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PARLIAMENTARY DEBATES  
(HANSARD)

# HOUSE OF LORDS

## OFFICIAL REPORT

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The following abbreviations are used to show a Member's party affiliation:

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

No party affiliation is given for Members serving the House in a formal capacity or for the Lords spiritual.

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# House of Lords

Tuesday 11 July 2023

2.30 pm

*Prayers—read by the Lord Bishop of Chichester.*

## Royal Assent

2.37 pm

*The following Acts were given Royal Assent:*

Finance (No. 2) Act,  
Supply and Appropriation (Main Estimates) Act,  
National Security Act.

## Death of a Member: Lord Palmer

*Announcement*

2.38 pm

**The Lord Speaker (Lord McFall of Alcluith):** My Lords, I regret to inform the House of the death of the noble Lord, Lord Palmer, on 10 July. On behalf of the House, I extend our condolences to the noble Lord's family and friends.

## Climate Change

*Question*

2.38 pm

*Asked by Baroness Jones of Moulsecoomb*

To ask His Majesty's Government whether they plan to make preparations to adapt to a global temperature rise of 4 degrees Celsius above pre-industrial levels by 2100.

**The Minister of State, Department for Environment, Food and Rural Affairs (Lord Benyon) (Con):** My Lords, the third climate change risk assessment provided climate projections for rises of 2 and 4 degrees centigrade by the end of the century. The upcoming third national adaptation programme—NAP 3—will set out the Government's plans for climate risks and opportunities for a 2 degree warming scenario to continue to build a more resilient country, with a focus on enhanced ambition, implementation and evaluation. In developing NAP 3, departments were also advised to assess the risks for 4 degrees of warming by 2100.

**Baroness Jones of Moulsecoomb (GP):** I am very glad to hear that; that is quite good news. With all his financial acumen, can the Minister also tell me which would cost more: allowing food price inflation, because of multiple harvest failures; seaside erosion and mass evacuations; communities and towns collapsing from floods, fires and general devastation; or making the right policies in the first place to be climate friendly?

**Lord Benyon (Con):** The noble Baroness does not have to rely on my questionable financial acumen; the Office for Budget Responsibility concluded, before the current gas crisis, that investment in net zero by 2050 represents 0.4% of GDP in additional public spending, while delaying the net zero transition by 10 years would double overall costs. It highlighted that the costs of global inaction would significantly outweigh the costs of action. That is the sort of financial backing we have for our adaptation plans.

**Lord Teverson (LD):** My Lords, last week we had the four hottest days for the globe in living history. Last summer, 60,000 people died of heat stress in Europe, including 3,500 in the UK. As temperatures rise, that will become an epidemic. Can the Minister say what the Government are doing to make public housing, homes and business premises resilient to heat stress? I do not see a government plan for that; could he tell me what it might be?

**Lord Benyon (Con):** We have already introduced requirements for new residential buildings to reduce overheating risks, making them more suitable for the warming climate. We are strengthening the resilience of the housebuilding industry right across the piece and looking at the impact of not only heat events but floods. We are spending billions on adaptation through the Environment Agency to protect homes from both extremes of weather.

**Baroness O'Grady of Upper Holloway (Lab):** Can the Minister tell us whether the Government plan to introduce a maximum working temperature for people at work?

**Lord Benyon (Con):** I have no knowledge of plans to produce such data, but I will certainly find out from the relevant department and contact the noble Baroness.

**Baroness Boycott (CB):** Given the information we have heard in the previous questions on how destructive a rise of even 2 degrees centigrade could be, why are we still considering licensing a new oilfield in the North Sea?

**Lord Benyon (Con):** Oil as part of our economy is seen as a transition, and we want to make sure that we move our whole energy production to a renewable and non-carbon basis. The continued use of oil is inevitable, but we will continue to make sure that the economy is based on as much renewable as possible. If the noble Baroness, like me, goes on to the National Grid app, she can see that as of today, at this precise moment, energy from renewable way exceeds energy from oil and gas.

**Lord Foulkes of Cumnock (Lab Co-op):** My Lords, has the Minister noticed that Green politicians tend to be a wee bit hypocritical? We have two Green Ministers in Scotland, Lorna Slater and Patrick Harvie, who go everywhere in chauffeur-driven cars when there is perfectly good public transport available, which I use regularly. Is it not about time that they lived up to their theories in their actions?

**Lord Benyon (Con):** When I arrived at Defra in 2010, there were five ministerial cars; that has gone down to one, and I travel mostly by the use of an Oyster card.

**Baroness Bennett of Manor Castle (GP):** My Lords, can the Minister tell me the comparative fuel consumption and emissions from a helicopter flight compared to travelling by car?

**Lord Benyon (Con):** No, I am terribly sorry, but I am afraid that I cannot.

**Lord West of Spithead (Lab):** My Lords, the rise in sea level means that there will be more sea. Does not the Minister agree that this is yet another reason why the Royal Navy might need more ships to patrol it?

**Lord Benyon (Con):** That is a spectacular intervention on this subject. Interestingly, at the height of the Trump presidency, the Pentagon put out a piece of work where it referred to climate change as the “threat multiplier”. The nexus between the security implications of climate change and the environmental ones is absolutely fundamental to what we are trying to achieve. We are going to see a much more dangerous world, unless we can tackle these precise issues.

**Baroness Brown of Cambridge (CB):** My Lords, I declare my interests as chair of the adaptation committee of the Climate Change Committee. Very hot weather often goes with periods of drought. Can the Minister tell me what he is doing to make sure that the farmers of the fenlands are able to water their crops this summer?

**Lord Benyon (Con):** The noble Baroness raises a really important point. What we are doing through our environmental land management schemes and future farming is to try to make farming more resilient in so many ways. One of the great difficulties we face in the east and the south of England is that we have rainfall levels in many parts that are equivalent to some sub-Saharan African countries, and using water, slowing it and using it more sensibly, with the production of more reservoirs, is crucial. Also, the Bills that this House has passed, such as the one on gene technology, producing crops that are more resilient to drought, are really important.

**Baroness Anderson of Stoke-on-Trent (Lab):** My Lords, in his recent resignation letter, the noble Lord, Lord Goldsmith of Richmond Park, cited a concern that

“the UK has visibly stepped off the world stage and withdrawn our leadership on climate and nature”.

He told us:

“The problem is not that the government is hostile to the environment, it is that you, our Prime Minister, are simply uninterested. That signal, or lack of it, has trickled down through Whitehall and caused a kind of paralysis”.

Does the Minister agree with his former colleague?

**Lord Benyon (Con):** This Prime Minister, when he was Chancellor of the Exchequer, agreed to the doubling of our international climate finance contribution to

£11.6 billion, one of the most generous of any country. I have been to three recent COPs and seen that the United Kingdom is revered in this area of policy in a way that I cannot put words to, because we are leading on so much of this. At COP 27, the UK committed to tripling its funding for climate adaptation finance. In 2021, the UK was the first Government to endorse the principles for locally led adaptation, which has now been picked up by 140 countries. We are very much a leader, and I know that this Prime Minister, who gave that assurance again at the more recent COP, is right behind making sure that we are tackling this the greatest challenge that mankind has ever faced.

**Baroness Northover (LD):** My Lords, will the Minister comment, therefore, on reports that the commitment he has just referred to is one that they intend to row back on?

**Lord Benyon (Con):** I have no knowledge that we are going to row back on that commitment. It was made by three recent Prime Ministers, and we want to make sure that it continues.

**Baroness McIntosh of Hudnall (Lab):** My Lords, the Minister, in an earlier answer, referred in passing to the production—I think that was the word he used—of more reservoirs. Can he tell the House what plans there are for reservoir building in England at the moment and where those reservoirs are planned for?

**Lord Benyon (Con):** My experience of this is that it is not quick enough. The River Thames is the conduit for water for a number of water companies in the south-east and it needs a reservoir in its headwaters. That has been being planned now for more than a decade and a half, and we want to see it built. It is unlikely to be built within the next decade because it is an incredibly complex process, but we are also looking at trying to move water more effectively. We can now move water from Yorkshire to Ipswich and from parts of Wales into the south-east of England—I know that is a controversial issue and I do not want to unleash the noble Lord, Lord Wigley, on that one. We are looking to use technology to move water more effectively.

**Lord Lilley (Con):** Does my noble friend agree that, in contemplating how we prepare for the future, we should take into account the science, as prepared by the Intergovernmental Panel on Climate Change, which is summarised in table 12.2 of Working Group II. It says that, though of course the temperature is expected to rise if we follow the most extreme scenarios, as the noble Baroness, Lady Jones, has forecast, there is not expected to be, nor is there any sign so far of, any increase in droughts, floods, landslides or fires.

**Baroness Jones of Moulsecoomb (GP):** It is happening!

**Lord Lilley (Con):** Deny the science if you will.

**Lord Benyon (Con):** My experience in talking to members of the Intergovernmental Panel on Climate Change, the Royal Society and some of the best experts in the world on this is that there is a very real danger. While I respect my noble friend in so many ways, I feel

I will listen in this case to members of the Royal Society and the Intergovernmental Panel on Climate Change, because they are the guardians of knowledge on this.

### Rural Crime Question

2.49 pm

Asked by **The Lord Bishop of St Albans**

To ask His Majesty's Government what steps they are taking to counter rural crime.

**The Lord Bishop of St Albans:** My Lords, I beg leave to ask the Question standing in my name on the Order Paper and declare my interest as president of the Rural Coalition.

**Lord Davies of Gower (Con):** My Lords, we are committed to driving down rural crime. As well as recruiting 20,000 police officers, we are taking steps to address issues that we know affect rural communities. That is why the Government are providing funding to the National Wildlife Crime Unit and the National Rural Crime Unit.

**The Lord Bishop of St Albans:** I thank the Minister for that reply, but can I press him on rural crime on farms? Reports from the police suggest that there has been a 300% increase in thefts of farm machinery, which is causing devastating problems for our wonderful farming industry. When I asked the Government a Question some time ago about fitting tracker devices to machines, they said they had no plans to do so. Will the Government reconsider that? If not, what will they do to try to solve this very difficult and important problem?

**Lord Davies of Gower (Con):** I thank the right reverend Prelate for that question. The Government believe that prevention, delivered through partnership with law enforcement and industry, is the key to tackling this crime and protecting these hard-working communities from theft. That is why the Equipment Theft (Prevention) Bill is focused on measures that will make these machines more difficult to steal and sell on, which will deliver a strong and sustainable deterrent effect. The Government expect to see a real decrease in these thefts as a result of the introduction of immobilisers and forensic marking as standard. While trackers can assist in recovering stolen vehicles, many large valuable agricultural vehicles are already fitted with trackers, either as standard or as an aftermarket option for the owner. The Government have no plans to provide grants to farmers who wish to install trackers on their vehicles.

**Lord Wigley (PC):** My Lords, the Minister will be aware from his own experience of the real and ongoing problem on the hillsides of Wales of attacks on sheep by dogs not kept on leashes. Does he accept that this very often happens because of the ignorance of those visiting the hillside areas? Will the Government therefore have a publicity campaign that places the responsibility clearly on the owners of dogs in those areas to avoid crimes being perpetrated?

**Lord Davies of Gower (Con):** I accept what the noble Lord says about dog attacks on sheep. Very careful consideration was given to the potential unintended consequences of introducing a ban on the use of hand-controlled e-collars for cats and dogs. Defra liaised closely with police forces, which reported that the vast majority of livestock-worrying cases that they saw involved dogs that had escaped from the premises in which they were kept without their owners knowing. The police were also clear that they would not recommend the use of e-collars to prevent instances of livestock worrying.

**Lord Blencathra (Con):** My Lords, my noble friend mentioned the Equipment Theft (Prevention) Bill. I invite the right reverend Prelate to be present this Friday when we hope to push through its Third Reading. It will make a tremendous difference to theft in the countryside. By fitting immobilisers to equipment, we should cut down on theft in the first place, and with the forensic marking of that equipment it should be much easier to restore it to the rightful owner. Once my noble friend has finished the consultation process, will he please bring forward the implementation regulations as soon as possible and extend them to other machinery, possibly in the construction trade?

**Lord Davies of Gower (Con):** I thank my noble friend for his question and congratulate him on taking his Private Member's Bill through the House. The Government welcome the support the Bill has received in this House and the other place. We expect to see a real decrease in the theft of all-terrain vehicles as a result of the measures in it. The introduction of immobilisers and forensic marking as standard will help prevent them being stolen. Importantly, it will be harder for criminals to sell on stolen machinery, which will have a deterrent effect.

**Lord Birt (CB):** Metal theft in country areas is rife. Catalytic converter theft is on the rise. Lead stolen from church roofs has a devastating impact on local communities. Stealing miles of copper cable from our telecom and rail infrastructure is highly and increasingly disruptive. All these crimes are the work of sophisticated, skilled criminal gangs, operating not locally but regionally and sometimes nationally and even internationally. Will the Minister encourage a concerted, intelligence-led police focus on a category of crime increasingly committed in country areas with impunity?

**Lord Davies of Gower (Con):** Again, I thank the noble Lord for that question. I respond with two aspects. First, we have the safer streets fund, which includes funding with a focus on crime prevention in rural areas. We also have the National Wildlife Crime Unit and the National Rural Crime Unit. The Home Office is providing £200,000 in funding for the new National Rural Crime Unit this year. The funding will help to cut crime and keep communities safe by tackling anti-social behaviour and in particular, equipment theft.

**Lord Mackenzie of Framwellgate (Non-Affl):** My Lords, the problem with rural crime obviously is the lack of witnesses. Those of us who watch programmes

[LORD MACKENZIE OF FRAMWELLGATE] such as “Springwatch” and “Autumnwatch” can see the benefits of modern technology in filming things at night. Could the Minister use more of his power to encourage local communities to harness this equipment, even it is not subsidised, to catch these people committing the crime on camera?

**Lord Davies of Gower (Con):** Yes, I agree; the noble Lord makes a very fair point. In fact, the Government, through Defra, has awarded £1.2 million in funding across more than 30 councils recently to help with such matters, such as CCTV, and to consult on other reforms.

**Lord German (LD):** We note the Government’s decision to take out rural fly-tipping by 2043. People dropping things is an awful scourge on our countryside. Can the noble Lord tell us what the Government’s plan is for the rural crime unit to be able to tackle gangs who deliberately tip in the countryside for profit, and who need to be caught in order that we can reduce the amount of tipping that takes place in some of the most beautiful parts of our country?

**Lord Davies of Gower (Con):** Again, I thank the noble Lord for his question. Fly-tipping is a curse of our modern society. Anyone caught fly-tipping can already face an on-the-spot fine of up to £400. More serious offences can attract up to five years in prison and a significant fine. Councils obviously also have the powers to stop, search and seize the vehicles of suspected fly-tippers. The Prime Minister’s anti-social behaviour action plan includes raising the upper limit of spot fines for fly-tipping to £1,000, delivering on the manifesto commitment to increase penalties. The regulations to raise the fly-tipping fixed penalty notice will come into force on 31 July this year—the end of this month. This will allow local authorities to raise their spot fines up to £1,000 if they choose to, from the current maximum of £400.

**Baroness Symons of Vernham Dean (Lab):** My Lords, there is also a very serious problem—certainly around where I live, on the Hampshire-Wiltshire border—of the theft of dogs. These dogs are stolen not only to stage cruel and horrible dog fights; quite often they are non-fighting dogs that are used as the bait in such fights. Does the Minister accept that there is a real, distinctive problem here and, if so, what position are the Government taking on trying to stop such a cruel and dreadful form of theft?

**Lord Davies of Gower (Con):** The noble Baroness is absolutely right—I fully accept that. We have only to look at our newspapers on an almost daily basis to find some story regarding dogs. Unfortunately, particularly in rural communities, people involved in the theft of these dogs are also involved with other theft, dangerous driving, all sorts of assaults and different kinds of offences. I take on board what the noble Baroness has said. The Government are aware of it and want to do something about it. New measures in the Police, Crime, Sentencing and Courts Act may well be able to deal with these offences.

**Lord McLoughlin (Con):** My Lords, will the Government encourage the very innovative ideas to combat rural crime already being pursued by some police and crime commissioners to be taken up in other areas of the country that are not at the moment following the example of the commissioners who are doing an excellent job on this front?

**Lord Davies of Gower (Con):** I agree; it may be that police and crime commissioners should share their views on how to deal with these things during the different kinds of get-togethers that they have. That is something that I completely agree with.

## E-bikes Question

3 pm

Asked by **Baroness Randerson**

To ask His Majesty’s Government whether they plan to regulate the use of e-bikes.

**The Parliamentary Under-Secretary of State, Department for Transport (Baroness Vere of Norbiton) (Con):** My Lords, there are regulations in place which govern the use of e-bikes on the public highway. Enforcement of these is a matter for the police. All road users have a duty to behave in a safe, responsible manner and to follow the rules set out in the Highway Code.

**Baroness Randerson (LD):** My Lords, there have been three tragic deaths of 15 and 16 year-olds in recent months, in Cardiff, my home city, and Salford. An exciting new invention—e-bikes—are rapidly becoming a major road safety and social problem, largely because of a lack of appropriate, modern regulations. Will the Minister commit to an urgent review to consider requirements such as helmets and a minimum age for the more powerful bikes? Very importantly, will the Government ensure that anti-tampering technology is installed by manufacturers? It is very easy indeed to override the 15.5 mph speed limit.

**Baroness Vere of Norbiton (Con):** There has been some confusion in the media about e-bikes versus e-motorbikes; the two are very different. Obviously, what happened in Salford and Cardiff is tragic. On both those occasions, the individuals involved would have been breaking the law on multiple levels. I accept the noble Baroness’s point about tampering, but e-bikes are subject to type approval, like motorbikes and cars are. The DVSA has a market surveillance programme to make sure that e-bikes on sale meet the standards that we have.

**The Lord Speaker (Lord McFall of Alcluith):** My Lords, the noble Lord, Lord Campbell-Savours, wishes to speak remotely.

**Lord Campbell-Savours (Lab) [V]:** With reports of fires due to excessive heat being generated during the charging of e-bikes in enclosed storage areas—particularly

in underground car parks, and even within flats when external storage is unavailable—is there not a need for an urgent further safety review, followed by guidance on safety measures, or even further regulations if necessary?

**Baroness Vere of Norbiton (Con):** I am delighted to say that the Government are already conducting that research. The Department for Business and Trade is working with the Home Office and the Department for Transport in assessing exactly what the issue is. We are also developing guidance jointly with the industry which will advise on charging e-bikes and various other safety measures concerning their batteries.

**Viscount Hailsham (Con):** My Lords, I am an owner and an enthusiastic user of e-bikes. They are great; I use them both in the country and in London. To the extent that there are problems with use, those arise in large part because of the difficulties of enforcing existing regulations. I hope the Government will be very slow to introduce new regulations which might make life difficult for responsible users.

**Baroness Vere of Norbiton (Con):** I am incredibly grateful to my noble friend, because we know that e-bikes have huge environmental benefits. They can be used on more difficult journeys, and they can take those who may be less able—which, of course, I am not suggesting is the case here—further and slightly faster. If we were to change the regulations on e-bikes, which are very clear at the moment, we would do so with an abundance of caution.

**Lord Berkeley (Lab):** My Lords, can the Minister confirm whether there is any type approval for the types of what I think she called e-bikes that are not limited to the speed of a normal Brompton bike, such as the electric one I have, and do not need any pedal power? It seems to me that there are lots of them running around London and other places that can go any speed, do not need numberplates or helmets, and probably do not have any insurance.

**Baroness Vere of Norbiton (Con):** No, those people who are riding those vehicles in those circumstances are breaking the law. All vehicles that are not e-bikes—they would be electric motorbikes—have to be registered with the DVLA, insured and taxed; the person would have to have a driving licence and to wear a helmet. Essentially, they would be the same as a traditional ICE motorbike and, yes, there is type approval of those vehicles.

**Baroness McIntosh of Pickering (Con):** My Lords, my noble friend replied to a Written Question from me, saying:

“The Government is considering bringing forward legislation to introduce new offences concerning careless or dangerous cycling”, particularly in the case of “irresponsible cycling behaviour”, including by e-cyclists. Will she support my Road Traffic Offences (Cycling) Bill, which would introduce the offences to which she refers in her Answer?

**Baroness Vere of Norbiton (Con):** My noble friend is quite right: the Government are considering it and we will publish our consultation response soon.

**Lord Austin of Dudley (Non-Aff):** My Lords, as we have heard, there are already lots of rules governing e-bikes limiting their power and speed, and it is already illegal to ride them on pavements, so we do not need more rules. We need the police to enforce the ones we have; just as, when it comes to more rules for cycling generally, the police should be enforcing rules on drivers who speed or jump red lights—we see this every day on the streets of London, and that causes many more serious injuries and deaths to pedestrians and cyclists on the road.

**Baroness Vere of Norbiton (Con):** I absolutely agree with the noble Lord, but of course these are operational matters for the police. The police are operationally independent. However, they respond to pressure from local communities and the police and crime commissioner; therefore, I encourage those people to ensure that the police are doing what I am sure many would want in their local areas.

**Lord Cormack (Con):** My Lords, I am totally in awe of my noble friend Lord Hailsham and believe he should be allowed to use his e-bike, as he does impeccably. Does my noble friend agree that e-scooters are a different thing entirely? They overtake taxis, their riders never have helmets, they have no registration numbers—they are an absolute menace. Can the wretched things be got rid of, as they have been in Paris?

**Baroness Vere of Norbiton (Con):** This Government are not a great fan of banning things, but we do need to think very carefully about e-scooters on our roads. As my noble friend will know, it is illegal to ride a private e-scooter on a public road—it has always been, and it remains, illegal. When parliamentary time allows, we will bring in legislation for micromobility which will cover private e-scooters, but it will also provide a licensing framework for the rental micromobility operations which are currently in trial across the country.

**Lord Mackenzie of Framwellgate (Non-Aff):** My Lords, I have twice witnessed the same man riding up and down Whitehall—of all places—backwards on a cycle. At first, I thought it was a circus act, but then I saw him come the other way. Not once have I seen a police officer even take any notice of him. I cannot understand it, for the life of me. If we are accepting this sort of behaviour, what chance has the average motorist? We now have a full complement of police officers, and they really should be doing their job.

**Baroness Vere of Norbiton (Con):** I do not really know how to respond to that. I was trying to think whether riding backwards was somehow riding carelessly, and it may well be, but, obviously, I did not see the gentleman. The noble Lord is absolutely right: it is a question of enforcement and the police should be encouraged to enforce our road laws properly.

**Lord Tunnicliffe (Lab):** My Lords, while the legal speed limit for e-bikes is 25 kph, the Minister will know that models which exceed that are widely available, and many who ride them may not even know that they are breaking the law. What assessment has the Minister made of the levels of enforcement by the police of those models, and can she share any data on these, including possible confiscation?

**Baroness Vere of Norbiton (Con):** Yes. The Government are extremely active in this area. As I said previously, the DVSA has a market surveillance programme. Each retailer must check that the EAPC is compatible with the regulations. To date, five retailers have been prosecuted and there have been fines and criminal convictions, while many other investigations are ongoing. Such retailers are instructed to recall and remedy any non-compliant products. There is a system for catching these products. If there are products out there that have an off-road capability, for example, where you can switch it to more than 15.5 mph, we believe that those products do not comply with the regulations and we would encourage the DVSA to take appropriate enforcement action.

**Lord Blencathra (Con):** My noble friend the Minister is right that this is a matter for police enforcement, as other noble Lords have pointed out. However, she knows as well as I do that not a single police force in the country cares about this issue or is doing anything about enforcement. Will she use the powers of her office to gather every chief constable together for a conference and tell them to enforce the law for the safety not just of the riders but of the pedestrians who get mowed down on the pavement every day of the week?

**Baroness Vere of Norbiton (Con):** The Department for Transport, the Home Office and the leaders of police forces across the country speak frequently about road safety. The messages about e-scooters and e-bikes are passed on, as are wider issues around road safety. As I say, these are operational decisions for the police; we must leave it to them to make those decisions for themselves.

## **Wagner Group**

### *Question*

3.10 pm

*Asked by Lord West of Spithead*

To ask His Majesty's Government in which African countries they assess the Wagner Group to be operating.

**The Minister of State, Ministry of Defence (Baroness Goldie) (Con):** My Lords, the UK has repeatedly highlighted the Kremlin's malign and destabilising activities in Africa. These include the Wagner Group's ongoing military deployments in Mali, the Central African Republic and Libya, with multiple reports of its abuses of human rights and international humanitarian law. The Wagner Group and its owner, Yevgeny Prigozhin, also spread Russian disinformation and are engaged in transnational crime while seeking to exploit Africa's

mineral resources, including in Sudan. We will continue to work with our regional and international partners to constrain and counter such harmful activities.

**Lord West of Spithead (Lab):** I thank the Minister for her Answer. There is no doubt that the Wagner Group is state funded and is a proxy of the Russian Government. It has been very useful to Putin in the past for plausible deniability of his grey-zone operations. However, as the Minister said, it may have been guilty of murder, torture, rape and robbery, stealing from and plundering the natural resources of the countries in which it is based. It relies on dirty money and is involved in money laundering. It has set up a network of companies and is causing instability in all these regions. It is highly dangerous and although there have been minor sanctions—for example, against Prigozhin in 2016 and 2022—we do not seem to have done enough. Given that the Wagner Group is so malign, and given the damage it is causing, can we get alongside our Five Eyes allies and the EU in order to have a huge impact on these people, because there is no doubt that they are reeling as a result of the events over the past couple of weeks?

**Baroness Goldie (Con):** There is not much that I could disagree with there. For the second week running—this is all getting very alarming—I am in concurrence with the noble Lord. He is absolutely right: the Wagner Group is a repugnant and discredited organisation. There has been a systematic programme of sanctions. I remind your Lordships that, as the noble Lord indicated, Yevgeny Prigozhin was himself sanctioned through the Libya sanctions regime, while in February 2022 the Wagner Group was sanctioned because of its activity in Ukraine. We have also sanctioned key Wagner commanders in Syria, as well as several key individuals assisting its activity in Ukraine. We constantly review the sanctions regime. The UK has persistently called out this activity internationally and is seeking to work with partners and allies, including the EU, on how we can best counter it.

It may be important to note that it is a demonstrable indication of Putin's policy on Africa that he relies on an organisation such as Wagner, which seems to be indicative of real weakness.

**Baroness Northover (LD):** My Lords, the Wagner Group does indeed have a horrendous reputation for severe human rights abuses, as we have just heard, and it often defends ruling elites in return for securing valuable mineral rights. My noble friend Lord Purvis has been calling for proscription for some time. Given the group's role in regional conflict and organised crime, surely the case for proscription is now more pressing than ever.

**Baroness Goldie (Con):** As the noble Baroness will be aware, it is not government policy to comment on whether a group is under consideration for proscription, and, indeed, it is a Home Office responsibility. I would observe that proscription in its own right is perhaps less effective because of the particular environment in which it applies. Hitting wallets with sanctions is what really cuts the legs off at the knees, and that is what we are trying to do in conjunction with global partners.



**Lord Howell of Guildford (Con):** Does my noble friend agree that although all eyes are understandably on Ukraine and Moscow regarding the Wagner Group, the noble Lord, Lord West, is right to raise the activities of the Russian militias and the Chinese right across the Sahel and throughout the whole of Africa? Will she therefore ensure that her colleagues and policymakers are really focused on this other war, as eyes tend to drift away to Ukrainian affairs, and make sure that we make every effort to reinforce security against the authoritarian regimes, which in many areas are winning? This is of particular note since 21 of the African countries being invaded by the Chinese are Commonwealth members.

**Baroness Goldie (Con):** My noble friend makes a very important point. He will be aware that through the United Nations and our other relationships and partnerships, whether multilaterally or bilaterally, we are very cognisant of that threat. He is correct that Wagner is a pernicious and unwelcome presence in Africa, and absolutely right that there are other influences at play.

**Lord Alton of Liverpool (CB):** My Lords, does the noble Baroness recall that in our defence debate just two weeks ago, on 30 June, I did not ask her about the mutually exclusive options of sanctions versus proscription but called specifically for proscription of Wagner? In considering that, what assessment has she made of the role Wagner is reported to have played in supplying missiles and arms to General Hamdan and the Rapid Support Forces, which have unleashed such violence and unspeakable atrocities in Khartoum and Darfur, and the role Sudan's gold is playing in funding Russian and Wagner aggression in Syria, Ukraine and Sudan itself?

**Baroness Goldie (Con):** The noble Lord raises wide-ranging issues and has written to me on them; I have still to respond, which I undertake to do. I shall do that in greater detail than I can perhaps do at the Dispatch Box, but I agree that the evils he identifies are undeniably present, so the question for the UK Government is how we can best counter them. As I indicated to the noble Baroness, we do that in a variety of ways, and do it best in global concert with our allies and partners, but we are unrelenting in our focus on the problem.

**Lord Collins of Highbury (Lab):** My Lords, may I just pick up that last point concerning Syria? Reports are saying that Assad and Russian commanders are extremely concerned about the Wagner troops there because of the possible mutiny. What assessment has the department made of the situation in Syria? How has it impacted on government-controlled areas and wars, and what impact have the Russian commanders had in taking over these troops and making them more officially a state operation?

**Baroness Goldie (Con):** The noble Lord is correct. We are aware that Wagner mercenaries are in Syria supporting the Assad regime, just as they are in Russia, Ukraine and Belarus. What the future is for them following their insurrection and near coup is, at the moment, somewhat unclear. We are very clear that Wagner is essentially a malign organisation, and that

is why we are doing everything within our power as the United Kingdom Government to monitor its activities and to deploy whatever remedies we have available to us to curtail and constrain its behaviour.

**Lord Bellingham (Con):** My Lords, the noble Lord mentioned the Central African Republic and obviously, the Wagner Group has been working very closely with CAR President Touadéra. There are examples of war crimes being committed in the CAR and in Mali, Sudan, Burkina Faso and Madagascar. Surely, it is vital that the UK use its influence in the UN to make sure that these war criminals are brought before the ICC. We have influence in the ICC, and surely these people should be brought before it at some stage.

**Baroness Goldie (Con):** I think there will be a lot of sympathy with my noble friend's point. The UK continues to highlight Wagner's reprehensible actions. We do that around the world in whatever fora we can find, and we are not without allies and support in pursuing the objective of constraining Wagner. My noble friend makes an important point, and I will certainly relay it to my noble friend Lord Ahmad of Wimbledon and undertake to try to give my noble friend Lord Bellingham a fuller response.

**Lord Wallace of Saltaire (LD):** My Lords, there are consistent reports that Wagner has been making profits from gold mining, diamonds and other minerals in Africa and that it is profiting through exporting them via the Gulf states. Have we had conversations with the Governments of the UAE and the other Gulf states about this trade? It is evading sanctions and is clearly immiserating the countries from which it is stealing these things. This is clearly a problem also in terms of Russian sanctions.

**Baroness Goldie (Con):** We are aware that Wagner has historically drawn its funding from three main sources: direct payments from the Russian Government, as President Putin has publicly admitted since the insurrection; cash payments from Governments, regimes or organisations employing Wagner, as in Libya; and natural resource concessions. We also know that Prigozhin has sought to evade sanctions through front and shell companies, both in and outside Russia. The noble Lord makes an interesting point to which I do not have a detailed response, but I shall make inquiries and respond to him if I can.

**Lord Singh of Wimbledon (CB):** My Lords—

**Lord Browne of Ladyton (Lab):** My Lords—

**Baroness Williams of Trafford (Con):** My Lords, it was actually the turn of the Cross Benches, although I do not know what the Lord Speaker will decide, because we are now out of time.

**Lord Singh of Wimbledon (CB):** My Lords, does the Minister agree that while the existence of mercenary groups such as the French Foreign Legion—which was involved, along with other countries in the West, in expanding into Africa and creating colonies and

[LORD SINGH OF WIMBLEDON]  
wealth—was acceptable in the 19th and 20th centuries, it is totally unacceptable in the more moral climate of the 21st century?

**Baroness Goldie (Con):** I have always been clear in my remarks from the Dispatch Box how much the Government find Wagner to be a repugnant, discredited organisation, and how much we deplore attempts to interfere in sovereign states' political systems and Wagner's attempt to exploit these countries. That is why we are doing everything we can to play our part in calling it to account and constraining what it does.

## Business of the House

### *Timing of Debates*

3.22 pm

**Baroness Williams of Trafford (Con):** My Lords, I thought it would be helpful to the House if I briefly set out the plan for further consideration of the Illegal Migration Bill in this House next week. As announced in a revised *Forthcoming Business* published yesterday, the plan is for noble Lords to consider any message from the House of Commons tomorrow, if the Bill is returned from that House as expected. The deadline for amendments will be 1 pm tomorrow, which will allow time for the House authorities and noble Lords to prepare. We therefore expect to commence consideration of the message later in the afternoon, after making some progress on Report on the Online Safety Bill.

Further announcements about the precise timings and arrangements will be placed on the annunciator tomorrow. I will also make additional announcements in the Chamber throughout this week and early next week about the arrangements for further proceedings on this Bill and others before summer as necessary.

**Lord Foulkes of Cumnock (Lab Co-op):** When these arrangements are made, what consideration is given to the problems of those of us who do not live in and around London in getting to and from this place?

**Baroness Williams of Trafford (Con):** My Lords, noble Lords come from here, there and everywhere. We do try to be considerate. I am thinking particularly of our Labour Front Bench; the noble Baroness has to travel for some hours to get here, so we absolutely take that into consideration.

**Lord Alton of Liverpool (CB):** My Lords, further to that point, can I ask the Government Chief Whip whether the House will sit late tomorrow night, bearing in mind what that will mean for the staff of the House? What time does she anticipate that voting will begin on any amendments to the Illegal Migration Bill? Will we sit throughout the night, or is this something that could be returned to in a daytime sitting, perhaps one morning?

**Baroness Williams of Trafford (Con):** My Lords, business entirely depends on whether noble Lords press things to a Division. It is difficult for me to stand here and say precisely what time, but yes, we can expect some late sittings in the next week.

## Levelling-up and Regeneration Bill

### *Report (1st Day)*

3.25 pm

*Moved by Baroness Scott of Bybrook*

That the Report be now received.

*Relevant documents: 24th and 39th Reports from the Delegated Powers Committee. Scottish, Welsh and Northern Ireland legislative consent sought.*

**The Parliamentary Under-Secretary of State, Department for Levelling Up, Housing & Communities (Baroness Scott of Bybrook) (Con):** My Lords, I beg to move.

**Baroness Hayman of Ullock (Lab):** My Lords, before we begin Report, I want to make some points to draw the House's attention to our concerns about the Government's approach to the proper and timely legislative scrutiny of this Bill.

First, when we received the Bill into this House and prepared for Second Reading back in January, I and others were surprised to see that it contained three chapters that had not been scrutinised in the other place but had been added in after it had moved on to here. Then, following our debate in Committee, ahead of Report and with no prior warning, the Government added in a whole new schedule—nine pages in length—along with further amendments on childminding provisions, and altered the Long Title to reflect this.

I know that the Minister understands my concerns, and I thank her for arranging a meeting at short notice last week to discuss this. Can she now confirm, as we agreed in that meeting, that Committee rules will be used for the debate on the childcare amendments and any amendments to them on Report, and that, if deemed necessary, amendments will be accepted at Third Reading on this part of the Bill alone?

Finally, on Friday evening I had an email from the department apologising for the late tabling of further amendments, apparently to allow substantive discussions with the devolved Administrations prior to tabling as they relate to the devolution settlement and securing legislative consent for the Bill. Late discussions with the devolved Administrations unfortunately seem to have become a regular occurrence, but it would have been helpful if we had been made aware and alerted to any impact on timings in advance.

To be quite clear, I hold the Minister in the highest regard, I am not complaining about her as a Minister and we very much appreciated her apology. However, it greatly concerns me that the department has shown a lack of respect for the need to have proper legislative scrutiny from both Houses if we are to secure legislation of the expected highest standards.

**Baroness Pinnock (LD):** My Lords, I fully endorse the sentiment expressed by the noble Baroness, Lady Hayman of Ullock. It is most unfortunate and not the responsibility of the Minister at all. She has been considerate and helpful with her time and that of her officials throughout our scrutiny of the Bill. Nevertheless, three chapters were added to an already very large Bill

after it left the House of Commons, and then more than 150 amendments were tabled last week—some, as the noble Baroness, Lady Hayman, said, late on Friday. Then we find that a whole new schedule on childminding has been added and is so out of scope that the Bill's Long Title has had to be altered.

The Levelling-up and Regeneration Bill, which is very important legislation to be considered by this House, is already being brought into a bit of disrepute by the addition of chapters, a new section altogether and amendments. I am sure the Minister feels as uncomfortable as we do about the way that this has been dealt with, but I wish to express my concern, as did the noble Baroness, Lady Hayman of Ullock..

3.30 pm

**Baroness Scott of Bybrook (Con):** My Lords, I acknowledge that the Government have proposed a number of changes to this Bill ahead of Lords Report and that they deserve proper debate. Our amendments were tabled a week in advance of this stage commencing, as is usual, apart from the limited changes arising directly from our discussions with the devolved Administrations, where it was important to let negotiations conclude.

I have been very willing to meet noble Lords—I thank the noble Baroness opposite for accepting and appreciating that—from all sides of the House to discuss any aspects of the Bill, as have my officials, and I am grateful for the many conversations which we have had over the past week and previously. With a Bill of this complexity, we may not always get our engagement completely right, but our genuine intent has been to keep noble Lords well informed of our proposals, and I apologise once again to the House for any shortcomings in that.

The amendments we have proposed should also be seen in the context of the overall size of the Bill. A number of changes are being made in response to the report of the Delegated Powers and Regulatory Reform Committee. Where substantive additions to the Bill are proposed, principally on childcare, it is only right that we allow time for them to be discussed fully, and I assure the noble Baronesses that we will do that.

*Report received.*

### **Clause 1: Statement of levelling-up missions**

#### *Amendment 1*

*Moved by Baroness Hayman of Ullock*

**1:** Clause 1, page 1, line 6, after “Parliament” insert “within 30 days of the passing of this Act”

Member's explanatory statement

This amendment would require the statement to be laid within 30 days, meaning the statement could not be laid any later than the deadline for the statement detailing the application process for round three of the Levelling Up Fund which would, under a new Clause after Clause 5 also proposed by Baroness Hayman of Ullock, also have to be laid within 30 days of the Act being passed.

**Baroness Hayman of Ullock (Lab):** My Lords, I have a number of amendments in this group, all regarding the funding for the levelling-up proposals that the Government have been working on for some time. One of the reasons I have brought this back at this stage is

that I was not satisfied with the responses we received in Committee. Since we debated this matter in Committee—I think we started Committee back in February/March; we seem to have been doing this Bill for a long time—the House of Commons Levelling Up, Housing and Communities Committee produced a report in May, *Funding for Levelling Up*. It expresses a number of concerns about the inadequacies of the Government's method of delivering funding for levelling up, the allocation process and the extent to which different funds are compatible with the needs of communities in the short and long term. The committee also believes it creates several obstacles to delivering success in this area.

One concern that the committee raised in its report is about the lack of data available from DLUHC. DLUHC has conceded that it does not have sufficient data in relation to Whitehall departmental expenditure on the full range of levelling-up funds or on combined authority income or expenditure. Our concern is about how DLUHC can make significant policy decisions in relation to priority areas or funding allocations or even on the measurement of success or failure of this policy of levelling up. How can it achieve its objectives or measure those objectives if it is not given adequate data to support those tasks?

The White Paper commits DLUHC to reducing the requirements to access competitive funding and simplifying the funding landscape, so we are pleased that the department has recently announced measures to simplify the funding landscape for local authorities. However, this must be seen in conjunction with the fact that local authority revenue funding has reduced significantly since 2020.

Levelling-up funds generally do not replace grant funding because, first, they are capital not revenue and, secondly, they cover specific projects rather than necessarily covering the priorities of the local authorities.

We talked quite a bit in Committee about our concerns over metrics. There was questionable use of metrics in the first round, with additional metrics in the second round to make it easier. We feel that the management of the fund has ultimately contributed to diminished perceptions of trust and transparency, with this mismanagement leaving the Government open to criticism that they have not based funding decisions on need or, indeed, on merit.

The investment zone policy, for example, was reopened and reframed after it was reported that over 100 applications had been submitted for its first iteration. The problem is that, if there is a change in the approach and a reframing after submissions have been made, it means that the local authorities have wasted a significant amount of resources. We are concerned about that, and it raises further questions about the transparency of the process that DLUHC has been applying to such funding initiatives.

Funding the implementation of the levelling-up policy is clearly complex and challenging; we recognise that. Further parts of the report say that DLUHC does not know which pots of money across government contribute to levelling up, and nor does DLUHC appear to have oversight of how these objectives can be delivered strategically through—importantly—departmental co-ordination.

[BARONESS HAYMAN OF ULLOCK]

As a result, the Government's current approach is characterised by one-off, short-term initiatives, which we think will be insufficient if the geographic, economic, social and health inequalities are to be reduced and, ultimately, overcome. To change this, we believe the policy requires a long-term, substantive strategy and funding approach: things that it currently lacks. Without this, levelling up risks joining a number of other short-term government initiatives.

In light of the committee report's findings, I would ask the Minister and noble Lords to support my amendments in this group, which ask that the third round of the levelling-up fund takes place in both a timely manner and as part of a reformed process. If the Minister is unable to do so, I am minded to test the opinion of the House on this matter, because we believe that proper use of the levelling-up fund and other funding is one of the key drivers as to whether the ambitions in this Bill will actually be achieved.

Very briefly, my noble friend Lord Berkeley has an amendment in this group regarding an issue that has come up in the negotiations between the Department for Transport and the Isles of Scilly Council and the steamship company. I will let my noble friend explain the detail of his amendment and his deeply held concerns. I want to assure him that we very much support his position. I hope that the Minister will listen carefully and work with him to find a solution going forward. I beg to move.

**Lord Berkeley (Lab):** My Lords, I thank my noble friend for that introduction. It is my job to speak to Amendment 11 in my name. It has a rather odd objective, which might not be clear from the text: I am trying to help the Government to honour their very welcome commitment to a levelling-up grant of about £48 million which they have offered to the Isles of Scilly Council to supply new vessels for the journey to the mainland. Unfortunately—we discussed this in Committee—new information came to light last week which prompted me to put this amendment down.

As I said, the department offered £48 million to the council on the basis that the council would have control of the fares, the timetable and the freight costs, and would put out to tender the operation of building a ship and the service. Noble Lords will probably be interested to know that Transport Focus did some market research earlier this year, which showed almost unanimous support from the 2,500 islanders for the idea of having a competition to get the most efficient and best value for money service, rather than just continuing with the existing operator, which has been there for many years. Many people think that it needs to be subject to competition.

The operator, the Isles of Scilly Steamship Company, asked whether it could have half of the £48 million without competing in a tender because, it said, it was a very good company. Ministers rejected that, thank goodness, in a very robust way. I could quote from the letter of the noble Baroness, Lady Vere, but I do not think I need to. She and her colleagues are being very supportive of the concept of levelling up to get the best possible deal for the fares and the service quality for passengers and freight for the people who live on the Isles of Scilly.

The trouble is that the existing operator has now announced that it wants to go ahead and finance its own ship, without saying what the fares or the timetable will be. Will it run in the winter, for example? If you are going to raise £48 million or so in the private sector, that will of course put the fares up—but the operator will not tell us what the fares are going to be. Over the weekend, we have done a few calculations of what the fares might be and compared them with those for journeys of a similar distance from the mainland of Scotland to Islay, which some noble Lords will probably know. It is actually quite frightening, so perhaps I might offer a few examples.

Since 2012, which is 11 years ago, the fares to Scilly have gone up by 47%—I repeat, 47%—and, when compared with those for Islay, the difference is getting more and more. It was seven times different; it is now going to be 12 times different. I will quote just one figure. In 2027, which is in four years' time, a return fare for a passenger to and from Scilly, with no car, will probably be about £204—£204 for one person to get to the Isles of Scilly and back. Think of taking a family there. If there was a husband, wife and two kids they would be almost broke before they got there. It is lovely when you get there—I love it—but the equivalent fare if you are going to Islay is £16.

I was very pleased to hear from the Minister, the noble Baroness, Lady Vere, who wrote to me and said:

“I am concerned about the potential impact on fares and freight charges”

from the steamship company

“and the consequential impact for islanders”.

The department offered £48 million to fund the new vessels, but it cannot really go ahead and give the money, even on a tendering basis, if somebody else is trying to build a ferry at the same time and operate the same route. If it does manage it, the fares will be, as I said, over £100 for a single, and that is all contrary to the Minister's wish to see levelling up applied to the Isles of Scilly.

In this amendment, I have attempted to come up with an idea that would frustrate any other operator trying to compete with what the Government are so generously offering, in their £48 million for what the islanders need, to ensure that the harbour authorities and the council would not be able to give this company permissions—there are plenty of permissions that we all know.

I am sure that the wording is wrong, as the Minister will probably tell me quite soon. But this is an attempt not to save the Government from themselves but to save their wonderful commitment to the Isles of Scilly from being debunked, irritated or cancelled, for very good reasons—Treasury rules and everything. If the Minister is interested in keeping this going—I hope she is—I would be very pleased to sit down and talk with her at some time before Third Reading. If that were possible, one of us could come up with an amendment, at Third Reading, that would hopefully work.

3.45 pm

**Lord Thomas of Cwmgiedd (CB):** I will add one sentence in support of the amendments of the noble Baroness, Lady Hayman. It is critical that we tie the

funding of levelling up to the missions, not only for transparency but to work together as a union. I will return to this when we come to government Amendment 9.

**Lord Teverson (LD):** My Lords, I will speak briefly to the amendment from the noble Lord, Lord Berkeley. I have worked in various guises on trying to preserve the sea link between Cornwall and the Isles of Scilly for some 25 years now. The Isles of Scilly Steamship Company is trying to undermine what is absolutely essential but has not been able to happen over 25 years: private funding of that ferry service. I believe that this cannot happen at the moment. Never mind the fares for the future: fiscally, it will not work as a scheme. That means that the money will be lost and, after 25 years, the “Scillonian” will not be replaced and those islanders and their economy will be cut off from the mainland. That is why this amendment is important, and I too hugely thank the Government for the generosity and understanding that they have shown to the islands and west Cornwall in terms of the levelling-up funding.

**Baroness Pinnock (LD):** My Lords, I remind the House of my relevant interests: I am a councillor on Kirklees Council in West Yorkshire and a vice-president of the Local Government Association. This group of amendments focuses on the areas that have benefited, or not, from the initial round of the levelling-up fund. As we heard from the noble Baroness, Lady Hayman of Ullock, there are many examples of levelling-up funds failing to reach those parts that the Government’s own White Paper assesses as being in need of targeted funding over a sustained period.

Throughout our considerations of the Bill, I have said that this vast tome, the levelling up White Paper, should be at the heart of what we are discussing and what the legislation should be doing. As I said in Committee and at Second Reading, it seems to me that the Government have lost their way. The White Paper is not perfect, but it makes a good start in setting out what levelling up should be about. One of the phrases in it is that levelling up should be “broad, deep and long-term”—I agree. Experience of previous iterations of levelling up, from city challenge to neighbourhood renewal and several other policy interventions in between, has demonstrated that scattering plugs of funding is not sufficient to ensure that communities that have not shared in the nation’s prosperity begin to do so. The cycle is not broken without dedicated and long-term investment; that is what the White Paper says. The fundamental approach currently being pursued is inadequate to meet that challenge.

The Government have so far distributed funding via a bidding culture, which, as many noble Lords will know, the Conservative Mayor of the West Midlands has criticised, calling it a “begging bowl culture”. Such a bidding culture is also costly, in time and money, and leads to many more losers than winners. One example, which I think I have given before, is a major city in Yorkshire investing a six-figure sum in its bid for levelling-up funds only to receive a big fat zero. It seems to me that this process needs a fundamental rethink. The noble Baroness, Lady Hayman, was right to use the example of the House of Commons Select

Committee on this very issue, but the National Audit Office has also raised concerns about the use of levelling-up funds and how the bidding culture has worked—or not.

If the Government were serious about levelling up, only those areas that are amply described in the levelling up White Paper would qualify for funding. The Minister may be able to tell us whether only those areas described in the White Paper will qualify for funding. If not, we are moving away from the purpose of levelling up.

The second element of change needs to be for local authorities. Those that qualify via the assessment and the metrics in the White Paper should be asked to produce plans that tackle the inequalities at the heart of their communities in a sustained way—that is what the White Paper says needs to be done. It would mean more emphasis, for example, on skills, access to employment, and barriers, such as lack of childcare and transport. However, given what the Minister said in Committee, I am not sure whether the Government are ready for such big changes.

The noble Baroness, Lady Hayman of Ullock, is right to pursue making the use of levelling-up funding more transparent and, as Amendment 3 says, ensuring that the funding is linked to the missions. For me, at the heart of levelling-up and regeneration legislation should be linking funding to the missions. If they are not linked, I do not know what the purpose of this Bill is.

At this point, the noble Lord, Lord Berkeley, raises a good example of what happens when there is an inequality of immense proportions. My noble friend Lord Teverson supported him in that, and he was right to do so. There are countless examples of such disparities across the country, which the levelling-up fund should be dealing with.

These amendments are fundamental to the effective levelling up of the many parts of this country that have suffered inequalities—some of considerable proportion compared with the rest of the country—over many years. If the noble Baroness wishes to move her amendment to a vote and divide the House, we on these Benches will support her.

**Baroness Scott of Bybrook (Con):** My Lords, Amendments 1, 17, 304 and 305 in the name of the noble Baroness, Lady Hayman of Ullock, are all linked to a proposed new requirement for government to lay a statement detailing the application process for round 3 of the levelling-up fund. That has already happened in the first two rounds of the fund. We published information on the impartial assessment and decision-making process, alongside a full list of successful applicants. We have also provided feedback to unsuccessful applicants in both rounds. We will continue to improve the process used to award funding, taking on board the feedback we have received, which will be reflected in our approach to the next round of the fund.

We have also published our monitoring and evaluation strategy, which makes clear how the fund will evaluate impact against a range of criteria, including healthy life expectancy, well-being and pride in place. On the timing of the statement of the levelling-up missions, which is mentioned in Amendment 1, we have committed

[BARONESS SCOTT OF BYBROOK]

in the Bill to publish this within one month of Part 1 of the Act coming into force. We argue that this is already an appropriate and prompt timescale.

Amendment 3, also in the name of the noble Baroness, Lady Hayman of Ullock, looks at how levelling-up funds are supporting the levelling-up missions. This Government are committed to transparency. The Bill will place a duty on the Government to publish a clear statement of their levelling-up missions and to report annually on their progress against them, including, where relevant, the contributions made by particular projects and programmes. We have also already published transparent criteria for assessing projects and initiatives to be funded via key levelling-up funds and have published all funding allocations made to places.

In relation to the levelling-up fund specifically, in round 2 of the fund we asked applicants to set out which of the 12 levelling-up missions their bid supported. Several of the criteria used in the levelling-up fund evaluation strategy align closely with our missions, including pride in place, health and well-being. Alongside that, transport forms one of the three investment themes, and more than £1.1 billion has been awarded to improve transport infrastructure in the first two rounds.

It might be useful to give some examples of what has happened. Torrington District Council made a bid for the Appledore Clean Maritime Innovation Centre. That will create North Devon's first university research centre, which will help regional skills by providing a regional skills base, as the noble Baroness, Lady Pinnock, said. It will also establish the area as a leading research and development destination for clean maritime. Another example—I will not go on, because I could give noble Lords a large number—is the Porth transport hub, which will open later this summer. It will improve transport connectivity by providing seamless public transport connectivity for that town. These are the things that are happening.

The noble Baroness, Lady Hayman of Ullock, also asked about the rest of the money that the Government are spending and whether it will be spent in connection to the missions. I can say that £40 million from the DfE has gone into education investment areas, one of our priorities in the missions, while £2.5 billion has been allocated to the transforming cities fund and many billions more to the city region sustainable transport settlements and the bus service improvement plans. There is also £125 million from the Home Office for the safer streets fund. These are all connected to our very important missions.

The noble Baronesses, Lady Pinnock and Lady Hayman of Ullock, quite rightly asked about simplifying the funding landscape. We have already made significant progress in streamlining funds. Between them, the levelling-up fund and the UK shared prosperity fund consolidate what was previously a complex landscape. We are committed to publish a simplification plan setting out how we will go further, immediately and at the next spending review, to simplify the funding landscape far more.

The noble Baroness, Lady Hayman of Ullock, also talked about evaluation. We have an overall departmental evaluation strategy, which was published last November. Over the past 18 months, the department has significantly increased the resource dedicated to local growth

evaluations, and that will continue—so we are looking particularly at including towns funds, the levelling up fund and the UK shared prosperity fund.

The noble Baroness also asked why it has taken so long to share information about the levelling up fund round 3. It is important that we have taken the time to reflect on the first two rounds, which is why things are changing. We have learned the lessons from those two, and we wanted to do that before committing to round 3. We will talk about it further in the near future. The Secretary of State signalled at the LGA conference last week that he intends to bring a completely new approach to the levelling up fund round 3, reflecting on everything that has happened up until now.

4 pm

I move on to Amendment 11, in the name of the noble Lord, Lord Berkeley. I must apologise to the noble Lord: when he tabled his amendment, I thought it was about planning and did not realise that it was about the Scilly Isles in particular. I will give the answer that I have, because the amendment mentioned planning, and I think it is important that noble Lords have the answer—but I will then say something about the Scilly Isles.

The noble Lord's amendment would enable local planning authorities to refuse development when it would adversely affect the benefits of the levelling-up missions and where they are in receipt of levelling-up funding. Section 70 of the Town and Country Planning Act 1990 requires local planning authorities to consider all material considerations when determining a planning application, which expressly includes local finance considerations, so far as they are material to that application. Where levelling-up funding has been granted to local planning authorities for a scheme, we would also expect that this has the wider support of the council, including in relation to the planning policies of the area. Local planning authorities can already take such matters into consideration when considering planning applications—but I do not think that that was what the noble Lord was getting at.

The Isles of Scilly project is being led by the Department for Transport, and the noble Lord brings up some very pertinent questions. I am really pleased that Cornwall and the Isles of Scilly have £48 million from the Government to make sure that there is good accessibility to the islands, but I am very happy to talk further and to bring colleagues from the DfT to talk about that matter. We will do that as soon as Report is over.

I hope that I have given the noble Baroness, Lady Hayman of Ullock, enough reassurance that her amendment will not be pushed to a vote and that others in this group will not be pressed either.

**Lord Butler of Brockwell (CB):** My Lords, before the Minister sits down: I have listened carefully to what she has said, and I think that what she has been explaining is that the Government are already committed to achieving the purposes of the amendment moved by the noble Baroness, Lady Hayman. Are there any disadvantages, in that case, of accepting the amendment?

**Baroness Scott of Bybrook (Con):** The disadvantage is that we are already doing it, so we would not want to duplicate it. We have listened to the earlier rounds and

we are looking at the simplification of funding streams to local government to deliver levelling up and to connect that to the missions. There is no point in duplicating that, as it is already in the Bill.

**Lord Lansley (Con):** Prompted by the noble Lord's intervention, I do not think that Amendment 1 is consistent with the Bill as it stands, because Part 1 comes into force, according to the commencement provision, two months after enactment, whereas Amendment 1 requires the statement to be laid one month after enactment—so the two are inconsistent, and Amendment 1 is probably not effective.

**Lord Berkeley (Lab):** My Lords, before the Minister sits down, I thank her for what she said about the Isles of Scilly and my Amendment 11. I am grateful that she is happy to arrange a meeting with colleagues in the Department for Transport but, if it seems appropriate to have an amendment to the levelling-up Bill, would that be possible at Third Reading if she and the other Minister agree?

**Baroness Scott of Bybrook (Con):** I think the House prefers not to have any amendments at Third Reading.

**Baroness Hayman of Ullock (Lab):** My Lords, I thank noble Lords who have spoken in this brief debate, and the Minister for her, as always, very thorough response. However, I do not think that she has been able to demonstrate categorically that any future funding rounds are going to be properly tied to the delivery of the missions. The Government seem to have taken a bit of a scattergun approach to this, if I can put it like that. As I have already said, the Government's approach is categorised by one-off, short-term initiatives which are insufficient if the geographic, economic, social and health inequalities are to be reduced and ultimately overcome, which is what the Bill aims to do.

To me, as I said before, getting the funding allocations correct, getting the analysis of the results of previous allocations of funding correct, and having that information and data at our fingertips to be able to properly target the funding to ensure that we get the outcomes we want, is critical to the success of the Bill. I take the point made by the noble Lord, Lord Lansley, but I have been informed by the clerks that my Amendment 17 is consequential on my Amendment 1. So I thank the Minister, but I am not satisfied with the Government's future approach, so I would like to test the opinion of the House on my Amendment 1.

4.06 pm

*Division on Amendment 1*

*Contents 212; Not-Contents 208.*

*Amendment 1 agreed.*

### Division No. 1

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Mendoza, L.  
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Patten, L.

4.18 pm

#### Amendment 2

Moved by **Lord Lansley**

2: Clause 1, page 1, line 6, at end insert—

“(1A) A Minister of the Crown must withdraw the statement if, before the end of the 30-day period, either House of Parliament resolves not to approve it.

(1B) “The 30-day period” is the period of 30 days beginning with the day on which the statement is laid before Parliament (or, if it is not laid before each House of Parliament on the same day, the later of the days on which it is laid).

Penn, B.  
Pickles, L.  
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Trenchard, V.  
True, L.  
Tugendhat, L.  
Tyrie, L.  
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Vaux of Harrowden, L.  
Vere of Norbiton, B.  
Verma, B.  
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Wrottesley, L.  
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(1C) When calculating the 30-day period, ignore any period during which Parliament is dissolved or prorogued, or during which both Houses are adjourned for more than four days.”

Member’s explanatory statement

This amendment would require a minister to withdraw the statement if either House of Parliament resolves not to approve it.

**Lord Lansley (Con):** My Lords, in this group Amendment 2 in my name returns to an issue that we debated in Committee. Noble Lords who were present on that occasion will recall the debate and I will refer to it again in a moment, but I think it is useful to return to it, because it touches upon the broader question of the relationship between the laying of a statement of the levelling-up missions and parliamentary scrutiny of that—or indeed, parliamentary scrutiny of subsequent reports.

We just touched on the timing of all of these. For the benefit of the House, as it happened, I was looking at the timing of the reports and the statements. We are in a position now where we are 17 months on from the Government having published their levelling up White Paper. Technically speaking of course, when this Bill is enacted, the mission periods for the levelling-up missions will restart, since under the Bill as it stands the mission period for the levelling-up missions cannot be dated back to before the enactment of the Bill itself. As far as I can see, we are going to have a new statement of levelling-up missions at that point, and the mission period will clearly run to 2030, since all the levelling-up missions in the White Paper run to 2030. That satisfies the provision that it cannot be less than five years for the mission period.

My amendment relates to what Parliament does when it receives a statement of levelling-up missions. Under the Bill, strictly speaking, it does nothing; it waits until it receives a report. Let us imagine what happens to this Parliament in relation to such a report. The mission period starts two months after enactment—let us say, for the sake of argument, that it will be January 2024. The mission period could be delayed up to a month later under the provisions of Clause 1, so that gets us to February 2024. The 12-month report, therefore, takes us to February 2025, and the report could be received up to 120 days after the end of that 12-month period. So, the first report on levelling-up missions is already certain to take place after this Parliament has been dissolved and is likely not to be received by Parliament until the middle of 2025. That is the first point at which a report is likely to be received.

There is an interesting amendment in this group—Amendment 12, if I recall correctly—which relates to evaluating the levelling-up missions, in relation not only to Ministers’ assessments but to the assessments of the independent advisory council. We discussed the independent advisory council previously; we do not have its view formally on the levelling-up missions and progress. However, as we discussed previously, I think there is some merit in that amendment and that the independent advisory council should provide detail on the report.

The point of my amendment is to say that, when a statement of levelling-up missions is laid before Parliament, Parliament should have an opportunity to debate it if it feels strongly about it. That is not quite what my amendment says. I have adapted a legislative provision

which Ministers introduced into the Procurement Bill—which is now in the other place—that, if the national procurement policy statement is the subject of a Motion critical of it within 40 days, Ministers would withdraw that statement. My amendment shortens the time period ever so slightly, the implication being that if Parliament has a problem with a statement of levelling-up missions, the time to do something about it would be when the statement is laid, not to wait what could be 15 months to look at the first report and express reservations about that.

From Ministers’ point of view, my noble friend Lord Howe, in the debate we had in Committee on 20 February—time has passed, has it not?—said that

“it would be extremely unlikely for any government to ignore the view of either House of Parliament if that view had been expressed in the form of a Motion that had been widely supported”.—[*Official Report*, 20/2/23; col. 1467.]

My difficulty is this: as a former Leader of the House of Commons, I can see that if the Opposition had a problem with a statement of levelling-up missions in the other place, the likelihood is that they would have time within 30 working days to lay a Motion and to debate it. It is not so straightforward here, and there are no formal processes associated with a statement of levelling-up missions. If we were to include my amendment, we would create an expectation that, if such a Motion were tabled, it should be debated within a short period of time.

That is necessary because the statement of levelling-up missions is, of itself, of importance. It is a major statement of government policy. I am assuming that the statement that will be laid, potentially at the end of this year, will be the same as the statement of levelling-up missions published on 2 February 2022. It may not be—there is nothing in the Bill that requires it to be.

My point is that what is in the statement of levelling-up missions is the Government’s responsibility. I am afraid that I do not agree with the other amendments in this group and the next which try to substitute the view of Parliament about what government policy should be for the view of the Government themselves. The statement of levelling-up missions is a central statement about government policy on the reduction of geographic and other disparities across the nation, and it is for government to set out what they are. My principle is very straightforward: government propose; Parliament disposes. By what mechanism will Parliament dispose of the statement of levelling-up missions? At the moment, the implication is that it does not do anything about them; it just waits for a report, which may be some time off in the future.

Amendment 2 is very simple. It says that when the Government publish a statement, Parliament should have an opportunity—not a requirement, but an opportunity—to look at the statement and, if it objects, table a Motion and express its disapproval, which is exactly what my noble friend Lord Howe said. However, we have to create an opportunity for that to happen. If such a Motion were supported by either House, it would be right for Ministers to withdraw the statement and revise it. The amendment does not tell them what to put into their statement; they could carry on with the same statement and try to reintroduce it with the same missions, or they could adapt the missions. However,

[LORD LANSLEY]

I do not think it correct that they should proceed without any reference to Parliament or any opportunity for Parliament to express a view about the statement of levelling-up missions.

I hope my amendment is supported. I have sympathy with Amendment 12, on the independent advisory council, but I do not agree with amendments that are trying to substitute the view of this House at this moment for the Government's view on what the policy on levelling up should be. That is for government to do. On that basis, I beg to move Amendment 2.

**Lord Shipley (LD):** My Lords, I rise to speak to Amendment 6 in my name, but first, I point out that the noble Lord, Lord Lansley, has raised a number of important issues of process and timing. I look forward to hearing the Minister's response, because Parliament will have to work around them. The noble Lord pointed out that that it is now 17 months since the White Paper was published and that the way things are, with a general election pending, we are likely to hear more about the levelling-up missions in 2025. As I understood it, he said that it would be useful if Parliament could debate the missions earlier, and he is right.

However, I do not agree with the noble Lord regarding my Amendment 6, on which he poured a little cold water. It is actually about indicators, not missions: it is about how you measure, through missions and metrics, how successful the Government have actually been in delivering on their objectives.

I remind the House as we start Report that I am a vice-president of the Local Government Association. My amendment would define the criteria that should be used to evaluate the success or otherwise of levelling-up policies across all government departments. I emphasise the obvious point that that levelling up is not just for the Department for Levelling Up, Housing and Communities to pursue. Indeed, as the noble and learned Lord, Lord Thomas, said in the previous group, we must tie funding to the levelling-up missions across Whitehall. By implication, that is fundamental, because all departments are supposed to be driving levelling up, so we need to be able to assess how successful they have been in doing that.

My amendment states:

"A statement of levelling-up missions must include an assessment of geographical disparities in the United Kingdom, broken down by local authority and by postcode area and council ward".

Let me be clear: "postcode area" means the first three or four digits of a postcode, not the second half. Otherwise, I do not see how, if we talk only in terms of regions of England, we ensure that all parts of England are being considered for those outcomes. We have to cover urban, rural and coastal areas—all parts of England. We therefore have to have systems that will produce the evidence we need.

4.30 pm

In Amendment 6 I have identified what assessment there should be of geographical disparities. I have given 11 indicators, the first of which is

"levels of public spending, both capital and revenue".

This might, for example, explain why the regions of England can receive significantly different sums of public spending, notably the east Midlands, which is

the lowest region in England per capita. I am not sure how many people understand that levels of public funding can vary significantly between the English regions, and in some cases, it is not obvious why the figures are as they are. However, having a requirement to explain levels of public funding, both capital and revenue, as an indicator would help to inform public debate.

My amendment also addresses

"levels of private sector inward investment ... levels of disposable household income ... levels of employment, unemployment, and economic inactivity ... differences in housing supply and tenure ... levels of educational attainment ... numbers of young people not in education, employment or training ... levels of child poverty ... success of government policies in reducing health inequalities ... the availability and cost of public transport, and ... levels of fuel poverty."

Let me take the latter as an example of what I am trying to get at. The Minister may tell me that I have missed it, but I cannot find any mention of fuel poverty anywhere in the document on the 12 missions, the headline metrics and the supporting metrics. Yet many people are restricted in what kind of fuel they can use. Competition may not be as strong in a rural area, say, as it is in an urban area, and so on. We need more than just missions and metrics; we need clear indicators so that the general public can understand better what the achievement of levelling up could amount to. If we have a base with those 11 indicators, we will then get the basis for a trend analysis over a number of years.

The levelling up White Paper made it clear that the Government want

"to end the geographical inequality which is such a striking feature of the UK".

I agree with that, as I think almost all Members of the House would. The question is: how will we know that we have succeeded? Having a mission and metrics is not quite the same as having headline indicators that tell us whether we are going in the right direction in each of the areas I have tried to identify.

This is a very important amendment, because it defines geographical indicators that would help us to know whether levelling up across all departments in Whitehall is a success. I look forward to hearing the Minister's reply. The issue is clearly complicated a bit by what the noble Lord, Lord Lansley, said earlier, but I was not convinced by the Minister's reply when we discussed this in Committee and I should give notice that I am minded at this stage to test the opinion of the House.

**Lord Foster of Bath (LD):** My Lords, I support the other amendments in this group, but I am particularly grateful to my noble friend Lord Shipley for pointing out that the "geographical disparities" referred to in his amendment will cover disparities between urban and rural areas. It is those disparities that have led me to table the two amendments in my name—Amendments 10 and 303—and I am very grateful to the noble Lord, Lord Carrington, for his support.

Only yesterday, the Rural Coalition produced a document urging all political parties to do more to help rural areas. The document, *A Better Future for Rural England*, called for a sea-change in the way rural areas are perceived and treated. It argues that achieving the economic and social growth envisaged

“will only prove possible if there is a sustained implementation effort led by central Government and made across Whitehall departments. Much of that effort will need to focus upon addressing the structural inequalities, fragile infrastructure and economic weaknesses which characterise and hold back rural areas”.

Sadly, calls to give rural areas a better deal are not new. For example, in 2015 the noble Lord, Lord Cameron of Dillington, was commissioned by the Government to review the way in which the development of government policies took account of rural communities. Responding to his recommendations, the then Secretary of State, Liz Truss, said:

“This Government is committed to ensuring the interests of rural communities and businesses are accounted for within our policies and programmes”.

Subsequently, the Government produced a booklet called *Rural Proofing: Practical Guidance to Consider Impacts of Policies on Rural Areas*. It was updated recently and part of the update states:

“It is important that government policies consider how they can be delivered in rural areas”.

The booklet explains:

“This document helps policy makers and analysts in government to consider how to achieve the outcomes they want from their policies in rural areas. This is called rural proofing”.

In 2019, I chaired one of your Lordships’ Select Committees on the rural economy. One of our key recommendations was that rural proofing should be beefed up even further. The Government actually said they were going to do that and then said that they were going to produce a report about how they were doing it every two years. On the basis of all that, one would expect that by now rural areas would be faring at least as well as urban areas or at least were well on the way.

Sadly, the reality is incredibly different. There is a huge disparity in the cost of living between urban and rural areas. In rural areas, house prices are higher but wages are lower. Council taxes are higher, but government support for their councils is lower. Funding per head on many services, from healthcare to public transport, is lower but it costs more to provide those services. From broadband coverage to banking, rural areas lag way behind urban ones.

Only today, many noble Lords will have received a briefing from the NFU on rural crime, which states:

“The NFU recognise that crime is crime wherever it takes place. However, rural crime is very different from urban crime. The scale, cost, social impact, and other effects of crime in rural areas are underestimated, under-reported and not fully understood”.

The briefing noted, for example, that the current funding formula means that in the area where I live, Suffolk, we get £114 per resident from the Home Office grant, whereas if you go to Merseyside, you get £217. So the Rural Services Network, using government metrics, concluded that if all rural areas were brought together and treated as a single region, their need for levelling up would be greater than for any other region. But to make matters worse, Defra has produced its rural proofing report. Indeed, its most recent one, the 2022 report, amazingly and despite its title provides no evidence whatever of rural proofing procedures outlined in the guidance being followed. The Rural Services Network concluded:

“Nowhere ... is anything evidenced anywhere to show if these processes were followed”.

During our deliberations, I asked on two separate occasions whether a Minister could tell me whether those rural proofing processes were carried out in relation to the Levelling-up and Regeneration Bill. I have had no response. Now, in fairness, various Ministers have attempted to allay my fears. For instance, when I last raised it, the noble Baroness, Lady Bloomfield, responded with three examples of very good things that the Government have done. First, she was very proud to boast of the £110 million rural England prosperity fund, failing to point out that that is simply a continuation of the previous scheme, the EU structural investment programme fund. So there is no extra money there.

Then we had the great example of the extended subsidy scheme for buses—£250 million, of which £20 million is going to the whole of rural England, whereas £20 million will be given for bus priority measures in just the West Midlands, and £50 million for the first all-electric bus town. But the ultimate example that I was given was that I should be really pleased that the Government had given some rural energy support—extra funding for rural areas. But when you analyse it, what is that? That is for the nearly 1 million people who are off the gas and electricity grid, who predominantly live in rural areas. And what happened? They got the extra money ages after the previous scheme had been introduced. They had to wait for a lifetime for it. Surely that is real evidence of rural proofing not having taken place.

So I hope I might get an answer to the question today of how the Bill has been rurally proofed. If not, we can fall back on the two amendments that I have put down. Amendment 303 simply requires that that answer be provided before the Act is implemented. Amendment 10 deals with mission statements and seeks to embed rural proofing in them, requiring

“a rural proofing report detailing the ways in which the levelling-up missions have regard to their impact on rural areas and will address the needs of rural communities”.

That is a pretty simple request, given that it is meant to be government policy anyway.

I believe it makes sense to take the steps outlined in these amendments, to make meaningful rural proofing a fundamental part of all levelling-up policy development, delivery and outcomes monitoring. Ideally, I would like to go even further, as they have already done in Northern Ireland, where rural proofing is on a much stronger legal footing. But that is perhaps for another day.

I hope we will not have to take these two amendments to a vote, because I hope we are going to get an answer to the question that I am now asking for the third time.

**Lord Carrington (CB):** My Lords, I declare my rural interests as set out in the register. It gives me great pleasure to support the noble Lord, Lord Foster of Bath, on Amendment 10, as well as consequential Amendment 303. As he has said, he has been deeply involved in promoting rural issues for many years. Although progress has been made, in particular with the recent publication of the report *Unleashing Rural Opportunity*, there is a long way to go to address the disparity in productivity between urban and rural areas, which can differ by as much as 18%. We need to take into account issues such as housing, connectivity, transport and energy costs and it seems clear that, economically and socially, there is much more to be done.

[LORD CARRINGTON]

The noble Lord, Lord Foster, mentioned many of the reports that have been written and the actions that have followed. I add two reports from the All-Party Parliamentary Group for Rural Business and the Rural Powerhouse, on which I sit. One was an inquiry into rural productivity and the rural premium, which explored the impact of the cost of living crisis in rural areas, the other an inquiry into rural productivity. Many organisations whose remit involves rural affairs contributed to these reports, including the CPRE, the CLA, the NFU, the Rural Services Network, the Federation of Small Businesses, Citizens Advice's Rural Issues Group and many more.

4.45 pm

Positive action has resulted, and I will mention a few examples to illustrate the value of a rural-proofing report. The Government have recently committed £34 million to spend on skills and £7 million for a pilot scheme on satellite technology. They are looking at encouraging small rural housing developments by extending the concept of permissions in principle, supporting the funding of village halls, and consulting on extending permitted development rights for farm building conversions. They are funding rural housing enablers to identify affordable housing developments in rural areas, and they have appointed a rural connectivity champion to bring Defra and the Department for Science, Innovation and Technology together.

Clearly, there is a recognition in government that there is a major issue in the levelling up of rural areas and that actions need to be taken, but the approach so far has been piecemeal. In this Bill and this clause there is the welcome opportunity to address the myriad rural issues with a rural-proofing report that covers the issues across all government departments.

To repeat what I quoted in Committee:

“The need to “level up” the countryside is as urgent as it is obvious ... Rural homes are less affordable than urban homes. Poverty is more dispersed ... making it harder to combat, while the depth of rural fuel poverty is more extreme than those facing similar circumstances in towns and cities. Only 46% of rural areas have good 4G coverage, and skills training and public services are harder to access”.—[*Official Report*, 20/2/23; col. 1474.]

I therefore welcome the opportunity that the Bill gives to ensure that all government levelling-up policies take into account rural-proofing constraints, such as poor public transport, restrictive planning, geographic isolation, access to skills training, lack of digital connectivity and lack of affordable housing. For too long, those living in rural communities have lacked consideration in policy-making. The Government should take the view that rural-proofing can be an effective tool in assisting levelling up. The Bill could provide that by the adoption of this amendment.

**Lord Holmes of Richmond (Con):** My Lords, it is a pleasure to take part in the debate on these amendments. In doing so, I declare my financial services and technology interests as set out in the register.

We are talking about levelling up, which can really be reduced to enabling human talent, yet two of the key enablers of that talent get scarce a mention in the many pages of the Bill: regional finance, and all the new technologies that I believe can do so much to help in this overall and overarching levelling-up mission. That

is why I have brought back Amendment 14 on the underuse of robots throughout manufacturing, the country and our production processes.

My question to my noble friend the Minister is simply this: when we consider the UK's robots per 10,000 of the workforce, the issues we have on growth, which would lead to levelling up, and the multiple roles—economic, social and psychological—in which robots are already being deployed around the world in comparable nations and economies, does she recognise that we need a robotics task force? We need to unleash a community of robots to assist in this levelling-up mission, which will be of benefit right across the United Kingdom. With the ability to deploy robots into the economy and society, it can be done in a far quicker and far more economically, socially and psychologically effective way than some of the measures currently set out in the Bill.

**Baroness Hayman of Ullock (Lab):** My Lords, I have one amendment in this group, Amendment 12. It asks for an evaluation of progress towards each mission from an independent advisory council, to include the variances of delivery between different nations and regions—the geographical disparities that we have heard about from other noble Lords in this debate.

As I said in Committee, where we had a similar amendment, we believe that independent oversight enables good governance and good government. Clear, trusted and impartial analysis makes for better policy decisions. It delivers far better outcomes, and it can be only a good thing for our democracy. An independent body such as this can also ensure that progress in the development of the missions is being monitored on the road to being achieved. One of the things that concerned noble Lords throughout Committee and now on Report is that it is all very well having missions written down, but how do you achieve them and how do you monitor that progress? We already have good examples of independent scrutiny within government. The Office for Budget Responsibility is one example, and the Select Committees that sit here and in the other place also do independent scrutiny and provide advice and recommendations.

I am aware that in Committee the Minister said in answer to my proposals on an independent advisory council that scrutiny is in place through the Levelling Up Advisory Council. I appreciate that such a council could provide scrutiny, but where is the proper, clear independence in where it sits and how it reports? On the understanding that the Minister is going to mention that again, I ask her what reassurance she can provide that it is the Government's clear intention that this council will be fully independent and that that independence can be demonstrated and achieved.

I will comment on some of the other amendments in this group, and I thank noble Lords who have introduced them today. When he moved Amendment 2, the noble Lord, Lord Lansley, made some extremely good points about the timescales. When we look at the length of time before we see some of these reports, things can change an awful lot, not just with government but with policy and priorities. We were both involved in the debates on the Procurement Bill, for our sins, and we made progress on some of these kinds of issues

in that Bill. I hope that the Minister has listened carefully to some of the arguments put forward by the noble Lord, because it is important that Parliament gets the opportunity to consider the statement and to have a look at whether it thinks it is the correct statement for the time or whether changes need to be made—or it needs to be started over again, for that matter. The noble Lord made very important points.

I turn to the amendment in the name of the noble Lord, Lord Shipley. It is of course important for Parliament to be able to debate the missions, but he came back to the question of how successful government is on delivery, or otherwise for that matter. That is one of the core areas of concern coming through in our debates when we look at missions and even the term “levelling up”.

The noble Lord also made the important point that this is about cross-departmental delivery, priorities and funding. We all know that government likes to work in silos, in individual departments; it is not straightforward. Even when I was in the shadow Cabinet—so looking at this from the shadow perspective—it was not easy to get cross-departmental working in the long term, although you could do it on short-term issues. This will be critical if we are going to deliver, so his amendment looking at the indicators of how we can achieve cross-departmental working is really important. I assure him that, if he wishes to test the opinion of the House on this matter, he will have our support.

I turn to the amendment in the name of the noble Lord, Lord Foster of Bath. He very clearly laid out why his amendment is needed. As someone who has spent their life living in rural communities and was brought up in a rural community, he does not have to convince me. Every Government seems to talk about rural proofing to ensure that rural areas are considered, yet the concept as it has been formatted, both previously and now, has clearly failed. Had it been successful, we would not have so many existing challenges facing our rural communities.

We know that rural communities are being hit hard. My area in Cumbria is a good example of this: young people leave to seek better opportunities, older people move in to retire and then you have what they call “super ageing” rural communities without so many young people to work in them. It is therefore harder to deliver care and support for an ageing community. We also know that there have been cuts to rural police services, and we hear that houses in rural areas are less affordable, yet these areas have twice the proportion of officially “non-decent” homes as compared with suburban residential areas.

We talk about rural proofing in relation to the impact of policies on rural areas. I think we are looking at it from the wrong end of the telescope. Policies should be developed for rural communities in the first place, reflecting the challenges that we face. If we are going to rural-proof properly, we need to do both. I have probably said enough on this, but I am sure noble Lords have gathered that, if the noble Lord, Lord Foster, wishes to test the opinion of the House, we will be very happy to support his amendment.

Finally, on the amendment in the name of the noble Lord, Lord Holmes, as we said in Committee, he is absolutely right to raise the potential of robotics

to assist with the levelling-up missions. It is an opportunity that we should not miss, and which could also provide jobs in this country—much-needed jobs in skilled work. I hope that the Government will work further with the noble Lord, Lord Holmes, on how this could be achieved.

**Lord Curry of Kirkharle (CB):** My Lords, I rise to support a number of amendments in this group. I absolutely endorse the comments of the noble Lord, Lord Shipley, in identifying disparities that should be taken into account when we assess the impact of this levelling-up Bill, and taking action as a consequence seems to make logical sense. I particularly support the comments of the noble Lords, Lord Foster and Lord Carrington, and the amendments that they have tabled on rural proofing. I share the frustration of the noble Lord, Lord Foster, in having cantered round this course so many times before without having had a satisfactory conclusion.

This is no way a reflection on the efforts of the noble Lord, Lord Benyon, but because the responsibility for rural proofing currently lies with Defra, its influence within government as a whole is very limited. Yet it is essential that the whole of government engages in the rural-proofing agenda, which is why it is important that this item is discussed and considered within the Bill, so that it is seen as a government responsibility to deliver rural proofing.

*5 pm*

I want to be brief, but it appears to those of us who live in far-flung parts of England that the further away you are from London and the south-east, the more acutely the disparities occur. Living in the north-east, as I and the noble Lord, Lord Shipley, do, we have a double whammy. We have the north/south divide, which is still a major concern, and the rural/urban divide. There is a double impact in terms of rural proofing that needs to be addressed. Only through well documented rural proofing and the proper engagement of different departments of government will we be able to identify what actions need to be taken to address these disparities. It is only through that evidence base that we will be able to successfully apply levelling up in rural areas. I support these amendments.

**Baroness Scott of Bybrook (Con):** My Lords, Amendment 2, in the name of my noble friend Lord Lansley, would require a Minister to withdraw the statement if either House of Parliament resolves not to approve it. The statements of levelling-up missions, the annual report, the revisions to the missions and revisions to the metrics supporting missions will already be laid before both Houses of Parliament. This already provides numerous opportunities for Parliament to scrutinise the activity of the Government on levelling up. Going further in this way could take up significant parliamentary time and giving a veto to Parliament on a statement of government policy, which is fundamentally different from legislation or guidance, would not in our opinion be appropriate. Of course, as my noble friend said in Committee, Parliament can at any time put a Motion for debate on any issue. That is always possible for both Houses to do.

[BARONESS SCOTT OF BYBROOK]

Amendment 6, in the name of the noble Lord, Lord Shipley, would require the Government to publish an assessment of geographical disparity, with reference to defined criteria, alongside the statement of missions. But as set out in the levelling up White Paper, the missions are already supported by a range of clear metrics to assess different aspects of geographical disparities and measure progress in addressing these. These metrics take account of a wide range of inputs, outputs and outcomes and, in the vast majority of cases, they draw upon publicly available datasets. An additional assessment of geographical disparities risks being duplicative.

Further, as with the missions themselves, specifying reporting metrics in legislation would make reporting far too rigid. While disparities exist at regional, local authority, ward and even street level, the appropriate unit of comparison will vary depending on the mission or policy area. Governments must be able to adapt reporting to reflect changing contexts, without cumbersome revisions to primary legislation. The statement of levelling-up missions is intended as a statement of government policy, which will set out those admissions and metrics, while the annual report will report against those metrics. Having requirements to assess disparities according to specific criteria in the statement would pre-empt that annual report.

Amendment 10, in the name of the noble Lord, Lord Foster of Bath, would require the Government to publish a rural-proofing report alongside the first statement of levelling-up missions. The noble Lord is right to highlight the challenges facing rural communities, as are the noble Lords, Lord Curry of Kirkharle and Lord Carrington, but the annual rural-proofing report is the key tool in highlighting this work. The second of those reports, *Delivering for Rural England*, is out. It sets out further details on the Government's approach to levelling up rural areas.

In addition, last month the Government published an action plan detailing their ongoing work and future plans to support rural areas. The noble Lord, Lord Foster of Bath, mentioned that, coming out of that, we are providing £378 million in ring-fenced grants for rural areas, to fund energy-efficiency and clean heating upgrades for low-income households living off the gas grid in England. We also announced a £2.5 million fund to boost the supply of new affordable housing to rent or buy in rural areas, by creating a network of new rural housing enablers. As noble Lords said, we are also supporting community ownership of vital rural assets, such as pubs and shops, through the £150 million community ownership fund. These are areas across government where we are supporting the rural economy and rural England, and this will come out of those rural-proofing issues. I will mention more of this in a minute.

Amendment 12, in the name of the noble Baroness, Lady Hayman of Ullock, seeks the publication of a report by an independent advisory body on progress against the levelling-up missions. Through the provisions we seek to put in statute in the Bill, we are committed to enabling Parliament, the public and experts to scrutinise our progress against our missions and in reducing geographic disparities, and to hold the Government to account. Many think tanks and academics are already scrutinising our performance on levelling

up. Through my department's spatial data unit, we are embracing and seeking to build on this engagement, including through work to improve the way in which government collates and reports on spending and outcomes and considers geographical disparities in its policy-making. That is not just in my department but across government.

As noble Lords will know, we also established the independent Levelling Up Advisory Council, chaired by Andy Haldane. The council, which provides very candid advice to Ministers and conducts independent research for the levelling-up agenda, has met nine times already. I am confident that these provisions and commitments will ensure transparency, scrutiny and accountability on the levelling-up missions, and on the way in which geographical disparities are defined, measured and addressed, without adding any unnecessary proliferation of public bodies.

Amendment 14, in the name of my noble friend Lord Holmes of Richmond, would oblige the Government to publish a report that considers establishing a task force to help increase the effective use of robotics and automation and to consider the impact on regional disparities. The Government are hugely committed to reducing barriers to innovation, which is why we committed almost £200 million in funding to manufacturers through the Made Smarter programme, and we are already convening a Robotics Growth Partnership with leaders across academia and industry. The Levelling Up Advisory Council is considering how to improve the uptake of productivity-enhancing technologies. Given the work that is ongoing already, we do not believe that a task force is necessary. Should government find it desirable to establish a task force in the future, I assure my noble friend that it will not be necessary to legislate to establish one.

Amendment 303, in the name of the noble Lord, Lord Foster, would require a rural-proofing report on how

“the measures contained within the Act will address the needs of rural communities”.

As I highlighted, the Government already have extensive rural-proofing mechanisms which ensure that the unique challenges of rural communities are considered in all our policy-making. The Government undertake robust impact assessment processes when introducing any new policy. The Bill is subject to the same scrutiny and therefore has been assessed accordingly to ensure that all communities, including rural ones, are sufficiently considered. Given the existing mechanisms in place, we do not believe it is necessary to impose a further condition on the provisions of the Bill.

I hope that this provides the necessary reassurance for my noble friend Lord Lansley to withdraw his amendment and for the other amendments to not be moved.

**Lord Shipley (LD):** Before the Minister sits down, perhaps she might explain a little further about the Levelling Up Advisory Council. I think I heard her say that it has now met nine times. Is the advisory council publishing its papers and the minutes of its meetings? I am led to believe that it has not been doing so. Is that the case and, if so, would it not be better if the papers and minutes of its meetings were published?

**Baroness Scott of Bybrook (Con):** My Lords, I am not aware that the advisory council is publishing papers, because it is advisory to the Government. I will make further inquiries and come back to the noble Lord and others in the Chamber.

**Lord Foster of Bath (LD):** To save the House time later, I remind the Minister that rural-proofing is not about giving a list of good things you have done in rural areas. To quote the Government's own document:

"Rural proofing aims to understand the intended outcomes of government policy intervention in a rural context and to ensure fair and equitable policy outcomes for rural areas".

If the Minister is correct that this legislation has been rural-proofed, will she commit to publishing the specific report for this Bill, which would achieve what my two amendments are seeking to do?

**Baroness Scott of Bybrook (Con):** My Lords, a number of proofings have been done on the Bill. I will ask for those and make sure that they are brought forward. It is not about giving money; it is about knowing where money is required in rural areas to make life better for people, as well as making sure that policies are rural-proofed. If we find out through that rural-proofing that some policies are not delivering as well as they could for rural areas, we have to do something about it, and that is what the Government are doing.

**Baroness Hayman of Ullock (Lab):** Before the Minister sits down, if the policies have been rural-proofed, what happened to the metrics? Clearly, they have not been rural-proofed. I raised public transport, which I think needs looking at.

**Lord Lansley (Con):** My Lords, I am grateful to all noble Lords who have spoken to this group on a range of issues. We have had some of these debates before. As far as the independent Levelling Up Advisory Council is concerned, we had that debate in Committee. We are now five months on, and we asked then for there to be greater transparency around its work and the advice that it gives, but we have not yet seen it. I hope my noble friend the Minister might take away from this debate that, when it comes to the point of issuing a report on the levelling-up missions, it will include—as is done for the Budget, for example, by the OBR—an independent assessment by the advisory council for the purposes of transparency. For it to work wholly within government and never see the light of day does not strike me as terribly independent, so I hope we see that change.

The point about public transport and rural-proofing was well made. The idea that the metric on public transport is how close one gets to the way that public transport works in London is hardly a basis for comparison or for the measurement of public transport connectivity in rural areas, but hey ho. The point is a good one: getting it into the metrics is potentially more important than including it in the reporting process. That is exactly why parliamentary scrutiny of the statements is important, not just parliamentary scrutiny of the reports of the missions after the passage of time.

None the less, I take my noble friend's point about the flaw in my argument, which is a very simple one. We spent a lot of time debating the statement on the levelling-up missions, because the missions were published before the Bill was received. We spent a lot of time debating what is in them and what the alternatives might be; so far, so good.

In the next Parliament, we will no doubt have a new statement on the levelling-up missions at some point. It will be very interesting to see that and, following the points made by my noble friends and opposition Front-Benchers, in Committee and today on Report, I hope that there will be opportunities for debate when the statement is laid. That is especially true of and relevant in the other place. If there are objections and a desire for a debate, I hope that the Ministers will accept and understand that.

5.15 pm

When the Procurement Bill comes back, we will have fun reminding the Cabinet Office of the Front Bench's objection in principle to Parliament debating the policy statement of Ministers and to Ministers being required to withdraw it if Parliament objects. That is precisely what is in the Procurement Bill in another place, as put in the Bill by Ministers themselves. I am afraid that my noble friend's argument of principle against my amendment does not hold much water beyond this convenient moment. None the less, I take her point. I have explained the flaws in my amendment and, on that basis, I will not press it. I beg leave to withdraw Amendment 2.

**Baroness Scott of Bybrook (Con):** I have an update for the House: I have been advised that the independent advisory board has a public blog that noble Lords might like to look at.

*Amendment 2 withdrawn.*

*Amendment 3 not moved.*

#### *Amendment 4*

*Moved by Baroness Lister of Burtersett*

**4:** Clause 1, page 2, line 3, at end insert—

"(2A) The levelling-up missions must include a mission to reduce the proportion of children of all ages living in poverty in all its dimensions."

Member's explanatory statement

This would include in the levelling-up missions a mission to reduce child poverty based on the UK Government's domestic commitment to meet the universal UN Sustainable Development Goal 1.2: by 2030 to 'reduce at least by a half the proportion of...children of all ages living in poverty in all its dimensions'.

**Baroness Lister of Burtersett (Lab):** My Lords, I rise to move Amendment 4, which is supported by the right reverend Prelate the Bishop of Durham and the noble Baronesses, Lady Stroud and Lady D'Souza, to whom I am very grateful, even though they could not all be in their places. I also give my support to Amendment 7 in particular. I am also grateful to Action For Children, and Paul Wright of Children's Alliance, for their support.

[BARONESS LISTER OF BURTERSETT]

The amendment would add a child poverty mission to the existing list of levelling-up missions, but it does so in a very different way to that put forward in Committee. I will explain that in a moment but first, I will give a very brief recap of the case. The latest official figures show that over 4 million—nearly a third—of all children are living in poverty. There is an even higher proportion among some minority ethnic communities and a growing problem of deep poverty, as demonstrated by the Social Metrics Commission, chaired by the noble Baroness, Lady Stroud.

While poverty rates vary regionally, Tower Hamlets stands out as the local authority with the highest rate—nearly 50%, according to my colleagues in the Centre for Research in Social Policy at Loughborough University. They used government data, which also show that children are more likely than the overall population to be in low-income households, so it is perhaps not surprising that the Trussell Trust has found that nearly half of all households experiencing hunger include children—a significantly disproportionate number. This is among the latest in a flood of reports I have received, since we debated the issue in Committee, documenting the hardship experienced by children in low-income families.

As I pointed out in Committee, both the Levelling-Up Secretary and the former Prime Minister who introduced the levelling-up strategy have acknowledged that it has to address poverty, in particular child poverty. That child poverty was not mentioned in the White Paper was, according to Mr Johnson, an accident, but the accident has not been rectified. Indeed, the opportunity to do so in Committee was rejected, despite strong support for a child poverty mission throughout the House. Moreover, it was disappointing that the suggestion of the noble Lord, Lord Young of Cookham, that poverty might be written into the existing missions was simply ignored. Mission 2, on opportunities, would, I suggest, be the obvious place to do so.

The Minister's rejection of the previous amendment in Committee appeared to be based on three propositions. The first was that such a strategy was unnecessary in light of the usual list of what the Government are already doing, together with an example of local authority action to support child poverty reduction at local level. Listing various initiatives does not constitute a strategy. While the anti-poverty strategies pursued by some local authorities are indeed inspiring, it was clear from a recent event organised by Greater Manchester Poverty Action that, despite the good work they are doing, what local authorities are able to achieve is hampered by the lack of a national anti-poverty strategy.

Secondly, on the much-repeated mantra that paid work is the best route out of poverty, it is certainly an important route, but for all too many it represents a cul-de-sac if it simply means in-work poverty. It is not an argument against a wider interdepartmental strategy.

Thirdly, there is the Government's aversion to income-based targets. I do not accept the Minister's argument, nor do most academics or charities working in the area, but I shall spare noble Lords a debate on this. Instead, in a spirit of compromise, I have redrafted the amendment to address her concerns so that it now refers to

“poverty in all its dimensions”.

This phrase is taken from the UN sustainable development goal 1.2, which commits all signatories to work to “reduce at least by half the proportion of men, women and children of all ages living in poverty in all its dimensions” by 2030.

Noble Lords who are not familiar with the sustainable development goals might think that this is an odd commitment to include in domestic policy but, as was made clear in a 2019 Written Statement from the Department for International Development, these goals apply to all people in all countries, including here in the UK. The amendment is in fact much less prescriptive than the goal itself but, given that the UK Government are committed to meeting the sustainable development goals and the then Secretary of State acknowledged that

“there is more work to do if we are to meet the ambitious targets by 2030”.

I hope the Government accept that this amendment would help them to do so. They might not like targets, but I am afraid that they are committed to the SDG target.

In Committee, the Minister accepted that child poverty is an issue that needs to be acted on. I am grateful to her for meeting me and the right reverend Prelate last week to propose a welcome, albeit small, concession by way of introducing child poverty statistics into the levelling-up metrics, which I shall leave her to spell out. But again, that alone does not constitute a stratagem. The Westminster Government remain the only Government in the UK without any kind of child poverty strategy, despite the 2021 recommendation for such a strategy from the Select Committee on Work and Pensions.

In conclusion, I would like to quote from a short film shown recently in Westminster by the Food Foundation, focused on Melissa, a mother from Solihull who is struggling to make ends meet. Speaking of families in poverty generally, and of politicians, she said:

“They”—  
the politicians

“know we're here, but they don't see us”.

The inclusion of a child poverty mission in the levelling-up strategy would be a tangible way for the Government to say, “We do see you and we are serious when we say we are committed to eradicating child poverty”. I beg to move.

**Baroness Finlay of Llandaff (CB):** I declare an interest in that I am vice-president of Marie Curie and co-chair of the Bevan Commission on health in Wales. I shall speak principally to Amendment 7 in this group, which is based on the previous amendment in Committee from the right reverend Prelate the Bishop of London, who is also a signatory to this amendment.

The levelling up White Paper, the precursor to the Bill, published in February 2022, identified that:

“One of the gravest inequalities faced by our most disadvantaged communities is poor health”.

Yet health disparities are not explicitly specified in the Bill and the health disparities White Paper has been scrapped, hence this amendment. In Committee the Minister stated that the Government are committed to working with the devolved Governments to reduce geographical disparities across the whole UK and to



share evidence and lessons from across the country, learning what works and what does not. Today we have already heard the Minister re-emphasise this in summing up on previous amendments.

Levelling-up missions must address inequalities right across the life course, from cradle to grave. Tackling health inequalities is essential to improving the nation's economic health as well as people's well-being. Inequalities in life expectancy are the result of poor health literacy and those broad social determinants of chronic illness and poor health. The Bill purports to reduce geographic disparities using a range of mechanisms. There are marked regional differences in health outcomes across the nation; within and between regions, disparities are increasing.

The largest decreases in healthy life expectancy were seen in the most deprived 10% of neighbourhoods in the north-east. Between 2017 and 2019, healthy life expectancy at birth for women in the north-east of England was 59 years, 6.9 years less than for women in the south-east; for men, life expectancy was 5.9 years shorter. Alarming, ONS data showed that healthy life expectancy was around 19 years shorter in the most deprived compared with the least deprived areas of the nation. In these deprived areas, people had a more than threefold risk of dying from an avoidable cause. Before the pandemic, health inequalities were estimated to cost the UK £31 billion to £33 billion each year in lost productivity, £20 billion to £32 billion in lost tax revenue and higher benefit payments, and almost a fifth—£4.8 billion—of the total NHS budget.

The pandemic sharply exposed the real impact of health inequalities through excess mortality in some population groups, and exposed a number of related socioeconomic factors and regional conditions that exist across the life course. Poor housing, inadequate diet, including maternal malnutrition, and adverse childhood experiences have long-term consequences, including crises in adult life, greater need for NHS and social care support and poorer employment prospects. Living on a low income is a source of stress, and emerging neurological evidence suggests that this affects the way people make health-affecting choices, ranging from food to activity.

Poor-quality and overcrowded housing is associated with increased risk of cardiovascular and respiratory diseases, depression and anxiety. Access to good-quality green space improves physical and mental health and lessens obesity. Deprived inner-city areas have far less good-quality green space and higher atmospheric pollution. Unemployment is associated with lower healthy life expectancy and poorer physical and mental health, for unemployed individuals and their households. In 2019-20, employment rates in the least deprived decile were 81.5%, compared with 68.4% in the most deprived decile. Such unemployment damages the nation's economy.

These health inequalities, starting in childhood, persist right through to the end of life, when social disadvantage is often exacerbated by regional disparities, leaving palliative care needs unmet, particularly for those 90,000 people who die in poverty and deprivation, and those in rural areas where a quarter of the population are aged over 65, unlike younger urban populations. In the UK, those living in poverty, particularly in the most deprived areas, are more likely to die in hospital

than in the community and have more emergency hospital admissions in the final months of life. When they leave bereaved children, these young people have worse long-term outcomes in mental health, employability and so on.

The Bill could break the cycle for many if it truly focuses on the population rather than being diverted by commercial short-termism. This is not about taking away from some to give to others: levelling up must address overall well-being and health inequalities across the life course for us to be an economically stronger nation. Without this as a common thread and a foundation for all missions, attempts to level up will fail. I hope that I will get overwhelming reassurance from the Minister today, because otherwise I will be really tempted to test the opinion of the House on this important issue.

**Baroness D'Souza (CB):** My Lords, I thank the noble Baroness, Lady Lister, for tabling this amendment, to which my name is attached. The stated intention of the Bill, reiterated many times by the Government in both Houses, is the moral duty to reduce economic, social and environmental disparities between and within different parts of the UK. I will make two points.

5.30 pm

First, the overriding cause of disparity is poverty. Families not having sufficient funds to buy food is resulting in some 14% of the total UK population—11 million people—being forced to use food banks. The main driver of hunger and recourse to food banks is low income; 82% of those facing hunger—the vast majority—are in debt. Vulnerable sectors include the disabled, single parents, carers, ethnic minorities and the LGBTQ+ community. According to the Trussell Trust's latest report, *Hunger in the UK*, this level of poverty leads inevitably to greater, deeper and more far-reaching disparities in health and well-being—yet, as we heard from the noble Baroness, Lady Finlay, it is not a focus of any of the Bill's 12 missions. There is no reference in the Bill to poverty or the means to reduce it, nor any suggested practical measures to support communities facing a cost of living crisis or to achieve long-term health and well-being. It is not enough to indicate eliminating such inequality as an "intended outcome". We must be a little more explicit.

Secondly, the failure to address the pressing issue of severe poverty as a cause of inequality in the Bill does not make sense. It means that there will be no regular annual reporting on this particular inequality and no obligation for the Government to reveal whether or not the goal of reducing poverty has been reached. This amendment would at least ensure that lifting families, especially children, out of poverty could provide the necessary structure for tackling other disparities. Without such clear and unambiguous reference to poverty, levelling up cannot be genuinely transformative.

**The Lord Bishop of Durham:** My Lords, I will speak to Amendment 4, to which I have put my name and which I thank the noble Baroness, Lady Lister, for leading on, and to Amendment 7, to which my right reverend friend the Bishop of London has added her name. She sends her apologies that she cannot be present today.

[THE LORD BISHOP OF DURHAM]

I draw attention, as has been done already, to the latest research on the number of children living in poverty in the UK. I highlight particularly that in 2021-22 in my part of England, the north-east, more than one in three children were living below the poverty line. The number of children living in poverty in the region has seen an increase of 26% since 2014-15—the steepest rise of anywhere in the country during this period.

I too thank the Minister for the very helpful meeting we held last week. I look forward to hearing what specific commitments she might make, especially around including child poverty in the annual metrics through which the impact of the Bill will be measured, and I welcome the recognition that these metrics will bring clarity to the issue of child poverty in the UK. Nevertheless, it is vital that reducing child poverty becomes part of the solution to achieve levelling up and is not seen solely as a by-product of it. I believe it is the primary purpose that should lie behind levelling up.

How can we expect levelling up to be achieved when the number of children growing up in poverty remains so high? How can we expect opportunities to be spread equally across the country when the most deprived areas are experiencing the largest increases in child poverty, resulting in lower educational outcomes and poorer physical and mental health? The experience of poverty in childhood holds back far too many people, preventing them reaching their potential. If we do not make ending child poverty a priority, levelling up will similarly be held back. Put simply, this needs to be a foundational mission for the whole levelling-up agenda.

I turn to Amendment 7. We are all in consensus that good health is key to our flourishing and that we would like to see health inequalities narrowed. However, the health disparities White Paper was scrapped in recent memory and, while the new *NHS Long Term Workforce Plan* has much to commend it, it demonstrates the lack of a plan to tackle health inequalities. Meanwhile, the healthy life expectancy gap remains and disparities within regions are sometimes even starker than between them, as the noble Baroness, Lady Finlay, has explained.

The NHS was born in order to work for equitable health. I hope this amendment will ensure that that remains the case. It would ensure that a specific mission relating to health disparities is introduced, including health outcomes towards the end of life; inequalities do not vanish when a person is at the end of their life but persist in access to palliative care. The amendment is necessary because, although we are grateful for the Minister's assurances, there is still nothing in the Bill that holds the Government to the missions set out in the White Paper, which are the substance of our work to level up. Health is vital to levelling up. It is my conviction that Amendments 4 and 7 go hand in hand and that both need to be in the Bill.

**Baroness Benjamin (LD):** My Lords, I support the amendment in the name of the noble Baroness, Lady Lister, and thank her for her commitment to striving for fairness and equality and to eradicating child poverty for the nation's most disadvantaged children.

An effective way in which the Government could improve our children's health and well-being is to tackle child poverty. To do that, there must be a clear

strategy. What better way to do that than by placing this amendment as a mission in the levelling-up Bill, to reduce the proportion of children of all ages living in poverty? Surely it is an obvious place for this amendment to sit.

The evidence on child poverty and its disastrous effects is becoming increasingly apparent. The *Households Below Average Income* report published by the DWP states that 350,000 more children were pulled into relative poverty in 2021-22. That means that 4.2 million children—29% of our UK children—were in poverty, up from 3.6 million in 2010-11. This is worrying because it will only continue to rise in 2023, given the cost of living crisis and the high mortgage rates hitting families harder and harder by the month.

Research has shown that there are geographical disparities across our nation, but there are also significant differences between the child poverty rates in ethnic groups. Children from black and minority-ethnic groups are much more likely to be in poverty—48%, compared with 25% of children in white families.

It is also disheartening to know that work does not provide a guaranteed route out of poverty in the UK. Unbelievably, 71% of children growing up in poverty live in a household where at least one person works. Is that not depressing? Between 1998 and 2003, reducing child poverty was made a priority. There was a comprehensive strategy and investment in children. The number of children in poverty fell by 600,000. That is what you call a mission of levelling up.

As I keep saying, childhood lasts a lifetime, so it makes financial sense to invest in our children as early as possible. Perhaps having a Cabinet-level Minister for children would help this mission. This year, research by the Child Poverty Action Group showed that child poverty cost the economy almost £40 billion a year.

In order for children to function at their best, especially in school, they need a proper, balanced diet. Shamefully, we are seeing a nutritional postcode lottery for our children. For example, some fantastic work is being done in London, meaning that all children in primary schools will receive a free school meal. In boroughs such as Tower Hamlets, all secondary school children will do too. Yet, if you travel outside of London to areas known for economic deprivation and high levels of child poverty, we find that the same children in need of a decent meal are unable to receive a free school meal, unlike their counterparts in London.

Without lifting children out of poverty, levelling up will not have the long-term positive impact that the Government hope to achieve through the Bill. If child poverty keeps at this high level and keeps on growing, children's prospects will suffer, cancelling out any other positive aspects of the Bill. I plead with the Government and all noble Lords to support this amendment, whose mission is to reduce the number of children of all ages living in poverty in all its forms, as one of the Bill's levelling-up missions.

**Baroness Pincock (LD):** My Lords, this group of amendments seeks to persuade the Government to be more specific about the missions and metrics of levelling up. I wish to speak initially to Amendment 8 in my name.

I remain very disappointed that the Government have failed to include their White Paper missions in the Bill. It makes me ask whether there is some shame on the Government's part in stating clearly in legislation that our country has the worst levels of regional inequality of any part of the European Union, and whether the Government are committed to addressing those inequalities with determination and sustained funding.

Amendment 8 challenges the Government to include in the Bill the missions so clearly set out in the White Paper. All my amendment does is repeat those missions. They are not perfect, and they are necessarily the ones Liberal Democrats would include. We would perhaps include something more specific on health inequalities and life expectancy, which is one of the missions, and we would include child poverty more specifically than do the ones on deprivation in the White Paper. However, those are the missions the Government have chosen and they will do a good job—if the Government keep to them, and to the metrics in the addendum to the levelling-up White Paper.

I accept the argument that the Minister gave last time, that missions change over time. Of course they do, and my amendment makes it clear that they will and that the Government should change them. However, that an entire Bill should fail to list what the missions are seems to me a failure of government ambition and determination. At the moment, the Government will set out their missions after the Bill has been enacted. Perhaps the Minister will be able to tell us whether they will include all the elements in the White Paper.

5.45 pm

Of course, they could fail to do so, which is my concern. The Government might pick and choose to suit a different political agenda, and then the promise of levelling up will be dead. As we have heard from the noble Baronesses, Lady Lister and Lady Finlay, the lifelong and generational harm to individuals, families, their communities and this country will not be tackled if the Government determine not to follow the strategy in the agenda set out in the White Paper. Hope and trust will fade that those in power have any serious intention to make people's lives better. We on these Benches will scrutinise that first government statement of levelling-up missions and metrics and hold the Government to account if they fail to set out the White Paper missions in full.

Throughout the debate this afternoon, the Minister has responded to our challenges on rural proofing and the levelling-up funds, as addressed by the noble Baroness, Lady Hayman of Ullock, with a list, given to her by her department, of various relatively small—in the big scheme of things—packets of funding to address some of the inequalities. That is fair enough, and the example that comes to mind is £150 million for rural community assets, which could include public houses. However, this is not the same as having a sustained, long-term, deep-seated strategy, which is what the White Paper says should be happening. It is scattering bits of confetti, in the shape of funding, for issues to be addressed here, there and everywhere.

Given that the Government will set their face against putting the missions in the Bill, we must turn to having specifics in the Bill. We have heard two extraordinarily powerful arguments, one in favour of addressing child

poverty, the scourge of this country. A third of children live in poverty. Perhaps many noble Lords live in areas where they see children in poverty. I do. I see them coming to school without a coat on when it is cold, without shoes that fit properly. I talk to teachers who tell me that the children are hungry. We are one of the richest countries in the world—this cannot be right. The noble Baroness, Lady Lister, and my noble friend made powerful arguments. We will support them wholeheartedly to get this in the Bill, because if the Government address nothing else, they are going to address child poverty.

We will also give our wholehearted support if the noble Baroness, Lady Finlay, wishes to test the opinion of the House on putting health disparities in the Bill. She rightly argued, as the Marmot report told us, that if you deal with health inequalities, you will deal with the social determinants of health: decent housing, skills and well-paid employment.

If nothing else, if those two issues are laid out in the Bill, we in this House will have achieved at least something to improve the Bill—to ensure that the Government focus on two big issues that are fundamental to levelling up our society. I look forward to the Minister's response. If those amendments are pushed to a vote, we will certainly support them.

**Baroness Taylor of Stevenage (Lab):** My Lords, I draw attention to my interests, as I am still a serving councillor in both Stevenage and Hertfordshire.

It is always a huge privilege to follow Members of your Lordships' House with such great expertise and passion for their subjects as my noble friend Lady Lister of Burtsett and the noble Baroness, Lady Finlay of Llandaff, supported by the noble Baronesses, Lady D'Souza and Lady Benjamin, and the right reverend Prelate the Bishop of Durham. I shall speak to their amendments in a moment.

First, I have tabled Amendment 5 to highlight a number of missed opportunities in the Bill. Some of the many issues we have raised relate to the deficiency of the Bill in clearly setting out a definition of what levelling up actually means to the Government and, as importantly, how it will reach every area—we have a later set of amendments on regional disparities—how it will be funded, how it will measure outcomes rather than outputs, and how in key areas it will start to turn the agenda from acute interventions, which are expensive and complex, to preventive work, which will be more effective and save costs in the long run. I am grateful to my noble friend Lady Hayman for setting out so clearly our concerns around funding; I will not comment any further on that subject.

It seems to us that the levelling-up missions are nowhere near ambitious enough to take this country forward in the wake of Brexit, the pandemic and climate change, and with economic changes that need a clear strategic approach to ensure that the United Kingdom keeps pace with scientific development, tackles productivity challenges and is a place where everyone has the opportunity and encouragement to play their part in growing the economy.

What we see in the levelling-up Bill is, too often, the sticking-plaster politics of the last few years, which will do little to tackle the long-term challenges. Our missions indicate our ambition and determination

[BARONESS TAYLOR OF STEVENAGE]

that our country will face those long-term challenges that really matter to citizens and society; keep focused on them in spite of day-to-day pressures; ensure that everyone—business and trade unions, private and public sector, and government departments—works together; and, key to the consideration of this Bill, make sure that local and national government work together in partnership to ensure that action happens at the right level and combines national strategy with local knowledge and expertise. Strong missions must be focused on tackling the long-term and complex problems that need long-term thinking and recognise that there is no silver bullet to solve them, only key partnerships worked at and sustained over time.

We must be more ambitious, like our mission to secure the highest sustained growth in the G7, which is aimed at tackling the consistent underperformance in our economy that sees Britain still trailing behind our partners rather than powering ahead. ONS statistics show that the UK's GDP growth between the final quarters of 2019 and 2022 was the lowest in the G7, which means that the UK is the only G7 country in which the economy remains smaller than it was before the pandemic. Being as ambitious for our economy as the people in our country are for their families must surely be the launch pad of levelling up.

There can be no levelling up while people and communities still feel unsafe in the places they live, work or spend their leisure time. There can be no levelling up while we treat the challenge of producing clean energy with a lack of ambition. We need a mission to make Britain a clean energy superpower, creating jobs, cutting bills and dealing with the crisis in energy security.

The noble Baroness, Lady Finlay, clearly set out the reasons why tackling health inequalities, which have beleaguered the UK for generations, must be part of the mission to level up our country in order to break the cycle. My local area is home to some of the most exciting cell and gene therapy developments in the world, so it is ironic that if you live in parts of my borough, you will live 10 years less than if you live in St Albans, 12 miles away.

In the United Kingdom we have 7 million people languishing on NHS waiting lists, waiting for surgery or procedures that could be life changing, never mind life saving. We must include in the missions for this country a stated aim to harness the life sciences to reduce preventable illness, speed up access to treatments and cut health inequalities. For that reason, if the noble Baroness, Lady Finlay, chooses to test the opinion of the House on this subject, she will have our support.

Lastly, I come to the powerful words of my noble friend Lady Lister, who has been such a strong advocate for children, particularly disadvantaged children, in your Lordships' House. It is a shameful indictment of this Government that the situation relating to child poverty has gone backwards since 2010. As the right reverend Prelate the Bishop of Durham said, it should be central to levelling up. The Child Poverty Action Group figure of 4.2 million children living in poverty, which has been widely cited in the debate, is a shameful indictment. As the noble Baroness, Lady Benjamin, said, the situation is far worse for black and ethnic-minority children, and working is not the answer for

everyone, with 71% of children in poverty living in a home where at least one person works. The figure cited that between 1998 and 2003 the number of children living in poverty fell by 600,000 shows that it can be done, but the figures are now climbing rapidly again.

The combination of low pay, poor housing and steep rises in the costs of food and energy is taking a terrible toll on the life chances of too many children and young people across our country. We heard recently from the National Housing Federation that too many children are in poor accommodation where they still have to share beds with their parents well into their teenage years. The generational change needed here requires breaking down the barriers to opportunity at every stage, for every child. That needs reform of the childcare and education systems to raise standards and prepare young people for work and life.

None of this can happen unless we all—across the political spectrum and society—make it our ambition to drive out the child poverty that blights lives, drains self-confidence, squashes opportunity and ambition, and continues the cycle that sees so many of our young people unable to make their full contribution to our country. It is unthinkable that we will see any long-term levelling up in our country without tackling child poverty. Indeed, the in-depth study on child poverty carried out by the University of Newcastle put at the top of its list of priority actions

“putting tackling child poverty at the heart of future devolution deals”.

That is a clear example of why it is entirely appropriate to have a statement of intent at national level—a mission—to drive bespoke action at local level. If my noble friend Lady Lister decides to test the opinion of the House on whether this must be included as a mission, she will have our strong support.

We would, of course, like to see Labour's missions at the heart of the Bill, but even an optimist like me realises that this might be a little premature. However, the amendments on health inequalities and child poverty deal with aims that surely we all share and issues without close attention to which levelling up just cannot happen or be successful. I reiterate our support for them and urge all noble Lords to support those amendments.

**Baroness Scott of Bybrook (Con):** My Lords, Amendment 4 in the name of the noble Baroness, Lady Lister of Burtsett, would require the Government to set out a levelling-up mission to reduce child poverty. Amendment 5 in the name of the noble Baroness, Lady Taylor of Stevenage, would compel the Government to relate their missions to the Labour Party's five priorities. What I am interested in is why child poverty is not in her amendment. Amendment 7 in the name of the noble Baroness, Lady Finlay of Llandaff, would require the Government to set out a mission on health disparities and healthy life expectancy. Amendment 8 in the name of the noble Baroness, Lady Pinnock, would require the Government to include the missions and headline metrics from the levelling up White Paper in their first statement of levelling-up missions.

I have made our approach to levelling-up missions extremely clear in this House. They are subject to debate in Parliament, but the specifics of the missions

are not written into law. Missions may need to evolve over time—including to make them more stretching as goals are met and to adapt to policy relevant to the day. We will not put any missions in the Bill. Missions are intended to anchor government policy and decision-making necessary to level up the United Kingdom. Missions should not, however, be set in stone. As the economy adapts, so will the missions reflect the changing environment and lessons learned from past interventions.

6 pm

Governments will have to state before Parliament whether they will proceed with existing missions or establish revised missions. This is comparable with other key policy documents—for example, the Government's mandate to NHS England—which are required to be laid before Parliament but without their contents being rigidly codified in legislation. Similarly, I have given repeated assurances to this House that our first statement of levelling-up missions will contain the missions from the levelling up White Paper.

In relation to health, we have already established a dedicated health mission, as outlined in the levelling up White Paper, with the aim of improving healthy life expectancy across the United Kingdom, improving health, well-being and productivity and reducing pressure on public services. The mission and supporting metrics are set out in detail in the levelling up White Paper and technical annexe and will be formally set out to Parliament in the statement of levelling-up missions.

I will add a bit more on health disparities, because this is important. Health disparities exist across a wide range of conditions, from cancer to mental health, and contribute to stark and unacceptable variation in the number of years people live in good health in the United Kingdom. That is one reason why, in January, the Government announced that they will publish a major conditions strategy, and an interim report on that is due to be published this summer. The strategy will tackle conditions that contribute most to morbidity and mortality across the population in England, including cancers, cardiovascular disease, strokes and diabetes, chronic respiratory diseases, dementia, mental ill-health and musculoskeletal conditions. The strategy will apply geographical lenses to each condition to address what noble Lords say is important—and the Government agree: to address these regional disparities in health outcomes, supporting the levelling-up missions to improve health and reduce disparities. So we are doing what the noble Baroness wants, and it is in the metrics for the missions on health.

We have listened to the debate on the levelling up White Paper highlighting challenges faced by children from disadvantaged backgrounds and how these vary between and within places. Several missions address factors contributing to child poverty. As I said, the Government have listened to the feedback on this issue, and I thank the noble Baroness, Lady Lister, and the right reverend Prelate the Bishop of Durham for their helpful meetings recently.

The Department for Work and Pensions currently publishes local area statistics on children in low-income families. Subject to these continuing to meet our quality standards, they will be cited as a relevant metric in the Government's statutory reporting on

levelling up. This will be reflected in the Government's first statement of levelling-up missions following Royal Assent.

The statistics on children in low-income families show the number and proportion of children aged under 16 living in low-income families year by year. The statistics are available on both a relative and an absolute poverty basis, before housing costs. They are available for a wide range of geographical areas, including region, local authority, parliamentary constituency and even down to ward levels. The statistics will show the individual age and gender of children and the family status, giving us a really detailed local picture of poverty in particular areas. DWP has also announced plans to resume work developing an experimental measure of poverty based on the Social Metrics Commission's innovative work. It is beginning to engage with stakeholders and will publish more information on its plans in due course.

I hope that the assurances and explanations I have given on these matters have reassured the noble Baroness, Lady Lister of Burtersett, that she feels able not to press her amendment, and that others in the group are not moved.

**Baroness Lister of Burtersett (Lab):** My Lords, I thank all noble Lords who have spoken. They have strengthened the argument very much and really underlined that it is not possible to level up without explicitly addressing child poverty. I am grateful to the Minister for engaging with the arguments and, at I said earlier, meeting me and the right reverend Prelate, and I acknowledge that we have made some progress with the inclusion in the metrics of the child poverty statistics. I point out that we have those statistics only thanks to the right reverend Prelate, because the Government wanted to do away with them—but thanks to him, in whichever dreadful Bill it was I cannot remember now, we saved them, and I am very glad that they are now proving useful to the Government.

But simply having the metrics without a clear, explicit statement in the missions themselves is not sufficient. It does not meet the arguments that have been put by a number of noble Lords why addressing child poverty should be, as I think somebody said, a foundational mission to the levelling-up strategy. So, much as I am grateful to the Minister for moving since Committee by including the metrics, I am afraid it does not go far enough. It does not meet the arguments put by every noble Lord who has spoken. Therefore, I wish to test the opinion of the House.

6.08 pm

*Division on Amendment 4*

*Contents 217; Not-Contents 192.*

*Amendment 4 agreed.*

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- (d) levels of employment, unemployment, and economic inactivity,
- (e) differences in housing supply and tenure,
- (f) levels of educational attainment,
- (g) numbers of young people not in education, employment or training,
- (h) levels of child poverty,
- (i) success of government policies in reducing health inequalities,
- (j) the availability and cost of public transport, and
- (k) levels of fuel poverty.”

Member’s explanatory statement

This amendment would define criteria that should be used to evaluate the success or otherwise of levelling up policies across all government departments.

**Lord Shipley (LD):** My Lords, I listened carefully to the Minister’s reply on my amendment, in which she said that there are clear metrics. I wish to disagree. We learned a moment ago that there is no rural-proofing in the metrics. Indeed, if one takes bus services as an example, the metrics talk about the

“average excess waiting time for frequent (bus) services ... the percentage of non-frequent bus services running on time”, and so on. The metrics actually need to ask: “Is there a bus service at all in my area?” So I do not accept, I am afraid, that the metrics are clear.

My amendment would help to solve the problem of having a standard so that trend analysis can be done on the metrics. If the Government can change metrics, that can make it difficult to achieve sustainable, long-term trend analysis. My amendment would meet that problem; I very much hope that the House agrees. I therefore beg leave to test the opinion of the House.

6.20 pm

*Division on Amendment 6*

*Contents 202; Not-Contents 194.*

*Amendment 6 agreed.*

### Division No. 3

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6.19 pm

*Amendment 5 not moved.*

#### Amendment 6

*Moved by Lord Shipley*

6: Clause 1, page 2, line 3, at end insert—

“(2A) A statement of levelling-up missions must include an assessment of geographical disparities in the United Kingdom, broken down by local authority and by postcode area and council ward.

(2B) An assessment of geographical disparities must consider—

- (a) levels of public spending, both capital and revenue,
- (b) levels of private sector inward investment,
- (c) levels of disposable household income,

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6.31 pm

#### Amendment 7

Moved by **Baroness Finlay of Llandaff**

7: Clause 1, page 2, line 3, at end insert—

“(2A) When preparing a statement of levelling-up missions under subsection (1), a Minister of the Crown must include a mission to address health disparities, aimed at reducing gaps in healthy life expectancy between communities, and addressing disparities in health outcomes throughout people's life course.”

**Baroness Finlay of Llandaff (CB):** My Lords, I am grateful to the Minister for her response, but I have to say that, without health, a nation cannot thrive. There has to be a thematic ambition across all departments if any levelling up is to get anywhere. I wish to test the opinion of the House.

6.32 pm

*Division on Amendment 7*

*Contents 207; Not-Contents 189.*

*Amendment 7 agreed.*

#### Division No. 4

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6.42 pm

*Amendment 8 not moved.*

### Amendment 9

*Moved by Earl Howe*

9: After Clause 1, insert the following new Clause—

#### “Statement of levelling-up missions: devolution

- (1) In the course of preparing a statement of levelling-up missions, a Minister of the Crown must—
  - (a) have regard to any role of the devolved legislatures and devolved authorities in connection with the levelling-up missions in the statement, and
  - (b) carry out such consultation as the Minister considers appropriate with the devolved authorities.
- (2) A Minister of the Crown must prepare a document which sets out how the Minister has complied with subsection (1)(a).
- (3) A Minister of the Crown must lay the document mentioned in subsection (2) before each House of Parliament, and publish it, at the same time, or as soon as is reasonably practicable after, the statement of levelling-up missions is so laid and published.”

Member’s explanatory statement

This amendment requires a Minister of the Crown to have regard to the role of devolved legislatures and devolved authorities, and to consult devolved authorities, in preparing statements of levelling-up missions. It also requires a Minister to report to Parliament on how they have so had regard.

**Earl Howe (Con):** My Lords, in moving this amendment, I will speak also to Amendments 13, 15, 16, 21 and 23. The Government are committed to respecting the devolution settlements. The UK Government and the devolved Administrations share a common ambition to deliver the best possible outcomes for people and to make sure that opportunity is spread more evenly across the whole of the country, even if the way we articulate and measure these objectives may sometimes differ.

We have listened carefully to the views of the devolved Administrations, and to views expressed in this House, on the importance of ensuring that Governments in all parts of the UK are properly engaged as we take forward the levelling-up agenda, and that the devolution settlements are not undermined. There is work under way between officials in the UK Government and in the devolved Administrations to explore collaborative work on various missions—for example, on research and development and well-being. These amendments provide further assurance as they make our commitment to work collaboratively explicit and binding in the Bill.

Amendments 9, 15 and 16 would oblige the UK Government to have regard to any role of devolved legislatures and devolved authorities, to consult devolved authorities when preparing or reviewing statements of levelling-up missions or making revisions to mission progress methodology, metrics or the target date, and to report to Parliament on how they have done so. Amendment 13 would place a further duty on the UK Government to consult devolved authorities when preparing a report on the delivery of the missions.

6.45 pm

Amendment 21 defines the devolved authorities and legislatures for the purposes of Part 1. Finally, Amendment 23 would clarify the meaning of “His Majesty’s Government” in Part 1 to provide further assurance to the devolved authorities that the duties created by Part 1 are placed on His Majesty’s Government in the United Kingdom.

I hope the House will agree that these are positive and sensible steps to ensure that all parts of the UK can benefit from levelling up, while ensuring that the devolution settlements are respected. I beg to move.

**Lord Thomas of Cwmgiedd (CB):** My Lords, I welcome the Minister’s statement and will say how grateful I am, and I am sure that people in the devolved nations are, for the Government’s change of heart. It is important to recall that the devolved Administrations have responsibilities in the areas covered by the Bill. For example, in relation to Wales, both the Government and the Senedd have a responsibility for economic development and for levelling up.

One has seen this in policies and in the legislation that has been passed. I will give three examples. The Well-being of Future Generations (Wales) Act 2015, passed by the Senedd, showed how far-sighted the Welsh Government and the Senedd were in addressing inequalities and improving the well-being of people in Wales. Secondly, in 2020, *A Framework for Regional Investment in Wales* set out another set of policies designed to deal with economic regeneration, but in a way that dealt with inequality at every level of society

and did so in conjunction with sustainable economic growth. Thirdly, in 2021, Welsh Ministers published their *Economic Resilience and Reconstruction Mission*, outlining very similar policies. It is important that the policies, although they have the same objective as one hopes the Government’s policies have, are being pursued with very different objectives in terms of how they are done and the methods.

It was this problem that arose when the Bill came to this House. The UK Government simply did not seem to understand that they were trampling over devolved policies. It was their view that Part 1 did not require the legislative consent of the Senedd, and they had taken the position that the UK Parliament could legislate and place duties on UK Government Ministers to set missions in areas where there was substantial responsibility in Wales and active promotion of those of the levelling-up agenda. It seems that they did not understand that Part 1 makes provisions that are within the legislative competence of the Senedd. The provisions therefore should not have been introduced in Part 1; the Government should have left this to the Senedd where matters were within its competence.

However, this important constitutional point need not be dealt with now. This is what I would call a pragmatic compromise, which is why I welcome it, because it underlines what I hope many have been trying to say in this House: the union will not work unless we work together.

I take this legislation as a commitment by the UK Government to work with the Governments in Wales, Scotland and Northern Ireland and with the legislatures in those nations to ensure that the objectives and the means of getting there are pursued with some degree of co-ordination.

The one area that concerns me, and I telegraphed this a little earlier when I spoke, is how the shared prosperity fund—as it was once called, now the levelling up fund—is going to be dealt with. Unfortunately, the United Kingdom Internal Market Act and the way it dealt with what was then called the shared prosperity fund brought to an end 20 years of co-operation between the devolved Governments and others to see whether we could pursue a consistent policy for the distribution of funds. It is clear from the way the shared prosperity fund was first dealt with, and the amendment to try to ensure that it is dealt with in a co-ordinated way, that it has been lacking in co-ordination. Therefore, I very much hope that what the Government have said in this amendment will ensure that we go forward as a union with spending the money in a co-operative way, avoiding duplication, waste and, above all, any use of funds for political advantage.

That is why I strongly support this amendment. It is not ideal, as it does not grapple with the constitutional points, but it is a vast improvement on the attitudes that began to be shown in 2019. Fortunately, since about August of last year, things have got a lot better, so I welcome it. I hope I am not being unduly optimistic. My name should really give cause to say, “Well, there should be doubts”, but, having looked at what has happened over the past few months, I think one can look forward to this with a degree of optimism and leave the constitutional issues to be argued about at another time—I hope, never.

**Lord Hope of Craighead (CB):** My Lords, I offer my support for these amendments from a Scottish perspective and for very much the same reasons as the noble and learned Lord, Lord Thomas of Cwmgiedd, has just been expressing. I also support it as a member of the Constitution Committee because one of the points which the Constitution Committee made was that if we are to make the union work, the key words are “respect” and “co-operation”, and this is a very good demonstration of respect for the devolved Administrations and the way in which they can co-operate.

I am glad too that the document that the Minister must lay before Parliament is to be published. The Minister is not being required to lay a document before the devolved Administrations—that is not the way it will be done—but because it will be published it will be perfectly plain to the devolved Administrations what the mission will do. The amendment is well phrased. It is extremely desirable for the reasons of principle that I have expressed. I am delighted that these amendments are there.

**The Duke of Montrose (Con):** It is a privilege to follow the two noble and learned Lords who have just spoken and to see their enthusiasm for the way the Government are going. I was waiting to see whether there was any mention of a legislative consent Motion from the Welsh Government. I think the Scottish Government are still a long way from getting there.

I spoke at a previous stage about my concerns regarding agreement on devolved competences. It looks from these amendments that the Government have been working hard to find all the places where consultation might help. In Committee, my noble friend the Minister said that

“the Government are continuing to work with the devolved Administrations to understand whether there is scope to extend the EOR powers to provide a shared framework of powers across the UK. Once those discussions have concluded, the Government will bring forward any necessary amendments to both Part 6 and Part 3 to reflect the agreed position between the UK Government and the devolved Administrations”.—[*Official Report*, 22/3/23; col. 1803.]

I was grateful to hear my noble friend the Minister just now reassure us that these amendments are part of that negotiation with the devolved Governments.

The amendments all deal with the actions the Government will be solely bound to carry out. I understand that the Government, and particularly the Treasury, do not want to yield any powers that might end up costing money, but can my noble friend the Minister say whether what we have is anywhere near constituting the framework that they hope to achieve with the devolved Administrations or do they regard the framework as something to be left for further primary or secondary legislation? In my unprofessional view, a framework would be something that laid down the competences and responsibilities of each party and that was acceptable to all. Each Act of Parliament that has granted devolution is, to me, a framework. They are not set in stone. The difference here is that each of these Acts was set up by the UK Government on their own, but now we have to get agreement from the other parties. I realise that these are questions that the Minister may not want to go into at the moment, but they must be asked.

**Baroness Pinnock (LD):** My Lords, we on these Benches welcome this group of government amendments, which are in response to the strong arguments made in Committee by the noble and learned Lords, Lord Hope of Craighead and Lord Thomas of Cwmgiedd.

It is astonishing that those who draft legislation continue to do so without recognising the implications of devolution. One would think that by now the lesson would have been learned. This is not the first time in this or other Bills that late-stage amendments to recognise the facts of devolution have had to be made. It would be good to hear the Minister confirm that in future the implications of devolution for draft legislation will be considered at an early stage, not at the last minute, but we welcome these changes that have been made.

**Baroness O’Neill of Bexley (Con):** I remind the House that I am the leader of the London Borough of Bexley and therefore have associated connections with London Councils and the Local Government Association. As leader of the London Borough of Bexley, my experience of devolution in London has been under three different mayors. I am a firm believer in devolution, but it must always be to the lowest common denominator. That spend must be to address local issues and allow local government to be answerable to the electorate.

7 pm

London’s devolution deal is more than 20 years old; it is therefore very different from the other devolution deals. In the other devolution areas the mayor is answerable to the leaders in that area. That is not the case in London. What does that mean? It means that the Government give money to the mayor that is actually meant for the councils and local people, which can then be top-sliced, or parameters can be set that deny councils that money and therefore deny taxpayers their fair share. Likewise, as we have seen recently, the mayor can decide to extend ULEZ to the outer boroughs, on very little evidence. He will not listen to the fact that there are better ways to achieve better air quality in London, completely ignoring consultation.

Devolution to the lowest common denominator must be the answer because it means that the electorate have the last say and can therefore make the difference in how that money is spent. It will help to deliver levelling up. I support the amendments.

**Baroness Hayman of Ullock (Lab):** My Lords, I just want to say that we also welcome these amendments and that I support everything that the noble and learned Lord, Lord Thomas of Cwmgiedd, said.

**Earl Howe (Con):** My Lords, I am extremely grateful to the noble and learned Lords, Lord Thomas of Cwmgiedd and Lord Hope of Craighead, as well as to my noble friends the Duke of Montrose and Lady O’Neill, in addition to noble Lords opposite.

The levelling-up missions have been set by the UK Government but outcomes are a shared interest for the whole of the UK. We fully recognise that some of the missions cover areas where public services are devolved. The purpose of the missions is not to alter existing areas of responsibility but rather to align and

co-ordinate how different areas of government work towards a common goal. As I have mentioned, work is already under way between officials in the UK Government and devolved Administrations to explore collaborative work on various missions.

However, what I want to stress is the point well made by the noble and learned Lord, Lord Thomas of Cwmgiedd, about working together across the union. We are committed to working with the devolved Administrations to align policy, and towards a goal shared by everyone: to reduce geographic disparities across all of the UK. These amendments provide further assurance of that commitment by making it explicit and binding in the Bill.

To pick up a further point raised by the noble and learned Lord, we are taking specific action in Scotland, Wales and Northern Ireland, including putting local voices at the heart of decision-making through the UK shared prosperity fund, launching an innovation accelerator in Glasgow City Region and establishing a UK national academy to provide a first-class education to all children in the UK.

My noble friend the Duke of Montrose spoke about establishing a framework. My best response to that is that one of the benefits of devolution is that it allows local places to take tailored approaches to tackling common challenges, enabling experimentation and innovation. We want to do more to bring together evidence and insights from across the UK, learning from our different approaches and experiences, so that we can improve our collective evidence base about what works and what does not work in different contexts. That, to my mind, is a win-win and it could be described as a desire to establish, over time, a framework that works for everybody. Ultimately, working together to improve our collective evidence base will help us all deliver better outcomes for people across the UK.

*Amendment 9 agreed.*

#### *Amendment 10*

*Moved by Lord Foster of Bath*

**10:** After Clause 1, insert the following new Clause—

#### **“Rural proofing report**

Alongside the first statement of levelling-up missions required by section 1, the Secretary of State must publish a rural proofing report detailing the ways in which the levelling-up missions have regard to their impact on rural areas and will address the needs of rural communities.”

**Lord Foster of Bath (LD):** My Lords, I am enormously grateful to the Minister for promising to go and look for evidence that rural proofing of this Bill has taken place. But in the event that she is unable to find it or, more likely, that the reports are not deemed satisfactory, it seems better to embed the rural proofing process in the legislation itself, so I would like to test the opinion of the House.

7.05 pm

*Division on Amendment 10*

*Contents 169; Not-Contents 167.*

*Amendment 10 agreed.*

## **Division No. 5**

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 Fairfax of Cameron, L.  
 Farmer, L.  
 Faulks, L.  
 Finn, B.  
 Forsyth of Drumlean, L.  
 Foster of Oxton, B.  
 Fraser of Craigmaddie, B.  
 Frost, L.  
 Garnier, L.  
 Godson, L.  
 Goldie, B.  
 Goodlad, L.  
 Grade of Yarmouth, L.  
 Griffiths of Fforestfach, L.  
 Hailsham, V.  
 Hannan of Kingsclere, L.  
 Harding of Winscombe, B.  
 Harlech, L. [Teller]  
 Harrington of Watford, L.  
 Haselhurst, L.  
 Hayward, L.

Helic, B.  
 Henley, L.  
 Hill of Oareford, L.  
 Hodgson of Abinger, B.  
 Hodgson of Astley Abbots,  
 L.  
 Holmes of Richmond, L.  
 Hooper, B.  
 Hope of Craighead, L.  
 Horam, L.  
 Howard of Rising, L.  
 Howe, E.  
 Hunt of Wirral, L.  
 Jackson of Peterborough, L.  
 Jenkin of Kennington, B.  
 Johnson of Lainston, L.  
 Jopling, L.  
 Kamall, L.  
 Keen of Elie, L.  
 Kirkham, L.  
 Kirkhope of Harrogate, L.  
 Lamont of Lerwick, L.  
 Lansley, L.  
 Lawlor, B.  
 Lea of Lymm, B.  
 Leicester, E.  
 Lexden, L.  
 Lilley, L.  
 Lindsay, E.  
 Lingfield, L.  
 Liverpool, E.  
 Lucas, L.  
 Mancroft, L.  
 Manzoor, B.  
 Markham, L.  
 Marland, L.  
 Marlesford, L.  
 McGregor-Smith, B.  
 McInnes of Kilwinning, L.  
 McLoughlin, L.  
 Minto, E.  
 Mobarik, B.  
 Montrose, D.  
 Morgan of Cotes, B.  
 Morris of Bolton, B.  
 Mott, L.  
 Moynihan, L.  
 Moyo, B.  
 Murray of Blidworth, L.  
 Naseby, L.  
 Nash, L.  
 Neville-Jones, B.  
 Neville-Rolfe, B.  
 Nicholson of Winterbourne,  
 B.  
 Norton of Louth, L.  
 Offord of Garvel, L.  
 O'Neill of Bexley, B.  
 Pannick, L.  
 Parkinson of Whitley Bay, L.  
 Patel, L.  
 Patten of Barnes, L.

Patten, L.  
 Penn, B.  
 Pickles, L.  
 Pidding, B.  
 Popat, L.  
 Porter of Spalding, L.  
 Randall of Uxbridge, L.  
 Rawlings, B.  
 Reay, L.  
 Remnant, L.  
 Risby, L.  
 Robathan, L.  
 Roberts of Belgravia, L.  
 Sanderson of Welton, B.  
 Sandhurst, L.  
 Sarfraz, L.  
 Scott of Bybrook, B.  
 Seccombe, B.  
 Selkirk of Douglas, L.  
 Sharpe of Epsom, L.  
 Sherbourne of Didsbury, L.  
 Shinkwin, L.  
 Skidelsky, L.  
 Smith of Hindhead, L.

Soames of Fletching, L.  
 Stedman-Scott, B.  
 Stewart of Dirleton, L.  
 Stowell of Beeston, B.  
 Strathcarron, L.  
 Strathclyde, L.  
 Stroud, B.  
 Sugg, B.  
 Swinburne, B.  
 Swire, L.  
 Trenchard, V.  
 True, L.  
 Verdirame, L.  
 Vere of Norbiton, B.  
 Verma, B.  
 Waldegrave of North Hill, L.  
 Wei, L.  
 Wharton of Yarm, L.  
 Willetts, L.  
 Wolfson of Tredegar, L.  
 Wrottesley, L.  
 Wyld, B.  
 Young of Cookham, L.  
 Younger of Leckie, V.

7.16 pm

*Sitting suspended. Consideration on Report to begin again not before 8 pm.*

8 pm

*Amendment 11 not moved.*

#### **Clause 2: Annual etc reports on delivery of levelling-up missions**

*Amendment 12 not moved.*

#### *Amendment 13*

*Moved by Baroness Scott of Bybrook*

**13:** Clause 2, page 3, line 19, at end insert—

“(5A) In the course of preparing a report on the delivery of the levelling-up missions, a Minister of the Crown must carry out such consultation as the Minister considers appropriate with the devolved authorities.”

Member's explanatory statement

This amendment requires a Minister to consult the devolved authorities in the course of preparing a report on the delivery of the levelling-up missions.

*Amendment 13 agreed.*

*Amendment 14 not moved.*

#### **Clause 4: Changes to mission progress methodology and metrics or target dates**

#### *Amendment 15*

*Moved by Baroness Scott of Bybrook*

**15:** Clause 4, page 4, line 19, at end insert—

“(4) Before making any revisions under subsection (2), a Minister of the Crown must—

(a) have regard to any role of the devolved legislatures and devolved authorities in connection with the levelling-up mission to which the revision relates, and

- (b) carry out such consultation as the Minister considers appropriate with the devolved authorities.”

Member’s explanatory statement

This amendment requires a Minister, before making a revision to mission progress methodology and metrics or a target date, to have regard to any role of the devolved legislatures or devolved authorities in connection with the mission to which the revision relates and to consult the devolved authorities.

*Amendment 15 agreed.*

**Clause 5: Reviews of statements of levelling-up missions**

*Amendment 16*

*Moved by Baroness Scott of Bybrook*

16: Clause 5, page 5, line 5, at end insert—

“(5A) In the course of carrying out a review under this section, a Minister of the Crown must—

- (a) have regard to any role of the devolved legislatures and devolved authorities in connection with the levelling-up missions in the statement, and
- (b) carry out such consultation as the Minister considers appropriate with the devolved authorities.”

Member’s explanatory statement

This amendment requires a Minister, in the course of carrying out a review under Clause 5, to have regard to the role of the devolved legislatures and devolved authorities in connection with the levelling-up missions and to consult the devolved authorities.

*Amendment 16 agreed.*

*Amendment 17*

*Moved by Baroness Hayman of Ullock*

17: After Clause 5, insert the following new Clause—

**“Levelling Up Fund: round three**

- (1) Within 30 days of the passing of this Act, the Secretary of State must lay a statement before each House of Parliament detailing the application process for round three of the Levelling Up Fund, including criteria for applications.
- (2) The Secretary of State must take steps to simplify the application process and reduce the requirements, and resources necessary, for applications.
- (3) The Secretary of State may not introduce additional criteria for applications after the publication of the statement being laid under subsection (1).
- (4) Within 60 days of the statement being laid under subsection (1), the Secretary of State must lay a statement before each House of Parliament listing the allocations of the third round of the Levelling Up Fund and explaining how each allocation supports the delivery of the levelling-up missions.
- (5) In determining the allocations, the Secretary of State must only make allocations which support the delivery of the levelling-up missions with a long-term and strategic vision.
- (6) The Secretary of State must not make allocations which are based on political and electoral motivations.
- (7) A Minister of the Crown must provide feedback on unsuccessful applications.”

Member’s explanatory statement

This amendment aims to ensure that the third round of the Levelling Up Fund takes place in a timely manner and as part of a reformed process.

*Amendment 17 agreed.*

*Amendment 18*

*Moved by Baroness Hayman of Ullock*

18: After Clause 5, insert the following new Clause—

**“Capital spending: impact assessment**

Within 60 days of the passing of this Act, a Minister of the Crown must publish an assessment of the impact of the requirement that the Department for Levelling Up, Housing and Communities seeks consent from His Majesty’s Treasury for all capital spending, on the delivery of Part One of this Act.”

Member’s explanatory statement

This is to probe reports that DLUHC require Treasury consent for all capital spending.

**Baroness Hayman of Ullock (Lab):** My Lords, this is a short group with just my Amendment 18 in it. I have laid this amendment to probe the reports that the department, DLUHC, now requires Treasury consent for its capital spending. In February this year, the *Financial Times* published an article stating that DLUHC had been “banned” by the Treasury

“from making spending decisions on new capital projects ... after concerns were raised about the ministry’s ability to deliver value for money”.

Lee Rowley MP, a Parliamentary Under-Secretary of State for DLUHC, confirmed to the House of Commons that the department was now

“working within a new delegation approach” that involved

“Treasury sign-off on capital spend.”—[*Official Report*, Commons, 9/2/23; col. 1028.]

Furthermore, in March it was reported that DLUHC had not managed to spend even 10% of the levelling-up fund since its launch in 2020. This media report closely followed news in the *Financial Times* that

“DLUHC intends to spend £2.42bn less on capital projects in 2022-23 than originally planned”.

This sum includes £1 billion in unspent money from the affordable homes programme, while two government officials the article quoted said that the level of underspend “was unusually high”. Can the Minister give an explanation as to what the ban on capital spend sign-off means for the future of levelling-up projects? It is apparent that the Treasury must have serious concerns regarding the department’s ability to monitor and deliver as it now has to work with the Treasury to seek all necessary approvals.

The department has also acknowledged that it lacks data of sufficient quality about government departments’ expenditure on the full range of levelling-up funds. It also lacks data on combined authority income and expenditure. Can the Minister say how DLUHC intends to measure the success or failure of its levelling-up policies, initiatives and objectives? DLUHC’s solution to the lack of data appears to be the creation of the spatial data unit, the SDU. Having said that, it is unclear exactly what data will be produced and by when. Perhaps the Minister can shed some light on this.

The delay and lack of information regarding what the SDU is working on, what the unit intends to produce and when these datasets will be available are clearly unsatisfactory. Does the Minister think that this is a good use of public resources? For levelling up to be a success, it requires a long-term strategy with a long-term funding plan backed by data, and this is

[BARONESS HAYMAN OF ULLOCK]

currently not the case. For the Treasury to take the step of coming in and removing DLUHC's ability to sign off on capital expenditure is extremely concerning.

My amendment seeks fundamentally to understand what impact this will have on the delivery of future DLUHC-funded projects, particularly future funding under the levelling-up policy. I await the Minister's response with interest.

**Baroness Pinnock (LD):** My Lords, Amendment 18 is a new probing amendment, because we all assumed that, if the Government are committed to levelling up and understand, as they will, that it is dependent on long-term capital investment, that would therefore be available.

The noble Baroness, Lady Hayman of Ullock, quoted the *Financial Times*, and I too did a bit of research on what capital was around. The *Financial Times* raised this issue earlier this year, reporting that John Glen, who was then Chief Secretary to the Treasury—perhaps he still is—has

“now stepped in to prevent DLUHC from signing off spending on any new capital projects, because of concerns about whether the department is delivering value for money. Such interventions are typically reserved for departments about which the Treasury has particular financial concerns”.

The *Financial Times* report went on to say:

“The decision to rein in Gove's expenditure, taken last week, means that any new capital spending decision ‘however small, must now be referred to HMT before approval and the department is not allowed to make any decisions itself’”.

It is a fairly damning indictment of the spending already undertaken by DLUHC if that is the Treasury's view of its value for money. As I said at the start, levelling up depends on capital investment. It is difficult to interpret the Government's—the Treasury's—decision to have tight controls on capital spending as anything other than putting a big brake on levelling-up funding, to the detriment of communities that are desperate for investment.

A House of Commons Select Committee also reported on levelling-up funds, which we referred to in debates on earlier groups today. It made the salient point that the Department for Levelling Up, Housing and Communities is apparently not able to demonstrate how the funding fulfils the aims of the White Paper for sustained investment to tackle long-standing inequality—these are the points that I have made today and throughout the debates on the Bill. That was a cross-party committee. The National Audit Office also published a report, making a similar, stark plea to the department to urgently increase the capacity to assess and manage levelling-up funds.

So here we are, with a significant Bill carrying one of the Government's key objectives, set out in a detailed report, and before it has really got going the Treasury is saying, “Well, you can't spend anything without us first checking and signing it off”. We also have researched reports from the House of Commons Select Committee and the National Audit Office, both pointing to funding not being spent in perhaps the best possible way.

So the noble Baroness, Lady Hayman, has posed an important question. We ought to hear from the Minister that the Government are prepared to continue to invest significant sums in levelling up because, without that, levelling up will not occur. You can tell that from

the White Paper, which I keep pointing to—it has done its job. Unless there is investment, levelling up will not happen. If the Treasury is putting a big brake on it, how are we going to level up? Perhaps the Minister can give us some pointers.

**Baroness Scott of Bybrook (Con):** Amendment 18 in the name of the noble Baroness, Lady Hayman of Ullock, relates to officials publishing an assessment of the impact of the requirement that the Department for Levelling Up, Housing and Communities seeks consent from His Majesty's Treasury for all capital spending on the delivery of Part 1 of this Bill when it becomes an Act.

Noble Lords will be aware that the department is working within a new delegation approach, which involves Treasury sign-off on new capital spend. However, there has been no change to the budgets of the Department for Levelling Up, Housing and Communities, and no change to our policy objectives. It is reported that the Department for Levelling Up, Housing and Communities requires approval from His Majesty's Treasury for new capital projects, but this will not impact the levelling-up agenda. The recent change relates only to new projects; there is no change to the decision-making framework for existing capital programmes and no change to the department's budgets. Moreover, noble Lords will be aware that, in the usual course of departmental business, the majority of programmes would require HMT approval in any case, so there is little change with this new capital spending approach.

The noble Baroness, Lady Hayman of Ullock, asked what implications the new spending control would have on the levelling-up agenda. The amendment to capital delegations referred to in press coverage has absolutely no implications for the Government's policy agenda. The Government's central mission remains to level up every part of the UK by spreading opportunity, empowering local leaders and improving public services. There has been no dilution of levelling up. There have been no changes to the size of DLUHC budgets, both capital and revenue, or to its policy objectives; neither does this impact how large programmes already agreed are being delivered—for example, the towns fund or the levelling-up fund.

I hope this gives the noble Baroness, Lady Hayman of Ullock, enough reassurance that she will not press her amendment.

**Baroness Hayman of Ullock (Lab):** My Lords, I thank the noble Baroness, Lady Pinnock, for her comments in this debate and the Minister for her response. Although I am not absolutely and entirely convinced by everything she said, I beg leave to withdraw my amendment.

*Amendment 18 withdrawn.*

#### *Amendment 19*

*Moved by Baroness Taylor of Stevenage*

**19:** After Clause 5, insert the following new Clause—

**“Regional disparities: cost of living**

The Secretary of State has a duty to monitor regional disparities in the cost of living.”



Member's explanatory statement

This establishes a new duty on the Secretary of State to monitor regional disparities in the cost of living.

**Baroness Taylor of Stevenage (Lab):** My Lords, this group of amendments in my name and that of my noble friend Lady Hayman goes to the heart of the Bill and its levelling-up missions by attempting to strengthen a range of provisions that refer to regional disparities.

8.15 pm

We heard earlier in the debate about health inequalities and child poverty. The UK has one of the highest levels of income inequality in Europe: disposable income inequality increased to 35.7% in the last financial year. Areas affected by those inequalities, as we all know, suffer from poorer health, higher mortality rates, lower educational attainment and higher crime levels. We had much discussion on that in Committee, so it is not our intention to labour points already covered—but we remain concerned about the areas covered in these amendments. Despite the significant chapter setting out the background to regional disparities in the levelling up White Paper, there is still not enough in the Bill to ensure that they are being tackled, measured and monitored in a way that is meaningful and will ensure that the changes we all want to see are implemented.

Amendments 19 and 274 will place a key duty on the Secretary of State to monitor and report on disparities in the cost of living between regions. It is these disparities that can help determine where further support needs to go. We all know that regional disparities are not straightforward because, for example, where housing costs are extremely high the fact that wages may be higher than in other areas is wiped out.

Amendments 20 and 285 establish an independent board for the assessment of geographical disparities in England, which we believe will bring focus, independence and rigour to the determination and monitoring of metrics in this area.

Amendment 22 simply asks that the Government consider the impact of geographical disparities at a more granular level than is often done. Local authorities operate in areas where there can be significant disparities even between wards. For example, there is a seven-year life expectancy difference between one of our wards in Stevenage, where I live, and another. Consideration needs to be given to this when levelling-up funding mechanisms are considered.

Tackling disparities wherever they occur must surely be the fundamental part of levelling up. Too often, the levelling-up funding awards have been a bit of a blunt instrument which assume that, because one area has a level of deprivation different from another, the second area does not need any support at all in relation to levelling up. I beg to move.

**Baroness Pinnock (LD):** My Lords, this group of amendments from the noble Baronesses, Lady Hayman of Ullock and Lady Taylor of Stevenage, concern the cost of living, based on regional variations that could exacerbate the challenges in the very areas already defined by the Government as suffering multiple inequalities. The noble Baroness, Lady Taylor, made a

case for investigating geographical disparities in relation to the cost of living, which was the theme of my noble friend Lord Shipley's amendment that was agreed earlier today.

The cost of living crisis is hitting some families and some parts of the country much harder than others. The Centre for Cities has done an investigation into the differences in the impact of the cost of living crisis on different parts of the country. What it discovered, which is not surprising, is that some areas of the north, the Midlands and the West Country are harder hit than cities in the south and the south-east. That mirrors the geographical inequalities we have been debating today.

I picked out these figures because they are from west Yorkshire. Bradford is already a significant area of child poverty and family deprivation. The Centre for Cities study, which has data from as recently as May this year, shows that on average a family household in Bradford is poorer by £111 a month. Huddersfield, in my own council area—a similar area for child poverty and deprivation—was also poorer by £111 per month. Every household in every part of the country will be worse off as a result of the cost of living crisis and all that goes with it. But when I looked at towns in more southern parts of the country, I found that they were worse off by, for example, £61 a month, £59 a month and £65 a month—about half the hit that families in Bradford and Huddersfield have had.

There is an issue here that I hope that the Government are thinking about in considering levelling up. The arguments we have heard in earlier debates demonstrate that areas with existing poverty and a further impact on family finances are harder hit than others where family finances are more resilient to a cost of living crisis. That leads me to conclude that those same areas should be the focus of the Government's levelling up. It is no good saying, as the Government have done through the towns fund and the levelling-up funds, that Newark and bits of North Yorkshire are in need of levelling up. I am not denying that they would benefit from investment, but the places to which I am referring are multiply deprived and multiply under the hammer of the cost of living crisis, because of their earlier multiple deprivations.

If the Government are serious about levelling up, those are the places that need a laser focus of help, investment, planning and strategies to lift them out of the doldrums, so that they can experience the quality of life that more financially well-off areas experience. That is why this series of amendments is important. It underlines the fact that more financial troubles heap additional burdens on to these already deprived households. I look forward to seeing whether the Minister agrees with me. I live in hope.

**Baroness Scott of Bybrook (Con):** My Lords, I am really pleased to address the important issue of the cost of living, dealt with in Amendments 19 and 274, proposed by the noble Baroness, Lady Hayman of Ullock. The Government absolutely understand that people are worried about the cost of living challenges ahead. That is why decisive action was taken at the Spring Budget this year to go further to protect struggling families. Taken together, support to households to

[BARONESS SCOTT OF BYBROOK]

help with higher bills is worth £94 billion, or £3,300 per household on average across 2022-23 and 2023-24. This is one of the largest packages in Europe.

His Majesty's Government allocate cost of living support on the basis of the needs of cohorts, rather than location. We are committed to helping those who need it most, wherever they are. There are existing mechanisms in place to monitor and evaluate regional, economic and social disparities, and these mechanisms are effective and ongoing, making the amendment, I suggest, redundant.

The UK2070 Commission leads an independent inquiry into city and regional inequalities in the United Kingdom, while the Office for National Statistics routinely produces a range of datasets with a regional and local breakdown, including on inflation. This, alongside the Government's spatial data unit, which is transforming the way the UK Government gather, store and manipulate subnational data, means that these amendments, we believe, are not necessary.

Amendments 20 and 285, also in the name of the noble Baroness, Lady Hayman of Ullock, seek to establish an independent board to assess geographical disparities in England, and would allow for its parameters to be specified by regulations. I have already been very clear that we are committed to enabling scrutiny of our progress on levelling up. Through my department's spatial data unit, we are embracing and seeking to build on this engagement, including through work to improve the ways in which the Government collate and report on spending and outcomes and consider geographical disparities in our policy-making. As noble Lords will know from my responses to earlier groups in this debate, we have also established the independent Levelling Up Advisory Council, chaired by Andy Haldane, so we do not believe we need any further, unnecessary proliferation of public bodies in this space.

Amendment 22, in the name of the noble Baroness, Lady Taylor of Stevenage, considers the appropriate granularity of data. We agree with her that for certain missions and policy areas, this is extremely important. The spatial data unit in my department is already working closely with the Office for National Statistics to improve the granularity of place-specific data and strengthen published local statistics. For example, it published local neighbourhood area estimates of gross value added earlier this year, enabling comparisons of economic output to be made between very small geographical areas.

I hope I have convinced and reassured the noble Baroness, Lady Hayman of Ullock, and that she will not press her amendment and others will not press theirs.

**Baroness Taylor of Stevenage (Lab):** I am very grateful to the Minister for her answers. Once again, she gave the figures for the support the Government are offering. I am sure that people who are struggling with the cost of living crisis were grateful for that, but of course, they have had another massive hit recently with the rapidly increasing mortgage rate. As people come to the end of their fixed-term mortgages, they are suddenly getting the awful shock of seeing their mortgages go up. Along with a drop in the support the

Government are giving on such things as energy costs, that will be an awful combination to really hit people's budgets once again.

I welcome the Government's assurance that there will be a great deal of scrutiny of the levelling up data; that is welcome and we look forward to seeing how it works out over time. I particularly welcome the focus on granularity of data. There is a tendency to focus always on what is sometimes described as the north/south divide, but of course, it is never as straightforward as that. There are areas right across this country with serious poverty and deprivation, and we need to make sure that we look at those and provide appropriate support. I am very pleased to hear about the local area neighbourhood analysis now coming forward from the unit, and I am therefore happy to beg leave to withdraw the amendment.

*Amendment 19 withdrawn.*

*Amendment 20 not moved.*

### **Clause 6: Interpretation of Part 1**

#### *Amendment 21*

*Moved by Baroness Scott of Bybrook*

**21:** Clause 6, page 6, line 12, at end insert—

““devolved authorities” means—

- (a) the Scottish Ministers,
- (b) the Welsh Ministers, and
- (c) the Northern Ireland departments;

“devolved legislatures” means—

- (a) the Scottish Parliament,
- (b) Senedd Cymru, and
- (c) the Northern Ireland Assembly;”

Member's explanatory statement

This amendment defines the devolved authorities and devolved legislatures for the purposes of Part 1.

*Amendment 21 agreed.*

*Amendment 22 not moved.*

#### *Amendment 23*

*Moved by Baroness Scott of Bybrook*

**23:** Clause 6, page 6, line 14, at end insert—

““His Majesty's Government” means His Majesty's Government in the United Kingdom;”

Member's explanatory statement

This amendment makes it clear that references to His Majesty's Government in Part 1 are to His Majesty's Government in the United Kingdom.

*Amendment 23 agreed.*

8.30 pm

#### *Amendment 24*

*Moved by Baroness Taylor of Stevenage*

**24:** Clause 6, page 6, after line 22 insert—

“(2) The government must define levelling-up by regulations within 30 days of this Act receiving Royal Assent.”

Member's explanatory statement

This amendment means that the government must define levelling-up.

**Baroness Taylor of Stevenage (Lab):** My Lords, Amendment 24 in my name asks the Government to define by regulation exactly what they mean by levelling up. We have the 300-page tome of the levelling up White Paper—I see a number of them around the Chamber—but, for all its detailed analysis of some of the associated problems and complexities of regional disparities in the UK, nowhere does it produce a succinct definition of what success will look like.

The challenge is to turn “levelling up” from just another political slogan—no doubt with a political project behind it, like “Take back control” or “Stop the boats”—into a genuine economic and social project that will make a real difference to real lives. This is becoming increasingly important as the cost of living crisis has turned the dial again. Research shows that the so-called red wall seats are now worse off in terms of life expectancy, income ratios and other factors than they were before the concept of levelling up was introduced by the Conservative Government, and that the north/south divide has been widening because of the cost of living crisis.

The Institute for Government has expressed concerns that the levelling-up plans will fail. Commentary on the 12 missions describes five as lacking ambition, three as too ambitious to be realistic, four as failing to define what success looks like, two as having too narrow a focus, and the one on R&D spending as failing to line up with the overall policy objective. The very people expected to deliver levelling up—local government and its partners—remain confused about what it means and the people they represent do not see any improvement because disparities are getting worse.

Research undertaken for the Centre for Cities, which the noble Baroness, Lady Pinnock, mentioned earlier, showed that only around 43% of people thought they understood what levelling up means and that people living in former red wall seats are more likely to lack confidence in the Government’s ability to level up their area. Almost half—49%—said that they were not confident that their area will be levelled up, with just under 4% saying they were very confident in the Government’s plans. There is also an urban/rural divide on confidence in the levelling-up agenda, with a significantly higher proportion of people in rural areas lacking confidence that their area will be levelled up. We reflected some of that discussion earlier today.

Even the metrics in the White Paper are not clearly defined. The LSE says that they are neither exhaustive nor definitive and:

“Addressing key omissions and shortcomings and embedding a more granular approach to metrics and building up ... data infrastructure will be essential”.

The trouble is that you cannot measure what you cannot define, so a clear definition is essential.

We are absolutely not asking the Government for a definition that takes us in the direction of each place being the same, because they are not. The power of devolution is that areas succeed on their own terms and in being able to capitalise on their unique economies, features, places and people in a way that is right for them. A significant example that is close at hand is Germany, where political will and investment have achieved the remarkable reunification of the east and west through a partnership of the local and the national,

with common cause. We fear that, without a similar clear ambition and mission here, the drive of the Prime Minister and Chancellor for a new period of austerity will stop levelling up in its tracks. I beg to move.

**Baroness Pinnock (LD):** My Lords, increasingly I think that we need a clear definition of levelling up, partly because what I have in mind is certainly not shared by many others around the Chamber.

When I read the tome—the levelling up White Paper—it struck me, with all the maps and graphics in there, that the aim the Government had in mind was to have a clear, strategic focus on areas of multiple deprivation, as defined in the tome, and others, including poor health, lower skills, poor housing, lack of economic opportunity and poor transport, as the White Paper lists. I read it to mean that because some places had several of those factors, they were the places that the Government were going to focus their attention on as a strategy over a number of years.

I have cited previously what the White Paper says about the fact that long and deep-seated change is needed. I support that, if I have it right. What I do not think it means is that every small pocket of poverty can be addressed through levelling up, because even in the wealthiest places there are pockets of poverty. If we tried to do that, it would dissipate the clearer strategy. I am beginning to think that I am the only person who thinks that.

That was the sort of strategy that was labelled City Challenge, Single Regeneration Budget 1, Single Regeneration Budget 2 and the Neighbourhood Renewal Fund. That was the strategy: pick out those places that were suffering multiple deprivation, put a plan together and make a big investment to see whether that would make a difference. Sometimes it did, but sometimes those places did not really improve—perhaps because the strategy was more about places and not about people. People need to be at the heart of any levelling up. Levelling up includes hard stuff, such as skills, employment opportunities, decent housing, health, and child poverty. It is difficult and long-term, and you do not see immediate results. That is what I think levelling up is, and I am not sure—having sat through long hours of debate on the subject—whether I am the only person who thinks that.

A couple of years ago, the Centre for Cities described what it thinks levelling up means. First, it suggested that it should include increasing standards of living across the country:

“There is no inherent reason why one part of the country should have poorer skills or lower life expectancy than another”—

I can go with that. Secondly, it spoke about helping “every place reach its ‘productivity potential’”;

that is, the gap between its level of economic achievement and what it should be. For example, in parts of Yorkshire, there is quite a big gap, and that will be the same elsewhere.

We need to hear what the Government think levelling up is and where it is aimed. Is it what is in the White Paper, or is it, “Oh dear, we have to try to deal with pockets of poverty and deprivation everywhere”? That is a different strategy, in my head. Unless there is clarity about what the purpose of levelling up is, I think the

[BARONESS PINNOCK]

strategy will become so broad and wide that lots of areas and lots of our communities will miss out. I certainly would not like that.

I guess the noble Earl has the short straw with this group; I really look forward to hearing what he has to say.

**Earl Howe (Con):** My Lords, Amendment 24, in the name of the noble Baroness, Lady Taylor of Stevenage, asks the Government to define levelling up. I can simply say that it is already very clearly defined. When launching the levelling up White Paper, the Government clearly defined levelling up as

“a moral, social and economic programme for the whole of government”

to

“spread opportunity more equally across the”  
country.

As stated expressly in the very first pages of the White Paper and thereafter, levelling up is about, first, boosting pay and productivity, especially in places where they are lacking; secondly, spreading opportunities and improving public services, especially where they are weakest; thirdly, restoring local pride; and, fourthly, empowering local leaders. Those are the principal four headings—not so different from those articulated by the noble Baroness, Lady Pinnock, actually—and in the very first clause of the Bill, levelling-up missions are defined as

“objectives which His Majesty’s Government intends to pursue to reduce geographical disparities in the United Kingdom”.

Furthermore, the Bill will already place a statutory duty on the Government to confirm their missions through laying and publishing a statement of levelling-up missions. There is no need, therefore, to have regulations on top of that.

The Government are putting the framework for the missions into statute, and that arrangement is designed to ensure that what we mean by levelling up and how well we are doing to make progress are transparent and the Government can be held properly to account. As the Government have consistently set out, the first levelling-up statement will be based on the White Paper, but missions, as we have said a number of times, need to evolve over time. The Bill requires the Government to notify Parliament formally of any proposed changes to the missions or metrics set out in the statement of levelling-up missions, and we fully expect that Parliament, expert stakeholders and, indeed, the wider public will use these provisions to hold the Government to account—which, I take it, is in fact the main point behind the amendment.

I hope that my explaining this on the record will have reassured the noble Baroness, Lady Taylor, and that, in the light of what I have said, she will feel able to withdraw her amendment.

**Baroness Taylor of Stevenage (Lab):** My Lords, once again, I am grateful to the noble Earl for his response, and I thank the noble Baroness, Lady Pinnock, for agreeing that we need this definition, but I am still puzzled why, unlike with most Bills that we consider in your Lordships House, there is no clear definition in the Bill of what is intended for it overall. If we go back to the missions and metrics, the content of the missions

is not in the Bill, either. Levelling-up missions may be defined in the Bill, but only in a conceptual way, not saying what those missions are; whereas, for example, if we take one of the introductory chapters of the Bill about the setting up of combined authorities, there is a clear definition of a combined authority. It says:

“‘combined authority’ means a combined authority established under Section 103 of the Local Democracy, Economic Development and Construction Act 2009”.

There is a definition of what an economic prosperity board and an integrated transport authority is, yet we do not have that kind of definition of what levelling up means in the Bill. For example, there would be nothing to stop the Government, having set out the missions, to consider them separately as well.

That is part of the problem: there may be a definition which the Secretary of State is working to, but, because it is not in the Bill, it is not being communicated to the people charged with delivering the vast majority of what is in it. We feel it would have been much more helpful to have this definition of what levelling up actually is right there in the Bill. However, I am prepared to withdraw the amendment.

*Amendment 24 withdrawn.*

8.45 pm

### *Clause 7: Combined county authorities and their areas*

#### *Amendment 25*

*Moved by Baroness Hayman of Ullock*

25: Clause 7, page 7, line 7, at end insert—

“(4A) The Secretary of State must consult, and have regard to advice provided by, the Boundary Commission for England regarding the boundaries of a CCA when making regulations under subsection (1).”

Member’s explanatory statement

This means that the Secretary of State has a duty to consult the Boundary Commission in regard to the boundaries of a CCA.

**Baroness Hayman of Ullock (Lab):** My Lords, I have a number of amendments in this group, as do other noble Lords. I shall talk your Lordships’ House through why I felt we needed to put these amendments down.

First, let us look at my Amendments 25, 27 and 53. Our concerns are around the fact that the Government seem to view devolution settlements as evolutionary. Although we do not necessarily object to them refining these agreements over time, our concern is that, if they are going to refine them and the settlements are going to evolve, clearly they need to be changed both for the benefit of and with the consent of the local communities that will be affected by any changes. If we look at what is in this part of the Bill and what it does, we see that it adjusts the mechanisms affecting when changes to combined authorities can be made. With my amendments, I am trying to ensure that due process is applied at all times to such changes.

I want to look at one particular area of concern, which involves a change that could be immediate and will be able to be exercised through these powers if they are put into statute: the potential addition of

Warwickshire to the West Midlands combined authority. This could be done shortly ahead of the next election for the mayor of the region in May next year. Our concern is that it could happen shortly ahead of an election without proper agreement with the community and wider authorities. Because of that, I have tabled Amendments 25, 27 and 53.

My Amendment 25 states:

“The Secretary of State must consult, and have regard to advice provided by, the Boundary Commission for England regarding the boundaries of a CCA when making regulations under subsection (1)”.

My Amendment 27 says the same—it is just placed in a further, appropriate part of the Bill—whereas, if noble Lords look at my Amendment 53, they will see that it looks at another part of the Bill and aims to ensure that

“the Secretary of State has consulted, and had regard to advice provided by, the Boundary Commission for England”.

I know that we have discussed this issue. I thanked the Minister for her time either last week or the week before—I cannot remember when—when we discussed it previously. However, because the Boundary Commission has a responsibility to review parliamentary constituencies—I know that the argument from officials was that my amendment does not necessarily apply in this case because it looks just at county or district boundaries that already exist and are already agreed, for example—we feel that, because of the potential implications of boundaries being expanded by a mayor to suit their next election, this is something that should be supplemented. There should be this additional role for the Boundary Commission in such cases so that there cannot be any questions, concerns or even accusations of gerrymandering where that may not be the case; we just think that it would add an extra layer of security and transparency to any changes in this area.

My Amendment 35, which is also in this group, would insert a new clause:

“Mayors for CCA Areas: boundaries”.

The amendment says:

“Within one year of the day on which this Act is passed, a Minister ... must publish a report of a consultation on the boundaries of each Mayor for a CCA Area ... The report must also include a criteria which must be fulfilled for any future expansions of boundaries”.

Also, and this comes back to the point I have just made:

“The criteria must include that the extension is not being made for political advantage”.

This is something that we are concerned about.

We are trying to really stress the point here that any additions and changes to boundaries should not be motivated or be able to be motivated by any political purpose. We know that concerns have been raised that this may be the case in the West Midlands, for example. It is extremely important that the Government heed these concerns in order that people can have the greatest confidence possible in any changes to boundaries and powers that will be brought in with the proposed legislation.

The noble Lord, Lord Shipley, has Amendments 37 to 39 in this group. They all look to do a similar thing: to remove Clauses 40 to 42 to avoid confusion about the number of different mayoral titles that are possible.

I genuinely think he has a bit of a point here. I find that many members of the general public get confused about what councillors do and what we all do. When I was a Member of Parliament—other noble Lords may have had the same experience—I was told to go and sort my councillors out. There is not necessarily a huge amount of understanding about local government and government structures. I have some sympathy with what the noble Lord is trying to do here to make it as simple as possible.

I now want to look at Amendment 52 in the name of my noble friend Lord Hunt, my Amendment 53, as I mentioned earlier, and Amendment 53A, the new amendment in the name of my noble friend Lord Hunt to which I have added my name. I will leave my noble friend to go into the detail of this, but we strongly support what he is trying to achieve with this amendment and strongly support his concerns here.

I hope that I have been clear to the Minister about exactly what our concerns are. I think that they could be resolved with discussion, but these are genuine concerns about the way the boundaries may potentially be manipulated and we think that the Government should take them very seriously. I beg to move.

**Lord Hunt of Kings Heath (Lab):** My Lords, as my noble friend said, I have two amendments. Amendment 52 “would prevent the Secretary of State making amendments to the membership of a combined authority in a 12 month period running up to a mayoral election, which could have the effect of altering the prospects of a sitting or proposed mayor being elected or re-elected”.

Amendment 53A puts some

“additional requirements which must be satisfied before local government areas are added to an existing Combined Authority within nine months of Royal Assent”.

Obviously, it is late and noble Lords wish to prepare for tomorrow, so I am not going to speak at length, as I could do on this. I just want to make two or three points. This is all about the Government’s deplorable efforts basically to gerrymander the boundary of the West Midlands Combined Authority. So much does the current Tory incumbent, Andy Street, suspect defeat in ten months’ time that he has conspired with Michael Gove to shoehorn Warwickshire, a shire county, into the metropolitan combined authority. If this happened to Wiltshire, for instance, I know exactly what the noble Baroness would be thinking. The sole purpose, of course, is to try to improve his fortunes at the 2024 election. He has similar designs on some of the other shire counties in the West Midlands. He will not be stopping there; he wants to be police commissioner as well, and we will come on to that later.

This is being done over the next 12 weeks, so there is scant time for consultation, and no time for full consideration of the impact on the district council and certainly not on the public, who I doubt wish to have their lives run from Birmingham. Nor do I think it will be successful, because the most likely outcome is a Labour mayor running Warwickshire and the West Midlands. Noble Lords might think that I would welcome that, but I have principled objections to using legislation in this way—basically, to protect a sole political incumbent. I particularly object to this happening without the agreement of the existing constituent members

[LORD HUNT OF KINGS HEATH]  
of the combined authority. For me, such power vested in one person damages our democracy, undermines the trust on which the combined authority was established and surely risks threatening its future success.

One of the things I find the most objectionable is the haste in which this is being done. A paper going to Warwickshire County Council's cabinet meeting tomorrow indicates this. The council has to rush into a governance review, followed by publication of a scheme that would contain details of the proposed expanded area of the West Midlands Combined Authority; its proposed membership, voting and other constitutional arrangements; its proposed functions; the way it will be funded; and any property, rights and liabilities that would be transferred to the extended combined authority.

A public consultation has to be undertaken. If the Secretary of State then decides to proceed, an order will have to be made which would expand the area of the combined authority and provide for the election of a mayor. This all has to be done incredibly quickly. Ministers have told the county council that it must be in a position to do all that and submit an application in early October. Allowing for August and the summer break, what sort of consultation is likely by early October? I suggest, a very scanty one.

In this paper, the council openly admits that it may require consideration of urgent decisions being made during the process; in other words, the consultation is a sham, because the decision has already been made. So much is unknown, not least the financial consequences; so the cabinet paper airily says that what this means financially for Warwickshire in the context of the current West Midlands devolution deal and the being-discussed West Midlands deeper devolution deal would need to be worked up in negotiation with the Government. So that will not be sorted out any time soon, and the public in Warwickshire will have no idea at all about the financial implications; nor will the non-metropolitan district councils in Warwickshire have any idea what it means for them, or of the financial consequences.

The paper that I have read is mistaken. It says in paragraph 2.7:

"A change in membership status to 'constituent member' for Warwickshire County Council"

—in other words, Warwickshire coming in means it becomes a constituent member of the combined authority—

"would also have implications for the five District and Borough Councils in the County who would automatically be admitted as constituent members"

of the combined authority. The paper goes on to say:

"It is recognised that the level of financial contribution as a constituent member could be challenging for the District and Borough Councils and if levied at the current 'constituent member' level would mean Warwickshire Councils as a whole contributing a disproportionate amount compared to other members".

Well, that would be a matter of concern. I am sure that this, if successful, would have financial consequences for the non-metropolitan district councils. But the paper is wrong. Again, in paragraph 4.16, it says that district councils will be constituent members of the combined authority.

I take the Minister back to our debates on district councils. The noble Earl, Lord Howe, made it clear that

"the combined county authority is a new institutional model made up of upper-tier local authorities only. Only two-tier county councils and unitary councils can be constituent members of a CCA".—[*Official Report*, 27/2/23; col. 111.]

I suspect that this error was made in the rush to produce all this paper, but a district council in Warwickshire would be left very uncertain about what all this means.

We can see a proud, independent and delightful county, Warwickshire—I am a member of Warwickshire County Cricket Club—being more and more absorbed into the West Midlands Combined Authority, where urban interests are bound to dominate. Do the people of Warwickshire really want this? Do other shire counties and the people in them want it? I very much doubt it.

9 pm

**Lord Shipley (LD):** My Lords, I have learned a lot in the last 10 minutes. I did not know all of that detail.

**Lord Hunt of Kings Heath (Lab):** There is more.

**Lord Shipley (LD):** Well, I just hope the Minister might be able to put our minds at rest. The word "gerrymandering" springs to mind. I sincerely hope the Minister can allay any concerns we might have about that. I think the words "sham consultation" were used. I hope the Minister will be able to put our minds at rest on that. It might be helpful if she just said that there was no truth in these rumours at all and that there will not be any overfast consultation on this matter.

That leads me to say that, although I am not a signatory to Amendment 53A, I very much support it. I hope the Minister will be able to explain a little more what the Government's thinking is on that. However, I am a signatory to Amendment 52. This is all related; there is a serious issue to address. Had I realised that this was going on when I signed Amendment 52, I would have signed Amendment 53A as well.

I have three amendments in this group, Amendments 37 to 39, which would all do the same thing. I will keep this very short because I have no intention of pressing anything to a vote, but I am still surprised that the Government have these clauses in the Bill. I have never understood them. Those of us who have been in combined authorities or have worked in or around them, sometimes with mayors, know that the public have got used to the title "mayor". I want to eliminate these clauses because the titles that the Government propose as options are confusing to the general public. The reason given comes at line 25 of page 35 of the Bill, which says that the CCA can consider having a title that it feels is more appropriate than other titles that are offered as options,

"having regard to the title of other public office holders in the area of the CCA".

I recall the Minister explaining in Committee that that was because there were other public officeholders called "mayor": the mayor of a county, or a lord mayor. Those areas that have been working with the mayoral model for a combined authority for some time have got used to it.

I find the alternative titles offered in Clause 40 confusing. The mayor could become a "county commissioner", which is used in other countries but is not part of British constitutional thinking. They could

be a “county governor”. Of course, if these are combined counties, presumably they would be the governor of two counties. Equally, you could have a “governor” without their being a “county governor”. I find this very confusing.

**Lord Hunt of Kings Heath (Lab):** My Lords, perhaps Mr Street could be called the Governor-General?

**Lord Shipley (LD):** Governor-General of the West Midlands—there, my Lords, is a thought. We are now starting to laugh, and I think there is a danger here that the general public will just not understand what all these titles are for. I would immediately say a school governor, a prison governor or the governor of a US state. We can think of various possibilities, but a governor of a combined county? I really do not think that fits with the structure of local and subregional government that we are talking about.

Under Clause 40(2)(c) the title could be “elected leader”. This is very strange, because councils have leaders and those leaders are elected—so I am not clear what the difference is between the “elected leader” of a CCA and the leader of a council. The constituency may be different: that is, it is the whole electorate for the mayor, but for the leader it is the councillors of that council who have to vote to elect that person as the leader of the council as well as leader of the group. This is getting too confusing.

The next thing could well be that if a mayoral CCA is entitled to call its mayor something else, can other combined authorities that have been in existence for a number of years change the title of their mayor? I just do not know why we are going down this road at all. I just say all that to the Minister. There may be something that I have not thought of that she can alleviate my concerns with, but I just wish that this clause and the associated clauses would just go away. It is not something that I want a vote on; I just hope that I will not have to stand up when the statutory instrument comes through for the creation of a CCA and ask why it is that the name has altered to something like a “county commissioner”, which the general public do not comprehend.

**Baroness Scott of Bybrook (Con):** My Lords, Amendments 25, 27, 35 and 53, tabled by the noble Baroness, Lady Hayman of Ullock, regard the boundaries and memberships of CCAs and combined authorities. The Bill includes our intended criteria for establishing and changing boundaries of CCAs and CAs in Clauses 44, 46, 62 and 63.

Proposals to change the area of a combined county area are generated locally in line with our principle of locally led devolution. The process to propose a boundary change must include a public consultation being undertaken. The Secretary of State has to assess any such proposals, including the results of the consultation, against a set of statutory tests and will consent to making the requisite secondary legislation only if they are content that the statutory tests are met. The legislation is therefore subject to a triple lock of agreement from the Secretary of State, the consent of the local area and parliamentary approval. I think it is important that we look at that as a triple lock.

Any proposal from the local area has to demonstrate that it will improve the economic, social and environmental well-being of some or all of the people who live and work in the area, suitably reflecting their identities and the interests of local communities, and will deliver effective and convenient local government. As such, the expansion of a CCA or CA cannot be pursued for political advantage. It must benefit the local area.

**Baroness Hayman of Ullock (Lab):** I want to ask for clarification. The test is to carry out a consultation. When the Secretary of State takes that consultation with the local community into account, can he make a decision against what the majority of that community voted for?

**Baroness Scott of Bybrook (Con):** It is more complex than that. It is not a referendum but a consultation. Therefore, there will be many views for, against, in the middle and all over the place, but he will obviously have to take account of views. If everyone said they did not want something, I am sure the Secretary of State would take note of that; it is part of those tests.

The main focus of the Local Government Boundary Commission for England, which the noble Baroness brought up, is a rolling programme of electoral reviews of local authorities; this is where its skills and experience mainly lie. It would not be appropriate to consult it on the proposed boundaries of CCAs and CAs. The requirement for public consultation and statutory tests for regulations provide, we believe, sufficient protection that further consultation is unnecessary. For these reasons, I hope the noble Baroness will not press her amendments.

Amendments 37 to 39 in the name of the noble Lord, Lord Shipley, seek to remove Clauses 40 to 42, which set out the process to allow the mayor of a CCA to change to a locally appropriate title that resonates with local stakeholders. Some areas are reluctant to adopt a mayor governance model as they feel the word “mayor” would be confusing and inappropriate for their area, preventing access to a strong devolution deal.

We had this discussion in Committee. There are many areas in this country where every town in a county, or even a district, will have a local mayor. That has been an issue for some authorities when they look into a CCA for the future. The noble Lord talked about directly elected leaders. Some authorities have said to us that they would prefer to call the person who leads—doing the same job as a mayor in a county authority—a “directly elected leader”. It is just a name; the job itself is the same.

To minimise confusion, the clauses include the protection of a shortlist of possible titles—it does not have to be used; it just gives some ideas—as well as a mechanism for areas to use any other title they choose, providing they have regard to other public officeholders’ titles in the area of that authority. We are trying to give as much local flexibility as possible to allow for local circumstances, so that the name of the directly elected person to lead that combined authority is the best name to use in that area.

Amendment 52, also in the name of the noble Lord, Lord Hunt of Kings Heath, regarding the timing of an order changing a combined authority’s area,

[BARONESS SCOTT OF BYBROOK] would add further inflexibility to the process. An MCA can be expanded only at the time of a mayoral election, for reasons of democratic accountability; those affected by the mayor's decisions will have had the opportunity to take part in that mayor's election. Consequently, it can already be several years between an area expressing an interest in joining an MCA and such expansion coming into force. Introducing additional inflexibility would impede and potentially further delay—

**Lord Hunt of Kings Heath (Lab):** My Lords, I will not delay the House for long but, with the greatest respect, this was a twinkle in the eye of Mayor Street a few months ago when the *Wolverhampton Express & Star* reported it. People in Warwickshire were innocently going about their own business, then along came Mr Gove to put pressure on them to make this application. The Minister is indulging in a fantasy that this is somehow driven by Warwickshire people desperate to join the West Midlands.

I joke about Wiltshire but the Minister will know about the sensitivities of shire counties and their relationship with urban metropolitan districts, which I well understand. My noble friend Lady Anderson's Staffordshire would be another case in point; it would not wish to be ruled, in a sense, from Birmingham. It really is too much: the rules are being changed to allow for one gerrymander, in a foolish attempt to save Mr Street's political career. That really will not do.

I am not going to go on because we have two other groups. In the next—

**Baroness Hayman of Ullock (Lab):** We are finishing at the end of this group.

**Lord Hunt of Kings Heath (Lab):** Sorry, I know that, but we are going to have further debates on this because the amendments have been split between groups eight, nine and 10. That is why I will sit down.

9.15 pm

**Baroness Pincock (LD):** My Lords—

**Baroness Scott of Bybrook (Con):** May I answer the noble Lord first? I am not talking about the West Midlands or Warwickshire; I am talking about what is in the Bill and why we are doing what we are doing. I will come on to the Warwickshire issue in a bit, but this has nothing to do with it as far as I am concerned. What I am saying now is about the Bill and not about Warwickshire.

**Baroness Pincock (LD):** I thank the Minister for giving way. Do the Government have any limit for the expansion of mayoral combined authorities? If Warwickshire is allowed to accede to the West Midlands—Worcestershire is nearby and Staffordshire is next door. What is on the other side? I am thinking of between Coventry and Birmingham. It could get very large, so I want to know if there is a limit. This is a serious question, because when the West Yorkshire Combined Authority was created, we were not permitted to include parts of North Yorkshire, which had always been part of that combined authority before it had

mayoral status. This is an interesting question for me in West Yorkshire, as well as for those who live in the West Midlands area.

**Baroness Scott of Bybrook (Con):** My Lords, as we have said before, there are clear regulations that the Secretary of State will look at when he considers any bid. We have made it clear that they have to be geographically sensible economic areas, so I cannot think of anything growing and growing, because it will not. But it will be local people who put forward the bid; the Government will not be saying to any local area, "You have to join". These are locally led bids for areas that local people think are the right economic areas to do business in and to deliver for them. How big will they be, realistically? They will not be what the noble Baroness suggests, of course, because those would be too big to be really good economic areas, but it is up to local people to do this, as I keep saying.

One of the principles that underpin our devolution agenda is that devolution deals are agreed and implemented over a sensible geography. We want to remove any barriers to neighbouring local authorities joining a combined authority where there is a strong economic, social and environmental rationale for doing so. The new local consent arrangements under Clause 57 mean that the decision would be given to the mayor and council wishing to join the CA. The mayor is democratically accountable to the whole existing CA area, so it is right that they should be the decision-taker for decisions on changes to that whole area.

The arrangements proposed in this amendment could mean that an expansion of a CA area that evidence shows would be likely to improve outcomes for the proposed whole new area could end up being vetoed by just one existing constituent council if the CA's local constituency requires unanimous agreement from its members on this matter. This has been an issue in the past. This potential impediment to furthering devolution cannot be right; one small authority cannot stop a larger area that wants to grow to be more economically viable.

In his explanatory statement for Amendment 53A, the noble Lord references

"reports that areas may be added to the West Midlands Combined Authority prior to the 2024 Mayoral Election".

Warwickshire County Council's plans are part of a local process for the area—county and district councils—and it is up to it to apply to join the WMCA. If Warwickshire decides to pursue this, it will undertake a public consultation, following which it may submit its proposals to the Government. The Government will carefully consider any such proposals, as statute provides. No decisions have been taken by the Government. With these reassurances, I hope that the noble Lord feels able to not move his amendment.

**Baroness Hayman of Ullock (Lab):** My Lords, I thank the Minister for her response to quite a charged debate. I thought I was quite good on the geography of the West Midlands, but I learned a bit tonight. We are not entirely satisfied with where the Bill is on this issue at the moment. I beg leave to withdraw my amendment, but, as my noble friend Lord Hunt said, I feel sure that we will return to this.



*Amendment 25 withdrawn.*

*Consideration on Report adjourned.*

### **Privileges**

*Message from the Commons*

*9.21 pm*

*A message was brought from the Commons drawing the attention of the House of Lords to the First Special Report of the Committee of Privileges (HC 1652), and inviting it to take such action as it deems appropriate.*

### **Electronic Trade Documents Bill [HL]**

*Returned from the Commons*

*9.22 pm*

*The Bill was returned from the Commons with amendments. It was ordered that the Commons amendments be printed.*

### **Illegal Migration Bill**

*Returned from the Commons*

*9.22 pm*

*The Bill was returned from the Commons with amendments and reasons. It was ordered that the Commons amendments and reasons be printed.*

*House adjourned at 9.22 pm.*