation—

- (a) is to be made in writing, and
- (b) takes effect—
 - (i) on the day specified in the direction or revocation, or
 - (ii) if none is specified, on the day on which it is made.

(7) As soon as practicable after making or revoking a direction under this regulation, the Secretary of State must—

- (a) notify—
 - (i) the Environment Agency,
 - (ii) Natural England,
 - (iii) every plan-making authority who appears to the Secretary of State to be affected by the direction or revocation, and
 - (iv) any other persons that the Secretary of State considers appropriate, and
- (b) publish the direction or revocation.

110C Regulations 110A and 110B: interpretation

(1) In regulations 110A and 110B and this regulation, the following terms have the meanings given by section 96J of the Water Industry Act 1991—

- “nitrogen significant plant”;
- “nitrogen nutrient pollution standard”;
- “nutrient pollution standard”;
- “phosphorus significant plant”;
- “phosphorus nutrient pollution standard”;
- “plant”;
- “sewerage system”, in relation to a sewerage undertaker;
- “treated effluent”;
- “upgrade date”.

(2) For the purposes of regulation 110A, “outperformance” by a plant, in relation to a nutrient pollution standard, occurs where—

- (a) the plant meets the standard before the upgrade date, or
- (b) the total nitrogen concentration (in the case of a nitrogen significant plant), or total phosphorus concentration (in the case of a phosphorus significant plant), in treated effluent that it discharges is less than the concentration specified in section 96F(1) or (2) (as the case may be) of the Water Industry Act 1991 that applies to the plant.”—(*Lucy Frazer.*)

This new Schedule requires authorities, when making assessments required by the Conservation of Habitats and Species Regulations 2017 for planning-related decisions, to assume that sewage disposal works will meet the relevant pollution standards introduced by NC77 by the relevant upgrade date. It will be introduced by a new Part to be inserted after Part 5.

Brought up, and added to the Bill.

Clause 83

ROLE OF DEVELOPMENT PLAN AND NATIONAL POLICY IN ENGLAND

Amendment proposed: 78, page 91, line 28, leave out lines 28 to 30 and insert—

- “(5C) But the development plan has precedence over any national development management policy in the event of any conflict between the two.”—(*Matthew Pennycook.*)

This amendment gives precedence to local development plans over national policies, reversing the current proposal in inserted subsection (5C).

Question put, That the amendment be made.

The House divided: Ayes 171, Noes 320.

Division No. 128]

[6.30 pm

AYES

Abbott, rh Ms Diane (*Proxy vote cast by Bell Ribeiro-Addy*)
 Abrahams, Debbie
 Ali, Rushanara
 Ali, Tahir

Allin-Khan, Dr Rosena
 Amesbury, Mike
 Anderson, Fleur
 Antoniazzi, Tonia
 Barker, Paula
 Begum, Apsana

Benn, rh Hilary
 Betts, Mr Clive
 Bradshaw, rh Mr Ben
 Brennan, Kevin
 Brown, rh Mr Nicholas
 Bryant, Chris
 Burgon, Richard
 Butler, Dawn
 Byrne, Ian
 Byrne, rh Liam
 Cadbury, Ruth
 Campbell, rh Sir Alan
 Carden, Dan
 Carmichael, rh Mr Alistair
 Chamberlain, Wendy
 Champion, Sarah
 Charalambous, Bambos
 Clark, Feryal
 Corbyn, rh Jeremy
 Creasy, Stella
 Cruddas, Jon
 Cunningham, Alex
 Daby, Janet
 Davey, rh Ed
 David, Wayne
 Davies, Geraint
 Davies-Jones, Alex
 De Cordova, Marsha
 Debonnaire, Thangam
 Dhesi, Mr Tanmanjeet Singh
 Dixon, Samantha
 Dodds, Anneliese
 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
 Fletcher, Colleen
 Foord, Richard
 Foxcroft, Vicky
 Foy, Mary Kelly
 Gill, Preet Kaur
 Green, Sarah
 Greenwood, Lilian
 Greenwood, Margaret
 Griffith, Dame Nia
 Hamilton, Fabian
 Hamilton, Mrs Paulette
 Hanna, Claire
 Harman, rh Ms Harriet
 Harris, Carolyn
 Hayes, Helen
 Healey, rh John
 Hillier, Dame Meg
 Hobhouse, Wera
 Hodge, rh Dame Margaret
 Hollern, Kate
 Hopkins, Rachel
 Huq, Dr Rupa
 Hussain, Imran
 Jarvis, Dan
 Johnson, rh Dame Diana
 Johnson, Kim
 Jones, Darren
 Jones, Gerald

Jones, rh Mr Kevan
 Jones, Ruth
 Jones, Sarah
 Kane, Mike
 Keeley, Barbara
 Khan, Afzal
 Kinnock, Stephen
 Lammy, rh Mr David
 Lavery, Ian
 Leadbeater, Kim
 Lewell-Buck, Mrs Emma
 Lewis, Clive
 Lightwood, Simon
 Long Bailey, Rebecca
 Lucas, Caroline
 Lynch, Holly
 Madders, Justin
 Mahmood, Mr Khalid
 Mahmood, Shabana
 Malhotra, Seema
 Maskell, Rachael
 McCabe, Steve
 McCarthy, Kerry
 McDonald, Andy
 McDonnell, rh John
 McFadden, rh Mr Pat
 McGovern, Alison
 McMorris, Anna
 Mearns, Ian
 Miliband, rh Edward
 Mishra, Navendu
 Morden, Jessica
 Morgan, Helen
 Morgan, Stephen
 Morris, Grahame
 Murray, Ian
 Murray, James
 Nandy, Lisa
 Nichols, Charlotte
 Norris, Alex
 Onwurah, Chi
 Oppong-Asare, Abena
 Osamor, Kate
 Osborne, Kate
 Owatemi, Taiwo
 Owen, Sarah
 Pennycook, Matthew
 Perkins, Mr Toby
 Phillips, Jess
 Pollard, Luke
 Qureshi, Yasmin
 Rayner, rh Angela
 Reed, Steve
 Reeves, rh Rachel
 Reynolds, Jonathan
 Ribeiro-Addy, Bell
 Rodda, Matt
 Russell-Moyle, Lloyd
 Shah, Naz
 Sharma, Mr Virendra
 Siddiq, Tulip
 Slaughter, Andy
 Smith, Nick
 Smyth, Karin
 Sobel, Alex
 Spellar, rh John
 Stevens, Jo
 Stone, Jamie
 Streeting, Wes
 Stringer, Graham
 Sultana, Zarah
 Tarry, Sam

Thomas-Symonds, rh Nick
 Thornberry, rh Emily
 Timms, rh Sir Stephen
 Trickett, Jon
 Turner, Karl
 Twigg, Derek
 Vaz, rh Valerie
 Wakeford, Christian
 Webbe, Claudia
 West, Catherine

Western, Matt
 Whitehead, Dr Alan
 Whittome, Nadia
 Wilson, Munira
 Winter, Beth
 Yasin, Mohammad
 Zeichner, Daniel

Tellers for the Ayes:

Liz Twist and
 Mary Glindon

NOES

Adams, rh Nigel
 Afolami, Bim
 Afriyie, Adam
 Aiken, Nickie
 Aldous, Peter
 Anderson, Lee
 Anderson, Stuart
 Andrew, rh Stuart
 Ansell, Caroline
 Argar, rh Edward
 Atherton, Sarah
 Atkins, Victoria
 Bacon, Gareth
 Bacon, Mr Richard
 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 Sir Jake
 Bhatti, Saqib
 Blackman, Bob
 Blunt, Crispin
 Bone, Mr Peter
 Bottomley, Sir Peter
 Bowie, Andrew
 Bradley, Ben
 Bradley, rh Karen
 Brady, Sir Graham
 Brereton, Jack
 Bridgen, Andrew
 Brine, Steve
 Bristow, Paul
 Britcliffe, Sara
 Browne, Anthony
 Bruce, Fiona
 Buchan, Felicity
 Buckland, rh Sir Robert
 Burghart, Alex
 Burns, rh Conor
 Butler, Rob
 Cairns, rh Alun
 Carter, Andy
 Cartlidge, James
 Cash, Sir William
 Cates, Miriam
 Caulfield, Maria
 Chalk, Alex
 Chishti, Rehman
 Churchill, Jo
 Clark, rh Greg
 Clarke, Theo (*Proxy vote cast
 by Mr Marcus Jones*)

Clarke-Smith, Brendan
 Clarkson, Chris
 Cleverly, rh James
 Clifton-Brown, Sir Geoffrey
 Coffey, rh Dr Thérèse
 Colburn, Elliot
 Collins, Damian
 Courts, Robert
 Coutinho, Claire
 Crabb, rh Stephen
 Crosbie, Virginia
 Crouch, Tracey
 Daly, James
 Davies, rh David T. C.
 Davies, Gareth
 Davies, Dr James
 Davies, Mims
 Davies, Philip
 Davis, rh Mr David
 Davison, Dehenna
 Dines, Miss Sarah
 Djanogly, Mr Jonathan
 Donaldson, rh Sir Jeffrey M.
 Double, Steve
 Doyle-Price, Jackie
 Drax, Richard
 Drummond, Mrs Flick
 Duddridge, Sir James
 Duguid, David
 Dunne, rh Philip
 Eastwood, Mark
 Edwards, Ruth
 Ellis, rh Michael
 Ellwood, rh Mr Tobias
 Elphicke, Mrs Natalie
 Eustice, rh George
 Evans, Dr Luke
 Everitt, Ben
 Fabricant, Michael
 Farris, Laura
 Fell, Simon
 Firth, Anna
 Fletcher, Katherine
 Fletcher, Mark
 Fletcher, Nick
 Ford, rh Vicky
 Foster, Kevin
 Fox, rh Dr Liam
 Frazer, rh Lucy
 Freer, Mike
 French, Mr Louie
 Fuller, Richard
 Fysh, Mr Marcus
 Gale, rh Sir Roger
 Garnier, Mark
 Ghani, Ms Nusrat
 Gibb, rh Nick
 Gideon, Jo
 Girvan, Paul

Glen, rh John
 Goodwill, rh Sir Robert
 Gove, rh Michael
 Graham, Richard
 Grant, Mrs Helen
 Gray, James
 Grayling, rh Chris
 Green, Chris
 Green, rh Damian
 Griffith, Andrew
 Grundy, James
 Gullis, Jonathan
 Halfon, rh Robert
 Hall, Luke
 Hammond, Stephen
 Hands, rh Greg
 Harper, rh Mr Mark
 Harris, Rebecca
 Harrison, Trudy
 Hart, Sally-Ann
 Hart, rh Simon
 Hayes, rh Sir John
 Heappey, rh James
 Heaton-Harris, rh Chris
 Henderson, Gordon
 Henry, Darren
 Higginbotham, Antony
 Hinds, rh Damian
 Hoare, Simon
 Holden, Mr Richard
 Hollinrake, Kevin
 Holloway, Adam
 Holmes, Paul
 Huddleston, Nigel
 Hudson, Dr Neil
 Hughes, Eddie
 Hunt, Jane
 Hunt, Tom
 Jack, rh Mr Alister
 Javid, rh Sajid
 Jayawardena, rh Mr Ranil
 Jenkin, Sir Bernard
 Jenkinson, Mark
 Jenrick, rh Robert
 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, rh Gillian
 Knight, rh Sir Greg
 Kniveton, Kate
 Kruger, Danny
 Lamont, John
 Langan, Robert
 Latham, Mrs Pauline
 Leadsom, rh Dame Andrea
 Leigh, rh Sir Edward
 Levy, Ian
 Lewer, Andrew
 Lewis, rh Brandon
 Lewis, rh Dr Julian
 Liddell-Grainger, Mr Ian
 Loder, Chris
 Logan, Mark (*Proxy vote cast by Mr Marcus Jones*)
 Longhi, Marco

Lopez, Julia
 Lord, Mr Jonathan
 Loughton, Tim
 Mackinlay, Craig
 Mackrory, Cherylyn
 Maclean, Rachel
 Mak, Alan
 Malthouse, rh Kit
 Mangnall, Anthony
 Mann, Scott
 Marson, Julie
 May, rh Mrs Theresa
 Mayhew, Jerome
 Maynard, Paul
 McCartney, Jason
 McCartney, Karl
 McVey, rh Esther
 Mercer, Johnny
 Merriman, Huw
 Metcalfe, Stephen
 Millar, Robin
 Miller, rh Dame Maria
 Milling, rh Amanda
 Mills, Nigel
 Mohindra, Mr Gagan
 Moore, Damien
 Moore, Robbie
 Mordaunt, rh Penny
 Morris, Anne Marie
 Morris, David
 Morris, James
 Morrissey, Joy
 Mortimer, Jill
 Morton, rh Wendy
 Mullan, Dr Kieran
 Mumby-Croft, Holly
 Murrison, rh Dr Andrew
 Neill, Sir Robert
 Nokes, rh Caroline
 Norman, rh Jesse
 O'Brien, Neil
 Offord, Dr Matthew
 Opperman, Guy
 Patel, rh Priti
 Pawsey, Mark
 Penning, rh Sir Mike
 Penrose, John
 Percy, Andrew
 Philp, rh Chris
 Poulter, Dr Dan
 Pow, Rebecca
 Prentis, rh Victoria
 Pritchard, rh Mark
 Pursglove, Tom
 Quin, rh Jeremy
 Quince, Will
 Randall, Tom
 Redwood, rh John
 Rees-Mogg, rh Mr Jacob
 Richards, Nicola
 Richardson, Angela
 Roberts, Rob
 Robertson, Mr Laurence
 Robinson, Gavin
 Robinson, Mary
 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, rh Chloe
 Smith, Greg
 Smith, Henry
 Smith, rh Julian
 Smith, Royston
 Spencer, Dr Ben
 Spencer, rh Mark
 Stafford, Alexander
 Stephenson, rh Andrew
 Stevenson, Jane
 Stevenson, John
 Stewart, rh Bob
 Stewart, Iain
 Streeter, Sir Gary
 Stride, rh Mel
 Stuart, rh Graham
 Sturdy, Julian
 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
 Tugendhat, rh Tom
 Vara, rh Shailesh
 Vickers, Martin
 Vickers, Matt
 Villiers, rh Theresa
 Walker, Sir Charles
 Walker, Mr Robin
 Wallace, rh Mr Ben
 Wallis, Dr Jamie
 Warman, Matt (*Proxy vote cast by Mr Marcus Jones*)
 Watling, Giles
 Whately, Helen
 Wheeler, Mrs Heather
 Whittaker, Craig
 Whittingdale, rh Sir John
 Wiggin, Sir Bill
 Wild, James
 Williams, Craig
 Williamson, rh Sir Gavin
 Wilson, rh Sammy
 Wood, Mike
 Wragg, Mr William
 Wright, rh Sir Jeremy
Tellers for the Noes:
Jacob Young and
Amanda Solloway

Question accordingly negated.

Clause 92

REGARD TO CERTAIN HERITAGE ASSETS IN EXERCISE OF
 PLANNING FUNCTIONS

Amendment made: 57, page 99, line 2, after “4B)”
 insert

“or street vote development orders (except as provided by SVDO regulations within the meaning given by section 61QM).”—(*Lucy Frazer.*)

This amendment amends new section 58B of the Town and Country Planning Act 1990 (as inserted by clause 92) to provide an exception to the duty to have regard to certain heritage assets when the Secretary of State is considering whether to grant planning permission under a street vote development order.

Clause 96

STREET VOTES

Amendment made: 58, page 105, line 15, leave out
 Clause 96.—(*Lucy Frazer.*)

This amendment removes the placeholder clause 96.

Clause 98

MINOR VARIATIONS IN PLANNING PERMISSION

Amendment made: 27, page 115, line 16, at end insert—

“(11A) Nothing in this section authorises the disapplication of the condition under section 90B (condition relating to development progress reports in England).”—(*Lucy Frazer.*)

This is a consequential amendment to ensure that the power to make minor variations created by clause 98 cannot be used to disapply the mandatory planning condition which is to be created by NC48.

Clause 99

DEVELOPMENT COMMENCEMENT NOTICES

Amendment made: 24, page 117, line 31, leave out subsection (4) and insert—

“(4) In section 69 (register of applications etc)—

- (a) in subsection (1), after paragraph (f) (inserted by section (Condition relating to development progress reports)(4)(a)) insert—(g) commencement notices under section 93G.;
- (b) in subsection (2), after paragraph (c) (inserted by section (Condition relating to development progress reports)(4)(b)) insert—(d) such information as is prescribed with respect to commencement notices under section 93G that are given to the local planning authority.”—(*Lucy Frazer.*)

This amendment is consequential on NC48.

Clause 100

COMPLETION NOTICES

Amendment made: 59, page 118, line 21, at end insert—

- “(e) a planning permission under a street vote development order is subject to a condition that the development to which the permission relates must begin before the expiration of a particular period, and development has begun within that period but has not been completed.”—(*Lucy Frazer.*)

This amendment amends new section 93H of the Town and Country Planning Act 1990 (as inserted by clause 100) so that a local planning authority has, in certain circumstances, the power to serve a completion notice in relation to planning permission under a street vote development order.

Clause 107POWER TO PROVIDE RELIEF FROM ENFORCEMENT OF
PLANNING CONDITIONS

Amendment made: 28, page 126, line 27, at end insert—

- “(aa) section 90B (condition relating to development progress reports);”—(*Lucy Frazer.*)

This is a consequential amendment to ensure that the power to provide relief from the enforcement of planning conditions created by clause 107 cannot be used in relation to the mandatory planning condition which is to be created by NC48.

Clause 136PLANNING FUNCTIONS OF
URBAN DEVELOPMENT CORPORATIONS

Amendments made: 34, page 153, line 19, at end insert—

- “(ca) in subsection (3)—
 - (i) in paragraph (a), omit ‘of the 1990 Act and the Planning (Listed Buildings and Conservation Areas) Act 1990’;
 - (ii) in paragraph (b), omit ‘of those Acts’;
- (cb) after subsection (3) insert—
 - ‘(3A) A provision mentioned in paragraph 1, 3 or 5 of Part 1 of Schedule 29 may be specified under subsection (3)(a) only in relation to an urban development corporation for an area in England.’”

This amendment is consequential on Amendment 35.

Amendment 35, page 154, line 14, at end insert—

- “(4) In Part 1 of Schedule 29 (planning enactments conferring functions capable of being assigned to urban development corporations)—
 - (a) at the beginning insert—

‘1 Section 17 of the Land Compensation Act 1961.’;

- (b) the paragraph referring to enactments in TCPA 1990 becomes paragraph 2;

(c) after that paragraph insert—

‘3 Sections 171BA, 171E, 172ZA, 172A, 191, 192, 225, 225A, 225C, 225F to 225H, 225J and 225K of the 1990 Act.’

- (d) the paragraph referring to enactments in the Listed Buildings Act becomes paragraph 4;

(e) after that paragraph insert—

‘5 Section 44AA of the Planning (Listed Buildings and Conservation Areas) Act 1990.’—(*Lucy Frazer.*)

This amendment expands the range of planning functions that can be assigned to development corporations in England.

Clause 137PLANNING FUNCTIONS OF NEW TOWN
DEVELOPMENT CORPORATIONS

Amendment made: 36, page 155, line 9, at end insert—

“(4A) An order under subsection (4) may provide—

- (a) that any enactment relating to local planning authorities applies to the corporation for the purposes of any enactment specified in Schedule 29 to the Local Government, Planning and Land Act 1980 which relates to land in the specified area by virtue of the order;
- (b) that any enactment so applied to the corporation applies to it subject to modifications specified in the order.”—(*Lucy Frazer.*)

This amendment confers an ancillary power to apply planning legislation to new town development corporations, equivalent to a power that already exists for urban development corporations.

Clause 195

REGULATIONS

Amendments made: 30, page 198, line 20, at end insert—

“(ba) under Part 4A;”

NC49 to NC59 are expected to form new Part 4A. See the explanatory statement to NC49 for an overview of the new Part. This amendment provides that any regulations made under the new Part are subject to affirmative procedure.

Amendment 52, page 198, line 20, at end insert—

“(ba) under section (Pre-consolidation amendment of planning, development and compulsory purchase legislation);”

This amendment ensures that regulations made under the new power inserted by NC118 will be subject to the affirmative procedure in Parliament.

Amendment 99, page 198, line 31, at end insert—

“(ga) under section (Registration of short-term rental properties);”

This amendment provides for regulations made under NC119 to be subject to the affirmative procedure.

Amendment 33, page 199, line 7, at end insert—

“(fa) section 150;”

This amendment corrects a drafting omission by attaching the negative procedure to the new power to make regulations about compulsory purchase data standards.

Amendment 100, page 199, line 14, after “2” insert

“or section (Registration of short-term rental properties).”—(*Lucy Frazer.*)

This amendment provides that if a statutory instrument containing regulations under NC119 would otherwise be treated for the purposes of the standing orders of either House of Parliament as a hybrid instrument, the instrument is to proceed in that House as if it were not a hybrid instrument.

Clause 197

EXTENT

Amendments made: 53, page 199, line 38, at end insert—

“(c) section (Pre-consolidation amendment of planning, development and compulsory purchase legislation) extends to England and Wales, Scotland and Northern Ireland.”

This amendment ensures that the new power inserted by NC118 extends to the entire United Kingdom.

Amendment 31, page 200, line 1, leave out “Part 4 extends” and insert

“Parts 4 and 4A extend”.

NC49 to NC59 are expected to form new Part 4A. See the explanatory statement to NC49 for an overview of the new Part. This amendment provides that the new Part extends to England and Wales only.

Amendment 65, page 200, line 2, at end insert—

“(5A) Part 5A extends to England and Wales only.”

The reference to Part 5A is a reference to a new Part expected to be formed by NC77, NC78 and NC79. This amendment provides for the new Part to extend to England and Wales

Amendment 101, page 200, line 7, leave out “section” and insert

“sections (Registration of short-term rental properties) and”.

This amendment provides that NC119 extends to England and Wales only.

Amendment 60, page 200, line 7, leave out “sections 188 and 190” and insert “section 188”.

This amendment makes a change which is consequential on Amendment 1.

Amendment 48, page 200, line 9, leave out “section 189 extends” and insert

“sections 189 and (Marine licensing) extend”.—(Lucy Frazer.)

This amendment provides that NC63 extends to England and Wales, Scotland and Northern Ireland.

Clause 198

COMMENCEMENT AND TRANSITIONAL PROVISION

Amendments made: 51, page 200, line 30, after “68” insert “, (Participation of police and crime commissioners at certain local authority committees)”.

This amendment is consequential on NC65 and provides for that new clause to come into force two months after the Act is passed.

Amendment 25, page 201, line 2, leave out “section 100 (so far as it confers)” and insert

“sections 100 and (Condition relating to development progress reports) (so far as conferring”.

This amendment provides that the power to make regulations in NC48 is to be commenced two months after Royal Assent.

Amendment 55, page 201, line 2, leave out “section 100 (so far as it confers)” and insert

“sections 100 and (power to decline to determine applications in cases of earlier non-implementation etc) (so far as conferring”.

This amendment provides for the regulation-making powers conferred by NC67 to come into force two months after Royal Assent.

Amendment 50, page 201, line 3, after “sections 107” insert

“, (Fees for certain services in relation to nationally significant infrastructure projects)”.

This amendment provides that NC64 comes into force 2 months after Royal Assent.

Amendment 54, page 201, line 3, leave out “and 114” and insert

“, 114 and (Pre-consolidation amendment of planning, development and compulsory purchase legislation)”.

This amendment ensures that the new power inserted by NC118 commences two months after Royal Assent.

Amendment 26, page 201, line 6, leave out “and 100” and insert

“, 100 and (Condition relating to development progress reports)”.

This amendment provides that the provisions inserted by NC48, other than the power to make regulations (see Amendment 25), are to be commenced on a date to be appointed by regulations.

Amendment 56, page 201, line 6, leave out “and 100” and insert

“, 100 and (power to decline to determine applications in cases of earlier non-implementation etc)”.

This amendment provides for NC67, so far as not conferring regulation-making powers, to come into force by commencement regulations.

Amendment 32, page 201, line 9, leave out “Part 4 comes” and insert

“Parts 4 and 4A come”.

NC49 to NC59 are expected to form new Part 4A. See the explanatory statement to NC49 for an overview of the new Part. This amendment provides that the new Part is to be brought into force by regulations made by the Secretary of State.

Amendment 66, page 201, line 12, at end insert—

“(5A) Part 5A comes into force at the end of the period of two months beginning with the day on which this Act is passed.”

The reference to Part 5A is a reference to a new Part expected to be formed by NC77, NC78 and NC79. This amendment provides for the new Part to come into force two months after the Act is passed.

Amendment 49, page 201, line 17, leave out “and section 188” and insert

“, section 188 and section (Marine licensing)”.

This amendment provides that NC63 comes into force on a day appointed by the Secretary of State in regulations.

Amendment 61, page 201, line 19, leave out

“sections 189 and 190 come”

and insert “section 189 comes”.

This amendment makes a change which is consequential on Amendment 1.

Amendment 102, page 201, line 19, after “189” insert

“, (Registration of short-term rental properties)”.—(Lucy Frazer.)

This amendment provides that NC119 comes into force two months after Royal Assent.

Clause 92

REGARD TO CERTAIN HERITAGE ASSETS IN EXERCISE OF PLANNING FUNCTIONS

Amendment made: 57, page 99, line 2, after “4B)” insert

“or street vote development orders (except as provided by SVDO regulations within the meaning given by section 61QM)”.—(Lucy Frazer.)

This amendment amends new section 58B of the Town and Country Planning Act 1990 (as inserted by clause 92) to provide an exception to the duty to have regard to certain heritage assets when the Secretary of State is considering whether to grant planning permission under a street vote development order.

Clause 96

STREET VOTES

Amendment made: 58, page 105, line 15, leave out Clause 96.—(*Lucy Frazer.*)

This amendment removes the placeholder clause 96.

Clause 98

MINOR VARIATIONS IN PLANNING PERMISSION

Amendment made: 27, page 115, line 16, at end insert—

“(11A) Nothing in this section authorises the disapplication of the condition under section 90B (condition relating to development progress reports in England).”—(*Lucy Frazer.*)

This is a consequential amendment to ensure that the power to make minor variations created by clause 98 cannot be used to disapply the mandatory planning condition which is to be created by NC48.

Clause 99

DEVELOPMENT COMMENCEMENT NOTICES

Amendment made: 24, page 117, line 31, leave out subsection (4) and insert—

“(4) In section 69 (register of applications etc)—

- (a) in subsection (1), after paragraph (f) (inserted by section (Condition relating to development progress reports)(4)(a)) insert—(g)commencement notices under section 93G.;
- (b) in subsection (2), after paragraph (c) (inserted by section (Condition relating to development progress reports)(4)(b)) insert—(d)such information as is prescribed with respect to commencement notices under section 93G that are given to the local planning authority.”—(*Lucy Frazer.*)

This amendment is consequential on NC48.

Clause 100

COMPLETION NOTICES

Amendment made: 59, page 118, line 21, at end insert—

“(e) a planning permission under a street vote development order is subject to a condition that the development to which the permission relates must begin before the expiration of a particular period, and development has begun within that period but has not been completed.”—(*Lucy Frazer.*)

This amendment amends new section 93H of the Town and Country Planning Act 1990 (as inserted by clause 100) so that a local planning authority has, in certain circumstances, the power to serve a completion notice in relation to planning permission under a street vote development order.

Clause 107

POWER TO PROVIDE RELIEF FROM ENFORCEMENT OF PLANNING CONDITIONS

Amendment made: 28, page 126, line 27, at end insert—

“(aa) section 90B (condition relating to development progress reports);”—(*Lucy Frazer.*)

This is a consequential amendment to ensure that the power to provide relief from the enforcement of planning conditions created by clause 107 cannot be used in relation to the mandatory planning condition which is to be created by NC48.

Clause 136

PLANNING FUNCTIONS OF URBAN DEVELOPMENT CORPORATIONS

Amendments made: 34, page 153, line 19, at end insert—

“(ca) in subsection (3)—

(i) in paragraph (a), omit ‘of the 1990 Act and the Planning (Listed Buildings and Conservation Areas) Act 1990’;

(ii) in paragraph (b), omit ‘of those Acts’;

(cb) after subsection (3) insert—

“(3A) A provision mentioned in paragraph 1, 3 or 5 of Part 1 of Schedule 29 may be specified under subsection (3)(a) only in relation to an urban development corporation for an area in England.”

This amendment is consequential on Amendment 35.

Amendment 35, page 154, line 14, at end insert—

“(4) In Part 1 of Schedule 29 (planning enactments conferring functions capable of being assigned to urban development corporations)—

(a) at the beginning insert—

‘1 Section 17 of the Land Compensation Act 1961.’;

(b) the paragraph referring to enactments in TCPA 1990 becomes paragraph 2;

(c) after that paragraph insert—

‘3 Sections 171BA, 171E, 172ZA, 172A, 191, 192, 225, 225A, 225C, 225F to 225H, 225J and 225K of the 1990 Act.’

(d) the paragraph referring to enactments in the Listed Buildings Act becomes paragraph 4;

(e) after that paragraph insert—

‘5 Section 44AA of the Planning (Listed Buildings and Conservation Areas) Act 1990.’—(*Lucy Frazer.*)

This amendment expands the range of planning functions that can be assigned to development corporations in England.

Clause 137

PLANNING FUNCTIONS OF NEW TOWN DEVELOPMENT CORPORATIONS

Amendment made: 36, page 155, line 9, at end insert—

“(4A) An order under subsection (4) may provide—

(a) that any enactment relating to local planning authorities applies to the corporation for the purposes of any enactment specified in Schedule 29 to the Local Government, Planning and Land Act 1980 which relates to land in the specified area by virtue of the order;

(b) that any enactment so applied to the corporation applies to it subject to modifications specified in the order.”—(*Lucy Frazer.*)

This amendment confers an ancillary power to apply planning legislation to new town development corporations, equivalent to a power that already exists for urban development corporations.

Clause 195

REGULATIONS

Amendments made: 30, page 198, line 20, at end insert—

“(ba) under Part 4A;”

NC49 to NC59 are expected to form new Part 4A. See the explanatory statement to NC49 for an overview of the new Part. This amendment provides that any regulations made under the new Part are subject to affirmative procedure.

Amendment 52, page 198, line 20, at end insert—

“(ba) under section (Pre-consolidation amendment of planning, development and compulsory purchase legislation);”

This amendment ensures that regulations made under the new power inserted by NC118 will be subject to the affirmative procedure in Parliament.

Amendment 99, page 198, line 31, at end insert—

“(ga) under section (Registration of short-term rental properties);”

This amendment provides for regulations made under NC119 to be subject to the affirmative procedure.

Amendment 33, page 199, line 7, at end insert—

“(fa) section 150;”

This amendment corrects a drafting omission by attaching the negative procedure to the new power to make regulations about compulsory purchase data standards.

Amendment 100, page 199, line 14, after “2” insert

“or section (Registration of short-term rental properties)”.—
(Lucy Frazer.)

This amendment provides that if a statutory instrument containing regulations under NC119 would otherwise be treated for the purposes of the standing orders of either House of Parliament as a hybrid instrument, the instrument is to proceed in that House as if it were not a hybrid instrument.

Clause 197

EXTENT

Amendments made: 53, page 199, line 38, at end insert—

“(c) section (Pre-consolidation amendment of planning, development and compulsory purchase legislation) extends to England and Wales, Scotland and Northern Ireland.”

This amendment ensures that the new power inserted by NC118 extends to the entire United Kingdom.

Amendment 31, page 200, line 1, leave out “Part 4 extends” and insert

“Parts 4 and 4A extend”.

NC49 to NC59 are expected to form new Part 4A. See the explanatory statement to NC49 for an overview of the new Part. This amendment provides that the new Part extends to England and Wales only.

Amendment 65, page 200, line 2, at end insert—

“(5A) Part 5A extends to England and Wales only.”

The reference to Part 5A is a reference to a new Part expected to be formed by NC77, NC78 and NC79. This amendment provides for the new Part to extend to England and Wales

Amendment 101, page 200, line 7, leave out “section” and insert

“sections (Registration of short-term rental properties) and”.

This amendment provides that NC119 extends to England and Wales only.

Amendment 60, page 200, line 7, leave out “sections 188 and 190” and insert “section 188”.

This amendment makes a change which is consequential on Amendment 1

Amendment 48, page 200, line 9, leave out “section 189 extends” and insert

“sections 189 and (Marine licensing) extend”.—(Lucy Frazer.)

This amendment provides that NC63 extends to England and Wales, Scotland and Northern Ireland.

Clause 198

COMMENCEMENT AND TRANSITIONAL PROVISION

Amendments made: 51, page 200, line 30, after “68” insert “, (Participation of police and crime commissioners at certain local authority committees)”.

This amendment is consequential on NC65 and provides for that new clause to come into force two months after the Act is passed.

Amendment 25, page 201, line 2, leave out “section 100 (so far as it confers)” and insert

“sections 100 and (Condition relating to development progress reports) (so far as conferring)”.

This amendment provides that the power to make regulations in NC48 is to be commenced two months after Royal Assent.

Amendment 55, page 201, line 2, leave out “section 100 (so far as it confers)” and insert

“sections 100 and (power to decline to determine applications in cases of earlier non-implementation etc) (so far as conferring)”.

This amendment provides for the regulation-making powers conferred by NC67 to come into force two months after Royal Assent.

Amendment 50, page 201, line 3, after “sections 107” insert

“, (Fees for certain services in relation to nationally significant infrastructure projects)”.

This amendment provides that NC64 comes into force 2 months after Royal Assent.

Amendment 54, page 201, line 3, leave out “and 114” and insert

“, 114 and (Pre-consolidation amendment of planning, development and compulsory purchase legislation)”.

This amendment ensures that the new power inserted by NC118 commences two months after Royal Assent.

Amendment 26, page 201, line 6, leave out “and 100” and insert

“, 100 and (Condition relating to development progress reports)”.

This amendment provides that the provisions inserted by NC48, other than the power to make regulations (see Amendment 25), are to be commenced on a date to be appointed by regulations.

Amendment 56, page 201, line 6, leave out “and 100” and insert

“, 100 and (power to decline to determine applications in cases of earlier non-implementation etc)”.

This amendment provides for NC67, so far as not conferring regulation-making powers, to come into force by commencement regulations.

Amendment 32, page 201, line 9, leave out “Part 4 comes” and insert

“Parts 4 and 4A come”.

NC49 to NC59 are expected to form new Part 4A. See the explanatory statement to NC49 for an overview of the new Part. This amendment provides that the new Part is to be brought into force by regulations made by the Secretary of State.

Amendment 66, page 201, line 12, at end insert—

“(5A) Part 5A comes into force at the end of the period of two months beginning with the day on which this Act is passed.”

The reference to Part 5A is a reference to a new Part expected to be formed by NC77, NC78 and NC79. This amendment provides for the new Part to come into force two months after the Act is passed.

Amendment 49, page 201, line 17, leave out “and section 188” and insert

“, section 188 and section (Marine licensing)”.

This amendment provides that NC63 comes into force on a day appointed by the Secretary of State in regulations.

Amendment 61, page 201, line 19, leave out “sections 189 and 190 come” and insert “section 189 comes”.

This amendment makes a change which is consequential on Amendment 1.

Amendment 102, page 201, line 19, after “189” insert “, (Registration of short-term rental properties)”.—(Lucy Frazer.)

This amendment provides that NC119 comes into force two months after Royal Assent.

Schedule 11

INFRASTRUCTURE LEVY

Amendment proposed: 84, page 291, leave out from line 37 to line 3 on page 292 and insert—

“(2) A charging authority, in setting rates or other criteria, must ensure that—

(a) the level of affordable housing which is funded by developers and provided in the authority’s area, and

(b) the level of the funding provided by the developers, is maintained at a level which, over a specified period, enables it to meet the level of affordable housing need identified in the local development plan.”—(Matthew Pennycook.)

This amendment would require Infrastructure Levy rates to be set at such a level as to meet the level of affordable housing need specified in a local development plan.

Question put, That the amendment be made.

The House divided: Ayes 171, Noes 319.

Division No. 129]

[6.46 pm

AYES

Abbott, rh Ms Diane (Proxy vote cast by Bell Ribeiro-Addy)	Carmichael, rh Mr Alistair
Abrahams, Debbie	Chamberlain, Wendy
Ali, Rushanara	Champion, Sarah
Ali, Tahir	Charalambous, Bambos
Allin-Khan, Dr Rosena	Clark, Feryal
Amesbury, Mike	Corbyn, rh Jeremy
Anderson, Fleur	Creasy, Stella
Antoniazzi, Tonia	Cruddas, Jon
Barker, Paula	Cunningham, Alex
Begum, Apsana	Daby, Janet
Benn, rh Hilary	Davey, rh Ed
Betts, Mr Clive	David, Wayne
Bradshaw, rh Mr Ben	Davies, Geraint
Brennan, Kevin	Davies-Jones, Alex
Brown, rh Mr Nicholas	De Cordova, Marsha
Bryant, Chris	Debbonaire, Thangam
Burgon, Richard	Dhesi, Mr Tanmanjeet Singh
Butler, Dawn	Dixon, Samantha
Byrne, Ian	Dodds, Anneliese
Byrne, rh Liam	Duffield, Rosie
Cadbury, Ruth	Eagle, Dame Angela
Campbell, rh Sir Alan	Eagle, Maria
Carden, Dan	Eastwood, Colum
	Edwards, Jonathan
	Efford, Clive

Elliott, Julie	Miliband, rh Edward
Elmore, Chris	Mishra, Navendu
Eshalomi, Florence	Morden, Jessica
Esterson, Bill	Morgan, Helen
Evans, Chris	Morgan, Stephen
Farron, Tim	Morris, Grahame
Fletcher, Colleen	Murray, Ian
Foord, Richard	Murray, James
Foxcroft, Vicky	Nandy, Lisa
Foy, Mary Kelly	Nichols, Charlotte
Gill, Preet Kaur	Norris, Alex
Green, Sarah	Onwurah, Chi
Greenwood, Lilian	Oppong-Asare, Abena
Greenwood, Margaret	Osamor, Kate
Griffith, Dame Nia	Osborne, Kate
Hamilton, Fabian	Owatemi, Taiwo
Hamilton, Mrs Paulette	Owen, Sarah
Hanna, Claire	Pennycook, Matthew
Harman, rh Ms Harriet	Perkins, Mr Toby
Harris, Carolyn	Phillips, Jess
Hayes, Helen	Pollard, Luke
Healey, rh John	Qureshi, Yasmin
Hillier, Dame Meg	Rayner, rh Angela
Hobhouse, Wera	Reed, Steve
Hodge, rh Dame Margaret	Reeves, rh Rachel
Hollern, Kate	Reynolds, Jonathan
Hopkins, Rachel	Ribeiro-Addy, Bell
Huq, Dr Rupa	Rodda, Matt
Hussain, Imran	Russell-Moyle, Lloyd
Jarvis, Dan	Shah, Naz
Johnson, rh Dame Diana	Sharma, Mr Virendra
Johnson, Kim	Siddiq, Tulip
Jones, Darren	Slaughter, Andy
Jones, Gerald	Smith, Nick
Jones, rh Mr Kevan	Smyth, Karin
Jones, Ruth	Sobel, Alex
Jones, Sarah	Spellar, rh John
Kane, Mike	Stevens, Jo
Keeley, Barbara	Stone, Jamie
Khan, Afzal	Streeting, Wes
Kinnock, Stephen	Stringer, Graham
Lammy, rh Mr David	Sultana, Zarah
Lavery, Ian	Tarry, Sam
Leadbeater, Kim	Thomas-Symonds, rh Nick
Lewell-Buck, Mrs Emma	Thornberry, rh Emily
Lewis, Clive	Timms, rh Sir Stephen
Lightwood, Simon	Trickett, Jon
Long Bailey, Rebecca	Turner, Karl
Lucas, Caroline	Twigg, Derek
Lynch, Holly	Vaz, rh Valerie
Madders, Justin	Wakeford, Christian
Mahmood, Mr Khalid	Webbe, Claudia
Mahmood, Shabana	Western, Matt
Malhotra, Seema	Whitehead, Dr Alan
Maskell, Rachael	Whittome, Nadia
McCabe, Steve	Wilson, Munira
McCarthy, Kerry	Winter, Beth
McDonald, Andy	Yasin, Mohammad
McDonnell, rh John	Zeichner, Daniel
McFadden, rh Mr Pat	
McGovern, Alison	
McMorrin, Anna	
Mearns, Ian	

Tellers for the Ayes:
Liz Twist and
Mary Glindon

NOES

Adams, rh Nigel	Anderson, Stuart
Afolami, Bim	Andrew, rh Stuart
Afriyie, Adam	Ansell, Caroline
Aiken, Nickie	Argar, rh Edward
Aldous, Peter	Atherton, Sarah
Anderson, Lee	Atkins, Victoria

Bacon, Gareth
 Bacon, Mr Richard
 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 Sir Jake
 Bhatti, Saqib
 Blackman, Bob
 Blunt, Crispin
 Bone, Mr Peter
 Bottomley, Sir Peter
 Bowie, Andrew
 Bradley, Ben
 Bradley, rh Karen
 Brady, Sir Graham
 Brereton, Jack
 Bridgen, Andrew
 Brine, Steve
 Bristow, Paul
 Britcliffe, Sara
 Browne, Anthony
 Bruce, Fiona
 Buchan, Felicity
 Buckland, rh Sir Robert
 Burghart, Alex
 Butler, Rob
 Cairns, rh Alun
 Carter, Andy
 Cartledge, James
 Cash, Sir William
 Cates, Miriam
 Caulfield, Maria
 Chalk, Alex
 Chishti, Rehman
 Churchill, Jo
 Clark, rh Greg
 Clarke, rh Mr Simon
 Clarke, Theo (*Proxy vote cast by Marcus Jones*)
 Clarke-Smith, Brendan
 Clarkson, Chris
 Cleverly, rh James
 Clifton-Brown, Sir Geoffrey
 Coffey, rh Dr Thérèse
 Colburn, Elliot
 Collins, Damian
 Courts, Robert
 Coutinho, Claire
 Cox, rh Sir Geoffrey
 Crabb, rh Stephen
 Crosbie, Virginia
 Crouch, Tracey
 Daly, James
 Davies, rh David T. C.
 Davies, Gareth
 Davies, Dr James
 Davies, Mims
 Davies, Philip
 Davis, rh Mr David
 Davison, Dehenna
 Dines, Miss Sarah
 Djanogly, Mr Jonathan
 Donaldson, rh Sir Jeffrey M.
 Double, Steve

Doyle-Price, Jackie
 Drax, Richard
 Drummond, Mrs Flick
 Duddridge, Sir James
 Duguid, David
 Dunne, rh Philip
 Eastwood, Mark
 Edwards, Ruth
 Ellis, rh Michael
 Ellwood, rh Mr Tobias
 Elphicke, Mrs Natalie
 Eustice, rh George
 Evans, Dr Luke
 Everitt, Ben
 Fabricant, Michael
 Farris, Laura
 Fell, Simon
 Firth, Anna
 Fletcher, Katherine
 Fletcher, Mark
 Fletcher, Nick
 Ford, rh Vicky
 Foster, Kevin
 Fox, rh Dr Liam
 Frazer, rh Lucy
 Freer, Mike
 French, Mr Louie
 Fuller, Richard
 Fysh, Mr Marcus
 Gale, rh Sir Roger
 Garnier, Mark
 Ghani, Ms Nusrat
 Gibb, rh Nick
 Gideon, Jo
 Girvan, Paul
 Glen, rh John
 Goodwill, rh Sir Robert
 Gove, rh Michael
 Graham, Richard
 Grant, Mrs Helen
 Gray, James
 Grayling, rh Chris
 Green, Chris
 Green, rh Damian
 Griffith, Andrew
 Grundy, James
 Gullis, Jonathan
 Halfon, rh Robert
 Hall, Luke
 Hammond, Stephen
 Hands, rh Greg
 Harper, rh Mr Mark
 Harris, Rebecca
 Harrison, Trudy
 Hart, Sally-Ann
 Hart, rh Simon
 Hayes, rh Sir John
 Heappey, rh James
 Heaton-Harris, rh Chris
 Henderson, Gordon
 Henry, Darren
 Higginbotham, Antony
 Hinds, rh Damian
 Hoare, Simon
 Holden, Mr Richard
 Hollinrake, Kevin
 Holloway, Adam
 Holmes, Paul
 Huddleston, Nigel
 Hudson, Dr Neil
 Hughes, Eddie
 Hunt, Jane

Hunt, Tom
 Jack, rh Mr Alister
 Javid, rh Sajid
 Jayawardena, rh Mr Ranil
 Jenkin, Sir Bernard
 Jenkinson, Mark
 Jenrick, rh Robert
 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, rh Gillian
 Knight, rh Sir Greg
 Kniveton, Kate
 Kruger, Danny
 Lamont, John
 Latham, Mrs Pauline
 Leadsom, rh Dame Andrea
 Leigh, rh Sir Edward
 Levy, Ian
 Lewer, Andrew
 Lewis, rh Brandon
 Lewis, rh Dr Julian
 Liddell-Grainger, Mr Ian
 Loder, Chris
 Logan, Mark (*Proxy vote cast by Marcus Jones*)
 Longhi, Marco
 Lopez, Julia
 Lord, Mr Jonathan
 Loughton, Tim
 Mackinlay, Craig
 Mackrory, Cherylyn
 Maclean, Rachel
 Mak, Alan
 Malthouse, rh Kit
 Mangnall, Anthony
 Mann, Scott
 Marson, Julie
 May, rh Mrs Theresa
 Mayhew, Jerome
 Maynard, Paul
 McCartney, Jason
 McCartney, Karl
 McVey, rh Esther
 Mercer, Johnny
 Merriman, Huw
 Metcalfe, Stephen
 Millar, Robin
 Miller, rh Dame Maria
 Milling, rh Amanda
 Mills, Nigel
 Mohindra, Mr Gagan
 Moore, Damien
 Moore, Robbie
 Mordaunt, rh Penny
 Morris, Anne Marie
 Morris, David
 Morris, James
 Morrissey, Joy
 Mortimer, Jill
 Morton, rh Wendy
 Mullan, Dr Kieran
 Mumby-Croft, Holly
 Murrison, rh Dr Andrew
 Neill, Sir Robert

Nokes, rh Caroline
 Norman, rh Jesse
 O'Brien, Neil
 Offord, Dr Matthew
 Opperman, Guy
 Pawsey, Mark
 Penning, rh Sir Mike
 Penrose, John
 Percy, Andrew
 Philp, rh Chris
 Poulter, Dr Dan
 Pow, Rebecca
 Prentis, rh Victoria
 Pritchard, rh Mark
 Pursglove, Tom
 Quin, rh Jeremy
 Quince, Will
 Randall, Tom
 Redwood, rh John
 Rees-Mogg, rh Mr Jacob
 Richards, Nicola
 Richardson, Angela
 Roberts, Rob
 Robertson, Mr Laurence
 Robinson, Gavin
 Robinson, Mary
 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
 Skidmore, rh Chris
 Smith, rh Chloe
 Smith, Greg
 Smith, Henry
 Smith, rh Julian
 Smith, Royston
 Spencer, Dr Ben
 Spencer, rh Mark
 Stafford, Alexander
 Stephenson, rh Andrew
 Stevenson, Jane
 Stevenson, John
 Stewart, rh Bob
 Stewart, Iain
 Streeter, Sir Gary
 Stride, rh Mel
 Stuart, rh Graham
 Sturdy, Julian
 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
 Tugendhat, rh Tom
 Vara, rh Shailesh
 Vickers, Martin

Vickers, Matt
 Villiers, rh Theresa
 Walker, Sir Charles
 Walker, Mr Robin
 Wallace, rh Mr Ben
 Wallis, Dr Jamie
 Warman, Matt (*Proxy vote
 cast by Marcus Jones*)
 Watling, Giles
 Whately, Helen
 Wheeler, Mrs Heather
 Whittaker, Craig

Whittingdale, rh Sir John
 Wiggin, Sir Bill
 Wild, James
 Williams, Craig
 Williamson, rh Sir Gavin
 Wilson, rh Sammy
 Wood, Mike
 Wragg, Mr William
 Wright, rh Sir Jeremy

Tellers for the Noes:
Jacob Young and
Amanda Solloway

Question accordingly negatived.

Schedule 13

PLANNING FUNCTIONS OF DEVELOPMENT CORPORATIONS: MINOR AND CONSEQUENTIAL AMENDMENTS

Amendments made: 37, page 317, line 16, at end insert—

“(5) In section 62B(5) (planning authorities that cannot be designated for the purposes of allowing direct planning applications to the Secretary of State), after paragraph (c) insert—

‘(ca) a development corporation established under section 3 of the New Towns Act 1981;’.

(6) In section 70(4) (definitions relating to local finance considerations to be taken into account in planning decisions), in the definition of ‘relevant authority’, after paragraph (e) insert—

‘(ea) a development corporation established under section 3 of the New Towns Act 1981;’.

(7) In paragraph 5 of Schedule 1 (local highway authority restrictions on grant of planning permission)—

(a) in sub-paragraph (2), for the words from ‘is to be’, where they first occur, to ‘2011,’ substitute ‘does not include a development corporation planning authority;’;

(b) in sub-paragraph (3), for the words from ‘an’ to ‘local planning authority,’ in the second place it occurs, substitute ‘a development corporation planning authority’;

(c) after sub-paragraph (3) insert—

‘(4) In this paragraph, “development corporation planning authority” means—

(a) an urban development corporation which is the local planning authority by virtue of an order under section 149 of the Local Government, Planning and Land Act 1980,

(b) a development corporation established under section 3 of the New Towns Act 1981 which is the local planning authority by virtue of an order under section 7A of that Act, or

(c) a Mayoral development corporation which is the local planning authority by virtue of an order under section 198(2) of the Localism Act 2011.”

This amendment adds further consequential amendments concerning the conferral of planning functions on new town development corporations.

Amendment 38, page 317, leave out line 21 and insert—

“(i) after ‘7’, where it first occurs, insert ‘, 7ZA, 7A;’.”

This amendment expands a consequential amendment about planning functions to cover mayoral development corporations.

Amendment 39, page 317, leave out line 23 and insert—

“(b) in paragraph 4(1), after ‘7’ insert ‘, 7ZA, 7A;’.”—
(Lucy Frazer.)

This amendment expands a consequential amendment about planning functions to cover mayoral development corporations.

Title

Amendments made: 67, after “plans;” insert “about nutrient pollution standards;”.

This amendment makes a change to the Long Title which is consequential on NC77.

Amendment 103, after “heritage;” insert “about the registration of short-term rental properties;”.

This amendment makes a change to the long title to cover NC119.

Amendment 68, after “Surveyors;” insert “about the charging of fees in connection with marine licences;”.

This amendment makes a change to the long title to cover NC63.

Amendment 62, leave out “about vagrancy and begging;”.—(Lucy Frazer.)

This amendment makes a change which is consequential on Amendment 1.

Third Reading

King’s and Prince of Wales’s consent signified.

6.59 pm

The Secretary of State for Levelling Up, Housing and Communities (Michael Gove): I beg to move, That the Bill be now read the Third time.

What a great Bill this is—put together by a great ministerial team, passed by great majorities and improved by the great contribution of many great Back Benchers. I hope that the other place has a great time when it reviews it.

6.59 pm

Lisa Nandy (Wigan) (Lab): We started by saying that this was a levelling-up Bill with no levelling up in it—it was just a housing Bill. Then the Government stripped out the housing, and now we are left with just a Bill. Nevertheless, we will make good on our promises and see the Bill through.

Question put and agreed to.

Bill accordingly read the Third time and passed.

Business without Debate

BUSINESS OF THE HOUSE (14 DECEMBER)

Ordered,

That, on Wednesday 14 December:

(a) the motion in the name of the Prime Minister on the situation in Ukraine may last for up to 2 hours or until 2.50pm, whichever is the earlier, at which time the motion shall lapse, unless previously disposed of;

(b) notwithstanding Standing Order No. 9 (Sittings of the House) and Standing Order No. 14(2)(c) (Arrangement of public business) Opposition business shall begin at 4.00pm or as soon as may be possible thereafter and may continue for up to three hours, and Standing Order No. 41A (Deferred divisions) shall not apply and the day shall be an opposition half day for the purposes of Standing Order No. 14 (Arrangement of public business); and

(c) notwithstanding the provisions of paragraph (1)(b) of Standing Order No. 10 (Westminster Hall), the sitting in Westminster Hall shall be suspended from 11.30am until 4.15pm, and may then continue for up to 90 minutes.—(Andrew Stephenson.)

DELEGATED LEGISLATION

Madam Deputy Speaker (Dame Eleanor Laing): With the leave of the House, we shall take motions 4 to 12 together.

Motion made, and Question put forthwith (Standing Order No. 118(6)),

IMMIGRATION

That the draft Immigration (Persons Designated under Sanctions Regulations) (EU Exit) (Amendment) Regulations 2022, which were laid before this House on 1 November, be approved.

PARLIAMENT

That the draft Parliamentary Works Sponsor Body (Abolition) Regulations 2022, which were laid before this House on 22 November, be approved.

RATING AND VALUATION

That the draft Non-Domestic Rating (Chargeable Amounts) (England) Regulations 2022, which were laid before this House on 23 November, be approved.

ENVIRONMENTAL PROTECTION

That the draft Restriction of Hazardous Substances in Electrical and Electronic Equipment (Exemptions) (Fees) Regulations 2022, which were laid before this House on 18 October, be approved.

PUBLIC PROCUREMENT

That the draft Public Contracts (Amendment) Regulations 2022, which were laid before this House on 8 November, be approved.

PROCEEDS OF CRIME

That the draft Proceeds of Crime (Money Laundering) (Threshold Amount) Order 2022, which was laid before this House on 19 October, be approved.

CONSUMER PROTECTION

That the draft Conformity Assessment (Mutual Recognition Agreements) (Amendment) Regulations 2022, which were laid before this House on 21 November, be approved.

POLICE

That the draft Police and Criminal Evidence Act 1984 (Codes of Practice) (Revision of Code A) Order 2022, which was laid before this House on 13 October, be approved.

INVESTIGATORY POWERS

That the draft Investigatory Powers (Communications Data) (Relevant Public Authorities and Designated Senior Officers) Regulations 2022, which were laid before this House on 7 November, be approved.—(*Andrew Stephenson.*)

Question agreed to.

COMMITTEES

Madam Deputy Speaker (Dame Eleanor Laing): With the leave of the House, we shall take motions 13 to 16 together.

Ordered,

FINANCE

That Dame Eleanor Laing be discharged from the Finance Committee and Mr Nigel Evans be added.

HEALTH AND SOCIAL CARE

That Paul Blomfield be added to the Health and Social Care Committee.

HIGH SPEED RAIL (CREWE – MANCHESTER) BILL

That Wayne David, Antony Higginbotham, Grahame Morris, Holly Mumby-Croft, Gavin Newlands, Andrew Percy and Martin Vickers be members of the High Speed Rail (Crewe – Manchester) Bill Select Committee.

TRANSPORT

That Christian Wakeford be discharged from the Transport Committee and Mike Amesbury be added.—(*Sir Bill Wiggin, on behalf of the Committee of Selection.*)

PETITIONS

End Serco using hotels in Stoke-on-Trent to house migrants

7.2 pm

Jonathan Gullis (Stoke-on-Trent North) (Con): I present a petition that, in just over a fortnight, has gathered more than 1,900 signatures and counting. People are fed up and angry at Serco for abusing our great city of Stoke-on-Trent by adding to the 800 migrants already in the city by booking out hotels, which makes us feel like a dumping ground for illegal economic migrants. The response to my petition is clear, and this abuse must now end. We want those guarantees now.

The petition states:

The Petition of residents of the constituency of Stoke-on-Trent North, Kidsgrove and Talke,

Declares that Serco and the Home Office end the use of hotels in Stoke-on-Trent for asylum seekers and illegal economic migrants, notes that Stoke-on-Trent has already taken over 800 people as part of the Asylum Dispersal Scheme and further that Stoke-on-Trent has therefore done its bit in housing asylum seekers and illegal economic migrants.

The petitioners therefore request that the House of Commons urge the Government to ensure that no more hotels in Stoke-on-Trent are used as part of the UK asylum and immigration system, and that those currently in use are phased out over the next six months.

And the petitioners remain, etc.

[P002788]

Save the Twenty-One bus route

Maggie Throup (Erewash) (Con): I rise to present a petition on behalf of 1,082 Erewash residents, calling on the Government to work with the bus operator Trentbarton to reinstate the No. 21 service, which was scrapped at short notice in October 2022. This decision has significantly inconvenienced many of my constituents, particularly those living in Kirk Hallam and Hallam Fields, with some now having to catch three buses to reach vital services such as the Queen's medical centre in Nottingham and Ilkeston Community Hospital.

The petition states:

The Petition of the residents of Erewash,

Declares that the number 21 bus route operated by Trent Motor Traction Company Ltd and Barton Buses Ltd (known as Trentbarton) which currently serves the communities of Kirk Hallam, Ilkeston, Shipley View and Hallam Fields acts as a vital lifeline to many local residents as their only means of easily accessing Queen's Medical Centre and Ilkeston Community Hospital; further notes that the residents will have to take numerous buses

to complete the journey, adding to the cost of travel; and comes shortly after the loss of the number 23 bus also affecting these communities.

The petitioners therefore request that the House of Commons urge the Government to work with the Chief Executive of Trentbarton to reconsider the changes and reinstate the original number 21 bus route.

And the petitioners remain, etc.

[P002789]

Vaccines: Potential Harms

Motion made, and Question proposed, That this House do now adjourn.—(*Andrew Stephenson.*)

7.4 pm

Andrew Bridgen (North West Leicestershire) (Con): Three months ago, one of the most eminent and trusted cardiologists, a man with an international reputation, Dr Aseem Malhotra, published peer-reviewed research that concluded that there should be a complete cessation of the administration of the covid mRNA vaccines for everyone because of clear and robust data of significant harms and little ongoing benefit. He described the roll-out of the BioNTech-Pfizer vaccine as

“perhaps the greatest miscarriage of medical science, attack on democracy, damage to population health, and erosion of trust in medicine that we will witness in our lifetime.”

Interestingly, there has so far not been a single rebuttal of Dr Malhotra’s findings in the scientific literature, despite their widespread circulation and the fact that they made international news.

Before I state the key evidence-based facts that make a clear case for complete suspension of these emergency use authorisation vaccines, it is important to appreciate the key psychological barrier that has prevented these facts from being acknowledged by policymakers and taken up by the UK mainstream media. That psychological phenomenon is wilful blindness. It is when human beings—including, in this case, institutions—turn a blind eye to the truth in order to feel safe, reduce anxiety, avoid conflict and protect their prestige and reputations. There are numerous examples of that in recent history, such as the BBC and Jimmy Savile, the Department of Health and Mid Staffs, Hollywood and Harvey Weinstein, and the medical establishment and the OxyContin scandal, which was portrayed in the mini-series “Dopesick”. It is crucial to understand that the longer wilful blindness to the truth continues, the more unnecessary harm it creates.

Here are the cold, hard facts about the mRNA vaccines and an explanation of the structural drivers that continue to be barriers to doctors and the public receiving independent information to make informed decisions about them. Since the roll-out in the UK of the BioNTech-Pfizer mRNA vaccine, we have had almost half a million yellow card reports of adverse effects from the public. That is unprecedented. It is more than all the yellow card reports of the past 40 years combined. An extraordinary rate of side effects that are beyond mild have been reported in many countries across the world that have used the Pfizer vaccine, including, of course, the United States.

Jim Shannon (Strangford) (DUP): I spoke to the hon. Gentleman beforehand and he knows my feelings about the vaccines. I am a supporter of the vaccines, as are many of my family, but I understand where he is coming from. In fact, I have had some constituents come to me about this. Does he agree that, in this House, we must acknowledge risks and not simply relegate them to fine print?

Andrew Bridgen: The hon. Gentleman is absolutely right. Those who feel that they have been damaged by the vaccine should of course have the full support of their elected Members of Parliament and the NHS. Only a couple of weeks ago, I was interviewed by a journalist

[Andrew Bridgen]

from a major news outlet who said that he was being bombarded by calls from people who said that they were vaccine-harmed but unable to get the support they wanted from the NHS. He also said that he thought this would be the biggest scandal in medical history in this country. Disturbingly, he also said that he feared that if he were to mention that in the newsroom in which he worked, he would lose his job. We need to break this conspiracy of silence.

It is instructive to note that, according to pharmacovigilance analysis, the serious adverse effects reported by the public are thought to represent only 10% of the true rate of serious adverse events occurring within the population. The gold standard of understanding the benefit and harm of any drug is the randomised controlled trial. It was the randomised controlled trial conducted by Pfizer that led to UK and international regulators approving the BioNTech-Pfizer mRNA vaccine for administration in the first place.

Contrary to popular belief, that original trial of approximately 40,000 participants did not show any statistically significant reduction in death as a result of vaccination, but it did show a 95% relative risk reduction in the development of infection against the ancestral, more lethal strain of the virus. However, the absolute risk reduction for an individual was only 0.84%. In other words, from its own data, Pfizer revealed that we needed to vaccinate 119 people to prevent one infection. The World Health Organisation and the Academy of Medical Royal Colleges have previously stated and made it clear that it is an ethical responsibility that medical information is communicated to patients in absolute benefit and absolute risk terms, which is to protect the public from unnecessary anxiety and manipulation.

Very quickly, through mutations of the original strain—indeed, within a few months—covid fortunately became far less lethal. It quickly became apparent that there was no protection against infection at all from the vaccine, and we were left with the hope that perhaps these vaccines would protect us from serious illness and death. So what does the most reliable data tell us about the best-case scenario of individual benefit from the vaccine against dying from covid-19? Real-world data from the UK during the three-month wave of omicron at the beginning of this year reveals that we would need to vaccinate 7,300 people over the age of 80 to prevent one death. The number needed to be vaccinated to prevent a death in any younger age group was absolutely enormous.

Danny Kruger (Devizes) (Con): I am very grateful to my hon. Friend for bringing this debate to the House. It is a very important debate that we should be having. He is talking about the relative risks for different cohorts of the population. He will remember that, when the vaccine was first announced, the intention was that it would be used only for those who were vulnerable and the elderly because, as he says, the expectation was that the benefit to younger people was minor. Does he agree that it would be helpful for the Minister to explain to us why the original advice that the vaccines would be rolled out only for the older population, and would not be used for children in particular, was laid aside and we ended up with the roll-out for the entire population, including children?

Andrew Bridgen: I thank my hon. Friend for that intervention and his support on this very important issue. Of course, it is important that the Government justify why they are rolling out a vaccine to any cohort of people, particularly our children. He will recall that, in the Westminster Hall debate, we questioned the validity of vaccinating children who have minimal risk, if a risk at all, from the virus when there is a clear risk from the vaccine. I will again report on evidence from America later in my speech about those risks, particularly to young children.

In other words, the benefits of the vaccine are close to non-existent. Beyond the alarming yellow card reports, the strongest evidence of harm comes from the gold standard, highest possible quality level of data. A re-analysis of Pfizer and Moderna's own randomised controlled trials using the mRNA technology, published in the peer-reviewed journal *Vaccine*, revealed a rate of serious adverse events of one in 800 individuals vaccinated. These are events that result in hospitalisation or disability, or that are life changing. Most disturbing of all, however, is that those original trials suggested someone was far more likely to suffer a serious side effect from the vaccine than to be hospitalised with the ancestral, more lethal strain of the virus. These findings are a smoking gun suggesting the vaccine should likely never have been approved in the first place.

In the past, vaccines have been completely withdrawn from use for a much lower incidence of serious harm. For example, the swine flu vaccine was withdrawn in 1976 for causing Guillain-Barré syndrome in only one in 100,000 adults, and in 1999 the rotavirus vaccine was withdrawn for causing a form of bowel obstruction in children affecting one in 10,000. With the covid mRNA vaccine, we are talking of a serious adverse event rate of at least one in 800, because that was the rate determined in the two months when Pfizer actually followed the patients following their vaccination. Unfortunately, some of those serious events, such as heart attack, stroke and pulmonary embolism will result in death, which is devastating for individuals and the families they leave behind. Many of these events may take longer than eight weeks post vaccination to show themselves.

An Israeli paper published in *Nature's* scientific reports showed a 25% increase in heart attack and cardiac arrest in 16 to 39-year-olds in Israel. Another report from Israel looked at levels of myocarditis and pericarditis in people who had had covid and those who had not. It was a study of, I think, 1.2 million who had not had covid and 740,000 who had had it. The incidence of myocarditis and pericarditis was identical in both groups. This would tell the House that whatever is causing the increase in heart problems now, it is not due to having been infected with covid-19.

It was accepted by a peer-reviewed medical journal that one of the country's most respected and decorated general practitioners, the honorary vice-president of the British Medical Association and the Labour party's doctor of the year, Dr Kailash Chand, likely suffered a cardiac arrest and was tragically killed by the Pfizer vaccine six months after his second dose, through a mechanism that rapidly accelerates heart disease. In fact, in the UK we have had an extra 14,000 out-of-hospital cardiac arrests in 2021, compared with 2020, following the vaccine roll-out. Many of these will undoubtedly be because of the vaccine, and the consequences of this mRNA jab are clearly serious and common.

Mr Jonathan Lord (Woking) (Con): My hon. Friend is making an interesting and important speech. In particular, he is giving a lot of detail about the Pfizer vaccine. Does he have similar concerns about other vaccines, and if so, will he be talking about those later in his speech?

Andrew Bridgen: I thank my hon. Friend for that intervention. Clearly this is related to all mRNA vaccinations. He will be well aware that many of us have had the AstraZeneca vaccine, which has effectively been withdrawn because of health concerns. Indeed, I will declare to the House that I am double-vaccinated with AstraZeneca, which has now been withdrawn.

Ministers may understandably wish to defer the responsibility for a decision such as withdrawing vaccines from the population to regulators such as the Medicines and Healthcare products Regulatory Agency, or in America the Food and Drug Administration. Historically, when undertaking the approval of any drug, the regulators ultimately end up relying on the summary results from the drug companies in their sponsored trials, where the raw data is kept commercially confidential. Furthermore, the MHRA has a huge financial conflict of interest, receiving 86% of its funding from the pharmaceutical industry it is supposed to regulate. In effect, we have the poacher paying the gamekeeper.

In a recent investigation by *The BMJ* into the financial conflicts of interest of the drug regulators, the sociologist Donald Light said:

“It’s the opposite of having a trustworthy organisation independently and rigorously assessing medicines. They’re not rigorous, they’re not independent, they are selective, and they withhold data.”

He went on to say that doctors and patients

“must appreciate how deeply and extensively drug regulators can’t be trusted so long as they are captured by industry funding.”

Similarly, another investigation revealed that members of the Joint Committee on Vaccination and Immunisation had huge financial links to the Bill and Melinda Gates Foundation running into billions of pounds. Ministers, the media and the public know that the foundation is heavily invested in pharmaceutical industry stocks.

Unfortunately, the catastrophic mistake over the approval, and the coercion associated with this emergency-use authorisation medical intervention, are not an anomaly, and in many ways this could have been predicted by the structural failures that allowed it to occur in the first place. Those shortcomings are rooted in the increasingly unchecked visible and invisible power of multinational corporations—in this case, big pharma. We can start by acknowledging that the drug industry has a fiduciary obligation to produce profit for its shareholders, but it has no fiduciary obligation to provide the right medicines for patients.

The real scandal is that those with a responsibility to patients and with scientific integrity—namely, doctors, academic institutions and medical journals—collude with the industry for financial gain. Big pharma exerts its power by capturing the political environment through lobbying and the knowledge environment through funding university research and influencing medical education, preference shaping through capture of the media, financing think-tanks and so on. In other words, the public relations machinery of big pharma excels in subterfuge and engages in smearing and de-platforming those who call out its manipulations. No doubt it will be very busy this evening.

It is no surprise, when there is so much control by an entity that has been described as “psychopathic” for its profit-making conduct, that one analysis suggests that third most common cause of death globally after heart disease and cancer is the side effects of prescribed medications, which were mostly avoidable. Because of those systemic failures, doctors often receive biased information, deliberately manipulated by the pharmaceutical industry, which exaggerates the benefits and the safety of their drugs. Furthermore, the former editor of *The BMJ*, Richard Smith, claims that research misconduct is rife and is not effectively being tackled in the UK institutions, stating:

“Something is rotten in...British medicine and has been for a long time”.

It has also been brought to my attention by a whistleblower from a very reliable source that one of these institutions is covering up clear data that reveals that the mRNA vaccine increases inflammation of the heart arteries. It is covering this up for fear that it may lose funding from the pharmaceutical industry. The lead of that cardiology research department has a prominent leadership role with the British Heart Foundation, and I am disappointed to say that he has sent out non-disclosure agreements to his research team to ensure that this important data never sees the light of day. That is an absolute disgrace. Systemic failure in an over-medicated population also contributes to huge waste of British taxpayers’ money and increasing strain on the NHS.

Danny Kruger: My hon. Friend is being very good with his time. I just want to call his attention to some research, since I chair the all-party parliamentary group for prescribed drug dependence. He refers to the waste of money; there is £500 million being spent every year by the NHS on prescribed drugs for people who should not be on those habit-forming pills, causing enormous human misery as well as waste for the taxpayer.

Andrew Bridgen: I thank my hon. Friend for making a point that only reinforces the items in my speech that the public need to know. I thank him again for his support.

We need an inquiry into the influence of big pharma on medications and our NHS. That is been called for many occasions and by some very influential people, including prominent physicians such as the former president of the Royal College of Physicians and personal doctor to our late Queen, Sir Richard Thompson. On separate occasions in the last few years those calls have been supported and covered in the *Daily Mail*, *The Guardian* and, most recently, *The i* newspaper.

We are fighting not just for principles of ethical, evidence-based medical practices, but for our democracy. The future health of the British public depends on us tackling head-on the cause of this problem and finding meaningful solutions. In 2015 a commentary by Richard Houghton, editor-in-chief of *The Lancet*, suggested that possibly half of the published medical literature “may simply be untrue”. He wrote that

“science has taken a turn toward darkness”,

and asked who is going to take the first step to clean up the system.

That first step could start this evening with this debate. It starts here, with the vaccine Minister and the Government ensuring in the first instance an immediate and complete suspension of any more covid vaccines

[Andrew Bridgen]

with their use of mRNA technology. Silence on this issue is more contagious than the virus itself, and now so should courage be. I would implore all the scientists, medics, nurses and those in the media who know the truth about the harm these vaccines are causing to our people to speak out.

We have already sacrificed far too many of our citizens on the altar of ignorance and unfettered corporate greed. Last week the MHRA authorised those experimental vaccines for use in children as young as six months. In a Westminster Hall debate some weeks ago, I quoted a report by the *Journal of the American Medical Association* studying the effect of the covid-19 mRNA vaccination on children under five years of age. It showed that one in 200 had an adverse event that resulted in hospitalisation, and symptoms that lasted longer than 90 days.

As the data clearly shows to anyone who wants to look at it, the mRNA vaccines are not safe, not effective and not necessary. I implore the Government to halt their use immediately. As I have demonstrated and as the data clearly shows, the Government's current policy on the mRNA vaccines is on the wrong side of medical ethics, it is on the wrong side of scientific data, and ultimately it will be on the wrong side of history.

7.25 pm

The Parliamentary Under-Secretary of State for Health and Social Care (Maria Caulfield): I thank my hon. Friend the Member for North West Leicestershire (Andrew Bridgen) for securing the debate. It is important that all Members get to discuss and debate such issues, and they are entitled to their opinion.

I have to say that I strongly disagree with my hon. Friend, not only in the content of his speech, but in the way he derided doctors, scientists and nurses. Many of us worked through the pandemic and saw at first hand the devastation that covid caused. There is no doubt in my mind that, despite the personal protective equipment, social distancing and infection control, the thing that made the biggest difference in combating covid was the introduction of the vaccine.

Safe and effective vaccines have underpinned our strategy for living with covid. Covid has not gone away, but we are living with it in a way that was not possible this time last year. Vaccines have saved thousands of lives, reduced the pressure on the NHS, and allowed the economy and society to reopen, not just in this country but in countries across the world. In countries with lower vaccination rates, their ability to open up, move on and live with covid was reduced.

Across the piece—not just for covid—vaccines remain our biggest line of defence, particularly during a challenging winter period. We see with our seasonal flu vaccine roll-out and our covid programme that getting the most vulnerable people vaccinated—

Andrew Bridgen: Will the Minister give way on that point?

Maria Caulfield: I will not. I have just three minutes to respond to the many points that my hon. Friend made.

It is important to put on the record that all the vaccines used in the UK are safe, and we have some of the highest safety standards in the world, with the MHRA globally recognised for requiring high standards of safety. I have worked in clinical research, and I can say categorically that the data is not hidden from the public or the MHRA; it is inspected rigorously and can be reinspected at any time.

Each of our covid vaccine candidates is assessed by a team of scientists and clinicians on a case-by-case basis, and it is only once a potential vaccine has met robust standards of effectiveness, safety and quality that it is approved for use. That is the case for all medicines, not just covid vaccines. Extensive data shows that the vaccine is safe and highly effective in reducing the deaths that we sadly saw during the pandemic. That does not end when the vaccine is approved; surveillance of vaccines continues, as it does with any medicine, and any adverse reaction is recorded on a regular basis. That does not stop following approval.

My hon. Friend talked about the yellow card reports. Those have been in place for many years. Anyone who has a side effect from any medicine can make a yellow card report. When I was first starting out in nursing, that was a physical yellow card; it is now online. Anyone can submit any suspected adverse drug reaction. The MHRA will collate and review them, and it has in the past gone on to suspend the licence of a medicine if it has concerns. That is something that it can do for any vaccine, including any covid vaccine.

The nature of the yellow card reporting system means that some reported events are not always proven side effects. A side effect can be reported; the MHRA will then go and look to see whether it is actually related to that medicine, and there is a list of probabilities of how likely it is that the side effect is related to that medicine. There is comprehensive surveillance to alert us to any unforeseen adverse reactions to vaccines and to enable us to act swiftly when required.

We know that there are some circumstances where individuals have sadly experienced harm with a possible link to a vaccination. I recognise how difficult that is for those individuals and their families. We have put measures in place to monitor any possible side effects and to commission further research that will help us better understand how to diagnose and treat those who have suffered or continue to suffer any ill effects from a covid-19 vaccine. That is the case for any medicine—even with a simple medicine such as paracetamol, people can get side effects—and that is why every medicine that is prescribed and dispensed has a patient safety information sheet listing the most likely side effects and encouraging people to report any that may not be included.

Danny Kruger: Will the Minister give way?

Maria Caulfield: I will give way quickly, because I have only a couple of minutes.

Danny Kruger: I am grateful. The Minister's predecessor had asked the Joint Committee on Vaccination and Immunisation to review the evidence behind the decision to roll out the vaccine to children. Can she update the House or write to us to explain where that review has got to? Does she agree that the JCVI should be looking at the vaccination of children?

Maria Caulfield: I will write to my hon. Friend with an update on that report. It was touched on that the MHRA has licensed the vaccine for babies, but that has not yet been approved by the JCVI, so that is just a licence rather than a recommendation to roll out. However, I am happy to send him the details of that report.

I want to put on the record that the covid vaccines have saved tens of thousands of lives and prevented hundreds of thousands of people from being hospitalised. I completely disagree with my hon. Friend the Member for North West Leicestershire that there is a whole conspiracy of doctors, nurses and scientists—they have done nothing but work hard to get us through the pandemic.

Andrew Bridgen *rose—*

Maria Caulfield: I will give way for one brief point.

Andrew Bridgen: I thank the Minister for giving way on that important point. The claims about the number of lives saved worldwide by the vaccination are sponsored by vested interests. The modelling is the lowest form of scientific evidence—in fact, it is more science fiction than science fact.

Maria Caulfield: I completely disagree. I worked on the covid wards with patients who were dying from that virus. We had infection control measures, antibiotics,

dexamethasone—a steroid—and every known facility available, and the only thing that made a difference was when those vaccines were introduced. They do not necessarily stop people from getting the virus, but they certainly reduce its intensity and the likelihood of someone dying from it.

I completely debunk the conspiracy theories about a whole group of people benefiting financially from the roll-out of the vaccine and would gently say to my hon. Friend that if he has evidence, there are mechanisms in place for raising concerns, as we have seen with other drugs. Only today, I was before the Health and Social Care Committee talking about sodium valproate—we also had an Adjournment debate on that last week—where there are genuine safety concerns. The MHRA is taking that extremely seriously. It is not worried about pharma concerns; its first priority is patients, and it is exactly the same with the covid vaccine. So if there is evidence—I am not saying that there is not—it absolutely must go through the proper channels so that it can be evaluated.

We have launched a nationwide campaign to encourage people to come forward this winter to get their booster. I recommend that people do that safe in the knowledge that the vaccine is safe for people to have.

Question put and agreed to.

7.33 pm

House adjourned.

Westminster Hall

Tuesday 13 December 2022

[DAVID MUNDELL *in the Chair*]

Business Rates and Levelling Up

9.30 am

Peter Aldous (Waveney) (Con): I beg to move,

That this House has considered business rates and levelling up.

It is a pleasure to see you in the Chair, Mr Mundell. I am grateful to the Backbench Business Committee for granting this debate. It is extremely apt that the debate is taking place on the same day that the Levelling-up and Regeneration Bill returns to the House of Commons. If we can successfully reform business rates so that they are fair to businesses right across the country, that really will help to deliver meaningful levelling up.

At present, with businesses having to contend with a level of inflation not seen for a generation, soaring utility bills and stubbornly high rents, business rates are a fixed cost from which occupiers cannot escape. They are an impediment to regional growth, and their impact needs to be significantly reduced, with the system being put on a long-term, easily understood footing. In that way, businesses will know where they stand and can then make long-term investment decisions.

To be fair, all political parties have recognised the unfair and unjust nature of the current system and commitments have been made to both replacement and reform. From my perspective, I sense that the former—replacement—is the holy grail that is unachievable in the real world. To address the immediate threat that business rates pose to many businesses in different sectors and in different parts of the country, a wide variety of reliefs and exemptions have been introduced. Although welcome, they have made the system more complicated and difficult to comprehend.

Currently, the Labour party is committed to abolishing business rates and replacing them with a system fit for the 21st century. As I have said, I sense that it will be impossible for it to keep that promise, because, despite the drawbacks that business rates possess, they have inherent advantages for the Treasury: they yield approximately £25 billion per annum, are relatively easy to collect and are difficult to avoid. It is impossible to find an alternative system of taxation that has those advantages, and I believe that it is important to get on with reforming the current system.

Let me turn to the Government's record. My right hon. Friend the Chancellor of the Exchequer made significant and largely welcome announcements in his autumn statement, which I shall detail later. However, I am mindful that we made commitments in the 2019 Conservative manifesto that we are yet to properly and fully implement. Those include carrying out a fundamental review of the system and reducing business rates in the long term for retail businesses, as well as extending the discounts to grassroots music venues, small cinemas, and pubs. Yes, we have provided a wide variety of short-term reliefs, but we have not yet provided the permanent fix that is so urgently needed.

It is appropriate to briefly describe business rates. They are a tax charged to most non-domestic properties, although there are some exceptions, such as small businesses with a rateable value of less than £12,000. They are calculated by multiplying the rateable value of the property by the uniform business rate multiplier. The rateable value is an assessment of the annual rent that the property would achieve if it were available to let on the open market at a specific, fixed valuation date. The UBR multiplier for 2022-23 is 51.2p in the pound, or 49.9p for small businesses.

Before I came to this place I was a chartered surveyor. Although I did not specialise in business rates, I did from time to time carry out business rates appeals. Invariably, that happened in situations with a lack of rental evidence on which to base an assessment of a property's rateable value. As a result, it was difficult to agree a value, and there was the risk of a rateable value being imposed, which was abstract from reality and took no account of the ability of the business to pay and thus continue to exist and operate profitably. The Valuation Office Agency—the VOA—needs to be more transparent, open and collegiate in its dealings with businesses. I shall touch on that later.

As I have mentioned, the Chancellor made some significant announcements in his autumn statement, which included confirmation of a revaluation that will come into effect from April; the freezing of the uniform business rate multiplier; the reform of the transitional relief scheme; a supporting small business scheme; and a 75% retail, hospitality and leisure relief worth up to £110,000 per business. The revaluation is generally to be welcomed, although there are some notable exceptions, as it will on the whole bring down rates in economically depressed areas while raising rates in areas where rental values have risen.

The announcement that the downwards phasing of the transitional relief scheme for England is to be abolished is good news, with upwards phasing being funded by the Treasury. The problem with transitional relief was that meaningful and full reductions in business rates, which businesses particularly in the retail sector desperately needed, took far too long to filter through. The measures will provide much needed support to help businesses get through the next few months, and they provide the foundation stone on which to now carry out the promised fundamental review.

Despite those measures, which in many respects can be likened to the application of yet more sticking plasters and, indeed, bandages, fundamental flaws remain to be addressed. Although the Government froze the UBR at 51p in the last two Budgets, it remains unsustainably high. In no other country in Europe do businesses pay half the rental value of premises in property taxes. Set at such a high level, business rates deter investment in retail, leisure and hospitality. It should be noted that the UBR was just 34p in the pound when it was first introduced in 1990.

The extension of business rates relief for retail premises from 50% to 75% in 2023-24 is welcome, even though it will help only smaller retailers because it applies to the first £110,000 of business rates paid. The Office for Budget Responsibility envisages that that relief will be removed from 1 April 2024, which would leave retailers with a massive tax hike at that point—in effect, a cliff edge. A tapering scheme will therefore need to be applied to overcome that particular problem.

[*Peter Aldous*]

In the recently published valuation list, which comes into effect next April, the valuation of retail premises fell by only 10% across the country in the six years from the last valuation date of April 2015. Without the Chancellor's measures on downwards phasing to freeze the UBR, business rates would have had a massive levelling down impact on all retail, and on depressed regions in particular. That underlines the need for fundamental reform.

I shall move on to briefly highlight some of the inequities of the current system that need to be addressed. Business rates are a tax paid by businesses before a sale or a transaction has even been made. It is in effect a tax on existence rather than a tax based on success or failure. It therefore follows that it needs to be kept low so that it can be paid by all businesses. A high UBR discourages not only occupation, but investment in new accommodation and the physical expansion of existing premises. Ratepayers who have invested in improving their premises are penalised, as they then face higher bills. The system adversely affects physical retailers whose properties on high streets have significantly higher rateable values than the warehouses that serve online retailers. Similar challenges were faced by the hospitality sector.

While in theory, with the current UBR, business rates should represent 51% of the rental value of a property and hence one third of the cost of occupancy, retail has been struggling, and some landlords have agreed much lower rents to enable their tenants to stay in business. Rents are increasingly being linked to turnover, and are thus disconnected from the rental values that are used by the VOA to determine business rates bills. Therefore, many retail outlets will be paying business rates bills in excess of their actual rent, even after the revaluation takes effect. In the new list, rateable values for retail have gone down by 10% on average. That is surprisingly little, given that many shops were closed and paying no rent at all at the valuation date of 1 April 2021, when we were in the midst of a covid lockdown.

The valuation process that allocates properties their rateable value is not transparent, with the VOA not sharing the evidence that it uses to substantiate the basis of valuations. The only way for occupiers to assess that evidence is by challenging the valuation through the "check, challenge, appeal" process, which is lengthy and costly. There is therefore much concern that many challenges to the valuation process will be submitted over the coming months. The worry is that the VOA uses flimsy evidence when conducting property valuations. Those businesses that engage with the VOA through the appeals process, or by providing evidence leading up to the valuation, have more accurate valuations, while those that have not seen any reductions have not engaged with the VOA.

The VOA has outlawed 400,000 applications made by businesses in mitigation of rates bills on the basis of covid-19. Its view is that covid did not constitute what is known as a "material change in circumstances", which can lead to a reassessment of a rateable value. That decision has been justified by the VOA on the basis of the allocation of the £1.5 billion covid relief fund, the distribution of which was devolved to local government. While some local authorities have been quick to distribute

that relief, others have been slow. The lack of a uniform distribution mechanism has meant that receiving the relief payments is dependent on where the occupant is based, and a postcode lottery has, in effect, been created.

In the autumn statement, the Chancellor froze the UBR at 51p for one year only—that is, for 2023-24. As mentioned previously, the OBR's figures indicate that the UBR will be index-linked thereafter. That means that as matters stand at present, business rates for retail premises will rise from April 2024. The Government have extended their 75% rate discount for shops paying up to £110,000 in rates until 2024. Likewise, unless the Government extend the relief, occupiers will again face a cliff edge when the scheme expires.

The Government will soon be bringing forward a non-domestic rating Bill. It is important that the contents of that Bill are fully debated, and that the opportunity is taken to ensure that it is a vehicle for delivering the fundamental reform of business rates that was promised in 2019. The Bill will include provisions such as the duty to notify of any change to a property; changes to the frequency of revaluation; and the removal of the need for transitional relief to be fiscally neutral. Alongside the duty to notify, there should also come a corresponding duty on the part of the VOA to share with occupiers the evidence it uses to assess rateable values.

Due to the complexity of the business rates system and the burden on ratepayers, occupiers quite understandably often seek advice from rating experts on how best to approach the whole process. Unlike with other professions, rating advisers do not need a licence to practice, resulting in some operators giving bad advice and cheating people out of their money. We need to find a way to outlaw such conduct.

Currently, property owners do not have to pay business rates on empty buildings for three months. After that period ends, most businesses have to pay business rates in full, although there are some exceptions. The outcome of the 2020-21 review was that the Government committed to an empty property relief consultation in 2022, but that has yet to take place. It is important that the relief is extended—it is probably best to extend it to 12 months—because rates will then be paid exclusively by revenue-generating businesses.

It is appropriate to highlight the particular challenges faced by the hospitality sector, which is a vital component part of many local economies all around the UK, including in the Waveney constituency that I represent. With a fair business rates system, the sector can play a key role in levelling up.

Looking at the revaluation list in the Waveney area, businesses that have invested and that are vital engines of local economic growth are being heavily penalised for their ambition and success. By way of example, the rateable value for the Kessingland Beach holiday park is due to rise from £291,450 to £388,500; for the Harbour Inn in Lowestoft, it will rise from £23,500 to £45,000; and for the Commodore in Oulton Broad, it will rise from £67,500 to £79,000.

The current system sees the hospitality sector overpay nationally by £2.4 billion a year relative to its turnover; in other words, it overpays by 300%. In the short term, the differential rates between large and small businesses should be removed and the eligibility rules for reliefs

based on rateable value should be abolished. In the longer term, a significantly reduced UBR multiplier should be introduced.

To address the variety of problems that I have outlined, root-and-branch reform is urgently required. Business rates would be fairer and better if the system was simplified, the tax base broadened by removing the myriad complicated reliefs, annual valuations proposed, a one-year antecedent valuation date set, and fast appeals and greater evidence-sharing between occupiers and the VOA introduced.

Such reform could be achieved by making the following changes. First, the UBR could be reduced by 30%. By way of example, reducing the UBR from 51p to 34p, which was the rate in 1990, would reduce unsustainably high levels of business rates on retail and hospitality premises, and level the playing field for so many businesses. A lower UBR would also reduce the barriers to entry, expansion and innovation, thereby encouraging growth and broadening the tax base. In effect, this would plug the gaps in revenue that the Treasury might fear would result from a lower UBR.

Secondly, the Government have correctly moved from five-yearly to three-yearly valuations. That represents a step in the right direction, but yearly valuations would be far more equitable. By implementing yearly valuations, business rates would accurately reflect the dynamic movements of the market and allow occupiers to benefit immediately from changes to rateable values. The increased incidence of events such as the covid pandemic and the war in Ukraine further emphasise the need for a system that is able quickly to react to rapidly changing economic conditions.

Thirdly, we need to look at the abolition of the system of complicated reliefs. Instead of the fundamental review that was promised, the Government have continued to apply sticking plasters to the system to ensure its continued functioning. That has culminated in a system of complicated reliefs that can be difficult to navigate. The business rates system comprises 12 reliefs. Those would be rendered unnecessary with the lowering of the UBR, which would mean a business benefiting from paying lower rates immediately instead of negotiating and navigating the VOA system of reliefs.

Fourthly, many of the problems I have detailed could be fixed by making the VOA more efficient. Its systems, which are predominantly paper based, are not fit for the 21st century. Digitisation would enable the VOA to make its collection systems more efficient and it could take a big step towards systems efficiencies such as annual valuations. The Government recently published a consultation to that effect, entitled the digitalising business consultation. However, unfortunately, it largely missed a point because instead of consulting on the measures that would reduce the administrative burdens on businesses and ratepayers, the Government are trying to increase those burdens by requiring more information so as more effectively to target reliefs.

I sense that I have spoken for far too long, and you will be pleased to hear, Mr Mundell, that I am nearing my conclusion. High business rates hold back economic growth, are a barrier to levelling up and are an added burden that many businesses simply cannot afford at present. To be fair, the Government have listened, and they are aware of the problem. The response has been the

introduction of short-term reliefs, which are welcome, but they complicate the system further in the longer term.

We need to stop searching for that elusive holy grail and stop kicking the can down the road. Instead, we need to introduce pragmatic measures that can be delivered quickly, and we need to honour the commitment to a fundamental review. I therefore urge the Treasury to introduce those initiatives—in the spring Budget, I would suggest—and in the first instance I look forward to hearing the response from my hon. Friend the Minister.

9.52 am

Kevin Foster (Torbay) (Con): It is a genuine pleasure to serve under your chairmanship, Mr Mundell. At the outset, I must congratulate my hon. Friend the Member for Waveney (Peter Aldous) on securing the debate and giving us all a chance to reflect on the impact of business rates and levelling up.

Like my hon. Friend I represent a coastal constituency, although with a shoreline that faces east rather than west, and I do not want the levelling-up agenda to be based on a crude caricature of north versus south—often, the communities facing the greatest challenges lie on the southern coast. My hon. Friend did not speak for a moment too long; I found his points very interesting, and I was in great agreement with many of them with respect to how we need to change this form of taxation.

Communities such as Torbay can see wealth alongside areas with challenges, and we need to see levelling up in not only the national context, but the local, with the clear aim of turning back the tide on poverty, which is affecting some of the communities that I am proud to represent.

For Torbay, levelling up means looking to attract investment, which generates long-term jobs and ensures a genuinely vibrant local economy. That is where business rates can have such an impact. They effectively penalise businesses for investing in bricks and mortar, putting physical retail—not just, nowadays, high street retail—at a disadvantage to online outlets and potentially putting off development more widely across sectors such as tourism and hospitality, where a business rates liability will pretty much inevitably be created as part of a new investment.

Business rates might have been an irritant in the past, but they can often be the make-or-break factor now, especially in light of the other pressures that businesses face. Business rates are the bill that is not flexible. That bill is enforced by the magistrates, and it is often the final blow, as it takes little or no account of the actual income that a business receives, as my hon. Friend mentioned. It is literally a tax on existence. Businesses must pay the tax simply to be in their premises, before they open the door to do any trade or business.

Like my hon. Friend the Member for Waveney, I found the figures around rental revaluation extraordinary. It does not strike me that rental values for shops have fallen by only 10%, as on most high streets agents are offering businesses “Will you pay the business rates?” style deals on properties for certain periods of time. The figures do not reflect where rentals would have been five, six or seven years ago, or even a couple of years ago, before the impact of the pandemic.

[Kevin Foster]

I will give a quick example of the impact of the cost of business rates, when combined with other costs. A company that runs four hotels in my constituency has, unsurprisingly, seen utility costs increase dramatically, meaning that the business needs an additional net income of £8 per room—a 12% increase—for all 125,000 room nights, just to pay the increased costs. That is simply not achievable in the current economic circumstances. The company pays £6.5 million in payroll to 470 employees in Torbay and spends £7 million a year through the supply chain, mostly in the west country. The moves we are seeing to increase wages are welcome, but they will mean the company will have a 9% payroll increase in April 2023. The retail, hospitality and leisure business rates relief scheme, which has been confirmed to be 75% for 2023-24, is welcome and it will offset around £300,000 of the additional costs for business, but it will not reach the wider amounts needed, as those bills still need to be paid.

Similarly, another example is an innovative holiday park, with caravans that are the equivalent of staying in a hotel suite; the era of putting 50p in a meter is long gone—think caravans with widescreen TV and central heating. That business will potentially see its bill double, courtesy of its investment.

While we often focus on the impact of business rates on our high streets and town centres, the impact is much wider, especially in situations where it is not an option for staff to work from home or from remote locations, such as in the manufacturing or hospitality sectors. A holiday by Zoom or a pub night on Microsoft Teams will not be the same experience; a physical premises is needed to deliver those experiences.

What can be done? We need to look at providing further relief in the current system, particularly for small and medium-sized businesses. We need to realise that the days of retail and hospitality being a handy way to raise revenue for local services are now over. The high street corner is no longer the prime place to do business. There are department stores standing empty across many of our town centres, such as the former Debenhams on Torquay harbourside. We need not walk far from this Chamber to see what was once a large department store lying empty in what was a prime shopping area of London—a sight unimaginable back in 1990, when the uniform business rates were introduced.

It is increasingly the presence of business rates liability that can directly and adversely affect the chances of levelling up a community by discouraging investment in commercial properties. That was one reason why I supported the previous investment zone suggestion that allowed business rate reductions in key areas that needed regeneration.

Ultimately, a derelict and boarded-up building creates costs, not revenue, for the public purse. I urge the Government to look at what can be done further about business rates to ensure they do not become a barrier to the regeneration of our town centres, not least in the context of large national charities receiving a mandatory 80% relief, often increased to 100% relief by billing authorities. At the very least, parity for smaller businesses trading in retail, leisure and hospitality within our key areas for levelling up would be a welcome incentive, before finally getting on with what needs to be delivered: a major review of this form of taxation.

It is oft talked about, but there needs to be a better option for the future in a system that is fundamentally rooted in the pre-digital era of economic activity, when physical premises were an integral part of doing business. I appreciate that that is easily said and harder done, not least when we consider the £25 billion of revenue that has been referenced. However, we should not shy away from doing it simply because it would be hard. Taxes have changed in the past to reflect economic, scientific and technological changes. The same is needed now.

I cannot cover in a short speech every aspect of the links between business rates and levelling-up policy, alongside their impact. However, I hope the Minister in her response will reflect on how we need to consider the real disincentives of the tax for businesses such as hospitality, which must innately operate from a physical space, and the deterrent to operating retail from the high street, town centre or even the out-of-town shopping centre, which is facing huge competition. If we are to truly level up many coastal communities, those issues must be addressed and a revaluation on its own will simply not do that. If they are not, there is a danger that our taxation system, designed for an era when people went to a public payphone and had to go to a physical premises to buy something, will hit our town centres and not deliver the levelling up and regeneration that so much of Government spending is trying to achieve.

10.1 am

Jim Shannon (Strangford) (DUP): It is a pleasure to speak in the debate, Mr Mundell; I thank the hon. Member for Waveney (Peter Aldous) for setting the scene so very well. He and I, and others in the debate today, often join forces to support our communities. His and my communities are similar in their culture and geographical stance, and we share an interest in fishing issues. It is always a pleasure to come along and support the hon. Gentleman. It is also a real pleasure to follow the hon. Member for Torbay (Kevin Foster), good friend that he is. He is back on the Back Benches now, but when we were on the Back Benches before, I used to follow him and he me. To be honest, normally, I follow everybody else—but it was a real pleasure to hear his contribution. I am also pleased to see the Financial Secretary to the Treasury in her place; I know she always generously tries to respond to our requests and I look forward to her contribution.

I think we are all on the same page on this one. I very much support the two hon. Gentlemen who have just spoken and what they are trying to achieve. I hope to be able to achieve that as well. I am pleased to see the shadow Minister, the hon. Member for Ealing North (James Murray), in his place. We are a bit sparse in numbers on this side of the Chamber, but I know that the hon. Gentleman's contribution will make up for that.

Like many others, I am and was excited about the Government's levelling-up agenda. I looked at the money for Northern Ireland and imagined how many improvements could be made with that funding. Like the hon. Members who have spoken and who will speak afterwards, I have been concerned that the levelling-up programme seems to gloss over the needs of coastal communities. The hon. Members for Waveney and for Torbay outlined their requests on behalf of their communities. I have not read the speech of the hon. Member for St Ives

(Derek Thomas), who will follow, but he will probably endorse what we are saying as well. The hon. Member for Waveney gave his presentation of the subject at the start of the debate. It has been incredible to hear all of them.

As a quick aside, I should say that as I travelled up the beautiful peninsular roads in my Strangford constituency to the airport on Monday, in cool, crisp air, my thoughts were not only on the condition of the roads and their iciness, but on the knowledge that the road verges were getting smaller and smaller each year, giving less space for slippage and increasing the danger of those winding coastal roads. That is part of the reason why I have advocated for levelling-up funds to address coastal erosion concerns. We can have all the wonderful attractions we like, but if villages and roads slide into Strangford Lough, those attractions will mean nothing for those places.

Moving on, I want to highlight the concerns of small businesses. I always give a Northern Ireland perspective in these debates. I believe that it adds to the value of this great United Kingdom of Great Britain and Northern Ireland that we can all come together from four regions to debate these issues and thereby engender support for all businesses in the regions, just as I support my colleagues here in the mainland.

In March 2022, most of the businesses in Northern Ireland—some 89%, or 70,510—were microbusinesses with fewer than 10 employees. Just over 2%, or 1,640 businesses, had 50 or more employees. Almost half of businesses in Northern Ireland—45% or 35,415 businesses—had a turnover of less than £100,000, while 10%, or 8,220, had a turnover in excess of £1 million. When the Government talk about percentages, I presume they are thinking in terms of thousands of pounds, yet the cost for many of these businesses is hundreds of pounds, which could cover the cost of, for example, pens, biros and pencils for their office. Yet, for a small business, these perpetual small increases can be the death knell. When the debate came forward, I was pleased to support it and add a Northern Ireland perspective.

In Northern Ireland, our small businesses pay 30% more for the delivery of products. That is, in part, to do with the Northern Ireland Protocol Bill, but also the movement of goods. They seek to absorb some of the cost, and this finds their profit margin down to 15% to cover all overheads. With respect, the pressure on businesses in Northern Ireland is more acute than it is for those on the mainland. When rates are put up by a few per cent, it can mean business owners working for less than the minimum wage. There is probably more pressure today than there has been for a long time, so again this debate is relevant to my constituents and businesses in Strangford.

Another struggling demographic is pubs. I support what both the hon. Members for Waveney and for Torbay said and will give my own perspective. Pubs pay more in business rates per pound of turnover than any other business. Both hon. Members referred to the hospitality sector, and that is a sector we are concerned about. I know we always come asking for things, but it is the nature of life that we seek to illustrate in these debates where our constituents are coming from. What help can the hospitality trade be given? I know the Government have helped in many cases, so this is not a criticism—I am not in the job of criticising; I am in the job of trying to find solutions, as others are.

The business rates bill for the sector accounts for 2.5% of total business rates paid, despite only representing 0.5% of total rateable turnover—an overpayment of £570 million. When the hon. Member for Waveney introduced the debate, he clearly suggested that the rates for the hospitality sector, including pubs and restaurants, need to be substantially reviewed, because the overpayment does not reflect a fairness in the system. It is time to look at that.

The draft ratings list for 2023 to 2026 shows pubs' rateable values falling on average by 17%, which will start to address the overpayment, but there is still a long way to go, and we should look to the immediate concern. The extension of, and increase in, the hospitality business rates relief for 2022-23 was therefore extremely welcome. I always think we should give credit where credit is due. The Government have made some substantial moves, and it is important that we recognise that. The freezing of the multiplier and the abolition of the downward transition on relief were also welcome.

However, the decision not to bring forward—this is one of my requests for the Minister—the online sales tax to offset the cost of pub rates and provide for a fundamentally fairer business tax regime for the digital age was disappointing. I ask the Minister to see whether that request could be looked at. It is important because it is one of the solutions. In these debates, the hon. Member for Waveney always sets out how we can do things better, and that is incredibly helpful. The current business rates system remains unbalanced. I join the British Beer and Pub Association in urging the Government to bring forward meaningful reforms that level the playing field.

I will use a pun, which I think the hon. Members for Waveney and for Torbay, who spoke before, and the hon. Member for St Ives, who will follow, will perhaps appreciate, as they all come from coastal constituencies. Levelling up only works if the rising tide raises all ships and does not leave the essential but smaller craft marooned behind the yachts that are already away. It is about bringing the other ones on board—the smaller businesses, who are under incredible pressure. I ask again for greater consideration on those issues. I know the Minister will do all she can to try to address that.

10.10 am

Derek Thomas (St Ives) (Con): It is a privilege to speak under your chairmanship, Mr Mundell. I thank my hon. Friend the Member for Waveney (Peter Aldous), for bringing this subject—a pet subject of mine—to the House once more. I am glad that the debate is called “Business Rates and Levelling Up”, because I want to pick up on both of those, and include the VAT threshold within the levelling-up issue, because it is absolutely relevant to my constituency.

Much of what has been said today does not come as a surprise, but every opportunity to argue for a reform of property-based taxes is one that we should seize. As I said, I will touch on business rates and levelling up in relation to the VAT threshold. I do not think I am alone in the view that business rates are arbitrary, taxing the existence of a business within a building, irrespective of its economic activity. It is unfair and discriminates against large independent businesses, especially in town centres, and favours—in my view—out-of-town and online businesses.

[Derek Thomas]

I believe that business rates should be scrapped altogether and replaced, although I know that I differ from my hon. Friend the Member for Waveney on that. We should have the courage to replace business rates with a system that taxes in-town, out-of-town and online equally and fairly.

I have a great news story from my constituency. In Penzance, we have the oldest working dry dock. It is a fantastic business, and Members are welcome to come and see it. It is an amazing bit of infrastructure—donkey's years old, and quite leaky, which does not really work for a dry dock. However, it would not be there—there is still a real risk of closure, partly because of businesses rates—if not for a local individual, a young man, who decided that it needed to be saved and wanted to have a go at it.

The dock was threatened with closure, but he has secured that business and all the jobs and skills there—and increased them—and is spending a huge amount of money on the infrastructure, trying to plug the holes and level the floor of the massive engineering workhouse. It is a fantastic piece of marine engineering, which is vital, and strategically important for the British coastline, particularly Cornwall.

That young man has invested significantly in that old facility, although much more is needed. New jobs and apprenticeships have been created and significant services have been secured and enhanced for marine engineering, and shipping more generally. However, it operates in a highly competitive market and he must find £4,000 a month just for business rates. That is undermining, as we speak, its ability to be competitive, as he needs to pour money into bringing the facility up to where it should be.

It is actually more tax-efficient—if that is the right phrase to use—to close that strategically important dry-dock facility in favour of housing or hospitality. I have done a lot of work with Cornwall Council, which says that there is nothing that it can do, but we are working to find a way to give that dry dock a level playing field with others in the area, which benefit from an enterprise zone arrangement.

I will move on to levelling up, particularly to the obstacle of the VAT threshold. In a rural coastal area where so much of the economic activity, and jobs supporting it, are compressed into the tourist season—many MPs share that problem—effort has been made for years to extend that activity. In west Cornwall, we have worked hard to extend the tourist season into the shoulder months—much earlier and later in the year. I am sure that is true in other coastal areas. That would increase economic gain, jobs wages and skills; it would provide job security, if nothing else.

However, we have faced challenges as we try to do that. There is an acute issue on the Isles of Scilly where, as we try to increase the shoulder months, we come up against the understandable need that small hotels, guest houses and restaurants have for curtailing their business. As they get closer to the VAT threshold, which I think is about £85,000, they will either close or slow down their business to avoid that threshold. The simple reason is that the minute they go over the £85,000 threshold, even by £1, they are clobbered for £9,000 of VAT. They would have to earn another £45,000 in order just to

stand still. The problem with a small hotel is that it just does not have the beds, particularly in the shoulder months or the winter, to grow business to that extent.

Unfortunately, the inevitable and sensible decision for many businesses in Penzance and in my coastal community on St Mary's on the Isles of Scilly is to close. That immediately puts other businesses in the area at risk, contributes to job insecurity and the challenges we face around that every year, hollows out communities, and threatens transport links. We tried to increase the transport running to and from Scilly in the shoulder months, but it was just not viable because people were booking the ferry, but were then unable to find accommodation or places to eat. It is a real challenge, which I have raised many times since I was elected. The last answer I received was that it was going to be looked at in 2024, but I think that might have been pushed further into the future.

Those businesses cannot grow and they would need to earn another £45,000 just to stand still—that is not an incentive for someone to work in the winter, supporting our local economy but with no gain for their business. As a result, we have a real problem in coastal areas. It is harming our ability to level up and to provide good, skilled jobs. We have seen during and following covid that jobs in hospitality and tourism are beginning to be reasonably well paid and more skilled, but they are not secure, partly because of this problem. There is thus a direct impact on job security, other businesses, transport and so on. I am not sure if this is the right place to raise it, but the simple fix is that when a business reaches the £85,000 threshold, VAT should be applied to all money earned above that. It is so simple and obvious that I am not sure why the Government do not do it.

In conclusion, I differ from my hon. Friend the Member for Waveney; tweaking business rates has actually increased unfairness and depressed growth and aspiration—that is the experience in my constituency. Business rates should be scrapped in favour of a tax that reflects the economic activity, not the building the business occupies. To support levelling up, serious consideration must be given to the chilling impact of an arbitrary VAT threshold.

10.18 am

James Murray (Ealing North) (Lab/Co-op): It is a pleasure to serve under your chairmanship, Mr Mundell. I begin by congratulating the hon. Member for Waveney (Peter Aldous) on securing this important debate on business rates. I am pleased to respond on behalf of the Opposition.

We know that there are around 5.6 million small businesses in the UK, creating millions of jobs and opportunities. They provide essential services to local people, and make a significant contribution to the Exchequer. Businesses on high streets across our country are not just places to buy things we need. They are also an important part of where we live, work and share our daily lives.

While business rates affect businesses of all sizes, smaller businesses often struggle the most to meet those costs. They face the burden of an outdated system of business rates, while struggling with rising energy costs, rents or mortgages, and inflation, as well as the ongoing impacts of the pandemic and the September mini-Budget. Data released by the Office for National Statistics shows

that the number of business closures in the UK in the first quarter of 2022 was a shocking 137,210 which is 23% higher than the equivalent figure in the first quarter of 2021.

As the shopkeepers campaign has highlighted, the existing business rates system in England has become disconnected from the realities of modern retail and retail real estate. As the campaign explains, business rates in England were 87% higher in March 2020 than they were in 2001, whereas retail rents rose by only 17% over the same period. As it also points out, business rates have not responded effectively to evolving consumer and economic trends, not least the rapid growth of online retailing, and equitable business rates liabilities are the result of infrequent and delayed revaluations under a system that acts as a barrier to investment. Such views are echoed by the 2018 Confederation of British Industry report, “A Tax System that Enables Businesses to Invest and Grow”, which states:

“In an increasingly digitalised world, it has never been a more crucial time for the Government to act and set out a path for reform to the broken business rates system.”

I am sure the Minister will recall the 2019 Conservative manifesto, on which the party stood for election. Specifically, page 32 promised:

“We will cut the burden of tax on business by reducing business rates. This will be done via a fundamental review of the system.”

We recognise that any help for businesses that are struggling is welcome, and we recognise that the UBR has been frozen, relief extended into 2023-24, and downward phasing abolished. However, it seems that the promise of fundamental reform has now been abandoned. It seems that the Government have abandoned their promise fundamentally to address the imbalance that affects bricks-and-mortar businesses, which find themselves at a significant disadvantage compared with their online counterparts, whose warehouses typically attract considerably lower business rates.

My colleagues and I believe that the current system of business rates should be replaced to meet the needs of a modern economy. Last year, my right hon. Friend the Member for Leeds West (Rachel Reeves) announced that a future Labour Government would replace the current system of rates with a new system of business taxation that is fit for the 21st century. We will set out our plans before the next general election, and such a system will involve more frequent revaluations—a move that many people have been urging for years. It will be a fairer system that asks online giants to pay a fairer share, so that small, local and high-street businesses in all parts of the country can thrive. Ahead of fundamental reform, we also believe that the same principle of rebalancing the burden of tax in the system should apply, which is why we have set out our plans for an increase in the threshold for small business rates relief, funded by an increase in the rate of the digital services tax.

We know that partnership between the Government and businesses is critical to economic growth, but it has been lacking in our economy for so long. We also know that small businesses have been held back, particularly by an outdated system of business rates, for many years. To increase growth in all parts of the UK, the Government should support small businesses to invest, grow and create jobs.

As the shadow Chancellor has set out, Labour will carry out the biggest overhaul of business taxation in a generation so that our businesses can thrive. Our replacement system will shift the burden of business taxation so that online firms take a fairer share, while freeing those that rely on bricks-and-mortar premises. Our new system will incentivise investment and include more frequent revaluations and instant reductions in bills where property values fall. It will reward businesses that move into empty premises and encourage, rather than penalise, green improvements to businesses. It will also make sure that no public services or local authorities will lose out from the changes.

Labour’s approach will be based on working together, with businesses, workers and public bodies all pulling together to rebuild Britain and to seize the opportunities of the future. A Labour Government will help to breathe new life into our high streets by calling time on the outdated model of business rates, so that British businesses in all parts of the country can play their part in creating economic growth and the jobs of the future.

10.23 am

The Financial Secretary to the Treasury (Victoria Atkins): It is a pleasure to serve under your chairmanship, Mr Mundell, and I congratulate my hon. Friend the Member for Waveney (Peter Aldous) on securing this important debate. I am delighted that on our side of the House we have so much of the English coastline represented—I include myself in that, proud as I am to represent the Lincolnshire coastline.

I am also delighted to be joined by the hon. Member for Strangford (Jim Shannon). I had many a happy time sailing in the famous Strangford lough in my childhood, and I know how important tourism and hospitality is to his constituency. I thank him for sharing his Northern Irish perspective, as he always does.

I hope colleagues are aware that the Government announced a significant support package for business rates in the autumn statement, and I welcome the opportunity to set that out. I also welcome the opportunity to discuss the substantial reforms to which we have already committed, which will make the business rates system fairer and more responsive to changes in the market. We have heard the concerns expressed about the status quo not just by hon. Members today, but by businesses in previous years. I will address some of those concerns and emphasise our keenness to make changes where appropriate.

Forgive me if first I go back to basics. The importance of business rates to public finances is perhaps lost in the understandable concerns raised about the impact on constituency businesses. Taxes on commercial property remain an important part of a fair and balanced business taxation system. Most advanced economies, including most OECD members, have a business property tax. Business rates raise over £20 billion a year in England alone. That money goes to fund vital public services—a priority that the Chancellor emphasised again and again in the autumn statement. Put simply, we do not believe that there is an alternative with widespread support that would raise sufficient revenue to replace business rates. For those reasons, we do not consider there is merit in a radical overhaul or abolition of business rates, but we have delivered meaningful change to improve the system and have continued to conduct several reviews on the

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issue. Those reviews reaffirmed the importance of business rates and concluded that they have several key advantages over other taxes. They are relatively easy to collect and hard to avoid, with a collection rate of around 98%, making them a vital and stable source of funding for local services.

My hon. Friend the Member for Waveney suggested that the current tax rate discourages investment in new spaces and expansion of existing spaces, but there is little evidence of structural issues in property investment in the UK. As he would expect, we keep a close eye on that. We have the highest share of investment going to non-residential buildings of any member of the G7. We recognise the valuable role that businesses play in our economy and we have taken action to support them through the business rates system.

Kevin Foster: I find the Minister's response interesting. She talks about the investment in commercial property—for example, we are seeing £140 million of investment in Torbay hotels. The issue is not so much the overall level of investment in commercial property, but the specific locations. We might have 34 million seafront hotels in Paignton, but in the town centre, which was once the main focus for the collection of business rates, we are struggling to get anywhere. Does she think there might be a link?

Victoria Atkins: Goodness me, I would not pretend to have an intimate knowledge of the economics of Torbay. My hon. Friend knows his constituency extremely well, but the realistic fact is that businesses in his high street have to pay taxes of some sort. That is why we have tried to mould the business rate support package to help the businesses that need it the most, which we recognise are those in the retail, hospitality and leisure industry. I will come on to that particular support, which is a very generous package that I hope will be of great benefit to businesses in his constituency.

We have a duty to ensure that the business rates system is fair and responsive, while raising sufficient revenue to support the public services that I have already talked about. Since 2017, when the Government doubled the 100% small business rate relief rateable value threshold from £6,000 to £12,000, a third of properties in England have paid no business rates whatever. In my own constituency, I know of many properties in my market towns that pay no business rates precisely because of that protection and they are, I hope, thriving as best they can as a result.

The Government provided £16 billion in business rates relief for the retail, hospitality and leisure sectors during the pandemic because it was such a difficult time for them when the economy was essentially closed down. That was an unprecedented level of support for the high street, on which so many communities depend. From my own constituency, I know how vital that support was in keeping businesses' heads above water during the lockdowns. The Government also provided a £1.5 billion covid additional relief fund for businesses that were affected by the pandemic but which were not eligible for other reliefs. Local authorities, due to their knowledge of their local areas, were responsible for designing and

establishing those schemes. Progress has been in line with our expectations, and final distribution data will be published on gov.uk shortly.

As the Chancellor stated in the autumn statement last month, it is an important principle that revaluations should reflect market values. Hon. Members have emphasised that point during the debate. The 2023 revaluation will therefore go ahead. From April 2023, all rateable values will be updated for all non-domestic properties, with evidence from April 2021. This will mean initial bills will reflect changes in market conditions since 2015, and will ensure a fairer distribution of the tax burden between online and physical retail.

The hon. Member for Strangford asked me why the Government have not introduced an online sales tax. He will know that we launched a consultation on the issue earlier this year. We received many responses, which will shortly be published, but it is fair to say that there was not unanimity. Indeed, there was not even agreement—I would not put it as highly as that—as to what such a tax should look like, because many of even the smallest businesses on the high streets of our constituencies now have some form of online presence. It may not be the main part of their business—that may be the shop—but, understandably and laudably in the 21st century, they are trying to diversify by having an online business.

Nobody could quite see how we could differentiate between the enormous multinationals that we are all keen to ensure pay taxes and those microbusinesses that my hon. Friend the Member for Waveney described so well. That is why in the autumn statement the Chancellor decided against an online sales tax, with the important caveat that the changes we are making to business rates, including with the revaluations, will mean that the distribution warehouses, which supply the multinationals that we are all keen to ensure pay their proper taxes, will see significant rises in their bills while we also protect the shops and microbusinesses to which he referred.

Jim Shannon: That is a very helpful response, as always; I expected nothing less. I will take the Minister's point of view out of *Hansard* and give it to some microbusinesses in my constituency that have asked me these questions. I understand there is a wish for this revaluation to happen, and I understand the difficulties and complexities the Government face to get it over the line. If I could come back to the Minister directly with some thoughts, maybe we could see if we could review it in a positive way.

Victoria Atkins: Of course. I am always delighted to hear from the hon. Gentleman. He will appreciate that there are many other factors; for example, click and collect was a stumbling block for many in the consultation. I look forward to his future correspondence.

The support package that we have introduced means that the revaluation will go some way to addressing the imbalance between online and offline retailers. On average, large distribution warehouses will see an increase in bills of about 27%, and bricks and mortar retailers will see decreases of about 20%. We recognise that business rates payers may feel uncertain about the upcoming revaluation, given other pressures the country is facing that are driven by global challenges.

Rising prices around the world, made worse by Russia's illegal invasion of Ukraine, have hit businesses hard. In the autumn statement we announced the steps that we will take next year to provide support through these difficult times. We will deliver a business rates support package worth £13.6 billion over the next five years. That will protect businesses from facing large bill increases because of high inflation and rateable value increases following the revaluation.

My hon. Friend the Member for Waveney urged the Treasury to cut the UBR to the 1990 level of 35p, showing the trade-offs that the Government must make. Doing so would cost £9 billion a year, which would be a significant potential loss to the public revenue. We have thus taken the steps we have through the support package to protect ratepayers from high inflation, and we are instead freezing the tax rate for three consecutive years at a cost of £14.5 billion.

My hon. Friend the Member for Torbay (Kevin Foster) described the vibrant hospitality sector in his constituency. We are extending and increasing the retail, hospitality and leisure relief scheme from 50% to 75%, up to a cash cap of £110,000 per business. Pubs and the holiday parks he referenced are included.

Peter Aldous: I am conscious that I will have the opportunity to respond at the end of the debate, but I want to pick up now on one specific point that the Minister has mentioned. She said that the Treasury had carried out an assessment and if we were to go back to the UBR of just over 30p from when this system was introduced in 1990, that would cost an extra £9 billion. Did that assessment take into account a situation in which we had annual revaluations as well? If we had annual revaluations, that sort of margin would be much lower and we would fairly redistribute the burden of business rates across the UK.

Victoria Atkins: I will come back to that point, and particularly the detail on annual revaluations, because I think there is some sympathy with my hon. Friend's point of view.

The retail, hospitality and leisure relief scheme is the largest business rates one-year relief we have provided in 30 years, so I encourage colleagues to ensure that their local businesses know that the Conservative Government are delivering for those businesses. It will support about 230,000 properties—not just on high streets, but beyond high streets, as my hon. Friend the Member for Torbay emphasised. Therefore, although I understand the point made by my hon. Friend the Member for Waveney regarding the temporary nature of these interventions, permanent changes have been announced and will provide support for affected businesses.

We will deliver on a key ask by trade bodies such as the CBI, the Federation of Small Businesses and the British Retail Consortium by permanently removing downward caps from transitional relief, which previously restricted falls in bills. Removing those caps permanently means ratepayers seeing decreases in their rateable value will experience a full drop in their bills next year.

Taken together, the revaluation and the support package have updated bills to reflect market conditions. Those facing bill increases will see them phased in through transitional relief, and the small businesses that make

up our high streets will be protected through targeted support. The multiplier freeze will protect all ratepayers against double-digit inflation.

Colleagues were keen to emphasise the important role that pubs play in our communities. As a proud Member of Parliament for many excellent pubs in my constituency, I understand their concerns. It might help colleagues if I lay out the forms of help that pubs will receive through the support package. As a result of the package of support, pubs' bills have fallen by about 30%. All pubs will benefit from the multiplier freeze, and pubs with falling rateable values will benefit from the removal of the downward cap that I just described. They will also be eligible for the 75% retail, hospitality and leisure discount. Of course, small pubs that have a rateable value of below £12,000 pay no rates at all.

Would my hon. Friend the Member for St Ives (Derek Thomas) be kind enough to write to me about his dry dock example? That business will receive some form of help through the overall package.

Let me turn to business rates reforms. We understand and listen to the concerns of those running businesses, and keep the operation of all tax policy under review. In the 2021 autumn Budget, we announced the outcome of the business rates review, and will shortly bring forward legislation to deliver those reforms. A core element of that package is more frequent revaluations, moving to revaluations every three years instead of every five; my hon. Friend the Member for Waveney is smiling at me. That represents significant reform, and will ensure that the system is more responsive to changing market conditions.

To enable those reforms, we are also introducing some administrative measures, including a new information duty on ratepayers to ensure the VOA has sufficient data to accurately update rateable values every three years, and to help reduce the number of appeals and the time taken to resolve them. The changes will also unlock opportunities for further improvements to the system in future, such as even more frequent revaluations. We understand the merits of annual revaluations, but we need the change to three years to settle in a little bit, because even moving to three years represents significant operational complexity, but we very much understand the wish for annual revaluations.

My hon. Friend the Member for Waveney mentioned the wish for increased transparency by the VOA, which I understand. I sympathise with the issues that ratepayers are facing through the "check, challenge, appeal" process. The Government are keen to address those issues by delivering on the commitments made in the business rates review. Accordingly, there is already a plan in place that is providing ratepayers with better access to improved information about how valuations are carried out. I urge my hon. Friend to pass to me any information he or others may have about the unscrupulous agents he described; I am most concerned about that, and will be very interested in that information, because I am looking at the role of agents across all aspects of tax policy. A lot of agents provide a very good service to their customers, but we must weed out those who are unscrupulous or even worse.

In the longer term, we expect ratepayers to be able to access fuller analysis of the evidence used to set the rateable value of a property, which I hope will in turn restore confidence in that system. We keep all business

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rates reliefs under review, as the system of reliefs plays a vital role in ensuring the overall sustainability and fairness of tax. The Government ensure that reliefs are as easy as possible for ratepayers to navigate, with several being automatically applied by local authorities, such as transitional relief, supporting small business relief, and empty property relief. Comprehensive guidance on reliefs is available on gov.uk.

Through the review—which I encourage the hon. Member for Ealing North (James Murray) to read; perhaps he has not realised that we have done it—we have committed to several measures to modernise and digitalise the business rates system, including further investment in the Valuation Office Agency to enable it to upgrade its IT infrastructure and digital capabilities. The review recommitted to the digitalising business rates reform programme, which will match business rates data with central HMRC tax data to provide a better oversight of the rates system, more precise targeting of reliefs, and more effective compliance.

At the very beginning of the autumn statement, the Chancellor told the House that he had three key priorities: “stability, growth and public services.”—[*Official Report*, 17 November 2022; Vol. 722, c. 844.]

We understand that the issue of business rates cuts across all three of those priorities because of the impact it has on our high streets and the money it raises for our vital public services.

As ever, this is about balance. We acted at the autumn statement to support business and we will deliver on the reforms announced at the 2021 business rates review through upcoming legislation. We will continue to listen to the arguments, but we will also continue to make the decisions we think are in the interests of the country as a whole. I thank hon. Members for their contributions and look forward to engaging with them all to ensure that this continues to be a system that serves us all.

10.45 am

Peter Aldous: This debate has been short on quantity of colleagues but long on quality; once we get through a lot of the rhetoric, perhaps there is not much between us all. There is, though, a need for urgency to move forward and carry out that fundamental reform, and the Chancellor set the foundation stone for that last month.

The hon. Member for Ealing North (James Murray) is the odd one out here because, luckily for him, global warming and climate change mean that he is the only one of us who does not—yet—represent a coastal community. When it comes to levelling up, the dramatic impact of high business rates on coastal communities is quite noticeable. Our town centres—whether in Lowestoft, Torbay, St Ives or Strangford—are an important component part of attracting people and visitors, whether for a week’s holiday or just a day out. If they are hollowed out, there ain’t much to see.

In Lowestoft, there are exciting plans for regenerating the town centre. We are just about beginning to see that happening, but there is a danger that that reincarnation could be strangled at birth by high business rates. That is why we need the reform. Hotels, caravan parks, pubs and restaurants are vital to coastal economies. There is

evidence that people who come in and invest in those businesses are being penalised for their investment under the current system. This debate has shown that we need to focus on the impact of high business rates on levelling up, particularly in coastal communities.

My hon. Friend the Member for St Ives (Derek Thomas) disagreed about the need to replace business rates. He outlined the need for a digital tax and to look at the VAT thresholds. I largely agree with my hon. Friend the Minister; it would probably be impossible to get rid of business rates. Reading between the lines of what the Opposition say—although it is probably not for me to do that—I sense that if they form the next Government, they will reach the same conclusion. We can probably get the sort of reforms that I want now in place much quicker, without having to wait until 2024 or beyond.

I would say to my hon. Friend the Member for St Ives that we should trial digital taxes and looking at the thresholds, but I do not think that is the holy grail to the full replacement of business rates. We need the fundamental reform that I have outlined, with a lower UBR multiplier coupled with annual valuations, which would produce the more dynamic and fairer system that we require.

The reliefs that we have talked about are welcome, but they make the system incredibly complicated. If a form of business taxation is simplified, the businesses and entrepreneurs that are investing can see a way towards making long-term investments, rather than saying, “Hang on! That particular relief is only around for a couple of years for certain. Do I need to be going ahead with this?” Providing that certainty is very important.

An ex-surveying colleague has texted me, using words to the effect of, “Don’t you realise the valuation coming up in April will be a bloodbath?” Those were his particular words. I suspect many people and businesses will get pleasant surprises; it might be a case of Christmas coming early for them. Others will fall off their chairs in shock and think, “What on earth are we going to do to address this?” The Government need to reach out and support those parties, and do all they can to assist them.

We touched on unscrupulous so-called surveyors. There are some very good and highly professional people out there who are involved in business rates, but, as I have said, this issue is an incredibly complicated part of the property surveying world, so there is a small number of national and regional experts. That leaves a vacuum for the unscrupulous to fill, and fliers tend to appear from businesses from all over the place—not local ones—saying, “Come on. I can help you with this. Hand over a thousand quid and I will sort it.” When I was in practice, one very often got called in when a business had responded to such circulars and the person had taken the money up front and disappeared. We need to work together closely to sort that out.

In conclusion, I sense that we could be at the beginning of a journey to reforming business rates sensibly. On 17 November the Chancellor took a major step, but it is a journey that we can complete in a much shorter timescale than has been envisaged. I hope that my hon. Friend the Minister will set out the stepping stones on that journey sooner rather than later, both in the upcoming Bill and the spring Budget.

Question put and agreed to.

Resolved,

That this House has considered business rates and levelling up.

10.53 am

Sitting suspended.

Motor Neurone Disease Research: Government Funding

11 am

David Mundell (in the Chair): I will call Karl Turner to move the motion, and then call the Minister to respond to what is a timely debate following the sad death of Doddie Weir, who through his My Name's Doddie foundation was such a great campaigner on the issue. There will be no opportunity for the Member in charge to make a winding-up speech, as is the convention for 30-minute debates.

Karl Turner (Kingston upon Hull East) (Lab): I beg to move,

That this House has considered Government funding for research into motor neurone disease.

It is an absolute pleasure to serve under your chairship, Mr Mundell. MND is a devastating, debilitating and untimely life-limiting disease. We saw that just two weeks ago with the tragic loss of Doddie Weir, to which you have referred. Doddie was a giant of a man, both on and off the field, but the MND Association estimates that in the UK six people a day die of MND. A third of them die within 12 months of diagnosis, but it is now more than a year since the Government pledged—in response to the tireless efforts of campaigners and following meetings between me and the then Business Secretary, the right hon. Member for Spelthorne (Kwasi Kwarteng)—to invest £50 million. We met the Secretary of State that day with campaigners, and he gave an assurance to us all that immediate action, meaning immediate money, would be forthcoming. It was not.

Jim Shannon (Strangford) (DUP): I thank the hon. Gentleman for bringing forward this important issue. I have a close working relationship with MND campaigners back home, and ahead of the debate they got in touch to point out the lack of adequate care and provision in Northern Ireland. The Department of Health back home needs help to improve the standard for accessing clinical trials, and the same applies for people across the UK. Does the hon. Gentleman agree that it is imperative that people in all parts of this great United Kingdom of Great Britain and Northern Ireland are able to gain from research and be involved in clinical trials? We all stand to gain from that.

Karl Turner: I agree with the hon. Gentleman, who is an incredibly impressive campaigner on the issue. I pay tribute to him. He is knowledgeable on the subject, and he raises it both publicly in debate and privately with Ministers when given the opportunity. I commend him for that.

I very much welcome the Secretary of State for Health and Social Care commenting at the weekend that the money will be fast-tracked into the hands of researchers, but I am sorry to say that it feels as though the Government have dragged their feet. They have been dragged kicking and screaming to this point by the impressive dedication of MND campaigners—not least Rob Burrow, who is a rugby league legend—and it is disappointing that we have had to wait 12 months for anything. This debate was secured, then there was talk in the media that there would be funding available, but

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campaigners are entitled to be a little concerned and a little nervous about where and when that money will be forthcoming.

I pay tribute to the campaigners. I have briefly mentioned Rob Burrow; for all his brilliance on the pitch, the whole rugby league community has been blown away by his determination to raise awareness of MND. It is his tenacity that has brought us to where we are today. I have to be honest that I knew very little about MND. I am a rugby league fanatic; I support both of the rugby league teams in Hull. I am bound to say, being the Member for east Hull, that I support the red and whites a bit more than the black and whites on occasion. Rob is the person who brought this to my attention. Special mention should also be given to Rob's former teammate and best pal, Kevin Sinfield, who has completed seven ultra-marathons in seven days to raise about £1.5 million for MND charities. That is an incredible effort from an incredible campaigner and man.

This debate was secured before the Secretary of State announced the money at the weekend. I want to mention that I have spoken with the MND Association at length, and my office has spoken with it in preparation for this debate. It has one single ask. It desperately needs a meeting with the Secretary of State for Health and Social Care and the Secretary of State for BEIS, so that it can get a timeline and some understanding of when the money will be made physically available. It is no good promising money and then not delivering it. The promise was made more than 12 months ago—nothing has been forthcoming.

I am quite annoyed at the fact that the debate was secured, and all of a sudden there is discussion in the media that the money is coming. People are asking me whether it means 50 million quid last year and 50 million again this year. The reality is that it is 50 million quid, which is much needed—the association and campaigners are grateful for it—but they need to know when and how the money is going to be made available.

I am going to rest there; I do not think I have anything further to add. It is a simple ask: will the Minister agree to speak to the Secretaries of State concerned and put the meeting together as quickly as possible, so that we can move forward?

11.7 am

The Minister of State, Department of Health and Social Care (Helen Whately): It is a pleasure to serve under your chairmanship, Mr Mundell. I begin by thanking the hon. Member for Kingston upon Hull East (Karl Turner) for securing this debate. I too pay tribute to Doddie Weir, an incredible man who sadly passed away at the end of November. My thoughts are with his wife Kathy, and their sons, Hamish, Angus and Ben.

I had the good fortune to meet Doddie during an online roundtable—online because it was during the pandemic—and I was inspired by his campaign for a brighter future for people living with MND. His charity, the My Name's Doddie Foundation, works tirelessly to raise funds for research and provide grants to people living with this cruel condition.

During the pandemic, and again since, I also met with my Mid-Kent MNDA branch as a constituency MP. Those meetings are vivid in my mind. The first call I had with them had literally everybody on the call in tears, as we talked about the experiences of those suffering with MND and their carers—usually family members—and how they were seeing their loved ones losing a bit of themselves day by day to MND. It is such a cruel disease, as the hon. Gentleman said. I am thankful to him and to several other Members of Parliament who have campaigned for research funding and actively lobbied me and other Ministers on that point.

Chris Evans (Islwyn) (Lab/Co-op): I refer Members to my entry in the Register of Members' Financial Interests, and I am a biographer of Don Revie. This is an important debate, because Don, who played for Hull City during his playing career, passed away from motor neurone disease in 1989. Like Doddie Weir and Rob Burrow, he played sport at a high level. If the Government are going to invest in research, will they look at the fact that sportsmen seem to be more likely than the rest of the population to develop motor neurone disease?

Secondly, I urge the Minister to tell GPs to ensure that people are tested for motor neurone disease early in their journey, because the problem is that it is one of the last things people test for. In the case of Don, he believed that the pain in his back was caused by slipped discs—tragically, it was motor neurone disease. I ask the Minister to look into those two asks.

Helen Whately: The hon. Member makes two really important points. As he says, several prominent sportsmen who have been effective campaigners have sadly been affected by the disease, and there is a potential relationship with head injuries. He also made a point about the challenge of diagnosis, which I will take away.

The hon. Member for Kingston upon Hull East rightly talked about the tenacity of campaigners such as Rob Burrow and how effective their visible campaigning has been at raising awareness of MND. The disease affects a significant number of people, with around 5,000 suffering from it right now. Sadly, we know that people do not live very long with MND, so a really significant number of people across the country are being affected over time. It is incredibly cruel for the individuals who suffer.

I heard the request of the hon. Member for Kingston upon Hull East for a meeting, and I will come to some of the plans to address his calls in a moment. As I said, MND has a huge impact on those who have been diagnosed, and it is devastating for them and their families. We have made real progress in research, but we are yet to learn why motor neurones die off. There is still no cure for the disease and only one drug is licensed in the UK to treat MND, which is why the Government committed back in November 2021 to make at least £50 million available for MND research over the next five years.

Before I go into more about research, I want to say something about how we are supporting people living with MND, which is a degenerative condition—often rapidly so—that requires complex and anticipatory care. For that reason, the majority of services for people with MND are specialised and commissioned nationally in the 25 neurological treatment centres across England.

In the absence of a cure, we want to make sure that people with MND have access to the best health and care support available to meet their complex needs. It is really important for people suffering from MND and their carers to have specialised and targeted support, including devices to help people with MND to be able to continue to communicate effectively for as long as possible, as well as other types of care.

Since November 2021, we have invested £790 million in the National Institute for Health and Care Research biomedical research centres, which bring together experts to translate scientific breakthroughs into treatments for patients. At the Sheffield centre, researchers have already pioneered evidence-based interventions to manage the symptoms of MND. In September, the Sheffield researchers published promising clinical trial results for the drug tofersen. Professor Dame Pamela Shaw, the director of the NIHR Sheffield BRC, said:

“I have conducted more than 25 MND clinical trials and the tofersen trial is the first trial in which patients have reported an improvement in their motor function.”

I want to emphasise that because, until now, it has been very hard to be optimistic about developing a cure for MND or even effective treatment. The trial is, in fact, grounds for optimism against this cruel disease.

In June, the Government and charity partners invested in a £4.25 million collaborative partnership on MND, which includes LifeArc, the MND Association, the My Name's Doddie Foundation and MND Scotland. The Government are supporting groundbreaking research undertaken by the UK Dementia Research Institute. Seven of its 50 research programmes are dedicated specifically to MND, with world experts undertaking discovery science, translational and clinical research to drive medical progress.

There has already been work going on to invest in MND research, but I heard the impatience of the hon. Member for Kingston upon Hull East and have heard from other hon. Members. Indeed, my hon. Friend the Member for Northampton South (Andrew Lewer), who is here today, has also lobbied me and other Ministers on the desire for greater pace and so that money goes towards research quicker and then translates more quickly into treatments.

To that point, yesterday, we announced at the Department of Health and Social Care, together with the Secretary of State for BEIS, how we will deliver the full £50 million research commitment, which will build on our existing investments and successes to more rapidly fund MND research. In that regard, £30 million of Government funding will be invested immediately through specialist research centres and partnerships with leading researchers. That will include £12.5 million to the UK Dementia Research Institute to support groundbreaking research specifically into MND, a further £8 million investment into early-phase clinical research for MND via the NIHR biomedical research centres and £6 million for a translational accelerator that connects the DRI capabilities with those of the Francis Crick Institute, the Laboratory of Molecular Biology and the new MND collaborative partnership. We are investing a further £2 million in the MND collaborative partnership, which will specifically focus on data for MND research.

Andrew Lewer (Northampton South) (Con): I am triggered by the reference to Francis Crick, who was also from Northampton, so there is quite a connection

here, also given my great privilege to be the chairman of the all-party parliamentary group on motor neurone disease. I am grateful to the hon. Member for Kingston upon Hull East (Karl Turner) for having this debate, but particularly grateful to the Government for listening, making some really important announcements and pushing this forward. It has been received with great pleasure by the research community and MND sufferers. I hope the Minister will accept my thanks for that. I look forward to working further with her in taking this forward, now that we have the new announcements.

Helen Whately: It is good to hear from my hon. Friend. Credit goes to him for his campaigning, both personally and as chair of the APPG on motor neurone disease, together with that of other Members of Parliament, to push for investment to get out to the frontline on research. I look forward to working with him further so we can ensure this investment in research makes a difference for people suffering from MND and their carers, and for those in the future.

I have just mentioned the MND collaborative partnership, which is a mechanism by which the many initiatives that I just described will come together. The first meeting of this virtual institute took place at the end of November, and I am looking forward to hearing about further progress now that the funding is in place. The remainder of the committed £50 million of MND funding is available for researchers to access via the NIHR and the Medical Research Council. Government will support researchers in coming forward with ideas for new research via a joint highlight notice between NIHR and the Medical Research Council on MND. That will allow our funding to be responsive to progress in science and ensure breakthroughs reach patients in the quickest possible time. Further to that, the Secretary of State will shortly host leading researchers and patient groups at a roundtable to discuss MND research and help researchers make the best bids as quickly as possible. That addresses the call for a meeting from the hon. Member for Kingston upon Hull East.

Karl Turner: I am grateful to the Minister and I welcome everything that she has helpfully just announced. However, my researcher spoke yesterday to the association and it still requests that meeting. It is the only ask. I accept what she says about roundtables and all sorts of other things going on behind the scenes, but the association wants a meeting with the Secretary of State for Health and Social Care and the Secretary of State for Business, Energy and Industrial Strategy. Perhaps it is difficult to get them together, so there could be separate meetings. That is the only thing the association has asked me to ask for today, so it would be remiss of me if I did not push her to request that meeting after she leaves here.

Helen Whately: The hon. Member's request is very clear. As I said to him a moment ago, the Secretary of State for Health and Social Care will meet researchers and patient groups at a roundtable about this issue. If that is not the same meeting as the one he wants, I am very happy to take that point away and find out exactly what meeting he wants and how we can make sure that it takes place as well as the planned meeting.

I have heard from my hon. Friend the Member for Northampton South over the past few weeks about red tape getting in the way of research, which we clearly do

[Helen Whately]

not want to be the case. To help cut red tape, research funders from NIHR and the Medical Research Council are working together so that MND proposals will go to the right scheme at the early idea stage and so that applications can be considered before they even have full sign-off from their universities and institutions.

We are also building on our recent announcement of £790 million for the NIHR biomedical research centres by putting in MND funding, so that it gets quickly to the most promising researchers already working on MND.

To sum up and return to where we started, there is no doubt that MND is a cruel disease that takes people before their time and, as it does so, takes them bit by bit from their loved ones. As yet, there is no cure. However, I say “as yet” because I have hope, and we have real grounds for optimism with the clinical trials. We also have £50 million going into MND research. I have outlined today how we are accelerating that funding to go to the frontline of research and to develop the treatments that will make a difference to MND sufferers, whether here and now or in the future.

In no small part, that is thanks to the late Doddie Weir and his family, Rob Burrows, Ed Slater, Kevin Sinfield, and all the other MND campaigners and carers who have worked so hard to raise awareness of MND and push for more action on MND research. I can assure them that their efforts are not in vain. I personally take inspiration from all their tireless work, which reinforces the Government’s commitment to fund and support research into MND. We owe it to people with MND, future sufferers, and all the campaigners and researchers to push ahead with the groundbreaking research that will help to develop effective treatments and, indeed, cures for this cruel disease.

Question put and agreed to.

11.23 am

Sitting suspended.

Benefit Sanctions

[MARK PRITCHARD *in the Chair*]

2.30 pm

Chris Stephens (Glasgow South West) (SNP): I beg to move,

That this House has considered DWP’s policy on benefit sanctions.

It is a pleasure to see you in the Chair, Mr Pritchard. I refer colleagues to my entry in the Register of Members’ Financial Interests, particularly my position as chair of the PCS parliamentary group as I will be mentioning some issues that appertain to staff who work in the Department for Work and Pensions. There are three components to what I want to raise this afternoon: the latest figures on sanctions, the policy itself and some of the challenges, and the pressures facing DWP staff.

The latest figures on sanctions are shocking. In my written question 88916, I asked,

“how many benefit claims were subject to sanctions in the last three months for which data is available by constituency; and how much was the (a) total and (b) average sum of benefit income lost by claimants due to sanctions in each constituency.”

Members can refer to that particular written question and answer. In June 2022, just over £34 million was clawed back by the DWP in Great Britain. In July, it was £34.9 million and, in August, it was over £36 million, so the figures are increasing month on month. In Scotland, the August figure was £2.3 million, and in Glasgow South West the figure was £57,000. The average deduction in August was £262 a month, which is a considerable sum of money to deduct from someone’s social security. The figures suggest that the aggressive attitude we saw between 2013 and 2015 is back among us. The raising of the administrative earnings threshold means that 600,000 more claimants could be subject to a sanction, and that will include raising the number of people responsible for delivering the benefits being sanctioned, as I will come on to.

We know the history of benefit sanctions. The coalition Government said their Welfare Reform Act 2012 would “lay the foundation for a clearer and stronger sanctions system that will act as a more effective deterrent to non-compliance.”

They made changes in three main areas. First, they extended the scope of conditionality and sanctions within the same claimant groups. Secondly, they increased the length of sanctions for certain groups. Thirdly, they introduced the concept of escalating sanctions, with longer sanction periods for second and third sanctionable failures within a 12-month period.

However, the then Secretary of State for Work and Pensions, Amber Rudd, had concluded that three-year sanctions were rarely used and were counterproductive, and ultimately undermined the goal of supporting people into work. The Work and Pensions Committee report in 2018 found that some claimant groups, such as single parents, care leavers and people with health conditions or disabilities, were disproportionately vulnerable to and affected by sanctions.

Margaret Ferrier (Rutherglen and Hamilton West) (Ind): A few months ago, a vulnerable constituent contacted me after she had been sanctioned for missing an appointment, despite being assured that she did not need to attend it for very good and sensitive reasons. She was

an older woman who had been through extreme trauma and who had no access to the internet and no mobile phone credit. Does my hon. Friend agree that a more humanised approach must be taken by the DWP?

Chris Stephens: I thank my good and hon. Friend for that intervention. I will mention similar specific case studies, and there are clear questions for the Department to answer on this matter.

Going back to the Work and Pensions Committee 2018 report, it criticised the fact that a sanction incurred under one conditionality regime continues to apply even if the claimant's circumstances change and they are no longer able or required to look for work. The report said that the sanction serves no purpose in such circumstances, and the Work and Pensions Committee recommended that it be cancelled. It further criticised the fact that the decision to impose a sanction is made by an independent decision maker

“who has never met the claimant and who cannot be expected to understand fully the circumstances that led to them to fail to comply.”

It therefore recommended that work coaches should be able to recommend

“whether a sanction should be imposed”.

The Government responded to the report and each of the Work and Pensions Committee's recommendations in January 2019. They agreed to evaluate the effectiveness of reforms to welfare conditionality and sanctions, and said that it would be focused on whether sanctions within the universal credit regime are effective at supporting claimants to search for work. The Government said they would look to publish the results in spring 2019, but that did not happen, and DWP Ministers were still saying in July 2020 that the Department was committed to conducting an evaluation and that it would look to so by the end of 2020. In January 2022, however, *The Guardian* reported that the Department for Work and Pensions had refused a freedom of information request from Dr David Webster to release a copy of the evaluation.

In February, it was reported to the Lords that the Department had not published its evaluation of the effectiveness of universal credit sanctions because it lacked robust legacy data. The former Secretary of State told the Work and Pensions Committee—in fact, it was in answer to the Chair, the right hon. Member for East Ham (Sir Stephen Timms), who is present—that she had noted that the evaluation had been commissioned by a previous Administration, and she explained that the notion of a sanction acts not only through its imposition on a claimant but, importantly, through its effect as a deterrent. That raises a couple of questions.

Sir Stephen Timms (East Ham) (Lab): I am grateful to the hon. Gentleman for his points about the Select Committee's report, and I pay tribute to him for his work on this subject. I understand that his membership on the Committee will shortly come to an end, but I thank him very much for all his work.

The hon. Gentleman will have heard the new Secretary of State say that he will want to have a fresh look at whether some of the things that the Department has refused to publish in the past should have been published. Does the hon. Gentleman agree that this particular report should be high on that list of priorities?

Chris Stephens: It should be among the highest. I thank the Chair of the Select Committee for his very kind words, which I appreciate. I have enjoyed working with him, and he chairs the Committee very effectively indeed. He is absolutely correct to say there is a real question about reports that are currently unpublished but should be published, and I will come to some of them in my remarks.

I would argue that the dogs in the street—or the dogs in the street, for those not from Scotland—could give us a comprehensive picture of sanctions and their effects on people. When I secured the debate, Feeding Britain and the Independent Food Aid Network asked for case studies and examples. I raised one with the Secretary of State at the Select Committee hearing about a Glasgow South West constituent who has been diagnosed with Asperger's syndrome and severe anxiety, and who has extreme difficulty communicating with others. The local jobcentre applied a sanction after she failed to attend in-person appointments, despite the fact that, as part of a claim for employment and support allowance, it was agreed three years ago that reasonable adjustments would have to be made and that telephone meetings would be arranged for her. It raises the issue of the financial losses that occur, but the Department for Work and Pensions argued that there was no change of circumstances and that no sick notes were handed in.

We also have the example of an individual in Motherwell. A young mother who had escaped domestic violence was sanctioned for failing to attend an appointment, despite the fact that she had advised the Department for Work and Pensions that she needed to care for her autistic child on that particular day.

In the city of Liverpool, clients have commented that DWP job coach appointments have come through to their phone journals at times when they had no credit for data or access to wi-fi. By the time that each was able to afford to that phone data, they had missed the appointment and been sanctioned. Digital exclusion will increasingly affect clients who are unable to afford a basic smartphone and/or a contract for data access. They then face longer journeys to their jobcentre as a result of one of the busiest jobcentres in that city, Toxteth, being due to relocate, making access harder for local people.

In Coventry, we are advised that the vast majority of sanctions are due to people not attending an appointment, but many are now told of their appointments through an online journal so, again, people with no access to internet are being told that they are going to be sanctioned.

In Somerset, we hear of the case of someone with severe mental health issues and anxiety, whose job coach assured her that any correspondence would go to the principal carer. Ordinarily, she was informed of her appointments via a journal entry. The job coach cancelled a planned appointment and arranged a new one, but put it on that job coach's to-do list, not through the online journal. This is an area that has to be looked at, because that person was subject to a sanction.

Debbie Abrahams (Oldham East and Saddleworth) (Lab): Will the hon. Member give way?

Chris Stephens: I give way to my fellow Select Committee member.

Debbie Abrahams: I congratulate the hon. Member on securing this debate, and on all his work on the Select Committee. Is he as worried as I am that this is just a further iteration of the DWP sanctions issues going back to 2012? I particularly remember David Clapson, who was the first case that I came across—a former soldier who was sanctioned. He could not afford to keep his refrigerator on, his insulin went off, and he died as a consequence. Is the hon. Member as concerned as I am about sanctions potentially resulting in deaths?

Chris Stephens: I thank the hon. Lady, who is a good friend, for her intervention. She has done fantastic work in this area, which I very much support. I am concerned about the effects that sanctions have, and that the whole deductions policy has. The effect that taking money away from people has on cost of living payments is another real issue, which I will come on to.

I would also add that, based on exchanges I have had with Ministers past and present, people can be sanctioned if they refuse a zero-hours contract job. Someone could be in a position where they have secure work, but less hours. The Department is encouraging people to increase their earnings, so if that person refuses a zero-hours contract and insecure work, they will be subject to a sanction.

Then, we have the position of the DWP staff themselves. Some have received letters saying that they need to increase their earnings. It is no wonder that they are going on strike, is it? There is an anomaly here: many thousands of DWP staff are paid so poorly that they are claiming the same benefits they deliver, while sharing an office with someone who could then sanction them because they have not increased their earnings or their hours. I find that completely and utterly bizarre, and I hope that Ministers will look at PCS's concerns and maybe treat the situation of DWP staff separately. It seems to me that the Department that is delivering social security should not be taking social security away from the people who are delivering it.

Food banks across the Independent Food Aid Network see a newly hungry person referred as the result of a sanction every three days on average, so I have a number of questions for the Minister. Does he agree that the current sanctions policy is forcing people to use food banks if they are not to go hungry? To that end, will the Minister undertake to publish the Department's evidence review on the drivers of the need for food aid, which was promised two years ago, yet remains under wraps? As the Chair of the Select Committee, the right hon. Member for East Ham, has outlined, that is one of the reports that remains unpublished, and it is something that we want to see.

The Department's own serious case panel agreed at its October meeting that

“there should be further collaborative work undertaken through the appropriate governance routes to explore strengthening the mechanisms which protect our most vulnerable customers in respect of sanctions.”

Will the Minister explain to us what that collaborative work will look like, and when it will take place? Will he also undertake to commission a study into any correlation that exists between the distance someone lives from their nearest Jobcentre Plus and the likelihood of them being sanctioned; the prevalence of poor mental health and vulnerability within households on universal credit

and the likelihood of them being sanctioned; and the prevalence of digital exclusion within households on universal credit and the likelihood of them being sanctioned? We know that the Department has closed jobcentres; we also know that has made it more difficult for people to attend jobcentres and that they may be sanctioned for not attending a jobcentre.

Will the Minister also provide an update on the Department's most recent trials of the yellow card early warning system in two areas, including any plans to roll out that system further afield? I do not accept that there should be conditionality in the system, but if we are going to have conditionality it seems sensible to me that there should be a yellow card system, or some sort of warning system, in place before the decision is made to issue a sanction. Given that the present system seems to rely heavily on individual discretion, which is resulting in people becoming destitute, does he agree that a fully national roll-out of a yellow card system is needed sooner rather than later?

As I have indicated, people being subject to a sanction could mean—indeed, has meant—that they do not receive their cost of living payment, but that decision could be reversed if they appeal and win their appeal. However, it seems to me that if there are 6,600 universal credit claimants who have missed out on that first cost of living payment because of sanctions, the Department for Work and Pensions should look at that situation. It seems to be a double punishment. The cost of living payment is in place so that people can meet their basic living needs and if they are sanctioned, it appears that there is something very wrong.

Anne McLaughlin (Glasgow North East) (SNP): I agree with my hon. Friend that sanctioning people on the lowest of incomes at any time is grossly unfair, but at this time, when even many people in well-paid work are struggling to pay their bills, it is obscene. I had not been aware, so I thank him for highlighting it, that some people are not getting the cost of living payment that the Government say we need to survive.

I congratulate my hon. Friend not only on securing this debate, but on asking the questions that led me to discover that this summer £153,000 was taken from my constituents by DWP sanctions. Will he join me in saying to his constituents, as I am now saying to my constituents in Glasgow North East, “If you have your benefits sanctioned, do not take it lying down. Contact me and I will fight this for you, because this is wrong and nobody should have to live on less than the minimum income”?

Chris Stephens: I thank my hon. Friend for that intervention and she is absolutely right. We are in a cost of living crisis. During the pandemic, the Department rightly took the view not to sanction people. We are now in a cost of living crisis, and if we did not sanction people during the pandemic, we should not sanction them during a cost of living crisis either. That seems to me to be a sensible approach.

My hon. Friend is also correct in highlighting the great work that constituency office staff do in helping the most vulnerable to see off these attacks. We have all dealt with cases of people being sanctioned; I think that every single constituency office across these islands has had to deal with that.

In closing, I will mention some of the staff concerns. There are concerns that jobcentres have been told by senior managers and Ministers to “up their game” when it comes to sanctions. There are very real concerns about the culture and certainly there is a view that there needs to be a mind-shift towards supporting people in what is important and that punishment has not achieved anything. There is very limited and patchy evidence that sanctions actually work.

There is inter-office competition, whereby different offices’ statistics are compared, pushing for higher sanction and deferral rates, and labour market decision makers are using box-ticking exercises. Pressure is put on the work coaches themselves, through tighter timescales and pushing people to physically attend the jobcentre, with the harms that causes the long-term employed. There are also real effects on disabled claimants who are thrown into a group of those most likely to get a sanction, and the relative rate of sanctions for claimants with disabilities—all of that really needs to be explored further.

Sanctions appear to be back with a vengeance, and that shift of approach requires parliamentary scrutiny. As someone who believes that conditionality has not worked, I think we need a change in approach to put the claimant and their needs at the heart of the social security system. The Department must accept the Select Committee’s recommendations to introduce either a yellow card system or another warning system, because failure to do so would mean the Department going back on its word in how it responded to previous Select Committee reports. I look forward to hearing whether colleagues have to say, including whether they accept—as I do—the need for change and reform.

2.49 pm

John McDonnell (Hayes and Harlington) (Lab): I congratulate the hon. Member for Glasgow South West (Chris Stephens) on securing the debate. I concur with all that has been said about his past work, both on the Work and Pensions Committee and more generally on this issue.

I have a simple question to ask the Minister. What is his understanding of the increase in this recent period? It is true that conditionality has always been an element of our social security system since the second world war, but there has been nothing on this scale. What worries me is the dramatic increase—comparing the figures now with the figures before the pandemic—and therefore the significant increase in the past year after the worst parts of the pandemic. Like others, my experience of conditionality and the use of sanctions has largely centred on the impact on constituents who live the most chaotic of lives. They have difficulty complying with the various requirements that are made of them and, in some instances, actually even understanding the conditions that are attached to them. Living those chaotic lives means that they become intensely vulnerable.

I will go through the figures again, so that I have this clear. The monthly universal credit sanctions reached a peak of 58,548 in March. They have now fallen back to an average of 45,100 in the last quarter—that is two and a half times the average in the three months before the pandemic, so there has been a 250% increase in that period. Sanctions as a percentage of UC claimants subject to conditionality are currently at 2.5% per month;

in the three months before the pandemic it was 1.4% per month. The monthly sanction rate on unemployed UC claimants in July 2022 was higher, at approximately 2.8%—or one in 36 claimants—for those in the planning for work category. The number of UC claimants who were serving a sanction in August was 115,274, after a peak of 117,999 in July. That is more than three times the pre-pandemic peak of 36,771 in October 2019.

It just goes on like that. The figures on the scale of the sanctions being imposed at the moment are quite staggering. According to the report by Dr David Webster, which I believe was produced for the Work and Pensions Committee, the average sanction is about 11 weeks. For most of my constituents, surviving beyond 11 weeks becomes almost impossible—even just getting by.

Margaret Ferrier: In response to a written question, the Minister said that data on the average length of sanctions

“is not readily available and to provide it would incur disproportionate cost.”

The length of a sanction is directly associated with the level of hardship faced by claimants. Does the right hon. Member share my concern that the Department is seemingly not tracking essential data that should inform policy making?

John McDonnell: I fully concur and agree. That is the main question that I will come on to. I will add that, although there was an increase in sanctions in the recent period, a lot of this concerns people being sanctioned for not seeking or being unable to increase their hours. We are now going into a recession—well, we are in a recession at the moment. Based on the Government’s figures, the Office for Budget Responsibility predicts that the number of unemployed people will increase by half a million, and the Bank of England suggests that it will most probably go above 2 million. It becomes much more difficult to find or secure work overall or to increase hours. That will increase the pressure on those who are already on the edge of being sanctioned.

My fear, which has consistently been identified as a problem, is that the system is not working; it is not dealing effectively with people who have chaotic lives. There are some conditions attached and criteria that work coaches take into account, but in no way do they embrace fully the nature of the individuals they are dealing with. The decision maker never actually gets to see the individual either to do a proper assessment. When the individual comes to me in my constituency surgery and I get a fuller understanding of their life, I can understand why they have slipped up at some stage and why the system is not working to give them the support they need to get back into work and earn a decent income.

Debbie Abrahams: My right hon. Friend is making a powerful point. I will just pick up on what he said at the start of his speech about conditionality. There is currently no evidence that supports the efficacy—let alone the humanity—of sanctions at all. A University of York study, which was published in 2018, showed absolutely that they had no effect on out-of-work conditionality or on in-work conditionality. What is the purpose of this programme?

John McDonnell: I was going to come on to that. My question to the Minister is: what is his understanding of how this increase has taken place? What are the factors behind it, because it does then lead on to questions about the efficacy of the whole process? Looking at the excellent House of Commons Library briefing, we can see that there was a Work and Pensions Committee report in 2015, a National Audit Office report in 2016, a Public Accounts Committee report in 2017, the welfare conditionality project in 2018 and another Work and Pensions Committee report in 2018. All of them reached the same conclusion as my hon. Friend the Member for Oldham East and Saddleworth (Debbie Abrahams): there is no connection between this programme and effectiveness in supporting people getting into work. There is a bizarre situation: the *raison d'être* of this whole process has been challenged consistently—almost annually—by independent and objective reports, yet the Government have not moved. What does the Minister believe are the reasons for this increase?

I would also like to ask another question. If the Minister cannot answer it today, I would like him to write to us with an answer. I am really worried about the impact that the sanctions and the whole process of conditionality has on the mental health of the constituents I deal with. I am anxious that the Government should at least assure us that they have in process a mechanism for monitoring that, learning lessons from that monitoring, then coming back to the House to explain what improvements will be made. I am worried about the mental health consequences because, as we go into recession and we have a cost of living crisis, people have a fear of sanctions being levelled against them, which pushes some over the edge. To be frank, we have seen too many people lose their lives, unfortunately sometimes as a result of suicide because of the pressures that they have been under as a result of these types of measures that have been introduced over this period. I would welcome the Government's reassurance that there is monitoring of the mental health consequences and that there will be a report to the House about how that is being addressed and any lessons that can be learned.

Several hon. Members *rose*—

Mark Pritchard (in the Chair): Before I call Grahame Morris, I note that there are a few speakers left. I do not want to set a time limit. If we could have an informal time limit of around seven minutes, that will allow everyone to get in. We will see how we get on.

2.58 pm

Grahame Morris (Easington) (Lab): It is always a pleasure to serve under your chairmanship, Mr Pritchard. I will endeavour to heed your advice about the timings. I thank my good and honourable friend and comrade, the hon. Member for Glasgow South West (Chris Stephens), for securing this important debate. I also congratulate him on his assiduous work in questioning Ministers, both in the Chamber and with the use of written questions. I also thank him for sharing the figures that he has discovered—the constituency-based figures—with other Members.

In my remarks, I will first go over the purpose of universal credit and look at the level of sanctions. I also want to stress the human cost of sanctions. Universal credit is the last line of the social security safety net. It is

set at a level no one should fall below. By any standard, it is set at a very low level. Let us just remind ourselves that for a single person under 25 the standard allowance—this is a monthly allowance not a weekly allowance—is £265.31. There are additional premiums for disability and so on, but the standard allowance is intended to cover council tax, utilities, food, clothing and other bills. Sometimes the housing element does not meet the full rent, so there is a top-up element for rent as well.

For a couple over 25, the standard allowance is £525.27. In a functioning economy, housing, heat and food should not be scarce commodities. They should be readily available, whether an individual is retired, employed—many people are in low-paid, insecure employment—or in receipt of social security. Universal credit should alleviate poverty. Instead, sanctions are entrenching hardship and destitution. It is a terrible shame that the Government do not put the same effort into hunting down tax evasion and apply sanctions against the very wealthy individuals who evade payment of many millions of pounds in the tax that they owe.

The level of sanctions is excessive. I thank again the hon. Member for Glasgow South West for highlighting the figures and sharing them. He mentioned that throughout the whole country the figures are as follows: in June 2020, there was over £34 million in sanctions; in July 2022, a little under £35 million; and in August 2022, £36,397,000—£36.5 million basically. If we total those together, sanctions at that level is almost half a billion pounds a year.

Where is the one-nation, caring and compassionate Conservative party, if the Government force people into poverty and destitution, particularly those who are vulnerable? My right hon. Friend the Member for Hayes and Harlington (John McDonnell) quoted the figures for his constituency, but the figures are worse for my constituency of Easington. Deductions amount to roughly £75,000 a month from people who are in the direst hardship before the deductions for advance payments, for bedroom tax, or overpayments caused by administrative error or neglect.

The hon. Member for Glasgow South West made a great point about digital exclusion and the number of people who simply cannot access the system because they do not have even a basic smartphone or the wi-fi connectivity to be able to do that. The consequence is rising poverty, growing queues at food banks, and now the need for the voluntary and community sector to create warm spaces to accommodate people and at least give them a hot drink and some shelter, particularly in this terrible cold weather that we are experiencing. Sanctions harm society and can have tragic consequences.

I want to quote a BBC article dated 10 May 2021. It is a moving piece entitled “Deaths of people on benefits prompt inquiry call”. The article states:

“Cases where people claiming benefits died or came to serious harm have led to more than 150 government reviews since 2012”.

It highlights cases, including this one:

“Ms Day, 27, who had been diagnosed with emotionally unstable personality disorder, had previously said her benefit claim left her feeling ‘inhuman’, her sister told the BBC.”

After Ms Day's death, the inquest concluded that the authorities made 28 errors in managing her case.

In another case:

“Errol Graham starved to death in 2018 while seriously mentally ill. His benefits were stopped when he failed to attend a work capability assessment and did not respond to calls, letters or

home visits from the DWP. When his body was found, Mr Graham weighed four-and-a-half stone (30kg) and his family said he had used pliers to pull out his teeth.”

We need to end the sanctions culture. It harms society, leaves the poorest in destitution and places the sick, the ill and the disabled in extreme circumstances in which they can often see no way out. The Minister can act by introducing a moratorium on sanctions. Sanctions should not be used routinely; they should instead be reserved as a last resort for the most extreme circumstances and cases. This is a matter of life and death. The Minister has an immense responsibility to safeguard those in need and the vulnerable. I urge him not to fail them as his predecessors have failed them, and to end the sanctions culture we have today.

3.5 pm

Beth Winter (Cynon Valley) (Lab): I, too, congratulate the hon. Member for Glasgow South West (Chris Stephens) on securing this important debate and on all the amazing work he does on this issue. As we know, inflation is at a 40-year high, energy bills are rising, real wages have fallen for the last 13 months, the number of people living in deep poverty is increasing and we are living through a cost of living emergency. It is in that context that sanctions are being applied to people in receipt of social security benefits.

I have to start by reiterating the points made by my hon. Friend the Member for Easington (Grahame Morris). Sanctions are by their nature punitive, but continuing to operate them in such an aggressive manner in the worst cost of living crisis for a generation is actively harmful to the individuals who suffer, as my hon. Friend illustrated with horrific examples of people who have lost their lives as a result, but also to the wider economy and society. The scale of sanctions is totally unacceptable. They simply drive people into far greater debt and greater poverty, and punish people for things that are no fault of their own. People are in these situations because they may have lost their job or fallen on difficult times, and they are being punished for that. We should be supporting people in those circumstances.

It is little wonder that the Public Law Project has said that sanctions “do not work” and has referred to them as “a presumption of guilt”, or that the Welfare Conditionality project has found:

“Benefit sanctions do little to enhance people’s motivation to prepare for, seek, or enter paid work. They routinely trigger profoundly negative personal, financial, health and behavioural outcomes”.

Yet despite the overwhelming evidence that sanctions do not work, the DWP is using them more and more. Statistics from November show that more than 320,000 adverse sanctions decisions were made across the UK this year alone, up to July. The number of people subject to sanctions continues to grow. In August 2022, 115,000 people—6.5% of all recipients—were subject to them in one month. We can compare that with August 2021, when the figure was only 18,000. Like my right hon. Friend the Member for Hayes and Harlington (John McDonnell), I would be particularly interested to hear the Minister explain why there has been such an astronomical increase in the use of sanctions. Why that has happened is just beyond me.

The latest sanctions were worth, on average, £262 a month. That is nearly a third of the average UC payment. This is a full-frontal attack on universal credit recipients that must end.

In my opinion, the Government should end completely the sanctions regime, especially during this inflation and cost of living crisis, just as they did during the covid pandemic. They need to conduct a review of the impact on poverty, ill health and employment. They can also look to improve the application of easements and allow decision makers to cancel sanctions—the list goes on of measures that the Government could and should introduce.

I want to take this opportunity to say something about the deductions that are taken from almost 2.1 million claimants to repay debts. I recently submitted a written question on the issue to the DWP, which responded that 3,300 universal credit recipients in my constituency of Cynon Valley are subject to deductions for debts and overpayments. That is 52% of all recipients. A majority of those who use universal credit as a lifeline are having some taken away. People cannot afford those deductions. I back campaigners’ calls to convert them into grants or to write off the debts completely, which would be a much better solution. The Government must seriously consider those proposals, and at least adopt the Work and Pensions Committee’s recommendation that debt repayments be paused.

From the contributions today and the overwhelming evidence, it is clear that the sanctions system is ineffectual and extremely cruel to the most vulnerable people in our society, whom we should be supporting and helping. Prior to entering this place, I worked for many years as an advice worker, and I worked with lots of people who were suffering from homelessness. I also volunteered in a food bank. The number of people who had to access the service because their benefits had been stopped was unbelievable. They were people who were in work or who were suffering mental health problems. There were families. A gentleman who came in with his three children had been unable to attend his benefits appointment because one of his children was ill; he was sanctioned for two weeks. In the 21st century, that is absolutely appalling. It beggars belief.

The use of decision makers who are not known to the individuals being sanctioned is completely inhumane. I worked with a lot of older people who are digitally excluded and unable to navigate the system. People are penalised because they are excluded from a system that is, quite frankly, designed to prevent people from accessing an entitlement. That is what benefits are: they are an entitlement that people should be allowed to access.

The sanctions system completely fails to achieve its stated objective, which is to encourage compliance and people’s return to employment. It has the opposite effect, and I talk from experience: it alienates, unfairly punishes and stigmatises people. All of that has a serious detrimental impact on people’s health and wellbeing. Instead of punishing people, the Government should overhaul the social security system, so that it provides people with an adequate payment that prevents poverty—rather than pushing people into poverty, as the current system does—encourages and enables people to find employment, and treats people with dignity. The current system does not treat people with dignity.

Other measures might include the reinstatement of the £20 UC uplift and its extension to those on legacy benefits, the ending of the five-week waiting period and the removal of the two-child limit. Lots of changes could and should be made to the social security benefit system. With 40% of UC claimants in work, it is clear

[Beth Winter]

that wages in this country are insufficient, which is why I and many others here support the campaign for a £15 minimum wage.

The crisis that the Government's approach is causing is the reason for the increasing calls in Wales, for instance from the Bevan Foundation, for a Welsh benefits system. The Welsh Affairs Committee has said that the Government should assess the merits of devolving the administration of benefits to Wales, as happened in Scotland. In yesterday's Westminster Hall debate on pensions, I said that £1.7 billion of pension credit is unclaimed. The figure for unclaimed means-tested benefits is £15 billion. Some 7 million people in this country are not claiming what they are entitled to. I really wish the Government would spend more time ensuring that those people who are not claiming get what they are entitled to than punishing people in dire straits.

There are many problems with the Government's approach, but very little interest in a solution. I would be interested to hear from the Minister why there has been such a significant increase in sanctions and what evidence the Government have that they work. All the evidence that I have seen is to the contrary. Can the Minister respond on the suspension of punitive sanctions, debt and overpayment deductions, the role of the decision maker and the question of devolution in Wales? Let me finish by congratulating again the hon. Member for Glasgow South West on securing this debate. I fear that we will revisit this issue if things do not change.

3.16 pm

Kenny MacAskill (East Lothian) (Alba): I congratulate the hon. Member for Glasgow South West (Chris Stephens) on introducing this important issue that it is very appropriate to debate at this time. I will start by saying what this debate is not about. It is not about benefit fraud, in case the *Daily Mail* or others thought it was. That is rare—far rarer than tax avoidance—but it is dealt with by criminal prosecution, and rightly so because it is about public funds.

Equally, I do not believe that anyone is suggesting that there should be no sanctions. What is required is an appropriate form of sanctions in every walk of life, whether in a social club or a political party. If someone transgresses, there have to be repercussions. If we breach the rules here, we can rightly face sanctions. I am a former chair of the judicial panel of the Scottish Football Association; even in sport, if someone breaks the laws through misconduct on or off the park, they will rightly face some challenge. The issue is that the extent of it is far too great, certainly at a time of huge austerity.

More importantly, it is about the reasonableness and proportionality of sanctions. Players do not get banned sine die for two minor yellow cards in a football match, yet people are facing something that would almost bring them to the end of their life. Equally, it is about the circumstances in which these sanctions are being imposed. There has to be some understanding of the individual we are dealing with and the circumstances in which they are living, as opposed to having draconian measures.

It is well over 40 years since I graduated in law. I did welfare law as part of my law degree. At that stage, it was national insurance and supplementary benefit. Even

then, when supplementary benefit was brought in in the Beveridge plan, it was set at a level that was the very minimum upon which someone could live. But our circumstances have changed since then. Not simply have we gone through mass unemployment; we have moved towards a gig economy and people in vulnerable occupations. We have moved away from the national insurance supplementary benefit scheme to universal credit. That has caused challenges and difficulties, but it seems that the moral compass has been lost. We have lost any element of compassion. Looking back, sanctions did apply to national insurance and supplementary benefit, but they were proportional, reasonable and certainly not to the extent that we have today.

Three issues follow from that. As has been mentioned by the hon. Member for Glasgow South West and others, punishment is being exacted upon those who work in the Department for Work and Pensions. They are threatened with punishment, and potentially with dismissal, if they do not get their number of sanctions up. That is simply unacceptable. This should be not a target-driven system, but a welfare state and a welfare system. It should be about the individual and the circumstances, not any spurious targets.

We know from PCS and other whistleblowers that many people worry that if they do not enforce a sanction against an individual, they will face consequences. That is simply unacceptable. That is not simply from the PCS; we know it from welfare rights officers. Any welfare rights officer in any constituency will tell a similar tale. It even goes beyond that. We see it in fiction on television and cinema screens. It is a few years now since "I, Daniel Blake" came out—an award-winning movie that highlighted the difficulties and, indeed, tragedy of the sanctions scheme. It is a few years past now, but the circumstances remain. I am fortunate to have been a friend of that film's writer for over 40 years, and I know that although the movie was fictional, it was based on fact. As we would meet and discuss, he would tell me about the meetings he had had with people at food banks, trade union representatives and welfare representatives. He told me stories, such as that of the woman who had a miscarriage, who was unable to get to her appointment with the DWP and who was sanctioned, or the young father who rushed to the hospital to be at the birth of his child, whose sister phoned the DWP to say, "He cannot come; he's gone to see the birth of his child. Surely that will be okay." No, it wasn't, because when he next turned up, he found himself sanctioned.

Those stories are not fiction: they are fact, and that is simply unacceptable. That is why it was not Paul Laverty but Ken Loach, who filmed the movie, who described our benefits system as "institutionalised cruelty". The sanctions system is institutionalised cruelty, because we are taking the most vulnerable people—those who have the least income at a time of inclement weather, rising costs and enforced austerity, when work can be hard to find as unemployment figures are going up—and treating them harshly.

It is not even as if it works. As other Members have mentioned, many of these people, if not most of them, have significant challenges, whether with mental health, educational difficulties, or—as shown in "I, Daniel Blake"—simply being able to access IT. In some instances, it can be the inability to access the equipment; in other instances, it can be a generational gap. I am challenged

by IT systems, and people of my age who do not have access to those systems will be even more challenged. Sanctions do not help those people; what they require is more of a mentoring scheme.

In summary, what we have to do and what the Minister must try to move towards is a system that by all means contains sanctions for those who fundamentally breach it, because that is unacceptable to those who pay their taxes and abide by the law, but where an individual is challenged, they have to be supported. Where an individual has reasonable, proportionate circumstances and an explanation, they most certainly should not be punished, and we most certainly should not see people being treated harshly as a result of a tick-box system to get the figures up. That is fundamentally wrong. It would not apply in most private businesses, and it certainly should not apply in a welfare state.

3.22 pm

Claudia Webbe (Leicester East) (Ind): It is a pleasure to serve under your chairship, Mr Pritchard. I thank the hon. Member for Glasgow South West (Chris Stephens) for securing this valuable and important debate.

The Government claim that evidence clearly shows that their sanctions regime is clear, fair and effective in getting people into work, so why are they hiding data from experts who want to study that effectiveness? Benefits sanctions are an utterly inhumane blunt instrument that have not been shown to be effective in their supposed aim. Instead, almost every study that has looked at the benefit sanctions regime seems to include the word “cruel”—indeed, it is “pointlessly cruel” according to a Select Committee report, and “cruel”, “inhumane” and “degrading” according to academics. That is what the experts conducting those studies have found.

The sanctions regime is enormously disproportionate and punitive: a complete withdrawal of support for missing a single jobcentre appointment. Examples of people sanctioned because of illness, a lack of wi-fi connectivity or other reasons outside their control are easy to find. That cruelty can be imposed with little effective scrutiny for up to three years. The organisation Feeding Britain reported that in Leicester, one woman with two children was sanctioned after she missed appointments as a result of going to Iraq to look after her sick father. It left her in a terrible state, with bills and rent arrears. Another referral over the summer had his appointment with his work coach rearranged because the work coach was not in. He was then sanctioned because whoever was standing in for the work coach rearranged the appointment to be earlier, and he missed it.

The UK is an international outlier in this cruelty. Indeed, the UK is unique among OECD nations in using sanctions to punish claimants. A Bristol University Press publication on the impact of sanctions shows that they are largely ineffective and often make people more likely to remain out of work. This consciously cruel regime is operating at record levels—more than double its pre-pandemic numbers—in the middle of a cost of living crisis, and a huge number of working people in my constituency of Leicester East are being sanctioned for not accepting zero-hours contracts to top up their incomes.

Of course, the more vulnerable a claimant, the greater the impact of this conscious cruelty. The Government cannot claim to be unaware of this, as they have been

repeatedly warned by MPs, academics and advocate groups about the huge damage being done. Rethink Mental Illness recently called for an immediate halt to sanctions, with the group’s chief executive officer describing them as “incredibly damaging to people’s mental health”

because of

“the massive financial and psychological impact”

of sanctions and of the fear that they might be imposed.

Speaking of the more than doubling of the number of sanctions, David Webster of the University of Glasgow said:

“A Universal Credit claimant is now more likely”—

in the midst of the worst cost of living crisis in living memory—

“to be under a sanction than to have Covid”,

which is a truly horrifying illustration. Dr Webster also accused the Government of withholding information about the scale of the crisis they have created. That is not a new phenomenon. As we have heard, in February the Government blocked access to data for academics who simply wanted simply to study whether benefit sanctions were driving up suicide rates, bringing a vital study that was already under way to an immediate halt. Even for the Conservative party, this is an astonishing level of disregard for people’s mental health and, indeed, for their lives. It is institutional cruelty.

It is time to end the culture of secrecy about the impacts and effectiveness of the Government’s benefit sanctions policy. Will the Minister commit the Government to releasing this data? It is an open secret that information already in the public domain showed that a staggering 43% of unemployed disability benefit claimants had attempted to take their own lives because of the horrors inflicted on them, and that was in 2018—long before the sanctions reached their current appalling high level.

Sanctions are indeed pointlessly cruel, inhumane and degrading. If the Government think that the facts show otherwise, why are they hiding them?

Mark Pritchard (in the Chair): We now come to the Front Benchers, who have 10 minutes each. If the Minister is so minded, he might leave a minute for Chris Stephens to wind up.

3.28 pm

David Linden (Glasgow East) (SNP): It is, as ever, a pleasure to serve under your chairmanship, Mr Pritchard. I congratulate my hon. Friend the Member for Glasgow South West (Chris Stephens) on securing the debate, and I pay tribute to him for all the work he does in fighting poverty and in his role as a trustee of Feeding Britain. I am very much looking forward to joining the Work and Pensions Committee in the new year, and I sincerely thank him for the work that he has done on the Committee. I wish him well as he takes on his new Front-Bench responsibilities.

This has been a good, albeit one sided, debate. I often find myself questioning the point of having such debates, because while Opposition Members have showed up to talk about what happens in our constituency surgeries, the only reason the two Conservative Members are present is that they are compelled to be here. The Conservative party has some new red wall MPs. Surely people visit their surgeries to discuss the punitive sanctions regime. It ill behoves any of those Members intending

[David Linden]

to stand for re-election that they do not bother their backside to turn up and talk about the very thing that we know has an impact on many of our constituents.

This debate is certainly timely, not least because recent data produced by the Scottish Parliament Information Centre shows that benefit sanctions for young Scots have nearly doubled since 2019, which is the last comparable year for such statistics. The British Government certainly like to talk ad nauseum about their rather underwhelming kickstart programme. However, those statistics show that the DWP is only seeking to kick young people when they are down. I shall return to that slightly later when I discuss the wider context of the debate.

My hon. Friend has already referred to the figures that he has uncovered via parliamentary questions. In my constituency of Glasgow East, £55,000 was deducted from universal credit payments in August alone, simply as a result of benefit sanctions. At a time when businesses are struggling and we have all just celebrated small business Saturday over the last week or two, I remind the House that that cash could have been spent at small businesses in the likes of Parkhead, Barrowfield and Lilybank. If the Conservative party does not get that from a compassionate point of view, it should consider it purely from the point of view of economics. Instead, the DWP has pressed ahead with a regime of conditionality that pushes people into destitution. To be frank, that is something for which the state ultimately bears the cost anyway, so it is also short sighted in that respect.

The Scotland-wide figure for deductions from UC deductions by way of sanctions is even more eye-watering, at £2.3 million in August this year. Destitution is not cost-free for the state, and there is already a rich body of evidence out there from the likes of the Joseph Rowntree Foundation that shows the true cost of, for example, homelessness as people are pushed into destitution by a failing social security system. While 85% of welfare spending in Scotland is reserved to this institution, the Scottish Government are doing their level best to mitigate the very worst effects of Westminster's assault on benefits.

Whether hon. Members are Unionists or nationalists, surely we can all agree that devolution, be it in Wales, Northern Ireland or Scotland, cannot simply be a sticking plaster for inadequate social security policies designed in Whitehall. For example, the Government in Edinburgh spend £80 million a year of their devolved budget on discretionary housing payments, purely to nullify Westminster's bedroom tax. To be blunt, that is £80 million that could be spent on health and education, but the Scottish Government are having to spend it trying to clean up the mess that has been caused by Westminster. Indeed, using our limited social security powers, next year the Scottish Government will spend an extra £311 million on the game-changing Scottish child payment of £25 a week. That is in stark contrast to the British Government's outrageous two-child policy and associated rape clause.

We can begin to see a pattern emerging. In essence, DWP policy means that devolved Peter is being robbed to pay the price of reserved Paul. The same is true with the sanctions regime that my hon. Friend has highlighted today. Sanctions combined with deductions from universal credit mean that almost £2 billion per annum is snatched

away from the very poorest people on these islands. As they face going hungry, that is when the third sector, which is already close to breaking point, needs to step in and pick up the pieces. To illustrate that, I will provide an example from my constituency.

The Halliday Foundation helps people in poverty with free meals and furniture as they seek to rebuild their lives. It is funded by local government, which, in turn, is funded by central Government. So all that happens is that central Government sanction a constituent and then the Halliday Foundation has to step in to support them with the financial resources that have been provided by local government. Put simply, that is a total mess and a complete waste of taxpayers' money, and it shows that moving people into destitution is something that the Government bears the cost of anyway.

There is also an additional negative dimension to sanctions, which is very relevant just now and which I want to highlight to the Minister, backing up the point made by my hon. Friend the Member for Glasgow South West. Data shows that almost 700 Scottish households were denied the first £326 cost of living payment in September, simply as a result of sanctions. Let me make clear to the Minister that the freezing temperatures we are experiencing do not bypass houses and say, "Oh well, we'll not go to minus 7° because that house has been sanctioned." The decision to exempt sanctioned individuals from the cost of living payment is wrong and should be put right without delay.

In my five years as a Member of this House, it has become clear that Whitehall does not know best when it comes to designing a strong, robust and compassionate social security net. Indeed, Ministers and senior officials who preside over this disastrous sanctions regime clearly do not understand what it is like to sit in a cold library in Glasgow's east end on a Friday morning speaking to constituents who literally have nothing to live on. On Friday, I met a constituent from Greenfield who is a kinship carer for his grandson. We have had debates in this Chamber about the importance of kinship carers and the vast amounts of money they save the Government. However, our failing social security means that state support is so low that my constituent told me that he has rationed his primary school-age grandson to just two baths a week because he cannot afford the energy bills.

The very fact that my constituent told me it costs 70p to run a hot bath shows just how close to the breadline that man is living and how much our social security system is failing the people who need it most. Indeed, he told me that he cannot afford to turn on the Christmas tree lights for fear of running up an energy bill that he simply cannot afford, not least because he is on a prepayment meter. These are the sorts of people who are impacted by the actions of a Department for Work and Pensions that day after day plunges the most vulnerable people in our constituencies into abject poverty—something that should shame the fifth richest economy in the world. This Government have the absolute temerity to prance around the world in their Brit-branded ministerial plane preaching about global Britain, when all the while my constituent cannot afford to run a hot bath the night before sending his grandson to school. It is utterly shameful.

My hon. Friend the Member for Glasgow South West outlined a better way of doing things, perhaps via the yellow card warning system, and Ministers would

do well to engage with us on ameliorating a system that is currently doing so much harm. Indeed, it is no wonder that the Glasgow Centre for Population Health has attributed over 330,000 excess deaths in the UK to austerity since 2010. It has long been the case that Governments of both colours in this House have talked a tough game on welfare—I certainly prefer to call it social security—but the cat is now well and truly out of the bag. For too many people who had no understanding or experience of benefits, the pandemic lifted a veil on a social security system that has been found to be utterly inadequate. We know from polling that the public will no longer buy into the lazy picture painted by politicians in London of this being a fight of strivers versus skivers; this is now firmly the fight of abject poverty versus fairness and decency.

The only way to ensure that fairness and decency win is to end the punitive benefit sanctions regime and build a proper, robust social security system, underpinned by dignity, human rights and respect. In Scotland, we have already started that journey, but in truth most Scots know that it can only be completed with the full powers of independence. Nothing I have heard in this debate or, indeed, in my time in this House has convinced me that, with Westminster, the sanctions regime would end. That is why Scotland can, should and must make its own decisions on all social security, as with other policies, because Westminster is not working for us, and we all know that that is why Labour and the Conservatives are petrified of Scottish democracy prevailing.

3.38 pm

Ms Karen Buck (Westminster North) (Lab): It is a pleasure to respond for the Opposition to this short and important debate under your chairmanship, Mr Pritchard. I, too, congratulate the hon. Member for Glasgow South West (Chris Stephens) on introducing the debate and making a powerful speech. We have heard powerful contributions, and many who spoke drew on their own experiences of cases as well as cases brought to them by advice agencies in their constituencies.

Before the debate, I asked my local citizens advice bureau about the changes it had experienced in terms of clients with concerns about sanctions. It told me that there has been an increase in calls for help, including appeals from clients who were bedbound when the sanction was imposed because they had covid and were quarantining. I was told about someone who was sanctioned for attending a funeral and about a young woman who was forced to leave her home because she became pregnant outside marriage and feared for her safety. She was sanctioned for not wishing to return to a jobcentre near her family home in order to attend an appointment.

What has come through all of the speeches is the strong theme—it is a theme that has come up time and again whenever we have debated social security issues over recent months and years—of the impact on mental health. So many of the clients who come to us asking for help with sanctions and other aspects of social security problems are highly vulnerable and sometimes chaotic in their vulnerability, as my right hon. Friend the Member for Hayes and Harlington (John McDonnell) stated. Sometimes they have significant mental health concerns that should have been a red flag.

As we have heard, this debate is well timed because over the last few months it has become increasingly clear that the DWP's approach to sanctions has changed in ways that Ministers have so far been unwilling to explain or justify. The evidence lies in the sheer volume of sanctions that the Department has been handing out. Let us not be distracted by the suspension of most forms of conditionality during the pandemic. That was, of course, the right thing to do, and obviously that meant there was bound to be some degree of a resurgence in sanctions once things opened up again. But that does not explain—and this point has been made several times this afternoon—why sanction levels and rates are so much higher now than they were before the pandemic.

Several Members have referred to the work of Dr David Webster, whose regular briefings on sanctions for the Child Poverty Action Group have served to bring the issue to the fore. He finds that the number of sanctions handed out per month in May to July of this year was on average 45,000, equivalent to 2.5% of people on universal credit subject to conditionality, compared with 1.4% in the three months before the pandemic. That increase in the number of adverse sanction decisions is reflected in the cumulative number of people on universal credit serving a sanction at any point in time. Dr Webster writes:

“The number of universal credit claimants who were serving a sanction in August was 115,274...more than three times the pre-pandemic peak of 36,771 in October 2019.”

Of course, there were more people on universal credit in August 2022 than in October 2019, but as Dr Webster shows, the percentage of universal credit claimants subject to conditionality serving a sanction was 6.4% in August, more than double the pre-pandemic peak of 3.1% in October 2019. And for unemployed people—those in the searching for work group—Dr Webster estimates that nearly 8% were under sanction in August 2022. My first question to the Minister is: how have we arrived at a situation where one in 13 unemployed universal credit claimants are currently under sanction?

We should be under no illusion that sanctions are just a slap on the wrist for claimants. Typically, sanctions involve the withdrawal of 100% of the universal credit standard allowance, and even the reduced rate for the lowest level of sanction is 40% of the standard allowance. And except for the lowest level sanctions, the penalties continue after the person sanctioned has complied with the rules—for seven days rising to 28 days for low level sanctions, while higher level sanctions apply for 28 days and 91 days rising to 182 days, depending on whether there have been previous failures to comply in the same year.

An increase in the sanction rate is not just a technical matter. People on universal credit do not have a margin of income that they can fall back on to weather an interruption to benefit payments—all the less as the four-year benefit freeze has permanently eroded the real-term value of benefits.

There is an urgent need to understand what lies behind the increase. Has there been a revolution in people's behaviour or attitudes since 2019? If so, what is the evidence for that? Has the level of non-compliance with conditionality really doubled since the pandemic? Have there been operational changes leading to more sanctions being issued without any change in the level of compliance? Has there been a change in the Department's

[Ms Karen Buck]

policy on sanctions? Or is the increase an unintended consequence of other factors? In other words, is the sanctions regime out of control?

The purpose of sanctions has been well described by Professor Paul Gregg as a backstop to the system of benefit conditionality. The point is that while sanctions set at a reasonable level serve an important function, they are not an end in themselves. A sudden increase in the number of sanctions such as we have seen should be seen by any responsible Government as a cause for concern rather than for self-congratulation. It raises the fear that the sanctions tail is wagging the conditionality dog, that the Government are more concerned with signalling toughness than with improving employment outcomes, and that the purpose of conditionality has been twisted towards catching people out rather than maintaining contact with the labour market. Or, no less worryingly, it raises the fear that the number of sanctions has shot up because the Government have lost control of the sanctions regime and no longer know what they are doing.

The fact that the Government have suppressed their own research into the effectiveness of the universal credit sanctions regime is hardly reassuring. In 2018, in response to a Work and Pensions Committee report, the Department agreed to

“evaluate the effectiveness of reforms to welfare conditionality and sanctions,”

and said that this would focus

“on whether the sanctions regime within Universal Credit (UC) is effective at supporting claimants to search for work.”

It said that it would publish the results in spring 2019, but we know what happened. The research was undertaken, but earlier this year the last Secretary of State but one—the right hon. Member for Suffolk Coastal (Dr Coffey)—reneged on the commitment to publish the results. That is the behaviour of a Government who are uninterested in learning lessons, and evasive of public scrutiny.

Chris Stephens: I thank the shadow Minister for making that important point. The same applies to the drivers of food bank use, which include sanctions.

Ms Buck: Sanctions are indeed an important driver of the increase in food banks, which is another symptom of widespread structural failure in the system.

It would be refreshing if the new Secretary of State took a different view of the matter. A doubling in the rate of sanctions in the context of a cost of living crisis and permanent reductions in the value of benefits is a serious matter. I hope that the Minister can give a suitably serious response.

3.46 pm

The Minister for Employment (Guy Opperman): It is a pleasure to serve under your chairmanship, Mr Pritchard. In the limited time that I have, I will endeavour to answer the various points raised. I start by briefly addressing the point made by the hon. Member for Westminster North (Ms Buck)—that there is a reduction in the value of benefits. She will be acutely aware that UK Government welfare spending has increased from £151 billion in 2010 to £245 billion in 2022-23, and that there have

been significant increases in Scotland, which I will come to. I wholeheartedly reject the suggestion that there has been a reduction in the value of benefits, not least given the fact that this Government increased welfare support for the most vulnerable by 10.1% at the autumn statement.

Let me address the original points raised by my hon. Friend, the hon. Member for Glasgow South West (Chris Stephens). I hesitate to call him an hon. Friend, because I realise that he will receive an SNP pile-on as a result. I was not aware that he is standing down from the Work and Pensions Committee after many years of distinguished service, and I congratulate him on that. As always with promotions, one never knows whether to congratulate or commiserate. I also welcome back the hon. Member for Glasgow East (David Linden) to his Front-Bench position. I believe I have held my position for 47 days, after my personal sacking over the summer and the sabbatical that I enjoyed on the Back Benches courtesy of the previous Prime Minister.

David Linden: Plus one.

Guy Opperman: Plus one. The long and short of it is that, in that time, I have engaged at length with multiple employers, Jobcentre Plus and individual work coaches at the Department for Work and Pensions.

I will endeavour particularly to address the points raised by the hon. Member for Glasgow South West, given that this is very much his debate. He has engaged with the Department on a number of individual cases, and I will endeavour to write to him on the specifics of the particular case that he raised most recently. I am advised that we have responded to the case that he raised today, but I undertake to write to him with more detail before Christmas. Given the circumstances that we face, the letter will obviously have to be communicated by email as well as post.

I turn to the second point. With no disrespect to the hon. Member and other colleagues who have raised this issue, I do not recognise the comments against individual DWP members of staff. Where there are particular examples of named individuals who people genuinely feel have transgressed and behaved in an inappropriate way, clearly there is a process that must be entered into.

It is certainly not the case, in any way whatsoever, that there has been a change of policy by individual Ministers—either by myself in the 47 days that I have held this post, or by previous Ministers. I cannot speak for colleagues who have held these positions.

Grahame Morris: I am sure the Minister gives that assurance in good faith, but how does he explain the rapid increase in the level of sanctions in recent months? Can he rebut the allegation that there is a sanctions regime that incentivises DWP staff to apply sanctions?

Guy Opperman: On the second point, I am not aware of any such policy or any such incentivisation in any way whatsoever. If the hon. Gentleman has any evidence of such incentivisation, he should publish it and name it individually, because there is no such evidence as far as I am aware.

The hon. Gentleman also asked about the rise in the numbers. It is right to have a legitimate discussion about what is a fair and effective welfare system that supports people into work and provides value for money for

taxpayers. Our work coaches support claimants by setting out the activities to move them into work or to progress in work and work more. Activities are set out in the claimant commitment, which is surely the start or base of all the discussions. They are tailored to reflect individual circumstances and take into account health conditions, caring responsibilities, current work and opportunities for training.

The hon. Gentleman asked specifically about the rise in the number of sanctions. Some 98.2% of sanctions are for missing a meeting with a work coach. Such sanctions can be quickly and simply resolved by attending another appointment. The evidence is that approximately 50% of mandatory reconsiderations resolve the sanction.

I wish to address in particular the issue in relation to the most vulnerable. It is right that the most vulnerable in society receive extra support. The Government have clearly shown a commitment to that by adding a further £26 billion in the cost of living support in the autumn statement, on top of the £37 billion for 2022-23 that we announced earlier this year, in May.

Where benefit claimants have vulnerabilities, safeguards exist to ensure that they are not sanctioned inappropriately. Those with severe health and mental health conditions, those with full-time caring responsibilities and those with children under the age of one are not required to look for work and cannot be sanctioned. Many of the most vulnerable receive other elements of universal credit in payment, such as housing, child or disability support. Those payments are not affected by a sanction.

Finally, when people experience particular challenges, such as childcare difficulties, accommodation issues or bereavement, work coaches have the discretion to switch off work-related activities for a period of time. Such measures enable us to support vulnerable claimants and provide tailored support. To answer the follow-on question, we have a well-established system of hardship payments, which are available as a safeguard if a claimant demonstrates that they cannot meet their immediate and most essential needs—including for accommodation, heating, food and hygiene—as a result of sanctions. I am advised that the relevant percentage is 1.987%.

Various colleagues made specific points. The hon. Member for East Lothian (Kenny MacAskill) and the hon. Member for Slough made the point that work is hard to find. I will address that point in two particular ways. First, the evidence from the labour market statistics shows that the employment rate is up 0.2 percentage points on the quarter; the number of payroll employees is up on pre-covid levels by 932,000 to a record high; and the inactivity rate has fallen. On the vacancies rate, which surely relates to the point that work is hard to find, there were 1.2 million vacancies. Although obviously it remains high, the rate has fallen for the fifth consecutive month, to 1.187 million. Inactivity, which is a long-term issue, has fallen by 0.2 percentage points on the quarter, to 21.5%.

Scotland was raised specifically, so let me give the Scottish figures. The number of people employed is at 2.725 million, up 22,000 on the quarter and up 61,000 on the year. The employment rate is at 75.9%, up 0.7 percentage points on the quarter and 1.4 percentage points on the year. Unemployment is at 93,000, down

21,000 on the year and 12,000 against February to December 2020. The number of people in workless households has fallen by 113,000 since April to June 2010.

John McDonnell: I do not want to stop the Minister's flow, other than to correct him: there is no Member here from Slough. I may have missed his answer to this question, but why has there been an increase in the number of sanctions on such a scale, even compared with pre-pandemic levels? Could he answer the question that we have all asked?

Guy Opperman: The answer has already been given to the hon. Member for Easington (Grahame Morris). The figure in respect of persons failing to attend an individual appointment is at approximately 98%. That 98% is for failing to attend a specific appointment.

John McDonnell: Will the Minister give way?

Mark Pritchard (in the Chair): Order. Is the Minister giving way?

Guy Opperman: No. I have one minute left to address this debate. In November 2018 the Work and Pensions Committee specifically said that the Committee agreed with the Government that the principles of conditionality and sanctions were an important part of the welfare system.

I congratulate the hon. Member for Glasgow South West on securing the debate. The Government have been utterly clear that we are fully supportive of all people who are on benefits.

John McDonnell: Just answer the question!

Mark Pritchard (in the Chair): Order. The right hon. Gentleman is very experienced in this place and should know better. If the Minister is not giving way, he should not be speaking.

John McDonnell: I can tell the Minister—

Mark Pritchard (in the Chair): Order. We are running out of time. Minister, I think the hon. Member for Glasgow South West would like to hear replies to his questions at least.

Guy Opperman: I welcome the opportunity to respond to the hon. Gentleman's debate and set out how the Government are helping to get people into work. We have intensified our support for jobseekers. We have made great efforts on in-work progression. Employment figures are up. There is more to do, and I will write to the hon. Gentleman with specifics.

3.58 pm

Chris Stephens: I thank everybody who participated in the debate. A number of outstanding questions remain; I look forward to the Minister's response with the specifics.

We are in a recession. There are far too many people being sanctioned. There is an impact on people's mental health. There is a social and financial impact, and I do think we need an answer to the question of why cost of living payments have been taken off people who have been sanctioned. It is bad economics. I am offering the

[Chris Stephens]

Minister a meeting with me and reps from the Public and Commercial Services Union. They will explain the concerns that staff have about the sanctions regime.

Question put and agreed to.

Resolved,

That this House has considered DWP's policy on benefit sanctions.

Marine Management Organisation

4 pm

Mark Pritchard (in the Chair): I will call Giles Watling to move the motion and will then call the Minister to respond. There will not be an opportunity for the Member in charge to wind up, as he will know is the convention for these shorter, 30-minute debates.

Giles Watling (Clacton) (Con): I beg to move,

That this House has considered the effectiveness of the Marine Management Organisation.

It is an honour to serve under your chairmanship, Mr Pritchard. I am thrilled to have this opportunity to stand up for coastal communities, particularly my own in Clacton—a place that I have been a part of and lived in for over 55 years and have represented both locally and nationally since 2007. I have seen at first hand what works in our environment and what does not. Our extraordinary coastline has existed for hundreds of thousands of years. It is home to a Ramsar site and is a site of special scientific interest; it is a salt marsh, with superb beaches, cliffs and backwaters.

Recently, I tabled a private Member's Bill that seeks to put in place a pilot to devolve many functions of the Marine Management Organisation to local authorities. The MMO is a group that I have increasingly come to see as not fit for purpose. It lacks experience and is flippant in respect of the needs of local communities. Indeed, I have been told that we once had turn up to look at a marine development in the backwaters two officials from the MMO who seemed to be surprised about tidal range and direction.

More recently, the Naze Protection Society waited 13 weeks for a licence from the MMO to undertake vital coastal works that involved protecting a sewage farm from incursion by the sea. Every tide that came and went and every storm that happened made those works more difficult and more expensive. The Naze Protection Society contacted me in desperation, as it had the money, the materials and the contractors standing by but was held up for want of a simple licence from the MMO. I made a couple of calls to the Minister and the Secretary of State, and the licence was issued almost immediately. It should not take a call to an MP to get this simple stuff done.

In my opinion, the MMO is failing. For that reason, I have worked with my excellent local authority, Tendring District Council, which has offered to put in place a pilot that it will run, absorbing and discharging the licensing and management duties. I want to see that happen for three core reasons, which also illustrate why I felt this debate was needed. First, it seems rather odd to me that we allow the MMO so much centralised power. We have seen planning and licensing become core parts of local authorities' action plans. Councils are accountable and, by their very nature, have a deep understanding of local issues and the local scene. We need to look to a slimmer MMO, more devolution and a non-executive directors board of experts with real-life experience, holding the MMO to account.

Secondly, we should really be moving past all these organisations with people who just seem to collect non-executive directorships. We have spoken a lot in this place about how expensive distant and unaccountable quangos can be.

Sir James Duddridge (Rochford and Southend East) (Con): I share the same Marine Management Organisation group as my hon. Friend and have not found them as problematic as he has, but his assertion that we should move closer to local government is quite compelling. I was surprised that some relatively small works on a café on Southend pier had to go via the MMO, which is very centralised. It would be much more appropriate for Southend-on-Sea City Council to look at those issues, and I would appreciate it if my hon. Friend's local authority could look into Southend also being involved in the pilot to bring those functions closer to the public and democratic accountability.

Giles Watling: I thank my hon. Friend for his intervention; he is wise to mention that we should devolve those powers. In the end, that is exactly what this is all about. I am suggesting certain pilots, and my own local authority is happy to pilot them. I gently suggest to my hon. Friend that he should go to see his local authority and get it to agree to do a similar project. I think he might get some success.

The MMO is an example of the fact that His Majesty's Government are sometimes happier going after lower-hanging fruit. For example, we scrapped the dreaded development corporations in 2010, because everybody saw them as bodies that did not care about local feelings towards development while still not achieving the revolution in house building the nation needed. It was a bloated public body that was ripe for the plucking, but just because the Marine Management Organisation's offences are against fewer people and therefore less easily seen, they do not seem any less egregious. If local government can take on such duties, why should such an accountable body as Tendring District Council not do it? That is the correct argument that the Government executed in respect of development corporations.

Finally, and most pertinently, the MMO has displayed a flippant and unaccountable culture. When Members do things in this House, it should matter. If we criticise a public body for how it treats our constituents, that body should reach out and seek to offer reassurance on what it is doing in our communities. After all, nobody has a God-given right to spend taxpayer cash or to public power and authority. Sadly, since I tabled and spoke to my private Member's Bill, I have not heard from the chief executive officer or chairman of the MMO—not a dicky bird.

The Minister for Food, Farming and Fisheries (Mark Spencer): I want to make two points before my hon. Friend concludes. First, I hope he recognises that although local authorities are good at making local decisions, some decisions on the management of seas and oceans can have an impact on other local authorities down the coastline, particularly in respect of coastal erosion. Does he agree that there needs to be an authority to oversee the multitude of decisions that are made?

On his second point, I will organise a meeting with the chief executive officer directly with my hon. Friend and myself, so that he can speak to him directly.

Giles Watling: My right hon. Friend is absolutely right. There should of course be a central overseeing body to oversee all this. I am seeking to devolve some of

the powers to the local authorities because it makes sense: they understand exactly what is happening on the local scene.

Brandon Lewis (Great Yarmouth) (Con): Does my hon. Friend agree that one of the benefits of the whole of East Anglia, working right down the coast from Great Yarmouth to his constituency, is that our local authorities—the county councils and the district authorities—work together closely on the issue of the East Anglian coastline? They face challenges in dealing with the MMO. For example, Great Yarmouth Borough Council has been frustrated in developing the operations and maintenance hub, a new area for renewable energy. It has seen delays of six months and eight and a half months to its progress because of the MMO's slow decision making. Speeding that up—or, indeed, allowing the local authority to have more authority to get on with the works, given their knowledge from working with enabling authorities—would give us a faster and better way to deliver more jobs and a better coastal community.

Giles Watling: My right hon. Friend is absolutely right. We need to ensure that we get decisions much more quickly, before more damage happens to our coastline. I have heard nothing from the MMO and have not had any comment from it about how it proposes to devolve its functions to local government. This debate is publicly on the Order Paper, yet the MMO has not reached out to discuss it. That suggests that it either thinks that a House debate on its performance is irrelevant or does not even check to see what is happening in this place and whether it needs to keep abreast of debate. Either way, it shows an arrogance that is not becoming in a public body.

What I find so sinister is that there is a private Member's Bill to possibly radically alter how the MMO functions, and it feels that warrants no action. It is so seemingly content that it has the unrestricted right to gobble up taxpayer cash and play judge and jury in our communities that it has not bothered to articulate publicly why it should not be broken up. It clearly thinks that it is above reproach; well, no public body, including the MMO, is above this House. We often speak of the bonfire of quangos, and I think I have found another log for that fire.

4.8 pm

The Minister for Food, Farming and Fisheries (Mark Spencer): It is a pleasure to serve under your chairmanship, Mr Pritchard. I welcome the debate and am grateful to my hon. Friend the Member for Clacton (Giles Watling) for securing it. I sense his frustrations and I am sympathetic to them; I will try to assist and alleviate some of them. My hon. Friend said that he has not heard from the MMO and that it has not engaged in the debate; it has sent a rather brilliant Minister to respond on its behalf. *[Interruption.]* Yes, unfortunately he could not be here so I have taken his place.

This is a timely debate: the MMO is due to publish its annual report next week. It comes ahead of the Second Reading of my hon. Friend's ten-minute rule Bill, which is due in February. Alongside its marine licensing duties, the MMO covers a broad range of activities, including fisheries management and the management and regulation of marine protected sites. Many of these also interact

[*Mark Spencer*]

with the MMO's responsibilities as the marine planning authority for English waters, which my hon. Friend referenced. It has teams based in 15 locations around the English coast. It is responsible for engaging with the full range of local stakeholders, signposting to relevant MMO guidance and, where relevant, making introductions to other parts of the MMO in relation to specific activities.

When it comes to marine licensing and the process, the MMO is the appropriate marine licensing authority for English waters. The scope of responsibility and function held by the MMO ensures not only that marine licensing applications are assessed on an individual basis, but that marine planning activities are placed in a wider context so that conservation work on protected sites and species and compliance, monitoring and inspections are taken into consideration.

The MMO aims to determine 90% of marine licence applications within 13 weeks. Some cases are more complex and take longer because of the detailed technical and complex environmental assessments that may be required. My hon. Friend the Member for Clacton referred to an individual case that he was working on and the fact that when he engaged with Ministers, he got a response very quickly. It is my understanding that that was purely coincidence—that a lot of work was going on in the background to gain access to that information, and the intervention of the Minister at the time coincided with the MMO pulling the information together and it being ready within a matter of hours.

I am aware of the circumstances around the licence application made for the sea defences at Naze. My understanding is that this licence has not been straightforward to determine. Supplementary information and assessments had to be sought from the applicant after the initial application was received in July 2021. This included a required water framework assessment and further information from the applicant to update the methodology of the works. The MMO also had some difficulty ascertaining whether Tendring District Council's planning department was dealing with the planning application for the works as an environmental impact assessment application, and whether there was scope for working through the coastal concordat on the case. The potential for coastal concordat working was raised with the council on 2 August 2021, but it took seven weeks for the council's planning department to reply, confirming its position. There was also a 28-day consultation period for interested parties and stakeholders to express their views on the licence application. I hope that my hon. Friend has some sympathy with the fact that there is a process to go through. Whether it was with the MMO or the local authority, there would be hoops and challenges to get through to ensure that we get to the right decisions.

Following the consultation period, the MMO identified that a habitats regulations assessment would also be required. Agreement was reached with the applicant on the fees only on 22 March, ahead of the MMO progressing the final determination and issuing that on 14 April. I am aware that an application for a licence variation was then received in July this year and I understand that it has been held up while the MMO has awaited the submission of an environmental impact assessment

screening request from the applicant. That was received by the MMO on 3 November, and the MMO will move to consider the licence variation as soon as possible.

I understand that the time taken to determine some marine licence applications is sometimes frustrating. This case is an example of the complexity of some marine licences and of how careful consideration is paramount.

Giles Watling: We are talking here about potential flooding—flood risk. The area around Jaywick in my constituency flooded in 1953, with the loss of some 90 lives, so when we see floods no one hangs around; people have to be fleet of foot. That is what I am asking for: fleetness of foot. The case that I identified earlier was one where, with every succeeding tide, the damage worsened, threatening to flood a sewage farm and poison the backwaters

Mark Spencer: I wholly acknowledge the necessity of speed to save his constituents and to ensure that no environmental damage is caused around Clacton. What we must not do, though, is introduce a scheme that might cause damage in another community six or seven miles down the coast. It is important to determine whether an action is required—it clearly was required—to protect an area or piece of infrastructure and that it does not impact on another piece of infrastructure that could cause even more damage. To do so, there needs to be an overarching authority that looks at all the facts in the light of day and, after all due consideration, says whether something is the right or wrong thing to do—whether the impacts of the decision made will be felt further down the coastline. My hon. Friend would be distressed if an application in—to pick a constituency at random—Southend were to have a huge impact on Clacton. He would be distressed if Southend-on-Sea City Council made that decision unilaterally without considering the impact on the community of Clacton.

As the debate has highlighted, the MMO has responsibilities in the marine space, all of which are crucial. We must not forget the adaptability of the MMO in its delivery of the important objectives that support the growth of our local communities, the trade in fish, and the marine environment. The MMO is the primary responder to marine emergency situations and is key to supporting evidence-based decisions that touch a range of Government Departments. I think that is the right outcome and an outcome that we can all agree on. We may disagree on whether the MMO performs to a level that we appreciate, but there has to be a regulator. We need to continue to support the MMO's performance.

Mr Jonathan Lord (Woking) (Con): Who regulates the regulator? Who is marking the homework of this organisation?

Mark Spencer: Ultimately, I think that falls under the umbrella of the Department for Environment, Food and Rural Affairs. I have regular meetings with the MMO—in fact, I met its chief executive this week. I asked him to meet my hon. Friend the Member for Clacton, and he confirmed to me that he would be willing to meet; I will make sure that meeting happens. Let me say again that if other colleagues want to engage directly with the MMO, I am more than happy to facilitate meetings and to ensure that MMO is delivering for their constituents.

We have had an interesting debate. I sense the frustration of some colleagues around the Chamber, but, as the Minister, I am more than happy to try to facilitate those discussions and to work with the MMO to deliver outcomes that hon. Members and their constituents want.

Question put and agreed to.

4.18 pm

Sitting suspended.

Aortic Dissection: Patient Pathways and Research Funding

4.28 pm

Mrs Pauline Latham (Mid Derbyshire) (Con): I beg to move,

That this House has considered patient pathways and research funding for aortic dissection.

It is a pleasure to serve under your chairmanship, Mr Pritchard. After many applications, I am delighted to have secured an opportunity to have this very important debate. Hon. Members may be aware that this is an extremely difficult and personal topic for me, but I hope that sharing my experiences will prompt action that could save lives in the future.

I will begin with a case study, which happens to be my personal story, then move on to what we do in this place to improve patient pathways and research funding for aortic dissection. Before I do so, I must draw the House's attention to my entry in the Register of Members' Financial Interests: I am an unpaid trustee of the Aortic Dissection Charitable Trust, a charity that I helped to set up.

In the early hours of 11 December 2018, I received a phone call that no mother would ever want. I was told that our son Ben had died. Four years later, we all still feel numb. It seems implausible that Ben, a gregarious 44-year-old with two children and a loving wife, will not simply walk back into our lives. Ben died after suffering an aortic dissection. He had been feeling unwell the previous day, but was sent home after spending four hours in A&E and told to return the next day if he did not feel better. Tragically, the emergency doctors had not understood his symptoms and had not come up with a diagnosis.

Aortic dissection is a tear in the aorta, the body's largest artery, which carries blood from the heart to the brain, limbs and vital organs. It is a condition that affects approximately 4,000 people a year in the UK and, like Ben, almost all of them are unaware that they have it. Half of them—almost 2,000 people—die soon after the dissection occurs, which is more than die from road traffic accidents in this country. Five hundred of those who die reach hospital, but sadly, as in Ben's case, their condition is not diagnosed quickly enough, or at all. The other 1,500 die almost immediately after the acute event.

Many of these deaths are preventable. With proactive genetic screening for family members of those who have suffered an aortic dissection and with better treatment of high blood pressure, many of these deaths could be avoided. I am delighted to learn today that the Minister of State, Department of Health and Social Care, my hon. Friend the Member for Colchester (Will Quince), has announced a fund of £175 million for cutting-edge genomics. As a charity, we would be happy to work with the Department on this issue.

I have to admit that, like most people, I knew nothing about aortic dissection before Ben died, but knowing what a gap his death has left in our family I have immersed myself in efforts to prevent other tragedies. In late 2020, with the eminent cardiac surgeon Graham Cooper and the long-time aortic dissection campaigner, patient and public voice co-ordinator of the NHS cardiac clinical reference group, Catherine Fowler, whose father died in

[Mrs Pauline Latham]

Ireland from this condition, I helped to set up the Aortic Dissection Charitable Trust. I am delighted that Graham and Catherine are in the Gallery and listening to the debate. The trust is now a leading UK-registered charity that aims to unite patients, families and the medical community. Our mission is to improve diagnosis, increase survival rates and reduce disability caused by aortic dissection.

Our work encompasses the whole patient pathway, from prevention to diagnosis, treatment, follow-up and support for all those living with aortic dissection. So far, the charity has designed and delivered accredited education events reaching over 3,000 medical professionals, and produced a fantastic set of patient resource videos to support those living with aortic dissection and their families. Instrumental in creating the videos was “Whispering” Bob Harris, who has suffered an aortic dissection and given up a huge amount of time to be an ambassador for the charity. I am delighted that Bob is also in the Gallery today.

The charity has created an online learning portal for the medical community, with learning modules that cover all the multidisciplinary aspects, in order to improve education on aortic dissection in the medical community, and ultimately to improve patient experiences and outcomes. The free and accessible learning portal, produced with experts in the field of aortic dissection, will be launched this week. We have also attended a number of medical conferences and presented to cardiac specialists and emergency medicine doctors, most recently in October at the European Emergency Medicine Congress 2022 in Berlin. We have designed and delivered national all-day education symposiums to establish learning communities and to increase knowledge and education for paramedics, emergency medics and surgeons in Scotland, Ireland and England, with many more such events planned. I have to say that the “we” are mainly the other trustees, because I am very much the junior and more silent trustee of the partnership.

The charity has also worked with NHS England and a group of clinical experts on the design of the aortic dissection toolkit. Seven key principles have now been established, setting out best practice for the patient pathways from the point of treatment through to diagnosis. We are delighted that the toolkit has reached the implementation phase, and the charity is actively supporting this critical phase by working with the regions that have reached out to the charity for support.

The charity has also launched research grants to fund research into how we can better diagnose and treat aortic dissection. For my part, I have sought to raise the issue in the House of Commons, including at Prime Minister’s questions in March and since then in meetings with Ministers. I thank the Minister responding to the debate for her commitment to aortic dissection and for having taken the time to meet the charity trustees last month.

In almost two years, the charity has had a big impact, but there is much more that we can do to save 2,000 lives a year in this country. I would like to set out some of the important changes we would like to see. So far, I have spoken about 2,000 deaths a year and 4,000 cases of aortic dissection, but a worrying statistic is that as our

population ages, we expect to see about 7,000 cases of aortic dissection every year by 2050. It is crucial that we take steps now to improve the patient pathway, to ensure that as few of these cases as possible are fatal.

It is surprising but true that there is a lack of detailed and accurate data regarding the incidence, treatment and patient outcomes for acute aortic dissection in England. That is particularly true for patients like Ben, who do not reach a specialist treatment centre alive. Such data would assist in understanding the true scale of the problem and where any interventions might be directed. Of course our family understands that, even if he had been diagnosed, Ben might not have survived the catastrophic event, which happened in the middle of the night, but our passion to learn more about why he died seems to have highlighted gaps in the system, which, if filled, will help others. The least we can do is to press for that to be so. No child deserves to have their mother or father taken away, no wife should be bereft at the sudden loss of a husband, and no parents should have to bury their son.

Jim Shannon (Strangford) (DUP): The hon. Lady is making an incredibly passionate and personal contribution to the House. We all recognise that this is a subject very close to her heart, and we recognise her passion and commitment.

Mrs Latham: I thank the hon. Gentleman for his intervention. It is important that all parties work together to make this better.

First, I encourage the Minister to see what more can be done to increase and improve data collection around aortic dissection, to make as much of the data as possible publicly available to assist with clinical research. Secondly, I would like to focus on improvements that we can make to the patient pathway. The single most important improvement is in diagnosis. For those accurately diagnosed, more than 80% survive.

I will come back to how we can focus research funding. For now, I would like to emphasise that increased research funding for diagnosis is required. The other improvement on diagnosis that the Government can make is to ensure that doctors in emergency departments receive adequate training and advice on the symptoms of aortic dissection and how to spot a potential case. A freedom of information request recently showed that only half of NHS trusts had a policy or procedure concerning the diagnosis of aortic dissection in the emergency department and that only a small proportion used the guidelines from the Royal College of Emergency Medicine or from the Royal College of Radiologists. The charity is doing a huge amount to educate medical professionals. Can the Minister comment on what central guidance has been made available from the NHS for emergency departments?

The launch of the NHS aortic dissection toolkit, which I mentioned, is incredibly important, but it only covers the patient pathway from the point of diagnosis to treatment and does not cover diagnosis itself. Can the Minister commit to considering extending that toolkit or working with experts and the charity to design and develop a new toolkit for diagnosis of aortic dissection, which can be rolled out in all emergency medicine settings around the country?

Dr Dan Poulter (Central Suffolk and North Ipswich) (Con): I pay tribute to my hon. Friend's bravery in bringing this debate to the Chamber. I know that she has been through a lot personally. As she says, no parent would want to experience the death of a child as a result of aortic dissection and her subsequent and recent work to bring this debate here and her work with the charity is commendable. I am sure that it will lead to many lives being saved in future.

On the point about diagnosis, I remember from my days in the emergency department that fast scanning, which is a simple technique that uses an ultrasound scan to check for free fluid in the abdomen, was a very important tool that we could use to detect aortic dissection. It is a simple thing to train ED doctors to do, but that training is not available in the way that it should be. Will my hon. Friend join me in pressing the Minister to ensure that the focus is not always on service delivery in ED? If we are going to have good clinicians, we need to have the right training for them and this is an area that would save lives. Can the Minister put some funding aside specifically for that purpose?

Mrs Latham: I thank my hon. Friend for his intervention, knowing as he does what it is like to work in an emergency department. A lot of people come through the department, but the study he refers to about the abdominal aortic aneurysm was only for men of a certain age. This affects people from 17, or even younger, to 90. Although that sounds like a good idea, I am not sure that it would work in practice. We need more CT scanners used more frequently in emergency departments, and that is what is missing in part from emergency medicine settings.

The next phase in the patient pathway for those who have been correctly and speedily diagnosed is treatment. As I mentioned, 80% of those diagnosed survive. That is not enough and research is ongoing into better methods of treatment. However, one area where we can certainly improve is long-term treatments that do not require further medical interventions. There is currently a call for research proposals into that from the National Institute for Health and Care Research. That is excellent news and I encourage the Minister to make as much money as possible available for this area of research.

After treatment, it is imperative that the follow-up treatment for aortic dissection patients and their families is of the highest quality. Two thirds of survivors of aortic dissections have some kind of post-traumatic stress disorder. They need specialist treatment by somebody who understands their conditions. Furthermore, aortic dissection survivors have a long-term condition that places them at risk of future complications. They need to be monitored by specialist teams and currently, that provision is highly variable. Teams exist in some specialist hospitals, but not all patients are reliably followed up, and too often that is a failure to take a holistic approach to follow up. The employment of specialist nurses in every aortic centre, similar to those in cancer and palliative care, would greatly strengthen follow-up.

The massive improvement in the patient pathway would not be expensive. Although I understand that every penny is being counted in the current situation, to provide a specialist nurse in each of the 29 NHS centres in the country that deal with aortic dissection, for two days a week, would cost less than £400,000 in total per

year. The charity has explored the replication of the Macmillan nursing model for aortic nurses and, with funding, would be well positioned to support the design and roll-out of that initiative. Given the enormity of the NHS budget, I hope that is something that the Minister will confirm that she will look into.

The final stage of the patient pathway is genetic screening. About a third of patients who suffer an aortic dissection have some sort of genetic predisposition to the condition. That is why I welcome funding. Screening relatives of sufferers can detect those at risk and proactive treatment can significantly reduce their risk. However, that requires specialised clinical genetics input, access to which is, again, very variable. The technology exists to do that, and it would certainly save lives every single year.

There are two steps the Minister could take to improve this stage of the patient pathway. First, the employment of the specialist nurses I mentioned would be of great assistance. They would lead on the patient's follow-up plan, part of which would include screening for their relatives. The second step would be for the Minister to facilitate a series of meetings between the relevant professional societies and appropriate NHS staff, to agree and implement a set of NHS guidelines for genetic screening for those suffering aortic dissection and for their relatives.

As I have set out, there are improvements to be made all along the patient pathway, which would go a long way towards saving many of the 2,000 patients every year who would otherwise die from aortic dissections. If nothing is done, that number will only increase in the coming years, so it is crucial that we act now.

Turning to the opportunities for investment in research, which would make a huge difference to the diagnosis and treatment of aortic dissection.

Steve Brine (Winchester) (Con): On the point about genetics and screening, the Health and Social Care Committee, which I chair, will be doing a big inquiry next year on prevention, and one of the things we will be looking at is upstream prevention for cancers and some of the other big killers. I extend the offer to my hon. Friend and the charity to get in touch with us when we launch that inquiry to give evidence on the screening that they are proposing. We would be interested in looking at that and to take evidence in written or oral form. That inquiry is all about saving lives. What she has said makes a lot of sense to me—it could do just that.

Mrs Latham: I thank my hon. Friend. I am sure the charity would be delighted to come and give evidence. This is a condition that nobody has ever heard of; it is not just about raising awareness, but changing outcomes, and I hope that the Committee's inquiry into saving lives can help to save some of those 2,000 people. Obviously, they will not all be saved, but 2,000 is a huge number—it is not a very rare condition, but nobody knows about it until it devastates their family. I am delighted to accept that offer on behalf the charity.

Two studies that the charity is supporting known as DASHED—diagnosis of aortic syndrome in the emergency department—and ASES, the aortic syndrome evidence synthesis, are looking at the development of decision tools for use in emergency medicine to ensure that

[Mrs Latham]

aortic dissections are diagnosed as quickly as possible and can then be effectively treated. These studies are designed to look at the available evidence to improve diagnosis of aortic dissection. Once concluded, there will need to be a second round of funding to measure the impact of implementing those recommendations. Studies that focus on improved diagnosis, while important, are just the first step. The critical breakthrough will be made by the identification of biomarkers and artificial intelligence to detect unusual patterns of presentation of aortic dissection. This research has the potential to save 10 lives a week according to the charity, and I hope that the Minister will comment on what her Department is doing to increase the funding available for research into better diagnosis for aortic dissection.

As I mentioned, this is not just about diagnosis but about treatment. The NIHR has issued a call for research proposals into methods of treatment that would reduce the need for further medical intervention down the line. I know that budgets are likely to remain tight for some time, given the current economic conditions, but I repeat my plea for the Minister to find some money and recommit to the importance of research funding. We must improve how we diagnose and treat these conditions. Of course, the better we diagnose and treat aortic dissection, the less money we will spend in future on treating so many cases. Some 45% of people who have an aortic dissection are under the age of 60, so being diagnosed and treated early allows them to live a life with their family and continue to contribute economically to society.

It is not an exaggeration to say that the improvements I set out both in the patient pathway and on research funding have the potential to save hundreds of lives a year. As I have explained, the number of aortic dissections will only increase with our ageing population, so it would be wise to act now. The charity is partnering in the implementation roll-out of the NHS aortic dissection toolkit across the country, and it has already received a positive and enthusiastic response, but there is more to be done. As I mentioned, there is an opportunity for the Minister to endorse the design and implementation of further toolkits to address the current challenges with diagnosis, elective surgery follow-up and aftercare, covering those aspects of the patient pathway that are not included in the existing toolkit. Improvements in the patient pathway and research funding, such as those that I have set out, are greatly needed, and I hope that the Minister can carefully consider all the recommendations.

Too often in government and in this place, we speak about tragedies in terms of scale—of the numbers of lives lost or numbers of people affected by a catastrophe—but it is all too easy to forget that behind every single statistic there is a family whose lives have been upended by these terrible events. While 4,000 aortic dissection patients a year is a huge number, we must remember that it is much more than that: it is 4,000 people with a family—parents, children, husbands, wives, siblings, relatives and friends. None of them are likely to be aware of aortic dissection before it happens. In Ben Latham's case, the family was mine, and every single one of us is still feeling the effects of this awful condition that we did not know existed. It has been important for me, as for the other trustees and ambassadors of the charity,

to do everything we can to improve the survival rates and treatment of future sufferers, so that other families do not have to go through what we have been through.

4.54 pm

Jim Shannon (Strangford) (DUP): First, I commend the hon. Member for Mid Derbyshire (Mrs Latham). It is never easy coming to Westminster Hall to lead a debate; it is even harder to come and tell a personal story—one that is so heartbreaking for the hon. Lady. She has made us more aware of the condition. We sympathise greatly with her on the loss of her son Ben. We support her and what she asks for.

No parent should have to go through the horror of losing a child. I have the greatest respect for the hon. Lady for coming here today and talking about it, which is often the hardest thing to do. As my party's spokesperson on health, it is great to be here to support wholeheartedly her call for better patient pathways and more funding for aortic dissections. She set out a really good case and has asked for a number of things. I endorse what she has asked for and will give some factual background to the debate.

Aortic dissection kills over 2,000 people a year. The UK statistics are clear: three to four people per 100,000 are diagnosed with aortic dissection each year. It typically presents with abrupt onset chest, back or abdominal pain that is severe in its intensity, or is described as ripping or tearing, particularly in the patient with a high-risk condition such as Marfan syndrome or a family history of aortic disease.

The hon. Lady was right to refer to diagnosis. We often refer to diagnosis in these debates, and she has asked for work on that. The Chair of the Health and Social Care Committee, the hon. Member for Winchester (Steve Brine), has taken her thoughts on board, and I know that next year, or whenever the inquiry is done, when the hon. Lady makes her contribution, we can expect a fairly good response from him. He will never be found wanting in that regard. It is good to have him here to hear the story.

By improving diagnosis of aortic dissection in terms of familial connection, we can improve patient pathways to get better treatment and easier maintenance of the disease. Aortic Dissection Awareness UK & Ireland is the national patient charity for aortic dissection in the UK. It was founded by a small group of people who were diagnosed with aortic dissection in 2016. The charity provides vital information and support for patients and families affected by the condition, which the hon. Lady outlined so well, including the families who are left to deal with what happens. The charity works with healthcare providers to improve diagnosis and treatment and reduce healthcare inequalities. It partners with researchers to bring forward new insights that will improve future care for aortic dissection patients. In addition, the Aortic Dissection Charitable Trust research advisory group has been actively promoting research in the field of aortic dissection, aiming to save lives and improve the quality of life for those suffering from the condition now and in the future.

The hon. Lady asked very clearly for more to be done. The Minister and all of us were listening intently to her contribution. It would be very hard for anyone in this House not to respond in a positive fashion to her

requests. More needs to be done across the whole of the United Kingdom of Great Britain and Northern Ireland, especially in co-operation with the devolved nations. This is something we should all work together on. We can always exchange ideas in these debates. The hon. Lady and I have both participated in debates in the past 24 hours. There was an Adjournment debate last night and a debate this morning at 11 am—the Minister has been kept extremely busy. We always have a helpful response from her and I look forward to something similar this afternoon. We owe a duty of care to the hon. Member for Mid Derbyshire, and I am sure the Minister will respond in a positive fashion.

We also need to produce a research strategy that is developed and implemented as a support network for all. The Royal College of Emergency Medicine has made the diagnosis of acute aortic syndrome and dissection one of its top 10 priorities, and we must do the same across the whole of the United Kingdom of Great Britain and Northern Ireland. I encourage the Minister to engage with her counterparts in Northern Ireland and other devolved Administrations to ensure that we approach this in collaboration, with all of us asking for the same thing and all working together to achieve the same goal and ensure the correct patient pathways and sustainable funding for aortic dissections.

Again, I commend the hon. Member for Mid Derbyshire; I think we were all particularly moved by her contribution. This debate would be suitably concluded with the support that the Minister can give us. I very much look forward to hearing from the two shadow Ministers: the hon. Member for Coatbridge, Chryston and Bellshill (Steven Bonnar) and the hon. Member for Enfield North (Feryal Clark).

Mark Pritchard (in the Chair): We now come to the Front Benchers, who will have five minutes each, and then the Minister will have 10 minutes.

5 pm

Steven Bonnar (Coatbridge, Chryston and Bellshill) (SNP): It is a pleasure to see you in the Chair today, Mr Pritchard.

I begin by paying tribute to the hon. Member for Mid Derbyshire (Mrs Latham), not only for securing this debate, but for the strength and courage she has shown in leading it. My thoughts and those of all in my party are with her and her family after the tragic loss of her son, Ben. May he rest in eternal peace.

No parent should witness the loss of their child, and I welcome the positive and heartfelt contributions from across the House today about taking more effective action in preventing this disease. As we have heard, 2,000 people a year in the United Kingdom lose their lives from aortic dissection. It is a treatable condition; indeed, it has a better than 80% survival rate when it is diagnosed and treated in time. Yet today, in the year 2022, 50% of people who are struck by this condition ultimately lose their life.

The British Heart Foundation has done a tremendous amount of work in this particular area, and I thank it for its dedication. In Scotland, the BHF has worked alongside the Scottish Government, Members of the Scottish Parliament and local NHS boards to champion all those who are working to beat heart and circulatory disease. Through their record-high health funding, the

Scottish Government have supported and will continue to support health research and innovation, as a vital part of pandemic recovery and their wider aims to improve the health of our populations.

In 2020, the Scottish Government announced a one-off £75 million increase in funding for Scottish universities to ensure that they can protect their world-leading research programmes against the financial impact of covid-19 and the other crises that we are having to live through, whether it be the food crisis, the energy crisis or everything else. That significant intervention helped to secure the jobs and training needed to support ongoing and future research work.

Dr Alex Fletcher is leading a study on behalf of the University of Edinburgh that is monitoring around 60 patients at risk of dissection, which aims to develop a more effective screening tool. That study could not have been conducted without the SNP Scottish Government recognising the important work and impact of medical research charities, and I urge the UK Government to uplift support for medical research to ensure that vital studies can continue and more positive breakthroughs can be made.

However, research is not enough. The strategic direction of the UK Government must change if they are truly committed to supporting those with aortic dissection. This is particularly the case when the covid-19 pandemic has brought an even greater need for action into sharp focus. The pandemic had a significant impact on people with heart disease and on the services that support them.

In recognising that material societal change, the Scottish Government have published their heart disease action plan, supported with an investment of £2.2 million. The four priorities of that plan are prevention, timely diagnosis, treatment and care, and workforce.

The Scottish Government have outlined the importance of providing appropriate support to enable people with heart disease to live well with their condition. That means identifying ways to support people experiencing the emotional and psychological impacts of heart disease, and giving as many of them as possible access to specialist support, including vital rehabilitation services and, wherever necessary, supporting access to palliative care.

These measures may seem simple, but they are fundamental to helping minimise the presence of heart disease within our communities. I encourage the Minister to follow the Scottish Government's footsteps, and to learn and share best practice methods to ensure that aortic dissection cannot continue to blight people's lives, and have a difficult and lasting impact on their families.

5.4 pm

Feryal Clark (Enfield North) (Lab): It is a pleasure to serve under your chairmanship this afternoon, Mr Pritchard.

I want to take a moment to sincerely thank the hon. Member for Mid Derbyshire (Mrs Latham) for securing this debate and for sharing her very personal story. I offer my profound condolences to her for the loss of her son, Ben, and I recognise her extraordinarily brave work in campaigning to improve the patient pathway for aortic dissection, and to increase research and screening.

[Feryal Clark]

As we have heard, aortic dissection occurs because of a partial tear in the wall of the aorta. The tear then spreads, and can rupture or interrupt the blood supply to vital organs. There are two distinct types of aortic dissection: type A, which occurs in the front of the chest, and type B, which occurs in the back of the chest. Type A is far more dangerous; if untreated, it is sadly almost always fatal. We have also heard today that over 2,000 people per year lose their lives from aortic dissection. Some 11% of maternal deaths from cardiovascular causes are due to aortic dissections. Worryingly, the Oxford Vascular Study projects that those figures will almost double by 2050. It is crucial, then, that we engage with experts and give this life-threatening condition the attention that it deserves.

As the hon. Member for Mid Derbyshire said, there have been some positive advances in aortic dissection care over the last year—notably, the launch of the acute aortic dissection toolkit—but we cannot afford to take our foot off the pedal. Deaths from aortic dissection are avoidable, and with timely treatment the survival rate is good, as we have heard. It is therefore crucial that we do everything we can to drive up diagnosis rates. The Aortic Dissection Charitable Trust estimates that one in three of those who have aortic dissection are misdiagnosed. I would be grateful, then, if the Minister will update colleagues on the steps her Department is taking to improve diagnosis rates for aortic dissection.

The ADCT has made the case for a review of A&E triage processes, imaging, diagnosis and transfer for surgery. Notably, it also advocates diagnosis being made pre-hospital, which bypasses emergency departments and saves vital time. That work already happens with acute coronary syndrome and acute heart attacks. The ADCT states:

“The current pathways are ineffective... There are problems transferring images... Medical management, blood pressure control, imaging protocols, investigation of genetics...and long-term follow-ups are all sporadic and often not addressed well.”

The AAD toolkit has made a positive difference to some of those problems, but there is still much work to do. Has the Minister met with ADCT recently to review pathway processes? In addition, what work is taking place to eliminate regional variations in aortic dissection care, and to streamline aortic care so that patients can be seen before it is too late?

I also wish to highlight preventive interventions and why it is important that the Government support diagnostics to enable clinicians to save lives. Genetic screening, functional imaging and biomarker analysis are now possible, and if used efficiently, they enable clinicians to provide treatment before an aortic dissection occurs. As the hon. Member for Mid Derbyshire highlighted, once a patient is identified as having a family history of the disease, there is scope for potentially life-saving genetic screening. The ADCT estimates that 20% to 30% of families with dissections have an identified gene. Work is ongoing to identify the remaining 70% to 80% of genetic causes, but if we can screen that 20% to 30%, potentially thousands of lives could be saved over the next few years. I am sure that both sides of the House will agree that that is a worthy endeavour. Will the Minister therefore clarify what steps she is taking to support those exciting and potentially life-saving diagnostic tools?

Finally, let me touch on the workforce. We know that the NHS has the facilities to treat those suffering from aortic dissection. The problem lies in diagnostics. The reality, however, is that system-wide pressure on the NHS exacerbates misdiagnosis and compounds issues in patient pathways. It is therefore essential that targeted aortic dissection strategies come alongside whole-system workforce overhaul.

The next Labour Government will oversee the biggest expansion of the NHS workforce in history, doubling the number of medical school places, training 15,000 new doctors, creating 10,000 new nursing placements, and recruiting 5,000 new health visitors. That will be paid for by abolishing the immoral non-dom tax status. I encourage the Minister to nick Labour’s idea and commit to implementing that workforce strategy as soon as possible. Unless we solve the systemic workforce shortages, we will not be able to robustly tackle conditions such as aortic dissection.

In conclusion, I want to see a future where aortic dissection is diagnosed quickly, treated rapidly, and receives appropriate long-term care and management.

5.11 pm

The Minister of State, Department of Health and Social Care (Helen Whately): What we heard from the hon. Member for Enfield North (Feryal Clark) was a shame, but I will focus on what we heard from my hon. Friend the Member for Mid Derbyshire (Mrs Latham), which was one of the most powerful speeches I have ever heard in Parliament. It was also one of the most painful to hear, but I know that is not a patch on what she will have experienced in losing her son, Ben, so tragically, aged just 44. As she told us, he went to A&E to get help and was sent home, and then he died. How awful that was for her as his mother and for his whole family, including the loving wife he leaves behind and his two children. I am so sorry that she and all his family have had to go through that.

I cannot commend my hon. Friend enough on coming to the House and talking about her experience; on doing so in the Chamber, as she has done; on coming to meet me and other Health Ministers; and on drawing on her experience, her son’s experience and her whole family’s experience to try to make things better for other people who are at risk of aortic dissection—to prevent others from going through what she has gone through, and to try to save the lives of others so that some good can come out of what she has been through. I have a huge amount of respect for my hon. Friend for doing that, and I know that many people across the country, including those who will not necessarily even know what she has done, will be grateful to her for it. I thank her myself for that.

My hon. Friend helped to set up the Aortic Dissection Charitable Trust. She has been working with that trust very effectively to raise awareness of aortic dissection, improve diagnosis, and prevent aortic dissection in the first place, saving lives in doing so. She made several specific requests and asked several questions during her speech, which I will come to in a moment. We also heard from the hon. Member for Strangford (Jim Shannon), who is always so thoughtful in what he says and how he says it. He makes such valuable contributions to debates in this place, and it is so good to see him again—I think it is the third time in less than 24 hours that we have talked about healthcare.

Jim Shannon: I see more of the Minister than my wife.

Helen Whately: The third welcome I want to give is to Bob Harris, who is here today. He himself has suffered aortic dissection, and is working as an ambassador on this issue. It is very good to have him here with us.

We have heard during this debate about the sudden and heartbreaking impact that aortic dissection can have on families. That is why it is absolutely right that we should be talking about this issue today: we should be talking about how to raise awareness of the condition among medical professionals, about how to improve diagnosis so that aortic dissection is detected as quickly as possible, and about the research we need to make sure that more people survive. Sadly, around 4,000 people suffer from an aortic dissection in the UK each year, yet still many people have never heard of the condition. It is crucial that it is diagnosed and treated urgently, otherwise very sadly, it can be fatal. It need not be.

As we have heard today, diagnosing aortic dissection promptly is, unfortunately, not straightforward. The condition is relatively rare, which means medical professionals may be less familiar with its presentation. The symptoms of aortic dissection, such as chest pain, can be similar to other more common conditions, making it harder to accurately diagnose. Care pathways for aortic dissection vary across the country, meaning different patients often get different treatments.

I can reassure my hon. Friend the Member for Mid Derbyshire and other hon. Members here today that I am determined to improve the way the condition is diagnosed and treated. Earlier this year, NHS England launched its aortic dissection toolkit, which sets out the steps that commissioners, providers and clinicians should take to improve the care of patients with acute aortic dissection. The toolkit covers the pathway for aortic dissection, from recognition and diagnosis to treatment.

NHS England's regional teams are currently implementing the toolkit within their local services, and we expect those improvements to significantly reduce delays to diagnosis and improve patient outcomes following treatment. NHS Digital has also made changes to NHS Pathways, which is a triage system used by NHS 111 and 999, to improve the recognition of chest pain likely to be associated with aortic dissection. However, I heard my hon. Friend say that the toolkit does not cover all the challenges that she is aware of in the pathway, so I will take that away and see how we can go further to make sure the toolkit is comprehensive or supplement it as necessary.

We have also heard today about the importance of raising awareness of aortic dissection among medical professionals. The Royal Colleges of Radiologists and Emergency Medicine published a best-practice guideline last year on the diagnosis of aortic dissection in the emergency department, in response to a report published by the Healthcare Safety Investigation Branch in 2021. I expect that to have a major impact on the prompt diagnosis of aortic dissection. The Royal College of Emergency Medicine, which sets standards of care in all emergency departments in the UK, has also developed guidance to support the timely diagnosis of aortic dissection. However, my hon. Friend told us that a freedom of information request showed that only some EDs are

using the guidelines. Again, I will look into that, as guidance should be followed consistently across emergency departments.

Research is the piece of the puzzle that will drive forward progress and find the treatments of tomorrow. We need to understand better who is at risk of aortic dissection and how we should monitor them, we need to know how to most effectively detect and diagnose aortic dissection in emergency settings and how to improve treatment to make sure patients recover successfully. That is why the Department of Health and Social Care brought together a multidisciplinary group of experts and patient representatives in 2020 to consider research priorities for aortic dissection. That significant event identified research questions in diagnosis, treatment, care, awareness and education and, crucially, what matters most to people with aortic dissection and their families. In response to that event, the Department of Health and Social Care-funded National Institute for Health and Care Research launched a call for research on surgical treatment for aortic dissection. We await the outcome of the commissioning pool early in the new year.

The NIHR invests around £50 million a year on research into cardiovascular disease, including aortic dissection and other heart conditions. For example, the NIHR funded a major programme of work at Barts Health NHS Trust to develop and test a novel surgical treatment for aortic dissection, which is less invasive than routine care, allowing quicker procedure times and shorter hospital stays. It is also vital that we harness our understanding of risk to help prevent aortic dissection. UK Research and Innovation, which is funded by the Department for Business, Energy and Industrial Strategy, is supporting a study on how we can use genetic and other factors to predict aortic dissection and identify people at greater risk. That will pave the way for more preventive measures, such as blood pressure control, to be prescribed.

We know that there is interest in the academic community for a pipeline of research to improve outcomes for people at risk of and who have survived aortic dissection. I encourage researchers working in the field to harness the momentum building around aortic dissection research and to please come forward and make applications for funding.

My hon. Friend the Member for Mid Derbyshire also asked about data and called for more data on aortic dissection to be collected and made public. I will take that request away and raise it with NHS England, because she makes a really important point: the more data we collect, the more we know. Again, making it available more widely is one of the best things that we can do to improve understanding and support research into prevention, diagnosis and treatment. My hon. Friend also requested that we meet to discuss guidelines for genetic screening, which is another thing that I will take away and look into. I will get back to her on that.

This debate has made us all stop and reflect, and I will pause for a moment as well, because I think the hon. Member for Strangford is waiting to intervene on me.

Jim Shannon: I thank the Minister for her very helpful response. I always ask these questions, because it is important that we share the issues. In my contribution, I asked whether we could share information with Northern Ireland, Scotland and Wales, because we can all learn

[*Jim Shannon*]

from it. We need to collaborate on research, because we can all benefit from it, wherever it may be—in Northern Ireland in my case, and in Scotland in the case of the hon. Member for Coatbridge, Chryston and Bellshill (Steven Bonnar). That might be helpful for us all.

Helen Whatley: I completely agree with the hon. Member, and we can only do better if we share information across the whole United Kingdom and internationally, as work on this condition will be going on across the world.

This has been a really powerful debate, but it is not a patch on the pain that my hon. Friend the Member for Mid Derbyshire has been through. As she said so powerfully, each life lost to aortic dissection is not just one life affected. The condition affects the lives of all those around the person who is lost, be they mothers like her, fathers, husbands, wives, sons, daughters, grandchildren or friends—everyone who is affected when somebody is sadly lost too soon. I thank her again for her tireless work in raising awareness and campaigning, and I assure her that I will, in turn, do what I can in Government to support her efforts and to improve outcomes for all those affected by aortic dissection across the country.

5.22 pm

Mrs Latham: First, I thank everyone who has contributed. The hon. Member for Strangford (Jim Shannon) is obviously a prolific contributor to all kinds of debates, but he always has an interesting perspective and works very hard.

I particularly thank the Chair of the Health and Social Care Committee, my hon. Friend the Member for Winchester (Steve Brine), for his intervention, because he can take evidence and work with the charity to find out more about prevention and saving lives. I also thank the Minister for taking on board all the requests that I made during my speech, which will make so much difference to so many people and so many families. I thank her for embracing the whole issue of aortic dissection.

I guess that many of the people in this room had never heard of the condition until they took part in this debate, so it is important to ensure that people know about it and that doctors—from GPs right the way through the patient pathway—understand it, understand how to treat it and understand how best to save as many lives as we possibly can. To lose 2,000 people a year—more than the number who die on the roads—is criminal, and the condition is preventable. We have reduced the number of deaths on the roads over many years, not least by putting on seatbelts, and we need to do a similar thing with aortic dissection. I thank the Minister very much for taking it all on board.

Question put and agreed to.

Resolved,

That this House has considered patient pathways and research funding for aortic dissection.

5.24 pm

Sitting adjourned.

Written Statements

Tuesday 13 December 2022

HEALTH AND SOCIAL CARE

Genome UK: England Implementation Plan

The Minister of State, Department of Health and Social Care (Will Quince): This is a joint statement with the Secretary of State for Business, Energy and Industrial Strategy.

In 2020, the Government published Genome UK, the UK's genomic healthcare strategy, setting out a vision to create the most advanced genomic healthcare system in the world, underpinned by the latest scientific advances, to deliver better health outcomes at lower costs. The strategy made 45 commitments to be delivered over 10 years to achieve this vision. Delivering this vision will help people to live longer, healthier lives, reduce the burden of illness on the NHS and make the UK a world leader in data-driven healthcare research and innovation.

I am delighted to inform the House that we are today publishing the "Genome UK—England Implementation Plan 2022 to 2025", which sets out how we will further progress delivery of Genome UK in England during the current spending review period, taking us to the halfway mark of our ambitious 10-year strategy. In order to allow us to reflect advances in this fast-moving field, we have adopted a phased approach to implementing the strategy, with implementation plans published in line with spending review periods.

This publication follows the previous "Genome UK: 2021 to 2022 Implementation Plan" in May 2021, and "Genome UK: shared commitments for UK-wide implementation 2022 to 2025" in March 2022. Through extensive collaboration with partners across the genomics community we have set out our priority actions, showcasing the outstanding research and policy work that will take place across England to develop, evaluate and implement new genomic technologies across the health and care system and life sciences sector. As part of this, I am pleased to announce:

The £105 million of Government funding for a landmark research programme, led by Genomics England in partnership with the NHS, to study the effectiveness of using whole genome sequencing to speed up diagnosis and treatment of rare genetic diseases in newborn babies, potentially leading to life-saving interventions for thousands of babies.

The £22 million of Government funding for Genomics England to tackle health inequalities in genomic medicine through tailored sequencing of 15,000 to 25,000 participants from diverse backgrounds by 2024-25, as well as extensive community engagement work to build trusting relationships with traditionally excluded groups of people.

The £26 million of Government funding for an innovative cancer programme, led by Genomics England in partnership with NHS England and the National Pathology Imaging Co-operative, to evaluate cutting-edge genomic sequencing technology and use artificial intelligence to analyse genomic data alongside digital histopathology and radiology images to improve the accuracy and speed of diagnosis for cancer patients.

Up to £25 million Medical Research Council-led funding for a four-year functional genomics initiative, working across UK Research and Innovation and other stakeholders to establish an industry-partnered world-class offer on functional genomics, building on already existing infrastructure and UK research expertise

These are just a few of the many actions that are set out in the implementation plan, which also covers how we will engage with patients and the public; develop the genomics workforce; support industrial growth and explore a possible UK model for how to apply ethical standards in genomic healthcare and research.

Together, these actions will pave the way to bringing improved approaches to disease prevention, diagnosis, and treatment to people and patients, transforming healthcare and improving the health of the nation. Through these actions we will also increase private sector investment, by ensuring that the UK is the best location globally to conduct genomic research and grow new genomic healthcare companies.

Patients and the diverse UK population are at the heart of our journey to the world's most advanced genomic healthcare system. Equally, this vision cannot be achieved without the support of our talented healthcare workforce. I therefore want to emphasise that open engagement with the public, patients and workforce will continue to be central in the delivery of our 10-year vision.

This implementation plan has been agreed with the Genome UK Implementation Co-ordination Group and the National Genomics Board, which are made up of senior life sciences stakeholders and delivery partners from across the NHS, the charity sector, research, and industry. The devolved Governments will be publishing their own implementation plans, to ensure that genomic healthcare is able to flourish across the UK. Over the next three years we will continue to work with our partners, including the devolved Governments, via the Genome UK Implementation Co-ordination Group and the National Genomics Board, to ensure that we can continue to create the most advanced genomic healthcare system in the world.

[HCWS439]

HOME DEPARTMENT

Modern Slavery Statutory Guidance

The Minister for Immigration (Robert Jenrick): On 10 February 2022 Lord Stewart of Dirleton KC updated the House of Lords that potential victims of modern slavery would be provided with at least a 45-day recovery period, or until a conclusive grounds decision is made, whichever comes later. When Lord Stewart made this statement, this was the Government's intention.

However, since becoming Minister for Immigration, I have made clear the Government's renewed commitment to reviewing and reforming the national referral mechanism (NRM) to ensure that opportunities for abuse and inefficiencies, which have contributed to decision making and processing taking far too long, are addressed.

Given this necessity for NRM reform and in line with our obligations under the Council of Europe convention on action against trafficking in human beings and the Nationality and Borders Act 2022, the Government will, effective immediately—13 December 2022—be amending guidance to make clear the minimum recovery period

will be 30 days rather than 45. The 30 days is the amount of time requested by the convention and is the standard recovery period for many ECAT-signatory states.

The Government remain committed to ensuring potential victims of modern slavery can access appropriate needs-based support during the recovery period in line with international and domestic legal obligations.

Today I am also updating Parliament on forthcoming changes to the guidance for modern slavery reasonable grounds decision making, which will go live operationally in January 2023. In January, the guidance will be included in “Modern Slavery: Statutory Guidance for England and Wales (under s49 of the Modern Slavery Act 2015) and Non-Statutory Guidance for Scotland and Northern Ireland” and published on www.gov.uk.

The updated guidance will mean decision makers now base their assessments on objective factors to determine whether there are reasonable grounds to believe a person is a victim. This will ensure that decision makers can make timely and robust evidence-backed decisions and that assistance and support are focused on those who most need it.

A copy of the draft statutory guidance will be placed in the Libraries of both Houses and will also be made available on www.gov.uk when it becomes operational.

[HCWS441]

PRIME MINISTER

Intelligence and Security Committee Annual Report 2021-22

The Prime Minister (Rishi Sunak): The Intelligence and Security Committee of Parliament has today laid before Parliament a report covering the work of the Committee between August 2021 and March 2022. The 2021-22 annual report demonstrates the wide-ranging work of the Committee across a number of important issues. While there have been changes in Government between the final drafting and publication of this report, I reiterate the Government’s gratitude to the Committee for its continued independent oversight and scrutiny of the UK Intelligence Community, and I look forward to working together.

The membership of the Committee has changed during the period covered by the report, and I would like to thank the right hon. Dame Diana Johnson MP and the right hon. Mark Pritchard MP for their work on the Committee, and welcome the new Members, Maria Eagle MP and the right hon. Sir Jeremy Wright MP into the role.

The Government continue to support the Committee on its ongoing inquiries on international partnerships, China, cloud technologies, and Iran, and look forward to seeing the conclusions of the Committee’s subsequent reports. The Government reiterate their thanks to the Committee for its thorough inquiry and detailed report, “Extreme Right-Wing Terrorism”, published on 13 July 2022, and will respond formally in due course.

The Government value the scrutiny the Committee provides through its inquiries, and this oversight is vital in ensuring the public can have confidence that our agencies are operating in full accordance with the law.

Protecting the operational capabilities of the agencies and wider intelligence community to ensure the safety and security of our nation remains a critical priority for the Government. We will continue to engage constructively with the Committee to ensure its effective public oversight, in line with its powers as set out in statute, while balancing scrutiny and accountability with the need to protect our operating capabilities.

The Government consider the current memorandum of understanding with the Committee to be sufficient to enable the Committee to conduct its statutory oversight duties to provide effective scrutiny and robust oversight of the agencies and wider intelligence community. The Government note the Committee’s comments regarding the provision of sensitive information to parliamentary Select Committees. There is existing guidance establishing that classification is not a reason for Government to withhold information from parliamentary Committees and there is an agreed process in place to provide sensitive information to any Committee as required.

I would like to again thank the Committee for its work, and I look forward to working with it as it continues its vital oversight duties.

[HCWS440]

TRANSPORT

Rail Services: North of England

The Secretary of State for Transport (Mr Mark Harper): Members will be aware that, in July 2022, Avanti West Coast experienced an immediate and near total cessation of drivers volunteering to work on passenger trains on rest days. In response, it has had to reduce its timetable to provide greater certainty for passengers.

Similarly, TransPennine Express services continue to be impacted by the loss of rest day working, higher than average staff sickness levels, and historically high levels of drivers leaving the business.

The current rail services in the north have therefore been unacceptable, and on November 30 I met with the northern Mayors in Manchester. In that meeting, we agreed that the rail industry is not set up to deliver a modern, reliable service, and that we need both short-term and long-term measures to address this.

As a short-term measure, Avanti West Coast and TransPennine Express have both been rapidly increasing the number of drivers they employ. This is helping Avanti restore the services that it was forced to withdraw. Services increased in September, and have now increased to 7 trains per hour, restoring the full Manchester-London service. It is therefore disappointing that passengers will not see the full benefit of these changes until the current wave of industrial action is over. I was pleased to see the RMT call off the strike action scheduled for Avanti West Coast on 11 and 12 December, as sustaining this level of service will require the support of the trade unions.

I have also given TransPennine Express and Northern the scope they need to put a meaningful and generous rest day working offer to ASLEF. However, giving operators a mandate is only the first step. ASLEF needs to enter negotiations, and put any new deal to its members and, if accepted, do all it can to make that deal work. TransPennine

has made a generous revised offer to ASLEF and it was almost immediately rejected without being put to members. It is up to the unions to decide if they want to improve services, for the good of passengers and the wider economy in the north.

Today, the RMT is on strike across the country again, disrupting services and driving passengers away from the railway. In my meeting with the Mayors, we all agreed on the need for a reliable railway seven days a

week. That means not having fragile rest day working agreements and breaking the railway's dependence on rest day working altogether. No modern and successful business relies on the good will of its staff to deliver for its customers in the evening and at the weekend. I want a railway with rewarding jobs, contracted to deliver every service promised to the public. I want to encourage passengers back to a financially sustainable railway.

[HCWS442]

Petition

Tuesday 13 December 2022

OBSERVATIONS

TREASURY

Planned closure of Lloyd's Banking Group's Immingham branch

The petition of the residents of Immingham,

Declares that the planned closure of Lloyd's Banking Group's Immingham branch will result in the town losing the last bank that not only serves the town of Immingham but also the surrounding villages. Access to cash continues to be vitally important to a significant proportion of society, particularly the older generation who tend to have less access to online banking.

The petitioners therefore request that the House of Commons urges Lloyds Banking Group to cancel the closure of the branch and to seek to create a shared banking hub in Immingham where multiple banks can operate to serve the local community of over 20,000 people and businesses

And the petitioners remain, etc.—[Presented by Martin Vickers, *Official Report*, 15 November 2022; Vol. 722, c. 630.]

[P002780]

Observations from the Economic Secretary to the Treasury, the hon. Member for Arundel and South Downs (Andrew Griffith):

The Government thank my hon. Friend the hon. Member for Cleethorpes (Martin Vickers) for submitting the petition on behalf of his constituents regarding the closure of the Lloyds Bank Immingham branch.

The Government are sorry to hear of his constituents' disappointment at the closure of the branch. The way consumers interact with their banking and make payments is changing, bringing significant benefits to those who choose to opt for the convenience, security and speed of digital payments and banking. In 2021, 86% of UK consumers used a form of remote banking, such as an app, online or on the phone, according to UK Finance. The Government cannot reverse the changes in the market and in customer behaviour, and nor can we determine firms' commercial strategies in response to those changes. Having the flexibility to respond to changes in the market is what makes the UK's financial services sector one of the most competitive and productive in the world, and the Government want to protect that.

As with other banking service providers, Lloyds Banking Group will need to balance customer interests, market competition and other commercial factors when considering its strategy. Although the Government can understand constituents' dissatisfaction, decisions on opening and closing branches are taken by the management team of each bank on a commercial basis. The Government hope that the hon. Member can appreciate that it would be inappropriate for the Government to intervene in these decisions.

However, the Government also firmly believe that the impact of branch closures should be understood, considered and mitigated where possible so that all customers, wherever they live, continue to have appropriate access to banking services.

Guidance from the Financial Conduct Authority sets out its expectation of firms when they are deciding to close their branches or free-to-use ATMs. Firms are expected to carefully consider the impact of a planned closure on their customers' everyday banking and cash access needs and consider possible alternative access arrangements. This will ensure that the implementation of closure decisions is done in a way that treats customers fairly. The guidance has recently been strengthened to enhance protections for customers that rely on branch services.

Alternative options for access can be via telephone banking, through digital means such as mobile or online banking, and the Post Office. The Post Office banking framework allows 99% of personal banking and 95% of business customers to deposit cheques, check their balance and withdraw and deposit cash at 11,500 post office branches across the UK.

Lloyds has published an information pack for its customers on the Immingham branch closure. This informs customers of alternative ways that they can access cash and banking services, such as via free-to-use ATMs located at a local Tesco store on Washdyke Lane, 0.02 miles away; Manby Road service station, 0.43 miles away; or the local post office branch on Kennedy Way in Immingham, 0.1 miles away. The nearest alternative Lloyds branches are located in Grimsby, 7.8 miles away; and Cleethorpes, 9.8 miles away—to which there are regular bus services.

Firms are also working together through the cash action group to develop new initiatives to provide shared services, such as bank hubs. This includes a process for LINK, the operator of the UK's largest ATM network, to assess a community's needs in the event of a closure of a core cash service or request from a local community. As part of these arrangements, LINK has independently assessed the access to cash needs of the local community ahead of the closure of the Immingham branch and did not recommend an additional new service. To inform its recommendations, LINK takes account of relevant information such as the size of the population, number of shops, demographic data and the nearest alternative services. If you would like to contact LINK about this decision and access to cash in your constituency, then you can contact LINK at: [accesstocash\(5\)link.co.uk](mailto:accesstocash(5)link.co.uk).

In recognition that cash continues to be used by millions of people across the UK, particularly those in vulnerable groups, the Government are currently taking legislation through Parliament as part of the Financial Services and Markets Bill to establish a new legislative framework for protecting access to cash. The Bill will establish the FCA as the lead regulator for access to cash and provide it with appropriate powers to seek to ensure reasonable provision of withdrawal and deposit facilities. The Bill provides the Treasury with powers to bring operators of cash access co-ordination arrangements, for example that may assess the cash needs of local communities with a view to ensuring that appropriate cash services are in place, within scope of the FCA's powers. As part of its responsibilities, the FCA will also be granted powers to address any local deficiencies in the provision of access to cash facilities that it has identified and considers to be significant. This will allow for consideration of local circumstances in all parts of the UK.

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Tuesday 13 December 2022

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**not later than
Tuesday 20 December 2022**

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