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PARLIAMENTARY DEBATES
(HANSARD)

HOUSE OF LORDS
OFFICIAL REPORT

ORDER OF BUSINESS

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Abbreviation	Party/Group
CB	Cross Bench
Con	Conservative
DUP	Democratic Unionist Party
GP	Green Party
Ind Lab	Independent Labour
Ind LD	Independent Liberal Democrat
Ind SD	Independent Social Democrat
Ind UU	Independent Ulster Unionist
Lab	Labour
Lab Co-op	Labour and Co-operative Party
LD	Liberal Democrat
LD Ind	Liberal Democrat Independent
Non-afl	Non-affiliated
PC	Plaid Cymru
UKIP	UK Independence Party
UUP	Ulster Unionist Party

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House of Lords

Wednesday 11 March 2020

3 pm

Prayers—read by the Lord Bishop of Portsmouth.

Zimbabwe

Question

3.07 pm

Asked by ***Lord Oates***

To ask Her Majesty's Government whether they have held ministerial-level discussions with European Union member states about the current economic crisis and food emergency in Zimbabwe.

Earl Howe (Con): My Lords, we regularly discuss the deeply concerning economic and political situation in Zimbabwe with international partners, including EU member states. Her Majesty's ambassador to Zimbabwe last met her counterparts from the EU, the United States, Japan, Switzerland, Canada and Australia on 26 February. The UK has committed £49 million to provide humanitarian assistance to the 570,000 Zimbabweans most in need of food, including through cash transfers.

Lord Oates (LD): I thank the Minister for his Answer. As he will be aware, the situation in Zimbabwe is now absolutely desperate. This is principally as a result of the disastrous failings of the Government of Zimbabwe, compounded by drought and cyclones. Does the Minister agree that, in addition to the restrictive measures against individuals who abuse human rights and continue to loot the country, we also need a positive offer to give hope to the Zimbabwean people in their struggle for political and economic justice?

Will the Government therefore work with our European and other international partners to agree an economic rescue package—a Marshall plan—that would be made available to any Zimbabwean Government who met specified criteria, including restoring democratic civilian government, upholding the rule of law and demonstrating a commitment to the well-being of its people, rather than the personal enrichment of its Ministers?

Earl Howe: My Lords, I acknowledge the noble Lord's long-standing and close interest in Zimbabwe and its people, and I agree that we must continue to give hope and encouragement to all those who want to see genuine political and economic change in Zimbabwe. However, we have to face the reality that no package of external support will deliver for the Zimbabwean people without fundamental reforms, as he rightly says. Therefore, the onus must remain on the Government of that country to demonstrate true commitment to change. So far, we have seen limited progress.

Lord Collins of Highbury (Lab): My Lords, the fact remains that Zimbabwe is still a very dangerous place for people to live and, as the noble Lord highlighted, security forces there are using draconian laws. Last week, President Trump went to Congress to extend sanctions. What are the Government doing with the EU and the US to build a stronger alliance to force the sort of changes to which the noble Lord has alluded? Will the Government also consider using their new powers under the Magnitsky clause to try to target those responsible for these human rights abuses even more effectively?

Earl Howe: My Lords, we will review our sanctions regime in connection with Zimbabwe at the end of this year, when we come to the close of the transition period. The noble Lord is absolutely right that we are seriously concerned about human rights in Zimbabwe. There are abductions, arrests and assaults on civil society and opposition activists. The country remains one of the UK's 30 human rights-priority countries. We provide extensive financial and technical assistance to civil society organisations in their efforts to hold the state to account on issues related to human rights.

Lord Howell of Guildford (Con): Could my noble friend say a little more about the workings of EU and American sanctions, which, as the noble Lord, Lord Collins, just pointed out, are being increased at the moment? I know the intention is that they should hit entities and officials, and maybe they are doing so, but there are suggestions that one outcome is that this is making the food situation even worse for many innocent people. Can he explain how sanctions are working and whether we are satisfied with how they are operating?

Earl Howe: We are not wholly in agreement with the EU on its approach to sanctions. During the EU's annual review of its Zimbabwe sanctions regime, for example, it decided to suspend sanctions on Grace Mugabe. As I said, the UK remains aligned to the EU's restrictive measures on Zimbabwe during the transition period. We did not agree with its decision to suspend sanctions on Grace Mugabe; we will review the whole sanctions regime at the end of the year, as I have mentioned. It is important to stress that our commitment to the people of Zimbabwe did not stem from being an EU member. We have long-standing, deep relations with that country, as noble Lords will know. We will continue to raise our concerns with a range of international partners and most recently did so at the UK-Africa Investment Summit.

Lord Alton of Liverpool (CB): My Lords, will the noble Earl return to the question put to him by the noble Lord, Lord Collins, about the use of Magnitsky powers? With inflation in Zimbabwe running at 500% by the end of last year, extreme poverty rising to 34% and corruption remaining rampant—authoritarian and brutal individuals own properties in London and have salted away money and assets here—why are the Government considering excluding kleptocracy and the misuse of resources by political leaders from the Magnitsky powers? Will he give an undertaking that the Government will reconsider that?

Earl Howe: My Lords, I will certainly take that point away and bring it to the attention of colleagues; it is very important. We do our utmost to ensure that our bilateral aid, for example, does not go through the Government of Zimbabwe or their agencies directly. We work primarily through multilateral organisations,

[Earl Howe]
notably United Nations agencies. The noble Lord is absolutely right: the economic crisis in Zimbabwe is very serious indeed. We are disappointed that the staff-monitored programme agreed with the IMF has gone off-track. Our focus at the moment is on mitigating the worst impacts of the economic crisis and concentrating on the most vulnerable Zimbabweans.

Lord Chidgey (LD): My Lords, the US ambassador to Zimbabwe, Brian Nichols, has stated that the Government must implement a market-based agricultural policy, fully liberalising the trade in grains and paying farmers on a par with the cost of imports. He added that the Grain Marketing Board was allocating subsidised grain to millers, who were selling it on the black market in neighbouring countries. This corruption costs the Zimbabweans in both food and treasure. What measures are the UK Government taking to support the US plans for a market-based economy and to make sure that UK aid is not lost through corruption?

Earl Howe: The noble Lord makes some extremely important points. As I mentioned, DfID Zimbabwe operates under a strict funding policy whereby no UK aid money passes directly through the Government of Zimbabwe. We work through multilateral organisations, notably UN agencies, international NGOs and the private sector, to deliver our UK aid projects. Apart from immediate aid, it is important that we also focus on enabling Zimbabweans to help themselves in the longer term on a more sustainable basis. In particular, DfID has two programmes supporting agriculture in that sense, enabling infrastructure to be developed.

Apprenticeships: Gender Segregation

Question

3.15 pm

Asked by ***Baroness Nye***

To ask Her Majesty's Government what assessment they have made of any gender segregation in publicly funded apprenticeships in different (1) sectors, and (2) occupations.

The Parliamentary Under-Secretary of State, Department for Education and Department for International Trade (Baroness Berridge) (Con): My Lords, we are committed to ensuring that apprenticeships in all sectors and at all levels are accessible to anybody with passion and drive. Overall, there is a good gender balance in apprenticeships, but we want to ensure that more women access apprenticeships in traditionally male-dominated fields and benefit from those that offer the highest returns. Our Apprenticeship Diversity Champions Network is championing gender representation in apprenticeships among employers in industries where we know improvement is needed.

Baroness Nye (Lab): My Lords, I thank the noble Baroness for that reply. While apprenticeship diversity champions are a useful tool, I am sure she will agree that gendered job segregation reinforces the pattern of low pay for women. The latest BEIS apprenticeship pay survey shows that women continue to be paid less and trained less and are more likely to be paid below the legal minimum. Does she agree that change needs to happen, and will she consider introducing part-time and flexible apprenticeships, which would help attract more women into higher-paid sectors?

Baroness Berridge: My Lords, with the growing emphasis on apprenticeships, for a time, of course, these will reflect the existing sector issues, but I have good news for the noble Baroness, because there are part-time apprenticeships, with a 12-month minimum, and people can extend the hours of training and the time of the apprenticeship. We are working very practically with the "Find an apprenticeship" website to encourage it to offer those apprenticeships and highlight them on the website.

Baroness Garden of Frognal (LD): My Lords, as the noble Baroness alluded to, engineering and construction tend to be better paid apprenticeships than others, so what are the Government doing to encourage more girls and women into construction and engineering and to show them that it is not all greasy overalls and muddy fields? Might they consider putting 25% of the apprenticeship levy, say, into a social mobility fund to encourage more diversity, both in the regions and among these sectors?

Baroness Berridge: In relation to promoting construction for women, that is one of the underrepresented sectors, but the Fire It Up campaign profiles women in all these sectors, and there is our Apprenticeship Diversity Champions Network. One of those champions is Nottingham City Homes, which aimed to have 25% of their apprenticeships filled by women and it is actually 47%. I accept that we need to go further, because the figures for construction are still too low, but there are good examples to show that the initiatives we are trialling are working.

Lord Lilley (Con): My Lords, last year 48,000 young people, predominantly women and girls, applied to train as nurses in this country, but half were turned away because we ration the number of places for training in nursing. Why do we ration these places while unlimited numbers are able to study every subject from art history to zoology? Why do we pretend we have to recruit nurses abroad because not enough people in this country want to study nursing, when we are turning away half of those who do?

Baroness Berridge: My noble friend will be aware of our commitment to recruit 50,000 nurses. I will have to write to him in detail about whether the apprenticeship offer refers to any such training.

Lord Clark of Windermere (Lab): My Lords, is it not a fact that only two out of five women in apprenticeships have any formal training? Does that not make a mockery of the concept of apprenticeships?

Baroness Berridge: My Lords, historically there have been issues to do with the quality of apprenticeships, which is why we have moved from the framework to the standards. They should be 12 months long, there is a minimum of 20% training off the job, and there is an

end-of-year assessment. The quality is improving, we are monitoring the standards, and Ofsted is in charge of monitoring the standards of training providers, so we can assure the noble Lord that the quality of apprenticeships is going up.

Lord Aberdare (CB): My Lords, I hosted an event for an initiative called Maths4Girls, which seeks to increase the number of girls involved in maths, mainly by connecting them with role models from maths-based industries. Can the noble Baroness tell us whether the Government are doing anything to encourage people to offer themselves as role models or mentors as a way to address gender imbalances in apprenticeships?

Baroness Berridge: Yes, mentors are particularly important in schools, and we are ensuring through the careers guidance that there are STEM encounters within schools. There has been good news on the number of girls who are now studying A-level maths, which has gone up by 31%, and undergraduates for Maths4Girls has gone up to 34%. Those are encouraging signs, which will of course help with the recruitment of girls into engineering; we are encouraging those entry-level subjects.

Baroness Redfern (Con): My Lords, the allocation of apprenticeships continues to grow, and the Government have promised a £3 billion skills fund over the next five years. Can my noble friend say whether this may be used to top up apprenticeship funding for small companies and therefore help to address the gender balance?

Baroness Berridge: My noble friend is correct that there is much more to be done to encourage small and medium-sized enterprises. That is why the larger levy paying firms can now spend 25% of that levy down their supply chain with subcontractors and can use their corporate social responsibility to indicate to those subcontractors the diversity requirement. The £3 billion national skills fund concerns adult education, but I will take that back to my department.

Lord Watson of Invergowrie (Lab): My Lords, surely the fact that two-thirds of female apprenticeships are concentrated in just five sectors of the economy, with more than 25% in health and social care alone—I echo the point made by the noble Lord, Lord Lilley—is a reflection more on the stereotypical behaviour of schools and colleges regarding career paths rather than any prejudice among employers? Last year, the Augar review warned of weaknesses in the provision of guidance and of school examination advice. It suggested that the Government's career strategy should be rolled out across the whole country so that every school would have access to a careers hub, with young people getting meaningful careers activities and meetings with employers. Can the Minister say what the Government plan to do regarding the Augar recommendations?

Baroness Berridge: On the Augar recommendations, I believe that the timetable is for later on this year, in the autumn, with the spending review. However, it is correct that we need to challenge those stereotypes from a young age, which is why we have given £2 million to go down even to primary school level to undo those stereotypes. The noble Lord is correct, but we also need to undo the stereotypes and encourage men to go into sectors such as education that are overrepresented by women. We have also been funding the Fatherhood Institute to ensure that that happens. Further, we have trained teachers through the ASK project so that those who do not have experience of apprenticeships can promote them to their students.

Dementia: Accident and Emergency

Question

3.22 pm

Asked by ***Baroness Wheeler***

To ask Her Majesty's Government what steps they are taking as a result of the analysis published by the Alzheimer's Society on 22 January showing a 34.5 per cent increase in the number of people with dementia being admitted to accident and emergency departments in 2017–18.

The Parliamentary Under-Secretary of State, Department of Health and Social Care (Lord Bethell) (Con): My Lords, we are implementing our Challenge on Dementia 2020 commitment to make this the best country in the world to live with dementia. The NHS long-term plan commits the NHS in England to improving the care provided to people with dementia and their carers, including through supporting people in the community and avoiding unnecessary admissions to hospital. People should receive high-quality care in hospital and be discharged in a timely and appropriate way.

Baroness Wheeler (Lab): I thank the Minister for his response and congratulate him on behalf of these Benches on his confirmation in his post. We look forward to continuing the good and constructive working relationship we have had with him since he took up this brief.

These findings from the Alzheimer's Society research are truly shocking. The 34% increase in emergency admissions of dementia patients to A&E departments represents an increase of 100,000 patients over five years—the equivalent of over 1,000 patients each day. Much of this is the result of the scarcity of appropriate care support in the community or of care home places able to provide the specialist dementia care that is needed. Does this not also underline the scale of the problem the NHS faces in freeing up hospital beds to address demands from future coronavirus hospital admissions? What is the Government's strategy for ensuring the continuing care for people with dementia in the coming months and in the longer term? Will further guidance and funding be issued to hospitals and care homes specifically to deal with this situation?

Lord Bethell: The noble Baroness will be aware that the identification of dementia patients in England has risen dramatically from 42% to 67%, which more than accounts for the increase in the Alzheimer's Society's numbers. We are, however, concerned about this issue and remain focused on pulling together a new challenge on dementia strategy for the next five years and on ensuring that beds are liberated in a timely and reasonable fashion.

[LORD BETHELL]

Coronavirus is naturally a matter of high concern in our preparations. Care of existing vulnerable and lonely people and the elderly is a massive priority, and we are putting in place plans to provide that care.

Lord Forsyth of Drumlean (Con): My Lords, if the care of people with Alzheimer's and other conditions is such a priority, why have the Government not responded to the Economic Affairs Committee report on social care which came out seven months ago, and why was there nothing in an otherwise excellent Budget speech on social care, which we have been promised now for year after year after year?

Lord Bethell: The noble Lord is quite right to point out the delay in providing an answer on social care. That is why the Secretary of State for Health and Social Care wrote to Peers earlier this month, initiating a round of cross-party conversations and putting in the diary the beginnings of a process to pull together cross-party agreement. That cross-party agreement is essential to providing a long-term solution to this important problem.

Baroness Brinton (LD): My Lords, I want to pick up on the point of the noble Lord, Lord Forsyth, about the lack of any extra funding for social care in the Budget. There was a reannouncement of just over £1 billion from before Christmas, but the Local Government Association states that social care generally needs about £4 billion to be able to maintain any sort of service to meet demand, which rises to £14 billion by 2030. Just saying that we are getting together to start to talk about social care problems is not enough. Where will extra money come from to remove people from hospital who do not be need to be there and to fund social care properly?

Lord Bethell: The noble Baroness is entirely right to say that this is an important issue. Short-term funding has been put in place for the best possible short-term arrangement, but this is a long-term problem that cannot be solved by any Government on their own. It requires cross-generational and cross-party agreement. That is why an important and well-organised set of engagements has been initiated. It is timetabled, and the Government have committed to action in this area.

Lord Laming (CB): My Lords, does the Minister agree that it is most unfortunate, to say the least, that many of the staff who are caring for patients with Alzheimer's disease and other forms of dementia have been classified as unskilled? Most people who have experienced those services and met the staff involved recognise their skill and the contribution that they make to their fellow citizens. They should be valued.

Lord Bethell: The noble Lord makes an important point. I completely sympathise with it. Low paid does not mean unskilled or unvalued. We are looking at the classification, but I should like to communicate the value that we put on the people who care for those we love and the importance they play in our society.

Baroness Ritchie of Downpatrick (Non-Afl): My Lords, will the Minister consider a meeting of the British-Irish Council to deal specifically with the rising level of dementia cases throughout our devolved institutions, as well as England, with special reference to social care and the need for investment in it? It is urgently required.

Lord Bethell: The noble Baroness is quite right that this issue is not limited to England. The devolved Administrations are very much focused on it. I will look into the relevance and possibility of the kind of meeting she describes.

Lord Brooke of Alverthorpe (Lab): My Lords, will the Minister say what today's announcement of a freeze on alcohol duties—a continuation of the policy that the Government have pursued since 2012—will do to aid Alzheimer's? Will it increase it or lessen it? What research is now being done to indicate that there is a clear link?

Lord Bethell: This Government are committed to science-based policy. There is undoubtedly a link between personal behaviours and outcomes later in life. Public policy should be aligned to create the best possible outcomes for all people in Britain. The noble Lord's points are well made and we will follow them up.

Child Refugees: Turkey and Greece

Question

3.30 pm

Asked by ***Lord Dubs***

To ask Her Majesty's Government what plans they have to offer places to child refugees currently (1) on the border between Turkey and Greece, or (2) on Greek islands.

The Minister of State, Home Office (Baroness Williams of Trafford) (Con): My Lords, the Government currently transfer eligible children located in Greece under the Dublin regulation, and will continue to do so during the transition period. The UK will also continue to transfer unaccompanied children in Greece through Section 67 of the Immigration Act 2016 until we fulfil this important obligation.

Lord Dubs (Lab): My Lords, I am grateful to the Minister, who will be as aware as anybody of the terrible conditions affecting refugees, especially child refugees, on the Greek islands. She will also be aware of the request made not long ago by the Greek Government that other countries should help in resettling some of the child refugees who have reached the Greek islands. Can the Minister confirm that the global resettlement scheme, which was referred to yesterday by Ministers in both Houses, will apply to children who are currently in Greece and on the Greek islands, and not just to those elsewhere in the region?

Baroness Williams of Trafford: I understand what the noble Lord is saying, in the sense that those children are now in a European country as opposed to coming from whatever region in the world they come from. We will absolutely stand by our commitment to

helping children from around the world who need our help. We are in dialogue with Greece and we will work closely with UNHCR, which both identifies and refers children who may need our resettlement.

Baroness Hamwee (LD): My Lords, it is likely that some of the children in this situation have relatives in the UK and therefore have a right to be reunited with their family in this country. What proactive—I stress that word—steps are the Government taking to help them exercise their right? Secondly, when do the Government expect to publish the Statement on family reunification, as required by legislation?

Baroness Williams of Trafford: In terms of proactivity, clearly, we engage with our European counterparts. We are still engaged in the Dublin process, which goes both ways; in fact, we take more children than we transfer back. On the Statement, we will lay an Act Paper by 22 March on our policy regarding future arrangements between the UK and the EU for family reunion of unaccompanied asylum-seeking children.

Baroness Falkner of Margravine (Non-Afl): My Lords, the Minister will be aware that the Greek Government have suspended the processing of asylum applications for a month under emergency legislation, as permitted by the EU. Are the Government having any conversations with the Greek Government to see whether they can assist them in not prolonging this situation and in fulfilling their international obligations—because they are international obligations, irrespective of the get-out clause given by the EU? Also, are they doing anything to facilitate taking the children, as other noble Lords have suggested?

Baroness Williams of Trafford: We stand ready to take any children the UNHCR in Greece identifies and for whom it requests transferral to the UK. The fact that the Greeks are currently suspending those transfers because of the coronavirus is of course a matter for the Greek authorities, but we stand ready to receive those children who are identified and referred to us.

Lord Kerr of Kinlochard (CB): My Lords, in a previous question the noble Baroness, Lady Hamwee, stressed the need to be proactive. A number of other European countries have volunteered to take batches of unaccompanied children newly trapped in Greece. Have we done so, and if not, why not?

Baroness Williams of Trafford: In terms of our obligations, under the national resettlement schemes we have taken more than 42,000 children since 2010—more than any other state in the EU. That is a record of which I am very proud.

Baroness Sheehan (LD): My Lords, are the Government aware that the charity Safe Passage has identified more than 1,400 places for child refugees being offered by local authorities that are willing and able to take children from the Greek islands and other emergency zones? Does the Minister agree that it would be an outrage if those places were to go unfilled? Will she ask the Government to start the transfer of children from Greece as a matter of urgency?

Baroness Williams of Trafford: My Lords, I am just not going to accept the statement that there are places available in local authorities but they are refusing to take children. We constantly engage with local authorities and currently, they are housing some 5,000 unaccompanied children. If they will take any more, we will be most grateful.

Viscount Waverley (CB): My Lords, will the Government pass on a firm message to the Greek authorities that they should adopt acceptable humanitarian standards and refrain from the use of live ammunition and gas at the border?

Baroness Williams of Trafford: I agree with the noble Viscount that some of the footage we have seen is really quite disturbing. On the other hand, Greece is a democracy and we respect its rule of law. However, I totally take the point he is making.

Lord Roberts of Llandudno (LD): My Lords, given the tragedy of Idlib, what action are we taking to bring about some sort of resolution to the terrible situation that we have known in Syria for so many years? Are we taking an active lead there?

Baroness Williams of Trafford: I am proud, the generous country that we are, that we are providing £89 million in humanitarian aid to address the situation in Idlib and to help those people in the truly dreadful situation they find themselves in.

Lord Alton of Liverpool (CB): My Lords, as we sit here, there are some 70 million displaced people or refugees worldwide. Could Her Majesty's Government do more to try to convene a conference of the great powers to discuss what can be done to respond to the massive numbers of people who are migrating purely because of conflict or war?

Baroness Williams of Trafford: My Lords, I have outlined just how generous this country is and has been over our history. We are a small island and we are doing what we can. As I have said, under the national resettlement schemes we have taken in more people than any other state in the EU, and we continue to extend that generosity. As the Prime Minister has outlined, in the coming year he will make available 5,000 more places for resettlement.

Covid-19: Deep Cleaning

Private Notice Question

3.37 pm

Asked by ***Lord Kennedy of Southwark***

To ask Her Majesty's Government what guidance they are giving the public authorities and businesses on the deep cleaning of private and public spaces, buildings and facilities in the wake of COVID-19.

The Parliamentary Under-Secretary of State, Department of Health and Social Care (Lord Bethell) (Con): My Lords, on 26 February, Public Health England published guidance on Covid-19 decontamination in non-healthcare settings. The guidance describes best practice in cleaning,

[Lord Bethell]
the appropriate disposal of materials, the disinfection of equipment and the personal protective equipment that should be worn. As present, Public Health England advises decontamination only where there has been a possible or confirmed case of Covid-19. In all other situations, normal cleaning procedures should be followed.

Lord Kennedy of Southwark (Lab Co-op): My Lords, I refer to my relevant registered interests. This virus can remain infectious on surfaces for up to 96 hours. My Question stems from my observation that many public and private buildings, facilities and spaces may have been swept and cleaned but not cleansed. There is an important difference here. Does the Minister agree that we have a serious challenge? Can he set out the steps the Government are taking to meet it, particularly how departments are working together and not in silos?

Lord Bethell: My Lords, the noble Lord, Lord Kennedy, makes an important point. Cleaning and cleansing will be uppermost in all our minds, and I assure the House that it is a source of great focus in the efforts to combat Covid-19. However, I will try to persuade the noble Lord that we have only limited resources, time of those involved in the cleaning processes and good will from the public, so timing is essential when we are delivering measures to combat the spread of Covid-19. The CMO has been very clear on this: personal hygiene in washing hands and avoiding the spread of the virus to the face and skin should be the priority for us all. That is the focus of the Government's efforts at this stage.

Lord Forsyth of Drumlean (Con): My Lords, I declare an interest as chairman of a bank. The issue that the noble Lord has raised is very important. If someone is diagnosed with coronavirus, good practice means that no staff are allowed back into the building until it has been deep cleaned. An alternative would be to deep clean the building every night, so that if there were a case people could continue in their work, but to be able to pursue such a policy you need to know exactly what needs to be done to maintain the welfare and safety of the workforce.

Lord Bethell: The noble Lord is entirely right that cleaning is important, but the kind of deep cleaning protocols he described are not those recommended by the CMO at this stage of the epidemic. The SAGE group of statisticians and epidemiologists is modelling the outbreak of the virus very closely. Its computer models track the behaviours of the virus, the demographics of the country and the behaviours of people in different circumstances. Its focus is to try to ensure that we channel all our efforts into effective measures and do not explore red herrings or distracting policies that might prove counterproductive or distract from effective measures.

Baroness Brinton (LD): Can the Minister assist the House? He said just now that advice was published at the end of February on how to decontaminate non-hospital environments. It is extremely difficult to find; I have not managed to find it yet. It is clearly difficult for cleaning companies to find. One company in the UK which works across a number of our cities published its own advice to its cleaners which was taken from the Singapore standards. If people cannot find this advice, how on earth do they know what the NHS wants people to do in this country?

Lord Bethell: I completely take on board the noble Baroness's observation. I have here a copy of the regulations and I am happy to lay it in the Library. It is on GOV.UK in exactly the place you would expect to find such guidance, but I take on board the comments. We are spending millions of pounds on public information and employer advertising. More will be done to ensure that this kind of information reaches the people who need it. I will ensure that the message is heard loud and clear.

Lord Hannay of Chiswick (CB): My Lords, does the Minister recognise that there is some anecdotal evidence—I declare an interest, because my grandson is involved—that the time gap between taking a test and verifying whether it is positive is growing? This involves great distress and problems for the rest of the family concerned. Can he look into whether there is any way of ensuring that this gap does not continue to widen?

Lord Bethell:I would like to reassure the House that my understanding is that the gap is not widening, but quite the opposite. An enormous amount of resources have been put into the various elements of the testing process, including the transport of tests to the testing centres, the turnaround of the tests and the return path to the testee. They include technological solutions that speed up that process dramatically. For Peers who are concerned, there is a special helpline for those who think they are displaying symptoms. I highly recommend that anyone who is concerned makes use of it.

Baroness Whitaker (Lab): Is the Minister aware that in the city of Brighton, there are notices in almost all the public places advising people to cough only into a tissue and then to bin it? When I went into my local Boots in London, there was no such notice, and I saw four people coughing without any shielding. When I asked the shop assistant if she could advise people not to do that, she said, "There is nothing we can do about it." Can Her Majesty's Government not do as well as the government of Brighton?

Lord Bethell: The noble Baroness is entirely right to emphasise the importance of personal hygiene. The Government are working hard to drive these messages home. Ultimately, it is up to the public to embrace the messages. A substantial public awareness campaign was launched 10 days ago. From the polling that we have done so far, it appears to have been extremely effective. Based on that polling, we will be launching a further campaign to ensure that everyone is aware of the hygiene protocols the noble Baroness describes.

Lord Lansley (Con): My Lords, the Minister made a good point about timing. Sometimes certain measures require preparation by public authorities and the public before they can be initiated. Does he agree that we may be not too far off a point when we ask those who

are elderly and have underlying health conditions not to leave home, and that many public authorities—parish councils, town councils, local government, the NHS and Age UK—might soon want to undertake preparations?

Lord Bethell: My noble friend is quite right that measures require preparation. This Government are determined not to be caught on the hoof. In his public statements on Monday the CMO was clear that there are three areas where the modelling suggests there might be a major difference to the delay processes that the House has heard about and understands. My noble friend is also right that the safeguarding of older and vulnerable people would be a likely candidate for that. A substantial amount of time is required though, maybe 10 to 12 weeks or more. It is important that social acceptance of that kind of measure is in place before it is initiated. We are also looking at modelling the kinds of changes which would mean that those who display any symptoms might seek to socially distance themselves or that those who have been tested think about ways of putting space between themselves and their families. These are the kinds of illustrative examples that the CMO has already discussed publicly, and the Government are preparing for those kinds of scenarios at the moment.

Baroness D'Souza (CB): My Lords, I am told on good scientific evidence that the Covid-19 virus is surrounded by a fatty skin, and that therefore the only way to deal with it effectively is by using hot water and soap. Can the Government slightly modify their advice? I am not sure that gels or cold water will have the intended effect; only hot water and soap will.

Lord Bethell: The CMO has been very clear on this important point, and I thank the noble Baroness for making it. The virus is washable. Sanitisers, cold water and soap work, but undoubtedly, hot water and soap for 20 seconds while singing a song of your choice is by far the best way of dealing with this threat.

Telecommunications Infrastructure (Leasehold Property) Bill

First Reading

3.49 pm

The Bill was brought from the Commons, read a first time and ordered to be printed.

Gambling Act 2005 (Variation of Monetary Limits) Order 2020

Motion to Approve

3.50 pm

Moved by ***Baroness Barran***

That the draft Order laid before the House on 20 January be approved.

Relevant document: 4th Report from the Secondary Legislation Scrutiny Committee. Considered in Grand Committee on 9 March.

Motion agreed.

Health Protection (Coronavirus) Regulations 2020

Motion to Approve

3.50 pm

Moved by ***Lord Bethell***

That the Regulations laid before the House on 10 February be approved.

Relevant document: 5th Report from the Secondary Legislation Scrutiny Committee. Considered in Grand Committee on 9 March.

Motion agreed.

Immigration (Citizens' Rights Appeals) (EU Exit) Regulations 2020

Extradition Act 2003 (Amendments to Designations) Order 2020

Motions to Approve

3.50 pm

Moved by ***Baroness Williams of Trafford***

That the draft Regulations and Order laid before the House on 15 and 30 January be approved.

Relevant document: 5th Report from the Secondary Legislation Scrutiny Committee. Considered in Grand Committee on 9 March.

Motions agreed.

Legal Services Act 2007 (Approved Regulator) Order 2020

Legal Services Act 2007 (Chartered Institute of Legal Executives) (Appeals from Licensing Authority Decisions) Order 2020

Motions to Approve

3.50 pm

Moved by ***Lord Keen of Elie***

That the draft Orders laid before the House on 15 January be approved. *Considered in Grand Committee on 9 March.*

Motions agreed.

Supply and Appropriation (Anticipation and Adjustments) Bill

Second Reading (and remaining stages)

3.51 pm

Bill read a second time. Committee negatived. Standing Order 46 having been dispensed with, the Bill was read a third time, and passed.

Fisheries Bill [HL]

Committee (4th Day)

Relevant document: 4th Report from the Delegated Powers Committee

3.52 pm

Schedule 5 agreed.

Clause 28: Discard prevention charging schemes

Amendment 111

Moved by ***Baroness Jones of Whitchurch***

111: Clause 28, page 19, line 10, at end insert—

"( ) For the purposes of making provision relating to subsection (2)(a), a charging scheme must take account of the public interest in ensuring that chargeable persons do not—

(a) make financial gain, or

(b) gain competitive advantage,

as a result of their unauthorised catches of sea fish."

Member's explanatory statement

This amendment would require charging schemes, when calculating penalties for unauthorised fishing, to consider the public interest in ensuring that unauthorised fishing does not result in a fisher enjoying a financial gain or competitive advantage.

Baroness Jones of Whitchurch (Lab): My Lords, this is a fairly straightforward amendment addressing the issue of the discards ban, which we have debated thoroughly in the past. I am grateful to the noble Lord, Lord Teverson, for signing the amendment, given his committee's impressive and forensic work on this very issue. I hope for a constructive reply from the Minister because the need to strengthen measures relating to discards is one issue where there has long been cross-party consensus.

We have moved quite quickly away from the original intent of the discard ban, which was to put virtually no value on the unauthorised fish caught and landed, to what is now proposed, which enables a charge to be paid so the fish can still be sold at market. But it is vital that these new charges do not incentivise wrong behaviours. We welcome that there are provisions in the Bill for penalties to be imposed as a result of unauthorised catches, and hope that these powers will be used in a sensible and proportionate manner. Perhaps the Minister can confirm that authorities, particularly in the first stages, will consider issuing warnings before imposing fines as the new scheme is bedded in. On the other hand, I hope that he will also be able to confirm that authorities will be able to ramp up fines in the case of repeated offences, where it is clear that a more deliberate illegality is taking place.

In the meantime, our amendment is primarily for probing purposes in order to better understand the proposed system. But it was also tabled out of a genuine concern that, if the penalty system is not designed properly, charges may be considered as a price worth paying in order to get around the discard rules. I look forward to hearing the Minister's reassurance on this issue and I beg to move the amendment.

Lord Teverson (LD): My Lords, I very much support the amendment. I admit that there is, perhaps uncharacteristically, a smidgen of innovation in this part of the Bill. The noble Baroness is absolutely right, and I will listen to the Minister's reply very carefully because, as we know from Northern Ireland and "cash for ash", these schemes can have unintended consequences. While, as always, I commend the Government on being determined to keep the discard ban active and well managed, we need to understand how this will operate practically and make sure that those unintended consequences do not arise.

Baroness McIntosh of Pickering (Con): My Lords, I seek clarification as I raised a number of points earlier in the Bill relating to this issue. The amendment is useful in that regard to tweak information out of my noble friend. I wondered what the background was to the move away from eliminating discards to this discard prevention charging scheme. Is it from the model developed in New Zealand, and are the Government satisfied that that model is working better now than when there were initial teething problems?

I would be grateful if the Minister would clarify, but I understand that this provision is not deemed to apply in Scotland, Wales and Northern Ireland. Has he had any discussions with the devolved Administrations to see if they are proposing to go down this path at a future stage? I understand that the Scottish Government may bring forward their own Scottish fisheries Bill in this regard; I simply do not know the answer to that.

In Clause 28, how does my noble friend imagine the discard prevention charges being monitored? The way that subsection (4)(a) and (b) is drafted could indicate that this is a voluntary scheme. Are the Government minded to link the scheme to the REM that we discussed earlier, and would that involve cameras on boats as well as other equipment?

The Parliamentary Under-Secretary of State, Department for Environment, Food and Rural Affairs (Lord Gardiner of Kimble) (Con): My Lords, I am grateful to the noble Baroness for her proposed amendment, and as I have made clear in Committee and at Second Reading, the United Kingdom remains fully committed to ending the extremely wasteful practice of discarding. Now that we are an independent coastal state, the UK can develop a new discards policy that is best suited to our marine environment and our fishing industry. It is important that this new policy reflects the complexity of UK fisheries, including our mixed fisheries, where we have many different stocks in the same area, which can make it difficult to avoid unwanted bycatch completely.

In mixed fisheries, when the quota for bycatch stocks is exhausted, fishers are effectively unable to go fishing for their target species. This is because they cannot lawfully catch and land bycatch stocks without quota, but at the same time cannot avoid the bycatch stock when trying to fish their target species. This problem, termed choke, can lead to whole fisheries being closed. This has serious economic consequences for those fishers and coastal communities who rely on those fisheries. That is why we need a pragmatic balance between ensuring that bycatch is minimised—and where possible eliminated—and enabling fishers to continue to fish where appropriate.

4 pm

Clause 32, which provides for a discard prevention charging scheme, is intended to provide that balance. It will give vessels the option to pay a charge to land catch in excess of their quota, but will be priced in such a way that it would be more cost effective for those fishers to adopt more sustainable practices and avoidance measures to reduce unwanted and unintentional bycatch. This will be just one of the tools we will have available, to reduce discards and support fishers to move to more sustainable practice, including appropriate monitoring.

The noble Baroness is right that we must not in any way incentivise those who use the proposed scheme, and we do not intend to. Previously, fishers have regularly discarded fish when they have an unauthorised catch. The landing obligation requires that all catches of species which are subject to catch limits are landed—subject to limited exemptions—and not discarded. This is a challenge given our mixed fisheries, so this scheme will be a support mechanism to ensure that fishing can continue in the short term while encouraging fishers to adapt to more sustainable practices. It is a fine balance, I agree, and one we are seeking to undertake.

Clauses 28 to 32 provide the parameters to help set the charge at the right level. The details of this are still being developed. While we were in the EU, we were not in a position to introduce such a scheme because common fisheries policy regulations would have penalised member states for fishing in excess of quotas. Now we have left the EU, we will look to other countries which successfully run similar charging schemes, including Norway, where discards were successfully banned in 1987. Such a scheme would provide a new, alternative option for our fishers, and be important for our mixed fisheries. We will consult with industry and other interested parties and undertake economic modelling to determine the appropriate charge level as we develop the details of the scheme.

This would be a voluntary scheme that fishers choose to enter in order to remain compliant. Participation in the scheme would be agreed prior to any use of the charge occuring. Unlike a fine, which penalises illegal activity, the DPC is intended to enable compliance. Once a DPC scheme is running, the existing arrangements for prosecuting overfishing and issuing fines will remain.

My noble friend Lady McIntosh rightly asked about the devolved Administrations. They are also looking to address the issue of discards in ways appropriate to their fleets, and we are working closely with them. The Scottish Government, as a part of their future fisheries management strategy, is working in partnership with key stakeholders to address the current issues with the discard ban and to develop a future catching policy suitable to the needs of the Scottish fleet. These approaches will be tailored to the differing needs of the various fleet segments within Scotland to avoid applying a one-size-fits-all approach to a very diverse fleet which ranges from very large pelagic vessels over 70 metres in length to under-10-metre vessels. Although they are not currently considering the introduction of a discard prevention charge, they are evaluating the use of additional quota to address choke issues and incentivise best fishing practice.

The Welsh Government will determine their approach to deliver the bycatch objective as the joint fisheries statement is developed. They will consider proposals for a discard prevention charge scheme alongside other approaches which may be more appropriate for their largely inshore fleet. We are also working closely with Northern Ireland as it develops policies in this area appropriate for its fleet.

This clause is designed to give England the best opportunity to have a successful discard policy tailored to our fisheries. The Government are fully committed to ensuring that the scheme does not unintentionally have perverse incentives. The noble Lord, Lord Teverson, highlighted the importance of ensuring that we do not get unintended consequences. That is why we continue to work up the details of this scheme with interested parties.

I say in particular to the noble Baroness, Lady Jones of Whitchurch, that not only are we working collaboratively within England to bring forward the scheme but, as I said, we are working closely with the devolved Administrations. Following this debate, I will make sure that noble Lords' remarks are passed on to those working on the scheme. As I said, I absolutely endorse the points that all noble Lords have made in this short debate—we are on the same page—and I want the chance to take back what has been said because, candidly, this is work in progress. Our bona fides on this are strong. We want to put the best discard prevention charging scheme in place and this debate will have been very helpful. I reassure noble Lords that this matter is taken extremely seriously. It is one of the tools that I hope we will be able to deploy on the whole issue of discard and bycatch. With that explanation, I hope that the noble Baroness will feel able to withdraw her amendment.

Baroness Jones of Whitchurch: My Lords, I thank the Minister for his helpful response. We are all looking for the best way to stop wasteful discards. As he will know, that has been campaigned for over many years. We were very pleased when the discard ban was introduced because it felt as though it was finally beginning to address the issue. If we now move away from it, we need to be assured that anything that runs in parallel has equal advantages.

I suppose that I had not quite understood that the scheme would be voluntary, so I assume that it is all still underpinned by the current discard ban and the charging scheme will work only in certain areas and certain fisheries.

Lord Teverson: Perhaps I may make an obvious point. It is generally understood that discarding is continuing as it always has done and that there is very little change in fishers' activity in that regard. Therefore, bringing in a charge will be a greater incentive to them to carry on as they are at the moment. I welcome this initiative but for the scheme to be successful there has to be remote electronic monitoring or whatever on the vessels so that fishers cannot discard at sea. The scheme will work only if that is done; otherwise, it will be an additional incentive to discard.

Lord Gardiner of Kimble: That reminds me of a point that my noble friend Lady McIntosh raised. We have had a discussion about the requirements—not

[Lord Gardiner of Kimble]
only REM but all the ways in which we need to work. We absolutely need to work with industry but we also need to say to it, "It is in your vital interests to work on this area because, in the end, if there aren't sustainable stocks, there isn't a sustainable industry". They are so intertwined. I repeat that, once a scheme is up and running, the existing arrangements for prosecution of overfishing and the issuing of fines remain. This is an add-on, a further tool. There are other countries where it has worked well; this is an opportunity and work is in hand. We want to get the best scheme. It is important that we look internationally to see where it has worked and where it has not so that, when we deploy this, it hits the right target.

Baroness Jones of Whitchurch: Again, that is very helpful. I agree absolutely with the Minister that it is a good idea to look at what is working well internationally. If there are schemes that work well, we should certainly try to learn from them. It is a good idea also to take this slowly and at an appropriate pace with respect to the consultation. Having introduced one scheme, the last thing we want is for people to be confused about the legal underpinnings and their obligations. So, taking it in stages is a good idea. I accept that this is work in progress. It would be great to be updated at some point about how that consultation is going. It is a very delicate balance to set the charges to a level which bring about the right behaviours. They will need to be very nimble because what works in one sector or quarter might not work the same way in another. I do not envy the people who are trying to set those rates so that they incentivise the right behaviours.

I thank the Minister. It has been helpful to get these issues out on the table. Of course, I echo the points made about REM by the noble Lord, Lord Teverson, and the noble Baroness, Lady McIntosh. That is an issue that we have rehearsed before and will rehearse again. In the meantime, I beg leave to withdraw the amendment.

Amendment 111 withdrawn.

Clause 28 agreed.

Clauses 29 to 32 agreed.

Amendment 112 not moved.

Clause 33: Financial assistance: powers of Secretary of State

Amendment 113

Moved by ***Baroness Jones of Whitchurch***

113: Clause 33, page 22, line 17, at end insert—

"( ) the gathering of scientific data relating to fishing, including but not limited to carrying out stock assessments, vessel monitoring, remote electronic monitoring with cameras and recording fishing catches."

Member's explanatory statement

This amendment would enable financial assistance to be provided for scientific data collection.

Baroness Jones of Whitchurch: My Lords, in moving Amendment 113 I shall also speak to Amendment 120. These amendments relate to the Secretary of State's powers to grant financial assistance. Although amending different clauses, they work in tandem to allow for the collection of additional scientific data to influence future policy. Amendment 113 adds scientific data collection to the causes to which the Secretary of State can provide financial support. It also refers to support for remote electronic monitoring, the importance of which we have debated on a number of occasions. Amendment 120 would give the Secretary of State further powers to make provision relating to the collection of scientific data. It may be that other powers within the Bill would be sufficient to allow this; I hope the Minister can clarify that point. However, we believe that it is important to strengthen the requirement to fund and collate the best scientific data available. This is particularly important as we leave the EU and lose access to the mass of scientific work on fishing being carried out by other member states.

Much earlier in the withdrawal negotiations, there seemed to be a genuine desire to continue academic collaboration with our EU neighbours on a whole range of mutually beneficial research, but this desire seems to have withered. It no longer seems to be given any priority, so it is likely that we will have to rely on our own scientific community to provide the data which will form the basis of our sustainability agenda. If I am wrong, and the intention is still to seek some form of research collaboration, I am sure that the Minister will put me right. If I am right, our scientific community, however good it may be, will be stretched and will need all the financial support it can get.

We need the best available scientific data, produced in a timely manner. There are still enormous gaps in our knowledge. Data deficiency remains a real challenge. According to government data, the status of three of the UK's 15 main fish stocks is unknown. As a result, much of the fish caught in UK waters cannot be marketed as sustainable. The catch, therefore, cannot be considered for Marine Stewardship Council certification. If we can address this deficit, it will help to improve sustainability, as well as potentially offering up more fishing opportunities and more economic stability for our fishers. I hope noble Lords will see the sense in these amendments.

4.15 pm

Amendments 114 and 116 relate to facilitating further work on selectivity to try to address the issue of choke species. We welcome this call for a research and implementation fund for improving methods of selectivity. This complements our amendments on data research.

Amendment 115 returns to the hot topic of sustainability. As we have rehearsed in debates on earlier amendments, this states that where there is a conflict between sustainability and socioeconomic objectives, the former should be favoured, and financial assistance provided to fishers to address the socioeconomic issues. We accept that this specific formulation may not satisfy the Minister, but it is clear from previous debates that this is an area of real concern. I therefore hope that there will be further discussions, before Report, so that we can find an acceptable form of words to achieve this objective.

In the meantime, I beg to move my amendment.

Baroness McIntosh of Pickering: My Lords, I congratulate the noble Baroness on tabling these amendments, and I have a very short query.

It was, I think, when we took evidence on the financing of the International Council for the Exploration of the Sea and the data that would be gathered—I look to the chairman of the Select Committee for confirmation—that the Secretary of State responded by saying that the Government were committing to the long-term future of our involvement with ICES, but that he could not tell us at that point from which budget that would come. I am very keen on the International Council for the Exploration of the Sea; I have twice visited it, and it has a fantastic website which is hugely interesting for anybody interested in sustainability. Can the Minister tell us today whether this was resolved in the Budget and the Finance Bill, or whether this will be sent out and covered in the comprehensive spending review? I would like to know that we are going to cover precisely the same percentage, which is some 11% to 13% of the total ICES budget contribution; we take a similar amount of research from it. I entirely endorse what the noble Baroness, Lady Jones of Whitchurch, said: we cannot really proceed as an independent coastal state if we do not know what the data is.

There is one other area that vexes me, and I do not think that anybody is doing research into it at the moment because no one is fishing in the area. We know that the seas currently jointly fished by UK and EU fleets have warmed. Does the Minister have any idea who might do the research in areas where species such as cod and other fish from our waters have moved to? That might explain why sustainability appears to have fallen in those species.

Baroness Bakewell of Hardington Mandeville (LD): My Lords, I support the amendments in this group which deal with the financial assistance covered by Clause 33.

On the first day in Committee, we debated at length the incompatibility of the sustainability objective and the socioeconomic objective in Clause 1. The Fisheries Bill has been heralded as taking back control of UK fishing rights and waters and is eagerly awaited around our coastlines. Many voters supported Brexit on the basis of having control over our fishing rights and waters. However, what they did not do was vote for our fish stocks to become exhausted by the rush for profit. The dichotomy of sustainability over socioeconomics is an issue which we must tackle before the Bill becomes law. To be successful, we must ensure that those fishermen who find that they are catching less as the sustainability of their usual catch reaches a critical point, and are facing financial implications, are not disadvantaged. It is unwise in the extreme to jeopardise the sustainability of our fish stocks by allowing continued fishing when the scientific evidence demonstrates that the stocks are depleted.

The Government could do much to assist in preserving fish stocks by using financial assistance to recompense vessel owners and crews for reduced or exhausted fishing opportunities. Unless such assistance is forthcoming, there will be no incentive for the fishing of depleted stocks to cease. This will result in the socioeconomic objective becoming the overriding objective and swamping the sustainability objective. Why would fishers willingly lose money by staying in port? The scientific evidence will need to be overwhelming.

To be able correctly to monitor fish stocks and prevent bycatch and overfishing, it is essential that the Government invest in new technologies to be used across the fishing fleet, with both large vessels and those under-10 metres. The passage of the Fisheries Bill provides the Secretary of State with a golden opportunity to establish a research and implementation fund. This could promote new and improved methods of selectivity and encourage and assist vessel owners to replace old nets and other technologies with those capable of more refined selectivity, to avoid choke species.

The gathering of scientific data to inform the management of fish stocks, alongside technologies to improve fishing techniques, are some of the tools available to the fishing industry. They will ensure that we do not reach the stage at which the children of future generations are left wondering what cod and haddock taste like. As the noble Earl, Lord Devon, said at Second Reading, it could be fish fingers for everybody if we do not get this Bill right. However, if we do not take action to ensure fish stocks are preserved, I can envisage a situation in which there will be no fish fingers for anyone.

I hope the Minister is aware of the strength of feeling in the Committee on these issues and is ready to give assurances that these amendments will indeed appear on the face of the Bill. If he is unable to do that, I hope he will think about bringing forward similar amendments on Report.

Lord Gardiner of Kimble: My Lords, I am most grateful to the noble Lady, Baroness Jones of Whitchurch, for Amendment 113, and to the noble Lord, Lord Teverson, for Amendments 114 and 116, which were spoken to by the noble Baroness, Lady Bakewell. I will address these amendments together, so that I hope I can provide—I underline "I hope" following the comments from the noble Baroness, Lady Bakewell—the necessary reassurance that the measures proposed can already be supported by the financial assistance regimes made under Clause 33 of the Bill.

The Bill sets out the various purposes for which funding can be given, rather than setting out specific activities. This provides flexibility to fund a wide range of activities, including scientific data collection and innovation in gear selectivity, even if they are not directly mentioned. The existing powers found in the Fisheries Act 1981 are limited to providing assistance for the purpose of reorganising, developing or promoting the sea fish industry or fish farming. The revised power will widen this to allow financial assistance for: the protection and improvement of the marine and aquatic environment; the promotion, development or reorganisation of commercial fish activities; health and safety; training; economic development or social improvement in areas where commercial fish or aquaculture activities are carried out; improving the arrangements for catch or effort quotas; and the promotion of recreational fishing. This means that when scientific

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data collection contributes to the purposes described, such as conservation or improving the arrangements for quota allocations, it would be eligible for financial assistance through this power.

At this juncture, I should say to my noble friend Lady McIntosh and the noble Baroness, Lady Jones, that UK scientists are deemed to have considerable expertise and make a significant contribution to international co-operation on stock assessment and related fisheries science. That will continue, primarily through ICES—the International Council for the Exploration of the Sea—which is the independent global body for these purposes. Defra has always worked very closely with ICES, and this will continue. In addition, UK scientists will continue to co-operate regionally with counterparts in the EU and other countries on fisheries and the marine environment.

We will also work with ICES and scientists in the UK, both in Cefas and across the devolved Administrations, to understand the impact of climate change on fish stocks. I am very pleased that, when we discussed the objectives of the Bill earlier, the Government inserted the climate change objective, which is an indication of how serious this matter is for both the marine and terrestrial environments.

I am advised that there are some practical challenges with the drafting of Amendment 113. It is long established that government funding should not be provided for matters that are mandatory. There are already requirements for fishers to carry out a number of the activities listed in the amendment, and these therefore should not benefit from public money. For example, vessels over 12 metres in length are required to use vessel monitoring systems. Similarly, fishers must record details of their catches. Neither of these, in our view, should attract financial assistance, as they are mandatory requirements.

I appreciate the intention in Amendments 114 and 116, which the noble Baroness, Lady Bakewell, spoke to. However, I am advised that the powers contained in Clause 33 are already sufficient to create and deliver such a fund, if desired, while not limiting the range of other potential activities that could also be funded. This is the key point that I want to develop. Should other sustainability priorities be identified beyond gear selectivity, we may not be able to create a specific fund to address those priorities if we were tied to a fund focusing on gear selectivity.

Before introducing any new grant scheme, we will consult the sector on the priorities for funding. Details for the activities to be funded in England will also be set out in the regulations we will create to deliver our own domestic scheme. These will be subject to full parliamentary scrutiny, as the regulations will be introduced by affirmative resolution.

Turning to Amendment 115, I share the noble Lord's concern about sustainable stock levels being achieved. I say to the noble Baroness, Lady Bakewell—and I am sure we will have this on Report—regarding the objectives in Clause 1, yes, we need to ensure we are mindful of fishers' livelihoods, but this is all predicated on the sustainability of our ecosystem. From any lay reading—perhaps I am deploying points I will make on Report—the overwhelming majority of those objectives are predicated on a firm and strong belief that the environmental sustainability of the ecosystem is the route by which you get vibrant communities and vibrant fish stocks. From the Government's point of view, there is no dilemma about this; it is exactly what we are aiming to do. But, as a responsible Government, we have to be mindful of caring for those coastal communities.

I should also say that it is not government policy to compensate industry when setting the annual fishing effort where that results in a reduction of potential profit or for in-year management measures needed to comply with regulations and ensure the long-term sustainability of the sector. Such activities must and do take place each year, so the fluctuations in profit should be borne by the industry itself. It is already able to respond to fluctuating stock levels to a certain extent by fishing in different fishing grounds to catch quota or adapting the gear to fish for different stocks.

We believe that providing compensation would risk reducing the incentive on the industry to take ownership of fishing at sustainable levels. An unintended consequence of this amendment could be that the industry decided to focus its fishing over a few months in the year, until the stock is exhausted, in the knowledge that it would then have to tie up but be financially compensated for doing so. I think all of us would agree that this would not be a helpful precedent and runs entirely contrary to the spirit and the words expressed in this House; it cannot be right that industry should be in some way rewarded for overfishing. These are points that I know were not intended, but we are concerned about the unintended consequence in terms of the legal reading of the amendment. It is only reasonable that I should make these points to your Lordships.

4.30 pm

A future funding scheme could instead provide support to our fishers to allow them to change to more sustainable practices. This could include funding for gear with a reduced environmental impact, as the noble Lord's gear selectivity fund would have, or funding that enables fishers to change the species they target in line with scientific advice. This will help them to adapt and remain economically viable, without needing compensation or risking fish stocks.

On Amendment 120, I reassure noble Lords that the power under Clause 36 is wide enough to amend retained EU law relating to the data collection framework if we need to implement an international obligation, or if we want to adapt those regulations to suit better the UK for a conservation purpose or a fish industry purpose. Clause 36(4)(o) allows provision to be made in relation to the keeping, disclosing or publishing of accounts, records and other documents and information. Clause 36(4)(q) allows provision to be made in relation to the monitoring and enforcement of compliance with the matters listed in Clause 36. Finally, Clause 36(4)(l) also allows provision to be made in relation to the use the Secretary of State may make of information gathered in the exercise of his functions.

My noble friend Lady McIntosh raised the issue of climate change and research. The Marine Climate Change Impacts Partnership published a report on the

impacts of climate change on fish in January 2020. The group is a partnership between marine scientists from the UK and DAs, their agencies, NGOs and industry. When I send a letter—as I suspect I will at some point—I will get the reference to that report, because I think that noble Lords might indeed like to hear more about that work.

I should also say to my noble friend that the decisions on the replacement domestic arrangements for fisheries data collection will be taken during the next spending review, alongside decisions on all other domestic spending priorities. My understanding is that it has been referenced as before the Summer Recess. I do not think I am in a position to give more precise details, but that is the manner in which it will come.

I hope that noble Lords feel that I am seeking to be positive. I am seeking to assure noble Lords that, on all the points made in this short debate about the need for scientific research and for more research into gear selectivity, the drafting of this Bill is to open up all that and beyond. I am advised that, by seeking perhaps to highlight particular aspects, the amendment may in some way prevent the interpretation and wider recognition that we of course need to have the best scientific advice available. It is why I think, for instance, that this report on the impacts of climate change on fish from January 2020 is very timely. There are so many areas where we are on a learning curve and where we will need to collaborate with the scientists, both in this country and through ICES, the EU and other organisations.

I assure noble Lords that saying what I have said is not in any way to diminish anything that has been said on the issue of the importance of scientific endeavour, but I wanted to put on the record what we think the Bill enables. On that basis, I hope the noble Baroness will feel able to withdraw her amendment.

Lord Teverson: May I come back on a couple of points? I thank the Minister for his positivity and I am grateful that he points out that the Bill allows financial intervention in terms of selective gear—that is very useful. One of the things that has come out from Select Committee work is that something that is perhaps not tracked by government, and I am not saying that this is easy, is how selectivity is being applied or is increasing. It is one of those areas that is quite important to track, so I just make that point.

I find it difficult to accept the idea that by giving a financial answer to sustainability we will get a rush to fish. Let us get back to the real world. The way it has worked in the past and will do in the future is that there will be, I presume, an annual agreement about quotas for the various fisheries. At that point we will get the dilemma that if we have an extremely low TAC we know that it will be very difficult for certain sectors of the industry, whichever sectors they are. That is the point at which the political compromise will be made and we will say, "All right, that is not sustainable. We have to help coastal communities, so we will fudge the scientific advice and allow that quota to go up." This amendment would mean that at that annual negotiation we can say, "No, don't fudge the scientific advice. You have to go by the scientific advice, but we recognise that there is pain in that sector of the fleet and we will find a financial way around it." The noble Lord, Lord Cameron, has often made the point that this has often been used in Europe as an alternative, sometimes quite successfully.

I was in Mevagissey at the weekend, looking at the vessels there. It is the second largest Cornish fishing port, and there was a proud sticker on the side of one wheelhouse saying "Fishing For Plastic." There are schemes like that, so we are not paying for fishers to sit down with their feet up and enjoy the rest of the year at the taxpayers' expense. It is a bit like the initiative on elms in the Agriculture Bill that I praised in the past. There are ways of doing it. There is no incentive to rush out to get your quota and then stop: this is about an annual situation. Responding to the positivity of the Minister, I am trying to explain that this amendment does not do that; it is trying to solve the dilemma in a positive way, a way that has been done by other fisheries administrations before. I think it is key to solving the economic issue while making sure that we are able to stick to sustainable fish stocks and scientific advice. I just wanted to make that clear.

Baroness Jones of Whitchurch: The noble Lord, Lord Teverson, made that point extremely well, and I hope the Minister will take it away and reflect on it further. As he says, there are all sorts of sustainability activities that one can imagine the fishers being funded to carry out that are not just straight fishing. If we were being more imaginative in the Bill, we could be more imaginative on those sorts of issues as well.

I want to say something about funding, because the noble Baroness, Lady McIntosh, quoted the Secretary of State on long-term funding commitments and asked which budget they will come from. I know that the Minister mentioned the spending review, but that is not the same as the commitment that seems already to have been made. I think he said that he would write or give us further information. Perhaps he could do that in writing to say what that longer-term funding will be and how it will be funded in the future. That would be extremely helpful, because that question mark still hangs over this.

I was not convinced. I did not come to bang my drum for Amendment 113 in particular, but the more the Minister tried to rubbish it, the more I got quite defensive about it. For example, in the Bill we have this long list of reasons for funding to be given by the Secretary of State, some of which are quite major and others one might think are not so significant. We are trying to say that collecting the scientific data is as important as them. I am sure that it is. It must be on a par with that because it is at the heart of our sustainability measures. Given that we already have a long list, I cannot see why we cannot add a paragraph (j) to the bottom of that long list.

Lord Gardiner of Kimble: The point is that I can foresee that there would be scientific analysis of the majority of them. It is not as if science is over there; science will provide the solutions and the answers to this long list. That is why—obviously not successfully—I am seeking to deploy that science and the collection of scientific data are absolutely included. That is a given, and it is applicable. There will be all sorts of ways in which science can apply for financial assistance with regard to much of that long list.

Baroness Jones of Whitchurch: My response to that is, if that is the case, why not put it here? The scientists themselves might find that easier, rather than having to claim for funding as a sub-clause of one of these things listed here, and it might make the funding more accessible if it was stated absolutely in the Bill. I am not absolutely convinced by what the Minister has attempted to say on that.

The Minister then attempted to say that, in any case, Amendment 113 does not stand up legally. We talked about the gathering of scientific data and some of the reasons that it might be necessary—stock assessments, vessel monitoring and so on—and he said that some of those things are mandatory already. I hear that point, in which case I increasingly feel that I will take this away and put forward a more general clause which says "the gathering of scientific data", so that we will not be precluded from some things that are already mandatory. We can play around with the wording, which might provide a solution for all of us.

I feel that the Minister's lawyers have been overanalysing all this, poring over it in rather more detail than they needed to. Again, I absolutely agree with the noble Lord, Lord Teverson, that the idea that there is a legal failure in the wording of the policy that is put forward in his amendment does not stand up to scrutiny. If we do not have the wording exactly right on that, we can find the right words for what the noble Baroness and the noble Lord are attempting to do to ensure that we have sustainable fishing and a balance with socio-economic activities.

I am sorry to say this, but I am not absolutely convinced. It would be helpful to have some more information about how the long-term science will be funded, and it comes back to something that we have been discussing ever since we started talking about the EU withdrawal Bill. A lot is riding on the UK science community. We always talk about the great strengths that it has and the fantastic work that it does, but it will be stretched to meet all these new targets as it used to share a lot of the work with its EU counterparts. It will need support and access to new funds, and the more reassurance we can give it in the Bill or elsewhere that those funds will be coming to it, the more we can have confidence that a future sustainable scheme built on the best scientific advice is a reality rather than just something that we aspire to. In the meantime, I beg leave to withdraw the amendment.

Amendment 113 withdrawn.

Amendment 114 not moved.

Clause 33 agreed.

Amendments 115 and 116 not moved.

Schedule 6 agreed.

4.45 pm

Clause 34: Charges: powers of Marine Management Organisation

Amendment 117

Moved by ***Lord Teverson***

117: Clause 34, page 23, line 15, at end insert—

"( ) licensing of fishing vessels."

Member's explanatory statement

This amendment includes an additional activity as a relevant marine function for the purposes of imposing a charge.

Lord Teverson: I shall speak also to Amendment 119. When I looked through the list of items that the Marine Management Organisation should be able to charge for, I was surprised that it did not include fishing vessel licensing. It is like saying that people do not have to pay road fund licence tax for their cars, which I am sure we would all like individually but would not be a good idea for the environment. In this case, for incumbents, we are not even charging for quota, or whatever, and yet vessel licensing is an important activity. I just do not understand why that is not in the list. The majority of the fishing industry can well afford to pay the administrative cost of licensing. All sorts of Treasury rules limit how much public charging can take place to ensure that it is reasonable. I know that variation of licences can take a lot of the regulator's time, so I do not understand why it is not included. It should be. I shall be interested to hear from the Minister.

My other amendment states that the Marine Management Organisation should not be dependent on public funding. A huge number of regulators in this country do not receive any public finance. Two years ago, I asked a Question about that and the Government kindly sent me a list of 25 regulators in the UK that require no public funding because they charge the industry for regulating it. I will not read them all out, but it goes from the Animals in Science Regulation Unit, which I must admit I had not heard of, to much more important organisations, such as the Land Registry, the Office for Nuclear Regulation, the Office of Rail and Road, Ofwat and the Oil and Gas Authority. In financial services, there is the PRA and the Financial Conduct Authority. There is Ofgem in energy. There is the Civil Aviation Authority. All those organisations just say, "We provide an important public good, the regulation of an industry, and we expect the industry to pay for doing it.".

I do not understand why we as taxpayers should have to pay subsidy for the industries that the MMO regulates, from offshore wind through to fisheries, all of which are extremely profitable. Why do the Conservative Government not expect the taxpayer to be relieved of that burden? That is obvious to me. That is why I have tabled the amendment. The Marine Management Organisation should fend for itself. It should be able to set sensible charges, as any other UK regulator does. I should be very interested to hear from the Minister why taxpayers should subsidise those extremely profitable industries, which include, as I said, offshore wind, marinas and most of the fishing industry. I beg to move.

Lord Grantchester (Lab): I rise to speak to Amendment 118 in my name, which is a probing amendment and seeks to upgrade the regulations on this matter from negative to affirmative. While the Bill's negative procedure has not been commented on by your Lordships' Delegated Powers Committee or Secondary Legislation Scrutiny Committee, and may seem technical, it involves money.

Under Clause 34(5), the MMO has considerable discretion. The initial charging structure becomes important as the UK sets up the fisheries framework outside the CFP. Some questions arise, to which it will be important to have answers. Will the MMO undertake this charging function on the basis of full cost recovery? That lies behind the amendment moved by the noble Lord, Lord Teverson. Schedule 7 replicates that clause in relation to Scotland on page 74, Wales on page 75 and Northern Ireland on page 76. Is it expected that all the Administrations will set up identical charging structures to avoid any competitive imbalances?

I acknowledge that the MMO is an existing body with an excellent track record; its relationships with stakeholders are usually very positive and productive. However, if this legislation established a new public body, your Lordships' House and the other place would have a strong interest in the exercise of this power and the procedure attached to it. When the Minister replies, I would be grateful if he could give as much detail as possible on the level of charges, the frequency of any changes envisaged and the relevant percentage of cost recovery that any sector of the industry will be required to cover.

This last point is of particular interest, as I have noted, and covered by Amendment 119 in the names of the noble Lord, Lord Teverson, and the noble Baroness, Lady Bakewell. I am curious about the noble Lord's use of "appropriate" in proposed new paragraph (b) in relation to his subsequent use of "must" in proposed new paragraph (c), in that there may be some implicit contradictions in the amendment. I ask the noble Lord: does the maximising of charges on the 10 metre-plus fleet mean that it could pay more pro rata and therefore be seen, in some way, as partly subsiding the under 10-metre fleet? This amendment also seems to mandate the MMO to make full cost recovery across all its responsibilities. I await the Minister's reply.

Lord Berkeley (Lab): My Lords, I support the amendments in the name of the noble Lord, Lord Teverson, relating to the charging, or not, of the MMO's services. He is absolutely right that in most other industries the regulators are funded by the industry.

I had cause to write to the MMO because a neighbour of mine in Cornwall had a problem with it over a small planning issue. I do not want to get into the rights and wrongs of it except to say that the general reaction of the neighbour and others was that the service was incredibly slow. In fact, it took a whole year for them to get an answer on whether they needed to apply for a licence. I suspect that this had a lot to do with the fact that the MMO was probably subject to government financial cuts and was not allowed enough people. I am sure that it is very good at what it does, technically and commercially, but it did not have enough people to answer on this small issue.

Looking at all the regulated industries mentioned by the noble Lord, Lord Teverson, some of which I know about and some of which I do not, whatever one thinks of their decisions, they usually operate in a timely and professional manner. If they do not, we can still raise issues in your Lordships' House. At least it is not an issue that they do not have enough money to employ the right people. I would be very interested to hear from the Minister why this sector gets all the regulation for nothing while in virtually every other sector, the people who are regulated have to pay.

Lord Teverson: Perhaps I may come back to the noble Lord, Lord Grantchester, whose point is well made. I have probably not written the amendment exactly as it should be and he is right to pull me up on it. What I am trying to say is that that part of the amendment seeks to recognise that there has to be some sort of relationship between the charging regime and the ability of a particular unit in the fisheries industry to make money. It is clear that there is a deep division in the sector between larger vessels, which on the whole are pretty profitable to very profitable, and the under 10-metre sector, which struggles rather more. I would not want to see punitive charges being put on that sector because that would not be the way to proceed.

Lord Gardiner of Kimble: My Lords, I am grateful to the noble Lord for his amendment. It is Government policy to set charges in order to recover, where possible and appropriate, the costs of services provided to industry, which is why we are using this Bill as an opportunity to expand the existing powers available to the MMO. I should also say at this juncture that I want to acknowledge the noble Lord's service during his time with the MMO, which I have been informed about many times. He has an advantage over us all in terms of knowing the inner workings of the organisation.

Currently, the costs of regulating sea fisheries management functions are met by the taxpayer. Fisheries management is one element of the broader function, although it includes other activities that will not be included within the scope of the charging power. However, in line with Treasury guidance, it may be more appropriate for some costs to be met by those being regulated. This may sometimes include services relating to compliance and monitoring.

The charging powers under the Fisheries Bill will enable us to move over time to increased cost recovery for the MMO where appropriate, thus ensuring consistency with the application of charges to other users of MMO-regulated services and more widely across the Defra group. I am most grateful to the noble Lord, Lord Berkeley, for his comments, which I will take away as well. We are all in public service and we want to get these things done in as timely a way as possible.

As set out in the *Fisheries* White Paper, costs recovery will ensure that the MMO has the funding it needs to carry out a process of continuous improvement, making the service it runs as efficient as possible. We will need to work closely with industry to agree the pace of this change to ensure that it is sustainable. That is why the clause also places an obligation on the Secretary of State to consult appropriate persons before implementing a charging scheme. This will provide the industry with an early indication of the type of services being proposed, the detail of the charges' composition, and when the charges are going to be brought into effect. I should also say to the noble Lord, Lord Teverson, that paragraph 7(3) of Schedule 3 to the Bill already provides for the relevant national authority—in England, the Secretary of State—to make regulations authorising the making of charges in relation to a sea fishing licence.

[Lord Gardiner of Kimble]

Amendment 118 would change the parliamentary procedure for regulations made under Clause 34 from the negative resolution procedure to the affirmative. The Government have carefully considered the delegated powers in the Bill and the procedures which should apply to regulations. We consider that we have struck the right balance between the need for parliamentary scrutiny and the need to be able to update MMO charges through secondary legislation. Indeed, I am reminded that it is usual for fees and charges to be imposed by arm's-length bodies to be set out in regulations made under the negative resolution procedure. A recent example is the power for the Secretary of State to charge fees through regulations under the Ivory Act 2018, where the negative procedure is used.

As highlighted earlier when we discussed the procedure for the days at sea regulations, the Delegated Powers and Regulatory Reform Committee has reconfirmed in its report of 26 February its view that we have struck the right balance with all our delegated powers in this Bill.

Turning to Amendment 119, the MMO has some existing cost-recovery powers that are currently utilised for marine activity. An activity for which the MMO currently charges is customer-initiated advice direct to developers without Planning Inspectorate involvement. Such developers could seek licences for building wind farms, for example. While the reasons for the amendment are entirely understandable, the Government feel that prohibiting the MMO receiving grant in aid funding would risk significantly limiting the activities it currently provides to industry. It is current government policy not to charge for activities such as control and enforcement, marine planning, research and delivering grant schemes. If the MMO were put under an obligation to self-fund entirely, there would be difficulties with charging for and delivering the activities I just outlined.

So far as paragraphs (b) and (c) in the amendment are concerned, there are existing government guidelines in place to provide guidance on cost recovery. Clause 34 also sets a statutory requirement for the Secretary of State to consult before any charging scheme is introduced. The industry would therefore be fully engaged with any decision on a proposed scheme.

5 pm

A number of points were made. The noble Lord, Lord Grantchester, referred to the devolved Administrations. As he indicated, this matter is devolved. This provision is intended to provide powers for the MMO to recover its costs, so it will apply primarily in England, but there may be circumstances in which the MMO performs a sea fisheries management function in relation to another part of the UK maritime area. It may therefore seek to recover the costs of doing so from individuals in other parts of the United Kingdom.

The under-10-metre fleet had a fishing income of around £110 million in 2018, an increase of £17 million in real terms from a decade ago. I think we all instinctively support this area; coastal communities have very much seen it as part of their lifeblood. I have a long speaking note on under-10-metre fleets, but I might like to write about that because I have quite a bit of detail on it.

I hope that reassures the noble Lord, Lord Teverson, that the charge will not exceed the reasonable costs incurred in carrying out specified fisheries management functions. Again, this is work in progress. It has been helpful to have this debate on the desire for the MMO and us to move forward on cost recovery. We need to work candidly with industry on the requirement for consultation. The direction of travel is entirely in line with the noble Lord's aspirations. There are areas in which we think this is appropriate, but current government policy is that we would not seek cost recovery in areas such as research, because they are important and in the national interest. On the basis of work continuing on this matter, I hope the noble Lord feels able to withdraw his amendment.

Lord Teverson: I am grateful for the Minister's reply. Did I hear correctly that the Bill already gives powers to charge for the licensing of fishing vessels or the variation of those licences?

Lord Gardiner of Kimble: Yes; as I said, it is in the Bill. Paragraph 7(3) of Schedule 3 provides for the relevant national authority—the Secretary of State in England's case—to make regulations

"authorising the making of charges in relation to a sea fishing licence."

If there is any embellishment to some elements of that, I will include it in the letter, but that is what Schedule 3 says.

Lord Teverson: I thank the Minister for that reassurance, and for his extensive reply. Regarding the funding of the MMO, I fully agree that it has some broader activities, including marine planning, although I am not aware that it does research. That is new to me.

The direction of travel is absolutely right, and there are all sorts of challenges. We know that departmental budgets get cut. Defra is always on the front line of those cuts, as is the Ministry of Housing, Communities and Local Government and a number of others. When cuts occur, executive agencies and non-departmental public bodies have their budgets cut as well, and although we expect increased efficiency from all those bodies, sometimes they are unable to provide exactly those services, as the noble Lord, Lord Berkeley, illustrated. We must try to free them from that, because on the whole, what do users of those services want? They want quick decisions; they want to invest in offshore wind, or marinas, or coastal developments or nuclear power stations. Obviously, they are worried about the charges, but they want action. If there is proper cost recovery and those resources can be put against those needs, it will suit everybody, because everybody can get on with the job they want to do. In the meantime, I beg leave to withdraw the amendment.

Amendment 117 withdrawn.

Amendment 118 not moved.

Clause 34 agreed.

Amendment 119 not moved.

Schedule 7 agreed.

Clause 35 agreed.

Clause 36: Power to make provision about fisheries, aquaculture etc

Amendment 120 not moved.

Clause 36 agreed.

Clauses 37 to 40 agreed.

Clause 41: Procedural requirements for regulations under section 36 or 38

Amendment 121

Moved by ***Baroness Young of Old Scone***

121: Clause 41, page 27, line 42, leave out subsection (1) and insert—

"(1) Before making regulations under section 36 or 38, the Secretary of State must—

(a) prepare a draft ("the consultation draft") of such regulations,

(b) publish the consultation draft in such manner as the Secretary of State considers appropriate,

(c) take such steps as the Secretary of State considers appropriate to secure that the consultation draft is brought to the attention of interested persons,

(d) specify a period ("the scrutiny period") for scrutiny of the consultation draft by Parliament, and

(e) on or before the first day of the scrutiny period lay a copy of the consultation draft before both Houses of Parliament.

(1A) In this section "interested persons" means—

(a) the Scottish Ministers,

(b) the Welsh Ministers,

(c) the Northern Ireland department, and

(d) any persons likely to be interested in, or affected by, the consultation draft.

(1B) Subsection (1C) applies if, during the scrutiny period—

(a) either House of Parliament passes a resolution with regard to the consultation draft, or

(b) a committee of either House of Parliament makes a recommendation with regard to the policies contained in the consultation draft.

(1C) The Secretary of State must lay before Parliament a statement setting out the Secretary of State's response to the resolution or recommendation.

(1D) The Secretary of State must, in making regulations under section 36 or 38, have regard to any representations made to the Secretary of State about the consultation draft under subsection (1) or any resolution or recommendation made under subsection (1B)."

Member's explanatory statement

This amendment provides an additional requirement for authorities to lay the draft regulations before Parliament. It also requires the Secretary of State to "have regard to" any responses to the consultation, including any Parliamentary resolutions or recommendations.

Baroness Young of Old Scone (Lab): My Lords, I rise to speak to Amendment 121 in my name, supported by the noble Lord, Lord Randall of Uxbridge. Better scrutiny of secondary legislation is a bit of a hobby-horse of mine. I hope that this is a good example of how we should look to improve methods of scrutiny of secondary legislation across the board but let us focus on this one for now.

When the various statutory instruments were going through the House, transposing European legislation into UK laws as part of the withdrawal process, we all bore the scars of quite restricted consultation and no publication of the statutory instruments in draft. The only real remedy available for those dissatisfied with the statutory instrument was to blow the whole thing out of the water, even under the affirmative procedure, a nuclear option that would have left us with no legislation in place at all.

The Minister, the noble Lord, Lord Gardiner, was excellent in talking to people about the statutory instruments he was responsible for. However, it still left us with the ability to talk about them but not to change them, because by that time they had been laid. This amendment reflects the fact that in this Bill a number of provisions give the Secretary of State powers to create secondary legislation, including for fishing industry or conservation purposes in Clause 36, and for aquatic animal disease purposes in Clause 38. These could be seminal and result in major changes to fisheries management measures. It is important that any changes are subject to a more extensive scrutiny process by stakeholders and the legislature.

Of course, the Bill requires the Secretary of State to consult before making new regulations, but this amendment provides an additional requirement for authorities to lay regulations before Parliament at the draft stage, while it is still possible to change them, and for the Secretary of State to have regard to any responses to consultations, including any parliamentary resolutions or recommendations. This reflects the super-affirmative requirements for scrutiny of secondary legislation in the Public Bodies Act 2011 and the existing consultation requirements for the joint fisheries statement, the Secretary of State fisheries statement and the fisheries management plans in Schedule 1, so it would not be out of line with other measures currently in the Bill. I beg to move.

Lord Randall of Uxbridge (Con): My Lords, I support the noble Baroness in her amendment; she spoke very eloquently about the need for it. Having been in the other place for some considerable time, I know that it is always easier to change legislation when it is in the draft form. I have found that Governments of all colours are more loath to change once they have laid the actual regulations. Some of these are of sufficient importance that interested parties, including Parliament, should have a good look at anything being brought forward. That is the way forward and it will allow us to improve not just regulations. I am very keen to see this type of amendment in this Bill and others.

Lord Grantchester: My Lords, I am grateful to my noble friend Lady Young of Old Scone for moving Amendment 121, which allows the Committee to probe into the consultation process, the input consultation and from where it comes, in relation to the regulation-making process powers in the regulation concerning fisheries and aquaculture, and to the devolved Administrations and the joint fisheries statements.

[Lord Grantchester]

This proposed amendment to Clause 41 widens the consultation process to include Parliament in a quasi super-affirmative, as well as wider industry bodies under proposed subsection (1A)(d). The drafting of subsection (2) makes the resolution affirmative—that is, with the express approval of Parliament—in certain fundamental aspects only. Yet this does not include the wider industry. Can the Minister confirm whether the affirmative procedure necessitates a wider industry consultation in this respect only?

As my noble friend has said, this wider consultation allows for ideas and concerns to be fed into the system and duly considered before a final instrument is laid. I am also grateful to the noble Lord, Lord Randall, for his remarks. The Committee, over the past three sessions, has expressed disappointment at the lack of ambition in the Bill: it does not take UK fisheries much further than replicating the CFP. It is vital that forthcoming regulations have the full scrutiny that this wider consultation would demand.

Should the Minister consider that there are adequate opportunities for scrutiny and consultation in this clause—and the Bill in general—I hope she will provide additional assurances by specifying how this would work.

Baroness Bloomfield of Hinton Waldrist (Con): My Lords, I am grateful to the noble Baroness, Lady Young of Old Scone; I understand her desire to support better scrutiny of secondary legislation.

Amendment 121 would add a new enhanced parliamentary procedure for regulations made under Clauses 36 and 38. Under this amendment,

"The Secretary of State must … have regard to any representations"

made during the consultation period, and respond to any resolutions of either House and any recommendations made by the Select Committee. The powers under Clauses 36 and 38 will, among other things, allow us to continue to meet our international obligations as members of the regional fisheries management organisations, make amendments to technical requirements in retained CFP measures and keep our aquatic animal health regulations up to date.

5.15 pm

I would like to give some examples of the technical regulations that we might make using this power. We could specify new avoidance measures that fishers should take to minimise the risk of by-catch of fish or of marine mammals, marine reptiles, seabirds, and other non-commercially exploited species: provision for this could be made under Clause 36(4)(d). Clause 36(4)(e) could be used to amend measures on mesh sizes and minimum landing sizes in several EU technical standards regulations which will become part of retained EU law in the future. These are important matters, but I am not convinced that we need an additional layer of parliamentary scrutiny for these types of technical regulations.

The amendment also replicates a duty in Clause 41(1) to consult the devolved Administrations and other interested parties before making regulations, which in our view is appropriate. Other interested parties in Clause 41(1)(d) could include, for example, fishers, the industry and environmental NGOs. I hope that the noble Baroness, Lady Young, and the noble Lord, Lord Randall, are reassured by that.

We have been very mindful of the need to balance the need for proper and effective scrutiny with that of learning lessons from the common fisheries policy which has proved to be rigid and unresponsive to changing circumstances, including scientific advice or aquatic disease. Regulations made under the Bill's clauses will be subject to public consultation and, of course, parliamentary scrutiny. I fear that this amendment shifts the balance unacceptably.

As previously highlighted, the Delegated Powers and Regulatory Reform Committee has twice looked at the delegated powers in the Bill. The committee did not raise any concerns about the scope of the powers under Clauses 36 and 38, or question the parliamentary procedures proposed for them. There has therefore been careful analysis of the powers and the affirmative process is required in many, appropriate, cases. Given these assurances, I hope that the noble Baroness will feel able to withdraw her amendment.

Baroness Young of Old Scone: I thank the Minister for her reply. I did not really hope or dare to dream that the Government would roll over on this one. I take the point that flexibility and improvements are important and that many of these pieces of secondary legislation will be about technical issues. But the question of ambition in this Bill comes into play here. The reality is that there could be instances where consultees would want to see more rather than less ambition in some of these technical solutions. When there is no ability to look at these statutory instruments in draft before they are laid, it becomes impossible to insert anything at that stage of the process. I am distraught and disappointed as usual when I talk about scrutiny of secondary legislation.

Baroness Bloomfield of Hinton Waldrist: I reiterate what I said about the amendment. It also replicates a duty in Clause 41(1) to consult the devolved Administrations and all other interested parties before making regulations.

Baroness Young of Old Scone: I thank the Minister for that clarification. I shall read Clause 41 more closely and beg leave to withdraw my amendment.

Amendment 121 withdrawn.

Clause 41 agreed.

Clause 42 agreed.

Schedule 8 agreed.

Clauses 43 and 44 agreed.

Schedule 9 agreed.

Clause 45 agreed.

Amendment 122

Moved by ***Lord Teverson***

122: After Clause 45, insert the following new Clause—

"Producer organisations

Producer organisations in England must publish on their websites the following information—

(a) the names of their members;

(b) their most recent annual accounts;

(c) the sources of their funds;

(d) their constitution;

(e) the quotas and other fishing rights distributed to each member and any other party;

(f) their method of distributing quota and other fishing rights;

(g) all management plans required of them by legislation or regulation;

(h) the members of their governing bodies."

Lord Teverson: My Lords, one of the central themes of Brexit was escaping the common fisheries policy. However, a bedrock of that policy is the producer organisations and I do not think that the Bill refers to them anywhere. They are effectively co-operatives in the fishing industry, but they are an essential part of the common market organisation which is the core of the common fisheries policy. They have important powers and abilities, which stem from the fact that they allocate the vast majority of quota—itself a very valuable national resource—among their members.

I am not against producer organisations. There might be better ways of doing this in future, but I do not disagree with the Government ejecting them and finding some other method. What is exceptionally important, given the value of the assets they distribute, is that there is maximum transparency about who owns them, their legal structure, how they make decisions about their constitution, how they distribute their assets and who their members are—all information we want to know when taking about valuable assets that are part of the national resource of fish stocks and quotas.

This is a probing amendment more than anything else, to try to understand the Government's approach to producer organisations. Will it be just carry on as you are? I believe there is a need for full transparency about how these organisations operate. I will be interested to hear from the Minister how the Government will ensure transparency about this key national asset. I beg to move.

Lord Grantchester: I thank the noble Lord, Lord Teverson, and the noble Baroness, Lady Bakewell of Hardington Mandeville, for tabling Amendment 122 on producer organisations. It is right to say that the more someone learns about the fishing industry, the more they realise they know very little. This is certainly true of a key part of the fisheries industry: the boat fraternity, its ownership, quota and producer organisations. It is far from transparent, which makes for a difficult task when trying to appreciate the consequences and implications of Government policy. This amendment is one way to shed light into this opaque part of the industry. Whether it is the right or best way to bring transparency the Minister can help to determine. If there are other, better ways, perhaps he can bring them to our attention, which would be to the benefit of everyone.

Lord Gardiner of Kimble: My Lords, I am grateful to the noble Lord for his amendment. We fully support the move towards greater transparency within the fishing industry, including producer organisations. Our fisheries White Paper recognised that producer organisations have a key role to play in managing our fisheries. This includes managing quota for their members, supporting their members to fish sustainably, matching supply with consumer demand and adding additional value to their catches through effective marketing. All of this is to support our industry to get the best possible price for the fish it catches. In future, as we reform our domestic fisheries management, implementing polices which are tailored to our fisheries, Defra will continue to work with English producer organisations to build upon their strengths. This work will also consider how to improve transparency.

The amendment would require corporate information about members, accounts, constitutions, funding and boards to be published on each producer organisation's website. It would also require information about quotas and management plans to be published. It is worth noting that much of the corporate information on producer organisations, such as their annual accounts and details of their directors, is already published in public registers such as Companies House and the Mutuals Public Register. On top of this, some producer organisations also choose to publish further information. For instance, the Cornish Fish Producers' Organisation has a clear, published list of board members and their vessels on its website.

It is important that any requirements to publish additional corporate information add to, rather than duplicate, the information already available. However, I acknowledge that not all producer organisations routinely publish all this information—at least, it is not published on their websites in an easy-to-access location. More could be done here, and we encourage all producer organisations to do so, but we must consider this matter carefully before introducing new statutory requirements. As well as not wanting to duplicate existing requirements, we must also consider whether such information would ordinarily be considered commercially confidential. It is not clear, for example, what exactly would be covered by information on sources of funding and what the impact of requiring disclosure would be.

Information on quotas and management plans is often published already, or at least is available to producer organisation members and the MMO. For example, the MMO already publishes monthly information on quota statistics. From this, it is possible to see the quotas held by each producer organisation and how they vary throughout each year. Earlier I gave the example of the Cornish Fish Producers' Organisation—this is for the benefit of the noble Lord and my noble friend Lady Wilcox, who is not in her place. It also publishes a monthly bulletin setting out the catch limits that apply to its quota pool, and other producer organisations also publish such information.

[Lord Gardiner of Kimble]

Producer organisations are also already required to submit production and marketing plans to the MMO. They require information about landings, turnover, volume of catches, marketing strategy and ways in which they will pursue their sustainability objectives. They also include a financial plan, which includes costs, expenditures and expected financial resources for each measure to be implemented within the plan. Progress against these plans is laid out within an annual report, which includes the expenditure associated with implementing the plans.

Again, I acknowledge that more could be done to improve transparency on quotas, but that is true of the quota allocation system generally and is not specific to producer organisations. In our debates so far on the Bill, we have discussed the complexity of the quota allocation system and how it makes it hard for lay persons to understand. We have undertaken work in the past to improve this—for example, through the introduction of the FQA register in 2013, which enables anyone to see who holds fixed quota allocation units. We aim to continue this work and to make the system easier to understand in the future. The Bill supports this aim by providing greater transparency through the Secretary of State's determination of UK fishing opportunities, which will be laid before Parliament.

We have also said that we will continue to work with producer organisations, as well as other parts of industry and other stakeholders, to develop a new approach to allocating the additional quota that we expect to secure now that we have left the EU. As part of this, we will consider how to make quota management simpler and, importantly, more transparent.

There are also some practical issues relating to this amendment to draw to the attention of your Lordships. For example, the quota position of producer organisations will change during the year as a result of quota swaps carried out between them. It could therefore be administratively burdensome to have to produce an up-to-date record to comply with the provision as proposed here, especially if this is already published, albeit in a slightly different form, by the MMO. It is also unclear how this provision would be enforced in a practical sense and which body would have responsibility for doing so. It would not appear to form part of the existing compliance regime for producer organisations.

Therefore, I say to the noble Lord, in particular, that work is ongoing to explore the role of producer organisations in England and to move towards greater transparency within the fishing industry. In reviewing the functions and duties of producer organisations in the future, we will commit to consider specifically the need to improve transparency. We also recognise the need to improve the transparency of the quota system more generally. While this work is ongoing, we do not feel that it would be appropriate, or indeed probably wise, to include on in the Bill greater regulation for producer organisations.

I have a note from the Box to clarify for the noble Lord that producer organisations are mentioned in the Bill as a purpose for which regulations can be made. They appear in Clause 36(4)(m),

"the functions, objectives or regulation of producer organisations".

I hope that that is helpful.

To clarify the point made by the noble Lord, Lord Teverson, about the allocation of quota, producer organisations have a number of functions including marketing and planning provisions. They do not allocate quota but manage their members' quota. I say that from my knowledge; I am sure that the noble Lord is well aware of it.

Should we believe that legislation or legislative changes are required, then indeed Clause 36 would give the Government the powers to do so. We would, of course, consult stakeholders on the exercise of those powers as required by Clause 41. I fully appreciate that the noble Lord said that this was a probing amendment. I hope it is helpful to say again that this is a work in progress. The absolute guts of what the noble Lord said relate to work on which we are embarking. I hope that, with that explanation, the noble Lord will feel able to withdraw his amendment.

5.30 pm

Lord Teverson: I thank the Minister for that extensive reply. I knew that it might be a hostage to fortune when I said that this was not mentioned in the Bill. I apologise to his Bill team for not reading their Bill sufficiently before making that comment. I welcome the Minister's response; again, it is around the direction of travel. Transparency is important in this area. He is absolutely right that producer organisations have marketing and production plans and a much broader remit than just managing quota. I ask the Minister and his colleagues—perhaps his honourable colleague at the other end who deals with fisheries full-time—to keep an eye on this issue and progress it, rather than forget it. It is for the industry's longer-term good that it is transparent and beyond criticism. I thank the Minister for his reply; I accept it and beg leave to withdraw my amendment.

Amendment 122 withdrawn.

Amendment 123

Moved by ***Lord Teverson***

123: After Clause 45, insert the following new Clause—

"Marine regulators

(1) The Secretary of State must carry out a consultation regarding—

(a) the rationalisation of, and

(b) the sharing of,

regulatory activities between the Marine Management Organisation and the Maritime and Coastguard Agency, and lay a report of the conclusions of the consultation before both Houses of Parliament.

(2) The Marine Management Organisation and the Inshore Fisheries and Conservation Authorities must—

(a) fully cooperate in each of their geographic areas in order to maximise the use of resources and intelligence;

(b) draw up and submit joint plans for cooperation in fisheries management to the Secretary of State annually."

Member's explanatory statement

This amendment aims to ensure the best use of all marine regulator resources by better shared facilities, resources and coordination.

Lord Teverson: My Lords, we come to the last group of amendments. I suppose one is not really allowed to call this an amendment with my tongue in my cheek; it is around an important issue. The original Marine and Coastal Access Act laid out quite a structure around how the seas are regulated. It had a divide between IFCAs, which were inshore, up to six miles out—if I have it right, rather than 12 miles—and the MMO, which went out beyond that on our territorial waters to 12 miles, and then there was the EEZ fisheries enforcement. I do not think that that divide has worked particularly well. Also, when the MMO was originally set up, there was a vision that it would have a much broader role over what happens on our seas. That role is, of course, also divided with the Maritime and Coastguard Agency—a very important agency but under the purview of the Department for Transport. It seems to me that there are opportunities for better co-ordination and more efficiency in the way that we regulate our seas, in all sorts of fashions. I do not necessarily say that this is easy, but I do not think that we are at the right solution at the moment.

In fact, in spite of my amendment, the biggest challenge is perhaps between the roles of the IFCAs and the MMO. That is why I have perhaps been overprescriptive in this amendment in saying that there needs to be an actual plan between the MMO and those organisations—for each region that the IFCAs cover—to make sure those resources are used efficiently. As the Minister mentioned, I was proud to be a board member of the MMO for six years. I am no longer that but, during that time, there was—I would not say a turf war—quite a struggle between IFCAs and the MMO. The IFCAs were concerned that they would be taken over by the MMO, or that the MMO would be quite strong in telling them what to do. It is a difficult relationship. It works well in certain areas—it has always worked very well in the eastern region—but not necessarily elsewhere. I am trying to highlight that.

The Minister has often said that there are now all sorts of co-ordination methods out there on the seas, which I welcome. But I still feel that the workings of the IFCA-MMO relationship is not good enough and that there is room for rationalisation between our ocean regulators, the MCA and the MMO. As previously, I am very interested to hear the Minister's comments on how the Government see this. The main challenge is making sure that IFCAs and the MMO work closely together, maximising their resources and maximising sustainability and conservation. I beg to move.

Lord Randall of Uxbridge: My Lords, I will speak to my Amendment 128, to which the noble Baroness, Lady Worthington, has attached her name.

In 2001, I was top of the Private Member's Bill ballot in the other place and introduced the Marine Wildlife Conservation Bill, which passed its stages in the Commons but, sadly, did not go through your Lordships' House. At that time, I realised how complex the whole marine environment—in the wider sense of the word—is, including how many different interests there are and the different contexts; fisheries is the most obvious, but there are many others. I am pleased to say that my early foray into this area led to the Marine and Coastal Access Act 2009, to which my Bill was a little nudge.

I am a very simple person and this is a very simple amendment. It seeks to add to the Short Title of the Bill the words "and Marine Conservation", as in the Long Title. I have listened to much informed debate here, and now have much more knowledge of fisheries than I have ever had; when I have not been in the Chamber, I have looked at *Hansard*. I therefore realise that this is very complex. I think it is the Government's intention to make the Bill not just about the fishing industry but about sustainability, and to look at marine conservation—as I said, it is in the Long Title. It is important to put it in the Short Title also because a lot of people, including probably me, think that when we talk about fisheries we are talking purely about the industry. It is of course much more than that.

As most life in the marine environment is under the sea, it is not visible—there are obvious exceptions, such as birds and the cetaceans that surface from time to time. I am not sure that the public are entirely aware of what has happened in our depleted under-sea environment. I think that if it was terrestrial, many people would realise what was going on. It is rather like the American bison that once roamed the plains in their millions, and was then reduced to very few, or perhaps the passenger pigeon that once darkened the skies, and was shot and used for pet food, and then suddenly went extinct. If people realised what was happening under the water to a lot of our fish stocks, they would be appalled.

This Bill does a lot towards that. Although I am a little disappointed with some areas, I am beginning to understand this place and know that the Government will look again at some of these things on Report, and that the Bill will go down to the other place. But we have to be very careful. In the first speech I made on this Bill, I mentioned the Newfoundland cod stocks that disappeared. I am very concerned that, if we are not careful, similar extinctions will occur, which will have an economic and social impact on our fishing communities, not to mention on wildlife. Obviously, it is not just us who enjoy the nutritious meal that is fish; the sand eels that are taken are a very important part of the diet of many seabirds.

I always want to be helpful to the Government—it is a trait I have had ever since my party has been in government—and I think this would be a good addition to the Bill. It will not cost much, only the cost of reprinting, and it would send a message. Of course, it would also make it easier for us to make sure that the Government's feet are firmly to the fire on some of the conservation measures in the Bill. With that, I leave this with the Government. If they want to take it as their own clever idea, I would be more than delighted.

Baroness Jones of Whitchurch: My Lords, I will speak very briefly. I am grateful to the noble Lords, Lord Teverson and Lord Randall, for proposing these amendments.

As the noble Lord said, Amendment 123 seeks a consultation exercise on how fisheries regulation activities can be rationalised or better shared. The noble Lord, Lord Teverson, made a very good case for better co-ordination, particularly between the IFCAs and the MMO. Again, we all acknowledge his considerable experience in this regard. We would hope that this is

[Baroness Jones of Whitchurch]
something that the department is doing anyway, particularly as part of the repatriation of policy from the EU. However, I agree very much with the noble Lord that there is further work to be done on this and that this information should be made available to Parliament for further consideration and debate. Therefore, it would be helpful to have this as a requirement in the Bill.

The noble Lord, Lord Randall, has made a very simple proposal about changing the Short Title of the Bill to "Fisheries and Marine Conservation Bill". It is a simple idea, but we very much support the amendment. It encapsulates many of the preceding debates we have had. It is clear that we do not want to put an artificial divide, with marine conservation being dealt with in the Environment Bill rather than as part of the Fisheries Bill, as we think it should be. This is important and it is a central principle here. As the noble Lord, Lord Randall, made clear, this Bill is not just about the industry; the decisions we are making have all sorts of wider ramifications and knock-on effects.

We have so much more to do in delivering the rollout of the blue belt of marine conservation areas. The amendment underlines the importance of marine planning in the conservation of our fishing stocks. As the noble Lord said, changing the title of the Bill would send an important message in this regard, so we share the hope that the Minister will see that this simple and helpful suggestion is something that the Government could support. Therefore, we add our support to the noble Lord's suggestion.

Baroness Bloomfield of Hinton Waldrist: My Lords, I am grateful for Amendment 123, tabled by the noble Lord, Lord Teverson. I welcome the opportunity to set out the arrangements already in place for ensuring such co-ordination, because I believe the Bill supports the aims of the noble Lord's amendment. I will address the amendment as two parts.

First, the Maritime and Coastguard Agency and the Marine Management Organisation have distinct and separate regulatory functions. The MCA is responsible for providing a 24-hour maritime search and rescue service around the UK coast, as well as producing legislation and guidance on maritime matters, and certification for seafarers. The MCA is sponsored by the Department for Transport, as its responsibilities relate to vessels and infrastructure. By contrast, the MMO licenses, regulates and plans marine activities in the seas around England to ensure they are carried out in a sustainable way.

Notwithstanding this distinction, there are areas of shared interest where these organisations already co-ordinate and work jointly to achieve their regulatory purpose effectively. This includes the operation of aerial assets for monitoring and surveillance, the collocation of personnel in the Joint Maritime Operations Coordination Centre, and intelligence sharing. Opportunities for further collaboration and efficiencies are still being identified.

5.45 pm

Turning to the second part of the proposed amendment, I do take on board the concerns referred to by the noble Lord, particularly given his experience, and I will take those back to the department. The MMO and inshore fisheries and conservation authorities, or IFCAs, are working collaboratively increasingly well. The Marine and Coastal Access Act 2009, to which the noble Lord referred, enshrines consistent and co-ordinated co-operation in the general objective and duty to co-operate provisions.

In recognition of the benefits of close co-operation, the organisations have drawn up a memorandum of understanding for a co-ordinated approach to, amongst other things, effective management of fisheries and the marine environment, information and intelligence sharing, and joint patrols and the sharing of fishery patrol vessels. These memoranda are reviewed as necessary following any pertinent changes to the policies, procedures or structures of the parties concerned.

In practice, this has resulted in a joint intelligence provision between the MMO and the IFCAs, including tactical co-ordination groups to direct risk-based intelligence-led compliance and enforcement activity. Throughout 2019, the IFCAs were further integrated into the JMOCC, and inshore activity is now visible to, and co-ordinated across, the national maritime domain.

I have noted the role of the JMOCC, and your Lordships will be aware of its function to enhance capability and capacity across the maritime regulators, agencies and devolved administrations. The MMO and the MCA have committed to collocate personnel within the JMOCC.

I reassure noble Lords that effective co-ordination exists between maritime regulators and is already mandated within the Marine and Coastal Access Act. No further regulation or consultation is required. Opportunities to improve operational relationships and to collaborate more efficiently and effectively are continuously sought.

On accountability to Parliament, I further reassure noble Lords that additional legislation is not required in this area. Schedule 1 of the Marine and Coastal Access Act 2009 commits the MMO to deliver an annual report to the Secretary of State on how it has discharged its functions. This report is laid before both Houses, and the MMO is accountable to Parliament for its contents. MMO annual reports typically include details of collaborative work with other marine regulators.

Turning to Amendment 128, tabled by my noble friend, the Bill is designed to replace the common fisheries policy, and I have been advised by parliamentary counsel that the short title is appropriate. They have advised that a short title does not need to be comprehensive; it just needs to give a good idea of what the Bill is mostly about. In this case, that is replacing the common fisheries policy. The Bill's short title is the Fisheries Act 2020, which therefore seems appropriate.

Your Lordships will also be aware that the long title sets out the scope of the Bill, which includes the term "marine conservation". However, this sits alongside the term "fishing, fisheries and aquaculture", and its inclusion should be taken in the context of protecting the marine environment from those activities. Adding "marine conservation" to the short title might suggest that the Act should include provisions relating to the protection of the marine environment and wildlife

from a wider range of activities, such as energy production, shipping and tourism. However, I am advised that, in reality, changing the short title has no legal effect.

I should also draw my noble friend's attention to the fisheries objectives in Clause 1, the first of which is sustainability; the third is the ecosystem objective. We also have the Environment Bill, which will cover many of the issues to which the noble Lord rightly drew our attention. They are in its objectives.

In light of this explanation, I hope that the noble Lord, Lord Teverson, will withdraw his amendment.

Lord Teverson: I thought that the amendment of the noble Lord, Lord Randall, was far better than mine. I am very sad that, despite the fact that it would have "no legal effect", it is not possible. We come to the end of Committee. It is a pity that the noble Lord, Lord Grocott, is not still here, because he was here at the beginning. He said that he was just so excited; I am sure we all remember that strong advocate of Brexit saying how exciting it was to be able to talk about all the new ideas coming through in these amendments. Well, where are we? We have had the charging for things that should not be discarded, which was a change, but, other than that, I find the Bill very conservative. If I were to give the Government one bit of advice—I never thought I would hear myself say this—I would tell the Minister to deliver the Bill to Dominic Cummings at No. 10 and ask him to sex it up. I think that is seriously what is required. We have an opportunity here really to make a difference. This is Brexit and we are an independent coastal state for goodness' sake—let us make the most of it. But what do we have? Something that is really just the status quo. Anyway, that is my feeling about it.

I thank the Minister for his perseverance with all of us during Committee—I know we do not normally do this at this time, but I really do—and I thank the noble Baroness. On this amendment, I recognise the progress that the Government are making in this area. I think, in reality, that the IFCAs and the MMO are structurally flawed; this is very difficult to solve. I am not saying anything else, but progress is being made there. The memorandums of understanding are probably new since I was involved in this—or they are being developed—but I welcome them. With those comments, and my commiserations to the noble Lord, Lord Randall, on his last effort, I look forward to Report and beg leave to withdraw my amendment.

Amendment 123 withdrawn.

Amendments 124 to 125A not moved.

Schedule 10 agreed.

Clauses 46 and 47 agreed.

Clause 48: Interpretation

Amendments 126 and 127 not moved.

Clause 48 agreed.

Clauses 49 and 50 agreed.

Clause 51: Short Title

Amendment 128 not moved.

Clause 51 agreed.

House resumed.

Bill reported without amendment.

5.53 pm

Sitting suspended.

HS2

Question for Short Debate

6 pm

Asked by ***Baroness Bennett of Manor Castle***

To ask Her Majesty's Government what assessment they have made of the current options for (1) the route, (2) the speed, and (3) the station locations of HS2.

Baroness Bennett of Manor Castle (GP): My Lords, I thank everyone who has put their name down to speak in this debate and everyone who has rearranged their schedule to be here at this surprisingly early hour.

The request for this debate was lodged several months ago, when the Government were reviewing their entire plan for HS2. In the meantime, of course, they have announced their intention to go ahead. Subsequently, plans have been announced by the broadcaster and campaigner, Chris Packham, to seek a judicial review of the decision in the light of the climate and wildlife impacts of the plan. That came after the High Court ruled that the Government's decision to go ahead with the proposed Heathrow third runway had failed to take into account commitments they had made under the Paris Agreement on climate change. The Government have said they will not appeal that decision. Legal commentators have said that other challenges may well be launched to HS2, and this comes as North Somerset Council made the historic decision, after a great deal of work by campaigners, not to allow the expansion of Bristol Airport on the basis of the climate emergency.

I would not presume to offer a detailed legal commentary in your Lordships' House, with our many distinguished legal experts. However, you do not have to be an expert to see that the legal ground has shifted as the physical climate and the state of the natural world have grossly deteriorated. We are in a climate emergency, and plans made a decade ago on highly dubious grounds then are clearly outdated and quite possibly illegal. In this age of clear and understood climate emergency—which is acknowledged by the Government and Parliament—to rely on a phase 1 environmental statement completed in 2013 is farcical. That was before the Paris Agreement was even concluded, the agreement which this Government have signed up to and which they have taken on the great responsibility of delivering at COP 26.

That a court has ruled out the Heathrow third runway on the grounds of insufficient environmental consideration, but the Government are be ploughing ahead with HS2—celebrated by the administration of

[Baroness Bennett of Manor Castle]
Birmingham Airport as a great boost to its business—cannot be squared up. As Extinction Rebellion has said, HS2 is "an aviation shuttle service". The climate emergency is not the only pressing critical issue; we are also in a nature crisis. The UK is one of the most nature-deprived countries in the world, a fact that has led civil society groups representing some 10 million Britons, from the National Trust to Buglife, and from the RSPB to the Woodland Trust, to demand that the current HS2 plans do not go ahead.

My understanding is that in the legal case the Government claim that the decision they made on 11 February to go ahead with HS2 is merely a political one, but the atmosphere does not respond to political arguments or reduce its temperature as a result of rhetoric. The ancient trees, birds, wetland plants and mammals on the HS2 route will not see their lives saved and their environments protected by government words. The bulldozers and the chainsaws, as well as the intended notice to proceed, which we expect to see within weeks, loom over them unless the court comes to their rescue as it came to the rescue of the climate regarding Heathrow.

There are two potential approaches to the way forward from here, and I expect this debate to cover both. The first, and definitely my and the Green Party's preferred option, is to stop the whole project and stop throwing good money after bad. Yes, £8 billion has already been spent on HS2, but that is dwarfed by the potential £106 billion—and counting—cost of going ahead. That money is not only threatening to produce a white elephant; it has an opportunity cost. It is money that is not being spent on walking and cycling facilities, local buses and regional trains that would slash our carbon emissions, helping us to meet our legally binding agreements under COP, cause vastly less damage to biodiversity and bioabundance and help local economies, rather than boost the Great Wen of London further. The Government say that HS2 is part of the much-vaunted levelling up for the north and the Midlands, but with 40% of the economic benefit going to London, that does not add up. HS2 is pumping even more money, resources and people into a capital that is already suffering from the economic weakness of its hinterland.

There is also an opportunity cost in skills, machinery and worker capacity. We know that we have a massive skills shortage in the UK. The construction industry is gravely concerned about the impact of Brexit on its labour supply and about the ageing of its workforce. Workers are a valuable, scarce resource. They should be working for the best benefit of the people of the UK and its desperately damaged natural world.

There is also the climate impact, of course. According to HS2's own forecasts, even over 120 years, its overall construction and operation will cause carbon emissions of 1.4 million tonnes of carbon dioxide equivalent. In the next crucial 10 years, before it even gets to Birmingham, the impact will be heavy and damaging. In a period when we need to slash our emissions, we will instead create massive quantities of them, with all that concrete, all that steel and all those bulldozers. So, my number one question to the Government today is will they stop HS2, as 10 million members of NGOs are asking them to do?

Alternatively, and because this is a debate, a secondary way of proceeding is to reduce the damage caused by the initial and second stages. Indeed, we might reverse the order altogether. Sometimes, and I understand this entirely, campaigners feel that we need to be absolutist—to say that we are only interested in stopping something dreadful—but I see nothing wrong with trying to stop something and understanding that any political or legal effort might fail and working at the same time to limit or reduce the damage.

Indeed, many years ago, when I lived in Somers Town in Camden, I had talks with HS2 about reducing the dreadful impact on residents of social housing there. Although I claim no personal credit, because I am sure that many others were making the same representations, plans to "double decant" residents—to make them move twice—were changed. That is why I am asking in this debate that potential changes to the route, the speed and the station locations should be considered. I hope that those who are to speak later will pick up on these points and amplify in more time than I have available.

I ask the Government to consider the strong and clear position of the Wildlife Trust. It is concerned about wildlife so it does not have a particular position on HS2 as an overall project. Its concern has always been the impact of the current design on wildlife. In response to the Government's 11 February announcement, the trust pleaded that it is more critical than ever for the whole HS2 project to be redesigned before it creates a scar that will never heal. I should say to noble Lords that that comes not from me, but from the Wildlife Trust.

The heart of this problem is speed that demands a straight line that will affect in total some 350 wildlife sites: nature reserves, ancient forests and woodlands which are home to some of the UK's rarest species, but which are also home to huge numbers of starlings and sparrows, frogs and toads. These animals may not be rare, but we have seen their numbers collapse over recent decades. We need to preserve them all, and we cannot afford this destruction.

Then of course there is the human disruption. Life in too many communities has already been blighted by the prospect of HS2, and that blight is threatening to become permanent, even though it could be changed. HS2 has argued that speed is crucial, but that argument, based on the curious assumption that businesspeople do not work on trains, fell apart. HS2 shifted its argument to one about capacity. Capacity does not need super high speeds far exceeding those of continental trains which travel far greater distances; speed that consumes massive amounts of energy. Less speed means more chance to avoid ploughing through ancient, irreparable woodlands and wetlands and communities. On the idea that the damage can be offset by diversity offsetting, an ancient woodland has taken hundreds of years to create, and sticking in a few saplings does not replace it. There is also the question of the parkway stations, to which we all know it is highly likely that passengers will drive.

At its conference in Cardiff in February 2011, the Green Party decided to oppose HS2, and I sometimes I that I have talked about little else since, but the arguments essentially have not changed, it is just that the nature crisis and the climate emergency have become far more pressing. I shall conclude with the words of transport and sustainability expert, Professor John Whitelegg, who said in 2011:

"Everyone knows the Greens are passionately committed to social justice and to the environment. The current HS2 proposals would serve neither."

I ask noble Lords today to consider that on many issues, from the climate emergency to air pollution, and borrowing to invest to agro-ecology, the Green Party has led and others have followed. Please join us in opposing HS2, stopping HS2 or, at the very least, significantly changing the plan.

Viscount Younger of Leckie (Con): My Lords, the House may be pleased to know that the time limit for this debate has been extended to 90 minutes. The limit for Back-Bench speeches has increased to 10 minutes, but no more.

6.13 pm

Lord Faulkner of Worcester (Lab): My Lords, I notice that does not apply to the mover of the Motion.

I remind the House of my railway interests which I have declared on the register. I congratulate the noble Baroness, Lady Bennett of Manor Castle, on securing the debate. The questions she has asked about the route, the speed and the station locations of HS2 are very interesting ones and are, I suggest, comprehensively answered in the report *Oakervee Review*, to which she made not a single reference in her speech.

Paragraphs 6.9 and 6.10 of the *Oakervee Review* say:

"If starting from a blank sheet of paper, the cost impacts from reducing the speed and frequency of the design could have the potential to be quite wide-ranging: different alignments could be found, stations could need fewer platforms, junctions like the approach at Euston station could be de-scoped, and structures could be cheaper … However, to achieve these cost reductions would require revising the route alignment and designs. For Phase One, this would require changing the Phase One Act which, depending on the amount and scale of changes required, would require new environmental impact assessments, consulting with newly impacted communities and enacting new legislation. This could significantly delay the forecast opening date of Phase One, causing further uncertainty and blight to local communities on the route."

This is my final quote from Oakervee:

"The key question is whether to build HS2 now with the maximum capability for 18tph at 360kph, or reduce requirements now and risk in the future wanting to add in this capability, which would be much more expensive to do."

The answer is self-evident. While it may make sense to start with a more cautious level of service, with fewer trains per hour perhaps operating at slightly lower speed, we have to build in the capacity to run trains faster and more frequently in future. Can noble Lords imagine any of the great Victorian railway builders such as Brunel imagining that they would build a railway geared just for the speed of the 1840s and 1850s? No, they built for the future. That is why we have a railway network as it is. We have to show the same imagination with High Speed 2.

The noble Baroness also asked about the location of stations. I express my strong support for the Government's decision to accept the Oakervee recommendation to make Euston the London terminus. While Old Oak Common could temporarily be the terminus for trains from the north while the line to Euston is being completed, it cannot be a long-term solution.

As far as Birmingham is concerned, I am delighted that Curzon Street remains the city's terminus. Railway historians in the House will know that not only was Curzon Street the station serving both the London and Birmingham Railway and the Grand Junction Railway when the line opened in 1838, but happily it survives today as a grade 1 listed building. The Curzon Street area has already attracted £724 million of investment as a direct result of High Speed 2 and the overall effect on Birmingham as a whole has been immense, with both HSBC and PwC locating major parts of their business there in anticipation of the coming of the new railway. Andy Street, the Conservative Mayor of the West Midlands, has said:

"This is more than just a new railway, this is a game-changing project that is driving huge economic growth to the West Midlands, with thousands of jobs already created. A project of this significance cannot be allowed to be derailed by spiralling costs."

Similarly, numerous other towns and cities—not just the initial 25 that will receive direct HS2 trains, but many more up and down the country—will get better rail services. Local growth plans show that almost 500,000 jobs and 90,000 new homes will be the result of the better connectivity that HS2 services will bring. It already supports 9,000 jobs across the country, including 320 apprentices, and 70% of the 2,000 businesses that have already worked on the project are small and medium-sized enterprises.

There is one other potential station considered by Oakervee, which I support and on which I would welcome the Minister's comments in due course. Conclusion 14 of the report reads:

"The DfT should consider making passive provision for a future HS2 station near to Calvert."

The Oxford to Cambridge line is currently being rebuilt in stages. It was not in the Beeching report for closure and should never have closed in the 1960s, but it is being rebuilt and the route will cross HS2 near the village of Calvert. There will be a phase 1 infrastructure maintenance depot for HS2 there, and there is a lot of residential and commercial development planned for the area. While it does not make sense to delay HS2's construction to build the station now, it would be sensible to make provision for it.

It is worth remembering that other countries that have successfully built and are operating high-speed railways have added stations as demand has increased. Taiwan for example, which I know well as the Government's trade envoy, opened its high-speed line between Taipei and Zuoying in 2007, and added four additional stations in 2014 and 2015, as well as extending the line. They worked to the principle of "build the capacity and the people will come". Your Lordships may be impressed to learn that last year that railway carried 67.5 million passengers and 99.88% of its trains ran on time. That is the sort of service we can look forward to with HS2.

[Lord Faulkner of Worcester]

Contrary to what the noble Baroness said, HS2 will be a green and environmentally friendly railway. There is a commitment to creating a green corridor along its tracks, with 7 million new trees and shrubs already being planted along the phase 1 route, and the establishment of a woodland fund to restore existing ancient woodlands and create new ones. There will be 650 hectares of new woodland. That contrasts with the 29 hectares of woodland that will be lost over the 140 miles of HS2; that is out of 3.19 million hectares of woodland in the UK, of which around 1 million is described as ancient woodland. By contrast, the *Independent* reported that when contractors widened just 2.5 miles of the A21 in Kent they took out 9 hectares, almost a third of the HS2 total.

Above all, HS2 will be crucial in achieving the transition to carbon net zero by 2050 and create a long-term carbon alternative to domestic flights or driving. I hope the Minister will be able to give a commitment that her department will look again at HS2's potential for modal shift, as that would significantly enhance its business case. As the Prime Minister said in his Statement on 11 February:

"Passengers arriving at Birmingham Airport will be able to get to central London by train in 38 minutes, which compares favourably with the time it takes to get from Heathrow by taxi".—[*Official Report*, Commons, 11/2/20; col. 712]

There is an inescapable logic in that statement, because the greatest environmental gain which HS2 will make possible is the abandonment of the third runway at Heathrow. I hope the Green Party might be able to agree with me on that at least.

6.22 pm

Lord Greaves (LD): My Lords, I wrote a pretty good speech, but then discovered that the debate was starting in about two minutes and did not have time to go and get it, so this will have to be off the top of my head, I am afraid. I congratulate the noble Baroness, Lady Bennett of Manor Castle, on securing this debate. When I first became a Peer, people said to me, "You're a Lord? Do you have to have a castle?" I congratulate the noble Baroness on having both a manor and a castle, but I am sorry to say that I do not agree with what she said. I agree that even now, the climate emergency is more serious than most people recognise. It must be taken very seriously. COP 26, which the Government are organising with Italy—when they both have some spare time away from coronavirus—will be an important event. If it does not fundamentally change what we all do, we may well be doomed, but I do not agree with the Green Party that HS2 is somehow at the heart of everything that is going wrong with the planet.

If HS2 was abandoned, what would be the consequence? I am afraid to say that, given the forces that exist in this country, it might well be more motorways. That would be utterly and totally disastrous. Chris Davies, one of our former MEPs for the north-west, told me that HS2 is equivalent to two whole new four-lane motorways. I do not know where that comes from, but it is clear that the west coast main line is just about full. Whenever anything happens, there is chaos—as there was yesterday, when I tried to get down here. If you stand at a station on the east coast main line such as Retford or Newark, and watch the trains whizzing past, you think, "My goodness, they really are coming every other minute." That may be a slight exaggeration, but both those main lines are essentially full, so something has to be done.

One thing that could be done is to significantly reduce travel and the amount of goods being moved around the country, but I do not see any policies from the Green Party suggesting how on earth this could be achieved. Yes, there will be bulldozers and chainsaws, and they are ugly machinery, but what are the alternatives—walking, cycling, local buses? Even the Government think these are important now, but I am not sure that they are putting enough money and resources into them. However, I cannot get from where I live in Lancashire to Euston or Westminster by walking. I cannot even do it by cycling nowadays—I could have done it once, although it would have taken some time—and certainly not by local bus.

I have looked at the information the Wildlife Trusts have provided about the number of sites they say will be affected or destroyed. There are all these figures being bandied about, some of which were given by the noble Baroness and the noble Lord, Lord Adonis—the latter from a different point of a view—so it would be helpful if someone sorted them out and worked out exactly what the truth is. As much as I support the Wildlife Trusts in all sorts of ways—particularly their planting loads of trees in places such as the new Northern Forest—they are probably overstating their case substantially. Yes, starlings, frogs and sparrows are important, but what they want is woodland; the frogs want nice places where they can breed and splash about. If that can be provided in greater quantity, we do not need to preserve every single existing sparrow, starling and frog; otherwise, there is no development of any sort, anywhere. The Green Party has to come clean on this and say if that is what it wants. If so, okay, but it should tell us.

It looks as though, initially—cross fingers—we will now get the HS2 from London to Birmingham. There is a Bill going through for extension 2a to Crewe, taking trains to what the Minister called the "gateway to the North", which is the north-west's version of Balham: the gateway to the south. Noble Lords of my age will understand the joke. I see the Minister is laughing, so she must understand it—that is good—despite being about 100 years younger than me. Extension 2a to Crewe and beyond will allow compatible trains to travel on to Manchester, up the west coast main line to Preston and beyond to Scotland. One hopes that that is still firmly in the plan. It will also allow some to go to Liverpool and north Wales—we will see how that comes about—but that in itself will not sort out the north of England.

We now have a new specific HS2 Minister, who has been given the job of sorting all this out. He happens to be the Member of Parliament for the constituency where I live, Pendle. I wish him the best of luck. It will make his career or destroy it—we shall see—but it is time that HS2 made careers because it is so important.

At the moment, there is a proposal for an extension to Manchester. There is also a proposal for the other leg of phase 2a—or is it 2b or 2z, I do not know—to Yorkshire via the east Midlands. We need to be banging

the table and saying that the leg from Birmingham to the east Midlands and Yorkshire is fundamentally important. Loose talk is going around in some circles suggesting that that will be put to one side and the leg to Manchester will be built and continued over the Pennines to Leeds as part of the thing that has various names, one of them being Northern Powerhouse Rail. That would be a fundamental mistake because it would miss out south Yorkshire and the east Midlands, two important urbanised industrial regions that the line really needs to serve.

My noble friend Lord Shutt of Greetland will give some detail on the proposed line in Yorkshire east of the Pennines, and I pretty well agree with what he will say about that. However, it is vital that the way in which HS2 conceived is changed. So far, it has mainly been seen as a way of connecting places in the north of England and Birmingham with London: it has all been about connections and routes to London. Well, we are going to get the route to London. But in the future, we should look at the Birmingham to London section as a branch line, or at least as a line off, with the main spine of a high-speed line in England extending from Newcastle to Exeter. Trains can then run from the far south-west—a region that needs as much infrastructure investment as the north of England—right through to the north-east, and then through to Scotland. We can run trains via the north-west by Carlisle, but the north-east is the major industrial region north of Lancashire and Yorkshire. That new concept ought to be looked at.

On that basis, I ask the Minister to go back to her department and talk about this. Meanwhile, just get on with the first part of this, please.

6.32 pm

Lord Adonis (Lab): My Lords, yesterday was the 10th anniversary of my announcement of HS2 to the House. Taking account of what has happened in that period, Parliament and the country should be reasonably proud of the progress. This is the biggest infrastructure project that the country has engaged in since the Victorians. My noble friend Lord Faulkner mentioned the excavation that is taking place at Curzon Street at the moment. There are wonderful pictures on Twitter of the discovery of the original turntable for the steam trains that has just been excavated as part of that.

The work is proceeding. Parliament has given its consent to the first phase. It is the single biggest infrastructure project that the country has authorised since the completion of the Great Central Railway in 1899. It continues as a consensus project between the major political parties. It was begun by the Labour Government, continued by a coalition of the Conservatives and the Liberal Democrats, and has continued under two different Conservative Governments since.

Being always an optimist and looking forward, to those who say we cannot do big infrastructure projects in this country and we certainly cannot build railways in straight lines because that involves too many concessions to protesters and so forth, I say: that is not true. Where Government, Parliament and the major political parties are aligned and put the national interest first, we are able to move on these projects and HS2 is an outstanding example.

The problem is that the Government at the moment are only half behind HS2. In the Statement the Prime Minister made on 11 February, he gave what I should call the fourth green light to the project, or a continuing green light, like those trains going 125 miles per hour down the Great Western Railway, about which my noble friend is such a great expert. For as long as the green light continues, you can keep up the progress, but as soon as you see the amber one, you start to slow down. We have had a continuing green light for the first phase, but the Government have now put the amber light on all of the subsequent developments north of Birmingham.

A great Liberal Prime Minister, David Lloyd George, famously said, "When traversing a chasm, it is advisable to do so in one leap". We were supposed to be moving on the development of the line north of Birmingham, which is absolutely integral to the project. The idea of building a high-speed line which is supposed to link London, the Midlands and the north, and stopping it at Birmingham, is of course absurd. The line obviously needs to go through to Manchester and Leeds. Just at the point when we were able to put before Parliament and develop this scheme as an integrated project, the Government have tried to split the difference with the critics, which is always a huge a huge mistake in my experience of government. We need only listen to the speech of the noble Baroness, Lady Bennett, to know that we cannot meet her half way. She is not capable of meeting half way; what she wants is to stop the thing. She does not want to see compromises on the way. Having a review of what happens north of Birmingham is not going to propitiate the noble Baroness. It is going to whet her appetite into thinking that once she gets going in the courts and with her protesters she will stop the whole scheme.

The right thing to do in this situation, where it is manifestly in the public interest—we need this rail capacity and we need the connectvity between our major cities—is to get on with it. The plan has been developed, was published, was agreed in principle by Parliament, and has stood the test of successive reviews. The right thing is to go ahead with all deliberate speed. The Prime Minister's Statement on 11 February gave the green light for the continuation of the development of the scheme from London to Birmingham, which is already being built. Your Lordships need only go to Euston to see that the whole place is a massive construction site. HS2 Ltd is based in Birmingham, there are thousands of people based there too, and the excavation work is already beginning at Curzon Street station. So the Government gave the green light to continuation of that scheme, and they revived what is called the phase 2a Bill, the extension from Birmingham through to Crewe, although that had already started in Parliament in the middle of last year and was subject to a significant delay by last year's political turbulence. What was supposed to happen this year was the introduction of the phase 2b Bill—the extension of the line from Crewe to Manchester, and from Birmingham through the junction station of Toton between Nottingham and Derby, and then up to Sheffield and through to Leeds.

In the timeframe set out by the Government when they gave the go-ahead in 2013 to the revised HS2 timetable—it was much slower than I would have

[Lord Adonis]
taken it forward in 2010 but would at least have kept it moving—the plan was for the phase 2b legislation to be published this year. We already know the route, unless the Government are going to pull the whole scheme up by the roots and start again. The issue now is getting a political decision to proceed with the legislation for phase 2b, which means taking the clear decisions on routes, publishing the Bill, and putting it through the hybrid Bill process which is already starting with 2a. If this was being done properly, what would have happened was a direct continuation from the phase 2a Bill to the phase 2b Bill, and we could have treated this as a single project, have a single construction timeframe, and even try something really radical. This Government say they believe in the north—why could we not start constructing the line from the north southwards, as well as from London going northwards? It could be done in a much shorter timescale, it could give a much bigger impetus to development in the north, and it could also save a great deal of money. Extending this timeframe will add significantly to the costs of the overall project.

What always happens when a Government are in limbo, as they are on phase 2b, is a cascade of waffle. The telltale sign of a cascade of waffle is a Government Statement that comes out on a Friday afternoon. On 11 February, the Prime Minister said that there would be a further review of HS2 going north. We asked when the review would be announced and what the terms of reference would be, and the information was then smuggled out on a Friday afternoon with no press statement and no fanfare whatever. The reason it was smuggled out on a Friday afternoon was that between 11 February, when the first announcement of the Government's policy on HS2 was made by the Prime Minister, and the declaration of the terms of reference and review of the northern phase of HS2, a huge delay had already been introduced.

The Prime Minister said that there would be a six-month review, and perhaps I may deal with that. We have just had a seven-month review of HS2 that was originally billed by the Prime Minister last July as a six-week review. Let us follow this through. The six-week review became a seven-month review. That seven-month review, the conclusions of which my noble friend Lord Faulkner read, recommended that phase 2b of HS2 should proceed. It did not set out qualifications or recommend a further review; it said that it should proceed now.

Instead, the Government announced a six-month review. However—this is the reason the Statement came out on a Friday afternoon—that six-month review has already become a nine-month review, and that is before it has even started. In the review's terms of reference, which were smuggled out on a Friday afternoon, we are told that the review will now conclude by the end of the year. Perhaps I may let noble Lords into another trick of government: when a statement includes words as vague as "the end of the year", that almost certainly means well into next year. In my estimation, in terms of taking HS2 forward north of Birmingham, the effect of the Government trying to traverse this chasm in two leaps will be at least a two-year delay and probably a much longer delay because of the discontinuity involved in the phasing.

When you read the statement that was smuggled out on the Friday afternoon, you see that there is even more waffle. Perhaps I may read the key paragraph and deconstruct it for the House:

"The Oakervee review concluded that for Phase 2b of HS2 … a Y-shaped network was the right strategic answer for the country."

That is completely right—that is what it says. However, it goes on to say that

"Phase 2b needs to be considered as part of an Integrated Rail Plan for the north and Midlands which also includes Northern Powerhouse Rail, Midlands Rail Hub, and other major Network Rail schemes to ensure these are scoped, designed, delivered, and can be operated as an integrated network."

That may all be true but none of it is any reason for delaying the development of phase 2b north of Birmingham. Phase 2b would not have been due to open until 2032 if we had introduced the legislation this year, but delaying it means that it will be much closer to 2040. There is plenty of time to work out how the development of HS2 will integrate with other developments in the north. The key question is: are the Government going to stick to the Y-shaped route? If they are, they have to serve Manchester Airport, Manchester, Toton, Sheffield and Leeds. Once you have taken those key strategic decisions, the question of integration is how that line relates to the other lines. That is not a reason for delaying the construction and planning of HS2 north of Birmingham unless the aim is to change that route.

I can see that the noble Viscount is encouraging me to wind up. I assume that the Government are not seeking to change that route, so the right thing for them to do now is to scrap this further review. That would simply reaffirm the decision to proceed with phase 2b now, to publish the Bill later this year, and to do those things which in my day in government we used to think was our job, which was to take big decisions, make big investments and just get on with it.

6.43 pm

Lord Shutt of Greetland (LD): My Lords, I too congratulate the noble Baroness on securing this debate and note that she has drawn attention to the changed circumstances. She also used the words "white elephant". The reason I am speaking is that I want to prevent HS2 being a white elephant, in that I am concerned about integration and connectivity.

I have been a long-term supporter of HS2 on the basis that more capacity is needed. Incidentally, the noble Baroness should be aware that HS2 is nothing more than a replacement for a railway that we used to have called the Great Central. That is all it is, quite frankly. It is another line from the north to south that was taken away by Beeching; HS2 is a replacement. I am concerned that HS2 should be part of the whole railway system, with connectivity—indeed, integration—between HS2 and the traditional railway.

I have never been happy about the hammerhead terminal in Leeds, where the line came up and was ended—as it were—as the shaft of the hammer, even though the shaft of the hammer has now been moved nearer the mainline terminus in Leeds. It was my belief that it had already been agreed that there would be a link between the HS2 phase 2b northern link in the

direction of York—for a junction to be provided so that HS2 trains could reach the north, west or, indeed, south of Leeds by reaching Leeds from the east.

It is important that people understand the railway geography of Leeds. In effect, if Leeds city station is the centre, there are eight points. Only one of the those is to the east. Everything else goes to the west, to the other seven points. So, whether west means going to Harrogate, Bradford, Ilkley, Skipton, Carnforth and Carlisle, to Bradford, Halifax, Calder Valley and Manchester, to Dewsbury, Huddersfield, Manchester Airport, Liverpool, back down to Wakefield, Doncaster and Sheffield, to Normanton, Barnsley, Sheffield and Nottingham, or to Castleford, Pontefract and Goole, it is all from the west side of the city of Leeds. If you are to have any connectivity and integration, with trains coming from the HS2 network and continuing somewhere else—Leeds is a very important place, but it is not the only place in Yorkshire—it is very important that we serve other places in the old West Riding, in West Yorkshire, as well as Leeds.

Presently, under our traditional railway system, we have trains from King's Cross. Within the last year, we now have trains every two hours to Harrogate rather than one a day, as well as a train to Bradford Forster Square and a train to Skipton; that is three different directions. We are also promised a train to Huddersfield every two hours, although goodness knows when it will happen. I do not know what the plans will be regarding what will be served by HS2 through extending, or whether these places are to be served only by a traditional railway. I do not know whether anybody knows. But there has to be at least the possibility and opportunity that other places in Yorkshire can be served by HS2—not only Leeds.

It may be that the Minister will tell us about Northern Powerhouse Rail. I want to be certain that the whole business of connectivity in Yorkshire does not fall between two stalls—that it is picked up in either in the HS2 programme, which it should be, or the northern powerhouse programme, which I think is somewhat vague. I hope the Minister will be able to say that we are sticking to the position that has been recommended. Oakervee says to stick to the full Y-shaped network. I hope that Y-shaped network will embrace the opportunity of proper integration within Yorkshire.

6.49 pm

Baroness Randerson (LD): My Lords, of course HS2 should be built, but it must be HS2 as a whole—the full route—and it must continue through to Scotland, which we hope will still be part of the United Kingdom by the time that gets done.

There is a three-pronged argument for HS2. The first argument is that of levelling up the prosperity of the north. Secondly, there is the environmental argument. In 2018, the transport sector accounted for 33% of all CO_2 emissions in our country, and most of that came from road transport. Electrified rail is significantly cleaner than road, air or sea traffic. Research by Greenguage 21 on behalf of the Campaign to Protect Rural England, the Campaign for Better Transport and the RSPB showed that HS2 emissions per journey will be 73% lower than for those by road or air.

Thirdly, of course, there is the capacity argument: existing routes are full and getting fuller. As far back as 2014, 26% of morning peak trains on this route arriving in London were over capacity. We need a new long-distance, high-speed line to free up existing lines for commuters on shorter routes.

HS2 has been under sustained attack, and despite the positive response of the Oakervee review, the project is still subject to scrutiny, as the noble Lord, Lord Adonis, set out. The aim is largely to reduce costs—that is scrutiny—but there is environmental criticism as well. However, any attempt to reduce costs is likely to involve changes to the features specified in this debate: the route, the speed or the station locations. Critics of HS2 have often concentrated on the apparently poor cost-benefit ratio showing a poor business case for HS2. My noble friend Lady Kramer, in the debate we had following the publication of the Oakervee review, exposed how narrow that cost-benefit analysis actually is. There have been criticisms for years of the way in which we do our transport cost-benefit analysis. The analyses of rail schemes do not take into account the regeneration potential of such schemes. It is time for the Government to move on and adopt a new means of analysis so that we take account of potential regeneration. Other countries do so when planning their infrastructure, and we should be doing this on a firmer basis.

The danger is that any attempt to reduce the costs of HS2 will take the easy solution and simply curtail the route, but Northern Powerhouse Rail's plans are designed to integrate with HS2. One is dependent on the other, so that is not an option. Only by building the full route will we maximise the potential of HS2 to, for example, replace internal flights. Not only will emissions be 76% lower than those of an internal flight but it will also be able to compete on journey time and cost. There are examples on the continent of rail replacing flights very effectively where high-speed lines have been built.

We can find plenty of European examples of high-speed rail regenerating cities and creating jobs, such as Lille, Lyon and Zaragoza. In the UK, our one high-speed line—the short stretch of HS1—has had a catalytic role in enabling regeneration around its stations. It has been an all-round success, with reduced journey times, increased capacity, reduced overcrowding, improved punctuality and reliability and the encouragement of a modal shift from car to rail.

I want to address the specific issues set out in the title of this debate: the speed, the stations and the route. First, speed costs money. HS2 is designed to travel at 400 kilometres per hour, but this costs a lot of money. Compare that with, for example, the speed of 325 kilometres per hour achieved on the TGV. Evidence to the Economic Affairs Committee suggested that reducing the speed would reduce the costs by £1.25 billion and the benefits by £6 billion. I do not know whether that is 100% accurate, but even if it is generally in the right ballpark, it is difficult to justify much reduction in speed unless you can be absolutely sure that there will be a significant reduction in cost.

There are some really controversial issues to do with the stations. It is worth pointing out that most high-speed lines in other countries do not link into the

[Baroness Randerson]
centre of the capital city. I have always believed that using Old Oak Common as a terminus is a reasonable approach, certainly in the early years. It would reduce the amount of disruption in the Euston area and the cost of regenerating that station. Some £2 billion of the increased cost of HS2 is due to the increased cost allocated for Euston station alone. Of course, the capacity of Old Oak Common would have to be increased beyond what is planned at the moment. The original reason for the Euston link was to link with HS1, but that direct link has already been abandoned, so that is one argument down for continuing the concept of building the Euston station interchange immediately.

I would like to put in a quick word for the Crewe link. On behalf of the people of north and mid Wales, I am very keen indeed that that link is maintained. It is important that every nation of Great Britain benefits from HS2. That link to Crewe is essential for railway efficiency in north and mid Wales.

Lord Berkeley of Knighton (CB): Hear, hear.

Baroness Randerson: I am very pleased to hear that support from the Chamber. Can the Minister tell us whether final decisions have been made about the Sheffield station? I remember there was a huge debate about its location, and I have not heard the resolution on that.

The noble Baroness, Lady Bennett, referred to the importance of being prepared to change the route. It is important to bear in mind that significant changes have already been made, with many miles of tunnelling having been introduced as a result of the work of environmental campaigners. That is an extremely good success story. However, the costs of tunnelling are much greater than those of building on the surface.

In conclusion, I believe we need to get on with this. We lag badly behind other countries on high-speed rail. I suggest that the Government take the advice of the Institution of Civil Engineers to work closely with rail industries in France, Spain and Germany, where there have been hugely successful high-speed lines. I fundamentally disagree with the noble Baroness, Lady Bennett. We has to take the umbrella approach to the environment and take the view that we have to preserve the integrity of the environment as a whole. Only by building an environmentally efficient, modern railway line will we get people out of their cars, off planes and on to the trains.

6.59 pm

Lord Tunnicliffe (Lab): My Lords, I too thank the noble Baroness, Lady Bennett, for introducing this debate. It would have been slightly more helpful if the title had indicated that it was to be about whether to build HS2 or not. Fortunately, her case for not building it was well countered by my noble friend Lord Faulkner.

The key question was posed by the noble Lord, Lord Greaves, at the beginning of his speech: what would you do if it is not built? I am pleased that my noble friend Lord Adonis mentioned that HS2 has consensus support from the Front Benches, and I am content to reaffirm that.

The noble Lord, Lord Shutt, hit the nail on the head at the beginning of his speech when he said that this is about integration and connectivity. Sadly, my mental map of the north made it difficult for me to follow much of the rest of his speech.

I would also like to thank the noble Baroness, Lady Randerson, for bringing up the limitations of the cost-benefit ratio process. It is not very good at extrapolative conclusions, but it is quite good at interpretive ones. The Jubilee line extension reduced below unity before we started work on it, but it has changed the city. In a post-facto evaluation it came out at 2.5; over the 120 years that it will exist, I am sure it will be almost infinite.

The Government's decision to proceed with HS2 has been confirmed, despite the escalation in construction costs that resulted from dramatic mismanagement. A high-speed route connecting London to the north of England and up to Scotland is a necessary step to deal with the capacity issues on our railways, but the Government must take decisive action on several fronts as the project proceeds.

The noble Baroness, Lady Bennett, framed the debate by considering the route, speed and station location. Although these are important factors that could determine the success of the project, there are a number of other issues I wish to raise. First, we must consider how HS2 can be built as part of a wider network to connect towns and cities across Britain, using railways as a means of creating opportunities and lessening regional inequality. To this end, the Government must commit to integrating HS2 with Crossrail for the North, to extending the line to Scotland, and to the extensive reopening of branch lines to enable communities to reach HS2 by rail. This would reflect the initial intention behind HS2: that it would be a means to engineer growth for the area, which has not felt the same growth as London and the south-east.

In view of the investment potential of the UK economy, it is vital that the Government also commit to running HS2 services under public ownership. That way, it is the UK public, not private or overseas state companies, which will see a return.

Turning to the issues that the noble Baroness has detailed in her debate title, I will address route and speed together, as the central question here is whether it remains desirable to construct the line at the intended speed, despite the route constraints that this necessitates. If the Government chose to reduce the speed, there could be greater flexibility regarding the path the line follows. This would allow more thought to be given to the impact on the natural environment. However, this must be considered in addition to the economic and capacity benefits of the faster routes.

Can the Minister say whether the Government think it is more desirable to have a faster line with less route flexibility, or a slower one with greater route flexibility? Can she also indicate—this touches on my noble friend Lord Faulkner's point—the cost implications of a change to the route alignment at this stage of the project?

Turning to the location of stations, there is little debate to be had about the cities along the route at which the service will stop, but serious questions have

to be raised about whether the specific station locations within those cities are appropriate. There is also the issue, which I mentioned earlier, of the links from HS2 stations to others across the network, and the need to reopen stations and lines to connect communities to the network. When will the Government consider the proposals received relating to the £500 million fund for reopening railway lines?

A high-speed route is imperative to deal with the issue of our railways and the wider problems of regional inequality. However, such mismanagement, which has already led to such a dramatic increase in cost, is not inevitable. Can the Minister set out in more detail what structural changes to the management are planned? As spenders of large amounts of public money, can we be assured that HS2 will be instructed to adopt a culture of openness? I, more than most people, understand that things can go wrong with big projects. Cover-up and secrecy are the least positive reactions in those circumstances.

I hope the Minister can answer the questions that I and other noble Lords have asked, in order to assure the House that the Government have taken note of the mistakes so far and will change course to ensure that the project is delivered in the appropriate way to gain public support.

7.06 pm

The Parliamentary Under-Secretary of State, Department for Transport (Baroness Vere of Norbiton) (Con): My Lords, I thank the noble Baroness, Lady Bennett, for enabling us, once again, to get the HS2 horse out of the stable for a quick canter round the track. I will focus my response on the route, the speed and the stations and will cover as many other topics as I can as time allows. I will of course write to cover any omissions or to provide more detail.

With the right reforms in place, HS2 will become the spine of the country's transport network, bringing our biggest cities closer together, boosting productivity and rebalancing opportunity fairly across the country. This Government's decision to proceed follows careful consideration of Douglas Oakervee's independent review into HS2 and wider evidence, including the phase 1 full business case, which is imminent. The Oakervee report has now been published and sets out what the Prime Minister described as the

"clinching case for high-speed rail".—[*Official Report*, Commons, 11/2/20; col. 712]

Each of the issues being debate today—the route, speed and stations—have been carefully considered by the Government following not only the *Oakervee Review* but years of planning, development, public consultation and parliamentary scrutiny, taking a full range of views into account in making their decisions.

As noted by many noble Lords, HS2 has been a long time in the making—and there is still a little way to go—but the reasoning behind the design of HS2 began long before the *Oakervee Review*. As the noble Lord, Lord Adonis, pointed out, this has been supported by successive Governments and, since the publication in 2006 of the *Eddington Transport Study*, they have affirmed their goal to invest in transport infrastructure to meet growing demand for north-south movement and to strategically rebalance the economy. Between 2009 and 2012, domestic aviation and new motorways were appraised as modal alternatives to rail to meet these requirements, but rail was preferred on the basis of capacity, journey time and environmental impacts. A new conventional speed railway and upgrades to existing railways were also considered. The conclusion was that a new high-speed railway is the best option to meet the stated policy goals of improving transport capacity and connectivity between the UK's largest cities and facilitating long-term economic growth.

Following the conclusion to progress a new high-speed railway, various scheme designs were considered for HS2. The current Y scheme was selected ahead of alternative designs on the basis of its relative affordability, journey times and environmental impact. For phase 1, the route was then refined by the passage of the phase 1 Bill through the Select Committee process, with some significant amendments being made. As such, the Government are confident in HS2's design, specification and strategic objectives, which the *Oakervee Review* confirmed.

The route for HS2 has been designed to provide much needed rail capacity, primarily along one of the UK's busiest rail corridors—the west coast main line. This route is currently the main route for passengers between London and major cities in the Midlands and the north-west, including Birmingham and Manchester. Since HS2 uses brand-new, dedicated lines, it will also free up space for services on the existing network. Network Rail estimates that more than 100 other towns and cities could benefit from this released capacity, and this Government are looking beyond that and looking to connect more towns and smaller places to the rail network, with funding to reopen some Beeching closures. Unfortunately, I have to disappoint the noble Lord, Lord Tunnicliffe, because I have no further information on that, but I will write to him if there is any available.

Some 25 towns and cities will be directly served by HS2. The Government have consulted extensively on its route, through public consultation and parliamentary scrutiny, and taken into account reviews such as the one most recently led by Douglas Oakervee. Clearly, the Government are conscious that, even with extensive consultation, communities along the route will continue to have concerns about the route chosen for the railway. It is impossible to construct a project of the size and scale of HS2 without affecting some people's private properties. Where that is the case, we want to make sure that property owners are fairly compensated and that their cases are dealt with sensitively and with dignity and respect.

The phase 1 route was intended to minimise impacts on the natural environment. In this respect, the Chilterns tunnel was extended during the Bill's parliamentary passage and many ancient woodland sites have been avoided. I note the comparison that was made—I forget by which noble Lord—between this and the construction of the A21. I thought that was extremely interesting. Certainly, the designers of HS2 have done their best to avoid as many ancient woodland sites as possible. It is true to say that HS2 Ltd has on occasion fallen short in its response to communities and property owners, which is why, in responding to the *Oakervee Review*, the Government have committed to looking at strengthening the role of the HS2 residents' commissioner.

[Baroness Vere of Norbiton]

The speed of HS2 was raised by the noble Lord, Lord Tunnicliffe, and many others. I have said before and I will say again that it is not all about speed. It is about capacity. The focus on how fast the trains will run has detracted from the wider intended benefits of the project. We know that the west coast main line is full, and that we will get new capacity and connectivity from HS2. HS2 is procuring trains capable of speeds of up to 360 kph. As the noble Lord pointed out, why would it not if such trains are available? However, the timetable assumes an operating speed of 330 kph. The extra 30 kph will allow the system to catch up should any delays occur.

Both the *Oakervee Review* and its former deputy chairman, the noble Lord, Lord Berkeley, separately agreed that a reduction in speed could cut costs. However, as both also pointed out, major savings could be achieved only through significant changes to the route design and alignment, which would require a completely new Act of Parliament for HS2 phase 1. Not only would this delay the start of construction by several years, causing uncertainty to people and blight to communities along the route, but any savings would be offset by the additional costs of a new hybrid Bill and environmental statement. The debate on reducing speed is not new; it has been considered many times and this Government believe that the right balance has been struck.

As with the route, the location of HS2 stations have been thoroughly tested, not only through public consultation but through parliamentary scrutiny and debate and reviews. The choice and location of the four phase 1 stations, at Euston, Old Oak Common, Birmingham Interchange and Birmingham Curzon Street, were tested by the Select Committee process for the HS2 phase 1 Bill, which received Royal Assent back in 2017. Of course, it is no secret that taking a new high-speed train line into the centre of London will be complex, and we have had the debate as to whether Old Oak Common would be a good permanent terminus. I believe that, having considered all the evidence, most noble Lords who took part in that debate agreed that it would be good to get the train going all the way to Euston.

On Calvert, specifically raised by the noble Lord, Lord Faulkner, some of the key conclusions from Doug Oakervee's review remain outstanding. The Government will respond to the Oakervee conclusion on passive provision for a station at Calvert in due course.

I was pleased to hear the noble Baroness, Lady Randerson, bang the drum for Crewe, which turns out not to be the gateway to the north after all, but the gateway to Wales.

North of Crewe, there are plans for four further new stations: at Manchester Airport, Manchester Piccadilly, Toton and Leeds, which are all part of the plans for phase 2b, which have already been subject to public consultation. To repeat an old joke, the Prime Minister has been clear that

"we are not asking whether it is phase 2b or not 2b. That is not the question."—[*Official Report*, Commons, 11/2/20; col. 713.]

There is no amber light, as the noble Lord, Lord Adonis, stated. The question is how it will proceed when it comes to integration with all the other major rail projects that the Government are financing in the north. That is why we are working with the National Infrastructure Commission and regional leaders to develop an integrated rail plan for the north and Midlands. It is not a review but a plan. Tens of billions of pounds are at stake in a number of rail schemes across the north and the Midlands, and we must get it absolutely right.

Lord Adonis: My Lords, the noble Baroness is doing a good job of reading out the brief from the department. However, could she help us by telling us when she expects phase 2b will therefore be open?

Baroness Vere of Norbiton: I wrote some of this brief, so I feel a little offended. I do not have that particular piece of data to hand, which I am disappointed about, but I will certainly write to the noble Lord when I can get it from my officials at the department.

Lord Berkeley of Knighton: My Lords, there is one little update on the question of Crewe, which the Minister mentioned. It is worth reflecting on the fact that at the moment, the Wye and the Severn being flooded means that people trying to get to London from Wales probably cannot get there via Shrewsbury and Hereford, which means that they are forced to go to Crewe. That is quite a significant point.

Baroness Vere of Norbiton: I agree with the noble Lord: that is a significant point. This new train line is also about adding resilience. Now, if the west coast main line goes down, as I believe it did yesterday—for which my apologies—there is no plan B. Therefore, it would certainly give the people of Wales a plan B to get them either from London to Wales or vice versa.

The integrated rail plan terms of reference were published in late February—they may have been published on a Friday, but this Government work on Fridays. The Secretary of State aims to publish the plan by the end of the year. We want to get this right. It is important that we get it done, but it must be right. The noble Lord, Lord Adonis, made a couple of references to the *Oakervee Review* and various conclusions therein. Conclusion 11 recommended that we undertake a circa six-month study of the 2b scope in the context of the Midlands Engine Rail and Northern Powerhouse Rail proposals, so it is one of Oakervee's conclusions. Conclusion 12 recommends that the Government consider smaller Bill phases

"to allow easier scrutiny of proposals in Parliament and faster construction"

so we may look at that. To do the phase 2b Bill in one go will be a challenge, but I am sure it is doable and that we have the stamina to do so. However, if it would be helpful, it might be a good idea to have smaller Bills. The Government's next steps are therefore consistent with what Oakervee suggested.

On the comments of the noble Lord, Lord Greaves, on the route, the Secretary of State has committed to delivering HS2 to Leeds via the east Midlands; we have no plans to route HS2 trains from London to Leeds by Manchester.

On the specific issue of Leeds station, the HS2 station design for Leeds aims to integrate an HS2 station with the existing conventional station to allow for easy access and interchange between HS2, Northern Powerhouse Rail and local services across West Yorkshire and the north.

There was an original plan in Leeds to locate the HS2 station towards the south, but work to review the options further in 2014-15 recognised that priority should be given to greater interchange.

Lord Shutt of Greetland: There is a difference between having an interchange at the hammerhead and a junction at the east so that trains from the south can go to all other places.

Baroness Vere of Norbiton: I suspected that I would not keep the noble Lord 100% happy. I will certainly write to him.

I have various elements on the environment but that was not in the topic of the debate so I will have to write to the noble Baroness because I am out of time, which is incredibly disappointing.

Lord Tunnicliffe: Will the Minister be kind enough to consult *Hansard* and cover, by letter, any issues that she has not dealt with, then copy those letters to all noble Lords who have participated?

Baroness Vere of Norbiton: I will certainly do that; I thank the noble Lord, Lord Tunnicliffe, for mentioning it. I am aware that he asked some questions about governance and management, which are incredibly important. I will certainly go into detail on them and other things. I also note the comments from the noble Baroness, Lady Randerson, and others about BCR and the analysis of transport schemes in general. As a Transport Minister, I am deeply aware of those issues; we will work on them over the forthcoming period.

I thank all noble Lords for their participation in today's debate. HS2 debates are always very interesting; I am sure there are many more to come.

House adjourned at 7.21 pm.