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HOUSE OF COMMONS
OFFICIAL REPORT

PARLIAMENTARY
DEBATES

(HANSARD)

Monday 10 October 2016

HER MAJESTY'S GOVERNMENT

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10 October 2016

THE PARLIAMENTARY DEBATES

OFFICIAL REPORT

IN THE SECOND SESSION OF THE FIFTY-SIXTH PARLIAMENT OF THE
UNITED KINGDOM OF GREAT BRITAIN AND NORTHERN IRELAND
[WHICH OPENED 18 MAY 2015]

SIXTY-FIFTH YEAR OF THE REIGN OF
HER MAJESTY QUEEN ELIZABETH II

SIXTH SERIES

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FIFTH VOLUME OF SESSION 2016-2017

House of Commons

Monday 10 October 2016

The House met at half-past Two o'clock

PRAYERS

[MR SPEAKER *in the Chair*]

Oral Answers to Questions

EDUCATION

The Secretary of State was asked—

Office for Students

1. **Kerry McCarthy** (Bristol East) (Lab): If she will offer students places on the board of the Office for Students. [906514]

The Secretary of State for Education (Justine Greening): I welcome the shadow Ministers to their roles and also, more importantly, welcome my new ministerial colleagues to theirs for our first oral questions session.

We have made it clear that the Office for Students must have student representation, and we will take every opportunity to embed student engagement in the culture and structure of the new organisation.

Kerry McCarthy: I thank the Secretary of State for confirming that. During the summer, I met students from the University of Bristol and the University of the West of England, who are very concerned about rising tuition fees, the scrapping of maintenance grants and,

above all, the quality of teaching. Can she assure them that they will be listened to when they express concerns about those issues in connection with the Higher Education and Research Bill?

Justine Greening: In part, the Bill reflects our wish to secure value for money for students, which we are building into law for the first time. Our updating of the higher education regulatory framework is long overdue, and I am delighted that we are taking the opportunity to put the interests of students at the heart of it.

Ben Howlett (Bath) (Con): Does my right hon. Friend agree that we should beware the law of unintended consequences? Adding students to the board of the Office for Students would put at risk representation and engagement with students throughout the higher education system. Will she assure me, and the student community, that the OFS will put students at the heart of the system?

Justine Greening: I can give my hon. Friend that assurance. I know that he has played an important role on the Public Bill Committee and presented his own proposals. As we have made clear, we do not want to be over-prescriptive. We want to set up the Office for Students and allow it to ensure that students have a voice not just through representation, but through the way in which the office itself works.

Carol Monaghan (Glasgow North West) (SNP): The Higher Education Governance (Scotland) Act 2016, which the Scottish Government introduced in March, has given students a much stronger voice and increased their involvement in key decision making in Scotland's universities. Does the Secretary of State agree that students deserve to participate more in the higher education sector, and will she look to the example set by Scotland to ensure that they can do so?

Justine Greening: I have no doubt that Scottish colleagues will wish to share the hon. Lady's experience. As I have said, it is important to ensure that the voices of students

are heard ever more clearly, and that is precisely what the Bill is intended to achieve—among other things, including improving choice for students. As was pointed out earlier, we now have a funding system that requires students to pay tuition fees, and it is vital that they obtain value for money.

Michael Fabricant (Lichfield) (Con): I welcome my right hon. Friend to her post and congratulate her on becoming Secretary of State for one of the most interesting Departments.

I welcome student representation, but may I warn my right hon. Friend that there is a danger relating to who she decides should be representatives? The National Union of Students is no longer the undivisive organisation that it was once, and a number of universities have already decided that they want nothing to do with it. How will the Secretary of State choose the students who are to be represented on the new body?

Justine Greening: My hon. Friend sets out his concerns eloquently. During the Bill's passage, we have made it clear that we want people on the OFS who have experience of representing, or indeed promoting, the interests of students. As I have said, the key requirement is for us not to be prescriptive, but to allow the new body to become established and then find sensible ways of ensuring—not just through the board itself, but, more importantly, through the way in which it operates—it provides a strong voice for students and represents their interests.

Departmental Allocations

2. **Heidi Allen (South Cambridgeshire) (Con):** How much she plans to allocate for work in her Department on (a) the fairer funding formula for schools and (b) the forthcoming Green Paper on grammar schools in the next six months. [906515]

The Secretary of State for Education (Justine Greening): Both the national funding formula reform and the consultation document "Schools that work for everyone" are vital parts of the Government's ambition for an education system that promotes social mobility and a true meritocracy. As my hon. Friend will know, work is under way on both. Future activity will be strongly driven by the outcomes of the second stage of consultation on the national funding formula and, of course, the Green Paper.

Heidi Allen: Given the mixed views on grammar schools and the huge amount of work that will be required to ensure that no child is left behind, which I certainly fear they might be, will the Secretary of State please explain how grammar schools can possibly be a higher priority than fixing the flawed funding model that has resulted in thousands of children being seriously underfunded for decades in counties such as mine?

Justine Greening: I very much recognise my hon. Friend's concerns about funding. This was precisely why, shortly before the House went into the summer recess, I set out my determination to get on with the work of bringing forward a national funding formula. We will be responding to the first stage of the consultation shortly and at the same time setting out the next stage of how the formula will work in practice. We also need to challenge ourselves to look at how we can have more

good school places, particularly in parts of the country where there are still not enough and particularly for disadvantaged students. We need to get on with both those pieces of work.

Mr Speaker: In wishing her a very happy birthday, I call Lucy Powell.

Lucy Powell (Manchester Central) (Lab/Co-op): Thank you very much, Mr Speaker. I have made a special journey down here today to ask the Secretary of State a question. There is another group of schools that offers real social mobility and in which the education gap is the most narrowed. More than 98% of these schools are rated good or outstanding, yet they are in the areas of highest deprivation and the majority of their children are eligible for free school meals. They are our much-valued nursery schools, but their funding is putting their ongoing viability at risk. Would it not be better if she focused on their continued attainment, rather than on grammar schools?

Justine Greening: I agree with the hon. Lady that early years provision is a vital part of the education system, which is precisely why we have been consulting on how we can have a sensible approach to its funding, but I disagree with her characterisation that we are cutting funding. That is simply not correct.

Neil Carmichael (Stroud) (Con): The Secretary of State will surely agree that fairer funding for schools is a top priority, but another priority must be to ensure that we have adequate skills training, especially in the professional and technical sectors. I believe that that should be a key objective of the Green Paper. Will she reassure the House that that is also her priority?

Justine Greening: I made it very clear in my Conservative party conference speech last week that one of our biggest challenges is to ensure that we make the same progress in technical education that we have seen in academic education over recent years. This is vital for the more than 50% of children and young people who do not go on to university, and it will be vital for our employers if we are to have a Brexit Britain that can be successful.

21. [906537] **Jack Dromey (Birmingham, Erdington) (Lab):** Nursery schools give children the best possible start in life. Now, as a consequence of the review of the funding formula, the funding in Birmingham could be cut by up to half, closing nursery schools all across the city. Does the Secretary of State not recognise the immensely damaging consequences that would flow from that, not least for social mobility? If we kick away the ladder of opportunity when a child is three or four, they might never recover.

Justine Greening: The reality is that we are providing an additional £55 million for maintained nursery schools for at least two years while we consult the sector. We are looking at children's centres at the same time.

Martin Vickers (Cleethorpes) (Con): Thanks to the casting vote of the Liberal Democrat mayor, North East Lincolnshire Council has approved a motion in support of grammar schools. Given that the coastal

communities have poor educational standards, may I invite the Secretary of State to allocate some of her Department's time to looking at the situation in North East Lincolnshire?

Justine Greening: My hon. Friend rightly raises his concerns about ensuring that the young people and children in his area get the best possible start in life. We have published our Green Paper and are consulting on how we can achieve this. There are still too many parts of our country where good school places are not available to children, and that is unacceptable. We should look at all the measures that we can take to change that.

Sammy Wilson (East Antrim) (DUP): Is the Secretary of State encouraged by the fact that two thirds of those canvassed on this issue support the Prime Minister's policy of increasing social mobility among those from poorer backgrounds through the increased provision of grammar schools? Will she assure us that she will not be deterred by siren voices or the barrage of criticism of this policy from those who are ideologically opposed to it even though they had the benefit of a grammar school education themselves?

Justine Greening: The hon. Gentleman sets out the situation very clearly. He points out that, for children on free school meals in particular, grammars are able to close the attainment gap because the progress that those children make is double that of their better-off classmates. Labour wants to close that opportunity down and we want to level it up—that is the difference.

James Heapey (Wells) (Con): I welcome the Secretary of State's comment that the national funding formula remains a priority. Schools in Somerset are hanging on for the introduction of that fairer funding model. Will she encourage the Chancellor to look favourably on the plight of rural schools so that they can be properly funded until that funding formula comes into being?

Justine Greening: I assure my hon. Friend that I am very conscious of the particular challenges that rural schools face. In fact, in the original first stage of consultation, the issues of sparsity and funding, and of looking at the percentages of children in schools, were on the table because they do matter. I am well aware of the issue, and we will try to do our best in the second stage of the consultation to ensure that the sorts of challenges that schools face and need funding for are met.

Angela Rayner (Ashton-under-Lyne) (Lab): Given the cuts that have already been outlined by Members, can the Secretary of State tell the House whether she has secured new funds from the Treasury to meet the spending commitments outlined in the Green Paper?

Justine Greening: The Green Paper outlined additional funding from the Treasury in relation to setting up new grammars. The hon. Lady will be aware that, at the same time as steadily bearing down on the huge deficit that the previous Labour Government left us, we have managed to protect the real-terms core funding for schools, but that is no thanks to the legacy of financial disaster that was handed over to us.

Angela Rayner: I believe the word that the Secretary of State was looking for was “no”. Perhaps she can tell us how much has been spent on trying to find any facts to support the Government's policy of segregated schools. Spending public money on policy without any evidential basis is simply wasting it. When she last came to the House, she could not cite a single piece of evidence that the policy would improve social mobility. Has she found any since?

Justine Greening: A lot of what the hon. Lady says is incorrect. She will be well aware that a report by the Sutton Trust clearly set out the improved attainment of free school meal children, in particular in grammar schools. It is totally untenable for her to set out her concerns about grammar schools while resolutely being opposed to any kind of consultation document that looks at how we should reform them. We want to look at how we can reform grammar schools. The education system has changed beyond all recognition over recent years, and it is right that we now look at what role grammars can play in a 21st century education system.

Staying Put

3. **Craig Whittaker (Calder Valley) (Con):** What steps her Department has taken to implement the Staying Put policy; and what progress her Department has made on expanding similar arrangements to children from residential care. [906516]

The Minister for Vulnerable Children and Families (Edward Timpson): Since May 2014, we have provided £44 million to local authorities to implement Staying Put. The latest data indicate that 54% of 18-year-olds who are eligible to stay put chose to do so. That is a massive increase on what happened before—I am proud to say this—a Conservative-led Government changed the law. We have also seen 30% of 19-year-olds and 16% of 20-year-olds still living with their former foster carers. For those leaving residential care, we have announced plans to pilot a similar scheme, Staying Close.

Craig Whittaker: Sir Martin Narey's recent review of the children's homes estate recommended that the vulnerable 9% of looked-after children who are currently excluded from Staying Put arrangements are given the opportunity to take part in Staying Close. Will the Minister update the House on what plans he has for exploring Sir Martin's recommendations?

Edward Timpson: I thank my hon. Friend for his question and his continued support for care leavers in this House. A key part of our new cross-Government care leavers' strategy, “Keep On Caring”, was the commitment to introduce Staying Close, as recommended by Sir Martin Narey. We now intend to pilot Staying Close so that we can understand the costs and practical implications before there is a wider roll-out. Part of the next phase of the children's social care innovation programme will be an invitation to organisations to work with us to develop projects that are aimed at transforming support for vulnerable children, including Staying Close.

Bill Esterson (Sefton Central) (Lab): As the Minister is clearly staying put, which many will welcome, will he ensure that he does what he can for those children in

residential care who want to stay put? Will he recognise the campaign of Every Child Leaving Care Matters, which is calling for exactly those provisions and changes on the basis that we should be looking after children who most need help—those children in care, particularly in residential care—in the same way that we do with our own children?

Edward Timpson: I am delighted to be staying put, and I will work closely with everybody to make sure that we get this right. Two people who are prominent in the Every Child Leaving Care Matters campaign are working with us to design the system that we want to create in the future.

Special Educational Needs and Disabilities

4. **Jo Churchill** (Bury St Edmunds) (Con): What plans her Department has to review the findings of joint inspections of local areas' effectiveness in identifying and meeting the needs of children and young people who have special educational needs and/or disabilities when assessing the delivery of reforms to the SEND support system. [906517]

The Minister for Vulnerable Children and Families (Edward Timpson): The new joint inspections mean that for the first time ever Ofsted and the Care Quality Commission are inspecting vital special educational needs and disability services, showing families what is working well and where services right across education, health and care can improve. The reports, seven of which have been published so far, with many encouraging findings, will enable improvement in individual areas, provide opportunities for local areas to learn from one another, and establish a rich and growing picture of performance nationally.

Jo Churchill: As the Minister is no doubt aware, in my constituency I have outstanding provision in the Priory School—I hope to visit its new facilities on Angel Hill and Mount Road shortly. However, there are challenges in this sector, particularly in ensuring that all children are supported to make the most of their talents and abilities. What is the Minister doing to look at the quality of education, health and care plans, the rate of conversions from statements, the timeliness of those transfers and the quality of them once received?

Edward Timpson: I can assure my hon. Friend that the Department is monitoring closely the rate of conversions from statements and the timeliness of transfers through our annual data collection process. When a local authority's performance is a concern, we follow that up with our team of professional advisers to offer support and challenge. They will also check the quality of the plans in local authorities that they visit and offer advice on improvement. That is a key part of ensuring that our reforms work for children and young people with SEND.

Kate Green (Stretford and Urmston) (Lab): In Trafford, where we already have selective education, fewer than 250 children with special educational needs support statements or education, health and care plans attend grammar schools, and that is out of a total of more than 7,500 children in grammar schools in the borough. Can the Minister say how the needs of children with

special educational needs and disabilities will be properly taken into account in the consultation on the proposals included in the Government's Green Paper?

Edward Timpson: The consultation is about lifting all schools to improve for all children, and the SEND reforms that we introduced in 2014 apply to all schools so that they are providing the support and education that the children in their care need to succeed. As part of the consultation on how we can improve all schools, it is important that at its heart children with special educational needs are considered fully.

Robert Jenrick (Newark) (Con): I was pleased by the Government's commitment of £200 million for capital projects for special schools, not least because the Orchard School in Newark is one of the special schools in the worst condition in the country. When will local authorities be able to make a bid for funding and is there anything more that the Government can do, because these schools are incredibly important but extremely expensive to replace or renovate?

Edward Timpson: My hon. Friend is right that we have managed to secure more than £200 million of capital funding for special schools to increase the number of placements in his area and many others. We will be giving more details shortly, but I am sure that many people not just in Newark but right across England will be looking forward to seeing how they can improve the facilities and support that are available for children with special educational needs.

Mrs Emma Lewell-Buck (South Shields) (Lab): I heard the Minister's response to my hon. Friend the Member for Stretford and Urmston (Kate Green), but I was dismayed that in the "Schools that work for everyone" Green Paper there was not one single mention of children with special educational needs or disabilities. Is it not true that this Government have simply forgotten about them?

Edward Timpson: I welcome the hon. Lady back to the Front Bench. I know that she has had a number of epiphanies in the past few months, going from a remainder to a leaver to a returner, but I am pleased that she has taken up her present role, where I know she is a good fit. It is Dyspraxia Awareness Week, and I know that she is a very strong supporter of the work that the Dyspraxia Foundation and others do. She knows a lot about that issue and I wish her well in her role.

The Green Paper looks at raising standards across all schools for all children, and it includes, as I said previously, children with special educational needs. I hope that the hon. Lady will work with us to make sure that they get the best possible deal.

Mr Philip Hollobone (Kettering) (Con): Will the Minister ensure that those areas that do poorly in the inspections are made not only to work with, but to visit, those areas that do the very best, so that the worst can learn by the example of the best?

Edward Timpson: My hon. Friend makes an excellent point. One of the reasons why we want to hold local areas to account is to make sure that they do not just sit on their failures, but learn from other areas that are

bringing about success. One of our intentions is to make sure that we give them the opportunity to learn from others that do it better.

Apprenticeships

5. **Mary Glendon** (North Tyneside) (Lab): What assessment she has made of the potential effect of her Department's proposed changes to apprenticeship funding rates on the take-up of apprenticeships. [906518]

The Minister of State, Department for Education (Robert Halfon): The proposed apprenticeship funding policy is designed to support an increase in the quality and quantity of apprenticeships. Our proposals include incentives and support for employers and providers that will encourage the take-up of many more apprenticeship opportunities by people of all ages and backgrounds, giving many people their first step on the employment ladder of opportunity. We continue to engage with employers and providers, and we plan to publish the final policy shortly.

Mary Glendon: A recent National Audit Office report condemned the lack of contingency planning for apprenticeship funding reform. How does the Minister hope to address that?

Robert Halfon: We are busy with our plans to introduce the apprenticeship levy. By 2020, we will be spending more than double on apprenticeships, or £2.5 billion extra. We are well on the way towards achieving our target of 3 million apprenticeship starts by 2020, with over 500,000 starts in the past year alone.

Andrew Bridgen (North West Leicestershire) (Con): Although I welcome the record number of people participating in apprenticeships in our country, will the Minister outline what steps the Government have taken to encourage more small businesses to offer apprenticeships?

Robert Halfon: My hon. Friend, who is a champion of apprenticeships in his area, will be pleased to know that, under the plans for the new apprenticeship levy, small businesses that hire 16 to 18-year-olds as apprentices will pay only 10% of the training costs. Furthermore, they and the providers will each receive £1,000. That will encourage small businesses to hire more apprentices.

Gordon Marsden (Blackpool South) (Lab): I welcome the Minister to his place, and I welcome his commitment to social mobility, but is not the truth that he found this shambles—30% to 50% of apprenticeship funding is being cut for our most disadvantaged 16 to 18-year-olds—in the welcome pack in his in-tray? He knows that it is a shambles. Nearly a month ago, he and I spoke here to a full house of sector leaders and heard it from them. On the same day, the Prime Minister was caught on the hop when she said that she did not recognise the figures, and the chief executive of the Institute of the Motor Industry said that it was a looming car crash. With no proper impact assessment of these cuts, and with the Government's credibility on the line, why one month later has the Minister still no solutions to these funding cuts?

Robert Halfon: I notice that the shadow Minister—I have great respect for him and am pleased to face him across the Dispatch Box—called his campaign “Save our apprenticeships”. We have been saving 2.5 million people on apprenticeships over the past five years. In 2014-15,

in his own constituency, he had 1,040 apprenticeship starts, 218 under-19 apprenticeship starts and 10,500 people participating in further education. If that is not saving apprentices, I do not know what is. As I have said, the apprentice funding will be doubled to £2.5 billion. He is ignoring the increase in the STEM uplifts, the extra money spent on new apprenticeship standards and the £1,000 going to every employer and every provider when they hire a 16 to 18-year-old.

Educational Provision: Rural Areas

6. **Chris Davies** (Brecon and Radnorshire) (Con): What assessment her Department has made of the adequacy of educational provision in rural areas.

[906519]

The Minister for Schools (Mr Nick Gibb): Local authorities are responsible for assessing educational need in their areas, and they have a statutory duty to ensure that there are sufficient school places, including in rural areas. Nearly 600,000 additional school places were created between May 2010 and May 2015, with many more delivered since then and in the pipeline. The Government have committed a further £7 billion for school places, which, along with our investment in 500 new free schools, we expect to deliver another 600,000 new school places by 2021.

Chris Davies: Very sadly, Builth Wells and Llandrindod high schools in Radnorshire are under threat of closure. What more can my hon. Friend do to ensure that we keep educational parity across rural areas, so that pupils have access to superb local schools no matter where they live?

Mr Gibb: In May, the Government set out a package of measures to secure the continued success and sustainability of rural schools in England, including a £10 million fund for expert support to help rural schools through the academy conversion process and a new double lock to sit alongside the existing presumption against the closure of rural schools. By contrast, in Labour-run Wales, with a Liberal Democrat Education Minister, there is no presumption against the closure of rural schools.

Lilian Greenwood (Nottingham South) (Lab): Schools in urban areas face challenges, too, with many reporting huge difficulties in retaining teachers. Today, the Education Policy Institute revealed that one in five teachers in England is working more than 60 hours a week. What priority is the Minister giving to analysing why schools are finding it so difficult to retain teachers and what impact workload has on that?

Mr Gibb: The EPI report is based on a 2013 OECD teaching and learning international survey. In response, in 2014, the previous Secretary of State announced the workload challenge—there were 44,000 responses to that—which highlighted issues such as dialogic marking and data collection. We set up review groups to look at that, and they have reported. We have accepted their recommendations, and now we are acting on those recommendations to ease the burden of workload on teachers in our schools. We are acting, and we have acted.

Rebecca Pow (Taunton Deane) (Con): I welcome the Minister's comments today about rural schools, and I have a large preponderance of rural schools in my constituency. However, the fact is that Taunton Deane receives £2,000 less per pupil on average than the national average. I know that the Secretary of State and the Minister are working hard in the best interests of our young people, our teachers and our governors, but can he please confirm that due consideration will be given to righting the funding disparity between our schools and our pupils?

Mr Gibb: We have protected the core schools budget in real terms, but the system for distributing those funds, as my hon. Friend pointed out, is outdated, inefficient and unfair. That is why we consulted on the principles and the building blocks of the formula in the spring of this year. That will include sparsity as a concept, and also a fixed sum, which of course helps small schools. We will issue our detailed proposals on the design and impact of the formula for consultation in the autumn.

Tristram Hunt (Stoke-on-Trent Central) (Lab): The key to successful educational provision in rural areas is the quality of teaching. The Labour party has long believed in having qualified teachers in our schools. One area of cross-party agreement in the last Parliament was on having a Royal College of Teaching. Will the Minister update the House on how far the Government have enacted that?

Mr Gibb: There is a Royal College of Teaching. We are meeting the initial funding costs of the Royal College of Teaching, and it is going to be a great success. I should point out that 95% of all teachers in our system have qualified teacher status and that 93% of all teachers in academies have QTS.

Languages Education

7. **David Mackintosh** (Northampton South) (Con): What steps the Government are taking to increase the uptake of languages. [906520]

The Secretary of State for Education (Justine Greening): The inclusion of a language in the EBacc increased the numbers of students studying at least one language at GCSE between 2010 and 2015, and the Government's ambition is that more pupils in mainstream secondary schools enter the EBacc subjects at GCSE.

Mr Speaker: Order. I had thought that the Secretary of State was seeking to group this question with Question 12, from the hon. Member for Banbury, whom we do not wish arbitrarily to exclude from our deliberations.

Justine Greening: Indeed I am, Mr Speaker. Well spotted.

12. **Victoria Prentis** (Banbury) (Con): What steps the Government are taking to increase the uptake of languages. [906527]

David Mackintosh: Does my right hon. Friend agree that new schools such as Northampton International Academy, where I am the chair of governors, are crucial to secure the mix of education options that this country needs, with a focus on languages?

Justine Greening: Absolutely. Indeed, new schools such as Northampton International Academy, which has an academic curriculum with a language specialism and also links to schools in other countries, are the sorts of schools that can really play a key role in ensuring that there are strong options for children on languages.

Mr Speaker: I call Victoria Prentis.

Victoria Prentis: Thank you, Mr Speaker—I cannot tell you how grateful I am not to be excluded this afternoon. Given the importance of China in the global marketplace today, not least to my constituents who work in Bicester shopping village, does my right hon. Friend agree that our children should be taught Chinese in schools?

Justine Greening: My hon. Friend is quite right that having more young people learning Chinese is important for the UK's place in the world; indeed, many employers are looking for more staff who are able to speak Mandarin Chinese. This September, we launched a £10 million Mandarin excellence programme, and hundreds of pupils in England have started intensive lessons in Chinese. By 2020, 5,000 pupils will be working towards a high level of fluency in Mandarin Chinese.

Kelvin Hopkins (Luton North) (Lab): Does the Secretary of State agree that rigorous teaching of English grammar to all our pupils, not just the grammar school elite, would not only increase the uptake of foreign languages in schools, but help them to achieve success in those foreign languages?

Justine Greening: I do agree with the hon. Gentleman. He will be aware that, alongside numeracy, a focus on literacy and language has been a core part of how we have improved standards in schools over the past six years.

Rob Marris (Wolverhampton South West) (Lab): One of the most widely spoken languages in the United Kingdom is Punjabi. What steps are the Government taking to encourage students to study that language, particularly in the light of Brexit, after which our trade with India and Pakistan will become even more important?

Justine Greening: We are continuing with our community language GCSEs and A-levels. As the hon. Gentleman points out, it has never been more important for young people coming out of our education system to be successful not only in our own country, but in a global world.

Design and Technology

8. **Michelle Donelan** (Chippenham) (Con): If she will set out her response to the letter to her of July 2016 from hon. Members on the inclusion of design and technology in the EBacc. [906521]

The Minister for Schools (Mr Nick Gibb): As I said in my letter to my hon. Friend, the Government believe that all students should study a broad and balanced curriculum. Design and technology is an important and valued subject, which is why we are doing a huge amount to promote the importance of D and T, and why we have reformed and improved the curriculum,

working with the James Dyson Foundation and other experts to raise the quality and rigour of the design and technology GCSE. D and T is a very popular GCSE choice, with 185,000 entries this year.

Michelle Donelan: We have an annual shortage of 69,000 trained engineers in the UK, with only 6% of that workforce being female. Those shortages are much more severe than in computer science. As the Minister has pointed out, the new design and technology GCSE has the same academic rigour as the other subjects in the EBacc, so will he explain to the House why he felt that computer science was more worthy of EBacc status than design and technology?

Mr Gibb: The EBacc is about a small number of core academic subjects, focused on those subjects that keep options open. I am confident that the new, reformed design and technology GCSE will lead to even more young people wanting to take this qualification in future years, once the new curriculum is in place. However, our policy objective is for more students, particularly those taking design and technology, to study the traditional sciences.

Mr Barry Sheerman (Huddersfield) (Lab/Co-op): Will the Minister take seriously the role of technical education in our schools? Design and technology has been peripheralised in the opinion of many people. On the day that the Royal Greenwich University Technical College is to close, with university technical colleges closing up and down the country, there is something rotten at the heart of Government policy.

Mr Gibb: No. We have engaged in a huge reform to improve the quality of technical qualifications. That is what the Alison Wolf review did in 2011, by removing from performance tables the qualifications for which students were entered but that were not valued in the workplace. Technical qualifications taken by young people now have real value and provide proper jobs. We have also improved the quality of the apprenticeship scheme, which the Minister of State, Department for Education, my right hon. Friend the Member for Harlow (Robert Halfon), talked about earlier.

Mr Edward Vaizey (Wantage) (Con): Will the Minister join me in welcoming UTC Oxfordshire, based in Didcot in my constituency, which opened this time last year. In fact, it was opened by Brian Cox, no less. Thanks to this Government, children across Oxfordshire can now enjoy a first-class technical education, supported by companies such as BMW Mini, the United Kingdom Atomic Energy Authority and RM Education. I hope he will find time to visit it in the coming months.

Mr Gibb: I would welcome the opportunity to visit my right hon. Friend's UTC. The UTC programme is another example of how, with our academies programme and our free schools programme, we are providing diverse types of specific and specialist education for every child in this country.

Fiona Mactaggart (Slough) (Lab): The Minister will recall from the meeting he held with me and some excellent headteachers in Slough to discuss our teacher shortage problem that two outstanding grammar schools

with excellent GCSE and A-level results are not meeting his demands on EBacc levels because they have chosen, confidently, to provide subjects—such as design and technology, art and design, and drama—they felt their students would benefit from and needed. Why cannot schools without such confidence make choices for the future of their pupils, rather than to satisfy the Minister?

Mr Gibb: It is not to satisfy the Minister; it is to ensure that young people have the widest possible opportunities available to them. We kept the EBacc combination of core academic GCSEs small enough, at either seven or eight, to allow sufficient time in the curriculum for pupils to study those subjects that interest them. That is why I have resisted calls for more subjects to be added to the EBacc.

Technical Education

9. **Helen Whately** (Faversham and Mid Kent) (Con): What progress the Government have made on raising the quality of technical education. [906522]

The Minister of State, Department for Education (Robert Halfon): We are transforming and reforming the technical qualifications available in schools and colleges, as my hon. Friend the Minister for Schools just said, to ensure that they are challenging and rigorous. We are creating clear technical education routes at the highest skill levels and will boost the capacity to deliver them through national colleges and institutes of technology in degree and higher apprenticeships. The post-16 skills plan that we published in July outlines the most radical reform of post-16 education in almost 70 years, by creating a high-quality technical track.

Helen Whately: I welcome the commitment of the Secretary of State and the Minister to technical education, alongside more academic routes. Employers in Faversham are keen to support young people in apprenticeships, but they have told me that apprenticeships need to be more flexible and less bureaucratic, so will the Minister involve such employers as he develops the technical education system?

Robert Halfon: My hon. Friend is exactly right. Technical education clearly needs to be aligned better with business needs. We are building on the apprenticeships reforms, whereby employers are designing the new apprenticeship standards to meet their needs, by giving employers a strong role in setting the standards across the 15 technical routes. They will advise on the knowledge, skills and behaviours that are needed, so that technical education has value for employers and learners alike, and is responsive to the requirements of the economy and employers.

Nic Dakin (Scunthorpe) (Lab): BTECs are challenging and rigorous. It would be quite concerning if we had an over-focus on technical education, pure and simple, without maintaining a strong applied route through BTECs. Will the Minister give us a commitment about the future of BTECs?

Robert Halfon: Clearly, we had to reform technical education, because there were far too many qualifications. There were over 13,000 qualifications, and engineering had something like 500. We are looking to offer students

a technical pathway if that is what they choose, and we will look at the best qualifications for those technical pathways.

Adoption

10. **Nusrat Ghani** (Wealden) (Con): What steps the Government are taking to improve support for adopted families. [906523]

13. **Mr David Burrowes** (Enfield, Southgate) (Con): What steps the Government are taking to improve support for adopted families. [906528]

The Minister for Vulnerable Children and Families (Edward Timpson): More than 9,000 families in England have received bespoke therapeutic support via the adoption support fund that we set up just 17 months ago. Such support is often crucial in making a placement a long-term success. We are improving support in schools by extending access to virtual school heads and designated teachers, and we are developing new care pathways to meet the mental health needs of adopted children. The establishment of regional adoption agencies and the £14-million practice and improvement fund were designed to bring about better support for adoptive families.

Nusrat Ghani: At a recent inspection, the performance of East Sussex County Council's adoption service was rated by Ofsted as outstanding. What does the Department do to ensure that best practice is shared, so that local authorities that are identified as requiring improvement learn from those that are providing an outstanding service?

Edward Timpson: First, I congratulate East Sussex County Council on its Ofsted rating. I agree that we want others to learn from the best. The development of regional adoption agencies will see local authorities and voluntary adoption agencies working side by side to deliver excellent adoption services everywhere, with a strong focus on evidencing what actually works. We are setting up the aptly titled What Works centre for children's social care, which will disseminate and promote best practice across the country.

Mr Burrowes: I recognise the great role the Government and the Minister have played in championing and supporting adoption, so he will share my concern at the statistics his Department released on 29 September, which show a reduction for the second year running in the number of children being placed for adoption and being adopted. What is the main reason for those figures, and what action are the Government taking to turn them around?

Edward Timpson: It is worth remembering that there were 4,690 adoptions in 2015-16—an increase of 35% on 2011-12. The latest figures, to which my hon. Friend refers, are due in large part to over-responses to the Re B-S judgment in 2013. They are disappointing figures. That is why, through the Children and Social Work Bill, we are amending legislation to improve the way decisions about long-term care options are taken, so that adoption is always pursued when it is in a child's best interests. The Government's adoption strategy, which we published

in March, sets out plans to redesign the whole adoption system to ensure that we have the foundations in place to build a lasting change that benefits children.

Community Languages

11. **Bob Blackman** (Harrow East) (Con): What progress she has made on maintaining the availability of GCSE and A-level qualifications in community languages. [906526]

The Minister for Schools (Mr Nick Gibb): After several months of negotiations, we have secured the exam boards' commitment to continue to provide all but one of the existing language qualifications at GCSE and A-level. I place on record my thanks to Rod Bristow of Pearson and Andrew Hall of AQA for their help and support in securing a long-term future for those important qualifications. It is right that we have a range of language qualifications available, reflecting the diversity and dynamism of today's Britain.

Bob Blackman: I congratulate my hon. Friend on his answer and on the negotiations that have taken place.

Every year, thousands of young people from the age of five onwards begin learning Gujarati, Urdu or Punjabi, expecting it to lead to a long-term qualification. What steps can my hon. Friend take to make sure that those qualifications are secure not just for an interim period but in the long term, and that the teaching staff are available to provide that education?

Mr Gibb: I pay tribute to my hon. Friend for his work in helping to secure those qualifications, particularly in Gujarati, working with the Consortium of Gujarati Schools. I am pleased that we have secured the continuation of qualifications in community languages. There will be no gap in provision—the existing qualifications will continue to be offered until 2018, when the new qualifications are introduced. We continue to support the recruitment of high-quality language teachers, including by offering bursaries of up to £25,000. There are also many successful and long-standing Saturday schools, which help to ensure that culture and languages continue to be taught.

Teachers' Morale

14. **Christian Matheson** (City of Chester) (Lab): What assessment she has made of morale in the teaching profession. [906529]

The Minister for Schools (Mr Nick Gibb): We want motivated, enthusiastic teachers in our schools, and the latest OECD teaching and learning international survey reported that 82% of the teachers surveyed in England agreed or strongly agreed that they were satisfied with their job. We recognise the challenges for the profession, however, such as unnecessary workload, which we continue to address. The latest official statistics show that teacher retention rates one year after qualification have remained stable at around 90% for 20 years. In 2010, 70% of teachers were still teaching five years later, and more than 60% of teachers remained in the classroom 10 years after qualifying.

Christian Matheson: I am grateful for that answer, but is it not the case that 40% of teachers leave within the first five years, and why is that?

Mr Gibb: The figures are not dissimilar to those in other professions. We realise that there are workload challenges, which was why we set up the workload challenge in 2014. There were 44,000 responses, which we analysed carefully. Three top issues were raised: dialogic deep marking, data collection and the preparation of lessons. We addressed all three issues by setting up three working parties, led and staffed by experienced teachers and headteachers. They reported and made recommendations, which we accepted, and action has now been taken.

Carol Monaghan (Glasgow North West) (SNP): Thousands of EU nationals across the UK play key roles in children's education, be it as classroom assistants, teachers, janitors or cleaners. We cannot overestimate how morale is affected by xenophobic rhetoric such as we heard last week at the Tory party conference. Does the Minister agree that it is time to do the right thing and give a solid guarantee that EU nationals can remain and contribute to our children's education?

Mr Gibb: The Prime Minister has made it very clear that we expect all EU nationals resident in the UK to remain here, but of course that depends on reciprocal arrangements for British citizens living in other EU countries.

Mike Kane (Wythenshawe and Sale East) (Lab): Despite the Minister's earlier response, the Education Policy Institute has shown how excessive hours are driving record numbers of teachers from the profession, including friends and former colleagues of mine. NASUWT has found that half of teachers have been to see a doctor in the past year due to work-related illness, and one in 10 have been prescribed antidepressants. We know that the Minister is on the record as not valuing those of us with the postgraduate certificate in education, but can he not see that the Government's failure to support teachers is at the heart of the crisis in teachers' morale?

Mr Gibb: I welcome the hon. Gentleman to the Education shadow Front-Bench team. I understand the challenges of the teaching profession, and we are taking action. That is why we set up the workload challenge in 2014. The report published today by the Education Policy Institute is based on the 2013 TALIS. When that survey was published we looked at it very carefully, which is why we conducted the survey that we did and are taking action. The key thing is that 1.4 million more pupils are in good and outstanding schools today than there were in 2010, including 4,500 more in such schools in Trafford and 27,900 more in the city of Manchester.

Mr Speaker: There is some sort of screed written in front of the Minister of State. He may find it profitable for himself and others to deposit it in the Library, where colleagues can consult it if they wish in the long winter evenings that lie ahead.

Topical Questions

T1. [906479] **Alison Thewliss (Glasgow Central) (SNP):** If she will make a statement on her departmental responsibilities.

The Secretary of State for Education (Justine Greening): This Government are determined to make this a country that works for everyone, and education is at the heart of that ambition. I have already had the opportunity to see some of the excellent work being carried out in our classrooms. As my hon. Friend the Minister for Schools has said, there are now 1.4 million more children in good or outstanding schools than there were in 2010. The Department for Education has an expanded role, taking in higher education, further education and skills. That was reflected in my first announcement as Secretary of State of the six opportunity areas where we are going to trial a new approach to boosting attainment and outcomes in social mobility coldspots that have been identified by the Social Mobility Commission. We will work inside schools and outside them, with communities and businesses, to make sure that we can turbo charge those children's opportunities.

Mr Speaker: The Secretary of State clearly does not wish to be outdone by her hon. Friend the Minister of State. That much is clear.

Alison Thewliss: I welcome the Secretary of State to her place. The reputation of Scotland's higher education sector is of huge significance at home and in the wider world. What assessment has she made of the damage that could be caused to that reputation by the marketisation of the HE sector opening it up to unknown and disreputable new providers?

Justine Greening: That is not at all what the Higher Education and Research Bill seeks to do. It is about opening up the higher education sector, so that we have the next wave of institutions that can provide fantastic degrees, and about making sure that there is teaching excellence. It is a strong Bill that will move the sector forward for the first time in 25 years.

T3. [906482] **Gordon Henderson (Sittingbourne and Sheppey) (Con):** Will my right hon. Friend join me in congratulating my constituents Councillor Sarah Aldridge, Donna Smith-Emes and the rest of the Aspire special school team on securing permission to proceed to the next stage in their bid to set up a free special school that will help meet the need in my constituency and the wider area for school places for children with high functioning autism?

The Minister for Vulnerable Children and Families (Edward Timpson): I am of course more than happy to congratulate Sarah, Donna and the team on the progress they have made with the Aspire special school application, as well as on their clear commitment to children in their area with special educational needs and disability. The free schools programme has already supported the opening of 345 schools, including 13 schools with a specific focus on children with autism. I am aware that the Aspire special school aims to provide a further 112 places for pupils with autism and speech, language and communication needs.

Tulip Siddiq (Hampstead and Kilburn) (Lab): I would like to come back to a point made by my hon. Friend the Member for Manchester Central (Lucy Powell). The fairer early years funding plan has created a ticking time bomb for nurseries. Figures revealed by the Secretary of State's own Department show that 25% of local authorities across the country will lose out financially. I am afraid that her earlier answer will do nothing to reassure the National Association of Head Teachers, which believes that that will lead to the closure of hundreds of nurseries. Will she today commit to a funding pledge for nurseries for provision for after the first two years, so that the pledge of 30 hours of free childcare will be honoured for all?

The Parliamentary Under-Secretary of State for Education (Caroline Dinenage): I would like to take this opportunity to welcome the hon. Lady to her place on the Opposition Front Bench. I can reassure her that the funding formula that we have consulted on will make funding fairer, more transparent and more sustainable. Indeed, she is misinformed: our proposals mean that 88% of local authorities and their providers can expect to see their funding rates increase.

T5. [906484] **Stephen Hammond** (Wimbledon) (Con): As part of local democracy week, I visited two excellent primary schools, Hillcross and The Priory, in my constituency this morning. As I left, the headteacher of one of them asked me about the primary school assessment framework. Can the Minister confirm to the House how long he expects the transitional arrangements to be in place?

The Minister for Schools (Mr Nick Gibb): We will be announcing the response to the primary assessment arrangements shortly. It was important that we raised academic standards in our primary schools, and that is why we had a new curriculum introduced by 2014, after two or three years of preparation and consultation. We are raising standards in reading—there are now 147,000 more six-year-olds reading more effectively than they otherwise would be—and we are raising academic standards in maths and in grammar, punctuation and spelling. That is very important, and we will make further announcements about the details of the assessment soon.

T2. [906481] **Margaret Greenwood** (Wirral West) (Lab): In the Higher Education and Research Bill, the Government will allow universities simply to shut down if they fail in the HE marketplace, as though their role in local communities was a matter of no significance or concern to Government. That takes no account of the impact that closures will have on students and lecturers or the businesses and communities around them. Will the Government think again?

The Minister for Universities, Science, Research and Innovation (Joseph Johnson): The Higher Education and Research Bill will make student protection plans mandatory for the first time, putting in place systematic protection for students, which at present is very patchy and partial across our higher education system.

T7. [906487] **Sir Desmond Swayne** (New Forest West) (Con): How is our proper and welcome focus on phonics progressing?

Mr Gibb: I am grateful to my right hon. Friend for that question; it is progressing extremely well. In 2012, 58% of six-year-olds passed the check. This year, 81% passed the check. That is a huge improvement in the quality of the teaching of reading in our primary schools.

T4. [906483] **Daniel Zeichner** (Cambridge) (Lab): Can the Secretary of State explain how allowing schools to select all their pupils by religion, abolishing the 50% cap, will in any way help to bring communities together?

Justine Greening: The current rule is generally inoperative for many free schools when they begin, because they are not over-subscribed, and it only kicks in if they are. We are proposing to put in place much stronger, more effective controls to ensure that faith schools that are opening will be community schools. I would very much encourage the hon. Gentleman to read the consultation document, which sets out proposals, including that those schools should demonstrate clear parental demand from parents of other faiths or no faith and that they should twin with primary schools and other schools.

T8. [906488] **Marcus Fysh** (Yeovil) (Con): New engineering and infrastructure projects in the south-west mean that skilled workers are in great demand—a fact that I hope will help those at GKN in Yeovil who are sadly grappling with its potential closure, as announced on Friday. Will my right hon. Friend meet me to discuss ways we can boost skills development and preserve and enhance the highly valued skills base we have?

The Minister of State, Department for Education (Robert Halfon): I am always pleased to meet my hon. Friend, who is a champion of skills in his constituency. He will know that people in Somerset will benefit from the increased number of apprenticeships and the 15 new high-quality technical routes, which he has heard about already this afternoon. The new National College for Nuclear, opening in 2017, will have a base in Somerset, supporting the local workforce to develop their skills and build capacity for the Hinkley Point C nuclear plant. He will also know that there have been 1,160 apprentice starts in his constituency over the past year, with 350 for the under-19s, showing the skills base in his constituency.

Stephen Twigg (Liverpool, West Derby) (Lab/Co-op): The Secretary of State has spoken about social mobility. Where is the evidence, from this country or other parts of the world, that bringing back selection at 11 will increase social mobility? I think the evidence shows the opposite. May I urge her once again to think again about this plan to extend grammar schools and instead work together to raise standards for all children in all our schools?

Justine Greening: Of course, the two objectives are not mutually exclusive. Indeed, our school reforms will continue, and they have already seen the best part of 1.5 million children now in good or outstanding schools who were not in 2010. We see attainment driven through grammar schools in places such as Northern Ireland. It

is just wrong simply to set on one side schools that are closing the attainment gap for children on free school meals and not look at how we can make that option available to more parents and more children.

Several hon. Members *rose*—

Mr Speaker: I want to call several more colleagues in these exchanges.

Caroline Ansell (Eastbourne) (Con): On mandarin, I know my hon. Friend will be impressed of the work of St Catherine's College's Confucius school and the Eastbourne District Chinese Association. It is clearly important to promote language learning at home. I am pleased to note the uptake in Mandarin, even though I am a French teacher by profession. Can my hon. Friend assure me that we will continue to value opportunities for British students to study abroad?

Mr Gibb: On the last point, yes. We continue to value travel abroad. Learning a language is key to being able to travel and work abroad, and that is what the Mandarin Excellence Programme is all about. We hope 5,000 students will be fluent in Mandarin, reaching levels of HSK4 and HSK5, which go beyond A-level. We want more young people to take languages in our schools—including the language my hon. Friend teaches—following the fall in the numbers taking GCSEs thanks to the Labour party.

Luciana Berger (Liverpool, Wavertree) (Lab/Co-op): Today is World Mental Health Day. The Government acknowledge there has been an increase in the number of young people affected by anxiety, depression and other mental health conditions, yet so much more could and should be done to prevent them. When will the Secretary of State bring forward statutory compulsory and high-quality personal, social, health and economic education in every single school, so that we can equip the next generation with the skills and confidence to get help early on?

Justine Greening: The hon. Lady is right to raise the issue of mental health. In September, we announced a package to tackle bullying in schools, which we know is one of the drivers of mental health issues. She is right to raise the broader issue. We are looking at how we continue to ensure that PSHE works effectively in schools, and we are working with the NHS.

Tom Pursglove (Corby) (Con): Does the Secretary of State agree that our young people need a mixture of routes by which they can go on to succeed, and that that will continue to underpin Government policy moving forward?

Justine Greening: Yes, I very strongly agree with my hon. Friend. As I said earlier, we are reforming the academic route for many of our young people. However, for the majority who are more interested in a technical route in education post-16, it is vital that we now bring together different policy areas—apprenticeships, university technical colleges and the work of further education colleges up and down the country—to ensure they deliver for them.

Mrs Sharon Hodgson (Washington and Sunderland West) (Lab): The leaked small schools task force report shows that the Department ignored advice to continue funding small schools to provide universal infant free school meals. This will affect 566 children in the schools represented by the Education Front-Bench team and thousands more children represented by those on the Government Back Benches. Will the Minister today commit to reverse this short-sighted cut and ensure that small schools have adequate funding to feed their infant children free school meals?

Mr Gibb: I do not quite understand what the hon. Lady is talking about. We are funding free school meals for infant schools at £2.30 a head. On funding rural schools, we are consulting on a formula that will protect rural schools for the long term.

Sir Edward Leigh (Gainsborough) (Con): The Minister was just attacked for removing the cap on faith schools. The implication was that they do not promote cohesion. Is it not a nonsense to suggest that our wonderful Anglican and Catholic schools are not broad-based and do not promote cohesion? Above all, they have good academic standards. The unacknowledged point of the cap was to stop 100% Muslim schools. It was simply not effective and was therefore useless, so the Minister was right to do away with it.

Justine Greening: I agree with my hon. Friend—he is right. We should reflect on the fact that about a third of our schools are faith schools. Many of our children will have gone to those schools. They have an ethos and a level of academic attainment that we are trying to achieve more broadly across the whole system.

Greg Mulholland (Leeds North West) (LD): I commend the Secretary of State for announcing, or perhaps forcing, the U-turn on the nasty policy of employers naming foreign employees. Will she now give us another U-turn and announce that schools do not need to ask parents to provide birth certificates, thus potentially turning schools into immigration offices?

Justine Greening: This is about making sure we have the right data and evidence to develop strong policy. That is a sensible approach, but it is important we respond to the concerns of schools that see additional numbers of pupils related to migration. We need to have a better sense of the stresses and strains, so that we can target resourcing effectively.

Dr Tania Mathias (Twickenham) (Con): True childcare costs in Twickenham are double the current Government funding formula. Will the Minister meet me to share how we can avert a crisis and ensure that every three and four-year-old in Twickenham will be able to get 30 hours of free childcare?

Caroline Dinenage: We recognise that the costs of providing childcare vary enormously across different areas of the country. That is why we have just completed an early years national funding formula consultation, which proposes an area cost adjustment to reflect cost differentials in both staff and premises. Some 88% of

areas will see an increase and the hourly rate for Richmond Borough will rise significantly to £5.69 an hour. I will of course meet my hon. Friend to discuss this.

Karin Smyth (Bristol South) (Lab) *rose*—[*Interruption.*]

Mr Speaker: Order. Shrieking from a sedentary position is very unfair on the Member who is trying to secure a hearing from the House. Let us hear Karin Smyth.

Karin Smyth: Thank you, Mr Speaker. Following the report by the Public Accounts Committee on entitlement to free early years education and childcare and a Westminster Hall debate on the subject that I initiated in July, the then Minister promised me that the Department

was due to publish the early years workforce strategy document, addressing the shortfall in qualified staff to deliver the 30 hours of free childcare. What progress has been made?

Caroline Dinéage: The hon. Lady asks an important question. I am clear that we need to help employers to attract, retain and develop their staff to the very highest possible quality of early years provision. The workforce strategy will be published very shortly.

Several hon. Members *rose*—

Mr Speaker: Order. I am sorry to disappoint colleagues, but as usual demand has exceeded supply.

Calais Jungle

3.36 pm

Mr David Burrowes (Enfield, Southgate) (Con) (*Urgent Question*): To ask the Home Secretary for a statement on the Calais Jungle in the light of its imminent demolition and the urgent need to provide safety for children who have a family link in the United Kingdom or in whose best interests it is to be here.

The Secretary of State for the Home Department (Amber Rudd): Today I met my counterpart, Bernard Cazeneuve, and we agreed that we have a moral duty to safeguard the welfare of unaccompanied refugee children. We both take our humanitarian responsibilities seriously. The UK Government have made clear their commitment to resettle vulnerable children under the Immigration Act 2016 and ensure that those with links to the UK are brought here using the Dublin regulation.

The primary responsibility for unaccompanied children in France, including those in the Calais camp, lies with the French authorities. The UK Government have no jurisdiction to operate on French territory and the UK can contribute only in ways agreed with the French authorities and in compliance with French and EU law. The UK has made significant progress in speeding up the Dublin process. We have established a permanent official-level contact group, and we have seconded UK experts to the French Government.

Part of the role is to assist co-ordinating efforts on the ground to identify children. Since the beginning of 2016 more than 80 unaccompanied children have been accepted for transfer to the UK from France under the Dublin regulation, nearly all of whom have now arrived in the UK.

Within those very real constraints, we continue to work with the French Government and partner organisations to speed up mechanisms to identify, assess and transfer unaccompanied refugee children to the UK where that is in their best interests. While the decision on the dismantling of the Calais camp and the timing of the operation is a matter for the French Government, I have made it crystal clear to the French Interior Minister on numerous occasions, including at our meeting today, that our priority must be to ensure the safety and security of children during any camp clearance.

We have made good progress today, but there is much more work to do. To that end, I emphasised to Mr Cazeneuve that we should transfer from the camp as many minors as possible eligible under the Dublin regulation before clearance commences, with the remainder coming over within the next few days of the operation. I also outlined my views that those children eligible under the Dubs amendment to the Immigration Act 2016 must be looked after in safe facilities where their best interests are properly considered. The UK Government stand ready to help to fund such facilities and provide the resourcing to aid the decision making. I made it clear today in my meeting with Mr Cazeneuve that we should particularly prioritise those under the age of 12, because they are the most vulnerable. The UK remains committed to upholding our humanitarian responsibilities on protecting minors and those most vulnerable.

Mr Burrowes: With the Calais Jungle earmarked for demolition next week, what is being done to provide safety and refuge for children for whom we have a legal and moral duty of care? On the last count conducted by Citizens UK/Safe Passage UK, 178 children were eligible for sanctuary in the UK under the Dublin criteria and 212 under the Dubs best interests amendment. The Red Cross has told me today that

“the Home Office’s energy in the last few weeks has been significant and recognises the scale of the challenge.”

However, that energy is not shared by the French authorities, which do not provide appointments, interpreters or resources to make transfers in the “days” that the Home Office wants rather than the “weeks” or the “months”.

Last month, the Home Secretary told the Home Affairs Committee that she would get over to the UK as soon as possible all the children for whom we have a legal obligation, and she has confirmed today that she wants as many of them as possible over here before demolition. Last week, she said that

“compassion does not stop at the border”,

and she has been reported as saying today that the first 100 child refugees are coming to the UK “within weeks”.

Can the Home Secretary provide the assurance today that all children eligible for transfer to the UK will be in a place of safety before the demolition starts? The French accommodation centres are inadequate for children. When it comes to transportation, only 12 got on the bus to the centres on Thursday, and the next bus is not until tomorrow. The French Red Cross, however, has pledged to provide accommodation in one place for all children awaiting reunion with UK families. Will the Home Secretary ensure in her discussions with her French counterparts over the coming days that that happens before the demolition starts? Will the Government, with France, create a designated children’s centre sufficient for all children with relocation claims, whether under the Dubs amendment or Dublin arrangements, rather than risk dispersal and exploitation?

The Red Cross’s report—aptly named “No place for children”, as many who have visited the Calais jungle would testify—highlighted this weekend the humanitarian and bureaucratic nightmare. The “bureaucratic” aspect is particularly frustrating. No clear process has yet been established by the Home Office or France to identify, assess and relocate UK lone children whose best interests under the Dubs amendment are to be in the UK.

Will the Government use funds, whether they be from the Department for International Development or wherever, to establish an appropriately mandated organisation with the authority from France and the UK to identify all minors eligible for transfer and to assist in the progress of their cases, whether it be through investigating claims through family links under the Dublin arrangements or the Dubs best interests criteria? Finally, does the Home Secretary acknowledge that until we have those answers, that plan for the safety of those vulnerable Calais children will risk the Prime Minister’s words last week on the importance of standing up for the weak being just that—words?

Amber Rudd: I thank my hon. Friend for his question and for raising this matter, giving me the opportunity to set out what the Government are doing. I particularly appreciate his comments about the urgency of this matter,

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and I share his view on that, as does everybody in this House. I attended a meeting with my French counterpart for nearly two hours today. He had eight or nine people with him, as did I. It is fair to say that the bureaucratic element will now be dealt with with the sort of urgency that we want to see.

On ensuring that there is access to a children's centre where the clearances take place, I certainly share my hon. Friend's view that it is essential to ensure that those children are kept safe during any clearances, and I have made that point to the French Minister.

The children who can be dealt with under the Dublin arrangements are not, by any means, all the children we want to take, but it is part of where we want to help. We have been pressing for a list. I appreciate that Citizens UK and other non-governmental organisations have a list, but for the Dublin arrangements to work, the children have to come through the host country. We believe that the French will give that to us this week. My hon. Friend should be in no doubt that we will move with all urgency—a matter of days or a week at the most—in order to deliver on that commitment when we get it.

Ms Diane Abbott (Hackney North and Stoke Newington) (Lab): In January this year, I visited the Calais Jungle refugee camp, and I remind Members that words cannot convey the horror of the conditions there. People are sleeping under canvas in sub-zero temperatures; there is squalor, a lack of sanitation, violence, and threats of sexual assault. Nobody should have to be in those conditions for a minute longer than necessary, and that is particularly true for children.

Will the Home Secretary reassure us that these children, who either have a legal right to come to the UK or whose "best interests" in the words of the Dubs amendment, would be served by that, will not be scattered to all parts of France? Will these children be in one place in a designated children's centre?

I put it to the Home Secretary that, with her misconceived proposal to make companies keep lists of foreign workers, she has already revealed that she is out of touch with this country's better instincts. For those children in those desperate conditions, will she step up and do what people all over the country want us to do, which is to fulfil our moral responsibilities? We need fewer words and more action.

Amber Rudd: I can reassure the hon. Lady that the only list I am interested in is the list from the French Government that will enable us to get the children who belong here safely back to this country. I am absolutely committed to ensuring that the safety of children is put first. I share her views about the horror for the children living there. It is because we are so committed to protecting those children that we are making them a priority in our arrangements with the French, and in our assistance, which the French have asked for, in clearing their camps. Be in no doubt that the French are committed to ensuring that they clear those camps. They have asked us for assistance, and we will be giving it to them in the form of taking children who have the right to be here, as I set out to my hon. Friend the Member for Enfield, Southgate (Mr Burrowes), and in the form of money,

process and staff. No stone will be unturned in this Government's assistance of the French in ensuring that we help those children come to this country when they should.

Mrs Cheryl Gillan (Chesham and Amersham) (Con): I am delighted that the Home Secretary is taking this problem so seriously, and that she is working well with her counterpart Bernard Cazeneuve in trying to ensure that those children are safe, and that the problem of the Calais refugee camp is solved. However, I am worried about the criminal gangs that are operating in the area and exploiting vulnerable people. I understand that, last year, the UK and French authorities co-operated very well, and that some 28 criminal gangs were disrupted. Will the Home Secretary tell us what success she and the French authorities have had this year in bringing those criminal gangs and their actions to a full stop?

Amber Rudd: My right hon. Friend rightly draws attention to the real villains of the camp, namely the criminal gangs who prey on the most vulnerable. It is their violent intentions towards the people who are in the camps that could be most damaging and disruptive for everybody, not just for the children but for all people in the camps. I am in close conversations with our French counterparts to ensure that they do what they can to disrupt any crime, in order that we have the safe dismantling of the camps.

Joanna Cherry (Edinburgh South West) (SNP): I welcome the Home Secretary's acceptance that there is a moral duty to help those children, but of course it is also a legal duty, which exists not just because of the Dublin convention, but because of the Dubs amendment passed by the House. It is clear that there is widespread concern on both sides of the House about the current lack of transparency from the Government in relation to those legal duties. Given the lack of meaningful action to date in bringing those unaccompanied minors to the UK, does the Home Secretary agree that it would be a good idea for the Government to commit to publishing a regular update on numbers and progress? Will she commit to publishing a fortnightly update?

Will the Home Secretary tell us how many children the United Kingdom is prepared to take in during the next week? We would like to hear numbers. We hear that there are up to 400 unaccompanied children in the camp—[*Interruption.*] I am being heckled, with an hon. Member asking how many Scotland will take. Scotland has already taken more than a proportionate share of refugees who have come to this country, and we stand ready to take as many as we can, but unfortunately we have to wait for the UK Government to act. That is what the urgent question from the hon. Member for Enfield, Southgate (Mr Burrowes) is about.

I want to raise one final issue. I visited the camp in Calais at Easter with some of my Scottish National party colleagues and members of the Scottish Refugee Council. We heard that the last time the southern part of the camp was demolished, that happened with no warning. People came out of their tents in the middle of the night and what few belongings they had were crushed. Will the Home Secretary undertake to speak to the French Government to ensure that that sort of inhumanity does not occur again in relation not only to children, but to adults?

Amber Rudd: I thank the hon. and learned Lady for her question. She asked about the numbers under the Dubs amendment, which was agreed in May, and I can tell her that we have taken more than 50 in process. They are largely from Greece, because that was the area deemed to have the highest differential in terms of the children's vulnerability compared with the UK. We are now focused much more on trying to get these children from the Calais camps, and for the past three weeks the French have been working with us on identifying them.

The hon. and learned Lady asked for details about numbers and plans for bringing children to the UK. I would say to her and to the House in all honesty and humility that we have to be careful about how much information we share publicly about those numbers and plans, because it is not always in the best interests of the children for the criminal gangs involved in trafficking them to have information about what the plans are, how many children will be taken—[*Interruption.*] Saying "Come on" does a disservice to the Government and to our intentions to look after those children. Simply adopting a high moral tone as if total disclosure were the answer is wrong, and I ask right hon. and hon. Members to work with us on this. I am happy to be completely frank and talk about the issue, but we do not think that public disclosure of this is in the best interest of the more vulnerable children.

Philip Davies (Shipley) (Con): Why do genuine refugees need to come from France to the UK to be looked after properly? Why cannot France process people's asylum applications? What is so terrible about refugees living in France? Why do they have to come to the UK? Can the Home Secretary explain why these people are so desperate to get out of a safe country—France—into the United Kingdom, because I suspect that if we tried to palm off our refugees on another EU country the Opposition would be apoplectic?

Amber Rudd: I am always grateful for a question from my hon. Friend, and on this matter we have a legal obligation under the Dublin arrangements whereby children who have demonstrated that they have family over here are entitled to come here, but that process goes through the host French Government, so they have to apply for that right in France. As for additional children whom we wish to take, that battle has been fought in the Dubs amendment, and we intend to act on it.

Yvette Cooper (Normanton, Pontefract and Castleford) (Lab): I welcome the personal commitment by the Home Secretary to help, under the Dubs amendment and the Dublin agreement, children suffering in Calais. That is helpful. However, I must press her on the scale and timetable, as there are over 1,000 unaccompanied children and teenagers there. How many does she think Britain will end up taking and, in particular, how fast will that be? She said that all the Dublin children would be here within a few days of the camp closing. Is that all of the 178 whom Citizens UK has identified as being eligible, or is it just those who have managed to wrestle their way through the French bureaucracy, because that bureaucratic system is failing, and it is simply not acceptable for them to wait for weeks to fill in forms and wait in queues?

Amber Rudd: I admire the right hon. Lady's tenacity in highlighting this issue. I am always pleased to speak to her about it, because I share her views about how important it is. On the numbers and bureaucracy, part of the purpose of meeting Bernard Cazeneuve was indeed to make that bridge much closer so that our officials can deliver with the urgency that she expects and which I hope to achieve. We have asked the French Government to confirm the number being given by Citizens UK and they tell us that they will do that within the next few days. Once they have done so, there will be no hesitation in acting on that as soon as possible.

Mr James Gray (North Wiltshire) (Con): There can be no doubting the Home Secretary's compassion or her determination to do something about this appalling problem for up to 400 children who have a perfect right to come here. I congratulate the Government on doing more this year than last year, as the numbers have gone up significantly. None the less, this is a major crisis, and the camp will be cleared within days. It appears that there has been huge bureaucratic confusion in France, and dockets have been lost. Apparently, there are only four French officials in the camp, which is poor. It is time for the British Government to set up a taskforce, with British officials working with French officials, which should go to the camp, sort out these people, find out who they are, and bring them back.

Amber Rudd: We have certainly noticed a significant uplift in the effort, people, time and professional commitment that the French are willing to put in. Because they are moving closer to clearing the camps, they are now very keen to work with us and help us to identify the children whom we can legally take over, and my hon. Friend should be in no doubt that we are working closely with them to ensure that we can do that with all possible speed.

Tim Farron (Westmorland and Lonsdale) (LD): The Home Secretary has estimated that there are between 600 and 900 unaccompanied children in the camp, and has said that if the United Kingdom were to take 300, that would be "a really good result". May I just suggest that for the 600 who are left alone and cold in Calais, it will not be "a really good result"? The children who have come here so far have done so mainly as a result of Citizens UK's safe passage programme, in the absence of any system to implement Dublin in Calais. Will the Home Secretary promise the House that she will step up the efforts? Will she give a number that is credible and also massively ambitious, given the changing circumstances? Will she ensure that, through bloody-minded determination, compassion and urgency, the Government act in line with this country's values, and give those children sanctuary and refuge?

Amber Rudd: I share the hon. Gentleman's views about the values of this country and the need to look after those children, but I hesitate to give a number, although I am often pressed to do so by various organisations and, indeed, by our French counterparts.

I think that the right way to deal with this is to identify the regulations under which we, as a Government and as a country, have said that the children should come here, and that means Dublin and Dubs. On Dublin, we are making good, fast progress. We expect to receive

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a list this week, and we will move with all due haste after that. As for Dubs, we hope to ensure that children are held safely—that is exactly what I have been discussing with the French today—so that we can assist with the process. We have not reached a final deal, or arrangement, with the French to process the children and establish the swiftest way for us to assist, but I hope that we shall do so within the next few days.

Heidi Allen (South Cambridgeshire) (Con): I am genuinely pleased to hear the Home Secretary speak with such a sense of urgency, and to read the reports in the newspapers. It seems that the Home Secretary had a very positive meeting with her counterpart, Mr Cazeneuve. However, I want to question her specifically on two priorities.

First, we understand that an offer has been made for the French Red Cross to provide a building with safeguarding and processing space for the children. Please may I encourage the Home Secretary to investigate that urgently, and see how swiftly it might be done? Secondly, I understand that the French police and France terre d’asile are carrying out a census today to establish the number of unaccompanied children, some of whom will be fleeing from that authority. I have seen the French police myself when I have been there, and they are not welcoming to children. When will the Home Secretary receive the list, and what will she do to identify the children who are actively avoiding that process?

Amber Rudd: I will investigate the issue of the French Red Cross and get back to my hon. Friend. As for the census, her question highlights the challenges that exist in camps such as this. What we need is information, but the people who are seeking that information are often not viewed as friends of those whom they want to help. We, too, have been told that they are carrying out the census now. We have people in the camp as well—we have people advising them—and we will do our best to ensure that the census is as complete as possible so that we can use it as constructively as possible. The French have the same interest as us, which is to ensure that the children who are entitled to come to the United Kingdom are brought to the United Kingdom. Now that they are clearing the camps, that is their intention, so I expect them to give us the list as soon as they have it.

Keith Vaz (Leicester East) (Lab): Let me first congratulate my hon. Friend the Member for Hackney North and Stoke Newington (Ms Abbott) on her appointment as shadow Home Secretary. We entered the House together, and I am delighted that she has done so well. I am sure that Home Office questions will be box office: not quite Trump versus Clinton, but certainly pretty fiery.

I welcome what the Home Secretary has announced today. She is right to make a start in getting this matter resolved, and I do not doubt her commitment. Does she agree, however, that the ultimate responsibility rests with the French, who have been warned for years about the deteriorating situation in Calais? Does she also agree that the European Union can deal with the crisis by processing and registering unaccompanied minors when they arrive in the EU—in Italy and Greece—so that there is no pull factor in Calais and other EU countries can take their responsibilities, as they should have done in the past?

Amber Rudd: The right hon. Gentleman is right to say that this is a French issue and a French responsibility: these people are in France. That is one of the reasons why it is sometimes hard for us to engage in the way that Members would like us to. The fact is that all European countries are now becoming much more aware of the need to have not so much clearer border controls as clearer assessments of who is coming in and their personal details. We will be moving towards that position throughout Europe, not just in the EU.

Mr David Nuttall (Bury North) (Con): Past experience shows that even if the present so-called jungle is cleared, it will not be long before another one springs up, unless we do something to tackle the underlying reasons for so many people wanting to come to the United Kingdom. Will the Home Secretary tell us what is being done, with the French authorities, to tackle the underlying reasons for so many people not being satisfied with staying in France?

Amber Rudd: My hon. Friend raises an interesting point: if the camp is cleared, how do we know that a new one will not form immediately? That is what happened when the Sangatte camp was cleared. It was supposed to be the final clearance, but it was not, and a new camp formed. I am in conversation with my French counterparts to ensure that they take action to prevent that happening again, and I am sure that I will be able to fill my hon. Friend in when I have more information.

Mr George Howarth (Knowsley) (Lab): With typical generosity, the British public and local authorities want to do something to help. The Home Secretary has made a personal commitment today to doing the right thing, and she is to be applauded for that, but what will happen if France does not meet its commitment to her over the next few days? Does she have a plan B?

Amber Rudd: I can assure the right hon. Gentleman that by the end of my two-hour meeting with Bernard Cazeneuve, we had arrived at a point at which we expect to reach an agreement. We have not reached one yet, but on the key subject of how the UK can contribute to the clearing of the camp, particularly in a way that supports the children, we have arrived at a point where we think we can reach agreement; I hope that the right hon. Gentleman will bear with me for a few more days, because I am confident that we will do so.

John Glen (Salisbury) (Con): I welcome the Home Secretary’s remarks today. The people of Salisbury and south Wiltshire are certainly committed to seeing this through, and to seeing the right thing done. Does she agree that it is important for us to anticipate the widest possible range of needs in this cohort, especially in terms of educational and medical services, which are seen as particularly significant in Salisbury?

Amber Rudd: My hon. Friend is absolutely right. We talk about bringing over these children, who have a legal right to be here, and the communities receiving them want to help them, but these children often have particular needs, such as health needs, as a result of what they have been through, and it is essential to have an appropriate support package in place. That is one of the reasons why we want to be able to assess the children properly, so that the support packages can be well and truly in place when they come to the UK.

Stella Creasy (Walthamstow) (Lab/Co-op): The Home Secretary will be aware that there is a great deal of concern in the House today about the numbers. The voluntary sector has identified for her Department 387 children as being eligible to come here under Dublin III and the Dubs amendment, for example, but there is a wait of more than three months before many can even lodge an asylum claim in France; I do not think the hon. Member for Shipley (Philip Davies) is aware of that fact. This country is spending three times as much on building a wall to block those children from coming here as on trying to prevent them from being trafficked. Given the Secretary of State's welcome commitment to getting things moving, will she reverse that ratio and put more money into the administration needed to process the papers, so that we can get those children out of that hellhole today?

Amber Rudd: I understand and share the hon. Lady's genuine passion and commitment to this subject. However, it is not a lack of finances for dealing with the paperwork that has been slowing things up; this is a question of ensuring that the French engage with us, so that we can commit to getting the numbers through that we want. For instance, we have already referred to the 200 agreed under the Dublin agreement, and to the additional number under the Dubs amendment, but the French have begun to work with us on this only in the past three weeks. They are now focused on wanting us to take children from the camps, because they now want to clear the camps. I can confidently tell the hon. Lady that there will be a remarkable increase in our ability to take those children over and to process their claims, not because of money, but because of the political will to get it done.

Charlie Elphicke (Dover) (Con): May I welcome the dismantling of the Calais Jungle, if indeed it does happen this time? May I also welcome the concern and compassion shown by the Home Secretary for the plight of these children? Does she agree that Kent, which is on the frontline, has about a quarter of the total number of unaccompanied asylum-seeking children in this country? Will she act to ensure that there is a fairer distribution of children, so that every local authority and every nation in this country does its bit to care for these children left in this appalling situation? Will she publish on a regular basis the numbers taken by each nation and each local authority in this country?

Amber Rudd: My hon. Friend is right: we should all thank Kent for the enormous amount of work that it does to look after unaccompanied children. It bears the highest numbers and the highest responsibility, and does so with graciousness and generosity, and we are all very grateful to it. On ensuring that other counties and nations benefit from these children, we will put in place a national transfer scheme, so that we can indeed spread the responsibility.

Liz Saville Roberts (Dwyfor Meirionnydd) (PC): Given the extreme vulnerability of unaccompanied children in Calais, will the Secretary of State commit to ensuring that the Home Office is charged with using discretion when it comes to the evidence required for establishing family links, as requested by the Red Cross?

Amber Rudd: There is legislation in place, and I would be careful about waiving legislation when there is already an obligation, as is the case with the Dublin

agreement. There is, in a way, more discretion with the Dubs amendment, as the evidence is not quite as tangible, in terms of family links; it has to be proved that the children are more vulnerable staying where they are than in coming to the UK. There is enough latitude there to enable us to increase the numbers sufficiently, so that we can do the right thing by all these children.

James Berry (Kingston and Surbiton) (Con): I agree with the right hon. Member for Leicester East (Keith Vaz), and note that if this situation were going on in Dover, the UK authorities would promptly register any claims for asylum, and direct those vulnerable children to the authorities of the countries in which they had family ties. Sadly, the French have not done that, which means that our legal powers and responsibilities are simply not being engaged. What practical steps has my right hon. Friend's counterpart guaranteed to put in place to speed up the process, as that is the only means by which the UK can speed up our response?

Amber Rudd: My hon. Friend is absolutely right: this is happening in France. We are talking about French legislation and French authority territory, and we can engage with the French authorities only as they allow us to do so. I can reassure him that, given that the French have decided to clear these camps, they are approaching our offers of help with a lot more enthusiasm and certainty of purpose. That means that we can deliver on what we all want to do, which is look after those children.

Stephen Twigg (Liverpool, West Derby) (Lab/Co-op): I welcome what the Home Secretary has said today. Rightly, the focus is on the appalling situation in Calais, but can she update the House on any progress on the Dubs amendment for children not in Calais? She mentioned the figure of 50, which sounds quite low. Can she update us on the work of her Department and the rest of Government, and also work with local government across the country, so that we can fulfil that goal of 3,000 unaccompanied children coming here?

Amber Rudd: We have focused on Greece and Italy, in terms of taking children according to the Dubs amendment. Our information told us that that was where the children were most vulnerable, and it was all about bringing the most vulnerable children to the UK. Of course, those children were always supposed to be refugees. The plan was always to ensure that they were Syrian refugees who needed to be transferred to the UK. We have been focusing on Greece and Italy, and we will continue to do so, but for a while, we will also make sure that, under that agreement, we take children from the Calais Jungle as well, and that work is ongoing.

Damian Collins (Folkestone and Hythe) (Con): I visited the Calais Jungle 10 days ago, and I welcome the commitment that the Home Secretary has made today to giving safe passage to these vulnerable children. People in the camp are genuinely frightened that it will be demolished with women and children still living in it. Does she share my concern about the fact that I met families who had made an asylum claim in France five months ago, but were still living in the camp because they have been told by the French authorities that there was nowhere else for them to go?

Amber Rudd: My hon. Friend brings disappointing news on that front. My experience of working with my French opposite number and his officials is that they are just as committed as we are to assisting in this matter. Their intention and aim is to dismantle the camp in the most humanitarian way possible. Clearly, it will be a challenge for them to do so, which is why we are offering financial and security support to ensure that it is done as effectively and as gently as possible.

Alan Brown (Kilmarnock and Loudoun) (SNP): I am a little concerned, because during this question and answer session there have been mixed messages. We heard initially that no stone would be left unturned in the process, but then there was hiding behind public disclosure restrictions, an unwillingness to commit to numbers and talk about waiting for the Government's friends. The stark reality is that 80 unaccompanied children have been brought to the UK to date, and we are talking about nearly 400 being still in that camp, with a week to go to demolition. The Government must commit to numbers, confirm that they have the capability to bring in, in a short time, five times the number already brought in, and prove that they are working to identify those people and speak to their relatives in the UK.

Amber Rudd: I can only reassure the hon. Gentleman that the Government are doing that. We are working with the French. We are trying to identify the children who have a legal right to be here because of their family here. There is no lack of enthusiasm on our part to try to do that. There is no attempt to "hide behind" anything, as the hon. Gentleman put it. We are committed to doing what is in the best interests of the children with all speed and haste. We must be aware that there are people who wish those children evil, and we need to make sure that we protect them from the people who want to traffic them.

Mr Philip Hollobone (Kettering) (Con): My constituents do not understand why, if charities and non-governmental organisations can identify 387 unaccompanied children as having a legal right to be in the United Kingdom, the French authorities are unable to do that. Is the House to understand that, as the Home Secretary is trying to tell us, by the end of this week, the French Government will have confirmed to her the definitive number and individual names of those whom they believe are entitled to come to this country?

Amber Rudd: The answer to the first part of my hon. Friend's question is that the children are not confirmed as qualifying under the Dublin agreement unless that is actually dealt with by the French Government, so the charities provide the numbers and the lists to the French Government, because the children are in France; then the French Government have to confirm it to us. They have confirmed that they expect to do that within the next few days. As my hon. Friend the Member for South Cambridgeshire (Heidi Allen) noted, they are doing a census, and during the next few days we expect considerably more information to come from them, which we can work with.

Alison McGovern (Wirral South) (Lab): I pay tribute to the hon. Member for Enfield, Southgate (Mr Burrowes) for tabling the question. May I draw the Home Secretary's

attention to the question from the hon. Member for North Wiltshire (Mr Gray) about a taskforce? We seem to be arguing about bureaucracy, but these are children who need help. Cannot a British and French taskforce get into that camp and sort it out?

Amber Rudd: The hon. Lady should know—or rather, I should like to inform her—that we are doing some of that already. My officials have been over in France every other day for the past two or three weeks, and French officials come over here a lot, so that we can work together to make sure that we can deliver the outcomes that we want. As we approach the final clearances, which may be in the next week, the week after that—the French have not set a date—or the next few weeks, we expect to be very much involved in working with them in the camps to make sure that we look after the most vulnerable. I cannot give the hon. Lady more information at present. As I said earlier, we have not arrived at a final agreement with the French—there are elements that have to be further discussed and agreed—but we will arrive at one, and I hope that at that point she will be able to see us working much more closely together in the interests of everybody there.

Dr Sarah Wollaston (Totnes) (Con): I welcome the Home Secretary's statement and the sense of urgency that she brings to this important issue. These are deeply traumatised children. Can she update the House on not only what mental health provision will be available for them when they come to this country, but what is being done to identify families who will have the specialist skills to help and support those children coming here under the Dubs amendment?

Amber Rudd: My hon. Friend raises a very important point: once we have them over here, how will we best look after children who have been traumatised, and families who are feeling vulnerable? We are working closely with the local authorities to ensure that they can provide the necessary support, and we can assist them.

Fiona Mactaggart (Slough) (Lab): It is really good to hear that the Home Secretary has decided to put her foot on the accelerator, but earlier this month, newspaper reports suggested that the French had issued, under Dublin III, a number of take-charge requests relating to children in the camp that had been lost or not responded to by UK authorities. Can she assure the House that there are no take-charge requests from France that will not be acted on within the next week?

Amber Rudd: I can assure the right hon. Lady that if we have all the information from the French, which we expect to get over the next week or so before they clear the camp, we will move very quickly—within a few days—and remove those children where we can. There will be no hesitation. Part of my conversation with my French counterpart was about ensuring that he and I, as the two Ministers responsible, have a direct line to ensure that there is no bureaucracy slowing down any of the action that needs to be taken.

Stewart Malcolm McDonald (Glasgow South) (SNP): Will the Home Secretary join me in thanking my constituents Esther and Tim O'Connor, who have visited the camp and done everything they can in a voluntary

capacity to help to ease the situation, particularly for children? Has she had any discussions with her French counterpart on the Le Touquet agreement, and does she expect any changes to that agreement in the coming months?

Amber Rudd: I join the hon. Gentleman in thanking any of his constituents, particularly Mr and Mrs O'Connor, who have been so helpful in supporting vulnerable people in the camp. With regard to the Le Touquet agreement, it is well known that in the French political engagement, there is a certain discussion about it. I believe that it serves us as well as it serves France, and I confidently expect it to stay in place.

Caroline Lucas (Brighton, Pavilion) (Green): I echo the deep concerns about the condition of children in the camps. More generally, will the Home Secretary acknowledge that the Government's approach is leading to a toxic, two-tier system focused on distinguished between "good" refugees and "bad" economic migrants, even if they are fleeing equally desperate situations? Can she say whether an adult who fled Afghanistan, faced mistreatment in Iran, travelled through Turkey, where he had no chance to work, and is now trapped in Calais, desperately trying to meet his brother in the UK, would be defined as a migrant or a refugee?

Amber Rudd: I respectfully say to the hon. Lady that we have legislation and regulations in place to help the people we can help, and they are also there to prevent people thinking that they can come here when they cannot. We must have clear signs about who this country will willingly and enthusiastically protect and look after, because we have strong, proud British values, and about who we cannot. We should not do ourselves damage or in any way downgrade our values by saying that we should do more.

Thangam Debbonaire (Bristol West) (Lab): My constituents have looked on with utter dismay this year at the glacial speed of transferring children with relatives in this country. What reassurances can the Home Secretary give my constituents that that will be sped up sufficiently, and that the medical needs that will inevitably have arisen among the nearly 1,000 children unaccompanied and alone in Calais will be dealt with?

Amber Rudd: I ask the hon. Lady to reassure her constituents that during the next eight to 10 days, we expect to see a great number of the children who qualify under the Dublin agreement come to the UK. Now that the French have made this very clear decision, there is accelerated co-operation between our countries. I hope that she and her constituents will see a marked difference over the next 10 to 14 days.

Jenny Chapman (Darlington) (Lab): The last time there was a clearance in Calais, 129 children went missing. Demolition is due to start again, perhaps within the next few days, so the Home Secretary will understand the intense desire in this House to know that there will be a change and progress. Will she return to the House, perhaps on Thursday or next Monday, to tell us what is happening? She will not say how many children are affected, but will she tell us as much as she can about what is happening, because the level of concern about the issue in the House is unprecedented?

Amber Rudd: I agree with the hon. Lady that the level of concern is very high, and for good reason, because we all want to ensure that those children are looked after. I can say, after careful conversations with our French counterparts, that they have learned lessons from previous clearances, but there is a very sensitive balancing act between trying to get the right information out to the children in the camp and ensuring that their best interests are looked after. Our French counterparts are sensitive to ensuring that those children are looked after—and they are led, as we are, by the humanitarian need to look after them.

Diana Johnson (Kingston upon Hull North) (Lab): In the last hour, the media have been reporting that the Home Office has announced the doubling of asylum experts in France working on the Calais cases—from one to two officials. Does the Home Secretary really think that is enough?

Amber Rudd: The hon. Lady has an advantage over me; I have not seen that particular announcement. *[Interruption.]* It has been my great pleasure to be here for the past hour; naturally, she has seen it before I have. I look forward to having a good look at it, and if she would like me to, I will certainly write to her about it.

Chris Bryant (Rhondda) (Lab): Would it not have been a good idea for the Home Secretary to make that announcement in the House, rather than a press officer doing it from her Department? However, we are talking about some of the most vulnerable children, by any objective measure, in the world: children who will have been traumatised in a way that no child should be traumatised, and children who will have seen things that no child should have seen. Will she turn on its head the budget in her Department, so that instead of spending money on a wall, she spends it on making sure that those children are protected, so that their future is as bright as that of any other children?

Amber Rudd: The hon. Gentleman, I am sure, will have heard my comment earlier that this is not about the budget; it is about having the absolute determination and focus to make sure that we address the need to take those children out, where there is a legal right to do so. I hope that I have reassured him and the rest of the House that we will be doing that as the French move towards their clearances.

Sammy Wilson (East Antrim) (DUP): I recognise the genuine efforts that the Secretary of State has made to deal with this very difficult issue—an issue that has captured the hearts of many people across the United Kingdom. However, does she not recognise that as long as the criminal gangs who bring these people to our shores are free to operate, the problems we are dealing with today will re-emerge tomorrow? What action is she taking to ensure stiffer prison sentences, the seizing of assets, and co-operation with other Governments to cut down the international network that these gangs have, and to cut off the routes by which they bring people to the United Kingdom?

Amber Rudd: The hon. Gentleman is absolutely right: the people really profiting from this are the criminal gangs who deal in this terrible crime of trafficking children

[Amber Rudd]

and people. We are working internationally, and primarily across the EU, to ensure that we stop these gangs and, where we can, disrupt them, so they stop this heinous crime.

Andy Slaughter (Hammersmith) (Lab): I also welcome the Home Secretary's sense of urgency, but while the Government were dallying about this, hundreds of local authorities around the country were already ready and willing to register, transport and accommodate these children. Could I ask her officials to work in particular with Hammersmith and Fulham Council? It is a personal initiative of the leader—Stephen Cowan—and Lord Dubs, who is a Hammersmith resident, to do everything necessary to help the children of the jungle.

Amber Rudd: I thank the hon. Gentleman for that comment, and he is right: it is great that so many councils have stepped forward and said that they are willing to take children. I will urge my officials to work particularly with Hammersmith, which I know has generously stepped forward with assistance, and we look forward to taking that up.

Angela Smith (Penistone and Stocksbridge) (Lab): The Home Secretary made the very welcome statement that the UK had a duty to protect and look after those children with a legal right to be in the UK. She talked about having the determination and focus to deliver that. Will she match those commitments with a commitment to deploying the necessary resources to ensure that the job is done properly, and that no child, as a result of failure on the part of the UK to do its job, goes missing in that camp in Calais?

Amber Rudd: I can reassure the hon. Lady that the UK Government will not lack resource commitment to remove the children who are eligible to come here under the Dublin agreement or who qualify under Dubs. On the children being cleared from the camp, I once more say that this camp is in France. We will do what we can, and we will lean into the French. We have offered them assistance with money and security. Our priority—and, to be fair, theirs—is to make sure that those children are protected. We will give them all the support we can.

Rob Marris (Wolverhampton South West) (Lab): What recent discussions has the Home Secretary had with the French Government on the future steps to be taken to avoid another Calais camp acting as a magnet next year, to the detriment of another generation of vulnerable children?

Amber Rudd: The hon. Gentleman raises an absolutely critical point. This camp will be cleared by the French, but what will be done to make sure that another one does not grow up, given that although the clearance of Sangatte in 2002 was supposed to be the end, we now have the jungle in Calais? The French are taking that point very seriously: they have plans to ensure that another camp does not grow up. He will forgive me for not entirely disclosing those plans, but careful consideration is being given to them, and I would be happy to speak to him about that.

Next Steps in Leaving the European Union

4.25 pm

The Secretary of State for Exiting the European Union (Mr David Davis): With permission, Mr Speaker, I will make a statement on the next steps in leaving the European Union.

The mandate for Britain to leave the European Union is clear, overwhelming and unarguable. As the Prime Minister has said more than once, we will make a success of Brexit, and no one should seek to find ways to thwart the will of the people expressed in the referendum on 23 June. It is now incumbent on the Government to deliver an exit in the most orderly and smooth way possible, delivering maximum certainty for businesses and workers. I want to update the House on how the Government plan to reflect UK withdrawal from the European Union on the statute book while delivering that certainty and stability.

We will start by bringing forward a great repeal Bill that will mean the European Communities Act 1972 ceases to apply on the day we leave the EU. It was this Act that put EU law above UK law, so it is right, given the clear instruction for exit given to us by the people in the referendum, that we end the authority of European Union law. We will return sovereignty to the institutions of this United Kingdom. That is what people voted for on 23 June: for Britain to take control of its own destiny, and for all decisions about taxpayers' money, borders and laws to be taken here in Britain.

The referendum was backed by six to one in this House. On all sides of the argument—leave and remain—we have a duty to respect and carry out the people's instruction. As I have said, the mandate is clear, and we will reject any attempt to undo the referendum result, any attempt to hold up the process unduly or any attempt to keep Britain in the EU by the back door by those who did not like the answer they were given on 23 June.

We are consulting widely with business and Parliament, and we want to hear and take account of all views and opinions. The Prime Minister has been clear that we will not be giving a running commentary, because that is not the way to get the right deal for Britain, but we are committed to providing clarity where we can as part of this consultative approach. Naturally, I want this House to be engaged throughout, and we will observe the constitutional and legal precedents that apply to any new treaty on a new relationship with the European Union. Indeed, my whole approach is about empowering this place. [Interruption.] Think about it.

The great repeal Act will convert existing European Union law into domestic law, wherever practical. That will provide for a calm and orderly exit, and give as much certainty as possible to employers, investors, consumers and workers. We have been clear that UK employment law already goes further than European Union law in many areas, and this Government will do nothing to undermine those rights in the workplace. I notice there were no cheers for that on the Labour Benches.

In all, there is more than 40 years of European Union law in UK law to consider, and some of it simply will not work on exit. We must act to ensure there is no black hole in our statute book. It will then be for this House—I repeat, this House—to consider changes to

our domestic legislation to reflect the outcome of our negotiation and our exit, subject to international treaties and agreements with other countries and the EU on matters such as trade.

The European Communities Act means that if there is a clash between an Act of the UK Parliament and EU law, European Union law prevails. As a result, we have had to abide by judgments delivered by the European Court of Justice in its interpretation of European Union law. The great repeal Bill will change that with effect from the day we leave the European Union.

Legislation resulting from the UK's exit must work for the whole of the United Kingdom. To that end, although no one part of the UK can have a veto over our exit, the Government will consult the devolved Administrations. I have already held initial conversations with the leaders of the devolved Governments about our plans, and I will make sure that the devolved Administrations have every opportunity to work closely with us.

Let me be absolutely clear: this Bill is a separate issue from when article 50 will be triggered. The great repeal Bill is not what will take us out of the EU, but what will ensure the UK statute book is fit for purpose after we have left. It will put the elected politicians in this country fully in control of determining the laws that affect its people's lives—something that does not apply today.

To leave the EU, we will follow the process set out in article 50 of the treaty on European Union. The Prime Minister will invoke article 50 no later than the end of March next year. That gives us the space required to do the necessary work to shape our negotiating strategy. The House will understand that this is a very extensive and detailed programme of work that will take some time. The clarity on the timing of our proposed exit also gives the European Union the time needed to prepare its position for the negotiation. The President of the European Council, Donald Tusk, said that the Prime Minister had brought, and I quote, "welcome" certainty on the timing of Brexit talks.

We will, as Britain always should, abide by our treaty obligations. We will not tear up EU law unilaterally, as some have suggested, but ensure that there is stability and certainty as Britain takes control on the day of exit, and not before.

People have asked what our plan is for exit. This is the first stage. To be prepared for an orderly exit, there is a need to move forward on domestic legislation, in parallel with our European negotiation, so that we are ready for the day of our withdrawal, when the process set out in article 50 concludes. Therefore, I can tell the House that we intend to introduce the great repeal Bill in the next parliamentary Session. It demonstrates the Government's determination to deliver the will of the British people, expressed in the EU referendum result, that Britain should once again make its own laws for its own people.

It is nations that are outward-looking, enterprising and agile that will prosper in an age of globalisation. I believe that when we have left the European Union, when we are once again in true control of our own affairs, we will be in an even stronger position to confront the challenges of the future. The Government will build a global Britain that will trade around the world, build new alliances with other countries and deliver prosperity for its people.

4.32 pm

Keir Starmer (Holborn and St Pancras) (Lab): I welcome the Secretary of State's statement and thank him for advance notice of it.

The decisions the Government take over the next few months and years on exiting the EU will define us for a generation, so I look forward to seeing the Secretary of State regularly at the Dispatch Box. However, I have to say that he is not making a very good start. His first statement on 5 September was widely criticised for saying nothing, and this one is not much better. When I first read it, I thought it was the statement he gave last time—a bit of process and no substance—but I congratulate him on a bit of humour in the phrase, "we are committed to providing clarity where we can".

During the referendum campaign, much was made by the leave side of parliamentary sovereignty. In his statement, the Secretary of State said, "We will return sovereignty to the institutions of this United Kingdom." Yet it seems that the Government want to draw up negotiating terms, negotiate and reach a deal without any parliamentary approval. That is not making Parliament sovereign; it is sidelining Parliament. That is why Labour is calling for a vote on the basic terms proposed by the Government before article 50 is invoked. Some argue that that is a device to frustrate the process. It is nothing of the sort. It is making sure that we get the best possible deal for Britain; it is making sure that the Government actually have a plan; and it is basic accountability on some of the most important decisions of our lifetime.

Let us remind ourselves that the Government had no plan for Brexit in their 2015 manifesto. In fact, they had a manifesto commitment to

"safeguard British interests in the single market."

Whitehall famously made no plans for the leave vote, and the Prime Minister did not explain her plans for Brexit before assuming office. Now the Government plan to proceed to an exit deal without a vote in this House, which is wholly unacceptable in any democracy. If there is to be no vote when the terms of negotiation are agreed, at what stage in the process does the Secretary of State propose that the basic terms of the article 50 negotiations, about which he said nothing today, should be debated and voted on in this House?

The Secretary of State makes much of the great repeal Bill, so we are having a conversation and debate now about what will happen at the very end of the process instead of what is happening at the beginning of the process. That Bill will not provide for parliamentary scrutiny of the article 50 negotiating plans; it is about what will happen after exit. Can he confirm that the vote on the great repeal Bill will come after, not before, article 50 is invoked next March?

We accept and respect the result of the referendum, but neither those who voted to remain nor those who voted to leave gave the Government a mandate to take an axe to our economy. Throughout the process, the national interest must come first, but by flirting with hard Brexit the Prime Minister puts at risk Britain's access to the single market, rather than doing the right thing for jobs, business and working people in this country. In fact, I observe that the words "single market" did not appear at all in today's statement. So much for putting the national interest first.

[Keir Starmer]

We need clarity, and we need answers. Can the Secretary of State assure the House today that the Government will seek continued access to the single market on the best possible terms? Will he also assure us that they will end the divisive and hostile tone of Brexit discussions in recent weeks? This is the defining issue of this Parliament and, quite probably, Parliaments to come. The job of any responsible Government is now to bring the country together, not to drive it apart. I hope that he will take that approach.

Mr Davis: I start by welcoming the hon. and learned Gentleman to the Dispatch Box. It is a pleasure to appear opposite him.

I will read to the hon. and learned Gentleman a warning from his own party's shadow Home Secretary, who has said of his comments:

"We have to be really careful that we're not seen to be not listening. There will be scrutiny but it is, I think, not helpful to pretend we can reverse the result."

That is a summary from inside the hon. and learned Gentleman's own party, which does not really support where he is coming from today.

The hon. and learned Gentleman is a lawyer by training and career. Article 50 is a prerogative power in the view of all the lawyers we have spoken to, and in the view of the Attorney-General, who will be presenting that case in court in the coming week. It will be decided in court, which the hon. and learned Gentleman ought to take seriously.

As for the hon. and learned Gentleman's comments about parliamentary accountability, my Department has effectively existed since the middle of the summer, and in the two weeks of parliamentary sittings that we have had since, we have had two statements and a couple of debates, and we will have his own debate on Wednesday. We are announcing a major piece of legislation very early, and successor legislation to that Bill will also take place. A new Select Committee will be set up to oversee the Department, and there will be numerous debates over the next two years. At the end of the process, we will follow each and every legal and constitutional convention and requirement that applies to all European legislation and treaties. I cannot see how the hon. and learned Gentleman thinks that is in some way not accountable.

After that has happened, Parliament will be able to amend all European Union law, which it has been unable to do before—a fact that the hon. and learned Gentleman overlooked in his comments about accountability. I am afraid he really has to understand the distinction between accountability—I have a little bit of experience of holding Governments to account—and micromanagement, which is what he is trying to do. We have made our view on the negotiations pretty plain. We have said very clearly that we want to control borders. Does the hon. and learned Gentleman agree with that? He can nod or shake his head. Does he want to control borders? He is absolutely stationary—no sign. We want to control our laws. Does he agree with that? No sign. We want the most open barrier-free access to the European market, full stop. That is very clear.

Emily Thornberry (Islington South and Finsbury) (Lab): What about the economy?

Mr Davis: The hon. Lady is shouting, "What about our economy?" That is the answer: we want the most open barrier-free access to the European market. We have heard lots and lots of very unhelpful—misleading, frankly—comments about hard Brexit and soft Brexit. We want the best possible access terms, full stop. The best terms—that is it.

Mr Iain Duncan Smith (Chingford and Woodford Green) (Con): May I congratulate my right hon. Friend on his statement, and urge him to resist the temptation of advice from a second-rate lawyer who does not even understand the parliamentary process? If he is to advise his opposite number, the hon. and learned Member for Holborn and St Pancras (Keir Starmer), he might remind him that the repeal of the European Communities Act 1972 will give many opportunities to amend and debate every single aspect of the discussions around the invoking of article 50. In case the hon. and learned Gentleman has not noticed, the Opposition have the device of Opposition days, when they can debate absolutely anything they choose, including the whole issue of the European Union. May I urge my right hon. Friend to get on with the process and not to listen to those who want to bog it down and never let it happen?

Mr Davis: With the mild exception of the rudeness about the legal qualifications of the hon. and learned Member for Holborn and St Pancras (Keir Starmer), I agree with everything my right hon. Friend has said. The simple truth is that the attempt to block article 50 is an attempt to block the will of the British people, full stop. There will be plenty of opportunity for debate in the next two and a half years, during discussions of the Act and the successor legislation, and any number of other debates between now and then.

Stephen Gethins (North East Fife) (SNP): May I also thank the Secretary of State for coming to the House to try to update us today? I wish him all the best for trying to get through his statement without getting into trouble with his boss, the Prime Minister, this time. He seems to be aiming to do that by not telling us anything. We may be no clearer on whether this is a soft Brexit or a hard Brexit, but we know it is a dog's Brexit. I will be frank: this Government's frankly irresponsible failure to provide any details about their plans is having an impact beyond this place. The Fraser of Allander Institute reckons that in Scotland alone there could be between 30,000 and 80,000 jobs lost because of his plans to take us out of the European Union.

My first question is, will the Secretary of State tell us what plans he has to formally involve the devolved Administrations? I noticed that he talked previously about involving them, but now talks about consulting them. The Government have provided us no answers, so I am going to try to make it easy for him. He has had 89 days since he took up his post—three months on Thursday. To stop him getting into any more trouble with the Prime Minister, I am going to make the next question very, very simple. Does he agree with page 72 of the Conservative party manifesto, on which he was elected, that it should be "yes to the Single Market"?

In fact, I will make it easier: is it his objective to keep the United Kingdom in the single market?

Mr Davis: Well, that was longer on length than it was on content. Let me answer both the hon. Gentleman's comments. He intimated that we were not going to involve the devolved Administrations. That is not the case, as his own leader in Scotland will tell him—indeed, she was called before we announced the great repeal Act to make sure she was aware of it. I cannot remember her exact words, but she said she thought it was very straightforward or common sense—something of that nature.

On our approach to the negotiations, I will not go into the details, but it is very clear. The objectives are simple: to meet the instruction from the British people, which means regaining control of our borders, regaining control of our laws and regaining control of our money, and at the same time getting the best possible access to the European market that we can negotiate—end of story. It is very simple.

John Redwood (Wokingham) (Con): By definition, we cannot negotiate taking back control—we have to take back control; that is what we voted for—so I find the Secretary of State's view very clear and refreshing. Does he agree that the way to deal with the trade issue is to offer to our partners to carry on trading tariff-free on the same basis as at present and to challenge them to say how they want to wreck it?

Mr Davis: My right hon. Friend is right that we want them to operate tariff-free, but it is not just tariff barriers. We also have to negotiate non-tariff barriers. It is central to the argument he makes that it is in both Europe's interest and our interest to have tariff-free and non-tariff barrier based trade. That is where the jobs are. The hon. Member for North East Fife (Stephen Gethins) raised the question of jobs in Scotland. It is jobs in the whole of the United Kingdom that we have to maintain, expand and create opportunities for, and that is precisely what we will do.

Edward Miliband (Doncaster North) (Lab): There is clearly a mandate for Brexit from the referendum, but there is no mandate for the particular form of Brexit. Three days before he was appointed, the Secretary of State published an article saying it was very important to publish a pre-negotiation White Paper. Can he tell us when he will publish that White Paper? As someone who for many years railed about the importance of the powers of Back Benchers and Parliament against the Executive, can he now give us, with a straight face, an answer to this question: where is the Government's mandate for their negotiations, either from this House or from the country?

Mr Davis: Let us deal with the last question first. I really cannot believe my ears. Here we have the largest mandate that this country has ever given to a Government on any subject in our history. It is very plain. Frankly, I will not take lectures from the right hon. Gentleman on accountability either. We have two things to balance. One is the national interest in getting the right negotiation. I know of no negotiation in history, either in commerce or in politics or international affairs, where telling everybody what we are going to do in precise detail before we do so leads to a successful outcome. What I have said to two Select Committees of this House and the other House—indeed, I said this in the last statement—is that we will be as open as we can be. There will be plenty of debates

on this matter. What we will not do is lay out a detailed strategy and a detailed set of tactics before we engage with our opposite numbers in the negotiation.

Anna Soubry (Broxtowe) (Con): May I make it very clear that, like everybody on the Government Benches, I was elected on a clear manifesto promise to respect and honour the referendum result? We know that we will leave the European Union, but the comments of the director general of the CBI should cause us all much concern. She has confirmed the fears of many on these Benches that there is a danger that this Government appear to be turning their back on the single market and not valuing the real benefit of migrant workers. Can my right hon. Friend now give assurances to British business that we have not turned our back on the single market and that we welcome migrant workers to this country?

Mr Davis: My right hon. Friend was, if I remember correctly, at the Conservative party conference, and she may have heard what I said there. There were two things that relate to this. One is that the single market is one description of the way the European Union operates, but there are plenty of people who have access to the single market, some of them tariff-free, who make a great success of that access, and it is that success that we are aiming for.

The other point I made was that the global competition for talent is something that we must engage in. If we are going to win the global competition in economic terms, we must engage in the global competition for talent. We are entirely determined to do that, but that does not mean, and it is not the same as, having no control of immigration. They are very different issues. We will be going for global talent and we will be going for the best market access we can obtain.

Mr Nick Clegg (Sheffield, Hallam) (LD): I have always been a great admirer of the Secretary of State for his staunch defence of civil liberties and his staunch defence of the prerogatives of this House. I was a great admirer when he brought forward the Parliamentary Control of the Executive Bill in 1999 and stirringly told us that

“Executive decisions by the Government should be subject to the scrutiny and approval of Parliament”.—[*Official Report*, 22 June 1999; Vol. 352, c. 931.]

Can he tell us on the basis of what constitutional principle he believes the Prime Minister can now arrogate to herself the exclusive right to interpret what Brexit means and impose it upon the country, rather than protect the rightful role of scrutiny and approval of this House?

Mr Davis: Here we go again. The right hon. Gentleman cannot tell the difference between accountability and micromanagement—it really is as simple as that. The simple truth is that there will be debates galore in this House, starting on Wednesday and thereafter, about what the Government's strategy will be. We will tell the House as much as we can, but not enough to compromise the negotiation. At every turn, right through to the end, we will obey the conventions and laws that apply to the creation, removal and reform of treaties: every single one. This Government believe in the rule of law and that is how we will behave.

Sir William Cash (Stone) (Con): Has my right hon. Friend observed that some seem to have forgotten that the European Union Referendum Act 2015 gave the right to make the decision? Furthermore, the sovereignty of the people was given the opportunity to make that decision on the occasion of the referendum itself. As regards the repeal Bill, the sovereignty of Parliament will be maintained, because it will be decided in this House. All the procedures relating to article 50 are Government prerogative and not subject to the decision of Parliament itself at this stage.

Mr Davis: My hon. Friend is exactly right. He will remember that the Referendum Bill was carried in this House by a 6:1 majority, which included the vast majority of those on the Opposition Benches. He will also, because he is a constitutional lawyer, understand better than anyone else that Crown prerogative rests on the will of the people—that is the theoretical underpinning of it. There is no exercise of Crown prerogative in history that is better underpinned by the will of the people than this particular exercise.

Ms Angela Eagle (Wallasey) (Lab): This is the first time I have ever heard parliamentary sovereignty referred to as micromanagement.

In the past few weeks, we have seen many hundreds of thousands of foreign nationals working here question the welcome they received in this country and their future in this country. We know that many UK citizens living and working abroad in Europe are going through similar turmoil. We have heard now that the Foreign Office has told the London School of Economics that it cannot involve foreign nationals in the work of Brexit as part of a contract. Will the Secretary of State condemn that? Will he reassure the UK citizens living abroad, and will he reassure EU citizens living and working here that they are welcome here in this country? Will he reassure Parliament that, however the Brexit negotiations go, the current arrangement will be maintained?

Mr Davis: I am sure the hon. Lady would not willingly give the House information that is not right, so let me first say that the supposed decision or comment from the Foreign Office is simply not true. I am assured of that by the Foreign Secretary sitting next to me and I think the LSE has also said that.

The other point the hon. Lady made, which is one I raised last week, is extremely serious. I will say two things, first not on the legal status, but on the attitude of some people post-referendum—the encouragement of hatred and so on. I condemn that unreservedly and I think everybody in this House would condemn that whipping up of hatred unreservedly. In terms of European migrants here, the intention of the Government is to do everything possible to underwrite and guarantee their position, at the same time as we underwrite the similar position of British migrants abroad. That is what we intend to do—

Emily Thornberry: When?

Mr Davis: I will answer that shout from the Front Bench. The answer is as soon as I can get that negotiation concluded with the European Union—full stop. Individuals should not worry people unnecessarily or get them concerned. Bear in mind, five out of six migrants who are here either already have indefinite leave to remain or

will have it by the time we depart the Union. It is an important question that I take seriously, and I am determined that we get an outcome that is successful for everyone.

Mr Peter Lilley (Hitchin and Harpenden) (Con): Did my right hon. Friend note the comments by President Hollande that the United Kingdom should be made to pay a price for leaving the EU, presumably by having tariffs imposed on our trade with it? Did he respond to the President that clearly he feels that, in the absence of such punishment, leaving the EU would leave the UK manifestly better off? Such punishment would fall primarily on French exporters, as they export far more to us, whereas our exporters are benefiting from a 14% improvement in their competitiveness—three times the likely tariffs, on average, that may be imposed on them.

Mr Davis: My right hon. Friend—and erstwhile Trade Secretary, if I remember correctly—is exactly right. The damage done by a supposed punishment strategy would be primarily to the industries and farmers on the continent who export to this country. I am afraid that Mr Hollande, Mrs Merkel and others will experience pressure from their own constituents that says, “This is not a good strategy to pursue.” In this country, we believe in free trade because it is beneficial to both sides. I do not see the logic in exercising a punishment strategy against one of their strongest and most loyal allies.

Ms Gisela Stuart (Birmingham, Edgbaston) (Lab): EU citizens living here and UK citizens living in the EU deserve to hear as soon as possible from the Government that their rights are protected and will continue to be protected. Within that process, will the Secretary of State also talk to the Home Secretary and recognise that the current system of registration certificates, residence cards, indefinite leave and permanent residence requirements for comprehensive health insurance is incoherent and inconsistent? Unless he gets some consistency into that whole packet, establishing those rights and how we go further will be very difficult.

Mr Davis: The right hon. Lady had an opportunity about half an hour ago to make that point directly to the Home Secretary, but I will draw it to my right hon. Friend’s attention. That is the best thing I can do. The simple truth is that I am concerned if people are afraid for their position in this country, and we will put that right as soon as we can.

Crispin Blunt (Reigate) (Con): My right hon. Friend will understand and probably appreciate the irony that the more successful he is in delivering a negotiation that meets the mutual interests of ourselves and the 27, the greater the political challenge for the 27, as it will be seen as rewarding the United Kingdom for Brexit. That opens the rather obvious possibility that at the end of the negotiations they may be blocked, either by a qualified minority on the Council or by the European Parliament. I welcome his undertaking to deliver certainty and clarity where he can, but what plans does he have to enumerate publicly the implications of having no deal at the end of two years of negotiations?

Mr Davis: What I say to my hon. Friend at this point is that if the European Union adheres to a punishment plan and it fails—as I believe it would—that would be an even bigger incentive to countries that want to leave

than no punishment plan at all. The approach that is being talked about would put at risk the stability of the European Union, which has financial instabilities of its own, and it should take that seriously.

Mr Speaker: I gently implore the Secretary of State to face the House so that we can all benefit from his mellifluous tones. [*Interruption.*] Somebody chunters rather ungraciously from a sedentary position or otherwise, “You pays your money and you takes your choice,” but the right hon. Gentleman must be heard.

Helen Goodman (Bishop Auckland) (Lab): Last week, the Government were required to publish the submission they put into the court defending their reasons for using the royal prerogative. This is what it said:

“The relief sought...to compel the Secretary of State to introduce legislation into Parliament to give effect to the outcome of the referendum—is constitutionally impermissible. The Court would be trespassing on proceedings in Parliament.”

It is obviously nonsensical to say that to involve Parliament is trespassing on Parliament. Did the Secretary of State really give the instructions to the lawyers for this submission?

Mr Davis: I shall be very careful because one has to be careful when we are talking about court cases. The main guidance I gave to the Attorney-General was that a would-be vote in this House on article 50 could have two outcomes. It either lets it through or it stops it. If it stops it, what would be the outcome? It would be a refusal to implement the decision of the British people, creating as a result a constitutional problem to say the least. That was then interpreted by the lawyers as they saw fit.

Mrs Cheryl Gillan (Chesham and Amersham) (Con): May I congratulate the Secretary of State on the steady and careful progress he is making at the head of a brand-new Department after being in the job for only 12 weeks? I think he is now dealing with a totally unprecedented constitutional issue and that he should take it slowly and carefully. The Public Administration and Constitutional Affairs Committee had the Cabinet Secretary before it on 14 September. He told us that there was no shortage of very talented and highly qualified civil servants queuing up to join my right hon. Friend’s Department and the other new Department of State. However, he also told us that it was only staffed to the level of 80%. Can the Secretary of State tell us whether he is now fully staffed at 100%?

Mr Davis: I thank my right hon. Friend for her compliments, but I would say two things to her. First, we need to make expeditious progress. That is, I think, one of the requirements that the referendum lays upon us. Secondly, the staffing is not yet 100% because we have to acquire sets of very specific skills. There have recently been arguments in the papers about everything from passporting to customs and just-in-time systems, and we have to be able to deal with that. These are not normally skills that are widely available in Whitehall, so it will take a little time to get from 80% to 100%.

Hilary Benn (Leeds Central) (Lab): Does the Secretary of State understand that the conflicting signals emanating from the Government about the type of Brexit that they wish to pursue are creating a great deal of uncertainty among businesses and the people who rely on them for

their living, one aspect of which is the fear that we might leave the European Union without an agreement on trade, which would leave these businesses to cope on World Trade Organisation terms? Can the Secretary of State tell the House whether it is his policy, in those circumstances, to seek a transitional agreement to cover the period until such time as a final status agreement on trade and market access is agreed with the other 27 member states?

Mr Davis: I am inclined to say that the right hon. Gentleman’s father will be smiling down on both of us. He makes a good point on the effect of the uncertainty. It is partly a problem of the preparation process and that there is less out there. I have said to every single interest group I have spoken to—that includes the CBI, despite the comments made this morning, the British Chambers of Commerce, the Engineering Employers Federation and others, as well as the TUC and others on the other side—that we need to have the hard data about the nature of the problem. For example, there are about nine different sorts of passports and we need to be more specific. We also need hard data about the size of the problem in terms of both money and jobs, and the actions we can take to deal with that. That is why we need to take the time until perhaps March. In doing so, we will try to winnow down the size of the negotiation that needs to be done, and then make it faster than it would otherwise be.

We start with an advantage, which the right hon. Gentleman, being who he is, has probably spotted, in that we will have exactly the same regulatory basis on the day we leave as the rest of the European Union. That is normally the biggest thing that gets in the way of major trade negotiations. I therefore do not expect the circumstance he describes. I will not offer a view, but simply say this: we will do everything possible to protect, enhance and maximise the opportunities for British business. He can draw his conclusion from that.

Michael Gove (Surrey Heath) (Con): My right hon. Friend will be aware that sometimes it is very important to pay attention to the liberal elite. He will be aware that, on referendum night, we were told:

“I will forgive no one who does not respect the sovereign voice of the British people once it has spoken whether it is a majority of 1% or 20%...When the British people have spoken you do what they command...Either you believe in democracy or you don’t.”

Those are the words of Lord Ashdown of Norton-sub-Hamdon in the district of Yeovil in the county of Somerset, who is the most elitist liberal I know, which is saying something. I therefore urge my right hon. Friend to be true to the views of Lord Ashdown, the principles of liberalism and the traditions of this House, and to give effect to the British people’s vote. Seventeen million votes were cast on 23 June for Britain to leave the European Union. Attempts by anti-democratic and illiberal voices on the Opposition Benches to thwart the British people’s will will rightly be treated with disdain.

Mr Davis: The liberal my right hon. Friend mentions is the mentor of my favourite liberal. I have to tell my right hon. Friend that I consider myself to be a liberal Conservative, so I am not entirely sure that I accept his characterisation of the liberal elite, but I take his point that the referendum was the biggest mandate given to a British Government ever. It is our job to carry it out and we will not allow it to be thwarted.

Chris Leslie (Nottingham East) (Lab/Co-op): This summer's new £5 note is 15% smaller than the old one, but since the referendum the value of the pound in our pocket has shrunk by even more than that because of the Government's actions. Our constituents did not vote to be poorer. Should not the Secretary of State at least offer an apology?

Mr Davis: That is an extraordinary assertion, even if it parodies Harold Wilson, one of the hon. Gentleman's previous heroes.

Mr Owen Paterson (North Shropshire) (Con): Will the Secretary of State please clarify for the benefit of Opposition Front Benchers this incredibly simple point: independent countries can trade most successfully with the single market without being a member of the single market?

Mr Davis: My right hon. Friend is right that more than 20 countries have had more success in growth terms when trading into the single market than we have had in the past 10 or 20 years. He is absolutely right that it is not necessary to be a member of the single market to trade incredibly successfully inside it.

Hannah Bardell (Livingston) (SNP): The press reported over the weekend that hate crime was up following the Brexit vote. In particular, homophobic attacks were up 147%. Given that members of the Secretary of State's Government and party fostered an atmosphere of division and intolerance, what will they do during the negotiations to ensure that the human rights of everyone in our society are protected?

Mr Davis: I will be blunt. I will not take lectures on fostering division from the Scottish National party.

Mr Bernard Jenkin (Harwich and North Essex) (Con): May I point out, as a director of Vote Leave, that it was made clear in our campaign that leaving the EU meant leaving the single market. My right hon. Friend the Member for Surrey Heath (Michael Gove) made that clear in an interview with Andrew Marr. Is it not ironic that the remain campaign spent a lot of time telling us, "Oh, if you leave the EU you will have to leave the EU internal market." Now they are all saying that there must be a way of leaving the EU and staying in the single market, even though all the EU leaders say that that is not possible. I do not expect the Secretary of State to say anything instantly now, but is it not a fact that every advantage is to be taken in moving towards a relationship based on mutual recognition, rather than compulsory harmonisation?

Mr Davis: It was my hon. Friend who got me into trouble the last time I made a statement, so I will not offer him a detailed answer. All forms of free trade are beneficial, whether based on mutual recognition, single legal areas or any other free trade mechanism. We will seek to get the best mechanism of free trade that we can, full stop.

Mr Pat McFadden (Wolverhampton South East) (Lab): May I take the Secretary of State back to the article to which my right hon. Friend the Member for Doncaster North (Edward Miliband) referred? He promised "a pre-negotiation White Paper".

He also said:

"I would expect the new Prime Minister on September 9th to immediately trigger a large round of global trade deals with all our most favoured trade partners."

Will he update the House and tell us whether the Government are still committed to the pre-negotiation White Paper that he promised, and the countries with which we have triggered trade deals since 9 September?

Mr Davis: If I may say so, that is a slight collapsing of what I said in that article, which I remember very well. The simple truth is that on the day we leave the European Union we will be looking to set up a whole series of very beneficial trade deals. That is an enormous benefit of being outside the Union.

Alistair Burt (North East Bedfordshire) (Con): I welcome the statement from my right hon. Friend, and I welcome what the Prime Minister said last week about triggering article 50. As someone who is alleged to have voted to remain in the European Union I take that as a matter of process on which I accept a mandate from the British people on 23 June. As for the detail of the negotiation, that is rather different. May I press my right hon. Friend on what he meant by engagement with Parliament, and whether that is the same as influence? It is one thing to come to Parliament and be engaged and tell Parliament what the Government are doing. It is quite another to come and be engaged and influenced by Parliament on things that we still need to clarify.

Mr Davis: My hon. Friend—my right hon. Friend; I will not hold the allegation against him—makes a very good point. I point to my own history. For a considerable period—four or five years, I think—I negotiated another treaty with the European Union. [*Interruption.*] It was Amsterdam. The approach was very simple. We did not disclose the upcoming negotiation, but we talked about what was under way and what the priorities were, and that is how I expect this to pan out in future. There will be large numbers of debates in the House, with the first on Wednesday, and even if we did not want to do it—but we will—the Opposition could have as many debates as they liked on the subject. I do not accept the argument that we are simply not going to talk about this.

Second, there will be a Select Committee whose sole job for the few years for which it will exist will be to scrutinise the Department. As far as I can, I will be open with it, but I will not give away things if that is deleterious to the national interest. This is an important point to remember: it is the national interest that is engaged, whether we want to talk about the outcome, or whether we want to get the outcome.

Kelvin Hopkins (Luton North) (Lab): Will the Secretary of State take steps to achieve an early UK withdrawal from the common fisheries policy, with the re-establishment of Britain's historic waters, both to rebuild fish stocks in our seas and to revive the British fishing industry?

Mr Davis: The hon. Gentleman has raised a very important benefit of leaving the European Union, but I cannot promise him an early departure on that issue alone. We will obey EU law, and all the policies that go with it, until the last day we are in the EU. Thereafter, we will get the benefits that the hon. Gentleman has mentioned, and they will be very sizeable benefits.

Sir Nicholas Soames (Mid Sussex) (Con): Will my right hon. Friend accept from me that it is clear beyond any doubt what the country voted for? He is right to say that our countrymen want to see our country as outward-looking, enterprising and agile, and as a country that will prosper in a very difficult and fraught period in our lives. What will matter, however, is ensuring that our fellow citizens can have absolute confidence in this perilous process, and that Parliament plays its historic role, to which he and I have always attached the most profound importance.

Mr Davis: I pay particular attention to my right hon. Friend's comments. I know that he was a fierce remainder who fought hard for the cause. He has, however, taken on board the fact that it is now our duty to make the will of the British people come into being in the best possible way. He knows my history, so he must take it as read that I will treat Parliament with respect, but I will not give up the national interest in negotiating terms to that end. I will carry out the balancing act to the best of my ability, and I will leave the judgment of whether that it is good enough with my right hon. Friend.

Mr Ben Bradshaw (Exeter) (Lab): Can the Secretary of State explain how a margin of 4% in a referendum in which Brexiteers themselves confessed that they had voted to leave for a variety of reasons can become what he has just described as an overwhelming mandate for what the Government are currently doing in respect of a "hard Brexit", with all the damage that that will entail for our economy and our prosperity?

Mr Davis: The majority was over a million. This was, I think, the largest vote gained by any Government ever. *[Interruption.]* I assume that the right hon. Gentleman voted "remain". It is rather rich for someone like him, who voted the other way, to try to be the arbiter and interpreter of those who voted to leave.

First, we must obey the democratic instruction that we were given. Secondly, I strongly challenge the idea that this will somehow cause an economic downturn. It will not: it will create economic opportunities on a major scale, and that is what we look forward to.

Mr Andrew Tyrie (Chichester) (Con): The Government's negotiating position will leak as soon as other member states are told about it. Does the Secretary of State not recognise that it would be wholly unacceptable for the British public to find out what the United Kingdom's position is from our counterparts in the negotiations?

Mr Davis: Had the Chairman of the Treasury Committee read my evidence to the Lords Select Committee, he would have seen that I gave an undertaking that this House and the other House would be at least as well informed as democratic institutions on the continent, including the European Parliament. That has never been done before, but it will be done now.

Sammy Wilson (East Antrim) (DUP): I welcome the Secretary of State's assurance that he will consult the leaders of devolved Administrations, and I assure him that the leader of our party will work with him to ensure successful negotiations for our exit from the European Union. Will he recognise, however, that the rhetoric that we have heard today about parliamentary scrutiny is

really designed to do one of two things—either to overturn the referendum result, or to undermine the negotiating position that the Government would take by continual squabbling in the Chamber about the bottom line? Does he agree that the vast majority of people in the United Kingdom now want the Government to go out and ensure that we have control of our borders, the ability to spend our own money, and the ability to make our own laws?

Mr Davis: The hon. Gentleman is exactly right. The words that he used were not "52%", but "the vast majority". The vast majority of the country wants us to get on with this and to make a success of it, and that is what we will do.

Let me also say to the hon. Gentleman that one of the areas receiving the most attention at the moment is Northern Ireland. We do have issues to resolve on the border, and we will resolve them. We will not return to the old borders—the border style of old. We will maintain the common travel area. Indeed, we will maintain all the benefits that we had in Northern Ireland before we entered the European Union.

Sir Gerald Howarth (Aldershot) (Con): Frau Merkel is reported to have been cheered by German industrialists for asserting that Britain will not have access to continental markets unless we are prepared to accept free movement of labour. Will my right hon. Friend tell her that securing our borders was a non-negotiable instruction from the British people? Will he also tell her that if she will not make EU markets available to us, industrialists such as BMW, which has its UK headquarters in my constituency, will not be cheering her if tariffs are imposed on German car imports into the United Kingdom?

Mr Davis: I think Mrs Merkel will have read the Prime Minister's speech last week and will know exactly where our priorities on the control of borders lie. I will not get into tit-for-tat rudeness with our European opposite numbers, because I do not think that that would be successful. I will say, however, that these are the first days of a two-and-a-half-year negotiation, and the first days of negotiations are always tougher than the endgame —*[Interruption.]* Well, I speak as someone who has done one or two of them, unlike many of the people chuntering on the Opposition Benches. I think we can take it as read that what our European opposite numbers are saying today is not necessarily what they will be saying tomorrow.

Chris Bryant (Rhondda) (Lab): I cannot think of any major treaty in history that this country has signed in which the Government have not come to Parliament to get a mandate for their negotiating position. They have done that every single time over the past 400 years. If the right hon. Gentleman really wants to make a success of these negotiations, he needs to gather as much support as he possibly can across the whole country, including among the 48%. That will involve at least a White Paper and preferably a draft repeal Bill before the final repeal Bill.

Mr Davis: First, the European Union Referendum Bill was passed with a majority of six to one. If that was not a mandate, I do not know what was. Secondly, we have a mandate from 17.4 million people, which is the biggest mandate achieved by any Government in history.

Neil Carmichael (Stroud) (Con): The Secretary of State is absolutely right to seek success, but the question is: what does success look like? What will actually happen when Britain leaves the European Union? Is he thinking of applying any tests along the journey of the negotiations that he feels we might need to meet, particularly in relation to the state of our economy?

Mr Davis: It is hard to have tests along the track of the negotiations; it is the outcome that matters. In response to my opposite number, the hon. and learned Member for Holborn and St Pancras (Keir Starmer), I highlighted three of the four main aims that we are after. One is to regain control of our borders. Another is to get back control of our laws. The one I did not list was our aim to keep our justice and security arrangements at least as strong as they are. Finally, and most importantly in this context, the United Kingdom must aim to maintain the best possible open access to European markets and vice versa. If we can achieve all that, there will be no downside to Brexit at all, and considerable upsides.

Paul Flynn (Newport West) (Lab): There seems to be some political forgetfulness here. Does the Minister not recall that the Chancellor has forecast financial bumps along the road? Others fear that they will not just be Brexit bumps, but that a vast sinkhole will open up in the road, into which the British economy will fall in a tailspin. If that Brexit slump occurs, how can the Minister deny the public a second vote on this? Second thoughts are always better than first thoughts, especially as the referendum was conducted on the basis of untruths from both parties. Is he going to honour the pledge to give an extra £350 million a week to the national health service?

Mr Davis: I am afraid the hon. Gentleman has let the cat out of the bag; he wants a second referendum. There will be no second referendum and there will be no reversal. We shall continue with this.

Mrs Anne Main (St Albans) (Con): I congratulate my right hon. Friend on his statement. In particular, I liked the section in which he said that he wants to give as much certainty as possible to employers, investors, consumers and workers. Half of St Albans' economically active population works in London, and many of them work in financial services and the knowledge-based economy. What conduit can they have to input into the process through which we are now going, and what assurances can he give me that London and the UK will maximise free trade with Europe while tapping into the growth markets around the world?

Mr Davis: Given that my right hon. Friend the Member for Uxbridge and South Ruislip (Boris Johnson) is sitting next to me, I am bound to say that London is a massive global city and an extraordinarily successful one. We will do everything necessary to protect, defend and enhance that success in the markets that my hon. Friend mentioned—in the financial services, the digital markets and the intellectual markets. We are looking at all of them right across the board. She should tell her constituents who want to have an input into the process that they should go through their trade organisations or come directly to the Department to tell us where their concerns are and where they think the opportunities are and we will take their comments on board.

Roger Mullin (Kirkcaldy and Cowdenbeath) (SNP): Will the Secretary of State confirm that the great repeal Bill will include incorporating all the existing rights currently guaranteed by EU law to EU citizens?

Mr Davis: My job in the first instance is to bring that decision back to this House. What I have said to those who have expressed concerns about that matter is that we will certainly not be removing employment rights or employment law from British citizens as a result of bringing back that process. That is the situation: we will not be withdrawing employment rights as a result of this process.

Mr Jacob Rees-Mogg (North East Somerset) (Con): I hope you will forgive me, Mr Speaker, for giving the Ladybird guide to the constitution. Her Majesty's Government are behaving completely correctly and traditionally. It is for the Government to determine treaties, and it is for Parliament to decide whether to bring them into legislation. If Parliament does not like the Government of the day, it can always hold a vote of confidence in that Government to change the negotiating stance. It seems to me that the Opposition may not want that, as they have a record of losing elections at the moment.

Mr Davis: My only response to my hon. Friend is make my day.

Emma Reynolds (Wolverhampton North East) (Lab): Days after the Tory party conference, why has the pound dropped to a 30-year low?

Mr Davis: I recommend the hon. Lady reads the book, "Flash Boys", because the major part of that fall was the flash crash. There are lots and lots of speculative comments that will drive the pound down and up and down and up over the next two and a half years, and there is little that we can do about it.

Philip Davies (Shipley) (Con): May I ask my right hon. Friend to ignore those people on both sides of the House who cannot bring themselves to come to terms with the referendum result? Will he confirm that there are no such things as hard Brexit and soft Brexit? There is either Brexit or no Brexit. It is rather like being pregnant—a person is either pregnant or they are not pregnant. We are either in the European Union or out of the European Union. Being in the single market would mean keeping EU laws and the European Court of Justice making decisions. It would also probably mean free movement of people and paying into the EU budget. Does my right hon. Friend agree that that would be a betrayal of what the British people voted for in the referendum?

Mr Davis: Yes, my hon. Friend is right. That is precisely what is driving our negotiating strategy. Beyond that, I say this to him: the words hard and soft Brexit are designed to deceive. They are not meaningful in any way. We are talking about the best possible trade access. The Labour party does not understand the economics of that, but this party does. We are simply going to get the best outcome for this country, and that will be open trade.

Mr Chuka Umunna (Streatham) (Lab): Does the Secretary of State recognise that although 52% of people voted for us to leave, of course with the consequence that we will exit the European Union, the suggestion that the more than 16 million people who voted to remain are some kind of liberal elite is utterly false and divisive? A majority of young voters, a majority of ethnic minority voters and a majority of people in three of the constituent parts of our country all voted to remain, and the job of the Government is to find a deal that serves the interests of everybody—those who voted to remain and those who voted to leave—not to try to sow further seeds of division in our country.

Mr Davis: The hon. Gentleman will be surprised to hear that I agree with almost every word he said. The only distinction that I would make is that I consider myself a liberal, as I said earlier. The aim of the Government is to find an outcome that meets the needs of all the United Kingdom; again, it is invidious to talk about one's own speeches, but that is precisely what I said last week. We need to engage the interests of all citizens of the country, whichever way they voted, in order to get the best outcome for the country.

Sir Edward Leigh (Gainsborough) (Con): There has been talk today of vast sinkholes and punishment plans, but surely great nations such as France and Germany act in their own self-interest. Take passporting: what has not been mentioned so far is that 7,000 passports are issued to financial companies in Europe to come into the City of London, and 5,000 passports go in the opposite direction. It is a simple regulatory licensing system, so let us have no more talk about Armageddon for the City of London; a deal can and will be made.

Mr Davis: Yes, my hon. Friend is correct. More generally, one of the things that I have discovered in the past few months is that in many areas—not just the City, and not just as regards cars—the balance of negotiating advantage is incredibly heavily stacked our way.

Owen Smith (Pontypridd) (Lab): I have been at a bit of a loose end in the past few weeks, but I have been putting my time to good use: I have been reading the Secretary of State's back-catalogue. In one of the speeches I found, which I can quote for him, as it is invidious for him to quote himself, he recommended—this was just a few years ago—that we have two referendums on Brexit, the second referendum being held only when the terms of the negotiation were fully formed. Did he change his mind only when he saw the result of the referendum?

Mr Davis: The hon. Gentleman may have had some time to spare, but he has not used it very well. Indeed, he needs some reading lessons, or maybe reading glasses. Ten years ago—not two years ago; he should get his dates right—when I talked about the possibility of a double referendum, in the early days of our discussions on the matter, I said that we should set up a mandate referendum, laying out exactly what our claims would be, and then if we won that, use it as a lever to get good terms and make a decision thereafter. That is not what the Government did; they put a straight question. If the hon. Gentleman went out on the streets of London and asked people, “What do you think you voted for? Did you vote for a mandate, or did you vote to leave?”, the answer would be that they voted to leave.

Mr John Baron (Basildon and Billericay) (Con): I urge my right hon. Friend to ignore the siren calls from the Opposition for a running commentary on our detailed negotiating position, because as everyone knows, that would make for poor outcomes, and it might account for why Labour got rolled over by the EU on so many occasions, including when it came to the sacrifice of our EU rebate. Will my right hon. Friend say a few words on something that has not yet been covered in the statement or questions—that is, on the growing divide in the EU's position on Brexit between the ideologists in the Commission and the elected politicians, who recognise that if they play hardball and fall back on tariffs, it will cost them much more than it will cost us?

Mr Davis: I need no urging to ignore the party that, after all, gave us the Lisbon treaty. My hon. Friend is right with respect to the viewpoint of nation states. This will take time to play out. Some nation states, including Germany, are at present very committed to making the punishment arguments, but I think that will change. Other nation states are already making the counter-arguments, and we will see that group grow and grow as the next two and a half years pass.

Rachel Reeves (Leeds West) (Lab): Today at airports, holidaymakers are being offered less than €1 to the pound. My hon. Friends the Members for Nottingham East (Chris Leslie) and for Wolverhampton North East (Emma Reynolds) have asked about the 15% decline in the value of sterling since the referendum, but so far the Secretary of State has failed to answer. We have seen huge uncertainty since our decision to leave the European Union. What efforts will the Government make to provide greater clarity for businesses and the economy, and to ensure that the Government are a little more careful with their words, which would help with the volatility and the sharp declines we have seen in the value of sterling in recent weeks?

Mr Davis: I really will not take any lectures about being careful with my words from that lot over there. These are the people who have talked the pound down time and again.

Mr David Nuttall (Bury North) (Con): Can my right hon. Friend confirm that if the Bill to repeal the European Communities Act 1972 is blocked in the other place, the Government will not hesitate to use the provisions of the Parliament Acts to ensure that the Bill reaches the statute book?

Mr Davis: There is an old adage in politics about not answering hypothetical questions, and that is a hypothetical question. I do not expect the House of Lords to overturn the decision of the British people.

Stephen Kinnock (Aberavon) (Lab): The Secretary of State will know that the process for exiting the EU will have two steps: first, the article 50 negotiations, which will be by qualified majority voting; and secondly, the negotiation of a new trade deal, which will require unanimity and ratification by all the Parliaments of the EU. Will he guarantee that businesses will have the reassurance, which they desperately need, of a guaranteed transition period, rather than their falling off the cliff edge immediately after the article 50 negotiations conclude?

Mr Davis: The hon. Gentleman makes a good point, but I am not sure that he is exactly right about the mechanism for the final decision. He talks about what is effectively the next procedure, which is what has happened to the Canadian treaty. We have not yet engaged in the negotiation process, so we do not know exactly how it will work, whether it will be sequential or parallel—well, it will be parallel—and how the linkage between the various components will work. At that point, I will be in a better position to answer his question.

Oliver Dowden (Hertsmere) (Con): Will my right hon. Friend take this opportunity to reassure business leaders around the world that, contrary to what is said in some of the commentary, the Government will grasp the opportunity of Brexit to create a low-tax, lightly regulated, open economy that is ready to seize growing economies around the world and create prosperity for our nation?

Mr Davis: My hon. Friend is exactly right. Indeed, the Prime Minister has already said that we will become world leaders in free trade. That is the best signal we can give that we are creating an opportunity society for business.

Margaret Ferrier (Rutherglen and Hamilton West) (SNP): I was recently contacted by a constituent who is a lecturer at the University of Glasgow. Not only does she have serious concerns about the loss of EU funding for universities and colleges, but her partner is a French national who is unsure about where his future will lie, post-Brexit. Why can the Secretary of State not understand that the Government's reluctance to outline any future plans is having a real and negative impact on many people across the UK?

Mr Davis: First, the Treasury has already made some underpinning promises over the summer about research funding, and they apply to Scotland, so I suggest that the hon. Lady looks carefully at that. As for the concerns of her constituent's French partner, I have already said that we are doing this as fast as we can, consistent with our responsibilities to not only people in that position, but British citizens abroad.

Kwasi Kwarteng (Spelthorne) (Con): I wonder whether my right hon. Friend shares my interest in and gratitude for the fact that the Opposition are speaking the language of markets, currency and the FTSE, and showing incredible interest in that. Speaking of markets, I would like him to assure the House and my constituents that if we were to leave the single market, we would be an open, welcoming, friendly and dynamic free trade area.

Mr Davis: The point that I have made time and again is that we are seeking the most open, most barrier-free trade in goods and services that we can possibly achieve. Like my hon. Friend, I think it is good to hear those words from across the Floor, even if they are not well understood by those saying them.

Julie Elliott (Sunderland Central) (Lab): When will the Secretary of State reassure businesses based in the UK, and particularly in my city of Sunderland, including the Nissan manufacturing plant, about the potential for tariffs to be paid on every car sold to mainland Europe, as some 80% of cars from the Nissan plant are? Investment has been halted at that plant, and a contract that had already been awarded has been put in abeyance while

we wait for reassurances from the Government. When will the Government act on real people's jobs and reassure companies? That is what is at stake. This is not chatter; it is real people's jobs. When will the Government act?

Mr Davis: We have said in terms—principally after the Japanese letter—that we are absolutely determined to make sure that we guarantee, or acquire, access for all companies in the UK to the maximum possible number of markets. That is what we are doing.

Henry Smith (Crawley) (Con): I very much welcome my right hon. Friend's statements. Can he say whether, as part of the consideration process, he will look to review the UK's involvement in the European Commission's single European sky initiative?

Mr Davis: Yes, the Department for Transport is on that issue as we speak. They were some of the people I was thinking of when I said that there are many areas where we have a very strong negotiating hand because of our current position. Britain is the strongest target, as it were, for flight arrivals in the entire European Union.

Maria Eagle (Garston and Halewood) (Lab): Many hundreds of people in my constituency working in the automotive and pharmaceutical industries are very worried about the transitional phase between now and when we leave the EU. Decisions are being made by their employers now about investments, and the worry is that those decisions will take investment away from south Liverpool, and put it somewhere else in Europe. What can the Secretary of State do to reassure my constituents, and to reassure those automotive and pharmaceutical businesses about continuing to invest here?

Mr Davis: The first thing I would say is that, if I remember correctly, after the referendum decision, GlaxoSmithKline confirmed multiple hundreds of millions of pounds of investment in this country, so I do not think the pharmaceutical industry is running away from this country—just the reverse. In Europe, the pharmaceutical industry is predominantly in the UK, for reasons that relate to intellectual property among other things. The second thing I would say is that we are consulting widely; one of the things we are doing is establishing where the fears and concerns are, so that we can deal with them. We are doing that accurately and carefully, in exactly the way the hon. Lady would, as I know from her time on the Public Accounts Committee. That, in the long run, will guarantee the jobs of her constituents.

Ben Howlett (Bath) (Con): As a remainder, let me gently say this to the remainers on the Opposition Benches: scupper or delay triggering article 50 at your peril. Workers will not respect you for it; nor will businesses. We must respect the democratic will of the British people. I appreciate the pragmatism surrounding the decision not to involve Parliament in every single minute detail. However, does the Secretary of State agree that Parliament must, constitutionally, be involved in setting out the principles of negotiation—that is, on single market membership and free movement rules—to ensure that when things like the great repeal Bill are put before this House, they receive full support?

Mr Davis: I always pay a lot of attention to the people who voted remain, and take seriously the responsibility we have to the people of this country to make this work. My hon. Friend laid down a couple of criteria that are very tight in one sense. I am saying, in terms, that we want the best outcome, but what is the best outcome? The best outcome is open market access; that is the point. How we do it may come down to what the negotiations are about, but I cannot go into great detail. However, I would say to my hon. Friend that the process, from now until roughly two to two and a half years' time, or whenever it is, will be absolutely full of parliamentary events—unless the Opposition are not doing their job, but they will do their job; unless the Select Committee is not doing its job, but it will do its job; and unless we try to block things we are obviously not going to block. We take parliamentary accountability very responsibly and very seriously, and we will keep Parliament as well informed as we can.

Stephen Timms (East Ham) (Lab): I agree with the Secretary of State that we need barrier-free access to the single market—no tariff barriers and no non-tariff barriers—but we all know there is a tension between delivering that and restricting free movement. On an all-party visit last month, a German employers' organisation suggested to us that it might be possible to square the circle by agreeing a redefinition of free movement, so that it applied only to people with a firm job offer in the UK. Are Ministers going to pursue that possibility?

Mr Davis: As always, the right hon. Gentleman has asked a serious question, and I thank him for it. My job is to bring back control of these issues to the United Kingdom, which can then exercise that control in the way that Parliament and the Government see fit. What they negotiate thereafter is not a matter for me to speculate on, and I certainly would not offer an opinion on what is or is not a good negotiating hand at this point in time. However, I hear what he says.

Sir Desmond Swayne (New Forest West) (Con): I satisfied my appetite for voting on this question on 23 June, but like my right hon. Friend the Member for North East Bedfordshire (Alistair Burt), I want some influence over the process. However, if influence has to be measured by holding a Division, as Labour Members appear to believe, they might be reminded that they get a Supply day every week.

Mr Davis: My right hon. Friend will of course always influence decisions in this House.

Mrs Madeleine Moon (Bridgend) (Lab): The Secretary of State has said that he will provide some certainty and clarity. I have had an email from a general practitioner in my constituency saying that a lady who has lived there for over 40 years is having mental health problems as she is concerned about being deported. Parents have contacted me saying that their children are awake at night worried that they are about to lose their mother or their father who is an EU citizen.

Andrew Bridgen (North West Leicestershire) (Con): Reassure them.

Mrs Moon: It is absolutely imperative that we have some clarity. A glib individual on the Government Benches claims I should reassure them. I have done that,

but they need reassurance from the Government, because I do not have such a power. May we at least have clarification that those who have lived in this country for over five years will have an automatic right to remain? They need it, and it is only right that citizens should have such clarity.

Mr Davis: I can give such people absolute clarity: that is the law. Being in Britain for more than five years means that they have indefinite leave to remain. Being in Britain for more than six years gives them the right to citizenship.

Bill Wiggin (North Herefordshire) (Con): It is perfectly natural for us to want as much detail as possible, but it is more important that the outcome is the success that we need. Does my right hon. Friend therefore agree that we should not tempt him to give details now, but that we should keep as much secret as we can, while our opponents are talking about tariffs and punishments? Should he not do everything he can to play with his cards as close as possible to his chest?

Mr Davis: My hon. Friend is right, and I will do everything I can to resist temptation.

Mark Durkan (Foyle) (SDLP): Should we not at least commend the Secretary of State for once again presenting us, at the Dispatch Box, with a full range of cosmetics without a single microbead of substance? Does he realise that his reassurances about the consultation with the joint First Ministers in Stormont, and his indication of his hopes for the profile of the border, do not measure up to a response on the profound implications that the course he is piloting will have for the Good Friday agreement, with its delicate layers of understanding, constitutional foundations and key political premises?

Mr Davis: I am sorry, but the hon. Gentleman is just wrong. We have already invested a lot of resource in this issue. Indeed, the quotes from the Northern Ireland Secretary on the front page of *The Guardian* this morning are accurate. We are talking to the Irish Government to determine, as well as we can, a technical mechanism to ensure that we will maintain an open border and underpin the agreement.

Andrew Bridgen: I am disappointed that so many Members of this House—I might politely call them the “unreconcilables”—seem intent on using every ploy of parliamentary procedure to undermine the will of the British people, claiming that it is the democratic right of this House. Does my right hon. Friend agree that one of the most important principles of democracy is that everyone's vote counts the same, and that on 23 June, everyone in the country, including Members of this House, had a vote and the result was clear?

Mr Davis: My hon. Friend is right. We have a mandate and we should remember that. I have heard, although not today to be honest, some sneering comments from people who seem to think that 17.5 million people do not have the right to hold an opinion.

Peter Kyle (Hove) (Lab): After the referendum and three days before his appointment, the right hon. Gentleman wrote in an article that a White Paper outlining the

[Peter Kyle]

negotiating terms for Brexit should be published. Will he please explain to the House his thinking at the time of writing that article?

Mr Davis: The simple answer is this. Throughout the entire referendum campaign, I was trying to think through not so much the retention of the European market, but how we best develop the international markets. Those were my thoughts at that time and, as a Back Bencher, I was entirely entitled to have those thoughts.

Richard Drax (South Dorset) (Con): Airbus is a wonderful example of European co-operation. The fuselages are built in France and Germany, and the wings in this country. Does my right hon. Friend agree that any politician or bureaucrat who tried to punish such a project, which has created so much wealth and prosperity and so many jobs, would be mad, bad or totally out of touch with the people they professed to represent?

Mr Davis: I would simply add one other word. They would be not mad or bad, but simply unwise.

Mr Adrian Bailey (West Bromwich West) (Lab/Co-op): The tone and content of the Home Secretary's speech to the Tory party conference were profoundly hostile to the recruitment of international students, who are estimated to be worth £40 billion to the economy and represent a valuable growth market. Will the Secretary of State explain whether he backs the Home Secretary, and will he give assurances that in the Brexit negotiation on EU students, he will do nothing to damage their access, our world-class higher education system or the wider economy?

Mr Davis: Yet again, the hon. Gentleman has missed the point. We have already instructed the Student Loans Company to underpin loans for foreign students to 2016-17. That is an action designed to help students to get here, not the opposite.

Mr Philip Hollobone (Kettering) (Con): Is it not the truth that the depreciation of sterling since 23 June has provided a massive boost to Britain's international competitiveness and has been great news for British exporters? Has my right hon. Friend been encouraged or discouraged by the number of countries knocking on our door, willing to make free trade agreements when we leave the European Union?

Mr Davis: One of the interesting things today has been the willingness of the Opposition to carp on the downside of every single aspect of Brexit. The simple truth is that those who are talking about the competitiveness of their own industries are not paying attention to the level of the pound. While it has some downsides, it certainly has a very large number of upsides.

Liz McInnes (Heywood and Middleton) (Lab): As chair of the all-party group on medical research, I am extremely concerned about the impact of Brexit on scientific and medical research in this country. Scientists have always worked collaboratively across borders, but researchers are now worried about funding and about the job insecurity and uncertainty faced by their EU national colleagues. Can the Secretary of State reassure

scientists in this country that their research will continue to be funded and that their EU national colleagues will continue to be welcome to work here?

Mr Davis: The Treasury has given underwriting guarantees, as it were, for the current round of applications, so that is not to be worried about. This country is a science superpower, so the idea that after our departure from the European Union funding will somehow dry up is for the birds—it is simply nonsense. I have had discussions with the presidents of some of the royal academies, and we will continue those discussions with the aim of ensuring that they do not feel at risk. Some of the comments we have got back indicate that the European Union rules on issues such as clinical research have not exactly been helpful to British science, so there will be an improvement, not just an underwriting guarantee.

Chris Philp (Croydon South) (Con): Many City of London institutions rely on the financial services passport to do business across Europe. Some say that as many as 20% of their jobs depend on that access. The danger is that, as it would take a year or two to relocate staff, some may take action before the end of the two years. To encourage them to keep those jobs here in London, can the Secretary of State give an assurance that financial service passporting or some equivalent mutual recognition is his priority?

Mr Davis: My hon. Friend makes a good point; as there may be something like an 18-month lag, some people might try to pre-empt the decision and, rashly, move early. The Treasury has held a roundtable on this specific issue. It has looked very clearly at various mechanisms of mutual recognition as a fall-back on passporting. Somebody made the point earlier that we issue more passports than we seek. As a result, our negotiating leverage in this area is at least reasonable.

Ian Murray (Edinburgh South) (Lab): This is the Secretary of State's second statement on this issue. Frankly, he would have said more if he had said nothing at all. Can we conclude from his statement today that his definition of "taking back control" is that this sovereign Parliament will get no binding say on the negotiating stance, article 50 or even the final deal? What he said today is that of the 28 current members of the European Union, 27 sovereign Parliaments will get a say, but not this one.

Mr Davis: The hon. Gentleman clearly has not been paying attention. The words I used were that we will obey all the conventions and laws that apply to the signing, reform or removal of European treaties. I suggest that he goes and looks those up.

Tom Pursglove (Corby) (Con): What steps is my right hon. Friend taking to ensure that the voices of agriculture, industry and business more generally are heard as part of our Brexit negotiations, and to ensure that their needs are fully understood?

Mr Davis: First, there have been a number of consultations and discussions with those people. This whole exercise is an all-Government operation. That means that the individual Departments will deal directly with them. Secondly, the Treasury moved unusually

quickly to ensure that they knew that their current round of funding was underpinned, for example under pillar 1 of the common agricultural policy. The Government are taking this matter extraordinarily seriously and they have no reason to worry.

Tom Elliott (Fermanagh and South Tyrone) (UUP): I thank the Under-Secretary of State for Exiting the European Union, the hon. Member for Worcester (Mr Walker) for coming to my constituency last week to meet businesses in Fermanagh and South Tyrone. I appreciate the Secretary of State's point about an open border with the Republic of Ireland, given that four counties of the Republic of Ireland border my constituency, but how does he envisage stopping the smuggling that may take place after Brexit?

Mr Davis: That is a very good and difficult question. The simple truth is that we have to make a judgment, as is the case with all borders of that nature. Norway and Sweden have a good example of an open border, as do Canada and America. There are small-scale movements, but big-scale movements can be found and dealt with.

Wes Streeting (Ilford North) (Lab): Writing in *The Daily Telegraph* following the referendum, the Foreign Secretary claimed that we would still have access to the single market and that the rights of EU citizens living in the UK, and those of UK citizens living abroad, would be respected. If that is no longer the case and the Foreign Secretary was confused, will the Secretary of State clear up these issues in the pre-negotiation White Paper that he promised? Can he tell us when that will be published? If, as the hon. Member for Harwich and North Essex (Mr Jenkin) suggests, the Vote Leave prospectus is to be the basis of the Brexit negotiations, will he tell us when we will be getting £350 million a week for the NHS?

Mr Davis: The simple answer is that we will seek to get the most open, barrier-free market that we can. That will be as good as a single market.

Jonathan Edwards (Carmarthen East and Dinefwr) (PC): As the Secretary of State knows, large swathes of EU law are intertwined with devolved legislation in Wales, and indeed in Scotland and Northern Ireland. Will he confirm that in the proposed great repeal Bill, and in their actions thereafter, the UK Government will not interfere with Welsh legislation without the formal—I emphasise formal—consent of the National Assembly?

Mr Davis: I cannot see the great repeal Bill interfering with Welsh legislation, but as I have said, we will talk at length to each of the devolved Administrations about issues that will affect them as a result of the Bill. We will do that before we draft it, let alone before we publish it.

Wayne David (Caerphilly) (Lab): In their open letter to the Government at the weekend, the CBI and other business leaders said that it was extremely unlikely that the complex negotiations on Brexit would be completed within the two-year period stipulated in article 50. If negotiations have not been completed, what will happen then?

Mr Davis: With the best will in the world, the CBI is hypothesising. The simple truth is that we will have an unusual negotiation, because the standards that apply inside the Union will apply to us on exactly the day when we depart. That is one reason why the great repeal Bill will put the *acquis communautaire* straight into British law, which will make some of the transition issues quicker to deal with. I will deal with that issue if it arises, but at the moment I do not see it arising.

Patrick Grady (Glasgow North) (SNP): Does the Secretary of State not think that his party's Back Benchers will see the irony that when they walk through the Lobby to enshrine the great repeal Bill in law in a great act of parliamentary sovereignty, they will in fact be enshrining all the hated European regulations that they have campaigned against for so many years?

Does the Secretary of State accept that sovereignty in Scotland lies with the people and not with Parliament, so it is ultimately for the people of Scotland to decide whether they remain in the United Kingdom or the European Union?

Mr Davis: I will make two points to the hon. Gentleman. First, unlike the situation prior to the passage of the great repeal Bill, we will be able to change those European laws. We are not able to do that at all at the moment.

I have forgotten what the hon. Gentleman's other point was now. [Interruption.] Yes, Scotland. I apologise; I should not have forgotten that. The simple truth is that the decision was UK-wide, and had it gone the other way, he would not be arguing against it.

Melanie Onn (Great Grimsby) (Lab): Some UK legislation for workers goes further than EU rules, but not all of it. It is also clear that European Court judgments have been far more worker-friendly than those in our own tribunals, and certainly more friendly than this Government. If the Government seriously intend to protect workers' rights, they should adopt my Bill, which is intended to maintain EU standards for workers and their employment rights, especially those set out in secondary legislation. Failing to do that would leave the door wide open for future Governments to eat into hard-fought and hard-won rights through statutory instruments. The Secretary of State claims to be a champion of workers, so will he consider introducing stand-alone legislation at the earliest opportunity to continue the protection of Britain's workers?

Mr Davis: I hear what the hon. Lady says, but I have given an undertaking that there will be no reversal of the protection of workers' rights, as has the Prime Minister. Indeed, my right hon. Friend has gone beyond that and said that there will be an expansion of that protection.

Tom Blenkinsop (Middlesbrough South and East Cleveland) (Lab): As it stands, the steel and ceramic industries are covered by 52 separate trade defence instruments that the EU provides for this country. In negotiations taking place in conjunction with the Brexit negotiations, the Government wish to support market economy status for China. Which of the 52 trade defence mechanisms does the Secretary of State desire to keep in order to maintain the British steel industry?

Mr Davis: I will need to write to the hon. Gentleman on that serious question.

Lilian Greenwood (Nottingham South) (Lab): On Saturday I met a constituent who is a member of academic staff at the University of Nottingham, one of many EU citizens living and working in our city and helping to ensure its future economic success. The Secretary of State says that he wants an outcome to the negotiations that benefits the interests of all UK citizens, and I agree. Does he agree that giving our universities and their EU staff the assurances that they seek is in our best interests—yes or no? If yes, when will he give those assurances?

Mr Davis: I have made the point already that we have duties and responsibilities to British citizens abroad as well as to EU citizens here. We seek to give the latter the best guarantees we can as soon as we can, but the answer to exactly when that will be is not solely in my hands.

Peter Grant (Glenrothes) (SNP): I hope that the whole House will accept the Secretary of State's sincerity in seeking to avoid what I think he referred to as fostering divisions and creating hostility in our communities. In that context, does he believe it is appropriate for Ministers to refer to EU citizens living in the UK using terms such as "bargaining counters" and "cheap foreign labour"?

Mr Davis: I do not think I have ever referred to them in those terms—in fact, I know I have not. The simple truth is that they are not bargaining counters. One problem that would arise if we divided the two categories of EU citizens here and British citizens abroad would be that we would turn one of them into a bargaining counter, which is precisely what we are avoiding.

Fiona Mactaggart (Slough) (Lab): Twelve weeks ago the right hon. Gentleman was a champion of the Back Bencher. Today, he says that there is no role for Back Benchers in deciding on the triggering of article 50 or the terms of the negotiation. He says, however, that he respects the role of Parliament. To show that he has not gone over to the dark side completely, will he confirm that there are no plans to include in his great repeal Bill shortcuts to repealing any protections that currently exist under EU law, and that such a change in law would require the full parliamentary process?

Mr Davis: Certainly any further changes in law will require parliamentary process. On article 50, the right hon. Lady is right that I have fought hard for the rights of Parliament with respect to the Executive, but I would never put Parliament in a position of being in a clash with the British people. That is what an article 50 vote would do.

Joanna Cherry (Edinburgh South West) (SNP): Yesterday on "The Andrew Marr Show", the right hon. and learned Member for Rushcliffe (Mr Clarke), who is not in his place today, said:

"The reason the pound keeps zooming south is that absolutely nobody has the faintest idea what exactly we're going to put in place"

for the single market. I rather got the impression from the Secretary of State earlier that he did not agree with that statement. If he does not, to what does he attribute

the repeated plummeting of the pound since 24 June, and does he agree with the hon. Member for Kettering (Mr Hollobone), who is no longer in his place, that it is a good thing that the pound keeps plummeting?

Mr Davis: It is an unwise Minister, particularly one who is not a Treasury Minister, who passes comment on what the right value of the pound is. There are benefits and disadvantages in movements in either direction. If we look at other countries—it is safer for me to do that—we can see that the euro is widely viewed as being undervalued for the German economy and overvalued for the Greek economy. The hon. and learned Lady can decide for herself which she prefers, but the Greek economy is in a worse state than the German economy.

I do not agree with my right hon. and learned Friend the Member for Rushcliffe (Mr Clarke). There will definitely be very large markets for British industry after we exit the European Union. What the hon. and learned Member for Edinburgh South West (Joanna Cherry) has seen on the currency markets has been a response to an article about President Hollande's comments, massively exacerbated by program trading, which is corrected later on.

Bill Esterson (Sefton Central) (Lab): Just today, the British Retail Consortium has said that if we depend on World Trade Organisation rules, we could see price rises of 27% for meat, 16% for clothing and footwear and 14% for Chilean wine. Those are not some theoretical actions, they are price rises in the real world. Will the Secretary of State accept the reality of the damage that would be done by such price rises, and what will he do to ensure that the BRC's predictions do not become a reality?

Mr Davis: The hon. Gentleman points out exactly why I am saying that we are seeking the best possible access that we can obtain—full stop.

Alison Thewliss (Glasgow Central) (SNP): The Secretary of State may be interested to know that this morning Glasgow City Council launched with its partners a report on Brexit and the Glasgow economy; it is a far more comprehensive report than we received today from him. It has six key asks, among them clarity on long-term funding beyond 2020 for higher education and infrastructure. It also calls for the acceleration of the capital for the city deal for Glasgow. Will the Secretary of State confirm whether he intends to go beyond simply consulting local government on the impact of Brexit, and will he engage and actually respond to the concerns of local government, which is responsible for implementing so much of EU law?

Mr Davis: We will be engaging with local government—including on that report, I imagine. I say this to the hon. Lady, however: beyond 2020 there will be a new EU budget round. As it stands, it is not at all clear that that will be as generous as the current one. I do not think that she should extrapolate based on today's numbers.

Daniel Zeichner (Cambridge) (Lab): The Secretary of State will be aware of the importance of the life sciences and pharmaceutical industries to our economy. He will also be aware of the comments of the chief executive of AstraZeneca over the weekend, who warned that if we

are not part of the European common approvals process the cost of drugs to the NHS will rise. Is the chief executive of AstraZeneca right on that? If so, that is less money for the NHS, so how much does the Secretary of State think that is going to cost us?

Mr Davis: I am not in a position to do those sums for the hon. Gentleman, but I will tell him that that is one of the things that we will seek to get standardised. There will be a number of areas such as life sciences where we have a big interest. We are, after all, the largest life science centre in Europe, so that will be front and centre of our negotiations.

Toby Perkins (Chesterfield) (Lab): When Carolyn Fairburn of the CBI says that businesses will fear the worst in the event of not knowing the sense of direction of the Government, the Secretary of State should take that seriously. If she has spent the past hour and thirty five minutes listening to his comments she will still be none the wiser about what the Government are trying to achieve with the negotiations. The White Paper that the Secretary of State suggested he would bring forward would be a very good way of providing some certainty to business. He has dodged the question four times, so will he now come to the Dispatch Box and confirm whether it is still his intention to bring forward that White Paper, and if it is not will he tell us why?

Mr Davis: First, I spent some time talking to Ms Fairburn a few weeks ago. She knows what the objectives are, and they are the same as I have given here—that we get the best possible access. I suspect that if she is asked she will say that getting the right outcome is more important than talking about the right outcome. That is what we intend to do.

Alan Brown (Kilmarnock and Loudoun) (SNP): As the last man standing, what chance do I have of actually getting anything out of the Secretary of State? He has spent his whole life planning for this big day in the sun, yet he is like a rabbit caught in headlights. Today's is his second statement, full of bingo buzzwords—"sovereignty", "control", "the right deal for Britain", "mandate". We have heard it all before and it adds nothing to the argument. One addition we had is "outward-looking", which is very ironic in the week after the Tory conference. We hear that he cannot give a running commentary on negotiations; last week we got a running commentary on how foreigners are going to be targeted in future, and then he stands there and talks about divisive nationalism. When will he take control, develop a coherent plan and advise this House about what is going to happen, how he will involve the devolved Administrations and how he will protect the rights of EU nationals living here?

Mr Davis: I congratulate the hon. Gentleman on being the last man standing. All I will say in response to that rant is that it is particularly ironic for the Scottish National party of all things to say that mandate and control do not matter.

UK Exit from the European Union: Terms of Negotiations

Application for emergency debate (Standing Order No. 24)

6.14 pm

Stephen Phillips (Sleaford and North Hykeham) (Con): I seek leave to propose that the House should debate a specific and important matter that should receive urgent consideration, namely the terms upon which the Government are proposing to conduct negotiations with the European Commission for the exit of the United Kingdom from the European Union.

Let me be crystal clear what the proposed debate is not about. It is not about reversing the referendum result. It is not about subverting the will of the majority who voted, as I did, to leave the European Union. It is not about trying to secure a second referendum. We had a vote, the country voted as it did and that result must be respected.

Personally, I had nothing whatever to do with the leave campaign, which was, in my view, conducted in what I regarded as a disgraceful sea of falsehood, spin and propaganda. Like many, however, given that fundamental reform of the EU appeared impossible I exercised my own vote on the sure and simple basis that the people of this country should be able to throw out of office those who make the rules that govern their lives—in other words, I voted on the basis of sovereignty.

The Government have a mandate as a result of the referendum to take the UK out of the European Union, but they do not have a mandate as to the terms on which that should be done. Nearly half of those who voted wanted no substantive change at all in the relationship between this country and the European Union. Their voices, which did not chime with my own, appear entirely to have been forgotten in the rhetoric of hard Brexit that has somehow become received wisdom on the part of the Government. The Government have no mandate for that. We cannot extrapolate from the result of the referendum the specific terms upon which the majority of those in this country wish their relations with the European Union now to be governed. That can only be done by seeking a mandate from this House, to which the citizens of this country return right hon. and hon. Members to express their views.

The suggestion that the Government will not consult this House and listen to the voices of those who represent the voters of this country is fundamentally undemocratic, is inimical to the traditions that underpin our constitution, and in my view is wrong. It also runs contrary to the reasons for which I and others voted as we did. I did not vote leave to see one tyranny that failed to consult this House, in the form of the European Commission, replaced by another in the form of a Government who fail to listen to what this House thinks about their negotiating position.

Fundamentally, this House should—in my judgment, must—be consulted by the Government through debate, and the views of Members heard, before a decision is made as to the broad negotiating position that should be adopted in negotiations with the European Union. For that reason this debate is both important and urgent. I am thus grateful to you, Mr Speaker, for having permitted this application to be made, and hope that both you and

[Stephen Phillips]

the whole House are left in no doubt at all that this matter should be considered by right hon. and hon. Members at the earliest possible opportunity.

Mr Speaker: The hon. and learned Gentleman asks leave to propose a debate on a specific and important matter that should have urgent consideration, namely the terms upon which the Government are proposing to conduct negotiations with the European Commission for the exit of the United Kingdom from the European Union.

I have listened carefully to the application. I am not persuaded that this matter is proper to be discussed under Standing Order No. 24. In determining whether a matter is urgent, I am directed by Standing Order No. 24(5) to

“have regard to the probability of the matter being brought before the House in time by other means.”

As of now, I have reason to expect—I believe that the hon. and learned Gentleman himself might well now be aware also—that there is a strong prospect of a debate on this matter as early as this Wednesday. Needless to say, I say to the hon. and learned Gentleman and for the benefit of the House that there will doubtless be many other opportunities to debate these matters through various vehicles in the House. It is perfectly right and proper that those various vehicles should be used as is appropriate. I am grateful to the hon. and learned Gentleman, and hope that that is clear to the House.

Syria

Application for emergency debate (Standing Order No. 24)

6.19 pm

Mr Andrew Mitchell (Sutton Coldfield) (Con): I seek leave to propose that the House should debate a specific and important matter that should have urgent consideration, namely the unfolding humanitarian catastrophe in Aleppo and more widely across Syria.

Since the House last met, the humanitarian position in Aleppo and across Syria has deteriorated significantly, but the international community has not been successful in exercising its duties to protect innocent civilians—duties clearly identified and understood throughout the United Nations and in our responsibility to protect. On 19 September, a United Nations relief convoy was destroyed in the early evening. Thirty-one trucks loaded with food and medicines were attacked from the air. Warehouses and clinics were severely damaged and 18 humanitarian workers were killed. This is undoubtedly a war crime and it was undoubtedly perpetrated by Russian forces. In the last three days, 100 war wounded have been attended to in Aleppo. There have been 12 bombing runs and many people, including children, seriously injured, and at lunchtime today in Aleppo at least five people died as a result of a Government rocket attack.

When it comes to incendiary weapons and munitions such as bunker buster bombs and cluster bombs, the UN makes it clear that the systematic use of such indiscriminate weapons in densely populated areas amounts to a war crime. We are witnessing events that match the behaviour of the Nazi regime in Guernica in Spain. Russia is shredding the international rules-based system of law, destroying the United Nations and its ability to act in the same way that the Germans and the Italians destroyed the League of Nations in the 1930s.

I ask, Mr Speaker, that you allow urgent consideration by this House of what more the Government could be doing to protect the mass of humanity that is suffering in and around Syria today, how we can do more to support the International Syria Support Group, what more can be done to secure access and safety for humanitarian workers, what further steps we can take with our allies to support future cessation of hostilities and how, working with our allies in the United Nations, Europe and NATO, we can discharge our responsibility to protect.

Mr Speaker: I have listened carefully to the application from the right hon. Gentleman and I am satisfied that the matter raised by him is proper to be discussed under Standing Order No. 24. Does the right hon. Gentleman have the leave of the House?

Application agreed to.

Mr Speaker: The right hon. Gentleman has obtained the leave of the House. The debate will be held tomorrow, Tuesday 11 October, as the first item of public business. The debate will last for three hours and will arise on a motion that the House has considered the specified matter set out in the right hon. Gentleman's application.

Members leaving the Chamber after these substantial exchanges should do so quickly and quietly. There is a point of order on its way and I wish to hear it.

Point of Order

6.24 pm

Hywel Williams (Arfon) (PC): On a point of order, Mr Speaker. Last Thursday on “Question Time”, in an exchange with Leanne Wood, the leader of Plaid Cymru, the Secretary of State for Wales said, first, that

“when there’s... migration into Welsh-speaking communities...your members have taken direct action in the past”;

secondly, that there are

“communities in Wales where there are nationalist activists who take direct action against people who come in”;

and thirdly:

“It wasn’t so long ago that some of the cottages were being burned down”.

Despite many requests to the Secretary of State, he has failed to provide any evidence for this. Neither has he withdrawn his accusations or apologised.

People throughout Wales are outraged at these slurs on their communities, but for us today the Secretary of State’s accusations relate to Plaid Cymru Members. I am a Plaid Cymru Member. Is he accusing me? Or is he accusing my hon. Friend the Member for Carmarthen East and Dinefwr (Jonathan Edwards) or my hon. Friend the Member for Dwyfor Meirionnydd (Liz Saville Roberts), English by birth and bought up in Eltham in London? Bizarrely, he might even be accusing his own Under-Secretary of State, the hon. Member for Aberconwy (Guto Bebb), who previously was a prominent and vocal member of Plaid Cymru. Mr Speaker, what action can be taken in respect of those who, outside this Chamber, baselessly bring Members of this House into disrepute?

Mr Speaker: I thank the hon. Gentleman for notice of his point of order. However, the “Question Time” to which he refers is on the BBC, not in the House of Commons. While my responsibility extends to the latter, it does not do so in respect of the former, as I dare say he knows very well. None the less, his views are on the record. I do not treat what he has said in any way with levity or disinterest, but as a matter of fact it does not fall within the remit of the Chair to handle. We shall have to leave it there for now. I thank the hon. Gentleman for registering his views on the record.

Privileges

6.26 pm

The Leader of the House of Commons (Mr David Lidington): I beg to move,

That this House—

- (1) approves the Second Report of the Committee on Privileges (House of Commons Paper No. 672);
- (2) endorses the recommendation in paragraph 12; and
- (3) accordingly suspends Justin Tomlinson from the service of the House for a period of two sitting days, beginning on Tuesday 11 October.

The facts of this case are set out in the Privileges Committee report and the report published by the Parliamentary Commissioner for Standards. My hon. Friend the Member for North Swindon (Justin Tomlinson) was found to have shared a draft report by the Committee of Public Accounts with an outside party in breach of the confidentiality rules. The Privileges Committee concluded that my hon. Friend committed a contempt in disclosing a draft Committee report to a third party and that his actions constituted substantial interference in the work of that Committee. His co-operation throughout the relevant inquiries was noted by the Committee, which also made reference to the fact that he was not motivated in his actions by financial gain.

I am grateful to my hon. Friend for his personal statement of 15 September, in which he accepted in full the findings of the Parliamentary Commissioner for Standards, took full responsibility for his actions and made his apology to the House. I invite hon. Members to endorse the findings of the Privileges Committee

6.28 pm

Valerie Vaz (Walsall South) (Lab): I thank the Leader of the House for his statement. On this, my first appearance as shadow Leader of the House, I would also like to thank my predecessor, my hon. Friend the Member for Newport West (Paul Flynn), for his hard work. I agree with the Leader of the House and add my thanks to the Privileges Committee and the Parliamentary Commissioner for Standards for their work and diligence in coming to their conclusion.

The hon. Member for North Swindon (Justin Tomlinson) made a personal statement on 15 September, at the earliest opportunity. He indicated that he was naive. However, the draft report was sent to the company that was under investigation by the Public Accounts Committee and, as the Parliamentary Commissioner for Standards said in paragraph 40 of her report, it gave the company

“an additional opportunity, not available to or known to anyone else, to influence the recommendations of the Committee.”

In my experience, Committee Clerks are assiduous in stating on the draft report that it is confidential, and the copies produced are numbered and password protected. It is alarming to other members of a Committee when a draft report is leaked. It undermines the Committee process and, as “Erskine May” says, may be a contempt. In this case it was found to be a contempt.

Perhaps I could make a suggestion that when new Members join a Select Committee, and at the same time as they declare their interests, they are reminded of the confidential nature of draft reports and discussions.

[Valerie Vaz]

It is normal practice to agree with the reports of the Privileges Committee. The Opposition therefore support the motion.

6.30 pm

Tom Blenkinsop (Middlesbrough South and East Cleveland) (Lab): This case came to light when Wonga contacted the Parliamentary Commissioner for Standards in June 2015 to say that it had evidence that appeared to show that two years earlier the hon. Member for North Swindon (Justin Tomlinson) had provided a draft report by the Committee of Public Accounts to a Wonga employee and given that employee a chance to comment on the draft. The commissioner rightly referred to the matter to the Committee of Public Accounts, which conducted its own initial investigation and published a special report that concluded that the disclosure of the draft report by the hon. Member constituted a substantial interference in the work of the Committee. It is for the Privileges Committee to investigate such allegations, but we felt that in this case there were complications which made it desirable to ask the commissioner to conduct an investigation on our behalf. Not least among the reasons for this were media allegations that the hon. Member had benefited financially from his actions. I wish to stress from the start that those allegations were unsubstantiated and were dismissed by the commissioner as groundless. The Privileges Committee agrees completely with that finding.

The commissioner reported to the Standards Committee, as required under Standing Orders. In view of her conclusions that the case touched on matters of privilege, the Committee referred the commissioner's report to us for adjudication. On behalf of the Privileges Committee, I thank the commissioner for her thorough investigation and the Standards Committee for its co-operation.

There have been three separate inquiries into the allegations and at each stage the hon. Gentleman made no attempt to deny his role in these events. Instead, he has continually apologised unreservedly. Our role on the Privileges Committee is therefore less concerned with what happened. Clearly, the hon. Gentleman disclosed the draft report without authority and therefore committed a contempt of the House. I am more concerned about what sanctions should be applied as a result.

In 2008, the then Standards and Privileges Committee concluded that the unauthorised disclosure of a draft report or of advice to a Select Committee not only betrays confidence but can damage trust between Members, and between those who work for or with them. It also undermines the effectiveness of the Committee's work. Leaking is a reprehensible act. In any case, where the Committee is able to discover the source of a leak it will be prepared to recommend appropriately severe sanctions. There is no doubt that the hon. Gentleman's actions did have a significant effect on the work of the Committee and so more than an apology is in order. We now turn to mitigating factors.

The Privileges Committee explored with the hon. Gentleman his motives for sharing the draft report and his grasp of the confidential nature of such documents at the time he committed the contempt. It was clear to the Committee that he did not act out of financial gain and was not seeking to ensure that the views of Wonga were written into the report. Instead, this was part of a long-running campaign he had led against payday lenders. He described his actions as the result of his own naiveté and stupidity. We accept that this was the case. We also accept the sincerity of his apologies and have borne in mind his full co-operation with all the inquiries into his behaviour.

Turning to sanctions, there are few precedents for this kind of case. In 1999, there were two cases involving the passing on of draft reports to the Government, which we consider to be more serious than the circumstances we are currently examining. In those cases, one Member was suspended for 10 sitting days and another was suspended for five sitting days. Bearing in mind the mitigating factors above, but also the undoubted seriousness of the offence in the hon. Gentleman's case, we have recommended a personal statement to the House and a suspension for two sitting days. The hon. Member made a personal statement at the first possible opportunity: on the day the report was published. I ask the House today to approve our recommendation on suspension as proportionate to the offence and as a clear message to others inside and outside the House that leaking Select Committee papers is wrong and will be met with appropriate sanctions where the source of the leak is identified.

Question put and agreed to.

Neighbourhood Planning Bill

Second Reading

6.34 pm

The Secretary of State for Communities and Local Government (Sajid Javid): I beg to move, That the Bill be now read a Second time.

I welcome the hon. Member for Erith and Thamesmead (Teresa Pearce) to her new position. I wish her and her team all the very best.

I have been a Member of this House for six-and-a-half years. In the countless contacts I have had with my constituents over that time, one issue has come up more often and more consistently than any other: housing. I am sure other hon. Members would say the same. Whether it is a lack of affordable accommodation, standards not being met, calls for housing to be built on one site or campaigns against it being built on another, the subject dominates inbox, postbag and surgery alike. Meeting that challenge requires action on many fronts, but at the heart of it all is the need for a clear, fair and, above all, effective planning system.

My two Conservative predecessors at the Department for Communities and Local Government did more to reform planning than all their Labour counterparts combined. More than 1,000 pages of policy was reduced to just 50 and the Housing and Planning Act 2016 did much to streamline and speed up the process. It is a record of real action and real change that is already paying off. The year 2015 saw more planning permissions delivered than in any year since records began. Almost 900,000 new homes have been delivered in England alone since the start of 2010.

As I said just last week, however, there is much more to do. The Prime Minister has been absolutely clear that, if we are going to build a Britain that works for everyone, we need a housing market that works for everyone. That means doing still more to tackle the housing shortage by giving communities greater certainty over development and reducing the time it takes to get from planning permission to completion. This Bill will help us to do just that.

Sir Edward Garnier (Harborough) (Con): I am most grateful to my right hon. Friend for giving way so early. He is quite right about the inbox: this subject dominates so much of the dealings we have with our constituents. There are two areas the Bill does not cover that I think it ought to. I wonder if, over the course of the next few weeks, he and his fellow Ministers could consider whether the Bill should be amended to deal with them.

The first point is that inspectors, on dealing with developers' appeals, take into account the number of planning permissions given but not the number of housing starts. Planning permissions are in the hands of the district planning authority, but housing starts are in the hands of the developer. If the developer will not make use of the planning permission, it is unfair on the district council and unfair on the affected neighbourhood that does not want to see the planning go ahead.

Secondly—I am sorry, Madam Deputy Speaker, I will be very, very quick indeed—in relation to matters going up to an inspector, I gather from the Minister for Housing and Planning that they cannot be called in

once they have gone to the inspector, but they ought to be if there is to be any even-handed justice and equality of arms.

Madam Deputy Speaker (Mrs Eleanor Laing): Just before the Secretary of State responds, my patience with and tolerance of the extremely long intervention by the right hon. and learned Gentleman is not to be taken as a precedent.

Sajid Javid: My right hon. and learned Friend makes some very good points. The first part of his question was whether we might be able to take some of them into account in the Bill. I anticipate that at some point there will very likely be some amendments to the Bill. If that is the case, they will of course be discussed properly at that time. He made some suggestions that I will think about carefully, in particular regarding what some people call “landbanking” by certain developers. I talked about that very important point last week in my party conference speech. It is something on which we will be taking further action.

Norman Lamb (North Norfolk) (LD): Might the Secretary of State also consider amendments that focus on the sustainability of new housing, in particular moving towards carbon-neutral housing, which also has the benefit of reducing cost to occupiers because of lower energy costs?

Sajid Javid: The right hon. Gentleman will know that several initiatives are already in place to make sure that new development is sustainable. A review is looking at what further measures we could take.

Neighbourhood plans are a key part of the Bill. Not all planning takes place at local authority level. Neighbourhood development plans, which were introduced in 2011, have proved to be extremely effective. Far from being a so-called nimby's charter, some neighbourhood groups with plans in force have planned for housing numbers above the number set by the local authority for that area. Those communities have, on average, planned for 10% more homes. Neighbourhood planning gives residents and businesses greater certainty about developments in their area, ensuring that they have a choice on how best to meet local housing needs.

Geoffrey Clifton-Brown (The Cotswolds) (Con): The Bill contains some excellent provisions on neighbourhood planning, but neighbourhood plans are predicated on a local plan being in place. I represent two authorities: one has a local plan and the other does not. Will the Secretary of State, either through the Bill or otherwise, take strong action against those authorities that do not have a local plan in place?

Sajid Javid: My hon. Friend makes a good point about the lack of consistency in approach by neighbourhoods. So far some 2,000 community groups have got together, out of which some 240 neighbourhood plans have been adopted. We would like to see a lot more, and these measures will achieve just that. My hon. Friend will know that giving communities greater influence over the planning process can reduce the number of objections to planning applications so that more homes can be built more quickly.

Mr Andrew Mitchell (Sutton Coldfield) (Con): The introduction to the Bill says that one of its central aims is strengthening neighbourhood planning and giving local people more certainty over where homes will be built in their area. The Minister for Housing and Planning has said that putting power into the hands of local people to decide where development occurs is a key objective. The Secretary of State will be aware that Birmingham's Labour council wishes to build 6,000 homes on the Sutton Coldfield green belt and no account has been taken of the virtually unanimous opposition of the royal town's 100,000 residents, who have been completely disfranchised. Will he agree to take account of the unanimous view of the newly elected Sutton Coldfield town council, who are adamantly opposed to this on behalf of the 100,000 people they represent?

Sajid Javid *rose*—

Madam Deputy Speaker: Order. I have already made it clear that the first long intervention was not to be a precedent. This second long intervention is definitely not a precedent. I have been patient because this is the first day back, but perhaps Members who have served several decades in the House have forgotten that interventions have to be short. We have many Members wishing to speak this evening and I will have to impose a time limit, so it is simply wrong for interventions to take so long. Short interventions make good debate!

Sajid Javid: My right hon. Friend the Member for Sutton Coldfield (Mr Mitchell) has spoken passionately about this issue before. I listened to him then and I have just listened to him again, and I will of course reflect on what he has said. I am sure he will understand that it would not be appropriate for me to talk about a specific planning application, but I will reflect on what he has just shared with the House.

The Housing and Planning Act reforms to speed up and simplify the process came into force just a few days ago, and the Bill will strengthen the process still further. It will make it easier to update a neighbourhood plan as local circumstances change. It will give communities confidence that advanced neighbourhood plans will be given proper consideration in planning decisions, and it will give neighbourhood plans full legal effect at an earlier stage.

Of course, there is no point giving control to communities if they do not know that they have it or lack the skills to use it. So the Bill will also require planning authorities to publish their policies for giving advice or assistance to neighbourhood planning groups. It will also allow the Secretary of State to require planning authorities to keep those policies up to date. These provisions will make the neighbourhood planning process fit for the future. They will make it more accessible for everyone, and they will ensure that neighbourhood plans are fully respected by decision makers.

John Mann (Bassetlaw) (Lab): Should the Bill become an Act, will there be any circumstances in which a local authority can overrule a neighbourhood development plan that has been duly endorsed by said authority?

Sajid Javid: The hon. Gentleman may be aware that for a neighbourhood plan to become effective it needs to be adopted. It will be looked at by the inspector and a local referendum will be held. As I mentioned earlier,

some 240 plans have gone through that process and, when that happens, they need to be given due weight in the consideration of planning decisions.

John Mann: I thank the Secretary of State for giving way again. He will know that Bassetlaw has more local plans in process and agreed than anywhere else, so we do know a little bit about them. If he is saying that a local council or the Secretary of State can decide to overrule a local community that has been through a huge, state-funded consultation, had a referendum and decided where the housing will go, what is the point?

Sajid Javid: The hon. Gentleman will know that once a neighbourhood plan is adopted, it becomes statutory and is taken into account when planning decisions are made. It is not a question of a local authority overruling a neighbourhood plan; once it is adopted, it is part of the local plan, so they are part of the same package, when it comes to making those decisions. Local authorities do not have the right to overrule a plan once it has been adopted.

Local and neighbourhood plans are vital tools for delivering new planning permissions. If we are to tackle the housing deficit, it is crucial that shovels hit the ground as soon as possible once permission has been granted for a development. There are a number of reasons why that does not always happen. One is because too many planning authorities impose too many pre-commencement conditions that unreasonably hold up the start of construction.

Of course, conditions can play a vital role. They ensure that important issues such as flood mitigation and archaeological investigation are undertaken at the right time. That is not going to change, but pre-commencement conditions should not be allowed to become unreasonable barriers to building. Not only do they delay the delivery of much-needed houses, but they create cash-flow issues for builders—something that is particularly problematic for smaller builders and new entrants to the market. To tackle this, the Bill reflects best practice by stopping pre-commencement conditions being imposed without the written agreement of the applicant. It will also create a power to restrict the use of certain other types of planning conditions that do not meet the well-established policy tests in the national planning policy framework. We are currently seeking views on both measures in a consultation paper published by my Department last month.

Robert Neill (Bromley and Chislehurst) (Con): I am grateful to the Secretary of State for taking a short lawyer's intervention. When he is consulting on planning obligations, will he also consult on the option that was considered in the Housing and Planning Act 2016: the ability for local authorities to buy their own land with planning obligations, as the local planning authority? That would greatly speed up the redevelopment process in urban areas.

Sajid Javid: My hon. Friend speaks with great experience on this subject, and it is something that I will consider.

John Glen (Salisbury) (Con): Will my right hon. Friend ensure that the changes to pre-commencement regulations will not mean that developers will not be held to their obligations to develop the infrastructure

surrounding new housing? It is often a real challenge for local communities if that is not delivered in a timely way.

Sajid Javid: I can assure my hon. Friend that the provisions will not mean that happens. Developers will still have clear obligations, and this process will ensure that they will be held to them.

The system of permitted development rights already offers a rapid means of turning commercial premises into much-needed homes. However, we lack accurate and precise data on how many homes are created in this way, which makes it all the harder to build the right number of homes in the right areas, so the Bill will create a requirement to record on the planning register certain applications made under permitted development rights. Collecting these data will bring more facts to the national conversation on house building, help communities to develop neighbourhood plans, and help planning authorities and inspectors to make informed, appropriate decisions. Such a move is long overdue.

Mr Steve Baker (Wycombe) (Con): Before my right hon. Friend moves on, may I ask whether he will use this Bill to clarify an issue that is much discussed in Wycombe: the status of green-belt land? Is it sacrosanct, or should local authorities review it with a view to getting their local plans through the inspector, who I am told will not pass local plans unless the green belt has been reviewed?

Sajid Javid: The Bill does not look at green-belt issues, and it does not change in any way the very important protections for the green belt. As my hon. Friend will know, green-belt development can be looked at only in the most exceptional circumstances, and the Bill will not change that.

Richard Drax (South Dorset) (Con): Before my right hon. Friend moves on, I was wondering whether he would mention the privatisation of the Land Registry. I understood that that was to have been done under the Bill, but that no decision was taken, and that the issue was, in effect, kicked into the long grass. Has privatisation of the Land Registry gone? Could it be brought back? Where are the Government on the issue?

Sajid Javid: As my hon. Friend has rightly identified, measures on the Land Registry are not part of the Bill, and the decision on privatisation will be for the Government to make in the future; it will not form part of this Bill, nor will it be introduced into the Bill in any shape or form at a later date.

Part 2 concerns compulsory purchase. In an ideal world, such a process would not exist. I would always prefer to see agreement secured through negotiation. However, as a last resort, we all know that it is sometimes necessary, and when that is the case, it is right that the process operates clearly, quickly and, above all, fairly. That does not always happen. Part of the problem is that the process is governed by a complex patchwork of statute and case law that has built up over many years. This slows the process down, increases costs, and bewilders individuals who are caught up in it. Ultimately, it benefits nobody—with the possible exception of lawyers. Clauses 9 to 30 will tackle these issues, making the system more effective, more transparent, cheaper and easier to navigate. Untying the tangle of red tape will speed up the process.

Once again, this will mean more homes—and the infrastructure that is required to support them—getting built more quickly.

Liz Saville Roberts (Dwyfor Meirionnydd) (PC): On the compulsory purchase clauses, what action have the Government taken adequately to consult with Welsh stakeholders, and to learn the lessons of the Housing and Planning Act 2016, given that the Assembly voted down a legislative consent motion relating to the Act on the grounds of insufficient consultation with Welsh stakeholders?

Sajid Javid: The hon. Lady will know that there has been widespread discussion, and we are still in discussions with the Wales Office and Welsh stakeholders on the issue that she raises.

The first set of provisions will make the process of compulsory purchase clearer. They include consistent rules for temporary possession of land where a permanent compulsory purchase is not required, giving all relevant bodies the same powers. The Bill also establishes a clear and coherent framework for compensation in such cases, filling a long-standing gap in the law and ensuring that all landowners are treated fairly. It sets out exactly what a property owner's rights and options are when faced with a temporary possession; it is the first time that has been enshrined in primary legislation. The Bill also provides a clearer way to identify market value, making it quicker and easier to agree compensation.

At the moment, the price paid for property subject to compulsory purchase is assessed in the so-called “no scheme world”. This is the market value of land if there were no threat of compulsory purchase, not taking account of any increase or decrease caused by the scheme. The no scheme world is a mixture of obscurely worded statute and over 100 years of sometimes conflicting case law. This Bill brings things up to date; it clarifies and codifies the no scheme world, without altering its core principles, to provide a clearer starting point for all compensation payments.

The new provisions put mayoral development corporations on the same footing as new town and urban development corporations for the purposes of assessing compensation, and extend the definition of “scheme” in those limited circumstances in which regeneration is enabled by a transport project. The Bill repeals redundant legislation that allowed additional compensation to be negotiated after the original settlement. This will further reduce the potential for confusion and uncertainty.

The next set of provisions make the process faster. They create a statutory deadline for bringing confirmed compulsory purchase orders into effect. They also allow Transport for London and the Greater London Authority to make a single, overarching compulsory purchase order for transport and regeneration purposes. At present, they have to artificially divide projects and run parallel processes. This causes unnecessary cost, confusion and delay to much-needed development.

The final clauses will make compulsory purchase fairer. In particular, they ensure that where property is acquired by compulsion, the compensation entitlement is fair to all business tenants occupying the property. They will align the disturbance compensation entitlement of businesses with minor or unprotected tenancies with the more generous entitlement of licensees.

[Sajid Javid]

There are already many excellent examples of local authorities working together to meet the housing needs of their areas. Through devolution deals, we have seen combined authorities' ambitions to bring forward strategic plans that address the needs of real-world communities, rather than of administrative divisions. I want to see more of this. I want more joint planning, more tiers of government working together and, of course, more plans put in place. I want all areas to have one. Failing to put a plan in place creates uncertainty among communities, who are left with no idea of what will be built where, and it creates resentment when developments are eventually imposed through speculative applications.

The House will not be surprised to learn that I agree with the central thrust of the local plans expert group's recommendations in this area. We need more co-operation and joint planning. The requirement to have a plan should not be in doubt, and the process for putting a plan in place needs to be streamlined. As the expert group set out, most of those changes can and should be made through national policy and guidance, rather than through primary legislation. Should primary legislation be required, I look to use this Bill as the vehicle for it. If we do use the Bill in that way, we will of course ensure that the House has sufficient time to consider the provisions.

In conclusion, we have a nationwide shortage of high-quality, secure, affordable housing. To tackle this, we need new ideas, new policies and new legislation. This Bill provides a solid foundation on which to build. The Bill gives greater responsibility to local communities, letting them decide what sort of development they should have, and where it should take place. It removes more of the red tape that all too often delays construction. It gives us more of the data we need to make informed decisions about planning, and brings the compulsory purchase system firmly into the 21st century, turning it into a well-tuned machine for making development happen. Moreover, the Bill has been welcomed by the British Property Federation, the Royal Town Planning Institute and many others. Above all, the Bill will make it easier to build the homes that our children and grandchildren are crying out for. That is why I am delighted to commend it to the House.

6.58 pm

Teresa Pearce (Erith and Thamesmead) (Lab): I would like to put on record my thanks to the Secretary of State for his warm welcome.

The Neighbourhood Planning Bill does not appear at first glance to be a controversial one. Indeed, it includes many measures that we support. There are, however, elements of the Bill that could be strengthened or amended, so it was good to hear the Secretary of State say that he might be open to amendments in Committee. Labour Members will support appropriate measures that seek to streamline the delivery of much-needed new homes and further engage local people in the shaping of their communities.

We urgently need new homes, so it is a shame that the Bill misses measures to achieve what was announced in the Queen's Speech in May, namely putting the National Infrastructure Commission on a statutory footing. However, we are pleased that, following pressure from both sides of the House, the unnecessary step to privatise the Land

Registry has been dropped. That has been warmly welcomed by almost everybody in the housing sector, but the Bill must be seen in context, and it cannot be detached from the wider housing crisis we currently face.

The Government say that the aim of the Bill is to free up more land for new housing and to expedite the beginning of building once planning permission has been granted. We face the biggest housing crisis in a generation and urgently need more homes, and the Bill does not go far enough to provide them. The Bill does so much more to encourage development and engage local residents in the process.

The Bill introduces measures in four key areas: neighbourhood planning, planning conditions, the planning register and compulsory purchase orders. The proposals on neighbourhood planning will allow neighbourhood plans to influence the planning process at an earlier stage, and will help to streamline the making and revision of neighbourhood plans. We support measures to streamline neighbourhood planning and to promote the ability of local residents to participate, but the Bill raises a number of questions. First, as the British Property Federation has noted, greater clarity is needed on the level and weight attributed to neighbourhood plans at every stage of their preparation. For example, more clarity is needed on whether a general direction of travel of a neighbourhood plan would be considered in the determination of a planning application.

Secondly, there is huge concern surrounding resources and the impact that the measure will have on our already stretched local planning authorities. Many of them already lack the resources they need to promote quality placemaking. The new measures make significant demands in terms of time and resources, and many planning departments are working on local plans before the deadline next year. How will the Minister ensure that they will be able to resource both adequately? Local authorities have a statutory duty to support neighbourhood planning groups and to provide a local plan. That could present problems for smaller district councils that have limited resources and capacity to respond to multiple pressures.

Chris Philp (Croydon South) (Con): Will the hon. Lady give way?

Teresa Pearce: I would rather not give way because many hon. Members want to speak and we are short of time.

The Bill needs further measures to clarify the true costs of neighbourhood plans. Currently, councils receive £5,000 for each neighbourhood plan area designated, and £20,000 for each neighbourhood plan referendum, but those figures are the same regardless of the number of electors or the complexity or size of the neighbourhood plan. The costs can exceed the moneys that the council receives.

In addition, neighbourhood planning must be open to all, and disadvantaged communities need to be able to participate. Neighbourhood planning comes with complexities and can require professional support. Planning Aid England and the RTPi help to support groups across the country pro bono, but the Government should adequately support local planning authorities and local communities to shape development in their areas.

The Bill allows the Secretary of State to prescribe when councils should review their statement of community involvement, but why are local councils, which understand their communities and can respond directly to local needs, not trusted to decide when to review their statements of community involvement? Why cannot that be decided at local level rather than being imposed from above? A better balance can be achieved, possibly through amendments in Committee.

The British Property Federation has made a number of recommendations on neighbourhood planning that the Government have failed to explore, including ensuring that neighbourhood plans are consistent with and conform to the national planning policy framework, and setting a minimum turnout threshold in referendums on the adoption of neighbourhood plans. I would be interested to hear whether the Minister is receptive to those suggestions.

The greatest concern in the Bill is on pre-commencement planning conditions. Councils approve almost nine of every 10 planning applications and there is little evidence to suggest that development is being delayed by pre-commencement planning conditions. There has been a cautious reception for the Bill from the sector. London Councils has said that there is little robust evidence to suggest that the current planning conditions system has led to an under-supply of housing.

Chris Philp: Before being elected to the House, I ran a business that financed construction projects. I have to tell the hon. Lady that people engaged in such projects frequently complain about the onerous conditions. To give one example, they complain about the requirement to have a bat survey.

Mark Pawsey (Rugby) (Con): And newts!

Chris Philp: And newt surveys. Such surveys can be done only at certain times of the year. That is a very onerous and often very serious set of conditions.

Teresa Pearce: I am very interested in the hon. Gentleman's previous employment, but people always complain about restrictions. Our job is to balance the complaints of the developer against what is best for a local community. I am yet to see firm statistical evidence of how much pre-commencement planning conditions restrict building.

The Minister for Housing and Planning (Gavin Barwell): Will the hon. Lady give way?

Teresa Pearce: I will give way one more time, but we really must get on.

Gavin Barwell: If the hon. Lady is not inclined necessarily to listen to the voice of developers, may I refer her to the representations all hon. Members have received from the District Councils Network? It states:

"The DCN has acknowledged that the discharge of planning conditions can be a factor in slow decision making and supports the government in seeking to address conditions."

Teresa Pearce: I thank the Minister for his intervention but I would like to see real statistical evidence. Are we trying to solve a problem that does not exist? We all have anecdotal evidence, but perhaps in Committee we will see more evidence.

It is my experience that some developers welcome pre-commencement planning conditions because they enable planning permission to be secured without finalising the full details. It can save work duplication. For example, a developer may not wish to spend significant amounts of time deciding between different types of render for the outside of a development when they know it could be agreed at a later date. Indeed, a condition could be established in the consent to match the local area and street scene.

London Councils says that the measure will put considerable strain on the resources of local planning authorities. It proposes that a better solution would be to promote best practice in pre-application discussions between developers and local planning authorities. There are questions on the process. For example, what if late representations are received, and what if a councillor wishes to add a pre-commencement condition on the night of the planning committee?

Behind that lies the fact that pre-commencement planning conditions are not a bad thing. They have an important role in securing sustainable development that is careful and considerate of local communities. Conditions should be imposed only when consent would not be acceptable without them. By allowing room for negotiation, we are changing the nature of how conditions are set and their purpose. We could inadvertently either encourage inappropriate development by lowering our standards of acceptable development or, when disagreement arises between applicant and planning authority, discourage developers from building, which no hon. Member wants. There are questions about whether the measure is necessary. I look forward to seeing the stats behind it to show that it is. There is an existing framework for applicants to appeal specific conditions that they consider do not meet the national policy tests.

If we are to proceed, it is essential to ensure that the Bill does not have unintended negative consequences. Greater clarity is needed on appeal routes when agreement cannot be reached, and on pre-completion and pre-occupation conditions. It is right that there is a public consultation, but even if the Bill becomes law, I do not anticipate it adding any of the extra homes that we urgently need. It is not pre-commencement planning conditions that slow planning consent, but the chronic underfunding of local planning authorities. It is not pre-commencement planning conditions that slow construction, but the drastic skills shortage in the construction sector. It is not pre-commencement planning conditions that slow new schemes coming forward, but the lack of strategic infrastructure involvement.

Kevin Hollinrake (Thirsk and Malton) (Con): Will the hon. Lady give way?

Teresa Pearce: I am afraid I need to move on because many hon. Members wish to speak and the hour is late. *[Interruption.]* There are lots of Government Members.

The Bill makes provision for permitted development to be recorded on the planning register. Given the existing pressures and further commitments in the Bill—I have mentioned the wider question of resourcing—I should like the Minister to consider the funding of planning authorities. When local authorities are pressed for resources—they must decide, for example, between child protection and adult social services—planning is often squeezed.

[Teresa Pearce]

The Bill attempts to streamline compulsory purchase powers, and includes temporary possession of land to enable schemes to store equipment and machinery so that they can be delivered. The temporary possession of land has been used widely in my constituency under the Crossrail Act 2008. The proposed changes to compulsory purchase orders would enable councils to capture the value from increased land prices to invest in the local infrastructure needed to complement and facilitate new housing schemes. While that can accelerate development, CPOs still require approval from the Secretary of State. Nevertheless, it is hoped that those measures will help to encourage development.

Perhaps the most striking thing about the Bill is what is not in it. Along with the Local Government Association and others, we welcome the news that the Government have not included the planned privatisation of the Land Registry. Will the Minister clarify whether the initiative to privatise the Land Registry has bitten the dust? Has it been kicked into the long grass or is in the rubbish bin?

The Bill is quite different from the measure outlined in the Queen's Speech earlier this year. The Prime Minister said in her conference speech last week,

"something...we need to do: take big, sometimes even controversial, decisions about our country's infrastructure."

However, in the Bill, the Government's proposal to place the National Infrastructure Commission on a statutory footing has been withdrawn. I hope that the Government will think again.

The Bill aims to build houses, but it does nothing to build communities. The failure to provide the commission with statutory powers to enable strategic decision making on infrastructure is a missed opportunity to tackle the housing crisis. The House Builders Association, which represents small and medium-sized builders, said that the Bill was unlikely meaningfully to increase supply.

This is the sixth piece of legislation in the past six years to make provision for planning. Another Bill passes and the Government fail adequately to resource planning departments, which have faced a 46% cut in funding over the past five years. A recent survey by the British Property Federation identified under-resourcing as the primary cause of delays to development. Another Bill passes, and the Government fail to increase the transparency of viability assessments, which many people believe is the key to ensuring that there is sufficient and appropriate affordable housing. Another Bill passes and we are no closer to developing garden cities and new towns, which we need to build to ensure that our children and our children's children can find a home of their own.

The Bill will not deliver social housing and the genuinely affordable homes that are desperately needed. It will not provide facilities on new housing developments that are required to build communities, and it is unlikely to facilitate opportunities for the struggling SME builder, or tackle the growing skills crisis in the construction sector. The Bill has failed to tackle those issues, but I am interested to hear the Minister say that there is an appetite to look at the Bill and perhaps amend it in Committee. If it is not amended, the missed opportunity will manifest itself in a continued housing crisis until the Government can step up and match their rhetoric with substance.

7.13 pm

Sir Oliver Letwin (West Dorset) (Con): I have to admit that I did not expect to be stirred by the statements of the shadow Secretary of State, but her remarks about clause 7 would strike anyone who has been engaged with the planning system over the past many years as quite extraordinary. Pre-commencement conditions imposed by local authorities are a major cause of delay and also distract the officials who she complained were underfunded. One reason why they are over-occupied is that they are too preoccupied issuing absurd pre-commencement conditions that are not properly enforced and lead to massive delays in the process. I warmly welcome clause 7, and hope that the regulations introduced by the Secretary of State will be extremely strong on that issue and will be accompanied by measures to enable us to do in parallel what is currently done in sequence. It takes about two years on average from the time of the first application to the actual completion of homes. Other countries manage that in a year or less, and we could too if processes that are currently done repetitively and in sequence were done in parallel and singly. I hope that we will see those regulations as the Bill proceeds.

Those of us who have been involved with neighbourhood planning since the Conservatives first introduced the proposals—amazingly, nine years ago—are conscious of its huge success. We were told at the beginning that it would be a nimby's charter, as the Secretary of State rightly mentioned. We were told by others that it would never grip the nation and that there would not really be any neighbourhood plans, but we find that they have been introduced in some 2,000 places. Judging by my constituency, that is the beginning of a tidal wave: more than half the villages of West Dorset intend to engage in neighbourhood planning, and that is increasingly the case for the towns as well. There is no doubt, as the Secretary of State rightly said, that the measure is far from being a nimby's charter, but as communities engage in neighbourhood planning they wrestle with two conflicting issues: their desire to preserve the look and feel of the places in which they live, which is a reasonable human desire; and the desire that their children and grandchildren should be able to find a home in the locality. I do not know whether the Secretary of State has experienced this, but people have come to my constituency surgery in tears because they could not get a foot on the housing ladder. I cannot remember another subject that has provoked that kind of emotional intensity. For families who have grown up, in some cases over hundreds of years, in small villages where they simply have not been able to build, this is liberation. It has been brought about by neighbourhood planning, because the community feels that it can control the shape and character of what is built so that it is appropriate to the location. That is not something that can be judged from miles away: it is judged on the spot by the locals, and it is a huge success. I therefore warmly welcome clauses 1, 2 and 5, which are the guts of the Bill.

I want to make a few observations about things that I hope can be developed in Committee and on Report. Clause 5 deals with assistance for neighbourhood plans. I had hoped that it would be a little stronger and meatier. It simply requires local authorities to produce an explanation of what they will do to support neighbourhood planning. That is fine—there is nothing wrong with that at all—but I know local authorities,

and I suspect that the Department does too, that will write any number of plans and do absolutely nothing. What is needed is the ability for neighbourhoods—in some cases, hard-pressed neighbourhoods that do not have much money; in other cases, neighbourhoods that are small parishes that do not have much money—to get on with the job of neighbourhood planning. I do not think that anyone can expect the public purse to meet those costs, so we need to examine the proposal introduced by the National Association of Local Councils for more of the community infrastructure levy to be devoted to neighbourhood plans, at least when they introduce local development orders, which are extremely effective. We should also look at the possibility of a loan arrangement, in which money from the community infrastructure levy for a neighbourhood plan is used to repay or defray the costs of engaging in the exercise.

It is not a simple exercise. In most neighbourhoods that I have visited up and down the country, and in my own constituency, hundreds of people get involved and it is quite a management exercise. Neighbourhoods can only do it if they employ one or two people who can put the vision up on the board, explain what is proposed, and go through the detailed process—the examination, the referendum and so on—which requires up-front funding. I hope that that can be looked at.

Finally, clauses 1 and 2 are long overdue. In retrospect, we should have introduced them right at the beginning, in the 2010 legislation. My hon. Friend the Member for Bromley and Chislehurst (Robert Neill) and I were both involved in that, and it is great to see weight being given to post-examination, as in clause 1, and it is absolutely right that post-referendum neighbourhood plans should go into local development plans even if the local authority does not, for one reason or another, complete the task of introducing them. That is an excellent provision in clause 2. However, my hon. Friend the Member for The Cotswolds (Geoffrey Clifton-Brown) made a point that is highly relevant. As the Secretary of State said, there are too many local authorities that have not yet introduced new-style local development plans. Unless the neighbourhood plan is couched in terms of a new-style local development plan with a proper strategic grip it is impossible to formulate the right kind of neighbourhood plan, which must conform to the strategic considerations of the local development plan. In some cases, I fear, local authorities have discovered that they can stymie the ability of neighbourhoods to produce neighbourhood plans simply by being recalcitrant about producing new-style development plans.

Given that, in clause 7, the Secretary of State is rightly taking powers to make regulations relating to pre-commencement conditions, I think he should at least consider the possibility of taking further powers to force local authorities to produce new-style local development plans, or else simply to allow a neighbourhood plan to stand in as the development plan for that neighbourhood, *sui generis*. Either would do, but I think that something must be done to address the problem raised by my hon. Friend.

Having said that, I will end by saying that the Bill is a progressive piece of legislation which should be welcomed throughout the House and throughout the country, because it may help our children and grandchildren to have the homes that they need.

Several hon. Members *rose*—

Madam Deputy Speaker (Mrs Eleanor Laing): Order. I must congratulate the right hon. Member for West Dorset (Sir Oliver Letwin) on a perfect speech. In my opinion, of course, the content does not count; what counts is merely the length, in precise minutes. I was about to say to the House—but the right hon. Gentleman has illustrated my point perfectly—that if everyone who wishes to take part in the debate speaks for between seven and eight minutes, as the right hon. Gentleman has just done, everyone will have the opportunity to speak, and there will be no need for a formal time limit. If Members do not stick to a self-imposed time limit, there will be a formal time limit, which makes for much less easy-flowing debate.

7.21 pm

John Mann (Bassetlaw) (Lab): Before I express my agreement with the right hon. Member for West Dorset (Sir Oliver Letwin) on one important point, let me congratulate the Secretary of State on his brilliant campaign 18 months ago to stop the development of more than 2,000 houses, which was well advertised in his local newspaper. He is truly the king of the nimbys—or, as some would say, he is backing his constituents and his local communities. That contrasts slightly with the message that I understand him to have conveyed somewhere last week when he was attacking the nimbys, because over the past two or three years, following his successful campaign, he has been the greatest of all the nimbys in the House.

I should like to see precisely what the right hon. Member for West Dorset proposed. If a neighbourhood goes through the pain and democracy of agreeing on where more houses should be built in its community, which is part of the requirement of a neighbourhood development plan, and if that is agreed by referendum and endorsed by the local council, it should not be possible to overrule such a level of democracy; but it is.

For example, at the most recent planning committee meeting in the Sturton ward in Bassetlaw, which I know extremely well, the neighbourhood development plan was overruled because the planning officers pointed to the Government's five-year housing land supply, as identified by the developer. They said, "You can't have that; you've got to have this." In other words, they said, "You have a plan. You have specified where the housing should be, and what type of housing it should be. A huge number of members of the community participated in the consultation, there was a massive turnout for the ballot, and the plan was unanimously adopted by the district council, but you cannot do it, because Big Brother"—the king of the nimbys—"says that you have to have this, because you have not got enough housing." However, they had just agreed that they would have more housing. The people who had agreed to have more housing were overruled, which is a total nonsense. The Government could do something about it today, but if they feel that they do not have the necessary power they could stick it in the Bill and then some of us would be happy, because that would be local democracy.

It is not true that the Government are not responsible for the delays in local development plans. On 1 March 2013, 95% of councils in England had to start their development plans again because of a change in the rules that was announced out of the blue, whereby everyone had to consult every adjoining authority. That is why there has been a delay in my area, which, proportionally, has more

[John Mann]

neighbourhood development plans either agreed or under way than anywhere else in the country. We have adopted this philosophy. I have argued the case in communities throughout my constituency. However, the whole process has to start again because we have not consulted Sheffield, Mansfield and other places that are nowhere near the 500 square miles of Bassetlaw.

That is a nonsense, and the Government could do something about it instantly. Our plan would be speeded up overnight if that happened. The public would be consulted, and would agree where housing should go. The Government would get their numbers, and we would get our housing everywhere. Even Bromsgrove would get the housing that it needs.

Let me give a couple of examples of the beauty of neighbourhood development plans. The Sturton ward provides one of the prime examples in the country of how a development plan should be written: an environmentally green development plan that specifies the kind of energy that we want in the community, the implication being that priority in new housing will go to developers who use green technologies. That is a community which is looking to the future and encouraging the right kind of housing. Such planning will enhance green technologies in this country, unlike the arbitrary wind farms and so forth which communities, strangely, do not like. Let communities have control through their development plans. The Government could announce that today—and that is my second request to the Minister.

When mayors are coming to city regions like the new Sheffield city region of which Bassetlaw will doubtless become a part, we should let those new mayors have the appeals. Let us localise the process more, so that there is more accountability, which will mean more housing rather than less. Let us take the process away from the Minister and the Minister's officials. Surely that appeals to Tory Back Benchers and their sense of community.

Another big plan of which we in Bassetlaw are pioneers is the urban neighbourhood development plan. Virtually everywhere in the country has villages and parishes with parish precepts. They have a bit of money, and they have a democratic structure—rightly so—and that includes parts of my area. But how can such plans be created in an urban area where there is no such structure? It is necessary to think imaginatively. We had the great historic priory church and the Chesterfield canal, and we said to the community, “This is why the church is here, and this is how houses have developed. The church, as an institution and as a building, formed the centre of the community.” Neighbourhood planning of that kind would transform urban environments through lateral thinking. As for funding, hopefully the Canal & River Trust might lend us a plan or put in a bit of money, because the development of the canal would obviously be in its interests.

We have recreated the old, traditional church community. Imagine how planning in this country would have developed if the same had been done in the case of great cathedrals such as St Paul's 30 years ago! Perhaps people who would visit the other place rather than here would be happy about what might have happened at St Paul's.

The ability to define community by what has historically been there—waterways, forests and churches—is fundamental to the possibility of transforming urban planning through neighbourhood development planning.

The key barrier will be money. That little impoverished community in my area around the great priory church, which was once the biggest church in the country—the end of the road through the forest, historically—has no funding itself, and has no structures for funding. We could have 30 or 40 urban neighbourhood development plans in my communities, but that would impose a huge burden on a small district council. The Government need to think about how to provide incentives, and get the models going. In Retford, for instance, the church is keen to be not just “church as building” but “church as the heart of the community”. Retford can lead the way in developing the built community around the church. Not just churches, but the many communities that have been built around those churches historically, need that kind of original thinking. That could be allowed, but the Government need to give a bit of flexibility. The powers that are local must be kept local. The Government must not overrule them.

Mark Pawsey: The hon. Gentleman is speaking with great eloquence about local powers. Would he care to tell us what happened to local powers between 1997 and 2010?

John Mann: The hon. Gentleman ought to know that neighbourhood planning had its origins in the 2003 legislation. That is how Bassetlaw got in first, and I have been around since then promoting it. The concept has been part of the planning arrangements since 2003.

I have endorsed the moves by the Government, except for the absurd one introduced on 1 March 2013 to stop all the development plans and frameworks that were in progress and delay them for three years. That was a chronic error on the part of past Ministers. I hope to hear from the Minister that the Secretary of State and the Government will not overrule neighbourhood development plans on appeal. They must send out the message that if a community takes responsibility for where its new housing and the rest of its developments should be, it will not be overruled by the Government. That could be done today; it would be a huge boost to communities across the country.

7.31 pm

Mrs Theresa Villiers (Chipping Barnet) (Con): Finding a way to build the new homes we need while ensuring that we safeguard our green spaces and protect the character and quality of life in our urban and suburban neighbourhoods is one of the biggest challenges we face in modern Britain. We clearly have to respond to the concerns of the many young people who are finding it difficult to buy or rent the homes they want in the places where they want to live. In my view, however, it is also crucial that we do all we can to protect our open spaces, which play such an important role in the towns and cities of this great country of ours. As an MP representing a constituency that includes substantial areas of green-belt land, I am very much aware of how important it is to maintain full green-belt protection. I welcome the fact that the Bill is entirely consistent with that aim. It is crucial to prevent the unrestricted sprawl of large built-up areas, to conserve wildlife habitats and to provide crucial opportunities for outdoor health and sporting activities.

Oliver Colvile (Plymouth, Sutton and Devonport) (Con): Does my right hon. Friend also acknowledge that we need to conserve the ecology of such areas, especially through the use of hedgehog superhighways?

Hon. Members: Hear, hear!

Mrs Villiers: I warmly agree with my hon. Friend's sentiment and commend his hedgehog campaign.

A number of provisions in the Bill will be helpful in delivering the new homes that we need and to which the Government are committed. We have had some helpful insight into how clauses 1 to 6 will help to strengthen neighbourhood planning and make it more effective. Establishing a register of prior approval applications for permitted development rights under clause 8 will also be welcomed, not least because of the concern felt about such rights. More visibility and transparency will be helpful in that regard. Clauses 9 to 30 look as though they will make the eye-watering complexity of some aspects of the compulsory purchase system somewhat easier to navigate. I hope that that will assist some of the major regeneration schemes.

However, a concern has been raised with me by my constituent Dr Oliver Natelson about the provisions in clause 7 on pre-commencement planning conditions, about which my right hon. Friend the Member for West Dorset (Sir Oliver Letwin) has spoken eloquently. Dr Natelson was worried when media coverage of the announcement of the Bill in the Queen's Speech indicated that obligations to carry out archaeological and wildlife surveys would be "swept away". I welcome the Secretary of State's clarification on that today, and I invite the Minister to expand on it and to confirm that clause 7 will not restrict the power of local councils to impose the planning conditions necessary to make a development acceptable, including those relating to wildlife, habitats, flooding and heritage.

I would also urge the Minister to consider an important point that is not covered by the Bill. It relates to vacant public sector land. An example in my constituency is a site in Wood Street in High Barnet that is owned by the NHS but has not been used for many years and is becoming increasingly derelict. No matter how many times I raise this with the NHS, nothing seems to happen. In my view, it should take a decision either to use it for healthcare purposes or to sell it on so that it can be used for new homes or open space.

I should like to illustrate some of the general issues underlying the Bill and its objectives by considering the situation in my Chipping Barnet constituency. Over the last five years, around 5,300 new homes have been delivered in the borough of Barnet, including more than 2,000 affordable homes. This is the biggest programme of house building in outer London, and Barnet's Conservative council plans to deliver another 20,000 homes over the next 10 years. In order to do that while conserving our precious green spaces and protecting the character of our suburban environment, the council has embarked on a number of large regeneration projects. These include four of the borough's largest housing estates, one of which is Dollis Valley in my constituency. These regeneration projects are due to deliver 7,000 new homes—4,000 more than were previously on the estates—with a mix of social rent, affordable and market rate homes to buy. Although this work started over 10 years ago, it has much in common with the council estate regeneration strategy announced by the Government in February. By 2020, it is hoped that the council will have built 500 new council homes. So far, 40 have been built but the pace of delivery is increasing.

A key consideration in relation to planning and house building, whether in national debates in Parliament such as this one or in local discussions on development proposals, is whether the local infrastructure can cope with the new demands being placed on it. Locally in Barnet, work is under way to try to deliver this in relation to the housing schemes I have mentioned. For example, 10 new or replacement schools are planned across the borough at primary and secondary level, as well as new college and university buildings. I also warmly welcomed the recent opening of the Hope Corner community centre as part of the Dollis Valley regeneration scheme in my constituency, and I thank Barnet Council and Barnet Churches Action for enabling that to happen. I am sure that the community centre will be a great asset for the many new homes that are already being delivered as part of the regeneration.

However, issues surrounding infrastructure are sometimes difficult or impossible to resolve. In my constituency, that is particularly true when they relate to local roads and transport. This was one of the many reasons I opposed the redevelopment of Cat Hill on the boundary of my constituency. It is deeply regrettable that my constituents are already suffering the negative consequences of Enfield Council's decision to grant planning permission for that project. I am also concerned about a proposal to redevelop the North London Business Park in the Brunswick Park area of my constituency. Many residents are strongly opposed to this plan, and understandably so. I try to support new homes where I can, but that application is just not acceptable. Some 1,200 new homes are proposed, including five blocks at least seven storeys high, with other blocks of up to 10 storeys high. As my constituent Gilbert Knight put it in his representations to the planning authority, this would be

"massive in scale and out of keeping with the surrounding low-rise residential areas".

Another grave concern is the proposal to create an entrance to the site from Ashbourne Avenue. A similar proposal was rejected back in the 1960s because the roads could not cope with it, and I sincerely hope that it will be rejected again for that reason. That is one of the many reasons I am resolutely opposed to this development, alongside ward councillor Lisa Rutter.

I should like to move on to some happier examples in which the planning system looks as though it will deliver new homes in a way that is much more acceptable to local residents and much more in tune with the local environment. New Barnet provides an example of how active community associations can shape the character of their local neighbourhoods, defeat plans they do not like and still deliver significant numbers of new homes. In a four-year battle, the Save New Barnet campaign group defeated attempts by both Asda and Tesco for new supermarkets in the area. Rather than just opposing the plans, residents put forward a credible and workable alternative for new homes. Eventually, both supermarket giants gave up the struggle and decided that it was best to work with rather than against the local community. New homes have been built on the Tesco site, and around 364 are now likely to go ahead on the Asda land. There are still issues to be resolved, not least in ensuring that section 106 money goes to benefit the immediate surrounding area rather than being spent further afield. None the less, this is an illustration of how a system that has a very active role for local communities is not

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incompatible with delivering new homes, which is why I thought it was appropriate to refer to it in a debate on this Bill.

In conclusion, although the Bill provides some useful improvements to a number of aspects of the planning system, there are still some important issues with which to grapple. I will leave the Minister with a few questions about the Bill and the Government's approach to delivering more homes. First, I would like his views on the calls by local authorities to be able to recover more clearly the costs of the planning process through the fees that they levy on applications made. Secondly, what further steps can be taken to ensure that landowners build the homes for which they have been given planning permission, rather than land banking them? Thirdly, what further action can be taken to help London residents to buy property in the capital and compete with investment buyers from around the world who are pushing up prices?

Finally, I wish to draw the House's attention to some picturesque fields in the northern part of my constituency in High Barnet. This is known locally as Whalebones because of the whalebone gateway that frames the entrance to the land. With its field of geese, it is a local landmark that is held in great affection. Sadly, it is now under threat from development.

In my speech this evening, I have sought to emphasise some of the big efforts that are being made to deliver thousands of new homes in my local borough through regeneration and brownfield development. We need new homes, and this Bill will help to deliver more of them. We can build them without sacrificing vital green spaces such as Whalebones. That is why I will be campaigning with determination to protect this much-loved enclave of green space, which matters so much to my constituents in Chipping Barnet.

7.41 pm

Helen Hayes (Dulwich and West Norwood) (Lab): I am pleased to have the opportunity to contribute to this debate on the Neighbourhood Planning Bill, and it is a pleasure to follow the right hon. Member for Chipping Barnet (Mrs Villiers).

I am a supporter of neighbourhood planning. Before entering this place, I spent my working life as a town planner seeking to involve and engage communities in planning policymaking. I know the benefits that come from giving communities the ability to shape planning policy and from giving that policy formal weight in the planning process. I therefore welcome the measures in this Bill, which will strengthen neighbourhood plans and neighbourhood planning. I also have concerns about several aspects of this Bill, which reflect my wider concerns about the Government's approach to planning.

We have in the UK a strong plan-led system, which allows democratically elected local authorities to lay out the basis on which applications for new development will be considered. There is no excuse for not having a plan in place or for poor performance. Last year, the Government made that system less coherent with the introduction of permission in principle, which introduces a blunt form of zoning into our finely balanced plan-led system that is capable of balancing so many different interests and concerns to get to a good decision.

I am concerned that this Bill does nothing to address the serious under-resourcing of planning departments while also giving local authorities new responsibilities to resource neighbourhood planning. Resources for local planning departments have been cut by 46% in the past five years, and the British Property Federation—not councils themselves but the private sector—identifies that this under-resource is the primary cause of problems in the planning system. During debates on the Housing and Planning Bill, I argued that councils should be able to recover the full cost of development management services through fees. I was very disappointed that the Government rejected that proposal at the time, and I hope that the new Minister will reconsider it. It is a common-sense proposal that will make a huge difference to efficient planning decision making.

Councils must also be properly resourced to support neighbourhood planning. Involving and engaging communities is resource intensive, particularly in areas where there are high levels of deprivation, but unless it is done properly we will not have neighbourhood plans that fully represent the views of the local community. Sadly, it remains the case that those in our communities who often stand to gain the most from the things that planning can deliver—for example those in housing need—are often those whose voices are not heard in debates about planning policy, and that must change.

I am concerned that this Bill proposes to water down pre-commencement conditions. Planning conditions are one of the significant levers that local planning authorities have to secure the best possible outcomes for communities. Very often, the things that form the basis for conditions are make or break issues for communities—anything from providing additional sewer capacity to the choice of bricks. Conditions should not be unreasonable, but it should remain the prerogative of the local authority to decide what conditions best protect the interests of local residents. The idea that conditions can be imposed only following the written agreement of the developer greatly underestimates the role that conditions play in ensuring good outcomes. This proposal also sets up an unnecessarily adversarial relationship between applicant and local authority where, in reality, it is best practice for the parties to come together to discuss and agree conditions through the pre-application process. I hope that the Government will reconsider this proposal.

I am concerned that the measures in this Bill relating to permitted development rights do not even begin to address the problems that are being caused by the extension of those rights to allow the conversion of offices to residential without planning consent. In London, the policy is having a detrimental effect on the supply of business space in some areas. We are also seeing new homes being delivered without regard for the physical infrastructure or public services to support an increasing population because they are not subject to section 106 agreements. We are seeing new homes being delivered without regard to minimum space standards or the types of homes that are most needed. Most importantly, we are seeing new homes being delivered with no affordable housing being provided in areas where it is desperately needed.

Instead of tinkering with the policy around permitted development rights, the Government should be radically rethinking it so that all new homes are subject to the full requirements of the planning process and developers

are not able to profit from new homes without contributing to the green space, play space, school places and medical facilities that their residents will need in the future.

Fundamentally, this is a tinkering piece of legislation when we need major reform. It is polishing the bannister when the staircase is falling down. The housing crisis is one of the most significant issues facing our country. The planning system is critical to delivering both the new homes that we need and the successful communities that we want to see. This is no less than a debate about the future of our communities for our children and our grandchildren, the kind of places that we want them to be able to live in and the quality of life that we want them to have. Properly resourced planning is a tool for delivery not a barrier—a tool for ensuring fair outcomes and high quality. Instead of this paltry Bill, the Government should be setting out a vision for planning and for involving communities in planning; bringing forward a national infrastructure commission on a statutory footing, because infrastructure is critical to the delivery of new homes; building up our plan-led system as the basis for certainty in decision making; establishing a basis in legislation for new towns and garden cities; setting a context for communities and councils to come together to plan for the future; and resourcing councils to build the genuinely affordable council homes that we so desperately need. As this Bill passes through Parliament, I hope that the Government will take the opportunity to reconsider it and to make it fit for the challenges that we face.

7.48 pm

Mr Richard Bacon (South Norfolk) (Con): It is a pleasure to follow the hon. Member for Dulwich and West Norwood (Helen Hayes). I agreed with some of the things that she said, and certainly with the emphasis that she placed on infrastructure and the need to get it right. We have a strange system in which we bring forward development as if it is a bad thing, and put in facilities—she mentioned green spaces, but there are many other things that communities want, such as health facilities and primary schools—afterwards to mitigate the “bad effects” of development. However, recognising that the words “cities” and “civic” are cognate with “civilisation”, we should be bringing forward holistic schemes that create good places in the first instance.

I disagreed with the hon. Lady, though, when she nearly made it sound as though the planning system would be almost as perfect a work of art as any rendered by Leonardo da Vinci were it not for one thing—the way that not enough taxpayers’ money was being hosed over the planning departments of this country. The hon. Member for Erith and Thamesmead (Teresa Pearce) said something similar. It seems to me that the problems are rather more fundamental.

I welcome the Bill, mainly because it gives people a local voice. I agree with all the views expressed by my right hon. Friend the Member for West Dorset (Sir Oliver Letwin); he is no longer here, so I shall not dwell on this, but I welcome the fact that the hon. Member for Bassetlaw (John Mann) is in his place. He is a great tribune of his constituents and is also the vice-chairman of the all-party group on self-build, custom and community house building and place-making, which has a longer name than any other all-party group as it is a better and more important all-party group than any other, with

the possible exception of the all-party beer group. It recognises, as does the hon. Gentleman, that the really important thing about getting the voice right is that it should be the voice of the people who are going to live in the dwellings.

The hon. Member for Dulwich and West Norwood said that the local planning system should embrace every single house, and talked about the colour of bricks as if it were a good thing that local councillors were deciding the colour of bricks. I had a conversation recently with a local house builder who had a plan for a very modern house. Naturally, he wanted a render that was appropriate for that. It was bright white. He had a conversation with his local planning officer—I am not making this up—who said, “No, no. It’s too white. It’s too stark. You shouldn’t do that,” so he asked the planning officer to look at the relevant page on the website and choose the colour. She was a little nonplussed by this, but the house builder said, “You don’t want the one that I want, so why don’t you choose one and save a lot of time?” Eventually she chose a colour, which he said he would change in due course if he did not like it. It ought not to be necessary to have such a conversation. I have met house builders who have had seven or eight choices of gutter colour refused.

Helen Hayes: In each of our constituencies, we can think of examples of developments that, because of poor finishing and poor-quality choices of building materials, blight their communities for decades. It is not a trivial point that I am making. Once something is built, it affects that community for many, many years to come. These things are important.

Mr Bacon: I agree that they are important. The best people to choose the quality of the materials, and to make sure that they are of the highest possible standard, are the people who will live in those dwellings, not somebody else working to a profit margin, which is why more self-build and custom house building will result in higher quality.

I said earlier that I agreed with the hon. Lady on the subject of the local voice. I support the Bill because we need more local voice. The fundamental problem we face is that when people oppose development, they do so not because they want to see their family in trouble or not having somewhere to live. I have yet to meet the woman who wants her daughter or granddaughter to live in a ditch, and I do not think I am going to meet that person. They oppose development because they feel that local people have no say—no voice—in what gets built, where it is built, what it looks like or who has the first chance to live there. If we change that, we change the conversation completely.

Another reason why self-build and custom house building driven by customers is so important is that instead of opposition, it is met with local acceptance. I know that the chairs of many parish councils want to see dwellings in their local areas designed by local people for local people, to help local people. Of course, that also has the benefit of helping local house builders—local small and medium-sized enterprises, rather than large combines such as Persimmon, which are interested only in the bonus pool, which will result in 150 top managers getting a £600 million bonus pot, if they do reasonably well; it will be larger than that if they do very well. That business, like the banks, has been propped

[Mr Bacon]

up by huge amounts—many billions of pounds—of taxpayers' money through Help to Buy and various other schemes. I would rather see that money going into higher-quality materials, better thermal performance and bigger spaces.

The fundamental question, which we have not been very good at answering so far, is why we have a shortage. People give different answers. We have heard about the lack of planning resource, although we have thousands of unbuilt extant planning permissions, so the reason can hardly be planning by itself. We often hear that there is a lack of land. Only 1.2% of the land area of this country is taken up with houses. The Ministry of Defence alone has 2% of the land area of the UK. There are more golf courses in Surrey than there are houses. The problem is not planning per se; it is a lack of accessible land, a lack of financeable propositions, rather than a lack of finance, and a planning model that is broken.

If we want to correct that, we need to put customers at the heart of that model—people who will live in those dwellings. The way to do that is to separate the business of placemaking—all the things that I am sure the hon. Lady would agree with: creating places that are well served, well designed, well run, well governed and well connected—from the business of building houses on infrastructure that is already in place, with well serviced plots that have all the things that we would expect, including fibre to the premises, water, gas and so on, provided by one of the many hundreds of suppliers. There is a growing market of people out there who are willing to supply the house that people want, rather than what a very small number of large companies are telling people that they want. We need to put the customer at the centre, as in all other successful markets. That is the way that we will solve the housing crisis.

7.55 pm

Mark Pawsey (Rugby) (Con): It is a great pleasure to follow my hon. Friend the Member for South Norfolk (Mr Bacon), who is an authority on housing and planning. It did not take him long to get on to self-build homes.

It is a great pleasure to participate in a debate on planning—an area in which we get only one opportunity in many generations to get it right. Once land is developed, it stays developed for many years—perhaps several hundred years, if it is housing. We need to give more thought to getting that right. Development provides economic activity, the homes that are so badly needed, better conditions and a better environment.

Since the Localism Act 2011, the role of neighbourhood planning has been well entrenched as an integral part of our planning system. I am proud that in my constituency the 100th referendum has taken place in Coton Park. That arose as my constituency is the fastest-growing town in the west midlands. I am pleased that the neighbourhood plan was developed in an urban area. It was interesting that the hon. Member for Bassetlaw (John Mann) seemed to indicate that it was easy for villages to draw up a neighbourhood plan, but more challenging for urban areas. That certainly is the case. One of the first issues for Coton Park was identifying the area that the plan would relate to. I was very proud to add my foreword to its neighbourhood plan, and I would like to learn from its experience.

It is important to understand how the neighbourhood plan came about. This was a new community with housing that was built 10 or 15 years ago. There was no established community in the area. The community came together, interestingly, to oppose a planning application for industrial use close by. It argued its case and succeeded, causing the developer to change his plans for the site. I advised members of the community that, having come together to effect that change in planning, there was a strong reason for them to remain together and produce a neighbourhood plan that would influence future development in the area. They started in 2011 with their application for front-runner status. It took them until October 2014 to submit their neighbourhood plan, which went to a referendum in October 2015 and was finally approved in December last year.

Among the many observations I have about the plan, the first is that it took too long. The process took four years, and I am concerned that the time taken on the only such plan that has been prepared in my constituency will be a disincentive to other communities. It was my hope that, the community having been a front runner and having got its neighbourhood plan in place, I would see other communities in my constituency come forward. However, only four others have done so, which is disappointing. I hope that when he responds, the Minister will talk about ways of speeding up and simplifying the process. I am pleased to see the provisions in the Bill that require local authorities to set out the nature of the support that they are able to provide to communities. That will give those communities the confidence to embark on the project.

In Coton, the community was incredibly lucky to have a number of forum members who were not in full-time employment and were able to put in the work involved in developing the neighbourhood plan. That is pretty extensive. It involves surveying the entire area, talking to residents and getting those surveys back before starting the work of drawing up the document. Perhaps the Minister will speak about the level of detail required in some neighbourhood plans. In some instances, it goes too far, which exaggerates the amount of work and time required to develop the plan.

It is certainly harder for urban areas to bring forward a neighbourhood plan, but in constituencies such as mine, where the majority of development is focused in the urban areas, rural communities often wonder why they should bother with a neighbourhood plan when it is so much easier, cheaper and quicker to develop a parish plan. Parish plans do not carry the same weight within the planning system, of course, but if development is unlikely, there is a question mark over whether a community would want to go through the substantial amount of work involved in drawing up a neighbourhood plan.

However, there are some absolutely wonderful benefits of a community undertaking a neighbourhood plan, and one of them is that it gets new people involved in the democratic process. It strengthens local democracy and brings forward people we might not otherwise see. A great example is a lady called Jill Simpson-Vince, who chaired the Coton Park neighbourhood plan team. She had never considered getting involved in local democracy, but she was persuaded, through her involvement in the community, to become a councillor. She now chairs our local planning committee. Neighbourhood plans are therefore a great way of bringing people forward.

Of course, when people get engaged in that way, they become much more receptive to development, because they can have a hand in influencing exactly what takes place. The Secretary of State spoke about this earlier. Communities that develop their own neighbourhood plan tend to take, on average, 10% to 11% more housing than they otherwise would, because they find themselves in the driving seat. To pick up on the remarks from the hon. Member for Dulwich and West Norwood (Helen Hayes), where people can shape development, they will ensure better development. Sometimes it is hard to get a community to understand what good development is. They often know what bad development is, because they have seen it, but too often they do not recognise good development when they see it. However, if they are involved in a neighbourhood plan, they will go to places to see what good development is, and they will then be able to recognise what is good in their own neighbourhood plan.

I have one negative point to make. One experience from the Coton Park neighbourhood plan is that the community at times felt a little hamstrung by the control that the local planning authority held. For example, the grant that was provided to the community to develop the neighbourhood plan was initially devolved to the local authority, which led to a feeling within the neighbourhood plan team that the local authority had a say in what they were bringing forward. If the Minister can find some way to subvert that, so that the money goes directly to those communities, we will end up with better neighbourhood plans.

I want to thank the Royal Town Planning Institute and its team of Planning Aid officials. For example, a gentleman called Bob Keith provided expertise to Coton Park. I gather that that advice and expertise is being provided from other sources. It is incredibly important that a community that is coming together to draw up a plan has someone who can offer help and assistance but is not part of the local authority.

The success of Coton's neighbourhood plan is that the team identified serious issues within their community, particularly with access roads and existing roundabouts. The area covered by the neighbourhood plan has been extended and will include Coton Park East, and the developer of the area has adopted within its planning the principles laid down in the Coton Park neighbourhood plan. I am delighted that the community has just been informed that the section 106 moneys that are coming forward from development will improve the roundabouts, which were the biggest single item that emerged from the local survey. That would not have happened without the neighbourhood plan, but it is frustrating that it took as long as it did to rectify a problem that was identified five years ago.

I am delighted that more weight will be given to neighbourhood plans as this process is developed. It means that even if the process does take time, there will be much greater regard for it, and the results will be evidence-based.

Madam Deputy Speaker, you are indicating that I should bring my remarks to a close. There is much in this Bill that is of great advantage. The neighbourhood plans system is working effectively. We just need more encouragement for more communities to take advantage of the opportunities that the Bill will provide them with.

8.5 pm

Chris Green (Bolton West) (Con): It is a pleasure to follow my hon. Friend the Member for Rugby (Mark Pawsey). Since becoming a Member of Parliament, I have found that, rather like the Secretary of State, concerns about planning are by far the most common issue that constituents raise with me, whether it is increasing pressure on local services and transport infrastructure or frustrations with the local council for failing to listen to and act on their concerns. A recent email I received perfectly captured local feelings in just four words: "Enough housing, infrastructure required".

Planning failures—everything from the daily commute, to people's children having access to a good local school, to the place where they live having a sense of community—have the greatest impact on peoples' lives. When building new houses, the focus has too often been on providing new dwellings for newcomers, with an apparent disregard for existing residents. Road networks designed for a village have to cope with the traffic of a town, plus the additional out-of-town traffic thundering through narrow streets. As the demand for housing increases, we must recognise and respond to the challenges that additional housing brings for existing residents, rather than focusing all our attention on creating new residents.

A glaring example of the failure of planning is the A5225 in my constituency, which ought to be serving the local population. Wigan Borough Council has built most of the route that goes through its borough, but Bolton Council has not followed suit. In fact, in Atherton there is a roundabout junction with massive concrete blocks showing where the A5225 should have been continued, and daily we see the problems that its absence creates. There is now a proposal for 1,700 houses to be built over the proposed route of the A5225, thus preventing its completion. That is a double failure that guarantees that road upgrades will be impossible while delivering massive and unsustainable housing development.

Hundreds of constituents replied to my online survey about congestion in Bolton West, and the vast majority of people from Westhoughton thought that a revived plan for the A5225 would be the right solution to our congestion problems. I am currently running a petition, to be presented to Bolton Council, against the proposed 1,700 houses at the Chequerbent roundabout, and it has been signed by over 1,000 local people. This development, and those proposed for Hulton and south of Atherton, will add many thousands of people and cars to the local area. Local opinion is that the council, rather than seeking to fulfil a house building quota, should be playing catch-up for the decades of missing infrastructure.

My constituency is now part of the commuter belt for Manchester, a work destination for other commuters and a place where people further out in Lancashire use the local railway stations for park and ride. That all adds pressures on the local road and rail network that do not seem to have been addressed when each individual housing project is designed and built. The pace of development for transport is lacking considerably in Bolton West. For example, I receive many complaints about the rail service and how capacity can be increased on the line, which takes people from Blackrod, Horwich and Lostock en route to Bolton and Manchester. Although I welcome the electrification that will add 281 new carriages to the local route, with an increased service of

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12% by 2019, in the longer term that will not reduce the pressure on services due to an increased population resulting from the additional housing.

I would be grateful if the Minister informed the House what discussions his Department has had with the Department for Transport on what type of housing developments are best for encouraging the use of public transport, and what conclusions have been drawn from this. The right hon. Member for North Norfolk (Norman Lamb), who is not in his place at the moment, highlighted carbon neutrality as an important part of any new development. A great problem with suburban developments and rolling suburbia is that it is very difficult to have local transport infrastructure—whether buses or railways—that works. We perhaps need to be more mindful of the need to build up and not necessarily always out.

I am pleased that the Bill includes measures to further strengthen neighbourhood planning and to give even more power to local people, but I hope that, by setting ambitious targets to build 1 million homes by 2020, the Government are not creating an environment in which councils—perhaps under pressure from developers—will disregard infrastructure requirements or the opinions of local residents. After all, the original title of the Bill, as introduced in the Queen's Speech, was the Neighbourhood Planning and Infrastructure Bill, and we should not make a decision on one without being mindful of the other.

Communities need as much certainty as possible about where and when development will take place. I am encouraged that the Bill seeks to increase transparency on the part of the local council, requiring local planning authorities to publish their policies for giving advice and assistance to people preparing or updating neighbourhood plans. At present people have little faith that their council has the bigger picture in mind when several smaller developments are approved without thought to local amenities, while a development that is as large as the sum of those smaller developments would require accompanying infrastructure support. There is much more to be done to give communities—not councils—more rights in the planning process.

8.11 pm

Iain Stewart (Milton Keynes South) (Con): It is a pleasure to contribute to the debate and to follow my hon. Friend the Member for Bolton West (Chris Green).

Let me say at the outset that I have no quibbles at all with the provisions of the Bill, which are sensible enhancements to the neighbourhood planning process. I very much support the overall principles of neighbourhood planning: it is absolutely right that local communities have the ability to shape the future size and content of development. I also accept absolutely that neighbourhood plans cannot be out of kilter with the overall strategic housing needs of a town or a wider local authority area. My right hon. Friend the Member for West Dorset (Sir Oliver Letwin) correctly made the point that neighbourhood plans have not been a nimbys' charter, and communities engage enthusiastically with them.

However, I do have some concerns, which I would like to put on the record. I am concerned that the potential for neighbourhood planning is impaired by some of the unintended consequences of wider planning

issues, and several Members, particularly the hon. Member for Bassetlaw (John Mann), alluded to that. Let me illustrate the point further with an example from my constituency.

On the southern edge of Milton Keynes is a charming little village called Bow Brickhill. It has a few hundred residents. It is a place of great civic pride and engagement. If there is a charity event to raise funds for a local facility, the residents are the ones who put together all the events to raise the money. They have engaged enthusiastically with neighbourhood planning, and many of them have devoted considerable time and energy and their own resources to developing the plans. They are far from being nimbys; in their plans, they wish to see some sensible development. They want, naturally, to preserve the semi-rural character of the village, both for its own sake and because it is one of the leisure facilities of the Milton Keynes area, with plenty of open spaces. However, the residents are now becoming confused, exasperated and, indeed, angry that the hard work they have put in may come to nothing. The problem is nothing to do with their neighbourhood plan; it is to do with Milton Keynes's ability to meet the rigid five-year supply target. Let me just put that in context.

Milton Keynes has made an enormous contribution to the number of new houses in this country. We celebrate our 50th birthday in January, and our population is already well in excess of the quarter of a million the original planners envisaged. We have developed plans, which are now being considered by the local authority, to further expand the population—potentially by as much as 400,000—over the next few decades. The National Infrastructure Commission has been tasked by the Government to look at developing the Oxford-Milton Keynes-Cambridge corridor as an economic and housing growth and a transport development project, with projects such as east-west rail and the Oxford to Cambridge expressway. I am in the top 10 electorates in the country, and at every election I contest there—I have done four now—there are more and more doors through which to deliver leaflets.

In addition, in 2013, Milton Keynes Council passed its core strategy, which will deliver 28,000 houses over the next 10 years, but they are not being developed quickly enough. I do not have time to go into all the reasons why that is the case, but we are not meeting that target. Consequently, unplanned, speculative applications for housing outside the development areas are being granted, and some of those are immediately adjacent to the village of Bow Brickhill. If they are granted, they will, effectively, render redundant its neighbourhood plan. That is why the neighbourhood is considerably concerned.

Compounding this situation is the fact that the neighbouring authority—Aylesbury Vale—had a local plan that did not get through the inspectorate. It is now working on a new plan, but in the absence of that, applications for even larger speculative developments are being put in right on the border between Aylesbury Vale and Milton Keynes. These are massive developments and would change utterly the semi-rural area around Milton Keynes.

Therefore, we have a situation in which, in a part of the country where we have expanded and want to develop; where we have enthusiastic communities that want to take part in shaping their neighbourhoods;

and where we are in line with wider Government objectives on transport planning and we are developing the Oxford to Cambridge corridor; all that planned, sustainable development is under threat because we are not meeting the rigid targets I mentioned.

I therefore simply ask the Minister to give us some space and flexibility to develop our plans, either by giving flexibility on the five-year target or by bringing in measures to speed up the delivery of already agreed housing. That would be widely applauded in the local area, and it would reignite the enthusiasm for neighbourhood planning.

8.17 pm

Geoffrey Clifton-Brown (The Cotswolds) (Con): I am grateful to catch your eye, Madam Deputy Speaker, and to follow my hon. Friend the Member for Milton Keynes South (Iain Stewart). I will be brief, as the hour is late. I have one or two things, as a chartered surveyor and declaring my Member's interests as a landowner, that I would like to say about the Bill, which I warmly welcome.

Neighbourhood planning is very important. The problem is that, in my constituency, it is not working. It is not working because I represent two local authorities, one of which has a local plan and the other of which—Cotswold—does not have a local plan, for reasons best known to itself. The result, I say to my hon. Friend the Minister, is that, in The Cotswolds, which is 80% in the area of natural beauty, we have one of the most complicated planning systems anywhere in the country. I represent over 100 towns and villages, and we do not have a single neighbourhood plan adopted, because we do not have a local plan in place. That cannot be acceptable, and I warmly welcome the Secretary of State's statement today that he will take powers in the Bill to force local authorities, that have been laggards, like mine, to get a local plan in place.

Mr Bacon: Does my hon. Friend agree with my right hon. Friend the Member for West Dorset (Sir Oliver Letwin), who said that it would be a good idea, where the planning authority does not have a local plan, for the neighbourhood plan to become, *sui generis*, the local plan for that parish?

Geoffrey Clifton-Brown: My hon. Friend has taken the words out of my mouth—I would do exactly that. We need to simplify neighbourhood plans, as we have done in this Bill. We need to give them greater weight, as we have done in the Bill.

However, there are problems even where there is a local plan in place. Stroud District Council has a local plan in place. I have a village in the very south of my constituency, which is huge—65 miles long—that has an advanced-stage, very professional neighbourhood plan, and there is also a local plan in place. However, a developer took the district council to appeal over an area right next to the cricket pitch and the village hall. The village was desperate not to develop it, but the decision was overturned on appeal. I would just say to my hon. Friend the Minister that, where there is a local plan and a neighbourhood plan in place, it should be de rigueur that the Planning Inspectorate does not overturn those plans on appeal, except in wholly exceptional circumstances.

I warmly welcome the powers to look at pre-commencement orders. As a chartered surveyor, I have advised, on an unpaid basis, on a very big development in East Anglia. Although it was designated in the local plan from the beginning, the process took five years because of the over-zealousness of the local authority. Think of all the houses that could have been built by now if the over-zealous pre-commencement conditions were not in place.

Finally, I want quickly to move on to compulsory purchase because nobody has said much about that in this debate. I spent many months sitting on the High Speed Rail (London - West Midlands) Bill Select Committee, and I have seen how HS2, as a major public acquiring authority, works. Some of the compulsory acquisitions, of which there were a very large number, were in my view over-zealous. We need to be careful about large acquiring authorities being over-zealous.

I am grateful for the provisions in the Bill on temporary acquisitions, but, equally, the requirement for such acquisitions should be tempered by what the acquiring authority needs to do on them. If it needs to demolish somebody's house, proper compensation should be paid.

I am concerned about the provision to do away with the 10-year disturbance payment. Where there is an uplift in the value of the land, even subsequently, the person whose land has been acquired gets some benefit from that uplift. I heard what my right hon. Friend the Secretary of State said about the no scheme world. In theory, that is an ideal way of valuing a property—as a chartered surveyor, I know about these things—because it ignores the uplift, or indeed the fall, caused by the scheme itself. The danger is that the acquiring authority will acquire properties too cheaply, because there will be no allowance for any hope value for potential planning permission. Given that a lot of the big schemes are near centres of population, where the land will—if not immediately, at least in due course a few years down the line—get planning permission, it seems to me that the acquiring authority is getting an unnecessary advantage.

However, I warmly welcome the provisions for compulsory purchase whereby interest can be paid and payments in advance can be made. As we saw on the HS2 Bill, all these things are desperately necessary. With those few words, I warmly welcome this Bill.

8.22 pm

Stuart Andrew (Pudsey) (Con): I am grateful for the opportunity to speak in this debate because planning has certainly affected my constituency for a good number of years. I was going to touch on the five-year land supply issue, but that has been ably covered by a number of colleagues.

My constituency is part of Leeds. It has enjoyed a great deal of prosperity and growth, but if I look at just one of the wards in my constituency, it has seen more than 1,000 homes built in it during the past few years, with very little infrastructure to support it. There is therefore a growing sense of frustration when people cannot get to work because the roads are congested, when their children cannot get into the school or when they struggle to get a doctor's appointment. As a consequence, when neighbourhood planning was first introduced, it was seen as an opportunity for communities such as mine.

[*Stuart Andrew*]

I must say, however, that in our instance there was concern right from the very outset. In its core strategy, the city council decided to build 70,000 homes during the plan period. That is an ambitious target—it will mean a considerable number of houses have to be built each year—but the problem is that that target, we believe, was based on outdated information. It was based on the 2008 population projections, which said that the number of people across the city would go up to 765,000 by 2011. The census showed us that that was wrong, with a 14,000 difference.

I am raising this matter because the city council obviously has to find sites on which to build these houses. In my constituency, all the mills and factories have gone, and we have done the right thing by building houses to regenerate those sites. However, all we have left now is the green belt. The neighbourhood plans in my areas have to conform to the strategic approach of the city council, which says that we have to build 70,000 houses. My areas have to adhere to that in the neighbourhood plans, and are therefore being forced to look at green-belt sites. They do not want to do that—of course they do not want to—and they are actively trying to stop that happening. I see a real problem because if my areas put forward such green-belt sites in a referendum, there is absolutely no way that that would get through, and we would not therefore have a neighbourhood plan.

I have asked questions time and again. I welcome my hon. Friend to his post. He will be hearing a lot from me, I am sure, over the coming months.

Gavin Barwell: I already have.

Stuart Andrew: Indeed. I extend to my hon. Friend a warm invitation to visit my constituency so that he can see the issues that we face at first hand.

Time and again, in questions and letters, I have asked about the exceptional circumstance in which the green belt can be developed and, time and again, we have been told that housing targets cannot be considered as an exceptional circumstance. However, in the neighbouring authority of Bradford—it abuts my constituency—the inspector recently said that such houses can be built because the figure is aspirational and the employment criteria allow it to happen. There is now even more concern in my constituency that when this goes to the inspector, he will say, because the figure of 70,000 has been agreed, that we can build on the green belt. That would have a terrible effect on my constituency. The green belt is there to stop urban sprawl. We do not want to be just a part of the big city of Leeds. The identifiable towns of Guiseley, Yeadon, Rawdon, Horsforth, Calverley, Farsley and Pudsey all have their own identity.

Mark Menzies (Fylde) (Con): And Rodley.

Stuart Andrew: Yes, Rodley. If I miss one out, I will be in real trouble.

I am trying to make the point that there is a willingness to make neighbourhood plans work, but when there is such a conflict with the city council, it is very difficult to introduce them. There is real concern about the green

belt, and I hope that the Minister will come to my constituency soon so that I can show him, in detail, the problems we are facing.

8.26 pm

Robert Neill (Bromley and Chislehurst) (Con): It is a pleasure to take part in this debate, and to welcome the Minister to his place. I will be comparatively brief because I endorse everything said by my right hon. Friend the Member for West Dorset (Sir Oliver Letwin) about neighbourhood plans. One of the great enjoyments of my earlier career was to work with him in developing the policy at an early stage. He is right that we did not pick up on some bits of it at the time, but the Minister and his colleagues now have a chance to finish the job.

I have two thoughts about neighbourhood plans. It is important that we push forward with them. I have been disappointed by the slow take-up in areas of outer London, for example, compared with many other parts of the country. That is why it is right to take the measures we are taking. If I may be blunt, I also have a concern that, in some cases, some of our colleagues on local government planning authorities do not always encourage the development of neighbourhood plans because, frankly, they do not want to give up the power that comes from sitting on the borough or district planning committee. That goes wholly against the spirit of what we, as a party, are trying to do. I therefore welcome such steps.

I have another practical suggestion. Currently, the Government leave a gap of eight weeks between the referendum and the making of the plan. I understand why that is done. According to the statute, it is essentially to enable the consideration of any conflict with European and human rights law. Will the Minister consider whether that gap is necessary? Eminent lawyers have suggested that it is almost inconceivable that a plan would advance to the referendum stage without those issues being considered. If we revisited that, we could probably shave another two months off the bringing of a plan into force. Perhaps we may discuss that as the Bill progresses.

The proposal on planning conditions is right. I have seen the abuse of planning conditions. To give just one example, a religious body based in my constituency wanted planning permission for a place of worship in a neighbouring authority, I am glad to say. It was hit with 24 conditions, 14 of them pre-commencement. A number of them in effect duplicated building regulation requirements, including one that undermined the exemption that the faith group has under part L of the building regulations on fuel conservation. That cannot be right and is an abuse.

There is a concern that if one appeals against a planning condition, potentially the whole permission is up for consideration by the inspector. Would it not be sensible to amend the regulations such that it is purely the condition that is appealed against that is subject to the appeal and any consideration of papers or, although unlikely, an inquiry? That would save uncertainty for the whole scheme and encourage people to move swiftly.

Geoffrey Clifton-Brown: It would speed it up.

Robert Neill: It would certainly speed things along markedly.

The planning register is a sensible and useful device. May I float another suggestion with the Minister? The Welsh Assembly Government have put the historic environmental record on a statutory footing. It might be useful to do that here so that local heritage information is available. That would avoid the risk of something being thrown up that delays the process after a good deal of investment has taken place.

Finally, I endorse all the comments made by my good friend, my hon. Friend the Member for The Cotswolds (Geoffrey Clifton-Brown), about compulsory purchase. He referred to the rates of interest. It is important that we deal swiftly with those matters. As I said to the Secretary of State, perhaps he would be prepared to meet some of us to yet again revisit the vexed issue of the inability of local planning authorities to impose planning conditions on their own land—land that they own as a landowner—that they would enforce as a local authority. Their inability to do that is bizarre. My London Borough of Bromley has ambitious schemes to drive business and business rates growth, but it is bizarre that it cannot, as an authority, put an obligation on its own land that it wishes to comply with in order to drive the rest of a scheme.

I hope that those are constructive suggestions that will make a good Bill even more useful.

8.31 pm

Craig Tracey (North Warwickshire) (Con): I am delighted that the Government are giving local people the opportunity to shape the future of their communities. Our constituents have long asked for a greater say on planning, so I welcome the fact that the Bill gives them more power and delivers on our manifesto promises.

There can be no doubt that there is a need for housing, but it is vital that it is delivered in a way that is not only sustainable, but that complements and enhances our local areas. I am therefore very supportive of the key aims of the Bill. Results are already emerging to show that the Government are right to trust our communities to develop their own neighbourhood plans. As has been pointed out, early figures indicate that the level of house building in areas that have a plan is more than 10% higher than in the council's local plan.

I will raise three matters with the Minister that are of concern to my constituents. He may be able to reassure them that they need not worry. First, I am conscious that although an acceleration in house building is required, developing a neighbourhood plan is a long drawn-out process. That means that those who are now starting on the journey and have a plan that is sufficiently developed to provide meaningful input to the local plan do not have the protections of those who have gone through the referendum phase. Clause 1 goes some way towards addressing that, but will the Minister clarify what guidance will be given to local authorities so that there is consistency in the decision-making process not only from community to community, but across all decision makers? I welcome clause 5, which sets out the support a local authority will offer those who wish to create a neighbourhood plan by way of a statement of community involvement, which should be an enabler of quicker implementation.

Secondly, sustainability should be a key consideration for any development. It is understandable that local residents show concern when consultations are put forward for sizeable developments in their area. A good example

is Dordon and Polesworth in my constituency, where 3,000 new houses have been proposed. That would have a huge impact on the infrastructure and services that residents enjoy, not least on the already creaking road network. It is important that plans are made and that residents always have an input on potential new schools, roads, doctors' surgeries and other local services. With that in mind, I ask the Minister to ensure that the provision of infrastructure and amenities is always a key consideration for local authorities when granting planning consent, and that when there is any significant house building the sustainability of the area is at the forefront of the design plans.

Finally, I wish to raise an issue of particular interest to me and to many of my constituents and those of other Members: the protection of our green belt. I am fully aware that the NPPF puts great emphasis on that, and there has been minimal development on it under the Conservative Government. However, areas such as Keresley and Fillongley in my constituency live in constant fear that a perceived demand for housing, particularly under the duty to co-operate with larger neighbouring councils, puts their green belt at risk of being developed on.

One of the key messages that I receive regularly from parish councils is that the calculation of housing needs seems to be over-inflated and does not reflect actual requirements, especially when local borough councils have met their supply targets. There is a real threat that predominantly rural areas such as North Warwickshire, which, as I have said, are annexed by much larger authorities, will be forced to develop on their green belt to meet the needs of other areas. That cannot be fair.

I must question the method of calculation. I was recently given the example of Coventry, which is seeking to take a number of properties in my constituency as it is unable to meet its own housing demand. It was calculated by the Office for National Statistics that there would be a population increase of about 79,000 in Coventry by 2031, which Coventry was unable to satisfy. Closer inspection of that number is quite revealing, however, showing that the predicted numbers of internal migration and immigration movements essentially cancel each other out, leaving the 79,000 people to come almost wholly from international immigration. As a result of the referendum in June, the Government are committed to a system of controlled immigration, so it is reasonable to assume that that number may no longer be a true reflection of need once the Brexit negotiation is concluded.

I would therefore like the Minister to consider including a further measure in the Bill: a pause on green-belt development unless there is a specific request from local residents. That would enable a review of the demand that our councils will face, which is surely difficult to estimate until the exact nature of what breakfast will look like—*[Interruption.]* I mean Brexit—somebody else got into trouble for that the other day. It is catching. It is difficult to estimate until the exact nature of what Brexit will look like is concluded. Once the green belt is developed on, it is lost for ever. We should always ensure that we have strong safeguards to protect it wherever possible.

Good development requires the developer, local people and the council to work together, and the Bill encourages dialogue to ensure that development better meets the needs of all interested parties. There should always be a balanced approach between providing the right number

[Craig Tracey]

of houses and affording our local communities the opportunity to improve their infrastructure while retaining their identity. The Bill strikes that balance by giving local people real control over their future, and I will support it tonight. However, I ask that due consideration be given to the important concerns that I have raised.

8.37 pm

Mark Menzies (Fylde) (Con): It is a great pleasure to support the Second Reading of the Bill, and it is always a great pleasure to follow my hon. Friend the Member for North Warwickshire (Craig Tracey). I do not intend to speak for more than five minutes, because I have noticed for the last hour that when Members do that, the cough of the Whip, my hon. Friend the Member for Beverley and Holderness (Graham Stuart), gets worse and worse. In the interests of preserving his voice, I will keep my contribution short.

I wish to focus on a couple of key points. First, we in Fylde are not against development. Indeed, about 6,000 houses have been developed there, mostly on greenfield land. However, Fylde is a small local authority, so 6,000 houses represent a lot of new build. We are currently working through an emerging local plan, and during the first stage, as part of an agreement, certain sites were taken off the plan and others were added. However, developers who realised that lucrative sites had come off the plan slapped planning applications on them, regardless of the will of the neighbourhood or the council. That was particularly true in villages such as Warton and Wrea Green, much to the frustration of local people. The result is an even greater number of houses than the plan started with.

I find it frustrating as a Member of Parliament that after people and the council have been asked to go along with the process of neighbourhood plans and local plans, and after they have identified suitable sites near the M55 that could be developed without controversy, developers seem to have given them the two-finger salute by putting in big applications on sites that were taken out of the plan. Everyone seems to lose out but the developers.

My main focus is on the number of sites for which planning applications have been granted yet nothing seems to have happened. There is no great reason for that—there are no infrastructure blockages or any of the other reasons outlined tonight by other Members. It is just land agents sitting on top of blocks of land with planning applications, and God only knows what is happening other than that they are trying to extract the best possible price from developers. That is not acceptable. If a site has a successful planning application and there is no good reason why it is not being developed, it should be developed to meet housing needs.

Another key point is that on many sites developers seem to be building just 30 or 40 houses a year, regardless of the market conditions. They drip them out to a steady drumbeat of 30 or 40. That makes it more difficult to deliver against the five-year housing supply number and the local council's annual build targets. Frustratingly, it does nothing to make houses more affordable for local people. The prices keep going up. The Government are being robbed of their whole aim of building more houses and making them affordable, because we are dependent

on a large number of developers who have got us by the throat. They decide how many houses enter the local supply chain, and nobody else. That is not right.

I urge the Minister to get tough with the developers. We want to build houses that are affordable and available to buy, and it should not be down to developers to dictate planning policy and tell us what ultimately is going to happen. We are the Government. We decide. This is something we care passionately about.

My other key point is that I want councils to be imaginative about provision of affordable homes, and not simply pass over responsibility to housing associations. They should not just pass the buck, pass the cash and hope it all comes out in the end. I want councils to ensure that there are more affordable homes to buy, to allow people to get on the housing ladder, have a stake in the game, feel part of their community and own part of that community. It is not acceptable for a council to say that it is building 30% affordable homes, when that provision is being made by housing associations, which are often very unresponsive to the needs of local people. Councils must understand that we as a Government want affordable homes to be owned by people, to give those people the opportunity to trade up.

I can see that the throat of my hon. Friend the Member for Beverley and Holderness is starting to go again, and I do not want to make the cough any worse. I am delighted to see the Minister in his place. I know that he is committed to housing. As an MP for a Greater London constituency he knows the pain of not being able to get on the housing ladder more than many other people in this House. I wish him well in his endeavours, but he needs to know that we on the Conservative Benches will support the Government provided that we see the Government doing everything they can to get those houses built.

8.42 pm

William Wragg (Hazel Grove) (Con): I am pleased to be able to speak on Second Reading of the Bill, which I broadly welcome. I support its main aims of making the housing market work better for everybody, helping to identify and free up more land to build homes, and speeding up the delivery of the new homes that are so badly needed in many areas of the country. Those aspects of the Bill will help to improve the planning system to make it easier to deliver the Government's ambition of 1 million new homes by the end of this Parliament.

When I arrived in the House last year a sage senior colleague advised me never to get involved in planning matters. Although that may be very sound advice on conservatories and house extensions, it is none the less our duty to ensure that we play a full role in the scrutiny of the Bill. With that in mind, it is good to see such a strong new ministerial team on the Treasury Bench; I look forward to engaging with that team constructively.

I also support the Government's manifesto commitment to encourage communities to be more engaged in neighbourhood planning, particularly as a vice-chair of the all-party parliamentary group for civic societies. Community engagement is vital; we need it to build homes and infrastructure while ensuring that that is done in a way that is sympathetic and sensitive to the wishes of local communities. In my view, that will mean that we can build more, not less, as developers and local authorities ensure communities are brought on board at

an early stage and are therefore more likely to support developments. That process is under way in Marple in my constituency.

There is no magic wand to solve the housing shortage. It will require many years of investment, hard work and difficult choices, and while Government play a role, ultimately the work is done by those building houses: the developers. To my mind, there are three ways that developers are stalling in the process to deliver the homes we need at the rate required. The first is land banking, which many hon. Members have mentioned, whereby developers buy up land, often brownfield sites suitable for building and sometimes with planning permissions already granted, but do not build on it, either because they have priorities elsewhere or because they are waiting for the value to increase.

The second issue is when developers are keen to build, but there are delays between the granting of an outline application and the submission of the full planning application. Thirdly, once planning approval has been granted, there can be delays from developers in starting construction, which can sometimes be the result of deliberate land banking, as I have mentioned. These delays cannot always be laid at the door of the planning system, which is a common cry of developers. Developers must take some responsibility themselves. However, measures from the Government to encourage developers to reduce delays are welcome, and these are contained in the Bill.

Jim Shannon (Strangford) (DUP): In Northern Ireland we have a planning system that enables social housing to be set aside in each new development for private house building. When it comes to social housing and those who cannot afford a new house but need a rented house, does the hon. Gentleman feel that some of the land in a development should be set aside for that purpose?

William Wragg: The hon. Gentleman raises an important point. That is something that my local authority in Stockport is looking at, to ensure it can use its land assets for the development of housing, so I agree with him on that.

One thing missing from the Bill, although certainly not from our debate this evening, is the issue of the green belt. We know that green-belt land is protected under the Town and Country Planning Act 1947, and it plays an important role in protecting the environment and semi-rural communities, such as the ones I represent, from urban sprawl. Fundamentally, the green belt preserves natural green land, open spaces, wildlife habitats and the character of such areas.

Although it is not currently addressed by the Bill, I am deeply concerned about the threat posed to the local green belt in my constituency by potential massive building development. For instance, the Greater Manchester spatial framework, a policy of the Greater Manchester combined authority, which my hon. Friend the Member for Bolton West (Chris Green) referred to, will determine where residential development can take place, including the release of green-belt land. The policy could threaten large areas of green belt in my constituency. I am concerned by the prospect of thousands of properties being built on previously protected land, especially in the High Lane and Marple areas of my constituency. There are significant doubts about whether already stretched local infrastructure could support such development.

Saying that, there is no doubt that we need more housing. However, the areas that should be developed first are brownfield sites, which are those areas previously used for other purposes. Stockport has many such sites that have not yet been developed for housing, and across the country it is conservatively estimated that there is enough brownfield land for the development of some 650,000 properties, making a significant contribution to the Government's target. I therefore want to ask my hon. Friend the Minister, if this is not covered in the Bill, what is being done or can be done to prioritise brownfield development and to protect green belts from over-zealous local authority plans, such as that in Greater Manchester. I can only hope that development in the green belt in my constituency will be as sparse as Members on the Opposition Benches are this evening.

8.48 pm

Fiona Bruce (Congleton) (Con): I welcome this Bill. The importance it places on neighbourhood plans validates the extremely hard and challenging work that so many of my constituents in the village of Brereton and the town of Sandbach have undertaken, in some cases over years, to develop neighbourhood plans and have them adopted. I congratulate them. Other areas in my constituency are working on their neighbourhood plans, which are vital in a constituency with distinct and individual local communities, lying as it does in a relatively large unitary council, Cheshire East, which stretches from the fringe of Greater Manchester down towards Shropshire. If localism is to mean anything, it is important that the people who live in such towns and villages have a real say in the development of their communities.

Does this Bill go far enough? I want to challenge the Minister in one or two ways.

I am pleased to hear the Minister say that neighbourhood plans will be given "proper consideration" in the planning process, that "due weight" will be given to them and that they will have full effect. However, will he clarify precisely what that means where a large principal authority still has no local plan and no agreed housing supply numbers? My constituents who have gone to the trouble of preparing neighbourhood plans are asking whether, if there is no local plan and no agreed housing supply number, their plans should have the status and strength of a local plan when planning decisions are made. That is the critical question.

Without that reassurance, my constituents—particularly those in Sandbach, who are besieged by developers and who have gone far beyond making what I believe is a reasonable contribution to housing numbers in the Cheshire East area—are saying they are becoming "very disillusioned" with the neighbourhood planning process. They quote a recent planning decision in September with respect to an area of land in Sandbach. The inspector acknowledged that the Sandbach neighbourhood plan had been adopted, but said he would not examine the application in the light of that plan. Instead, he set it against the as-yet unadopted local plan with the housing supply number as yet not agreed, which relates to the whole Cheshire East area. According to my constituents, the inspector seems to be saying that the neighbourhood plan is "an irrelevance". Will the Minister look again at strengthening the authority of neighbourhood plans where there is no completed local plan and no

[Fiona Bruce]

agreed five-year land supply, and declare that the neighbourhood plan has the weight of a local plan where there is no such plan in place?

My constituents have been encouraged by three recent appeal decisions to the Secretary of State in East Sussex, West Sussex and Bath. The Secretary of State cited local plans in the appeals and prevented developments, highlighting neighbourhood plans as a key factor in his decision. I thank the Minister for that and hope that it indicates a trend of thinking in this area.

I support the references that have been made to land banking, or, as I refer to it, permission banking. The former mayor of Sandbach, Mike Benson, wrote to me saying:

“During the Public Inquiries held in Sandbach...Cheshire East’s Head of Planning Strategy...gave evidence that in some parts of the Borough, planning permissions granted over the last 5 years”

had resulted in not one house being built in those locations. Nevertheless, appeals continue to be allowed across Cheshire East on the basis that Cheshire East Council does not have a five-year housing supply. He says:

“What would be fairer is a formula which regards the granting of permissions as the determining factor, not the number of houses actually being built.”

Will the Minister consider that as the Bill progresses? Will he also consider the fact that it is very important to ensure we balance the need for housing with the need for employment land? Businessmen in Congleton tell me that they need more employment land. We cannot afford to have our communities turned into vast commuter belts, because there are simply not the jobs for local people to work in.

I have two final points. First, it is quite clear that in some cases where developments are occurring, for example in Congleton where 4,000 houses are projected to be built in the draft local plan, we will need extra health facilities. However, Cheshire East Council officers have contacted Public Health England, which has been unable to identify any community infrastructure levy-compliant projects to which contributions could be sought for development. It is very important that the Minister liaises with his counterparts in the Department of Health to ensure that health provision projects that can be used for community infrastructure funding are in place.

If I may stretch your patience, Mr Deputy Speaker, I would like to add one further point, which relates to an issue I have been asked to raise by Cheshire East Council on the importance of guiding developments so that they avoid the most sensitive locations. I refer to a recent decision by the Court of Appeal that renders protective policies, such as green belt, green gap, wildlife conservation and Jodrell Bank safeguarding, which is critical in my constituency, as similar to “housing supply policies”. If a local authority cannot demonstrate a five-year supply of housing, such housing supply policies are deemed out of date, carrying much less weight.

I have an appeal going through now to the Secretary of State for a large development near Jodrell Bank. Jodrell Bank is concerned that having many more houses in the area will interfere with its instruments. It is a critical, individual, specific issue, and that area needs

protection. It is important that that protection is not weakened if the council is unable to resist housing in unsuitable locations. Will the Minister clarify that the Bill will ensure that such sensitive designations will not be overridden and developers’ appeals will not be allowed? Will he confirm that that will be embodied as an amendment to the NPPF?

8.55 pm

Chris Philp (Croydon South) (Con): I welcome my constituency neighbour, my hon. Friend the Member for Croydon Central (Gavin Barwell), to his place; I am delighted to see him on the Front Bench. I am also glad to see the hon. Members for City of Durham (Dr Blackman-Woods), and for Erith and Thamesmead (Teresa Pearce), fighting the fight from the Opposition Front Bench. I recall with fondness the many hours we spent this time last year on the Housing and Planning Bill Committee.

I draw the House’s attention to my entry in the Register of Members’ Financial Interests: I have a shareholding in a company that finances construction projects.

I welcome the power that the first part of the Bill on neighbourhood plans will place in the hands of local communities. I ask my hon. Friend the Minister to consider strengthening that power further in two ways. First, the preamble to the Bill says that in all but exceptional circumstances local authorities are expected to grant planning permission only in conformity with a neighbourhood plan, but if permission is granted in contradiction to a neighbourhood plan, I ask that it be made clear that it would be expected that the Secretary of State would call that in as a matter of routine, in order to create a clear incentive for local planning authorities to respect neighbourhood plans.

Secondly, is there any way to strengthen further neighbourhood plans in relation to local plans, given that neighbourhood plans will, by definition, have been passed by local referendum? The stronger they are in relation to local plans, the better. I fully accept that the local plan must be respected when it comes to total housing supply, but on questions of detail, I wonder whether the neighbourhood plan should trump the local plan, providing that it would not damage overall housing supply. The Minister will know some examples from our borough of where that might happen.

I say gently to the hon. Member for Erith and Thamesmead that pre-commencement conditions are frequently a significant problem. The bureaucracy they create ties up both the local planning authority office and developments. When I intervened earlier, I touched briefly on a couple of examples—the notorious cases of bat and newt studies. Bat studies can be done only at a certain time of year, so some developments get held up for an entire year while the bat survey gets done. As for newts, the greater crested newt is apparently an endangered species across Europe. It is not an endangered species in the United Kingdom, as the wretched creature pops up on every site for development as a potential reason for delay. If the Minister could give serious consideration to making sure that the requirements relating to bats, newts and similar creatures were proportionate and appropriate, it would help to expedite the construction of housing in our country.

I agree with the point made by the hon. Lady about resources for local planning departments. The hon. Member for Dulwich and West Norwood (Helen Hayes) also correctly pointed out that resources in those departments are under great pressure. They do not have enough officers, time or resources, and that is a real constraint on the granting of planning consents. Although I am not of course usually in favour of any taxes or fees, many developers would be willing to pay significantly higher planning fees if they were ring-fenced to fund local planning offices and attached to a particular service level—so if a planning decision were delivered within a certain time, a higher fee would be payable.

As Louis XIV's Finance Minister, Colbert, said, the art of taxation is about plucking the goose so as to produce the least possible amount of hissing; well, here is a goose that is begging to be plucked. The goose, if I may put it this way, wants to pay extra money to have these decisions made more quickly. It wants to pay more fees. That would help local authority planning departments, as they would then be properly resourced. I would be grateful if the Minister could respond to that point in his concluding remarks. I shall trespass no further on the House's time or patience, and conclude with that point.

9 pm

Kit Malthouse (North West Hampshire) (Con): Beneath the thatch and clay tiles, in the shady byways and cobbled marketplaces of North West Hampshire, people are breathing a little easier as this Bill starts its passage. I would go so far as to say that on the village hall wall, next to the portrait of the Queen and the newly hoisted portrait of the Minister with responsibility for broadband, my right hon. Friend the Member for West Suffolk (Matt Hancock), they are making space for a picture of the Minister for Housing and Planning, because he has finally taken a big step in bringing some sanity to what has previously been a gamble of a planning system.

We managed to get ourselves into a high-stakes game of poker between developers, councils, landowners and the Planning Inspectorate, and the compromise that emerged was often unsatisfactory to local residents, extremely expensive, and bureaucratic. That injected a sense of tension and an adversarial tone into the planning system, which should be constructive, in all senses of the word, and try to build the homes that we need.

The Government's great peace offering to local people was the neighbourhood plan. Nowhere has embraced neighbourhood planning as strongly as my constituency, and the string of pearls running down the A303 from Oakley, Overton and Whitchurch down to Andover. We are destined to take tens of thousands of houses there over the next 20 or 30 years. Those places are embracing neighbourhood planning as the only way that they can see of making sure that planning is done with them, rather than to them.

Notwithstanding that, some ridiculous decisions have been taken in my constituency over the last year or so. In Oakley, just seven days before the referendum on the neighbourhood plan, which had been three years in the making, the Planning Inspectorate allowed an appeal for a slab development of 80 houses, which drove a coach and horses through the plan. The community might as well not have bothered. At that stage, people in the village had already voted by post, yet they knew that permission had gone through. I am very pleased that

this Minister and his predecessor took on board the concerns of lots of Members, particularly rural Members, about the need to strengthen such plans.

I would like to raise with the Minister a couple of areas where the Bill could be given even greater strength. The interaction of the different actors I mentioned and the interaction between neighbourhood plans and local plans are absolutely key. Many Members have talked about providing some kind of stick to make sure that councils have a local plan in place. Thus far, neighbourhood plans are pretty pointless without the local plan being in place. Too many councils do not have them.

I wonder whether we could offer councils an incentive, rather than a stick. Where a village has put a neighbourhood plan together and it has been approved, where a borough has a local plan that has been approved, and where there is a five-year land supply, there should be a double lock, whereby the Planning Inspectorate has no remit. These people are playing ball. They have said, "Yes, we will take the houses. This is where we want them, and this is the size and mix we want." That has all been approved by the Planning Inspectorate, so why should a speculative developer, with an ability to pay legal fees and for hearings, and with QCs on tap, be able to come along and bully the council into reaching some kind of compromise? The council knows that if it goes to the Planning Inspectorate, the decision may not go its way, and is worried about the fines it faces if it loses. A double lock would be a way of freeing people from the man in the suit from Bristol; that would be an enormous incentive. There would certainly be a huge amount of pressure from local residents on borough councils to get a neighbourhood plan, so as to protect the residents. I put that proposal on the Minister's plate.

My second point is on getting local people to accept housing estates. Neighbourhood planning certainly makes people much more accepting of housing, but the Government's admirable starter homes scheme could be used to get even more acceptance. When starter homes are built as part of a development—I will have a huge development with lots of starter homes outside Basingstoke in my constituency—anybody from anywhere in the country can apply for them. How about we give local people a short period of perhaps 28 days after completion in which they have first dibs on the houses built in their neighbourhood? That way, the children and relatives of local people—people who can prove a local connection—could snap up those houses first. It would go a long way to getting people over the line, particularly as regards the large-scale developments I will have, if they have that incentive, on a generational basis.

My final point, which I would be grateful if the Minister could address, is on the provision of broadband in new developments. I raised the issue in debates on the Digital Economy Bill. It seems mad to me that we are not putting broadband compulsorily into new developments, as we would gas and electricity.

Kevin Hollinrake: My hon. Friend makes a fine point. When he refers to broadband, is he talking about fibre to cabinet, or fibre to premises? Is not the latter the key future-proof mechanism we need to enable properties to access high-speed broadband?

Kit Malthouse: My hon. Friend shows his customary ambition. I agree that we should make developers provide fibre to premises in all developments, particularly large

[Kit Malthouse]

ones. The Government are pumping billions into the housing industry over the next few years—rightly, because we need more houses. That will inflate the housing industry, and there will be a lot more activity and a lot more money to be made. The least developers could do is absorb the cost of putting future-proofed broadband in those houses. If we can get those measures into this great Bill, we will have something that neighbourhoods, particularly in North West Hampshire, will welcome. They will wave aloft the Bill as they hoist the Minister's portrait in the village hall.

9.7 pm

Antoinette Sandbach (Eddisbury) (Con): It is a pleasure to follow my hon. Friend the Member for North West Hampshire (Kit Malthouse), who made important points about the local development plan process, as did my hon. Friend the Member for Congleton (Fiona Bruce) and my right hon. Friend the Member for West Dorset (Sir Oliver Letwin). My constituency is a tale of two halves. The half that is in the Cheshire West and Chester Council area is protected by a local development plan. The numerous beautiful areas in my constituency that have put their neighbourhood plans in place have a protection that is not afforded to the other half of my constituency, which is in the Cheshire East Council area. Without an LDP, the neighbourhood plans do not have the same legal status. I join other hon. Members in urging the Minister to ensure that neighbourhood plans carry full protection and force.

I agree with the suggestion for an incentive. When Cheshire West and Chester Council was run by Conservatives, a proportion—10%—of the new homes bonus automatically went to the local parish council to allow it to improve amenities. I urge the Minister to consider putting that proportion in the Bill, because it allowed my local communities to make improvements to their area when they could see a direct result from new housing. For example, Tattenhall in my constituency would have used the money to build six homes for rent for local people in the agricultural community—they would have been permanent protected homes available for young people, allowing them to stay in their farming communities. Unfortunately, the council has switched to Labour control, and has swiped the whole of the new homes bonus. It will not now go to my local communities that are bearing the brunt of the housing development.

I, too, have a string of pearls in my constituency—wonderful villages such as Bunbury, Audlem, Tattenhall, Malpas and Tarporley, which developers are desperate to develop. It is vital that those communities that accept housing see a direct benefit from it. I urge the Minister therefore to consider allocating a proportion of the new homes bonus to those communities. Ten per cent. is not unreasonable, and would give an incentive to people to accept development.

On the impact on infrastructure, the Minister has heard many Members of Parliament say the same thing. A recent planning decision exempted doctors' surgeries and schools, which are statutory services, from section 106 agreements and leveraging funding from developers. This is an ideal opportunity to deal with that and allow the developers to contribute to the additional infrastructure costs that otherwise fall on the local council.

Finally, I urge the Minister to crack down hard on developers who repeatedly put in applications against neighbourhood plans, knowing that they are acting against an adopted neighbourhood or local plan. If planning permission is turned down by the local council, and the developer appeals unsuccessfully and is turned down again, I urge the Minister to consider penalty costs against them. A third of those costs could go to local councils; that could contribute towards alleviating the legal costs that they incur trying to fight these appeals. Another third could go to his Department to provide the resource that is needed for it to look at those appeals, and the final third could go to the Treasury to deal with the infrastructure impact of other developments. That would be a real win.

I urge the Minister to look at that in the Bill, because my constituents are frustrated when they see a planning process in which developers have deep involvement. They think that it is an unfair fight, with no incentive for councils to appeal against decisions or stand up to what they regard as bully developers. Not all developers are the same—we have many good developers in Cheshire—but the feeling among local people is that they are fighting a tide of applications that are swamping them. Some form of disincentive to tackle those repeated applications would, I hope, go some way towards discouraging that type of behaviour.

9.12 pm

Kevin Hollinrake (Thirsk and Malton) (Con): It is a pleasure to speak in this debate and to follow my hon. Friend the Member for Eddisbury (Antoinette Sandbach). I fully support the provisions of the Bill, and I congratulate Ministers on giving people unprecedented power over planning. It is clear that this is a power not to limit development, but to decide where properties will go and what infrastructure is required. It is a power to decide how it looks—design is a key element in persuading local communities to support new housing in their area.

I welcome the Bill's giving more weight to neighbourhood plans, which, as detailed in clause 1, will be effective earlier in the process. However, there is a conundrum, as colleagues have mentioned, but, as is not uncommon in the House, I will mention it again. A neighbourhood may have an effective neighbourhood plan that works with the numbers given by the district in its local plan, but it may not be able to demonstrate a five-year land supply. In those circumstances, would it not be appropriate to give full protection to a neighbourhood that delivers those numbers within the overall context of the local plan? That would be a great incentive for local communities to develop a neighbourhood plan and deliver the extra houses that are important to our communities and our national economy.

The neighbourhood planning process is dealt with in clause 5. Local authorities can give help, support and advice to neighbourhood planning steering committees. Some local authorities are less keen than others on neighbourhood plans, and regard them as an encumbrance. Would it be possible to provide some formal training, perhaps delivered centrally? I was delighted when my hon. Friend the Member for Henley (John Howell), who has been such an advocate of neighbourhood plans, came to my constituency to talk to local steering groups about how to develop them. As a result of his intervention, we now have some neighbourhood plans back on track.

I also think that small and medium-sized enterprises should be given more help. As we know, SME developers used to build 100,000 houses a year, whereas today they build about 20,000. They are critical to the supply element of the equation. I understand that the idea of extra financial support for SMEs has been mooted in connection with the autumn statement, because lack of finance constitutes one of their biggest difficulties when it comes to developing new homes, but another of their difficulties relates to land, and finding suitable small sites. The whole planning system seems to be stacked against SMEs. It is far simpler to build houses on allocated land than to build them on the windfall sites on which SMEs tend to develop them, but such sites are few and far between.

SMEs are important not just in terms of the number of houses that are delivered, but in terms of their contribution to local communities. They employ local people: local suppliers and local apprentices—SMEs account for a much higher percentage of penetration of apprenticeships per completion than larger developers—and local consultants as well. There are plenty of good reasons for the provision of more small sites that would be suitable for SME house builders, and there are a number of ways in which we could do that. It is frustrating that one of the local authorities in my constituency concentrates all its housing on large allocated sites, rather than spreading the load around the towns and villages for the purpose of not just sustainable development but sustainable communities.

Dr Rupa Huq (Ealing Central and Acton) (Lab): The hon. Gentleman has mentioned sustainable communities in the context of planning. Does he agree with Dame Alice Hudson, the head teacher at Twyford Church of England High School in my constituency? The school wants to expand, but feels that it is stymied by planning legislation. It has identified the site for a badly needed new high school, but at present there is opposition because of housing that will come with it. Dame Alice says that there must be a way of helping the school to provide more performance and other facilities for community use and public benefit. Does the hon. Gentleman agree with me, and with my constituent, that there should be more joined-up thinking?

Kevin Hollinrake: I definitely agree that there should be more community engagement. However, although many people in smaller villages and towns want more development, the policies of local authorities prevent that from happening, which is entirely counter-intuitive. The lack of new development puts schools, shops and public houses at risk. I wonder how we can influence local authorities and encourage them to spread the load around our smaller communities as well. Alternatively, could not a percentage of one of the larger sites—10% or 20%—be allocated to SME developers, so that they could meet some of the needs of larger communities?

Those are some thoughts for the new Housing Minister. SMEs are critical to the successful delivery of the houses that we need in the United Kingdom. However, I am happy to support the measures in the Bill and the ideas behind them.

9.18 pm

Oliver Colvile (Plymouth, Sutton and Devonport) (Con): It is a delight and a pleasure to see the Minister for Housing and Planning, my hon. Friend the Member

for Croydon Central (Gavin Barwell), sitting on the Front Bench. I have known him for 20 or 25 years, since he worked in the environmental research department of Conservative central office. He was also the special adviser in the department, and he has been following this issue for a long time.

I must declare an interest. As is shown in the Register of Members' Financial Interests, I still have some shares in a public relations consultancy which advised developers on how to obtain planning permission. I have to say that I have also worked for the opposition, notably in Fulham. However, I have a fairly good understanding of the importance of taking the local community with you to get a planning application through.

One of the best people I ever came across was a man called David Prout, who was in the Department. He was also the director of planning at the Royal Borough of Kensington and Chelsea when we were trying to do a development on what was known as the Tesco tower on the West Cromwell Road. We had failed to get planning permission, and he eventually decided that we needed to produce a master plan in order to ensure that the local community was very much engaged in the whole process. In such cases, it is important to talk not only about the design but about the other community facilities that will be made available. I therefore urge my hon. Friend the Minister to ensure that as we seek to put housing development in place, we also look at other issues such as community facilities. I shall say more about design in a moment.

I am the chairman of the all-party group for excellence in the built environment, and we have just published an important piece of work on the quality of housing. I am pretty unique—[HON. MEMBERS: "Hear, hear!"] I am pretty unique on the Conservative Benches in that I represent a totally inner-city seat. The only piece of countryside in my constituency is the Ponderosa pony sanctuary, which, to be honest, is just a rather muddy field. However, I have a large amount of parkland, which was developed by the Victorians and is absolutely wonderful. What is so super about it is that it has space and the settings of the properties are absolutely brilliant.

We need to recognise that if local authorities grant planning permission, that should not be the end of the matter. They must also ensure that the developers produce the development for which they have been given the planning permission. All too often, companies build up land banks but do not do anything with them. I therefore urge my hon. Friend the Minister to consider a proposal whereby a local authority could charge a developer business rates if it had not produced the development, having got people's expectations up. Developers should not be allowed to have property sitting around doing nothing. It is not good enough simply to get planning permission; getting the property developed is the most important thing. That is what we on this side of the House will be judged on.

We also need to ensure that we have good-quality design. I have a lot of new build in my constituency, thanks to the party opposite. When Labour was in power, it provided a lot of money for new development down in Devonport. I have to say that I am appalled by some of that development. There is brown mould on some of the buildings, and I hear stories of windows and doors that do not fit. The other day I even heard of

[*Oliver Colvile*]

an instance of sewage going in underneath the floorboards. That is not good enough. This is one of the reasons that I am looking forward to talking to my hon. Friend the Minister about the all-party group's report. We must ensure that we have better-quality buildings, rather than shoddy developments that could become the slums of the future. We need to have quality in our design as well as quantity.

I also want to encourage the Government to consider ways of getting local authorities to appoint someone to review the quality of the building and design in their area. I have been very lucky. I went to the most beautiful school in the whole country: Stowe. It has the most beautiful Palladian architecture; it is absolutely fantastic. I am not arguing that we should have Palladian architecture throughout the whole country—well, I probably am, actually—but we need to ensure that the volume house builders do not simply build the same factory-produced developments all over the country. I am passionate about this. It is vital that we give people a sense of belonging in their communities, and we need to ensure that we have quality development that will also deliver good community facilities such as doctors surgeries and village halls. It is vital that neighbourhood planning should be done in the round, rather than in isolation.

9.24 pm

Dr Roberta Blackman-Woods (City of Durham) (Lab): I thank all Members—they were mostly Government Members—who have contributed to this debate. They did an excellent job speaking up for their constituencies and the various planning issues that affect them, and extolling the virtues of neighbourhood planning. My hon. Friend the Member for Bassetlaw (John Mann) also did an excellent job in explaining how important neighbourhood planning was to his constituency and the need for local plans to refer to it. I was also grateful to my hon. Friend the Member for Dulwich and West Norwood (Helen Hayes) who, as always, pointed out exactly what was wrong with the Bill, what needs to be improved and how we need to support planning more effectively.

I am rather surprised to be speaking again on planning legislation so soon after our proceedings on the Housing and Planning Act 2016. After all, the ink is barely dry on the paper. However, as there have been six pieces of planning legislation in the past six years, I perhaps should not be that surprised.

The Minister said that he wants to have shovels put in the ground, but I am not sure that this is the Bill to do it. Indeed, the Bill is much more interesting for what is not in it than for what is. I am not sure whether it represents—in the words of the Secretary of State earlier—“action on many fronts”. In fact, his own colleagues came up with quite a substantial list of things that should have been in this Bill. They thought that there should be something about infrastructure and how it could be funded effectively to underpin developments and something about carbon-neutral housing. They felt that local plans should have a strong relationship with neighbourhood plans, or that neighbourhood plans should trump local plans, and that there should be a green-belt review. There was some suggestion that there should be a statutory footing for local plans and deadlines

for their delivery. There were other suggestions that the Bill should cover broadband in developments, the use of vacant public sector land, how to protect hedgehogs, how to pluck geese, how to repeal applications, how to use fees more effectively, land banking and permission banking, the failure to address Brexit, and a call-in procedure for neighbourhood plans. Those were just some of the issues that were raised, so there is a lot to be addressed by the new Minister, whom I welcome to his post. I look forward to working with him in Committee on improving the Bill.

We strongly welcome the measures to strengthen neighbourhood planning. We all agree that communities should be at the heart of development and that development should start with our neighbourhoods. Any measure that will strengthen neighbourhood planning should be welcomed. Too many people think that planning is done to them, and we need to return to a much happier place in which communities feel that they and their representatives have some control over planning.

There are a few issues about neighbourhood planning that I hope to address in Committee. We need to look at whether it is being properly resourced, and whether the links to local plans are strong enough. We welcome the opportunity of a planning register that will allow for better scrutiny of permitted development and, in particular, the scale of use of permitted development. The Government Front-Bench team will know that we have a long-standing objection to permitted development being used for the delivery of housing in this country. Indeed, we would not need a register if we did not use permitted development in the way that it is used, as all homes would have to go through the planning process properly, and there would be some control of the infrastructure that supports them and the quality and standards of the properties being built. However, as the Government are using permitted development, it seems sensible for a register to be in place.

One of our main bugbears with the Bill is that it does not sufficiently recognise the difficulties that local planning departments are facing as a result of the lack of resources to carry out their responsibilities. Ministers would be living in a cupboard if they did not know that right across the housing and planning sector, developers large and small, a large number of agencies and planning departments are saying that the lack of resource for planning departments is the major spanner in the works for delivery. Since 2010 spending on planning by local authorities has almost halved, from £2.2 billion in 2010 to £1.2 billion last year. The Royal Town Planning Institute, the Local Government Association, the Town and Country Planning Association and the British Property Federation have all pointed to the fact that greater expectations must mean greater support for planning, yet the opposite is happening. Planning fees are vital to plug the gap.

Geoffrey Clifton-Brown: Would the hon. Lady support greater flexibility for each local authority to be able to set its own planning fees to meet its own circumstances, and possibly to allow higher fees to give accelerated results?

Dr Blackman-Woods: Indeed. That was one of the amendments that I tabled to the Housing and Planning Bill when it was going through the House. Alas, it was rejected by the then Housing Minister. It was interesting

to hear the same point being made earlier in our discussion. I am pleased if Conservative Members are coming round to our view that planning departments should be able to set fees at full recovery level.

On a more positive note, we welcome the measures to streamline compulsory purchase orders. The new Ministers must have been studying their copy of the Lyons review. We argued strongly there that CPOs were not fit for purpose and needed to be streamlined. I am pleased to see those measures in the Bill but, again, they could be improved.

I want to spend a minute or two on pre-commencement planning conditions, which is the area of the Bill on which we will probably have most discussion in Committee. I am pleased that the right hon. Member for West Dorset (Sir Oliver Letwin) is in his place. He criticised pre-commencement planning conditions at length, yet I have a list from a development taking place in my constituency and I cannot see what is wrong with any of these conditions. The developers have to provide samples of materials. The development is in a conservation area, so that is important. They have to provide full details about bats. Well, we must protect bats. There must be noise mitigation and notice of demolition.

Gavin Barwell: The hon. Lady gives the example of notice of materials. I can entirely see why that is a legitimate issue if the development is in a conservation area, but why must that be settled before a spade goes into the ground and the groundworks start?

Dr Blackman-Woods: That is a question that I would like the Minister to put to his constituents. People surrounding new developments very much want to know what the development looks like, what the quality of the build will be, what materials are going to be used and whether they fit into the surrounding landscape. If he is serious about neighbourhood planning and giving people a say over what happens in their area, pre-commencement planning is important. Some of the measures could lead to more delays in the planning system, rather than speeding it up, which I think is what the Minister is trying to do.

Kevin Hollinrake: The hon. Lady mentioned landscape. One of my SME developers was required to submit a landscape scheme before starting on the development itself, as a pre-commencement condition. Does she not see that some of these conditions are completely inappropriate?

Dr Blackman-Woods: The problem is that we do not know why the local authority required that particular condition. It could have been worried that no plan might ever be produced.

John Mann: I recall that when I was knocking down and rebuilding a wall, for which I required planning permission, I was expected to provide a sample of brick in advance, from the wall that I had not yet taken down because I did not have planning permission. Is there not the potential for some compromise between the two sides on this?

Dr Blackman-Woods: Certainly not is the answer to that question—absolutely not.

In conclusion, we think that it is a real pity that the Bill does not contain more about infrastructure and how to deliver garden cities and new towns, but we look forward to having those discussions with the Minister in Committee. We do not intend to divide the House tonight, but we will see what happens in Committee.

9.36 pm

The Minister for Housing and Planning (Gavin Barwell): This has been an excellent debate, with contributions from 18 colleagues on the Government Benches. My right hon. Friend the Member for West Dorset (Sir Oliver Letwin) and my hon. Friends the Members for Congleton (Fiona Bruce), for Milton Keynes South (Iain Stewart) and for The Cotswolds (Geoffrey Clifton-Brown) got to the heart of the matter: the interaction between neighbourhood plans and local plans, and particularly the issue of the five-year land supply. We will want to return to that issue as the Bill goes through Parliament.

We should be honest that there is a tension here. On the one hand, clearly we cannot expect our constituents to put a huge amount of work into neighbourhood plans if they do not hold weight in certain situations. On the other hand, if there is a local authority that either does not have a plan, or that has a wholly deficient plan that does not meet housing need in its area, any Member of this House who cares as passionately as we do about building the homes this country needs cannot allow such a situation to persist for years and years. That is a difficult issue, and I think that the suggestion of a mix of carrots and sticks is probably the right way to address it.

Sir Oliver Letwin: Does my hon. Friend think that there is at least a potential for the NPPF to be used as the reference point under those circumstances?

Gavin Barwell: I certainly do, and I think that there are ways we could look at addressing the issue, either through the Bill or through policy changes. I am very conscious of what the problem is, and I am sure that we can work together to find a solution as the Bill goes through.

My right hon. Friend the Member for Chipping Barnet (Mrs Villiers) spoke passionately about the green spaces in her constituency. She also sought reassurance on pre-commencement conditions, which I can provide. The consultation paper states:

“This measure will not restrict the ability of local planning authority to propose pre-commencement conditions that may be necessary—for example, conditions in relation to archaeological investigations or wildlife surveys.”

So there is protection there.

My hon. Friend the Member for South Norfolk (Mr Bacon) spoke with his customary passion about the importance of custom build. My hon. Friend the Member for Rugby (Mark Pawsey) asked about support for groups producing neighbourhood plans. We have made £22.5 million available between 2015 and 2018. I can reassure him that that money will go directly to the groups doing the relevant work.

My hon. Friend the Member for Bolton West (Chris Green) said that the view of his constituents was, “Enough housing, infrastructure required.” I half agree with them; it is absolutely right that we must get a much better linkage between the provision of infrastructure in return

[Gavin Barwell]

for taking more housing, but I cannot agree that we have enough housing in this country. We need more housing, but the infrastructure must go with it.

My hon. Friend the Member for Pudsey (Stuart Andrew), who is such a fantastic advocate for his constituency, spoke with passion about the difficulties it is facing. It is certainly the case that neighbourhood plans must be consistent with the relevant local plan, but he tested the issues in relation to the green belt. If he will forgive me, I cannot talk about the particular plan, because it may well cross my desk at some point, but if I can talk in the generality, we would expect inspectors to test the figure for objectively assessed need and to test whether the circumstances in which an authority seeks to change green-belt boundaries meet the test in the NPPF, which is that they should be exceptional circumstances.

Dr Huq: The Minister mentioned green-belt de-designation, and I just wondered whether he had any thoughts on metropolitan open land. Twyford C of E High School in my constituency, which I mentioned, has identified a new site—a disused Barclays sports ground—but the school is tied up in knots because of the land's status.

Gavin Barwell: Metropolitan open land is a status that is specific to Greater London, but it holds the same weight, effectively, in Greater London as green belt. If the hon. Lady were to consult the London plan, similar circumstances should apply in terms of its de-designation.

My hon. Friend the Member for Bromley and Chislehurst (Robert Neill) showed his huge experience in this area in his contribution. He made a number of constructive suggestions, which we will certainly look at.

My hon. Friend the Member for North Warwickshire (Craig Tracey) raised issues around the calculation of assessed need and in particular in relation to migration. The population projection figures do assume a fall in migration. While migration is clearly a factor, about a third of household growth nationally is due to net migration, so even if there were no migration into the country, there would still be significant pressure for more housing.

My hon. Friend the Member for Fylde (Mark Menzies) made two very powerful points. The first was about build-out rates. As a Government, we want to listen to developers and to address evidenced concerns about things that are slowing up development, be it pre-commencement conditions, the time it takes to agree section 106 agreements or concerns about utilities. However, if we do all those things, I think we have a right to turn to the development industry and ask what it is going to do to raise its game in terms of the speed with which it builds out. My hon. Friend also made another critical point, which is that, when we talk about affordable housing, yes, council and housing association housing are a part of that, but what most of our constituents want is a home that is affordable to buy, and he was absolutely right to stress that.

My hon. Friend the Member for Hazel Grove (William Wragg) made the powerful point that this problem is going to take time to solve. There is no quick switch that anyone can throw to deal with it. He rightly wanted to hear more about what we can do to focus development

on brownfield land. The Act that received Royal Assent earlier this year set up the principle of brownfield registers, where local authorities will set out clearly the brownfield land that is available in their areas and suitable for housing development.

My hon. Friend the Member for Croydon South (Chris Philp), and Opposition Members as well, referred to resourcing for planning departments, and that is something the Government have consulted on. As part of the White Paper, we will want to come forward with a response to that consultation.

Mims Davies (Eastleigh) (Con): Are we going to intervene in the case of indolent councils that claim they have the right resources but continually fail to provide a local or a neighbourhood plan, which we will certainly not see until the end of next year at the earliest? Can we bring in a planning inspector sooner?

Gavin Barwell: The Government have signalled that we will intervene early in 2017, potentially, on councils that do not have local plans in place. The Secretary of State talked about that issue and about our determination to take it forward.

My hon. Friend the Member for North West Hampshire (Kit Malthouse) raised the critical issue of broadband, and I hope I can provide him with some reassurance on it. We have legislated through the building regulations to require that, from January 2017, all new buildings, including homes and major renovations, include in-building physical infrastructure. We are also legislating to introduce a new broadband universal service obligation to ensure people can request an affordable connection at a minimum speed from a designated provider. There are therefore measures in place, and I am happy to discuss them with him and to check that they reassure him on that vital issue.

My hon. Friend the Member for Eddisbury (Antoinette Sandbach) talked about the importance of incentivising communities by seeing a proportion of the uplift in land value going back to the community. I do not know whether her council has adopted the community infrastructure levy, but if it has, there is a proportion—15%—that goes to the local area, and that increases to 25% if the relevant local community has a neighbourhood plan.

My hon. Friend the Member for Thirsk and Malton (Kevin Hollinrake) made an absolutely vital point about the importance of small sites. If we want to get small builders involved in greater numbers, it is about not just financing but releasing small sites.

Finally on the Government side of the House, my hon. Friend the Member for Plymouth, Sutton and Devonport (Oliver Colvile) made the absolutely critical point that this is about quality as well quantity, and that if we build beautiful buildings, it will encourage communities to go for growth.

Turning very briefly to the Opposition, there is no doubting the passion of Labour Members in addressing our housing problems, but several things were said that show their policy prescriptions sometimes do not match such ambition. I entirely understand concerns about permitted developments, but it is worth putting on the record that we have had over 11,000 permitted development applications. We do not know the number of homes

involved—we want to collect data on that—but reform of permitted developments has made a significant contribution to increasing the housing supply.

We have also heard concerns about the duty to co-operate. I know that that is difficult, but for a core urban area that cannot meet all its housing need, it is vital that surrounding areas play their part. Getting rid of the duty to co-operate might mean not providing the housing we need in such areas.

Finally, concerns were raised about planning conditions. The shadow Secretary of State asked for data, and I have had time to dig some out. A survey of small and medium-sized builders carried out by the National House Building Council reported that 34% of them were concerned about the time to clear conditions and 29% of them were concerned about the extent of those conditions, so there is real evidence of concern on that issue.

In conclusion, last week the Secretary of State set out the first step in our plan to get this country building the homes it desperately needs. This Bill is the second step. We entirely accept that it is not on its own a solution to the problem and, later in the autumn, we will publish a White Paper. However, the fact is that for years and years we have not built enough homes in this country. The consequences for the ability of young people to get on to the housing ladder have been dramatic: 50% of 45-years-old owned their own home by the time they were 30, but only 35% of 35-years-old owned their own home by the time they were 30 and the projection is that only 26% of 25-years-old will own their own home by the time they are 30. This Government are determined to build a country that works for everyone, and critical to that will be creating a housing market that works for everyone. The Bill is an important step in a wider plan to deliver that critical ambition for the future of this country.

Question put and agreed to.

Bill accordingly read a Second time.

NEIGHBOURHOOD PLANNING BILL (PROGRAMME)

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

That the following provisions shall apply to the Neighbourhood Planning Bill:

Committal

(1) The Bill shall be committed to a Public Bill Committee.

Proceedings in Public Bill Committee

(2) Proceedings in the Public Bill Committee shall (so far as not previously concluded) be brought to a conclusion on 1 November 2016.

(3) The Public Bill Committee shall have leave to sit twice on the first day on which it meets.

Proceedings on Consideration and up to and including Third Reading

(4) Proceedings on Consideration and any proceedings in legislative grand committee shall (so far as not previously concluded) be brought to a conclusion one hour before the moment of

interruption on the day on which proceedings on Consideration are commenced.

(5) Proceedings on Third Reading shall (so far as not previously concluded) be brought to a conclusion at the moment of interruption on that day.

(6) Standing Order No. 83B (Programming committees) shall not apply to proceedings on Consideration and up to and including Third Reading.

Other proceedings

(7) Any other proceedings on the Bill (including any proceedings on consideration of Lords Amendments or on any further messages from the Lords) may be programmed.—(*Heather Wheeler.*)

Question agreed to.

NEIGHBOURHOOD PLANNING BILL (MONEY)

Queen's recommendation signified.

Motion made, and Question put forthwith (Standing Order No. 52(1)(a)),

That, for the purposes of any Act resulting from the Neighbourhood Planning Bill, it is expedient to authorise the payment out of money provided by Parliament of:

(a) any expenditure incurred under or by virtue of the Act by a Minister of the Crown, a person holding office under Her Majesty or a government department, and

(b) any increase attributable to the Act in the sums payable under any other Act out of money so provided.—(*Heather Wheeler.*)

Question agreed to.

Business without Debate

DELEGATED LEGISLATION

Ordered,

That the Renewable Heat Incentive Scheme (Amendment) Regulations 2016 (S.I., 2016, No. 718), be referred to a Delegated Legislation Committee.—(*Heather Wheeler.*)

ADJOURNMENT (FEBRUARY)

Motion made, and Question put forthwith (Standing Order No. 25),

That this House, at its rising on Thursday 9 February 2017, do adjourn until Monday 20 February 2017.—(*Heather Wheeler.*)

Question agreed to.

ENVIRONMENTAL AUDIT COMMITTEE

Ordered,

That Rory Stewart be discharged from the Environmental Audit Committee and Dr Thérèse Coffey be added.—(*Bill Wiggin, on behalf of the Committee of Selection.*)

COMMITTEE OF PUBLIC ACCOUNTS

Ordered,

That Harriett Baldwin be discharged from the Committee of Public Accounts and Simon Kirby be added.—(*Bill Wiggin, on behalf of the Committee of Selection.*)

School Admissions Code

Motion made, and Question proposed, That this House do now adjourn.—(Heather Wheeler.)

9.49 pm

Stephen Hammond (Wimbledon) (Con): I am grateful to you, Mr Speaker, for selecting me to speak on this matter this evening, some 13 months after I first raised it. Although the issues I intend to raise affect only a relatively small number of children, if they were resolved positively or we heard a positive response from the Minister tonight, it would undoubtedly improve the life chances of thousands of children in this country every year.

The definition of a summer-born child is one who is born between 1 April and 31 August. The key point at issue is that children must enter education on the September after their fifth birthday. Although many children are ready to do so, some are not. While no two summer-born or premature children have exactly the same needs, they face many common challenges: shortened attention span, delayed motor development, underdeveloped emotional maturity, smaller physical stature and ongoing medical issues. A wealth of academic research shows that summer-born children as a group lag significantly behind their older peers. Empirically and instinctively, it is easy to see why that is the case. With a gap of almost a year between the youngest and the oldest in a school year, it is unsurprising that the development of the youngest can be held back significantly.

The Minister will know that in 2014, his Department produced a study that showed that at the end of the first year in school, two thirds of summer-born children failed to meet the minimum standards in reading, writing, speaking, maths and other developmental skills. That compares with less than a third of those born between September and December.

Children who are the youngest in the year are disproportionately likely to report bullying and lower levels of self-confidence, and their overall satisfaction at school is significantly reduced. There has also been a higher incidence of diagnoses of attention deficit hyperactivity disorder and autism among summer-born children. Most of the experts I have met believe that most of those diagnoses are the result of the child struggling from being placed in school too soon, being comparatively immature and struggling developmentally, rather than their suffering from the condition.

Almost exactly a year ago, but somewhat later at night, I was lucky enough to hold a debate on exactly the same subject, which I know the Minister will remember. I made three requests of him with regard to the admissions code. First, although I accept that there is no statutory barrier to a child being admitted outside their normal cohort, there is, as he knows, no right for the parents to insist or appeal. Secondly, several local authorities were insisting that although a child's entry could be delayed, they would have to join year 1 and miss reception. Equally, some authorities said that although a child could delay entry by a year throughout their primary education, at secondary school level they would force the child to join their non-delayed cohort. The child would therefore start secondary education having missed a year of education. Finally, he will remember that I brought up the issue of prematurity in the context of summer-born children.

Most local authorities now allow summer-born children to start school a year later. However, many still demand a very high level of expert evidence for doing so. That is a barrier that many parents simply cannot pass. Most summer-born children are three and a half when their parents have to start applying for schools and decide when they should enter. That does not give much time for the experts, however skilled, to gauge a child's strengths and needs. At that stage, the parents, who have assessed the child from birth, are probably in a better position to assess and make a decision about what is best for their child. At that early stage of a child's life, parents have a real understanding of the abilities of their child and can judge whether they need extra time to develop.

Tim Loughton (East Worthing and Shoreham) (Con): My hon. Friend is making a strong case, which I firmly support. The Minister announced last year his intention to amend the school admissions code. Does my hon. Friend share my disappointment that nothing has happened since? I have had various constituents chasing me, and I chased the Minister by writing to him on 6 July. Only last week I received a reply from Lord Nash, stating that the Department is giving the matter careful consideration and will announce its plans shortly. Is it not just taking too long? Another year of children starting school in September has been missed.

Stephen Hammond: I had hoped that progress might have been better, but it would be unfair on my hon. Friend the Minister to say that nothing has happened. He has met me on several occasions and pushed the case.

My hon. Friend could almost have been reading my speech, because I was about to remind the Minister of the issues that I raised last year, which I wish to raise with him again this evening. First, following that debate, he wrote a helpful letter to local authorities. The only problem is that a postcode lottery has developed. Some local authorities have been receptive to his letter, have taken the point that there is going to be a consultation, and have therefore looked to apply flexibility to when a child should enter school. That has been very good news for a number of parents. Unfortunately, many other authorities have said, "Well, that is just a letter from the Minister, and a consultation may happen at some stage in the future," but have taken absolutely no notice. In the past two days I have had emails flooding in from people across the country sharing radically different experiences.

Secondly, as my hon. Friend the Member for East Worthing and Shoreham (Tim Loughton) said, we need the timetable for the changes to the code. That would lead to the end of the postcode lottery, but more importantly it would allow parents some certainty in planning their child's future.

Jim Shannon (Strangford) (DUP): The hon. Gentleman brought this subject to Westminster Hall a short time ago, and I supported him then and do so again tonight. We are all concerned about the angst of parents and pupils, and the educationalists—the teachers themselves—want to do away with the rigidity in the system and bring flexibility. Is that not what the Minister should do after tonight—bring about flexibility for everyone?

Stephen Hammond: I was grateful to the hon. Gentleman for taking part in the debate this time last year, and I am grateful to him for being here again this evening. What he describes is indeed what I want, and I think it is what the Minister wants. We are here to gently push the Minister slightly further in the right direction, slightly faster.

My third point is that, as the Minister will know, one real problem is that when local authorities agree to a child's entry being delayed, they do not all allow that child to remain with the same cohort through their whole educational life.

Finally, I want to make the case once more that in the consultation the Minister should consider using a premature child's due date for admissions rather than the date on which they were born. That would be a simple change but would change many children's lives.

Following last year's debate, the Minister helpfully wrote to local authorities up and down the country setting out the Government's intention to amend the school admissions code to provide some more flexibility, which we would all like to see. Following that letter, a number of authorities, including Wandsworth, Cumbria, Liverpool, Yorkshire, Devon and even my own local authority of Merton, have been much more generous in allowing parents to choose when their child should start school. That has been a huge relief for parents and made a difference to a number of children, and I thank the Minister on their behalf. A parent from Hertfordshire wrote to me explaining that their local authority had made some quick and simple changes to admissions, which had allowed their premature child to start a year later.

I know from emails sent to me over the past month, however, that parents up and down the country are still experiencing a problem, as many local authorities are reluctant to change their policy until they are forced to do so by the Minister and the Department, and we see the change to the code. That is leading to the postcode lottery I described earlier, whereby whether someone's child has the opportunity to reach their full potential depends on where someone lives—

10 pm

Motion lapsed (Standing Order No. 9(3)).

Motion made, and Question proposed, That this House do now adjourn—(Heather Wheeler.)

Stephen Hammond: I have heard examples of councils refusing to change their policy, or of children being allowed to start a year later but then being forced to skip year 7 in secondary school. I have seen local authorities still continue to place a huge burden of proof on parents in order to authorise their child starting a year later. As the Minister will know, academies operate their own admissions policy; although many have bought into the spirit of his letter, many also operate a policy that contributes to that postcode lottery.

Inevitably, the choice of school and of whether to delay entry are stressful for parents, especially those who see the problem of developmental delay for their children and wish to do the best for them. I urge the Minister to act as quickly as possible to provide some certainty to parents of summer-born children, particularly as many people will be about to make applications for

next year. Those parents are weighing up whether to enter their children for reception now or to wait. That is a very difficult decision for parents, so I ask the Government to look at bringing forward the consultation rather more quickly.

The Minister will know that many local authorities will not give certainty to a child's education even if they agree to a delay. It is absolutely key that he provides that certainty, particularly as some local authorities grant a delay but then force a child to enter year 1 rather than reception, or to go to year 8 at the end of year 6, rather than year 7. Again, if he could indicate that he intends to bring forward consultation on the code, that would be very helpful.

Finally, it is clear to me—I have made this case before—that a premature child's due date should be used for admissions, rather than their birth date. Since my last Adjournment debate on this topic, a team at the University of Bristol has published research that looked at school exam and test results for children born prematurely, from key stage 1 all the way through to GCSEs. The team found that prematurity impacts on educational performance, and the effect is most dramatic in the early years. For those who are born extremely prematurely and fall into the wrong year group the gaps in attainment are even more pronounced.

Many premature children and their parents face challenges and difficulties throughout their lives. The simple change I am asking for could make a massive difference to those children's educational attainment. The Minister will know that that change is fully supported by Bliss, a fantastic charity that has been working on this issue for a while. I thank Bliss for its campaign, and I hope the Minister will listen to Bliss tonight.

This is the second time that I have been grateful for the opportunity to raise these matters in the House. I think the problems are similar to those I raised last year. I am grateful for the letter the Minister wrote, but am hopeful that he will be able now to confirm the timetable, and say that the consultation will start soon and that he is prepared to accept these changes to the admissions code. I urge him to spell out how, in the interim, he intends to make sure that the postcode lottery resulting from his first letter can be done away with, so that parents making decisions now will have some certainty.

If we are successful tonight and these changes go ahead, we will improve the lives of thousands of children. They will be happier, more confident, more academically successful and more likely to reach their full potential.

10.4 pm

The Minister for School Standards (Mr Nick Gibb): Thank you, Mr Bercow—Mr Speaker, rather; I beg your pardon. I am still recovering from Question Time earlier today.

I congratulate my hon. Friend the Member for Wimbledon (Stephen Hammond) on securing this debate on the admission of summer-born children, and pay tribute to him for leading the campaign to ensure that summer-born children and those born prematurely have the best and most appropriate start to their education. Yet again, he made a compelling case. I welcome this opportunity to explain the Government's position, and to provide an update on next steps. I share his concerns about this issue, and would like to reassure him that we

[Mr Nick Gibb]

have been considering how we can take forward the changes announced last year to summer-born children's entry to school.

As my hon. Friend is aware, admission authorities must provide for the admission of all children in the September following their fourth birthday. We know that most parents are happy for their children to go to school at this point, confident that they are ready for the classroom. Parents are, however, not obliged to send their child to school until they reach compulsory school age, which is the start of the term after their fifth birthday or, to be precise, the prescribed day after they turn five. Where parents feel their child is not ready to start school before compulsory school age, there are flexibilities in the system that enable them to defer the date on which their child is admitted to school until later in the reception year, or to arrange for them to attend on a part-time basis until they reach compulsory school age.

Where parents of a summer-born child want their child to start school at the age of five, as the law enables them to, their child will start school at the point when other children in their age group are moving up from the reception class to year 1. Like my hon. Friend, many parents have concerns, which I share, that starting formal schooling in year 1 and missing the essential teaching that takes place in the reception class may not be right for their child. Where parents would like their child to start school in the reception class at the age of five, they must currently make a request for them to be admitted out of their normal year group. The admissions code requires the admission authority to make decisions on such requests based on the circumstances of the case.

We have already made improvements to support summer-born children. In December 2014, the Government strengthened the code to make it clear that all decisions must be made in the child's best interests. In making that decision, the admission authority is required to take into account the views of the headteacher of the school concerned, as they are best placed to advise on which age group at their school the child is best suited to. The code also makes it clear that admission authorities must take into account the wishes of parents, alongside other information relating to the child's development—any relevant medical history and, in the case of premature children, whether they would have fallen into the lower age group if born at the expected time.

The Government amended the code and revised the non-statutory guidance on the admission of summer-born children to ensure transparency for parents and the best outcomes for children. The new code and guidance provide more information for both admission authorities and parents on how the process should work, emphasising that decisions should be made in the best interests of the child.

Unfortunately, in spite of that change to the code, parents and admission authorities still occasionally fail to agree on what is in the best interest of the child. I have been concerned for some time about the number of cases in which it appears that children are still being admitted to year 1 against the wishes of their parents. As a consequence, these pupils are missing out on the essential early teaching of reading and arithmetic that takes place in the reception class. There are also concerns

that some children who are admitted outside their normal year group are later expected to miss a year and move up, against their parents' wishes, to join the other children of the same age range, as my hon. Friend pointed out.

Another issue, which my hon. Friend raised this time last year, is the admission of children who were born prematurely in the summer term. I agree that the potential problems that may be experienced by some summer-born children would probably be more likely for a premature child, born in the summer, whose expected date of birth was September or later. As my hon. Friend is aware, last September we announced our intention of making a further amendment to the admissions code to ensure that summer-born children could be admitted to reception at the age of five, if that was what their parents wished, and to ensure that those children were able to remain with that cohort as they progressed through school.

We made this announcement last year so that schools and local authorities were aware of the policy direction when making decisions on the cases before them. It is very welcome that some local authorities have now changed their policies on deferring entry to school and have become more flexible in agreeing to parental requests, in line with the policy intention explicitly set out in my open letter of 8 September last year to parents and local authorities. Nevertheless, as my hon. Friend pointed out, the admission of summer-born children continues to be a problem in some parts of the country. We need to do more to help parents, particularly those with genuine concerns about their child's readiness for school.

Since our announcement last year, I know many parents throughout the country have been waiting for the change to come into force. I understand that it is frustrating, but it is important that we take the time to consider carefully how best to implement the change, and how the new arrangements will be put in place. We will support summer children in the best way we can, but it is important that we also consider the wider impact of any policy changes. It would clearly not be right for every summer-born child to delay starting school until they are five, as many will be ready to take on the challenges of formal schooling earlier. In developing this policy, we want to make sure that parents have the information that they need to make informed decisions about their child's education. We also need to ensure that parents do not use the flexibilities as a mechanism by which to gain an unfair advantage in the admissions system by applying for a place in the reception class of their preferred school for when their child is four, and again for when their child is five. Furthermore, while we want to provide admissions flexibility where it is most needed, we also want to ensure that we do not create unintended consequences for the early years sector.

We have been considering all these issues carefully as we develop the policy. In particular, we have carried out work on the likely cost of full implementation. First indications show that the costs are high. These are, however, based on a limited amount of information on why parents might choose to defer their summer-born child's admission to school. This is why we are starting to collect more information and data before making a decision on how to roll out any changes. I know my hon. Friend has a particular concern about the problems faced by some premature children and their readiness

for school. I hope I can provide some reassurance that we will also be considering how best to support those children in any future changes.

I am grateful to my hon. Friend for raising this important issue today. I hope he is reassured to know that we have been driving this policy forward and ensuring the detailed work is being carried out on the arrangements we might put in place to support parents of summer-born children.

Stephen Hammond: Much of what the Minister has said is very helpful in adding detail. I am particularly interested in the cost analysis. My understanding is that headteachers think that while there would be a cost for movement between years, the overall cost would not be particularly excessive. I shall look at the analysis with interest. He says he is driving the policy forward. Can he give some indication of when he expects to either have the consultation or change the code?

Mr Gibb: We want to make sure that we have done all the research necessary to determine the extent to which parents will take advantage of new flexibilities. Some

local authorities have looked seriously at the letter I sent them and are being very flexible in their approach to the parents of summer-born children. We will look to see what comes out of that experience in determining the likely take-up of those flexibilities by parents of summer-born children, which will then drive the analysis of the costs. The costs may well be neutral to a school, but may not necessarily be neutral to the system as a whole, if children stay in early years provision for longer than they would otherwise have done and therefore spend an extra year in the education system.

We are carefully considering the issues and collecting data on them, which will drive how we determine this policy. I hope that my hon. Friend is reassured that we are driving policy forward and ensuring that the detailed work is being carried out on the arrangements that we might put in place to support parents of summer-born children and to ensure that they do not feel pressured to send their children to school before they are ready.

Question put and agreed to.

10.15 pm

House adjourned.

Written Statements

TREASURY

Monday 10 October 2016

Lloyds Banking Group: Government Shares

CABINET OFFICE

Overseas Electors

The Parliamentary Secretary, Cabinet Office (Chris Skidmore): I am pleased to publish the Government's plans setting out how we will deliver on our manifesto pledge to remove the current 15 year time limit on British citizens who live abroad registering as overseas electors.

Our proposals will give all British citizens who have lived in the UK a lifelong right to vote in parliamentary elections. They will ensure that all eligible overseas electors are able to register to vote and renew their registration in a convenient and timely fashion while maintaining the integrity of the electoral register and guarding against fraud. The policy will allow British citizens previously resident in the UK but who were not previously registered to vote, or had registered more than 15 years ago, to register as an overseas elector.

The publication of the policy will allow the expatriate community and those with technical electoral expertise to comment. Our aim is to have implemented the policy ahead of the next scheduled parliamentary elections.

The costs of implementing the policy are well within my Department's spending review bid and funding will in due course be available for local authorities in line with the Government's new burdens doctrine.

This is one of a number of proposals to make sure our democracy works for everyone. The Government are also encouraging registration in under-registered areas, equalising constituencies, and looking at what can be done to improve access to anonymous registration for those escaping domestic violence.

I am placing a copy of the policy statement in the Libraries of both Houses.

[HCWS166]

CERT-UK: Transfer of Functions

The Minister for the Cabinet Office and Paymaster General (Ben Gummer): Further to the Government's statement of March 2016, the transfer of CERT-UK (the Computer Emergency Response Team, UK) functions and staff to the new National Cyber Security Centre has now completed. CERT-UK has ceased operating and will be closed. The new centre, which will open publicly over the coming months, is part of GCHQ and will be the UK's authority on cyber security. More information on the National Cyber Security Centre will be set out in the Government's National Cyber Security Strategy which will be published later this year.

[HCWS167]

The Chancellor of the Exchequer (Mr Philip Hammond): Further to the statement provided to the House on 4 December 2015, today I can inform the House that the trading plan to sell the Government's shares in Lloyds Banking Group has been re-started. This is a further step in the Government's plan to return Lloyds to the private sector.

I received advice from UK Financial Investments (UKFI) that selling shares through the trading plan represents good value for money for the taxpayer. This sales method has been very successful previously, achieving over £9 billion of sales between December 2014 and June 2016. In total, we have recovered over £16.9 billion for the taxpayer from Lloyds through sales and dividend payments.

The trading plan commenced on 7 October 2016 and will run for a year. Shares will not be sold below a floor price that HMT has determined delivers value for money for the taxpayer and ensures that the Government will get back all of the £20.3 billion that taxpayers injected into Lloyds during the financial crisis. The actual number of shares sold under the trading plan will depend on market conditions.

I can also announce the withdrawal of the Lloyds retail offer. At the current share price, the retail offer would be extremely unlikely to recoup all the money the taxpayers put into the bank. Our plan will get back all the cash taxpayers invested in Lloyds during the financial crisis and leave the bank in a better place to continue the crucial role it plays in supporting individuals, families and businesses up and down the UK.

I will update Parliament with further details at the end of the trading plan.

[HCWS170]

International Monetary Fund: Bilateral Loan

The Chief Secretary to the Treasury (Mr David Gauke): Today, the UK completed the signing of a new bilateral loan commitment to the International Monetary Fund (IMF), valued at 9,178.2 million SDRs, equivalent to £10.278 million using exchange rates on 7 October 2016. This bilateral loan replaces one of the same value, which came into effect in February 2016 (HCWS542). UK lending to the IMF remains within the limit set by the International Monetary Fund (Limit on Lending) Order 2010, which came into force on 22 July 2010.

The new loan is part of a global initiative to ensure that the IMF is well-resourced. It is vital at this time that we have an IMF equipped to strengthen the resilience of the global economy against risks and uncertainty. The UK is one of the first countries to sign a new bilateral loan with the IMF, maintaining its leading role within international institutions and in the world economy.

The SDR is the unit of account used by the IMF. Its value is calculated daily as a weighted average of the US dollar, euro, renminbi, yen, and pound sterling.

[HCWS173]

DEFENCE

Military Operations: European Convention on Human Rights Derogation**The Secretary of State for Defence (Michael Fallon):**

Over the past decade a series of court judgments have extended the reach of the European convention on human rights to combat zones. This extra-territorial jurisdiction was never envisaged by the convention's authors.

While the courts have been seeking to reconcile the convention with the long established law of armed conflict (or international humanitarian law), our military personnel have been engaged in operations overseas in support of the international community. They have had to do so in the face of growing legal uncertainty and an unprecedented level of litigation, much of it fuelled by a small number of law firms. In addition to the millions of pounds this litigation has been costing the taxpayer, the resulting uncertainties have been distressing to many current personnel and veterans, and military advice is that there is a risk of seriously undermining the operational effectiveness of the armed forces.

It is for these reasons that the Government through a range of measures are implementing the manifesto commitment to ensure our armed forces overseas are not subject to persistent legal claims that undermine their ability to do their job.

I am today informing the House that before embarking on significant future military operations, this Government intend derogating from the European convention on human rights, where this is appropriate in the precise circumstances of the operation in question. Any derogation would need to be justified and could only be made from certain articles of the convention.

In the event of such a derogation, our armed forces will continue to operate to the highest standards and be subject to the rule of law. They remain at all times subject to UK Service Law, which incorporates the criminal law of England and Wales, and international humanitarian law (the law of armed conflict including the Geneva conventions) wherever in the world they are serving. Therefore any credible allegations of criminal wrongdoing by members of the armed forces will continue to be investigated, and prosecuted within the service justice system.

Meanwhile the Government will continue to work tirelessly to uphold international humanitarian law in armed conflicts and to ensure that the appropriate, time-honoured balance between military necessity and humanitarian concerns—as enshrined in the Geneva conventions—continues to govern armed conflicts throughout the world.

This announcement is an important part of our plan to deliver our manifesto pledge including limiting the length of time that claims can be brought against the Government; strengthening the penalties for firms who engage in vexatious practices; and to reducing the financial incentive for law firms to pursue spurious claims.

[HCWS168]

Veterans Advisory and Pensions Committees: Triennial Review

The Parliamentary Under-Secretary of State for Defence (Mark Lancaster): The Ministry of Defence is required to review their non-departmental public bodies at least once every three years to ensure that they have regular independent challenge.

I am today announcing the outcome of the Triennial review of the Veterans Advisory and Pensions Committees (VAPCs). The review examined whether there is a continuing need for the function provided by the VAPCs and concluded in two stages. The first stage examined the key functions of the VAPCs and the second stage ensured that the body is operating in line with the recognised principles of good corporate governance.

The review concluded that the VAPCs continue to provide valuable impartial advice to both myself and Veterans UK, part of Defence Business Services. In addition, the VAPCs continue to play an important role in furthering the interests and needs of veterans, not least of which is the result of the establishment of forums under the armed forces and community covenants, which continue to generate significant contribution from the public sector, local authorities and military units. Thus the VAPCs are able to sustain clear and relevant value for a range of stakeholders.

[HCWS172]

EXITING THE EUROPEAN UNION**General Affairs Council: 20 September 2016**

The Minister of State, Department for Exiting the European Union (Mr David Jones): The General Affairs Council on 20 September was chaired by the Slovak presidency and held in Brussels.

GENERAL AFFAIRS COUNCIL

The General Affairs Council on 20 September discussed the October European Council; follow up to the June European Council; mid-term review of the multiannual financial framework; and the European Commission's annual work programme 2017.

A provisional report of the meeting and the conclusions adopted can be found at:

<http://www.consilium.europa.eu/en/meetings/gac/2016/09/20/>.

Preparation of the European Council (20-21 October)

The Council was presented with the agenda for the October European Council. It is due to discuss migration, trade, and external relations with Russia. The Government made clear that while we remained a member state of the EU, the UK would continue to contribute fully in the preparation of the European Council and advance positions in line with our national interest.

Follow-up to the June European Council

The Council also discussed the conclusions of the June European Council, focusing on migration, jobs, growth and investment, and external relations. Member states called for more practical ways to implement European Council conclusions.

Mid-Term Review / Revision of the Multiannual Financial Framework

The Commission presented its proposal for the mid-term review of the multiannual financial framework 2014-20. The proposal is intended to increase flexibility in the EU budget, focusing on the economy, security and migration. The presidency confirmed this will be a standing item on the General Affairs Council agenda until agreement is reached.

Commission Annual Work Programme 2017

The Commission presented the 2017 letter of intent. During an exchange of views the UK stated that the Commission should prioritise the single market, the digital single market and migration. We also made clear any proposals on defence issues would need careful scrutiny and should not duplicate NATO. The presidency stated its intention to present the Commission with a letter outlining the overall views of member states for it to consider when finalising the 2017 Commission work programme.

Sir Julian King's appointment

Sir Julian King has been appointed as European Commissioner for the Security Union. He secured the European Parliament's endorsement when it voted in favour of his appointment on Thursday 15 September. The Council of the European Union gave its approval at the General Affairs Council on Tuesday 20 September. Sir Julian replaces Lord Hill following his resignation in July this year.

[HCWS169]

HOME DEPARTMENT

Contingencies Fund Advance

The Secretary of State for the Home Department (Amber Rudd): The Home Office requires an advance to start recruitment of the director general of the Office for Police Conduct. This advance is to cover recruitment costs only, as the successful candidate will take up their post following Royal Assent of the Policing and Crime Bill.

Parliamentary approval for additional resources of £15,000 for this new service will be sought in a supplementary estimate for the Home Office. Pending

that approval, urgent expenditure estimated at £15,000 will be met by repayable cash advances from the Contingencies Fund.

[HCWS171]

WORK AND PENSIONS

Employment and Support Allowance

The Secretary of State for Work and Pensions (Damian Green): I would like to update hon. Members on the main item of business undertaken by my Department since the House rose for conference recess.

When people claim Employment and Support Allowance (ESA) and/or Universal Credit (UC) due to a health condition or disability they are required to take part in Work Capability Assessments (WCA) on an ongoing basis to confirm their eligibility. This includes people with the most severe health conditions or disabilities, even though we already know from their initial WCA, and from healthcare professionals, that, short of medical advances, their condition is unlikely to improve.

On 1 October, I announced that that we will stop reassessing people with the most severe health conditions and disabilities. This change will apply to people who have already been placed in the ESA support group or UC limited capability for work and work related activity categories following a WCA and who have the most severe health conditions and disabilities (defined as claimants with severe, lifelong, often progressive and incurable conditions, with minimally fluctuating care needs, who are unlikely to ever be able to move closer to the labour market and into work). The IT changes needed are expected to be completed by the end of 2017. In the meantime, we will be working to ensure these people are not reassessed unnecessarily.

Over the coming months we will work with key stakeholders, including disabled people, disability charities, our health assessment provider, the Centre for Health and Disability Assessments, medical professionals and others to develop a set of criteria, set out in guidance, to switch off reassessments for those that are eligible.

[HCWS174]

Petitions

Monday 10 October 2016

PRESENTED PETITION

Petition presented to the House but not read on the Floor

Implementation of the 1995 and 2011 Pension Acts

The petition of residents of Derby North,

Declares that as a result of the way in which the 1995 Pension Act and the 2011 Pension Act were implemented, women born in the 1950s (on or after 6 April 1951) have unfairly borne the burden of the increase to the State Pension Age; further that hundreds of thousands of women have had significant changes imposed on them with little or no personal notice; further that implementation took place faster than promised; further that this gave no time to make alternative pension plans; and further that retirement plans have been shattered with devastating consequences.

The petitioners therefore request that the House of Commons urges the Government to make fair transitional arrangements for all women born in the 1950s (on or after 6 April 1951) who have unfairly borne the burden of the increase to the State Pension Age.

And the petitioners remain, etc.]

[P001763]

The petition of residents of Derbyshire South,

Declares that as a result of the way in which the 1995 Pension Act and the 2011 Pension Act were implemented, women born in the 1950s (on or after 6 April 1951) have unfairly borne the burden of the increase to the State Pension Age; further that hundreds of thousands of women have had significant changes imposed on them with little or no personal notice; further that implementation took place faster than promised; further that this gave no time to make alternative pension plans; and further that retirement plans have been shattered with devastating consequences.

The petitioners therefore request that the House of Commons urges the Government to make fair transitional arrangements for all women born in the 1950s (on or after 6 April 1951) who have unfairly borne the burden of the increase to the State Pension Age.

And the petitioners remain, etc.]

[P001764]

OBSERVATIONS

CULTURE, MEDIA AND SPORT

Closure of Lancashire's Libraries and Museums

The petition of residents of Hyndburn,

Declares that local libraries in the borough of Hyndburn should not be closed.

The petitioners therefore request that the House of Commons urges the Government to take action to prevent the closure of libraries in the borough of Hyndburn.

And the petitioners remain, etc.—[Presented by Graham Jones, Official Report, 20 July 2016; Vol. 613, c. 929.]

[P001704]

Observations by The Secretary of State for Culture, Media and Sport (Karen Bradley):

The Public Libraries and Museums Act 1964 (the Act) makes it a statutory requirement that every local authority provides a comprehensive and efficient library service. Local authorities must determine how best to provide a comprehensive and efficient public library service for local people, within available resources.

The Act requires the Secretary of State to superintend, and promote the improvement of, the public library service provided by local authorities in England, and to secure the proper discharge by local authorities of the functions in relation to libraries as conferred on them as library authorities.

Public libraries are a valuable resource for all members of the public. There is a strong library service in England, with 3,076 public libraries and £713.9 million invested by Councils in 2014/15. In the same year there were 224.6 million visits to libraries and 190.9 million book loans in England.

Further, public libraries have the ability to support the transformation of individuals, communities and society as a whole. The range of outcomes they help to achieve is substantial and varied. However, in response to the challenges they face public libraries are modernising and innovating to stay relevant and meet the changing demands of their communities.

Our support of public libraries is why the Government and the Local Government Association established the Libraries Taskforce in 2015. The Taskforce has already published Toolkits and case studies to assist local authorities and consulted on a draft vision for public libraries, "Libraries Deliver: an Ambition for Libraries in England 2016—2021". It is expected that this will be finalised and published soon, and will provide a range of practical and innovative options local authorities can deploy to maintain and transform library services. The Government wants local authorities to work with us and their local communities to consider the options available and ensure library services are sustainable for the long term.

Lancashire County Council has been considering library service changes for some time. In January this year the Council undertook a four-week consultation, about proposals and to gather information on how the library service was being used. The proposals included reducing the statutory service from 74 static libraries to 34 libraries. Following consideration of the feedback, the Council issued a second consultation which closed on 14 August. This included proposals to deliver 44 libraries in its statutory public library service, comprising of 37 staffed and resourced libraries, together with seven unstaffed satellite libraries where people could use self-service counters.

The proposed service was to include six mobile library vehicles, a home library service, and the virtual library service.

Lancashire County Council also noted interest from some communities in taking responsibility for buildings and / or taking over the running of a service which the Council no longer proposed to maintain. It invited expressions of interest as part of the consultation.

The Council has considered the feedback to this consultation and revised proposals that included provision of 39 fully staffed and five satellite libraries were put to and agreed by the Council Cabinet on 8 September.

The Council intended to close three libraries in Hyndburn - Clayton-le-Moors, Oswaldtwistle Library and Rishton Library. Clayton-le-Moors and Oswaldtwistle due to close on 30 September, with Rishton to close between 1 October and 30 November 2016.

Council officers are currently considering the viability of business cases submitted by volunteers to take on the running of each of these libraries and are due to report to the Council Cabinet at its meeting on 6 October. Should the business cases be deemed viable we understand Independent Community Libraries may be established at these locations.

The Department has recently received representations raising concerns that Lancashire County Council may, as a consequence of the changes to its public library service, fail to provide a comprehensive and efficient library service. The representations are being treated as a formal complaint under section 10 (1) (a) of the Act and the Minister for Civil Society has therefore written to Lancashire County Council to inform them. The Department will seek relevant information regarding the proposed changes to the library services, to enable my careful consideration as to whether a local inquiry is necessary to resolve any real doubt about the Council's compliance with its statutory duty under the Act.

Restoration of the Wellington Monument in Taunton Deane

The petition of residents of Taunton Deane,

Declares that the current condition of the iconic Wellington Monument, established to commemorate the Battle of Waterloo, is in a desperate state of repair and is consequently unsafe; further that the 200th anniversary of its building will be celebrated in 2017; further that the closing off of this national cultural landmark is restricting community engagement and the recreational enjoyment of local residents; and further that its current condition is an unfitting memorial to one of our greatest war heroes, The Duke of Wellington.

The petitioners therefore request that the House of Commons urges the Government to provide funding to restore the Wellington Monument to a safe and stable condition so it may be re-opened to members of the public.

And the petitioners remain, etc.—[Presented by Rebecca Pow, *Official Report*, 20 July 2016; Vol. 613, c. 928.]

[P001702]

Observations by The Secretary of State for Culture, Media and Sport (Karen Bradley):

The National Trust is responsible for the Wellington Monument having acquired it in the early 1930's. They are committed to the future of the monument and the repair option they plan to undertake will safeguard it for future generations.

The Monument was built in several stages and to varying degrees of quality, so the need for, and cost of, a longer-term solution for the monument has long been a challenge for the National Trust. In order to understand the causes of the deterioration and develop a repair plan the National Trust have already invested significant professional time and over £150,000 in surveys, this has included costing and evaluating several repair options.

Their estimate for the total cost of a repair project, which will include engaging the local community and wider public, is £4 million. To fund this, the Trust is planning to submit a first round application to the Heritage Lottery Fund this year. They are also in discussions with the War Memorials Trust and are hoping to apply for funding at the end of December.

Both the Government and the National Trust recognise that local people are keen to see the monument repaired. In addition to this petition, the National Trust have started an online survey to find out more about what people would like to do at the monument and how they might be involved. Of the 100 people who have completed it so far, more than 95% say they strongly agree with the monument being repaired, despite the steep cost.

Currently, 40,000 people visit the Monument each year. The National Trust want to use the project to ensure many more people can benefit. They want to work with the local community so they can take more ownership and provide opportunities for training and volunteering in addition to programmes of activity and events.

WALES

Welsh Assembly Oath or Affirmation

The petition of Gruffydd Meredith,

Declares that there should be an option for new Welsh Assembly members to swear an oath or make an affirmation to the people of Wales instead of to a monarchy and/or crown; further that there should still be an option for new Welsh Assembly members to swear an oath or to make an affirmation to a monarchy if they so wished; further that this would provide a fairer choice for new elected representative which would be a better reflection of the broad scope of view in society; further that there is no requirement for members of the Northern Ireland Assembly to take any oath or affirmation but instead requires that members take a Pledge of Office; further that this proposed similar choice for Wales is important for Welsh political plurality and fairness; and further that an online petition on a similar matter has been signed by over 1,000 individuals.

The petitioner therefore requests that the House of Commons makes the necessary amendments to any present or draft legislation which governs the taking of oaths and the making of the affirmation to ensure that new Welsh Assembly members have the option to swear an oath or make an affirmation to the people of Wales rather than to a monarchy and/or crown.

And the petitioner remains, etc.—[Presented by Kevin Brennan, *Official Report*, 20 July 2016; Vol. 613, c. 927.]

[P001701]

Observations from The Secretary of State for Wales (Alun Cairns):

The Oath of Allegiance sworn by Members of the National Assembly for Wales is a promise to be loyal to the British monarch, and their heirs and successors. Members of the Northern Ireland Assembly have the option to take a Pledge of Office instead of an oath to the monarch. This is as a result of the specific historic and political circumstances in Northern Ireland. There are no plans to change the requirement for members of the National Assembly for Wales.

Ministerial Corrections

Monday 10 October 2016

TRANSPORT

Rail Services: Overcrowding

The following are extracts from Questions to the Secretary of State for Transport on 15 September 2016.

13. **Diana Johnson** (Kingston upon Hull North) (Lab): What steps he is taking to reduce overcrowding on passenger rail services. [906369]

The Parliamentary Under-Secretary of State for Transport (Paul Maynard): This Government are making the biggest investment in our railways since the Victorian era, enabling more trains and longer trains to operate on many of our busiest routes. More than 563 new carriages are planned to enter service by the end of 2020.

[Official Report, 15 September 2016, Vol. 614, c. 1028.]

Andy McDonald (Middlesbrough) (Lab): The service on Southern is officially the worst in the country, and passengers have endured appalling overcrowding for far too long. Removing hundreds of services a day has served only to exacerbate overcrowding on the services that survive. When will the Secretary of State bring to an end the misery of long-suffering passengers and intervene, or does he agree with the former Rail Minister, who effectively said that there are no circumstances that would warrant Govia Thameslink Railway being stripped of this franchise?

Paul Maynard: I am sure the hon. Gentleman will welcome the fact that more than two thirds of the services that were taken out of the timetable have now been put back in again. Our focus is on restoring normality to the service and putting the interests of passengers first. The service is improving on a regular basis, with more services returning to the full timetable, and I will focus on that to make sure that we get back to the full timetable.

[Official Report, 15 September 2016, Vol. 614, c. 1029.]

Letter of correction from Paul Maynard:

Errors have been identified in the responses I gave to the hon. Members for Kingston upon Hull North (Diana Johnson) and for Middlesbrough (Andy McDonald) during Questions to the Secretary of State for Transport.

The correct response should have been:

The Parliamentary Under-Secretary of State for Transport (Paul Maynard): This Government are making the biggest investment in our railways since the Victorian era, enabling more trains and longer trains to operate on many of our busiest routes. **Since 2010, more than 563 new carriages have been brought into service in England and Wales, and a further 5,032 are planned to enter service by the end of 2020.**

The correct response should have been:

Paul Maynard: I am sure the hon. Gentleman will welcome the fact that **one third of the services** that were taken out of the timetable have now been put back in again. Our focus is on restoring normality to the service and putting the interests of passengers first. The service is improving on a regular basis, with more services returning to the full timetable, and I will focus on that to make sure that we get back to the full timetable.

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