

PARLIAMENTARY DEBATES

HOUSE OF COMMONS
OFFICIAL REPORT
GENERAL COMMITTEES

Public Bill Committee

AGRICULTURE BILL

Thirteenth Sitting

Tuesday 20 November 2018

(Morning)

CONTENTS

New clauses under consideration when the Committee adjourned till this day at Two o'clock.

No proofs can be supplied. Corrections that Members suggest for the final version of the report should be clearly marked in a copy of the report—not telephoned—and must be received in the Editor’s Room, House of Commons,

not later than

Saturday 24 November 2018

© Parliamentary Copyright House of Commons 2018

This publication may be reproduced under the terms of the Open Parliament licence, which is published at www.parliament.uk/site-information/copyright/.

The Committee consisted of the following Members:

Chairs: SIR ROGER GALE, † PHIL WILSON

- | | |
|---|---|
| † Antoniazzi, Tonia (<i>Gower</i>) (Lab) | † Harrison, Trudy (<i>Copeland</i>) (Con) |
| † Brock, Deidre (<i>Edinburgh North and Leith</i>) (SNP) | † Hoare, Simon (<i>North Dorset</i>) (Con) |
| † Chapman, Jenny (<i>Darlington</i>) (Lab) | † Huddleston, Nigel (<i>Mid Worcestershire</i>) (Con) |
| † Clark, Colin (<i>Gordon</i>) (Con) | † Lake, Ben (<i>Ceredigion</i>) (PC) |
| † Davies, Chris (<i>Brecon and Radnorshire</i>) (Con) | † McCarthy, Kerry (<i>Bristol East</i>) (Lab) |
| † Debbonaire, Thangam (<i>Bristol West</i>) (Lab) | † Martin, Sandy (<i>Ipswich</i>) (Lab) |
| † Drew, Dr David (<i>Stroud</i>) (Lab/Co-op) | † Stewart, Iain (<i>Milton Keynes South</i>) (Con) |
| † Dunne, Mr Philip (<i>Ludlow</i>) (Con) | † Tracey, Craig (<i>North Warwickshire</i>) (Con) |
| † Eustice, George (<i>Minister for Agriculture, Fisheries and Food</i>) | † Whitfield, Martin (<i>East Lothian</i>) (Lab) |
| † Goodwill, Mr Robert (<i>Scarborough and Whitby</i>) (Con) | Kenneth Fox, Anwen Rees, <i>Committee Clerks</i> |
| | † attended the Committee |

Public Bill Committee

New Clause 11

Tuesday 20 November 2018

(Morning)

[PHIL WILSON *in the Chair*]

Agriculture Bill

9.25 am

New Clause 10

ANNUAL ASSESSMENT OF FUNDING FOR PURPOSES

“(1) The Secretary of State must report on funding for each purpose listed in section 1.

(2) A report under subsection (1) must be made for each financial year and must be laid before both Houses of Parliament no later than 31 October in the financial year following the financial year to which the report relates.

(3) The first report shall be made by 31 October 2019 and shall relate to funding in the 2018-19 financial year.

(4) A report under this section must record, on the basis of best data available—

- (a) the total sum of funding allocated to each purpose in section 1,
- (b) the source of any element of funding under subparagraph (a) which comes from public funds, and
- (c) the sums from each source under subparagraph (b).

(5) The Secretary of State must include in each report under this section—

- (a) a statement of their opinion on whether any sum recorded under subsection (4) is sufficient to meet their policy objectives in relation to each purpose; and
- (b) a statement of the Secretary of State’s intentions if, in their opinion, a sum recorded under subsection (4) was not sufficient to meet their policy objectives in relation to a purpose.

(6) For the purposes of this section, “funding” includes any payment, grant, loan or guarantee.”—(*Dr Drew.*)

This new clause would require the Secretary of State to report annually on the funding allocated to each of the purposes of the Bill, on its sufficiency to meet policy objectives and on the Secretary of State’s intentions if in their opinion funding for any purpose was not sufficient.

Brought up, and read the First time.

Question put, That the clause be read a Second time.

The Committee divided: Ayes 6, Noes 8.

Division No. 22]

AYES

Chapman, Jenny	McCarthy, Kerry
Debonnaire, Thangam	Martin, Sandy
Drew, Dr David	Whitfield, Martin

NOES

Clark, Colin	Harrison, Trudy
Dunne, Mr Philip	Hoare, Simon
Eustice, George	Stewart, Iain
Goodwill, Mr Robert	Tracey, Craig

Question accordingly negatived.

UK-WIDE FRAMEWORK FOR AGRICULTURE

“(1) A UK-wide framework for agriculture, agricultural support and land management shall, subject to subsection (2), be established jointly by—

- (a) Ministers of the Crown;
- (b) Scottish Ministers;
- (c) Welsh Ministers; and
- (d) Northern Ireland Ministers or, if there are no Northern Ireland Ministers, the Department for Agriculture, Environment and Rural Affairs in Northern Ireland.

(2) A framework under subsection (1) shall be established if it is deemed necessary, with regard to agriculture, agricultural support and land management, to—

- (a) enable the functioning of the UK internal market, while allowing for policy divergence;
- (b) ensure compliance with international obligations;
- (c) enable the management of common resources;
- (d) administer and provide access to arbitration for disputes in cases with a cross-border element; or
- (e) facilitate the allocation of funding to the devolved administrations to provide financial support.

(3) A framework under subsection (1) must respect the devolution settlements and the democratic accountability of the devolved legislatures and shall—

- (a) be based on established conventions and practices, including that the principle that the competence of the devolved institutions will not be adjusted without their consent;
- (b) maintain, as a minimum, equivalent flexibility for tailoring policies to the specific needs of each territory as is afforded by current EU rules; and
- (c) lead to a significant increase in joint decision-making powers for the devolved administrations.

(4) Decisions made under a framework established under subsection (1) shall require unanimous agreement between each of the authorities in subsection (1).”—(*Ben Lake.*)

Brought up, and read the First time.

Ben Lake (Ceredigion) (PC): I beg to move, That the clause be read a Second time.

It is a pleasure to serve under your chairmanship, Mr Wilson. I rise to speak to new clause 11, tabled in my name and those of my Plaid Cymru colleagues, in the hope of probing the Government a little on their thinking about the need for and the operation of common UK-wide frameworks once the Bill—and the respective Welsh, Scottish and Northern Irish Bills—comes into effect. It was mentioned in an earlier sitting that the EU provided both the regulatory and financial frameworks within which each of the devolved nations has been able to tailor and operate some of their agricultural policies.

If we are to leave the European Union, I cannot see any clarity at present as to how the four respective industries and the four respective Administrations will continue to operate on such things as those listed in the new clause, including: the functioning of the UK internal market, which I am sure we are all quite keen to ensure, while allowing for some policy divergence for each Administration to tailor whatever agricultural policy best suits their specific needs; compliance with international obligations; the management of common resources; and—most importantly, perhaps, from my point of view—how finance and funding under the UK umbrella will be allocated to the four respective nations.

I am very much of the opinion that any proposed framework would have to be agreed by the three devolved Administrations and the UK Government. If we did not have such an agreement, I do not think anything would truly operate smoothly. We would open ourselves up to challenges, legal disputes and so on.

9.30 am

I tabled the new clause because a lot of farmers in Ceredigion and, indeed, wider Wales have approached me with concerns that policy divergence may have severe adverse consequences for them. They fear that some policy divergence may cause adverse market distortion. Given the size of Wales and of the industry in Wales, we are keen to ensure that we minimise disruption as far as possible. The common agricultural policy, of course, does that to some extent: it sets out the broad parameters and objectives by which every nation state must abide while they try to tailor agricultural policies that suit their specific industries. Similar frameworks for the UK, agreed by the four Governments, are certainly appropriate and necessary.

I turn to finance, which I have mentioned not just in Committee but in other parts of the House. Although there is an ongoing independent review, which I welcome—for the record, I also welcome the Government's commitment to avoiding using the Barnett formula to allocate resources among the devolved nations post Brexit—there is still a question. If we manage to sort out the initial funding allocation—the initial framework, as it were—how will we come to decide the next one in five to 10 years, or whatever that period may be? Just as importantly, how will we ensure the different financial thresholds in each policy do not lead to market disruption and distortion, which we must avoid?

The Farmers Union of Wales and the National Farmers Union Cymru have pleaded with me to stress the importance of ensuring that no nation is left behind and that we do not disrupt the level playing field. Thinking about how the CAP sets broad limits on how much money can be given directly to farmers, I am not confident that we will have any clarity about how we manage finances under this new set-up once we leave the EU.

I have suggested that we should look to create joint frameworks—intergovernmental frameworks—as a way of ensuring not only that each nation gets its fair share, but that multi-annual frameworks can be introduced. I know the industries in each of the nations of the UK are keen on those. If that was agreed by the four Administrations, perhaps the Government could take it out of the three to five-year Treasury cycle, liberating Ministers to set five, seven or even 10-year frameworks—whatever they deemed appropriate.

The key thing is that there needs to be joint agreement. It was stressed in the evidence sessions and our earlier debates on the Bill that at present there is no adequate or appropriate body to oversee the policies in the four nations of the UK. There is no dispute mechanism that is trusted by the four Administrations and the four industries. That should be explored as part of the discussions on the Bill. I am willing to say that Welsh Labour First Minister, Carwyn Jones, has touted a council of UK Ministers as a possible solution. That would replace or even enhance the existing Joint Ministerial Committee, which does not command much confidence in the industry, at least in Wales.

I can see the need post Brexit for an oversight body or some sort of governance structure to adjudicate whether the respective policies of the four nations abide by the UK's commitments under the World Trade Organisation agreement on agriculture. I can also see the need for some sort of independent dispute resolution mechanism when it comes to exceptional market circumstances. For example—touch wood—drought in one part of the UK may lead the Government in that part of the UK to offer assistance with buying foliage. Inevitably, that would have an impact on the other countries if they did not decide to offer similar assistance. There needs to be some sort of body so that such concerns can be discussed in confidence and, I hope, addressed in a way that ultimately ensures the smooth running of the internal market and, most importantly, avoids harmful disruption to our farmers. I am sure we can all agree about that.

The issue of cross-border properties and farm holdings applies particularly to Wales; I am glad to see that the hon. Member for Brecon and Radnorshire, my friend and neighbour, is here. Again, there needs to be a little more clarity so that we know exactly how these will operate post Brexit. If there are disputes on the Welsh or English side of the border, how can those farms take up those issues? Will they have to resort to costly legal action? Will both Governments be arguing and playing politics? My contention is that, if we were to have some sort of an oversight—an overarching body, an independent council of UK Ministers—that would at least afford us the opportunity to take the matter out of politics and have independent arbitration, which would, I hope, ensure that a particular farm on the border of Brecon or Radnor, for example, did not lose out.

Chris Davies (Brecon and Radnorshire) (Con): The hon. Gentleman has given me a great opportunity to come in. I sympathise with a lot of what he is saying, and my hon. Friend the Member for Gordon, sitting in front of me, has been nodding in agreement on various things. However, does the hon. Gentleman not have concerns, as I do, about certain things that come out of the DEFRA Department of the Welsh Government as a result of having too much authority in cases such as this? I understand his request for a framework, which we are all working towards, but if we give that Department too much power, Brecon and Radnorshire, and Ceredigion, will be in hot water indeed.

Ben Lake: I thank the hon. Gentleman for his intervention. I acknowledge and accept what he is saying: there is always a danger that we may not agree with what the Welsh Government want to do, particularly with regard to agriculture. I share that concern. However, I assure him that he need not worry and wait for too long—before long, my own party will be in government.

I fear that I have rambled on for long enough. This is a probing amendment, so I will not be pushing it to a Division—

Jenny Chapman (Darlington) (Lab): Go on!

Ben Lake: I might be tempted later.

We need to look at how the four industries and Administrations will work following the UK's withdrawal from the EU, because the EU provided a sort of overarching

[Ben Lake]

framework within which we all knew the parameters and rules. Any new framework would have to be agreed by the four Administrations if they were to work effectively and smoothly. I am probing the Government to see what their thinking is on this matter. I may then bring it back for a vote on Report.

The Minister for Agriculture, Fisheries and Food (George Eustice): The hon. Gentleman said that this is a probing amendment. He raises some important issues about how we co-ordinate policy around the UK. I will first explain why we do not agree with the approach taken in the new clause; secondly, I will outline some of the things we are doing.

First, we do not have a federal system in the UK. We have a devolved settlement. There is a good reason for that: federal systems tend to work best where there are a number of constituent parts all of roughly the same size. Our challenge in the UK is that England is so much bigger than the other parts of the UK; if we had some kind of qualified majority vote, England would end up dominating the decision making. Equally, if we had equal votes and effectively required unanimity, smaller parts of the UK would have a veto on what England did. That is why we have developed a devolution settlement where certain powers are clearly devolved and certain powers are clearly reserved. In the middle, where it makes sense to co-ordinate and work together, we have a good track record of putting together voluntary frameworks and memorandums of understanding.

The approach that we envisage taking is that there would be frameworks, in the form of memorandums of understanding or concordats, and that those would facilitate co-operation, collaboration and co-ordination so that we can work together on a number of key areas. As the hon. Gentleman highlighted, there are elements of the Bill that are devolved but on which we would probably want to work together, to co-ordinate the impacts. Notably, there needs to be some sort of administrative agreement in place to manage cross-border holdings. We have that already under the existing CAP so it would be relatively easy to roll something similar forward.

Perhaps most important is the use of powers in exceptional market conditions. Those intervention powers could have impacts on other parts of the UK, so having a memorandum of understanding about how we would use the powers is important. Other areas in which we believe that having an MOU would be important include approaches to data collection, contracts and market transparency, but also issues such as the changing of marketing standards.

We already have in the DEFRA family good examples of concordats working well. We have a number of them in relation to fisheries. Some of those have within them a dispute resolution mechanism. The Scottish Government have at times been in dispute with, for instance, the Isle of Man about scallop fishing—it is always scallops, for some reason—but a resolution process exists in the fisheries sphere to deal with that.

Ben Lake: Is the difference between a concordat and a memorandum of understanding the involvement of a dispute mechanism?

George Eustice: Well, they are similar. Neither has to have a dispute resolution process. Some do and some do not. We have a number of concordats in the fisheries sphere. A concordat tends to be slightly more formal than an MOU, which is a looser agreement.

Let me turn to the points made by the hon. Member for Ceredigion. On subsection (1) of the new clause, we envisage concordats and MOUs pulling Ministers together in the way that I have described. On subsection (2)(d), as I said, we already have processes for managing cross-border cases. On subsection (3), we already have, as I said, the devolution settlement. On subsection (3)(b), about maintaining,

“as a minimum, equivalent flexibility for tailoring policies”

to that which we have in the EU, that is not saying very much—we do not have a lot of flexibility, to be honest, and we would like to give more.

One of my most memorable experiences in DEFRA has been being informed of a dispute that the Welsh Government were having with the EU about ear tags. In Wales, where there are hedges, ear tags can sometimes be pulled off by the brambles in a hedge, so animals used to have one small tag—a metal clip tag—and one larger tag that could be read, but the EU said that that was not good enough and the two tags had to be the same size, so that there were two dangling tags. The matter ended up going to court, and we had to get involved to support the Welsh Government in arguing their case. That is the kind of flexibility that we have in the EU—not very much. We would like to have far more.

My final point is this. Yesterday I was in Cardiff: the occasion was a joint ministerial meeting with the DEFRA Ministers. The meeting was hosted by Lesley Griffiths of the Welsh Government. Lesley put forward a proposal, which we agreed yesterday, that we should put that group of, in effect, the Agriculture and DEFRA Ministers on to a more formal footing, with clear terms of reference established, so that it could manage the EU exit process and possibly have a role thereafter, but also work up a memorandum of understanding about how we approach some of these issues together. Therefore, in addition to the Joint Ministerial Committee process, which itself is being reviewed to try to iron out some of the difficulties and make it more effective, we have a memorandum of understanding under development through the meeting that has been convened with the DEFRA Ministers. As I said, I was in Cardiff discussing that only yesterday.

Chris Davies: I thank my hon. Friend the Minister for updating us. May I ask which organisation will take precedence?

George Eustice: Always, in a memorandum of understanding or concordat, we are in effect talking about issues that are devolved. They are issues that are technically devolved but on which we all recognise that there is sense in having common frameworks, so we voluntarily come back together for a concordat—to reach an agreement. We do that already in the veterinary sphere, for instance, in agriculture. There is a veterinary concordat whereby all parts of GB sign up to an Animal and Plant Health Agency surveillance programme, and it works very well, so we have demonstrated that we can do this. But ultimately these are areas of policy that are devolved and devolved provisions of the Bill.

9.45 am

Martin Whitfield (East Lothian) (Lab): I should indicate that those policy areas may technically be devolved because they are devolved. That is important.

In the notice given by the policy paper “Agricultural framework progress update: September 2018”, the Government talked about a period of 18 months to reach that concordat with the Scottish Government. Can the Minister give us any indication of a firmer timescale for that, given how long the discussions have been going on and—if I may infer—some of the challenges that he has perhaps skipped over in reaching agreement on these concordats or memorandums?

George Eustice: There is a lot of work to do. There are 92 different statutory instruments that we have had to put down in preparation for Brexit. Each of the devolved Administrations have had to do a large number of SIs themselves, and there has been an enormous amount of joint working at official level to share clauses and the legal drafting that our own parliamentary counsel has done, with the assistance of other devolved officials. We also now have 54 different Brexit projects, all of them about areas where we effectively have to either agree joint approaches or concordats, or agree that we will leave things fully devolved.

There is a large number of those projects. We discussed them yesterday. About one third of them are rated as being in the green box—everything has to be red, amber or green these days—recognising that there is already an agreement about how to proceed. On a number of others, more discussions are still needed, but that was highlighted yesterday. In the month ahead, there will be a lot of detailed working between officials.

I hope I have been able to reassure the hon. Member for Ceredigion that, through both the review of the JMC and putting the group that the Welsh Government proposed yesterday on a more formal footing, together with our plan for concordats and memorandums of understanding, we will address his concern, and that on that basis he will consider withdrawing his amendment.

Dr David Drew (Stroud) (Lab/Co-op): We think there is considerable merit in this new clause, and we hope that the hon. Member for Ceredigion will think hard before he gives away too much to the Government. The reality is that there is a need for a framework; if we are not careful, we will effectively have four different systems of agriculture developing, and I do not think we are very careful. I have waxed lyrical already about the problems in Northern Ireland, which have become more acute after yesterday. The Democratic Unionist party has already told me that it is not necessarily going to follow this particular bit of legislation—at the moment, it is not even going to follow this Government, so watch this space.

We must be very careful that there is some degree of co-ordination—dare I say it, a single market—within the United Kingdom, let alone a relationship with the Republic of Ireland, which is crucial for them but also important for us. We think the hon. Gentleman’s new clause deserves debate, and maybe more than debate. We must secure this agreement. It is interesting that the Fisheries Bill provides powers for Welsh Ministers, Northern Ireland Departments and Scottish Ministers in a more

formal sense, yet this Agriculture Bill does not. Why not? I ask the Minister that—he can intervene, or sum up accordingly.

This is not just about farming. The new clause is strongly supported by Greener UK, which feels strongly that there is a real need for cross-border co-operation and collaboration to deliver on the environmental protection improvements that the Bill is all about. The Opposition advocated that during debate on the European Union (Withdrawal) Bill, because we feel strongly that there is a need to at least keep the four countries together in terms of the different provision. Unless that is done by consensus, it will have to be done by imposition; consensus is by far the better way.

The specific requirements set out in new clause 11 would provide those legislative safeguards. Otherwise, there is nothing in the Bill to make the issue something substantive—rather, it is just on a wing and a prayer: one of the criticisms we have advanced throughout this Committee. I hear what the Minister says about how the different conventions apply with regard to meetings with the other three countries. This is very much an England-only Bill, so of course the Government can say warm words and make gestures, but those will not necessarily be tied in by the Bill.

On the need for environmental collaboration, Greener UK’s view is that the new clause is important, because those environmental considerations do not respect national borders. Unless we do similar things—we will not do the same thing, but we might do similar things—agriculture will be not just devolved but different in each of the four countries, as I have said.

Jenny Chapman: What my hon. Friend is saying is important, especially when we think about the proposed backstop arrangements for Northern Ireland, which could lead to significant divergence in standards and regulations between Northern Ireland and the rest of the UK over time.

Dr Drew: That is true. Northern Ireland is the most acute case, because it has a land border with another country. The two countries have to have some sort of similar agricultural system because farmers farm on both sides and environmentalists want to see what is happening. While I was in Belfast, I talked to Friends of the Earth, which identified a serious and growing methane problem because of what has happened to farming in the north. I also talked to various parties in the south, which identified a similar problem. That indicates how much we need a common framework.

Deidre Brock (Edinburgh North and Leith) (SNP): Will the hon. Gentleman acknowledge that different schemes already operate in the four different parts of the UK? There is already plenty of co-operation on agriculture and the environment, so I do not think that that sort of UK-wide framework is required at this point.

Dr Drew: I have to disagree with the hon. Lady. If we do not put that in the Bill, what is there about having any co-operation?

Deidre Brock: That is the point of devolution—that the different parts of the UK can do things differently according to their conditions and needs.

Dr Drew: I hear what the hon. Lady says, but for a farmer farming on the Scottish or the Welsh borders, of which we have some constituency examples here, that is not good news. They need to know that there is some certainty in the systems—not to put a straitjacket on what happens in those devolved parts of the UK, but because unless we are careful, we will end up with a hotch-potch of different systems.

Sandy Martin (Ipswich) (Lab): Is there not another danger? If there is no framework for dealing with differences or for helping the Scottish and Welsh Administrations to create systems that work for their farmers, large supermarket chains, which often determine the conditions under which farmers can produce, might use those differences to undercut farmers trying to do the right thing.

Dr Drew: My hon. Friend is absolutely right—of course they will. There is a real danger that something akin to turf wars will develop. This is not just hypothetical; it is about the need for common frameworks because of issues such as soil erosion and water management. We have to have cognisance of the fact that border areas need to take account of one another and of what is happening. Otherwise, we will end up with a race to the bottom, which we all want to avoid.

Another issue that has not been raised yet is the way that we will meet our international obligations post Brexit. As much as we have devolved Administrations, as the hon. Member for Edinburgh North and Leith rightly says, we have signed up to many international conventions as the United Kingdom. We need some method. I hear what the Minister says about how regularly Ministers meet from the four Administrations—well, three; I do not know whether officials from Northern Ireland were there—

George Eustice *indicated assent.*

Dr Drew: The Minister nods, so they were. Again, that is important because it will be a learning curve.

George Eustice: The hon. Gentleman is right to say we have international commitments, not the least of which, relevant to agriculture, is to the World Trade Organisation. I was somewhat surprised, therefore, that he decided not to vote with us on establishing the clauses that would enable us to deliver those commitments.

Dr Drew: It is not surprising. We are the Opposition and you are the Government. The Government are supposed to be moving the measure, which we scrutinise. There are ways in which we scrutinise it, which might involve some reflection.

George Eustice: And we did, but I suppose the point I am making is that there are elements of the Bill that enable us to deliver the UK's international commitments.

The hon. Gentleman asked whether I wanted to intervene on fisheries, and he is right that there are two areas in the Fisheries Bill where provision is made for joint working, but the difference with that Bill, which we will have time to debate in the future, is that it is very much to do with international negotiations. That is why

we have committed to having a joint fisheries statement. It is all about international environmental commitments that are UK-wide. Secondly, there is provision for joined-up thinking when it comes to joint licensing, which, again, relates to an international agreement. We see agriculture policy as slightly different. There needs to be more scope for the devolved Administrations to do what works for their own landscape.

Dr Drew: I thank the Minister for that, and it is a perfectly valid case to make. That would be fine if we did not have a common border with another country that is going to remain in the EU. I do not quite understand. Although the seas are different in the sense that, yes, of course, there is a question of international access across all our waters, we have the same issue, whether we call it the backstop or just the border between Northern Ireland and the Republic. We have to face up to it and look at some commonality, which is best achieved by common frameworks.

Deidre Brock: Does the hon. Gentleman accept the Scottish Government's point that the implementation of international obligations in devolved policy areas such as agriculture is in fact a devolved matter?

Dr Drew: That is the whole point. It is a devolved matter, but it is a question of whether, as I have said, there is some degree of agreement on how to take things forward. What we are considering is just a framework, not something that will demand that different parts of the UK follow exactly what other parts will do. The reality is that they will not. We know that. In farming policy, the word "policy" is important, because legislation is one thing, but the underlying policy equally needs to be scrutinised, which we have not really been able to do. We had a rushed series of evidence sittings, and the Government's policy paper is, at best, fairly sketchy. We shall be looking at that.

The hon. Member for Ceredigion said he wanted to probe the question, and I hope that he will consider going further, having heard what has been said, to try to be clear about the future of British agriculture—if such a thing exists, given that the issue is devolved. The people in border areas really need to know that.

Colin Clark (Gordon) (Con): The hon. Gentleman is generous in giving way. Does he think, particularly with regard to frameworks, that it is important that we protect the internal market, or unitary market, of the UK? It is important that potato farmers in Scotland, growing seed, can sell potatoes into England, and equally that livestock can move back and forth across the border. The east and west of the country have more in common with one another than, necessarily, north and south, and it is important that we recognise the unitary market.

Dr Drew: That is a point. We were talking about relationships with the EU post Brexit and about whether we have some form of common market, if not a single market. It would be helpful if we knew that that would happen within the four nations of the United Kingdom, let alone in the relationship with the Republic.

The issues are pretty important, and even more so in environmental terms, so I want not just to concentrate on farming but to talk about environmental requirements. On issues such as air quality, climate change and sustainable development obligations, unless we move forward with some degree of unity, we are pulled apart individually. I hear what the hon. Member for Edinburgh North and Leith says about agriculture being a devolved matter, but air pollution is not, because it comes from one country to another. That is the whole point about methane: the problems in Northern Ireland do not stay in Northern Ireland but affect the Republic, and that is why the Republic is worried about what is happening in the north, as well as dealing with its own problems in the south. These problems have to be identified through some degree of co-operation. Why not have a way to lay that down? This is not a straitjacket. This is not about shoe-horning four nations' agriculture into the same box. We cannot do that, as the Bill says. Instead, we are saying that there needs to be a proper framework.

10 am

If the Government are not minded to accept new clause 11, I hope that the Minister will make it clear how the ongoing meetings with Ministers across the three territories and the officials in Northern Ireland can stay in place. With all the turmoil of Brexit and the way the world is becoming more complex, how will this stay in place? Unless we have some framework to ensure that this co-operation is ongoing, it could be subject to a completely voluntary approach to how the different Administrations want to get on.

Deidre Brock: I will be brief. I understand why the hon. Member for Ceredigion has brought the new clause forward, but I cannot agree to support it. In particular, the Scottish National party position is that there is no need for a legislative UK framework of this sort. There are different common agricultural policy schemes in operation at the moment, for example, that do not disrupt the ability to trade across the UK, and land management needs are, frankly, too disparate to be covered under a single framework.

Martin Whitfield: I want to make a few points about this and to split them into the political and the legislative aspects. We have an opportunity with the Agriculture Bill to do what the National Farmers Union in Scotland has been crying out for—namely, to shape the decision-making process and establish it within the field of agriculture, for production and the environment. It would be a missed opportunity not to pursue that, given the length of time between agriculture Bills in the United Kingdom. We have an opportunity to provide farmers with a level of certainty and confidence, both of which, from the reflections that I have come across, are deeply lacking.

I said on a previous matter that the Bill is a framework and that there is little to see within it. Unfortunately, a lot of people seem to be seeing in it whatever they want to see. In doing that, we run the risk of creating something that means different things to different people. Agriculture is, rightly, devolved, but it does straddle the borders. There are farmers who do not necessarily have farms that straddle the border, but who are landowners on both sides of the border. This is an opportunity to give

some certainty through a UK-wide framework, so that all our farmers and land managers and those who take an interest in the land are able to decide how they want to move forward with that confidence and certainty.

Secondly, I would like to address the politics of the Bill. We are in this position regarding this new clause and the Bill because there has been an inability for politicians to come together, consider and reach an agreement. I was grateful to the Minister for indicating the uphill challenge with regard to the memorandums that sit in front of the three devolved nations and England. However, he has highlighted the great problem that people have been unable to sit down and come to an agreement. That agreement has been desperately sought by the National Farmers Union, landowners, farmers and others on both sides of the border. There is still an opportunity to achieve it. It would be very helpful, as the Bill progresses, if the politics of it could be removed, so that some reality, certainty and, most of all, confidence can be given to our farmers.

A UK-wide framework would give an overarching picture in which each devolved area and England can continue to develop its own agricultural practices and those nuances that make a farm in Northumberland different from a farm in the borders and East Lothian. However, both those farms actually need certainty.

Ben Lake: I thank all those who have participated in the consideration of the new clause. I emphasise just a couple of things. It is of course true that there are policy differences between the different nations at the moment. However, we should also remember that there is—in effect, if nothing else—a UK-wide framework: the EU framework within which all the different nations tailor, operate and administer their policies. I therefore think there is a need to look again at how the four industries and four nations will work and co-operate post Brexit.

I understand what the Minister said about the memorandums of understanding and the concordats. I am particularly interested in the proposed dispute resolution mechanisms, or at least the potential for such mechanisms. I still argue that it would probably be neater and easier to understand if we were to have a single dispute resolution mechanism. My preference would be some sort of council of Ministers for agriculture, in which the four devolved Administrations could come together and agree on a more formal basis.

However, the point about the decision-making process was very well made by the hon. Member for East Lothian. I reiterate that we now have the initial frameworks and memorandums of understanding. There will come a point, whether in three, five, seven or 10 years down the line, when we will need to renegotiate, whether on the tricky issue of regulations or the even trickier matter of funding. An approach that sees us have an array of static concordats and memorandums of understanding would possibly not be appropriate.

This was a probing motion. Having now listened to the points made by Members on both sides of the Committee, I am tempted to go back and draft something else for the next stage of the Bill's passage, and to then push that to a vote. I beg to ask leave to withdraw the motion.

Clause, by leave, withdrawn.

New Clause 12

INTERNATIONAL TRADE AGREEMENTS: AGRICULTURAL AND FOOD PRODUCTS

“(1) A Minister of the Crown may not lay a copy of an international trade agreement before Parliament under section 20(1) of the Constitutional Reform and Governance Act 2010 unless the agreement—

- (a) includes an affirmation of the United Kingdom’s rights and obligations under the SPS Agreement, and
- (b) prohibits the importation into the United Kingdom of agricultural and food products in relation to which the relevant standards are lower than the relevant standards in the United Kingdom.

(2) In subsection (1)—

‘international trade agreement’ means—

- (a) an agreement that is or was notifiable under—
 - (i) paragraph 7(a) of Article XXIV of General Agreement on Tariffs and Trade, part of Annex 1A to the WTO Agreement (as modified from time to time), or
 - (ii) paragraph 7(a) of Article V of General Agreement on Trade in Services, part of Annex 1B to the WTO Agreement (as modified from time to time), or
- (b) an international agreement that mainly relates to trade, other than an agreement mentioned in subparagraph (i) or (ii);

‘Minister of the Crown’ has the same meaning as in the Ministers of the Crown Act 1975;

‘relevant standards’ means standards relating to environmental protection, plant health and animal welfare applying in connection with the production of agricultural and food products;

‘SPS Agreement’ means the agreement on the Application of Sanitary and Phytosanitary Measures, part of Annex 1A to the WTO Agreement (as modified from time to time);

‘WTO Agreement’ means the agreement establishing the World Trade Organisation signed at Marrakesh on 15 April 1994.”—(*Deidre Brock.*)

This new clause would ensure that HMG has a duty to protect the quality of the domestic food supply by ensuring that imported foodstuffs are held to the same standards as domestic foodstuffs are held to.

Brought up, and read the First time.

Deidre Brock: I beg to move, That the clause be read a Second time.

The Chair: With this it will be convenient to discuss the following:

New clause 14—*Ratification of international trade agreements—*

“(1) An international trade agreement shall not be ratified unless it enables the United Kingdom to require imports to—

- (a) comply with the standards laid down by primary and subordinate legislation in the United Kingdom regarding food safety, the environment and animal welfare, or
- (b) have been produced to standards that are no lower than the legislative standards of the United Kingdom in protecting food safety, the environment and animal welfare.

(2) In this section ‘international trade agreement’ has the same meaning as in section 2(2) of the Trade Act 2018.”

This new clause would prevent the Government from entering into trade agreements that allow food imports that do not meet the UK’s environmental, animal welfare and food safety standards.

New clause 23—*Import of agricultural goods—*

“(1) Agricultural goods may be imported into the UK only if import would not conflict with and would be consistent with—

- (a) the UK’s commitments under international law on animal welfare, including but not restricted to the European Convention for the Protection of Animals kept for Farming Purposes.
- (b) The UK’s commitments under international law on environmental protection, including but not restricted to—
 - (i) the Paris Agreement,
 - (ii) CITES (the Convention on International Trade in Endangered Species of Wild Fauna and Flora),
 - (iii) the Convention on Biological Diversity, including the Cartagena Protocol on Biosafety to the Convention on Biological Diversity,
 - (iv) the Convention on the Law of the Sea, and
 - (v) the Sustainable Development Goals.
- (c) Domestic legislation on—
 - (i) animal welfare,
 - (ii) environmental standards,
 - (iii) the protection of health and life of humans, animals or plants,
 - (iv) public morality,
 - (v) public security,
 - (vi) health and safety,
 - (vii) food safety standards.
- (d) The section on animal welfare in the World Organisation for Animal Health (OIE) Terrestrial Animal Health Code and the section on the welfare of farmed fish in the World Organisation for Animal Health (OIE) Aquatic Animal Health Code.

(2) ‘Agricultural goods’, for the purposes of this section, means—

- (a) any livestock within the meaning of section 1(4) or any product derived from livestock,
- (b) any plants or seeds, within the meaning of section 13(6)
- (c) any product derived from livestock, plants or seeds.”

This new clause would prevent the import of agricultural goods from other countries into the UK if they have been produced to lower standards than those of the UK.

Deidre Brock: There has been considerable concern from consumers about the quality of foodstuffs that will be available after Brexit, and particular concern about the possible reduction in quality that might come as a result of trade deals, with chlorinated chicken, hormone-pumped beef, genetically modified vegetables and so on. The concerns are wide ranging and cover many areas.

Chlorinated chicken, for example, has implications for food hygiene and nutrition. We prefer poultry with higher welfare and hygiene standards throughout the journey from hatching to plate, rather than its carcass being bleached to remove evidence of poor welfare and hygiene. Those consumer concerns are matched by producer concerns about high-quality products being undermined and undercut by poor-quality, cheap imports, whose adulterations are masked by later cosmetic measures, which is truly the modern-day purchase of a pig in a poke.

Consumers and producers have been protected thus far by the European Union and its rules and red tape, which we will shortly shed. It seems sensible to me to

replace those EU protections with what protections can be offered from this place. Such protection will be a pale imitation—that is sure—but we should do what we can. New clause 12 would ensure that food standards and the protections offered do not plummet off the Brexit cliff to be dashed on the rocks of profiteering below. It is incumbent on us to offer what protections we can, and the new clause would do that. Likewise, new clauses 14 and 23 would offer some peace of mind and some protections, and I am minded to support them.

I have seen no movement from the Government in this direction so far. However, I hope that the Minister will see the wisdom of accepting the need for such protections to be written into the Bill.

Dr Drew: I am minded to support the hon. Lady on this, although we have tabled our own new clause 23. This is at the core of the Bill. Although we are talking about agriculture, we cannot exclude trade from that. We—I mean the great “we”, because no organisation that has commented on the Bill is not of a similar mind—need to know what guarantees there are that the animal welfare, environmental and food-quality standards that British agriculture prides itself on will not be undermined by a race to the bottom, and that we will not take on some mad trade deals to try to dig the UK out of its current dilemma of what it does if it shuts the door on the EU. This is very important.

We have reached a turning point in our debate on the Bill. We hope the Government will get the message, from not just the Opposition but the organisations that have commented on the Bill, many of which will have spoken to the Minister. They want security and the knowledge that there will be no attempt to undermine the standards that have been put in place over generations for British agriculture and the environment. Greener UK, which has been largely supportive of the Government’s approach, sees this as one of the major dividing lines. It wants new clause 23 or new clause 12 in the name of the hon. Member for Edinburgh North and Leith.

We can argue about the definitions—we think that our new clause is slightly more foolproof, but we will listen to the hon. Lady and my hon. Friend the Member for Bristol East, who will hopefully get the opportunity to speak to new clause 14. This issue is absolutely crucial to the way the Bill will be received in not just this country but the wider world. We have to send the wider world the message that this Bill rules out importing cheaper, poor-quality food.

I know there is a degree of disunity in the Government. The Secretary of State for International Trade has been going to all sorts of places, but I challenge him to name one place outside the EU—where he has not been—whose food standards are equal to the UK’s and the EU’s. The reality is that there are not any. Other countries are able to produce cheaper food because they undermine labour standards, sadly mistreat the animals and use all sorts of other methods.

Mr Robert Goodwill (Scarborough and Whitby) (Con): The hon. Gentleman is making some very valid points, but is it not the case that currently, in the EU, we are unable to ban the import of foie gras or veal produced under systems that are illegal in this country? We could improve animal welfare standards by disentangling ourselves from the single market with Europe.

Dr Drew: I hear what the right hon. Gentleman says. If we had been more effective, we might have got rid of those things. We have to pay due regard to our international obligations, and such issues should be tackled internationally. The problem is that we are going backwards to go forwards. I know that we get hung up on chlorinated chicken, but a whole range of things could be coming our way from the US, because the Americans have a fundamentally different attitude towards food. Their view of food is that it is more about price and availability, which is why they are able to do the things they do. Of course, much of the food produced in the US is good quality, but the problem is that the methods by which they produce much of their food are alien to the British way of producing food. We have to accept that.

I have already made the point that if Australia is able to break its sheep meat quota, it will completely undermine the lamb market in Wales and other parts of the United Kingdom. This really does matter. We know where the dilemma comes from. In much of the Bill, we have had arguments about powers and duties, the Henry VIII clauses and so on. My hon. Friend the Member for Darlington knows that the Trade Bill would give so much power to the Secretary of State to chip away our regulation, if they so choose, that it is deeply worrying if we do not hold the line in this area at least.

10.15 am

Our food should be sacrosanct, yet it is included within many of the areas that we see as deleterious in the way that the Department for International Trade is pushing through, on the presumption that those with whom we make trade deals will play by the rules. They may choose to at one level, but they certainly will not take the substantive approach in how they pretend to keep to our standards. That, of course, matters because it is our consumers who will suffer.

Our food trade internationally will also be associated with the lowering of standards. That is why we tabled a number of amendments to the Trade Bill to look at making those trade obligations more secure, but sadly the Government did not listen to us. We looked for guarantees on welfare standards, environmental protections and food standards and the Government did not listen. We make no apology for having another go because it is too important for British agriculture not to do so. We will lose all the benefits of sanitary and phytosanitary arrangements currently in place with the EU, which no doubt the Minister could wax lyrical about. We must put something in the place of what we will be removing.

It is important to look at some of the governance issues. We looked at the implications, through the process of the Constitutional Reform and Governance Act 2010. The reality of that is that there will be very few safeguards to stop a Secretary of State who chooses to sign up to a free trade deal that threatens British agriculture.

It would be nice to think that there were backstops to all that for the mainland—ways in which we could prevent the coming into force of trade deals that undermine our consumers’ position and, more particularly, the potential of the producer.

The proposed new clause covers more than trade deals, however. It is about the whole philosophical approach to the way in which we have developed high

quality food, largely at a price people can afford. We argued previously, without success, for a clause on food poverty. That is a distribution as well as a production issue.

We want some clarity from the Government to the effect that they are willing to state in legislation that they will rule out anything that undermines animal welfare, environmental protection and food standards. This is a pretty important part of the Bill.

Martin Whitfield: Is it not the case that new clause 23 would give protection to the timber industry and, more importantly, address illegal logging? We would extend our protections even wider. One of the great environmental tragedies is the loss of rain forests and the continuous forests that are needed. This proposal would give protection there as well.

Dr Drew: My hon. Friend rightly chides me that we never bring timber into this discussion. That is, of course, as important as food and other areas, so we should be looking at an integrated approach. He is absolutely right. This is important because, unless we state in the Bill how we will approach trade, we will lose the opportunity for agriculture's voice to be heard properly. More importantly, there are no safeguards or failsafes in place, because the Government did not listen to us on the Trade Bill.

I hope the Minister recognises that across the terrain of the farming and environmental organisations and the food lobby, security is what is wanted, in the form of a new clause that gives the certainty that we will keep to our word—that the standards of British food will be maintained and will not be subject to cheaper, poorer imports. That is why we make no apology for saying that this is a really important part of the Bill, and that we hope the Government will listen and accept what we are trying to do.

Kerry McCarthy (Bristol East) (Lab): I would like to speak to my new clause 14 and to support new clauses 12 and 23.

As has been said, there is a great deal of consensus regarding support for the principle behind the motions. I was with the National Farmers Union in Gloucestershire during the mini-recess in early November, and members were adamant that all the benefits that would come from the new subsidies regime would count for nothing if they were undercut by cheaper imports that were produced to lower standards. That would mean their either somehow having to lower their own standards, which they are adamant they do not want to do—they are proud of the standards they work to—or simply going out of business. As has been said, the green groups are supportive of the measures for obvious reasons, as is anyone who is interested in food sustainability and anyone who thinks it important that we stick to the standards we have kept to for many years through our membership of the European Union.

We know there is a threat; for all the reassurances the Minister can give us about not lowering standards post Brexit, we know that many in his party are keen to see that happen. To start with, the response I was getting from the Department for Environment, Food and Rural Affairs was that there would be no lowering of British standards post Brexit, which obviously leads to the suspicion that we would allow lower-standard imports.

The response has now moved, very late in the day: when the Secretary of State for Environment, Food and Rural Affairs and the farming Minister gave evidence to the EFRA Committee last week, they were keen to say that the measure would not apply to imports. The EFRA Secretary also gave me assurances that the Secretary of State for International Trade believed that as well. Given the record of the Secretary of State for International Trade on the matter—I was in Washington last year when he hit the headlines talking about chlorinated chicken and so on—I think that he is, to coin a phrase, “intensely relaxed” about the import of lower-standard foods.

There are certainly many in the Conservative party—the global Britain Brexiteers—who are keen to see us go to a no-deal scenario and, I believe, a race to the bottom. My constituency neighbour, the hon. Member for North East Somerset (Mr Rees-Mogg), has argued that as socialists we ought to welcome cheaper food imports because they would solve food poverty. He is also the person who said that food banks were a great thing because they show big society coming together and people helping each other. I have urged him, on a number of occasions, to cross the border into Bristol to see what food poverty actually looks like. From what I know of his constituents, I do not think they would welcome the bringing of chlorinated chicken into the country.

Martin Whitfield: Does my hon. Friend agree that if the Minister and the Secretary of State had the certainty that the minimum level was stated in the Bill, they would have some confidence and protection and the ability to say, when we come to trade agreements, “We can go no lower than this”? That certainty may help with the negotiations.

Kerry McCarthy: We know there will be huge pressure when the negotiations start. The US has made it clear that it wants to see its produce that is currently banned allowed into the country, and Australia and New Zealand have said something similar. The International Trade Committee has warned of the risk of an “agriculture for services trade-off” in a future deal with the US, and we know that when they get into the negotiating room that is what will happen.

During the passage of the Trade Bill, I tried to put in an amendment, and we were repeatedly told that the Bill was not about future trade deals and the scrutiny of them, despite there clearly being provisions in it that talked about such deals. When I tabled amendment 81, attempting to insert a non-regression clause into any new trade agreements, I was told that that was not the place for it, and Ministers now say that that would be outside the scope of the Agriculture Bill too—the farming Minister said that to the EFRA Committee last week. This Bill is about protecting farmers, our food standards and the fairness of the UK supply chain. This amendment is fundamental to everything the Government are trying to do to support and sustain high-quality British food, produced to high environmental food safety and animal welfare standards. I should have thought that the Minister would welcome its being enshrined in the Bill, so that the Bill matches those words.

We heard some concerns about the potential impact if we allowed American imports, for example, into this country. There are food safety issues; the Secretary of

State for Environment, Food and Rural Affairs has said that chlorinated chicken is not about food safety standards but is just an animal welfare issue of how the animals are treated beforehand—the fact that a bucket of bleach is tipped over the chicken at the end deals with any hygiene issues. When he gave evidence to the Environment, Food and Rural Affairs Committee on 31 October, I pointed out that the incidence of food poisoning in the US is around 10 times higher than in the UK. On average, one in six people in the States will succumb to food poisoning each year, and about one in 66 in the UK. The Environment Secretary was quite taken aback by that, and said he would go away and look at that.

A total of 380 deaths each year are attributed to salmonella in the US; there were no deaths from salmonella in England and Wales between 2005 and 2015. The campylobacter infection rate in the US is more than 6,000 per 100,000 of the population. In the UK that rate is much lower, and falling. The US has an average of 1,591 cases of listeriosis a year, compared with 177 a year in England and Wales.

Unless Americans are particularly unhygienic in their homes, there is clearly a food safety issue in American food. We do not want that imported into this country. Most recent evidence published by microbiologists at Southampton University in the US journal *mBio* found that bacteria such as listeria and salmonella remain completely active after chlorine washing. The process merely makes it impossible to culture them in the lab, giving the false impression that chlorine washing has been effective.

It is not just the case that we do things slightly differently here, and that although the American system deals with all the hygiene issues at the end, we deal with them throughout the production chain and they have the same impact. There is a very clear difference in the produce there. The Minister said that in the US they

“turn a blind eye to what might happen on a farm, and then treat it when it gets to the abattoir.”

That is why he said it was an animal welfare issue. It is not just an animal welfare issue. Even if it was, we would not want to accept that here anyway. Colleagues of the farming Minister, such as Lord Deben, will be very interested in this issue when it comes to the House of Lords. He said recently that imports of US-standard food would lead to a huge decline in food safety.

The routine use of antibiotics on farms is contributing to the growth of antimicrobial resistance and the rise of superbugs and putting public health at serious risk. That is five times higher in the USA than in the UK. The Minister will probably say that we are making strides to reduce the routine use of antibiotics in UK farms. In America it is still much higher, and if we are forced to compete with American imports, inevitably that will lead to intensification of our farming system here. Many more animals will be crammed into mega-farms, which will mean that antibiotic use inevitably will go up because that is what it tends to be used for—as a pre-emptive measure against infection when lots of animals are crammed together.

I think we will return to this issue on Report, as there is cross-party support for that. It is not enough for the Minister to say, “We do not want a lowering of standards.” I do not cast doubt on the Minister’s credibility—I believe that he does not want that. I believe that the

Secretary of State for Environment, Food and Rural Affairs does not want that. Unfortunately, I do not believe all his colleagues, or that there are enough safeguards to rely on warm words alone.

10.30 am

Simon Hoare (North Dorset) (Con): It is a pleasure to serve under your chairmanship, Mr Wilson. I rise to speak very much in the spirit with which the hon. Member for Bristol East finished her remarks. She is absolutely right to have identified the cross-party interest in and concern about these issues.

Since the British people made the decision to leave the European Union, I have always said during my meetings with the National Farmers Union and farmers in my constituency that, as important as this Bill will be, the most pressing issue is probably the one raised by the hon. Member for Bristol East in relation to the new clauses. The Bill does important work: it is trying to sculpt and scope a framework of support, and triggers for that support, for UK agriculture. We all want that to be a success, we all understand the importance of the sector to our national economy, and we all want to see it flourish. We therefore understand the importance of the Bill.

We also understand entirely, from remarks made by my hon. Friend the Minister, that in many respects this is a skeleton Bill, or a Christmas tree Bill, upon which certain things will hang and from which future policies and initiatives will flow. I think that we have to be incredibly careful. I hope that we will be able to enter into trade agreements, because they will be good for UK plc, but we should not throw the baby out with the bathwater in their pursuit. We should not see a lowering of our standards in certain areas, particularly within the food sector. I have always had a concern that, for some in British politics, the pursuit of the “Brexit dividend”—to give it a handy moniker—could most readily manifest itself in the price of foodstuffs.

On several occasions I have heard my hon. Friend the Member for North East Somerset, as the hon. Lady for Bristol East referenced, talk about the lowering of food prices in the shopping basket, and likewise with shoes and clothing, although I appreciate that they are not part of the Bill. He may very well be right. I always point out that we are spending the lowest percentage of our household income on food than at any time in our history, so it is hard to see how food could become very much cheaper in real terms.

However, my concern is about the next step of the scenario. My concern has always resided on this point: if individual trade deals came back to this House to be voted upon in an affirmative way, whether through a statutory instrument or on the Floor of the House, this issue could be part of the checklist to establish whether one would be minded to support it. However, it looks as if trade agreements will not be subject to a vote in the House, so we would be wise to include in the Bill this precautionary principle—this little check—to provide comfort to consumers, who need as much information as possible. I do not believe in the sort of free market in which any old rubbish is put on the supermarket shelves and then people are allowed to make an informed decision. We have to have some standards so that people can have general confidence in the product they are

[*Simon Hoare*]

purchasing, irrespective of the price that happens to have been set. There needs to be some underpinning and some general benchmark of standards.

On the “Brexit dividend”, I have always put it to my colleagues in this way: were trade agreements to be entered into that saw, as part of some spirit of reciprocity, new markets opened to what we might call the sexier sides of our economy—finance, IT, insurance, pharmaceutical and the like—the quid pro quo trade-off will be access to our large and growing consumer market, hungry for food, if the Committee will forgive the pun. We would find ourselves swamped with cheap imports, raised to all sorts of standards. Some may be higher than ours, which would be great. Some may be the same, which would be perfect. I think that we would all be keen to resist anything that was lower, for example in relation to chemical applications or animal welfare issues—I see those as equally important.

However, I have often made the point that those cheap imports would remain cheap only while a robust domestic production market formed a competitive market and challenge. I made that point on Second Reading, as did other colleagues. My fear, my hunch and my prediction would be that, as a result of a swamping of overly cheap imports—priced cheaply because the standards are lower and therefore the costs of production are less—that would see a rapid choking off of our domestic production market, either to the point of being barely recognisable, or to be non-existent.

Either of those scenarios could result in a situation whereby those who had distorted our food pricing market would then ride the crest of a non-competitive wave because domestic production would have diminished to a point at which it really only deals with the niche, farmers’ market type of market, but not large-scale domestic production. Having had two or three years of cheap prices, we would suddenly find prices going in an upward trajectory on a very fast escalator. It would be faster plus, because not only would they want to recoup the money for products sold cheaply then, but they would also want desperately to claw back the under-pricing that they had triggered as importers to our country—or exporters, depending which end of the telescope we care to look through—and regain that lost revenue, because they had deliberately distorted the market in order to choke off domestic competition.

I entirely take the point made by the hon. Member for Bristol East that the bona fides on this issue of my hon. Friend the Minister and my right hon. Friend the Secretary of State are beyond challenge. They have been absolutely and abundantly clear. If I could preserve my right hon. and hon. Friends in some sort of political aspic and presume that they would always be in office—I am not sure whether they would find that an attractive proposition—we could all take a step back and breathe a little more easily. We all know that legislation cannot bind our heirs and successors because it is subject to amendment by future Parliaments, but we should at least be setting some definitive benchmarks now. On something as important as this, it is in the Bill—although not necessarily in the wording of these new clauses—that we need to put down those important markers. Would it not be the most frustrating waste of the Committee’s time to have spent it talking about the importance of a

sector and seeking to build a cross-party coalition in its support and furtherance, only to find all our work and good efforts coming to nought as a result of an overly laissez-faire approach to trading issues?

Before my hon. Friend the Member for Milton Keynes South has some sort of apoplectic fit, I assure him that, at this stage—because I am very conscious that our hon. Friend the Minister will need to go back and talk to colleagues—if the amendments are pushed to a vote, I will not support them, because further discussion is needed. I give my hon. Friend the Whip that assurance today, but I am afraid that I cannot give the same cast-iron guarantee on Report unless we see some movement on this.

I do not believe that I am alone. I noticed the sharp inhalation of breath by the hon. Member for Bristol West, in a theatrical, pantomime gesture. I hope that my hon. Friends on the Front Bench know that I have never rebelled—I have never voted against Her Majesty’s Government—and I hope that I do not have to. However, I think that the hon. Member for Bristol East was absolutely right that there is a broad coalition of interest in this on the Floor of the House. Whether Members come from a public health aspect or a fiercely pro-agricultural aspect, or whether they are concerned about better shaping and sculpting the post-Brexit environment, I am not sure.

Mr Goodwill: My hon. Friend makes some very valid points. Does he agree that adequate labelling is also part of this? For example, a lot of processed chicken comes in from Thailand and Brazil, but consumers are often not aware because it comes as part of a product. Does he agree that part of the solution to this problem is better labelling, so that people know what they are buying?

Simon Hoare: My right hon. Friend is absolutely right. At the appropriate time there needs to be a significant and radical overhaul of the red tractor. There needs to be much clearer labelling and information. However, information itself can be a bit of a blunt instrument. People need to know how to interpret and understand the information put in front of them. I can read a manual on how to wire a plug 17 times but I will still not understand how to do it. However, the information is there. I do not actually know how to rewire a plug. That is why candle consumption in the Hoare household is very high.

Jenny Chapman: I remember, during the ’70s, when I was a child, my dad having to put a plug on the end of every electric device we had. However, that is no longer needed, thanks to European Union regulations on the issue.

Simon Hoare: I hope I do not insult the hon. Lady by saying this, but I am rather guessing from those remarks that she and I are therefore of a similar vintage. Were those not simpler and happier days? That is where we are.

I do not wish to detain the Committee for any longer than I need to, but this is a pivotal thing that could dramatically affect our agricultural sector. It is not about protection or insulation. It is not about preserving our farming sector in some sort of legislative aspic, to create some sort of bucolic scene of smock-wearing, corn-chewing loveliness where sheep are clean and all the rest of it.

Dr Drew: What about the sandals?

Simon Hoare: I shall leave the hon. Gentleman to polish his own sandals. I have never been a sandal wearer, apart from at school, I suppose.

However, we need to make sure that the sector is vital. It is not an old-fashioned sector; it is at the cutting edge of production and of using agritech and new sciences to farm and produce in more environmentally sensitive ways and to increase animal welfare and so on. It would be a tragedy if that all came to naught, and the work of the Committee came to naught, and we suddenly found that there was no agricultural sector, or such a small agricultural sector that, in actual fact, all this work was unnecessary.

I think that the hon. Member for Bristol East is right; there is a broad consensus and a growing coalition on these issues in the House. I urge my hon. Friend the Minister to convince colleagues across Government of the clear and compelling virtue that motivates both him and our right hon. Friend the Secretary of State.

10.45 am

Sandy Martin: I shall be brief, because most of what I would have said has been said by hon. Friends, and indeed by the hon. Member for North Dorset, with whom I absolutely concur. There has been a lot of discussion about whether we should be rule takers or rule makers, but there is no point in adhering to rules or in making them for ourselves if they are all then undercut by other people.

Other countries do not always adhere even to international agreements that they have signed up to. If we are going to adhere to them ourselves, as we should because they are good rules, we need to ensure that we have a legislative justification for refusing to take their goods. I am worried that without any legislative justification it will be extremely difficult for us, under either international trade agreements or World Trade Organisation rules, to prevent imports of goods that are produced without following those rules, undercutting what farmers can and should be doing in this country.

If we are to achieve any of the public goods set out in clause 1—healthy, sustainable food; a reduction in pollution and climate change emissions; protection of our countryside; and decent working conditions for people in agriculture—we need to have farming in this country that is not only ecologically, but financially sustainable, and it must not be undercut by other countries. A television programme I recently saw by chance included an appalling part about vegetables being produced in southern Spain. It showed just how bad some of the trashing of the environment and the treatment of people was. That was within the European Union, so we do not always get it right within the European Union, but at least while we are in the European Union there is a mechanism for trying to enforce rules in other countries. We will not have that once we leave the European Union, and we need to ensure that there is something in the Bill that will do that.

Pollution and climate change do not respect borders. There is no point in our trying to reduce the level of pollution and climate change emissions in agriculture in this country if we do not have some mechanism for ensuring that we can impose those high standards on producers in other parts of the world. If we do not have explicit rules in the Bill about what we will import, we

are leaving ourselves open to undercutting and not only will farmers in this country suffer, but the environment will suffer in this country and in the rest of the world.

Jenny Chapman: I do know how to wire a plug; that is the first thing I want to say. I add my voice to this because we need to hammer home to the Minister the level and extent of the concern across the parties on this issue. I do not know whether my hon. Friend the Member for Bristol East wishes to press the clause to a vote today or whether there might be opportunities to express the view of parliamentarians in future stages of the Bill, but the Government need to take the hint provided by the excellent speech by the hon. Member for North Dorset, which put the point across incredibly well. It might be a good idea for the Government to come back with their own proposition at a later stage, perhaps in the other place, and propose something that we can all support.

This matter is of such great concern and importance because it is all happening in the context of the withdrawal agreement that we had sight of last week, which is unclear about the future of these kinds of standards, either in the backstop arrangement or in the political declaration about the future relationship. There is a huge row going on about that outside this Committee, so we do not need to go into it all here, but suffice it to say that the agreement is incredibly vague and non-specific about how the UK's future standards and regulations on these issues would look. That is something that we are unhappy about anyway, but it is particularly important when we look at the issues that we are considering. The hon. Member for North Dorset put it well when he said that the impact may not be felt straightaway but that the erosion of the industry could be seen over time. We have spent so much time in Committee discussing how to protect, enhance, sustain and grow that industry so it will continue to be the best in the world, and it would be a tragedy to see it diminish because we did not have the foresight to put these safeguards in place.

In a way, I am reminded of what has happened to the high street. In not that long a time, we have seen the withdrawal of the vibrancy of our high streets, and it will be very difficult to get that back. Exactly the same thing could happen to our agricultural industries. As a generation of politicians, we would never be forgiven for that.

Obviously, we import food from the US now, but we do it carefully within a set of rules and we are mindful of the standards of what we import, so everybody knows that they can buy food that has been imported from the US with confidence and that it complies with the standards that we expect in this country. That needs to be the case in the future too. I think there would be widespread public support for that to happen in the Bill, and if it does not, I am not sure where in law that provision would be placed, particularly if we were to leave without a deal. I am pretty confident that we are not going to do that, actually, because I do not think the Government would take us down that catastrophic path, but we are here to deal with things that might happen as well as things that we expect to happen.

Mr Goodwill: Surely if the hon. Lady is keen for us to leave with a deal, her party should vote for the deal before us.

Jenny Chapman: I do not believe that the Government have any intention of leading us out without a deal, and if they tried, the vast majority of MPs would get in the way. According to the Government's technical notices, leaving without a deal would require 51 pieces of legislation, and on day one of that legislation being introduced, an amendment would be tabled that said, "This Government may not lead us out without a deal." Parliament would use the many opportunities that it would have to prevent it happening, but I do not believe that the Prime Minister has the slightest intention of going down that path. I think she wants a deal, but the argument we are having is whether it is this deal.

Simon Hoare: Following the comments of my right hon. Friend the Member for Scarborough and Whitby, I hear what the hon. Lady says—she and I have discussed it—but my right hon. Friend is right that at some point, the hon. Lady's party will have to vote for a deal produced by the Government and not just hide behind process and everything else. To leave with a deal, we have to get a deal.

The Chair: Order. May I suggest that we stop the discussion there before we go down a rabbit hole from which we will never recover?

Jenny Chapman: I have been advised by the Chair not to respond, so I will resist, but there is nothing processy about our objection to the deal. The deal does not include that which we have told the Prime Minister we need in order to support it.

Our fourth test about preventing a race to the bottom is absolutely relevant to the new clause. Unless we have the new clause, or something like it that the Government have the opportunity to introduce—I have never seen a Minister stand up and say, "I accept your clause" to anybody across the way; I understand that they always want to bring back their own—we will see a race to the bottom. For about 18 months, we have set out the criteria by which we would assess a deal. Avoiding a race to the bottom is very important to us for the reasons we are discussing.

The withdrawal agreement and the political declaration mention non-regression measures. I have not got the agreement with me—this is the only time this week that I have not carried the damn thing around with me. Will non-regression measures apply to food standards, environmental protections and animal welfare? The agreement contains something about workers' rights, but it would be helpful to know from the Minister whether non-regression measures will apply to the issues we are discussing.

Things look uncertain. We are not even sure whether the agreement published last week will be agreed by Parliament, or what steps the Government will take even if it is agreed. Which measures will apply to this industry, and what opportunities will there be to make this type of clause binding if we do not take the opportunity now? I am not certain that we will have the opportunity before the end of March next year. We have a duty to put this in place in some way, shape or form between now and then. If the Minister assures us that there will be an opportunity to do so, we will need to think about that, but for now, I think this is it. If the Government do not adopt these measures today, when will they do so? They are incredibly important, and

there is clearly cross-party support for this kind of instrument. I think the Minister gets that. It would be useful to hear how he intends to proceed, how far he intends to go, and what form he thinks the protections need to be in.

George Eustice: The amendments all seek to achieve the same thing: to set out in statute a requirement that no trade deal can be done or put before Parliament unless its terms mean that no good can be imported that does not meet our standards.

Before talking about the approach that we intend to take on future trade deals, I want to say first and foremost that this is an incredibly important issue. As a number of hon. Members highlighted, the Secretary of State and I could not have been clearer that we will not water down our trade and animal welfare standards in pursuit of a trade deal. The Department for International Trade has now adopted that position unambiguously, despite what the hon. Member for Bristol East said. It is clear that we will not water down our food standards in pursuit of a trade deal.

I want to make a number of points. First, the EU regulations on chlorine-washed chicken, hormone-treated beef and other standards are coming across through the European Union (Withdrawal) Act 2018 and will sit as retained EU law. It will be unlawful to do a trade deal allowing hormone-treated beef or chlorine-washed chicken into the UK unless Parliament decides to repeal the legislation that bans its sale in the UK.

Secondly, we are obviously working on our future trade agreement with the European Union. The approach outlined in the Chequers proposal, which remains the basis for the UK's approach in the development of a future economic partnership, is that we will have a common rulebook on issues pertinent to the border, which will include sanitary and phytosanitary issues. It is likely that a Bill giving effect to the future economic partnership will give additional protections in this space.

This is an important matter for another reason. The United Kingdom has been on a rather different journey from the United States—in particular, over the past 30 years. In the UK, there has been a growth of consumer interest in food provenance. Consumers want more labelling so they can understand how their food was produced. They want higher standards, and they have sought to purchase locally where possible. We have seen a growth in farmers' markets and a much stronger consumer interest in the quality of food.

11 am

The US remains rather backward in this sense—it has not made those changes in recent decades. It has precious little legislation to protect farm animal welfare. There are virtually no federal laws at all. Even state by state, there is only patchy regulation. The hon. Member for Bristol East pointed out that the US is still too reliant on antibiotics and failing to make the kind of progress that we have. It has a long way to go to catch us up. That said, consumer driven trends in the US are making an impact. There is more interest in natural beef—non-hormone-treated beef. There is a growing demand among US consumers for organic beef. McDonald's now has a British chief executive, who understands the importance of animal welfare. Standards of animal welfare in the US are being driven up as the terms of supply are

dictated to big companies, such as McDonald's. That is all starting to have a positive impact in the US, although it still has a long way to go.

This issue is important for another reason, which is most pertinent to us as we debate the Bill: we must not expose our producers to unfair competition. It would be wrong to have far higher regulatory standards here, but then undermine those standards and effectively export production to foreign countries with lower standards. That is why getting these issues right matters.

The approach we are taking is not to say, "Let's try and put on the face of the Bill a requirement in this space," because in a trade deal we need to consider things such as equivalence—they might not have identical regulations, but they might be equivalent in some circumstances. The approach we have taken is to look at the process of scrutiny of trade deals as they come back to Parliament.

There are a number of different models. In the European Union, the Commission first of all requests authorisation from the Council of Ministers to negotiate a trade agreement with a partner. Those are sometimes referred to as a mandate, because the Council will set out the parameters for that negotiation. When a deal is concluded the Commission returns to the Council and the European Parliament to seek agreement for that particular trade deal. The US has a similar approach, in which Congress delegates authority to the Trade Promotion Authority, which is an office within the presidency. Therefore, there is a mechanism whereby Congress can define the parameters and mandate of a trade deal, which finally returns to Congress to either be vetoed or accepted, but it cannot be amended.

Dr Drew: Will the Minister tell me what the former Secretary of State, the right hon. Member for North Shropshire (Mr Paterson), was doing in Oklahoma, if not trying to talk about some trade deal? If he cannot pull it off in this country, let alone the US, what was he doing in Oklahoma?

George Eustice: I did not know that my right hon. Friend was in Oklahoma, but he is no longer the Secretary of State, and I have not had time to go to Oklahoma personally.

Smaller countries such as New Zealand and Australia have less parliamentary scrutiny—it is predominantly a prerogative for the Cabinet—but even Australia has a process whereby the final trade deal must be laid before Parliament for a period of 15 days. For us, this is an area led by the Department for International Trade. The hon. Member for Stroud said there were a number of amendments to the Trade Bill, which I know were debated. DIT has taken a position somewhere between the two. It envisages a 14-week consultation to run ahead of any new negotiation. There would then be a strategic trade advisory group, created to advise Ministers. As negotiations progressed there would be regular updates and statements with the International Trade Committee, so there would be a committee of MPs scrutinising the progress of negotiations. Finally, at the end of the negotiation, the terms of the Constitutional Reform and Governance Act 2010 would kick in. That would require the Government to lay the trade deal and the treaty that established it before Parliament. There would

then be a period of 21 days during which Parliament could pray against that trade Bill and vote to refuse its ratification.

If that happened, the Government would have to go away and think again about what to do. If that process continued a number of times, it would obviously be possible to bring a motion before Parliament that would effectively veto the treaty. There would be lots of scrutiny during the development of the trade deals and then a parliamentary right to veto at the end.

Sandy Martin: Does the Minister accept that most trade deals involve various sectors? There is something unique about the agriculture sector and, in particular, the agriculture sector that will be created if this Bill is enacted. Farmers will be supported to do things other than the production of the substance that is the subject of trade. When we have a trade arrangement on agricultural products, we have a very different scenario from that we would have with a trade deal on products from producers who are not being supported to do other things. It is the support to do other things that needs the special protection in trade deals to do with agriculture.

George Eustice: The hon. Gentleman makes an important point, but it is broader than that. Agriculture is unique. There is a reason why most trade deals that fail founder over arguments around agriculture. Controversy around deals such as the Transatlantic Trade and Investment Partnership or any others, for that matter, always concern issues about food standards, food quality and animal welfare, and rightly so. The truth is that consumers care about those issues deeply and passionately. They are less interested in chapters on digital or financial services.

Sandy Martin: So does the Minister accept there is a very good reason for having a special trade clause in the Bill?

George Eustice: There is a very good reason for having the thorough process outlined by the Department for International Trade that I am describing to the hon. Gentleman.

Mr Goodwill: There has been much talk about trade deals in terms of what others might send us, but does the Minister not agree that trade is a two-way process? If, as he suggested, the Americans are becoming much more discerning in the quality of the products they buy, there are great opportunities to export products such as Wensleydale cheese or British beef to these new markets.

George Eustice: That is a very important point. We are working at the moment to try to get access for British beef to the United States because it is a premium product and their beef tends to be lower grade. There is also a good market for British dairy products, particularly our famous cheeses, in the United States where they largely have a standard cheddar that is not particularly good. There is a market for those. There are offensive opportunities in some of these trade deals, which we should always bear in mind.

Jenny Chapman: I would observe that not all American food is as dire as it might seem from our deliberations. There is a thriving organic, local food market in the United States.

[Jenny Chapman]

I want to ask the Minister about process. Will there be an opportunity for Parliament at the mandate-setting stage to constrain the trade negotiations, so that it can be made clear to negotiators that Parliament will not accept anything that breaches the standards that we are trying to embed? The Minister seeks to do that agreement by agreement, but we are trying to put those constraints in the Bill.

George Eustice: The hard power, for want of a better term, that Parliament will have is the power to block ratification at the end of the process. As I outlined earlier, there will be a 14-week consultation process where anybody—consumer groups and whoever—can feed in.

As the negotiations progress, there will be regular scrutiny from the International Trade Committee, which will be a parliamentary Committee providing that scrutiny. Therefore, it will not be a mandate as such—in that sense, it is perhaps more akin to the Australian system—but it will have some of the features of the US system, in terms of parliamentary overview as the negotiations progress, but also the ability to block ratification at the end.

Martin Whitfield: Is not the danger with the procedure that the Minister is outlining that every time a trade Bill comes up with any country or group of countries, we will have a repetition of evidence and submissions from farmers, who will seek, rightly, to defend what we agree across the House about a bottom level. Removing that repetition would make life a lot more certain for farmers, in terms of how we are going forward in the agricultural community, but also, more importantly, it opens up space for other discussions that will be particular to an individual trade Bill, rather than something that I think we agree would apply to every trade discussion.

George Eustice: I think that that is right and it is why ultimately this area of policy is for the Department for International Trade, because it has to look at the whole trade piece. As the hon. Member for Ipswich pointed out, agriculture is unique and special, and that is why DEFRA has a special role in this—because there are complex issues in relation to tariff rate quotas, which a lot of people do not understand and which are very agriculture-specific, and lots of complex SPS issues. Agriculture is a unique and highly complex area of trade that we would need to get right.

In conclusion, a process has been set out; there is an ability for Parliament to block ratification and, if it so wanted, to make a resolution to strike down a treaty. However, in the light of the points made by my hon. Friend the Member for North Dorset, I will of course undertake to talk to Government colleagues to see whether anything could be refined in this process to reflect the agricultural context of trade agreements and to look at the role of scrutinising those agreements from a strictly agricultural perspective. I do not think that it would be within the scope of the Bill, but I hope that in Committee I can give some additional reassurance in this regard.

Deidre Brock: This has been a very good debate, with very good contributions from hon. Members on both sides of the Committee. I appreciate what the Minister

has said about trying to refine this issue at some stage, when we go further into the Bill, but I am disappointed that he has not indicated that he will include a clause about trade in the Bill. We still come back to this question: where are the safeguards to prevent Ministers from signing up to trade deals that disadvantage UK food producers and potentially lower animal welfare, environmental protection and food standards? Farming, environmental, public health and food-producing organisations think that the strongest assurances are required in the Bill so, in the hope that the Minister and his colleagues will agree with me that it is important to make it clear now to all those organisations and to our constituents that their concerns are being taken seriously and listened to, I will push new clause 12 to a vote.

Question put, That the clause be read a Second time.

The Committee divided: Ayes 9, Noes 10.

Division No. 23]

AYES

Antoniazzi, Tonia	Lake, Ben
Brock, Deidre	McCarthy, Kerry
Chapman, Jenny	Martin, Sandy
Debbonaire, Thangam	Whitfield, Martin
Drew, Dr David	

NOES

Clark, Colin	Harrison, Trudy
Davies, Chris	Hoare, Simon
Dunne, Mr Philip	Huddleston, Nigel
Eustice, George	Stewart, Iain
Goodwill, Mr Robert	Tracey, Craig

Question accordingly negated.

New Clause 15

MANDATORY LABELLING OF ANIMAL PRODUCTS AS TO FARMING METHOD

“(1) The Secretary of State shall make regulations requiring meat, meat products, milk, dairy products and egg products (including those produced intensively indoors) to be labelled as to the method of farming.

(2) The labelling required under subsection (1) shall be placed on the front outer surface of the packaging and shall be in easily visible and clearly legible type.

(3) Regulations under subsection (1) shall (among other things) specify—

- the labelling term to be used for each product, and
- the conditions that must be met for the use of each labelling term.

(4) Regulations under subsection (1) may exclude from the labelling requirement products containing meat, eggs, milk or dairy products where the total proportion by weight of one or more of these items in the product is less than fifteen per cent.

(5) Regulations under this section are subject to affirmative resolution procedure.”—(*Kerry McCarthy.*)

This new clause would strengthen Clause 20 to require the Secretary of State to make labelling regulations that require meat, milk and dairy products, and egg products, including those which have been produced intensively, to be labelled as to farming method. Eggs are not included as legislation already requires eggs to be labelled as to farming method.

Brought up, and read the First time.

Question put, That the clause be read a Second time.

The Committee divided: Ayes 7, Noes 10.

Division No. 24]**AYES**

Antoniazzi, Tonia	McCarthy, Kerry
Chapman, Jenny	Martin, Sandy
Debonnaire, Thangam	
Drew, Dr David	Whitfield, Martin

NOES

Clark, Colin	Harrison, Trudy
Davies, Chris	Hoare, Simon
Dunne, Mr Philip	Huddleston, Nigel
Eustice, George	Stewart, Iain
Goodwill, Mr Robert	Tracey, Craig

Question accordingly negated.

New Clause 16**ENVIRONMENTAL TARGETS AND OBJECTIVES**

“(1) The Secretary of State must, in exercising functions under this Act, take all reasonable steps to—

- (a) further the purposes within section 1(1)(a) to (g), and
- (b) following a public consultation, bring forward proposals for environmental targets and objectives for the achievement of the purposes in section 1(1)(a) to (g) to secure the maintenance, recovery and restoration of the environment, so that the environment is healthy, resilient and sustainable for the benefit of people and wildlife.”—(*Kerry McCarthy*.)

This new clause includes a requirement on ministers to introduce specific targets to ensure the bill meets its objectives.

Brought up, and read the First time.

11.15 am

Kerry McCarthy: I beg to move, That the clause be read a Second time.

The Chair: With this it will be convenient to discuss the following:

New clause 17—Primacy of public purposes—

“The Secretary of State must ensure the payment of public money delivers primarily the purposes in section 1(1) so that the natural environment is conserved, enhanced and managed for the benefit of present and future generations.”

This new clause is intended to ensure that the list of public purposes set out in Clause 1 are the primary objective for payments under the Bill.

New clause 19—Financial assistance: duty to provide advice—

“(1) The Secretary of State must make regulations to secure the provision of training, guidance and advice to persons receiving financial assistance under this Act, for the purpose of enabling those persons to deliver the purpose or purposes for which the financial assistance is given.

(2) Regulations under subsection (1) may include provision for advice on matters which include but are not limited to—

- (a) the impact of any practice upon the environment,
- (b) business management, including the development of business plans,
- (c) the health and welfare of livestock,
- (d) the safety and health of workers in any agricultural sector,
- (e) innovation, including alternative methods of pest, disease and weed control,
- (f) food safety, insofar as it relates to the production of food or any activity in, or in close connection with, an agri-food supply chain,

(g) the operation of any mechanism for applying for, or receiving, financial assistance under this Act,

(h) marketing of any product falling within an agricultural sector under Part 2 of Schedule 1.

(3) Regulations under this section are subject to affirmative resolution procedure.”

This new clause would require the Secretary of State to make provision for training, guidance and advice to be made available to persons receiving financial assistance.

New clause 27—Smallholdings estates: land management—

“(1) A smallholdings authority which immediately before the commencement of Part 1 of this Act holds any land for the purposes of smallholdings shall review the authority’s smallholdings estate and shall, before the end of the period of eighteen months beginning with the commencement of Part 1 of this Act, submit to the Secretary of State proposals with respect to the future management of that estate for the purposes of providing—

- (a) opportunities for persons to be farmers on their own account;
- (b) education or experience in environmental land management practices;
- (c) opportunities for increasing public access to the natural environment and understanding of sustainable farming; and
- (d) opportunities for innovation in sustainable land management practices.

(2) No land held by a smallholdings authority as a smallholding immediately before commencement of Part 1 of this Act is to be conveyed, transferred, leased or otherwise disposed of otherwise than—

- (a) in connection with the purposes listed in subsection (1); and
- (b) in accordance with proposals submitted under subsection (1).

(3) For the purposes of this section, “smallholdings authority” has the same meaning as in section 38 of the Agriculture Act 1970.”

This new clause would limit the disposal of smallholdings (‘county farms’) by local authorities and would require local authorities to review their holding and submit proposals for future management to provide opportunities to extend access to farming, education, and innovation.

Kerry McCarthy: New clause 16 aims to get specific targets into the Bill, to ensure that it meets its objectives in relation to the public goods for which financial assistance is provided in clause 1. Those objectives are all laudable, but verge on the vague. The new clause would include targets and objectives to ensure that air quality is safe; that our fresh waters and seas are in good ecological and environmental status; that our soils are healthy and used sustainably; that the extent, quality and connectivity of habitats is increased, and natural processes are restored; and that the richness of species is maintained, and their abundance is restored to at least favourable conservation standards on land, in fresh water, and at sea.

We know from the Climate Change Act 2008 that legal targets with identified milestones have a proven track record in delivering environmental outcomes. We could have a separate debate about whether we are doing enough to meet the targets in that Act when it comes to future carbon budgets, but that is a matter for another day. We at least have targets that set out the future programme, and also provide farmers with policy certainty and a framework for future investment. I accept that setting out such targets on the face of the Bill would be rather complicated, particularly as we are still looking at quite a lot of the detail about how to measure some of the public goods, reward farmers for

[Kerry McCarthy]

meeting them, and so on. Rather, new clause 16 would impose a duty on the Government to bring forward targets and objectives as soon as possible.

During this Committee's fifth sitting, the Minister said that the Government would do that, and again, I believe he is genuine in wanting to take this forward. He said:

"we have a 25-year environment plan. An environment Bill will come from that, which will set out targets, objectives and commitments to get trends moving in a particular direction. It will give a longer term commitment and buy-in, which successive Governments will work towards."—[*Official Report, Agriculture Public Bill Committee*, 30 October 2018; c. 149.]

However, we know—it has been on the front page of the papers—that the Secretary of State for Environment, Food and Rural Affairs has some differences with his colleagues in this area. In this case, those differences are not with the Secretary of State for International Trade, but with the Treasury. *The Sun* said that the Treasury was trying to block green targets from being enshrined in law. Perhaps when he responds the Minister can tell me whether there is any truth in that suggestion.

The Treasury certainly got its way in the Budget, with little more than tokenistic gestures on the environment. The biggest announcement, £10 million for tackling abandoned waste, seemed to be there only so that the Chancellor could set up a joke about the shadow Chancellor, who had fallen over some fly-tipping and bruised his face. In particular, despite great fanfare when the Chancellor referred in the 2017 Budget to the Government's intention to deal with plastic pollution, and then re-announced it in the spring, that was a damp squib in this year's Budget. The purpose of the new clause is to protect the Minister and his boss, the Secretary of State for Environment, Food and Rural Affairs, from their colleagues in the Treasury. We are on the Minister's side: we want to make sure he can deliver a green Brexit, as we believe he wants to do. We want to help him with that.

The Chancellor's view that any new laws should be kept to a minimum does not, I believe, represent the views of many businesses. In a letter published in *The Sunday Telegraph*—yes, I am a *Sunday Telegraph* and *Sun* reader; I hope Conservative Back Benchers are listening—members of the Aldersgate Group, including Siemens, Marks & Spencer and IKEA, called for the Bill to set

"measurable targets to cover improvements to air and water quality, soil health, peatland restoration, net biodiversity gain and resource efficiency."

The group said that those targets

"provide a level playing field",

which is what everyone wants,

"incentivise investment in innovation, support job creation and help businesses develop commercial strengths in fast-growing areas of the world economy."

As the group's executive director says:

"Where environmental protections are ambitious, well designed and properly implemented, they can actually deliver economic as well as environmental benefits".

We hear a lot about red tape, regulation and targets being a burden on business. I included that to show that business likes targets and certainty. Businesses like to be able to plan, and to know that the Government are on their side.

Reassurances by the Minister will not be enough; we need the promises to be enshrined in law. We know that the Environment Secretary was offered another job just a couple of days ago. I never thought I would say that I was glad that he turned it down, but for the time being I am glad that he is still in post. However, given the current chaos on the Government Benches we do not know who will be in post perhaps even in hours, let alone days, weeks and months. It is important that we enshrine it in law, so that we can protect the noble ambitions of the farming Minister and his boss.

Dr Drew: I am delighted to follow my hon. Friend the Member for Bristol East and to support her in new clauses 16 and 17, which are important.

Kerry McCarthy: I should have said at the beginning that I will not press new clause 17 to a vote. I have had a change on that for the time being.

Dr Drew: It is always great to be corrected by my own side, particularly when I have just said how wonderful the new clauses are.

Kerry McCarthy: You told me to do that!

Dr Drew: Okay—left hand and right hand. I will speak to new clause 16, which was excellent, and which we fully support because it is about targets, which is largely what the group of new clauses is about.

Although we are losing new clause 17, new clause 16 is important. It tries to tie together the Bill with the environment plan, which is crucial to the Government's way of thinking. It is about setting targets and putting meaningful arrangements in place so that we can look at where the Government's joined-up thinking is taking us. We hope that the Government will look carefully at new clause 16. They might agree with what we are doing, but we will look at that on Report.

Again, there is universal support from farming organisations and, in particular, from the various green contributors to the Bill. They want ambitious and legally binding targets set "for nature's recovery". Those are not my words, but those of The Wildlife Trusts, which looks at the UN sustainable development goals. Goal two—"End hunger, achieve food security and improved nutrition and promote sustainable agriculture"—is highly relevant to the Bill. It is about setting ambitious targets by 2030, and indeed some by 2020, regarding the way in which we want to change agriculture across the world. If we do not do that in the UK, we will miss a real opportunity, and the Bill is the opportunity to do that.

I want to speak principally to the two new clauses in my name and in those of other hon. Friends. New clause 19 is about offering advice to those seeking to make dramatic changes to the way in which they farm or operate the land, which is important. We feel strongly about that because it is missing from the Bill. The Government have talked about land management contracts.

11.25 am

The Chair adjourned the Committee without Question put (Standing Order No. 88).

Adjourned till this day at Two o'clock.