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HOUSE OF COMMONS
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PARLIAMENTARY
DEBATES

(HANSARD)

Monday 29 November 2021

House of Commons

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The House met at half-past Two o'clock

PRAYERS

[MR SPEAKER *in the Chair*]

Oral Answers to Questions

LEVELLING UP, HOUSING AND COMMUNITIES

The Secretary of State was asked—

Fire Safety Remediation: Protection for Leaseholders

1. **Fleur Anderson** (Putney) (Lab): What steps he is taking to protect leaseholders from the costs of fire safety remediation. [904403]

15. **Marsha De Cordova** (Battersea) (Lab): What steps he is taking to protect leaseholders from the costs of fire safety remediation. [904418]

17. **Mohammad Yasin** (Bedford) (Lab): What steps he is taking to protect leaseholders from the costs of fire safety remediation. [904421]

The Secretary of State for Levelling Up, Housing and Communities (Michael Gove): I have enormous sympathy with leaseholders who are being landed with bills for faults for which they were not responsible and for which the responsibility for remediation truly lies elsewhere. I and my Department are looking at every available means to ensure that the burden is lifted from leaseholders' shoulders and placed where it truly belongs.

Fleur Anderson: I am glad to hear that response. Hundreds of Putney leaseholders are facing agonising waits to get funding through the building safety fund. People in the Radial development have been waiting for 16 months, people in Hardwicks Square have been waiting for 17 months and those in the Swish building have been stuck at stage 2 for 11 months. Meanwhile, one constituent is paying more than £4,000 in insurance for a two-bedroom flat following a 500% hike, which is not unusual. What is the Minister doing urgently to speed up and simplify the building safety fund application process and also to prevent insurers from cashing in?

Michael Gove: As the hon. Lady rightly points out, leaseholders find themselves caught in an invidious vice, whereby they are not only having to pay remediation costs, but also find that insurance costs and the capacity to sell on their flat are compromised by the situation in which we find ourselves. Making sure that individuals are in safe buildings is our first responsibility, and to do

that we must make sure that the building safety fund pays out and that we get support for remediation from those in the private sector, who also have a share of responsibility. I hope to update the House on our plans shortly.

Marsha De Cordova: Leaseholders in Battersea should not be held responsible for paying for remediation works when their homes were sold to them with the assurance that they were safe. Due to the poorly regulated EWS1 assessments, there have been cases where homes were being awarded a B2 classification—the lowest category—leaving leaseholders expected to pay for the repairs. In one case, leaseholders in Battersea challenged that, providing evidence proving that the building was of A2 classification. What action is the Secretary of State taking to ensure that leaseholders are protected from erroneous EWS1 assessment outcomes and that the process is not a barrier to selling or remortgaging, including properties below 18 metres?

Michael Gove: The hon. Lady's question emphasises the complexity of the issue, but that is no reason not to take action to help her constituents and others. One of the principal concerns that I know many leaseholders have is that lenders will require the EWS1 form. The EWS1 form is a consequence of previous Government acts and decisions made by the Royal Institution of Chartered Surveyors and others. We need to ensure co-ordinated action across the piece to ensure we are in a stronger position to free people from the position in which they currently find themselves.

Mohammad Yasin: A number of my constituents are facing terrifying bills for remedial works. One couple made redundant due to covid need to sell their apartment urgently, but are trapped because of the safety issues. They have since heard that the developers have gone bust. I was pleased to hear the Secretary of State recognise how unfair it is to expect leaseholders to pay remediation costs, but they are expected to, and people are desperate. The Leasehold Reform (Ground Rent) Bill is a wasted opportunity to help them. When will this unjust mess finally be sorted out?

Michael Gove: Again, the hon. Gentleman reminds us in the case of his constituents how widespread this challenge is. The leasehold reform Bill can play a significant part in ensuring that the position of those in the future can be safeguarded, but we need to take action even before that legislation comes forward, and I hope to update the House shortly on a series of measures that I hope will help bring some relief to his constituents and others.

Bim Afolami (Hitchin and Harpenden) (Con): I have a constituent in my constituency who has been severely affected by the lack of progress on building safety fund funding. He is an example of the complexity and the "invidious vice" that the Secretary of State mentions from the Dispatch Box. Will he agree to meet me to discuss the particular complexities of this situation?

Michael Gove: My hon. Friend has been campaigning incredibly assiduously behind the scenes on behalf of those who have been caught in this vice. It is the case that 700 or so disbursements have been made from the

building safety fund so far, but we realise that we need to take a number of measures to address this situation. He is right that we need to do so with a sense of urgency, but we also need to ensure that those measures are appropriately co-ordinated to have the beneficial impact we would all like to see.

Tom Hunt (Ipswich) (Con): I very much welcome the fact that a number of properties in Ipswich have been successful on building safety funding, but I am concerned about the conditions that many people renting flats are having to live through as the work is carried out. Yes, the work must be carried out quickly, but in one case residents are expected to live for 12 months behind shrink wrap with no natural light whatsoever. Does my right hon. Friend agree that we must balance the need to do the work quickly and make buildings safe with the mental health and wellbeing of residents who are expected to live in properties while that work takes place?

Michael Gove: My hon. Friend makes a very good point. I do not know whether the constituents to whom he refers are in private rented sector accommodation or social tenants. In the latter case, some of the changes that we hope to make with our forthcoming social housing Bill will help to ensure that tenants are treated as they should be by all registered social landlords. We are also looking at appropriate re-regulation of the private rented sector.

Kelly Tolhurst (Rochester and Strood) (Con): Residents at The Wharf, a building of below 18 metres, are being asked by the management company to foot large bills for works to their building next year. Will my right hon. Friend outline how he will support those residents? Time is of the essence, and some residents will simply not be able to pay.

Michael Gove: My hon. Friend makes a very important point. It is vital that we proceed as quickly as possible on 18 metre-plus buildings rendered unsafe because of aluminium composite material or other forms of cladding whose unsuitability the Grenfell tragedy laid bare, to make them safe. For some buildings of between 11 metres and 18 metres, it is important that we take a proportionate approach to safety and cost. Safety must come first, but for a number of buildings between 11 and 18 metres, the action needed can be taken quickly and may not be at the level or intensity—or certainly the cost—of action required in other buildings.

Mike Amesbury (Weaver Vale) (Lab): If I include the Secretary of State, Housing Ministers have promised 19 times to protect leaseholders from historical remediation costs, yet as we speak we know of thousands of people receiving invoices for astronomical remediation costs. Thirty-three such residents are in Oyster Court in London, and they could face bills of up to £80,000 each following an assessment using the Government's new PAS 9980 form. We will hear a lot more about that in the media. Have the Government added yet another toxic layer to the mess? What will the Secretary of State do about it?

Michael Gove: I do not believe that the Government have added anything that is toxic to this mess. We need to ensure that we are in a position to reassure lenders, leaseholders and everyone in the market that buildings

are safe. We also need to ensure, exactly as the hon. Gentleman indicates, that leaseholders are not paying and not shouldering an unfair burden for the remediation required. As I mentioned earlier, I hope to say more about that in due course.

Dr Julian Lewis (New Forest East) (Con): The Secretary of State, like me, has been in the House a long time. Does he agree that this scandal measures up to some of the worst that we have seen, whether it be contaminated blood or the wrongful jailing of innocent postmasters? While I welcome his change of tone, does he agree that people are constantly paying out colossal sums for things such as waking watch, and that this must be remedied?

Michael Gove: My right hon. Friend is absolutely right. In arriving in this role, I was struck by two things. The first was the combination of circumstances that come so unfairly on to the shoulders of people who bought their properties in good faith and now find themselves landed with wholly disproportionate and unfair bills. In fairness, to respond to the hon. Member for Weaver Vale (Mike Amesbury), I also realised that my predecessors had worked hard to deal with a situation that is intrinsically complex. That is not to take away from the urgent need to tackle it, but good people both in government and outside have been attempting to deal with an interconnected set of issues. My right hon. Friend is absolutely right that they must be tackled, but, for a host of reasons, that requires not just Government but others to fulfil their responsibilities.

Homes: Climate Standards

2. **Rachel Hopkins (Luton South) (Lab):** What steps he is taking to ensure all homes meet high climate standards. [904404]

8. **Kate Osborne (Jarrow) (Lab):** What steps he is taking to ensure all homes meet high climate standards. [904410]

The Parliamentary Under-Secretary of State for Levelling Up, Housing and Communities (Eddie Hughes): I welcome the hon. Members' attention to this important issue. Homes are among our biggest sources of emissions, and we are committed to reducing the carbon they generate. The recently published heat and buildings strategy sets out the steps required to improve the energy performance of our homes, and through the future homes standard, from 2025 we will deliver a 75% reduction in CO₂ emissions compared with homes built to the current standard. However, we are not waiting until 2025 to take action: as a carbon-saving step along the way, we will introduce an interim uplift to the current standard before the end of this year—and there is not a lot of time left, as you will have spotted, Mr Speaker.

Mr Speaker: What are you trying to tell me?

Rachel Hopkins: The cost of living crisis is hitting families in Luton South and across the UK hard, and it is set to get worse this winter. With rising energy bills, taxes and food costs, we have never needed a retrofit programme more than now, but the Government's heat and buildings strategy is inadequate and unambitious.

In advance of Fuel Poverty Awareness Day on Friday, will the Minister commit to Labour's 10-year plan to invest £6 billion a year in home insulation and zero-carbon heating, which will improve our energy security, create jobs and reduce carbon emissions, while also helping to cut bills by £400 a year?

Eddie Hughes: Mr Speaker, I do not know about you, but I spent the weekend reading "My climate action plan: Becoming a carbon neutral borough by 2040", by the hon. Lady's local council, and I understand the effort the local council is putting into ensuring that all homes are going to be net zero. Obviously, the Government are committed to that. I am disappointed to hear her say we are unambitious given that we have committed £3.9 billion to the social housing decarbonisation fund and a further £450 million to the boiler upgrade scheme to ensure that people can claim £5,000 per property to replace their boilers with carbon-efficient alternatives.

Kate Osborne: There is a significant funding gap to meet the housing investment requirements of the Government's energy performance targets. I am informed that housing organisations will be expected to fund the majority of this investment over a 10-year period. In my constituency of Jarrow and across the UK, local authorities have had more than half their funding cut over the last 10 years. How are local authorities expected to meet this required investment despite the obvious financial challenges that they are currently facing?

Eddie Hughes: I would say that many local authorities are already making considerable progress along these lines. I am delighted to see that the hon. Lady's local council has joined the ambitious UK100 network—a network of councils committed to achieving net zero as soon as possible—and I understand that it has committed to being carbon neutral by 2030, so it feels to me as though councils are getting the funding that they need.

Mr Richard Bacon (South Norfolk) (Con): There is very clear evidence that people who commission their own houses do so to much higher environmental standards, thus doing their own bit to protect against climate change. What plans do Ministers have to make it easier for ordinary people on normal incomes to get a serviced plot of land so that they can commission their own, much greener houses?

Eddie Hughes: My hon. Friend is a frequent champion of his cause in this Chamber, and I think the simple answer to his question is the funding that we are providing through the help to build scheme, but I look forward to further conversations with him in the future to see what else we can do to assist him.

Siobhan Baillie (Stroud) (Con): Stroud residents are pleased and relieved about the potential reforms in place to build new net-zero homes and protect rural areas from overdevelopment, but we have a local plan going through now and there is a lot of unrest about the consultation process, net-zero homes not being built and mass development in places such as Sharpness. Will my hon. Friend meet me to discuss the areas where local plans are going through now to see how we may benefit from some of the fantastic work going on for the future?

Eddie Hughes: My hon. Friend is a doughty champion off all issues environmental and net zero. I am not sure I am the correct Minister to meet her, but if I am, I will, and if I am not, I will ask my right hon. Friend the Minister for Housing to do so instead.

Lucy Powell (Manchester Central) (Lab/Co-op): With energy costs rising exponentially and the Government having scrapped Labour's zero carbon homes policy months before it was due to come in, abandoned the green homes grant and delayed the future homes standard, is it not the case that families and taxpayers pay the cost for the Government's failures to make our homes more sustainable? This is an obvious case of false economy, with all of us paying more in the long run for higher bills and future retrofitting costs. The Minister has already been asked this question, but will he answer it this time: will he adopt Labour's plans for a national mission to retrofit every home that needs it and bring forward all aspects of the future homes standard without delay?

Eddie Hughes: The simple answer is that this Government already have a pretty good plan, so we do not need to look to others and adopt their plans instead. It is unfortunate that the hon. Lady wrote her questions in advance of my previous answers, in which I mentioned, for instance, the £450 million that we have committed to the boiler upgrade. So there is significant investment in this area, we have a strong and sound plan, and progress is moving at pace.

Michael Fabricant (Lichfield) (Con): Has my hon. Friend examined the advantages of ground and air heat pumps? I know it is difficult in smaller buildings to have ground pumps because of the large infrastructure required, but air pumps are a little more possible, so what encouragement can the Government give to retrofit such pumps to existing homes?

Eddie Hughes: In the summer I was fortunate to visit the Grey Mare Lane estate in Beswick and see the work going on through the social housing decarbonisation fund demonstrator. Heat pumps are being fitted, and we will have the opportunity very soon to see how people benefit from the experience of having those measures introduced.

Children in Temporary Accommodation

3. **Siobhain McDonagh** (Mitcham and Morden) (Lab): What recent estimate he has made of the number of children in temporary accommodation. [904405]

The Parliamentary Under-Secretary of State for Levelling Up, Housing and Communities (**Eddie Hughes**): It is certainly not ideal, but time spent in temporary accommodation does that mean people are getting help and ensures families have a roof over their heads. We are committed to reducing the need for temporary accommodation by preventing homelessness before it occurs, which is why we are investing £375 million this year to support local authorities to prevent homelessness, an increase of £112 million on the sum last year. However, on 30 June this year 124,290 dependent children were living in temporary accommodation, although that is down 2.3% on the same quarter last year.

Siobhain McDonagh: Some 124,190 children will spend this Christmas in temporary accommodation, without a place to call home. They will wake up in hostels, bed and breakfasts and working industrial estates, often far away from their schools and friends. Homeless families in the UK are moved the equivalent of 400,000 miles around the globe each year, at a staggering cost of over £1 billion. Given that there have been over 100,000 children in temporary accommodation since 2015, what hope can the Minister give this House, and more importantly those children, that they will at some point have a place to call home?

Eddie Hughes: I completely sympathise with the cause trumpeted by the hon. Lady and would say two things. First, some councils are doing innovative work in this area: I understand Barnet Council is working with Opendoor Homes to purchase properties itself to use for temporary accommodation, as in that way it can at least control the quality and associated cost. But my personal preference is the work we are doing through Capital Letters, which has been very successful so far in helping London boroughs secure properties for use for temporary accommodation.

New Housing Developments: Community Consultation

5. **Stuart Anderson** (Wolverhampton South West) (Con): What steps he is taking to help ensure that local communities are consulted effectively in the planning process for new housing developments. [904407]

The Minister for Housing (Christopher Pincher): As we know, local communities help to shape the identity of local places, and it is right that they should be at the heart of our planning reforms. I can tell my hon. Friend that public engagement through consultations is already required for new housing developments and in any preparation for local plans by councils. We consider plans for the future as a priority to ensure local people have a voice that is integrated much more effectively into the planning process.

Stuart Anderson: I welcome the Minister's response on how we are making the system more responsive to local residents, but what steps will he take to ensure that residents have more of a say over the influence of developer contributions to local communities such as mine in Wolverhampton?

Christopher Pincher: My hon. Friend makes an important point. Developer contributions, provided by developers to local authorities in order to undertake important infrastructure works, can often be slow to arrive, if they arrive at all, and they are often not what was expected in the first place. We want to put more power in the hands of local authorities and local communities, and not developers. That is one of the reasons why our infrastructure levy, which is under development, will provide greater transparency and greater certainty for communities about the important infrastructure that they will get.

Mr Clive Betts (Sheffield South East) (Lab): I think there is a desire across the House for a planning system that gets homes built but also recognises the democratic rights of local residents. Looking at the Minister's planning reforms, may I suggest that he drops his zonal proposals,

which are really quite bureaucratic and time consuming, and looks instead to simplify the local plan system, allows for more residents to contribute and be involved in it, and brings in his digital proposals, which have been generally accepted? Once a local plan is in place and an individual application comes in, should there not be a presumption that that application will be accepted where it is in agreement with the local plan, subject to any remaining concerns from residents being taken into account and listened to as part of the consideration of the application?

Christopher Pincher: I am grateful to the Chairman of the Levelling Up, Housing and Communities Committee, who makes some important and powerful points. He is right that we need to have more people engaged in the planning system. He will know that presently, about 1% of the local community engages in local plan making; that is, as near as damn it, local planners and their blood relations. That rises to as much as 2% or 3% of the local community engaging in individual local planning applications. We want to make sure that we have an engaging process and that we use digitisation to help us with that, and we will consider his proposals as we move forward with our important planning reforms.

Transport Infrastructure: Cheshire

6. **Esther McVey** (Tatton) (Con): What recent discussions he has had with the Secretary of State for Transport on the potential contribution of transport infrastructure to levelling up in Cheshire. [904408]

The Parliamentary Under-Secretary of State for Levelling Up, Housing and Communities (Neil O'Brien): Levelling up is an ambition that runs right across the Government. Ahead of the White Paper, the Transport Secretary and the Levelling Up Secretary met in recent weeks to discuss the critical contribution of transport to levelling up.

Esther McVey: Winnington bridge provides vital access to thousands of homes and businesses in Cheshire. It needs completely rebuilding to cope with the current demands and the increased housing scheduled for the area. May I urge the Government to provide funding for that as part of their levelling-up agenda?

Neil O'Brien: I know that this is something that my right hon. Friend has been campaigning very hard for. The next round of the levelling-up fund will be open in spring next year, and I am sure that, with her help, her local councils will be able to develop a strong bid for that important bridge.

Integrated Rail Plan

7. **Judith Cummins** (Bradford South) (Lab): What assessment he has made of the implications for his polices on levelling up of the integrated rail plan. [904409]

The Secretary of State for Levelling Up, Housing and Communities (Michael Gove): As the Under-Secretary of State for Levelling Up, Housing and Communities, my hon. Friend the Member for Harborough (Neil O'Brien), pointed out in response to the previous question, levelling up involves every Department working in a co-ordinated fashion to advance a series of policies that

spread prosperity more equally across the country. The £96 billion integrated rail plan was the single largest rail investment ever made by a UK Government.

Judith Cummins: There was broad agreement around Lord Heseltine's 2012 report that investment in rail infrastructure is central to a levelling-up agenda. The integrated rail plan really only delivers an upgrade to the existing lines, axing the eastern leg of High Speed 2 and the new high-speed Northern Powerhouse Rail line. How can the Secretary of State do his job now that the integrated rail plan has derailed progress in the north? With less than three weeks of parliamentary time left in 2021, when will he publish his long-promised levelling-up White Paper, which is due this year?

Michael Gove: The hon. Lady makes two very good points. On the first, if we look at the integrated rail plan, we can see that there are significant benefits for communities across the north of England. Indeed, travel time between Leeds and Bradford is reduced from, in some cases, just over 20 minutes to 12 minutes. That is a real, material benefit for citizens of both great cities. It is also the case that the potential for further work in making sure that we can have a more effective mass transit system in West Yorkshire is inherent in the approach that was outlined by my right hon. Friend the Transport Secretary. More broadly, I am grateful to the hon. Lady for her anxiety to see the broader set of plans that we are keen to bring forward shared with the House, and we will do so at the earliest possible opportunity.

Jake Berry (Rossendale and Darwen) (Con): What my constituents in Rossendale and Darwen would have liked to have seen in the integrated rail plan was a rail line from Manchester to Rawtenstall, but they did not see it. With that in mind and with our shared ambition to level up Rossendale and east Lancashire, will my right hon. Friend look favourably on our levelling-up bid, which will have transport and other schemes in it, when it comes forward?

Michael Gove: My right hon. Friend makes a very good point. East Lancashire and its success must be at the heart of a successful approach towards levelling up. Whether it is Rawtenstall, Bacup, Blackburn or Burnley, we need to ensure that all communities in east Lancashire feel they have the right investment not just in transport, but in skills, schools, and ensuring that streets are safe and communities can take back control.

Jeff Smith (Manchester, Withington) (Lab): HS2 and Northern Powerhouse Rail were never just about train lines and journey speeds; they are about regeneration opportunities. In the case of the cancelled eastern leg, 38,000 homes were planned on the back of that line, which now will not happen. Some £38 billion of economic growth in Bradford, reliant on Northern Powerhouse Rail, has been cancelled. Local government leaders in the north are united in their opposition to the £18 billion reduction in rail investment plans. Is the north not once again being let down rather than levelled up?

Michael Gove: I would contest that. Although the hon. Gentleman is absolutely right to say that the integrated rail plan creates opportunities for broader regeneration, it is important to recognise that transport is not the

only tool that can promote regeneration across the midlands and the north of England. The work that Homes England does in making sure we can unlock the potential of brownfield sites for regeneration is critically important. I appreciate the disappointment felt by communities in Bradford and elsewhere, but there is more to come, both in transport and other investment, that will ensure that we meet our shared objectives to spread opportunity more equally across the geography of England.

Andrew Bridgen (North West Leicestershire) (Con): What conversations is my right hon. Friend having with the Department for Transport with regard to restoring your railway funding, in particular for the reopening of the Ivanhoe line in North West Leicestershire, where we currently have no railway stations at all?

Michael Gove: I was unaware that there were no railway stations in North West Leicestershire. For the citizens of Ashby de la Zouch and other communities, transport connectivity is as important as it is for citizens elsewhere. I will look at whether the Ivanhoe line can secure the investment it needs. I know my hon. Friend is a white knight for rail investment. North West Leicestershire could have no surer champion in the jousting required to secure the investment needed. [HON. MEMBERS: "Groan."]

Mr Speaker: Stick with the day job!

EWS1 Forms

9. Margaret Ferrier (Rutherglen and Hamilton West) (Ind): What steps his Department is taking to help ensure that the Royal Institution of Chartered Surveyors' guidance on EWS1 forms is not a barrier to people selling their homes. [904411]

The Minister for Housing (Christopher Pincher): The Government agree with the independent review of fire safety that EWS1 forms should not be required on buildings under the height of 18 metres. The Royal Institution of Chartered Surveyors has issued guidance to professionals, as the hon. Lady will know, on when EWS1 forms are required. That is being reviewed following the independent expert group's statement.

Margaret Ferrier: In February, the former Housing Secretary announced his five-point plan to bring confidence to the housing market, committing to a state-backed professional indemnity insurance scheme for professionals. We still have not seen the scheme materialise, so will the Minister provide an update today on when that scheme will become available?

Christopher Pincher: The hon. Lady is quite right. We made that commitment and we adhere to it in the narrow circumstances that are required to give fire risk assessment assurers confidence that PII ought to apply. We believe that, collectively, the associated facts of the Fire Safety Act 2021 and the fire safety order, the withdrawal of consolidated advice note PAS9980, and the introduction of British Standards Institution standards, will ensure a much clearer approach to the sorts of challenges that she outlines.

Community Funding: Scottish Borders

10. **John Lamont** (Berwickshire, Roxburgh and Selkirk) (Con): What assessment he has made of the potential effect of the community renewal fund on local communities' preparedness for the introduction of the UK shared prosperity fund in the Scottish Borders. [904413]

The Parliamentary Under-Secretary of State for Levelling Up, Housing and Communities (Neil O'Brien): The UK community renewal fund and its successor, the UK shared prosperity fund, are examples of how we will have more flexibility to support communities now that we have left the EU. The CRF is funding eight projects in the Borders including on employment support, skills development and environmental sustainability. That will help to pilot new approaches and is helping to inform the design of the UK SPF.

John Lamont: I was delighted to see eight successful projects from the Scottish Borders secure funding from the community renewal fund. It is brilliant to see the United Kingdom Government delivering in all parts of this kingdom. I want to see even more successful bids from the UK shared prosperity fund, so will the Minister come to my constituency to visit the Burnfoot Community Futures trust to discuss how its application might be as strong as possible?

Neil O'Brien: I would be delighted to have an excuse to get back up to the Borders.

Steve Reed (Croydon North) (Lab/Co-op): Last week, the Minister for Levelling Up Communities told us that many community renewal fund projects will finish late. That will further delay the UK shared prosperity fund, under which areas such as Cornwall have so far received only 1% of the amount that they lost in European funding, having been promised that they would get all of it back. Will the Minister tell us how the latest CRF delays will affect the roll-out of the UK shared prosperity fund?

Neil O'Brien: All the successful community renewal fund bids have been given additional time to deliver their good programmes. We have asked them all to be in touch if there is any issue and we stand by our commitments to Cornwall and other places to which we have made commitments to match EU funding.

Steve Reed: There is a worrying pattern with this Government of overpromising and underdelivering, is there not? We have had the great train robbery and the return of the dementia tax and now they have postponed levelling up. The community renewal fund is plagued by delays. More than £1 billion of towns fund money has not even been allocated yet, and two years after the scheme was announced, it still has not delivered anything. If this is the Minister's idea of levelling up, does he accept that it is just not good enough?

Neil O'Brien: The hon. Gentleman says that the scheme has not delivered anything. I was in Norwich on Friday opening the first project ever funded by the towns fund. Whether it is the towns fund, the future high streets fund, the community renewal fund, the shared prosperity fund or the levelling-up fund, this Government are

determined to put the financial firepower behind communities' ambitions across this entire United Kingdom, so that we can level up and unite this country.

Patricia Gibson (North Ayrshire and Arran) (SNP): The Institute for Public Policy Research has pointed out that the UK shared prosperity funding of £1.5 billion from 2025 falls far short of the £11 billion that would have been received from the EU between 2021 and 2027. Will the Minister explain why the UK Government have not delivered on their promise to replace EU structural funds in full?

Neil O'Brien: The UK Government will match the spending that different places had through the EU. We have had a delighted reaction from many of the places across Scotland, Wales and Northern Ireland that have secured funding through the different routes that are now available, and we have all the additional flexibility and a reduction in the bureaucracy of those old EU schemes. The replacement funding not only matches the quantum of the funding that we used to get through the EU, but gets rid of that unnecessary bureaucracy.

Homelessness Reduction: London

12. **Catherine West** (Hornsey and Wood Green) (Lab): What support his Department is providing to reduce homelessness in London. [904415]

The Parliamentary Under-Secretary of State for Levelling Up, Housing and Communities (Eddie Hughes): This year, councils will receive £375 million to prevent homelessness, with almost 50% of that funding going to London councils. The funding is part of an overall investment in England of more than £800 million to tackle homelessness and rough sleeping this year.

Catherine West: Will the Government consider a specific fund for the relatively small number of families with children who have a terminal illness? I have several cases where there are specific requirements around enlarged doorways and an extra bedroom so that nurses and doctors can get around the bed and the child can have care at home. Will the Minister look at specific funding for certain London councils to provide that sort of special housing need?

Eddie Hughes: I think it would be easier for me to agree to meet the hon. Lady to discuss the specific details of the case that she is talking about.

Planning (Street Plans) Bill

13. **John Penrose** (Weston-super-Mare) (Con): What assessment he has made of the potential effect of provisions in the Planning (Street Plans) Bill to allow residents to vote on the design of new homes in their streets on levels of housing supply. [904416]

The Secretary of State for Levelling Up, Housing and Communities (Michael Gove): It is a cracking private Member's Bill. We shamelessly want to rip off all the ideas in it and take them for our own.

John Penrose: I am delighted to hear it. Will the Secretary of State look not only at those ideas, but at the related "build up, not out" proposals in my soon-to-be-launched policy paper "Poverty Trapped"? Both enshrine

local democratic consent and style codes as essential steps for new developments. Does he agree that they are both vital to unlocking the scale of home building that will make buying or renting homes more affordable, reducing poverty and levelling up communities everywhere?

Michael Gove: My hon. Friend is absolutely right. It is rare that we have legislation that combines greater democratic control with the potential for the beautification—for want of a better word—of our urban and suburban environment, and also unlocks the potential for the value of individuals' homes to be enhanced by additional development. It is a triple whammy of good news; we just need to make sure that it meshes with everything else that we want to do that is beneficial. I am really grateful to my hon. Friend and all the supporters of his legislation for helping the Government out so much.

Emma Hardy (Kingston upon Hull West and Hessle) (Lab): Residents in Hull and Hessle are often fearful that the design of new homes and new housing developments will lead to increased flooding. Anybody who has been a victim of flooding knows how utterly devastating it is for everybody concerned, so will the Secretary of State meet me to discuss my ten-minute rule Bill, the Flooding (Prevention and Insurance) Bill, which is designed to improve and strengthen flood mitigation and flood protection measures for all new builds?

Michael Gove: I know how prone so many communities in the East Riding are to flooding. It is vital that we balance the need for new housing with making sure that there is appropriate mitigation, so I will ensure that I or another relevant Minister meet the hon. Lady to discuss her Bill and how we can take forward those provisions that mesh with our own ambitions.

Dorset: Increasing Opportunity

14. **Chris Loder** (West Dorset) (Con): What steps he is taking to increase opportunity in Dorset. [904417]

The Parliamentary Under-Secretary of State for Levelling Up, Housing and Communities (Neil O'Brien): The Government are committed to levelling up the whole country, and Dorset is no exception. The new community renewal fund is investing in enterprise and skills training for young people in Dorset. The local growth fund in Dorset has contributed more than £98 million to 54 projects. We are also investing nearly £12 million into Dorset through the getting building fund to stimulate job creation and support the region's economic recovery.

Chris Loder: Dorset Council has historically been very financially responsible, spending wisely according to need, but now we are facing more pressure than ever, particularly from the cost of social care and the need to provide vital rural transport links. Will my hon. Friend confirm that Dorset will get its fair share in the upcoming local government funding settlement? Will he and his Front-Bench colleagues do all they can to support any future levelling-up funding requests from Dorset?

Neil O'Brien: My hon. Friend makes a very good point. Yes, the Government are providing approximately £1.6 billion in additional grant funding in the LGDEL—local government departmental expenditure limit—

each year. That follows year-on-year real-terms increases for local government since the 2019 spending review. It will allow councils to increase spending on vital public services such as social care. We will set out more details in the upcoming provisional local government finance settlement later this year.

Accessibility Standards for New Homes: Consultation Response

16. **Liz Twist** (Blaydon) (Lab): What his Department's timescale is for responding to the consultation on raising accessibility standards for new homes which closed in December 2020. [904419]

The Minister for Housing (Christopher Pincher): My Department is considering responses to this very important consultation. We will publish a response that sets out next steps for increasing the supply of accessible homes as soon as possible.

Liz Twist: Housing association Habinteg estimates that more than 400,000 wheelchair users are living in homes that are neither adapted nor accessible. Having new accessible homes reduces the need to adapt as individuals change during their lifetime and allows them to live independently for longer. Will the Minister meet me and experts from the Centre for Accessible Environments to find out what good accessible design can mean for users?

Christopher Pincher: I salute the hon. Lady's industriousness, the all-party parliamentary group that she leads, and the work that Habinteg and other groups undertake. She will know that as part of the affordable homes programme, between 2021 and 2026, 10% of the homes to be built—about 20,000 new homes—will require adaptation for living. I am very happy to meet her to discuss what more we can do and how quickly we can bring forward our response to the consultation.

Housing Developments: Infrastructure

18. **Mr Laurence Robertson** (Tewkesbury) (Con): If he will take steps to help ensure that additional infrastructure is in place before medium to large-scale housing developments are started; and if he will make a statement. [904422]

The Minister for Housing (Christopher Pincher): That is exactly what we are doing. As we consider new housing developments, it is important to ensure that infrastructure is in place for local communities. Our £4.3 billion housing infrastructure fund seeks to achieve that by investing to improve connectivity, healthcare services and vital infrastructure before housing is built.

Mr Robertson: I welcome the Minister's words, but, having visited my area and observed the flood risk there, does he agree that the drainage capacity of an area should be assessed before any houses begin to be built, and that that assessment should be independent rather than being conducted by the water companies?

Christopher Pincher: As my hon. Friend will know, the national planning policy framework was amended in July this year to ensure that all sources of flood risk,

including drainage, are fully considered before planning permission is granted by a local authority. Sustainable drainage infrastructure is hugely important. I should be happy to discuss the subject further with my hon. Friend, and I draw his attention to the speech that I made in last week's Adjournment debate in response to my hon. Friend the Member for Buckingham (Greg Smith).

Topical Questions

T1. [904428] **Sara Britcliffe** (Hyndburn) (Con): If he will make a statement on his departmental responsibilities.

The Secretary of State for Levelling Up, Housing and Communities (Michael Gove): I am very conscious of the additional responsibilities that I bear as Minister for Intergovernmental Relations, which is why I was pleased not only to be able to attend the British-Irish Council just over a week ago as a guest of the Welsh First Minister, but to have the opportunity this weekend, as we all consider how we deal with the shadow of the new omicron variant, to discuss with First Ministers across this United Kingdom how we can co-ordinate all our efforts in order to defeat this new covid threat.

Sara Britcliffe: The Secretary of State may know that I have campaigned tirelessly for investment in our town centres across Hyndburn and Haslingden, and those millions of pounds of investment would make a significant difference. Can he confirm that the second round will be confirmed in the White Paper, and will he visit my home of Hyndburn and Haslingden to see at first hand how the money would be spent?

Michael Gove: Absolutely, and we will be saying more about how we can ensure that the remaining tranches of the levelling-up fund are allocated fairly. Accrington and Oswaldtwistle speak to me even now as communities that I would love to visit, with my hon. Friend as my guide.

Ruth Cadbury (Brentford and Isleworth) (Lab): Not only have reforms of permitted development rights led to a new generation of slum housing, but the latest developments pose a huge risk to the beating heart of our high streets. Communities in this position have no voice and no say in these conversions, and councils are powerless to stop them. Will the Government at least give councils and communities some transparency, and release in full the promised regulatory impact assessment of the Department's changes to permitted development rights?

The Minister for Housing (Christopher Pincher): The hon. Lady is quite wrong in her assertion. Local authorities do have powers to deny permitted development. Prior approvals are required in respect of matters such as aspect, parking and access before the buildings can be constructed. Authorities can also apply for article 4 exemptions for areas in which PDRs will therefore not apply. I can tell the hon. Lady that as a result of our PDR changes, 84,000 new homes have been built which otherwise might not have been built, often on brownfield sites and often in town centres, to the betterment of those people who want to live in them. These are advantages for home dwellers.

T5. [904432] **Theresa Villiers** (Chipping Barnet) (Con): The housing targets that are being asked of outer London boroughs such as Barnet are simply too high. Will the Secretary of State lower them so that we can halt urbanisation and save the suburbs?

Michael Gove: My right hon. Friend has spoken frequently and passionately about the importance of a balanced approach to the assessment of housing need across the United Kingdom. It is certainly true that the way in which we assess it needs to be updated. I think it only fair to say that every part of England—indeed, every part of the United Kingdom—will have to share in making sure that we can meet the housing needs of the next generation, but we are seeking to achieve a fairer and more equitable distribution of need across the country.

Patricia Gibson (North Ayrshire and Arran) (SNP): In contrast to what the Under-Secretary of State for Levelling Up, Housing and Communities, the hon. Member for Harborough (Neil O'Brien), said in his earlier answer, the Institute for Government has said that, far from reducing bureaucracy, the UK Government have, in the shared prosperity fund, established a system that fails to include devolved Governments to the same degree as previously, and that the United Kingdom Internal Market Act 2020 facilitates the UK Government riding roughshod over devolution. How can the Secretary of State in all honesty work to improve intergovernmental relations when the core thrust of his portfolio is about undermining devolution and overriding devolved Governments?

Michael Gove: I share the hon. Lady's concern for enhancing and improving devolution, which is why we are working with local government in Scotland and, indeed, with Scottish National party Members of this House, to help to ensure that the levelling-up fund, the shared prosperity fund and the community ownership fund meet the needs of individual communities. That is why we are so pleased that the hon. Members for Aberdeen North (Kirsty Blackman) and for Aberdeen South (Stephen Flynn)—SNP MPs—and the SNP councils in Edinburgh and Glasgow were so happy to work with us on these funds. I have to say that I sometimes find it surprising—

Mr Speaker: I call Andrew Rosindell.

Michael Gove: I find it surprising that local government in Scotland—

Mr Speaker: Order. Order. Secretary of State, it is not fair to take advantage. I know you enjoy teasing them, but my problem is that questions and answers are meant to be short and succinct—that is why they are called topical questions—and Mr Rosindell is desperate. Come on Andrew!

T6. [904433] **Andrew Rosindell** (Romford) (Con): Thank you, Mr Speaker. The Secretary of State will be aware that the Tenant Fees Act 2019 banned landlords from asking for pet deposits or pet damage insurance, but AdvoCATs has found that one in five landlords who previously allowed pets no longer do so since the Act was passed. He will be aware of the letter that I have sent him, signed by 41 MPs and peers, asking for this matter to be resolved. Will he please meet me, because this is in the interests of animal welfare and the animals that we love so much?

Michael Gove: Companion animals are a really good thing—cats, dogs or whatever they are—and it is vital that we work with landlords to ensure that people have the right to have the animal that brings so much joy into their lives with them, whatever form of tenure they enjoy.

T3. [904430] **Ms Karen Buck** (Westminster North) (Lab): The Everyone In policy was very successful in taking rough sleepers off the streets at the beginning of the pandemic, but it was abandoned too quickly and last winter thousands of people were back on the streets. With winter storms, bitter weather and worry about a new covid variant, why are the Government not giving priority to restoring a version of Everyone In now?

The Parliamentary Under-Secretary of State for Levelling Up, Housing and Communities (Eddie Hughes): I am disappointed by the hon. Lady's suggestion that it has been abandoned. It certainly has not. The Government are committed to giving all people somewhere safe to sleep. We have the £10 million winter pressure fund and we have the winter transformation fund to help charities and faith groups to deliver single-unit accommodation, so this Government are very much committed to the cause and I would welcome working with the hon. Lady on this in the future.

T7. [904434] **Nickie Aiken** (Cities of London and Westminster) (Con): As the Secretary of State will be aware, I am working with peers, other Members of this place and charities to secure the repeal of the Vagrancy Act 1824, which criminalises rough sleepers rather than helping them. My constituency is home to the largest number of rough sleepers in the country. The former Secretary of State said in the House in February in answer to a question of mine that he thought that the Act should be "consigned to history". What does the current Secretary of State think of the Vagrancy Act?

Michael Gove: I think that the Vagrancy Act has to go. We do need appropriate legislation to deal with examples of aggressive begging, but the most important thing to recognise is that the work that Westminster Council and Greater Manchester have done to reduce rough sleeping has been exemplary. In partnership with my Under-Secretary of State for Levelling Up, Housing and Communities, my hon. Friend the Member for Walsall North (Eddie Hughes), the Minister for rough sleeping, we must redouble our efforts, but I want to congratulate Rachael Robathan, the hon. Lady's successor, and Andy Burnham on their success in dealing with rough sleeping in the hotspots that have suffered most from that phenomenon.

T4. [904431] **Mr Toby Perkins** (Chesterfield) (Lab): The Prime Minister is always enthusiastic about sabotaging the career prospects of the Secretary of State, so can the right hon. Gentleman tell us what the time lag was between him getting "levelling up" on his job title and the Prime Minister making it clear that he was abandoning any pretence that this was a levelling-up Government with his recent announcement on northern rail?

Michael Gove: Conspiracy theories are all the rage these days, but I have to say that the hon. Gentleman should be above all that. He has a number of important constituency issues that I long to work with him on.

I know that this raillery across the Dispatch Box can entertain others but—I say this in the most generous of spirits—let us concentrate on ensuring that we can work together for the people of Chesterfield, and if we have legitimate disagreements, that is fair enough.

Jane Hunt (Loughborough) (Con): Around 40% of workers who commute from the Charnwood Borough Council area commute into Leicester city. This is due in part to the lack of housing in the city. However, despite there being a derelict doughnut of brownfield land around the city that could be utilised for house building, more and more housing is being built in the Leicestershire countryside. Will my right hon. Friend set out what the Government are doing to encourage development on brownfield land? Will he provide greater incentives to councils to ensure this happens?

Christopher Pincher: We are doing exactly that. The brownfield remediation fund is providing significant moneys to ensure that brownfield is remediated. My hon. Friend will be hearing more about that shortly. We also made it clear when we uplifted the local housing need numbers for the largest cities in our country that we expect them to build within their own geographies and not to try to shunt building outside those geographies. That will be made clear to them time and again until they do so.

T8. [904435] **Marion Fellows** (Motherwell and Wishaw) (SNP): Post offices are an essential part of our rural communities and town centres across these islands. As banks leave our high streets, post offices and sub-postmasters are playing a greater role in ensuring access to cash for the most vulnerable, so it is essential this network is protected. What discussions has the Secretary of State, or one of his many Ministers, had with the Chancellor to ensure post office numbers grow over the year?

Michael Gove: I could not agree more with the hon. Lady. The Post Office is a marvellous UK-wide institution, and the universal service obligation ensures that everyone across the United Kingdom benefits in exactly the same way. It is one of the strengths of our Union, and I look forward to working with her and with the Chancellor of the Exchequer to ensure we have a robust network for the future.

James Sunderland (Bracknell) (Con): The Minister will know I am very concerned about rampant house building in east Berkshire and elsewhere in the south of England. Will he please assure me of what might be forthcoming in the planning Bill to protect assets such as farmland, school playing fields, golf courses, open spaces and the Pinewood Centre in Crowthorne?

Michael Gove: I am grateful to my hon. Friend and constituency neighbour for making that important point. He represents a beautiful part of east Berkshire, and it is important that we maintain our protections for areas of environmental importance and areas of aesthetic distinction. We all need to recognise that sustainable additions to the current housing stock are an important part of making sure the next generation also have a chance to own homes, too.

T9. [904436] **Ben Lake** (Ceredigion) (PC): The 2019 Conservative manifesto promised that Wales will not lose any powers or funding as a result of our exit from the EU. If Wales is to receive £167 million from the

levelling-up fund, as opposed to the £375 million a year it received from EU structural funds, from which funding pot can the people of Wales expect to receive the shortfall?

Michael Gove: I would challenge the hon. Gentleman's arithmetic, but I know time is short. All I will say is that when I visited Merthyr Tydfil and Pontypridd less than a fortnight ago there was jubilation, not on my arrival but on the arrival of the money from the levelling-up fund that is helping fantastic figures in Welsh local government to deliver for their citizens. I hope I have the chance to visit Ceredigion to see how we can support more projects there.

Laura Trott (Sevenoaks) (Con): I urge my right hon. Friend to increase protections for the green belt in the forthcoming planning Bill. In Sevenoaks we are 93% green belt, yet we are constantly inundated with speculative planning applications that worry the local community. The answer should be clear: if it is green belt, it is protected; and if it is a speculative planning application, the answer is no.

Michael Gove: I would hate to be a developer facing my hon. Friend. When it comes to these speculative and ill-thought-out planning applications, developers had better put on their armour because she fires truth bullets at them from the hip, and repeatedly. Of course it is vital that we protect our green belt. However, the best protection that any local authority can have is to make sure its plan is properly designed and adopted.

T10. [904437] **Stephen Timms (East Ham) (Lab):** Leaseholders in Kingfisher Court, built by Barratt in my constituency, have just been told that, unlike leaseholders in very similar buildings nearby, their application to the building safety fund has been rejected. They do not know why, and they now face bankruptcy. Can the right hon. Gentleman offer any reassurance that I can take when I meet them later this evening?

Michael Gove: Yes. I take this incredibly seriously. The right hon. Gentleman's office may have already been in touch with the Department, but if it can be in touch with my private office directly, I will see what we can provide by way of additional information before he sees his constituents later. Whatever information we can provide in the meantime, let us try to make sure we can have a proper conversation about how we can resolve this problem in depth.

Selaine Saxby (North Devon) (Con): Will my right hon. Friend meet me and other coastal MPs in Devon and Cornwall who are concerned about the deepening housing crisis, with no private rentals, no affordable homes and public services unable to recruit, as no one can afford to live in what were communities but have become holiday camps by summer and ghost towns by winter?

Michael Gove: My hon. Friend makes an important point, which emphasises the need for us to make sure that affordable housing is available for those in communities who are the vital workers—the productive workers who are at the heart of successful communities. Although of course it is legitimate for people to have second homes, that also means we need to look at one or two of the loopholes that allow some to not necessarily contribute to the community as much as they might.

Mary Kelly Foy (City of Durham) (Lab): Across Durham, social housing is in short supply, while much of the stock that is available is of poor quality, and housing associations, such as Believe Housing, are struggling to meet the needs of residents on repairs and maintenance. Does the Secretary of State share my belief that residents in social housing in places such as Sherburn Hill and Brandon deserve housing that is fit to live in? Will he meet me to discuss the problems?

Michael Gove: I do share that view, and our affordable homes programme will be part of making good on our commitment to more and better social housing. I look forward to working with the new administration at Durham County Council in order to achieve just that.

James Daly (Bury North) (Con): Does my right hon. Friend agree that culture can play a central role in levelling up throughout the north of England, and that an excellent example of this would be the proposed purchase and refurbishment of the Co-op theatre in Ramsbottom? May I invite him to visit this cultural gem from the 1870s, which has all its unique features still in place? What support can his Department give to supporting the cultural sector throughout the north of England, which is so important to levelling up?

Michael Gove: Culture is absolutely vital to levelling up. One thing I was discussing with my right hon. Friend the Secretary of State for Digital, Culture, Media and Sport earlier today was the importance of making sure that more of the Arts Council funding that is currently spent in London and the south-east is spent in the midlands and in the north. Our acting and performing talent is spread equally across this country, but funding and institutions are not. We must do more, and my hon. Friend is absolutely right.

Hilary Benn (Leeds Central) (Lab): The Secretary of State said earlier that his revised plans to solve the cladding crisis would be published shortly. Will that be before the forthcoming recess? All long-suffering leaseholders in my area want for Christmas is finally to hear that they will not have to pay sums they do not have to fix a problem they are not responsible for.

Michael Gove: Yes, I really do have to come back before Christmas with proposals. I cannot promise at this stage that they will relieve the burden on every leaseholder of every obligation, but we will do everything we can to help.

Mike Amesbury (Weaver Vale) (Lab): On a point of order, Mr Speaker.

Mr Speaker: Is it related to these questions?

Mike Amesbury: It is. The right hon. Member for Tatton (Esther McVey) referred to a priority levelling-up bid for Winnington bridge in my constituency, and too right, as this is much needed. How do I get it on the record that this is a joint bid, Mr Speaker? I am looking for your advice.

Mr Speaker: The best answer is: what you have just done. It is on the record, and I think it was more a point of clarification than of order.

Covid-19 Update

3.33 pm

The Secretary of State for Health and Social Care (Sajid Javid): With permission, Mr Speaker, I would like to make a statement on the omicron variant and the steps we are taking to keep our country safe. We have always known that a worrying new variant could be a threat to the progress that we have made as a nation. We are entering the winter in a strong position, thanks to the decisions we made in the summer and the defences we have built. Our vaccination programme has been moving at a blistering pace, and this weekend we reached the milestone of 17 million boosters across the UK. This means that even though cases have been rising, hospital admissions have fallen by a further 11% in the past week and deaths have fallen by 17%.

Just as the vaccination programme has shifted the odds in our favour, a worrying new variant has always had the opportunity to shift them back. Last week, I was alerted to what is now known as the omicron variant, which has now been designated a variant of concern by the World Health Organisation. We are learning more about this new variant all the time, but the latest indication is that it spreads very rapidly; it may impact the effectiveness of one of our major treatments for covid-19, Ronapreve; and, as the chief medical officer said this weekend, there is a reasonable chance that our current vaccines may be impacted.

I can update the House that there have now been five confirmed cases in England and six confirmed cases in Scotland. We expect cases to rise over the coming days. The new variant has been spreading around the world: confirmed cases have been reported in many more countries, including Austria, Belgium, the Czech Republic, Denmark, Germany, Italy, the Netherlands and Portugal.

In the race between the vaccines and the virus, the new variant may have given the virus extra legs, so our strategy is to buy ourselves time and strengthen our defences while our world-leading scientists learn more about this potential threat. On Friday, I updated the House on the measures we have put in place, including how, within hours, we had placed six countries in southern Africa on the travel red list. Today, I wish to update the House on more of the balanced and proportionate steps we are taking.

First, we are taking measures at the border to slow the incursion of the variant from abroad. On Saturday, in line with updated advice from the UK Health Security Agency, we acted quickly to add another four countries—Angola, Mozambique, Malawi and Zambia—to the travel red list. That means that anyone who is not a UK or Irish national or resident and who has been in any of those countries over the previous 10 days will be refused entry. Those who are allowed entry must isolate in a Government-approved facility for 10 days.

Beyond the red list, we are going further to put in place a proportionate testing regime for arrivals from all around the world. We will require anyone who enters the UK to take a PCR test by the end of the second day after they arrive and to self-isolate until they have received a negative result. The relevant regulations have been laid before the House today and will come into effect at 4 am tomorrow.

Secondly, we have announced measures to slow the spread of the virus here in the UK. We are making changes to our rules on self-isolation for close contacts in England to reflect the greater threat that may be posed by the new variant. Close contacts of anyone who tests positive with a suspected case of omicron must self-isolate for 10 days, regardless of whether they have been vaccinated or not. Face coverings will be made compulsory in shops and on public transport in England unless an individual has a medical exemption.

The regulations on self-isolation and face coverings have been laid before the House today and will come into force at 4 am tomorrow. I can confirm to the House that there will be a debate and votes on the two measures, to give the House the opportunity to have its say and to perform valuable scrutiny. My right hon. Friend the Leader of the House will set out more details shortly. We will review all the measures I have set out today after three weeks to see whether they are still necessary.

Thirdly, we are strengthening the defences we have built against the virus. We are already in a stronger position than we were in when we faced the delta variant: we have a much greater capacity for testing, an enhanced ability for sequencing and the collective protection offered by 114 million jabs in arms. I wish to update the House on our vaccination programme. Our covid-19 vaccination programme has been a national success story. We have delivered more booster doses than anywhere else in Europe and given top-up jabs to more than one in three people over the age of 18 across the United Kingdom. I take this opportunity to pay tribute to the NHS, the volunteers, the armed forces and everyone else who has been involved in this life-saving work.

Our vaccines remain our best line of defence against this virus in whatever form it attacks us. There is a lot that we do not know about how our vaccines will respond to this new variant, but, although it is possible that they may be less effective, it is highly unlikely that they will have no effectiveness at all against serious disease, so it is really important that we get as many jabs in arms as possible. Over the next few weeks, we were already planning to do 6 million booster jabs in England alone, but against the backdrop of this new variant we want to go further and faster.

I asked the Joint Committee on Vaccination and Immunisation, the Government's independent expert advisers on vaccinations, to urgently review how we could expand the programme, and whether we should reduce the gap between second doses and boosters. The JCVI published its advice in the last hour: first, it advised that the minimum dose interval for booster jabs should be halved from six months to three months; secondly, that the booster programme should be expanded to include all remaining adults aged 18 and above; thirdly, that these boosters should be offered by age group in a descending order to protect those who are most vulnerable to the virus—priority will be given to older adults and people over 16 who are at risk; fourthly, that severely immunosuppressed people aged 16 or above who have received three primary doses should now also be offered a booster dose; and finally, that children aged between 12 and 15 should be given a second dose 12 weeks from the first dose. I have accepted this advice in full. With this new variant on the offensive, these measures will protect more people more quickly and make us better protected as a nation. It represents a

[Sajid Javid]

huge step up for our vaccination programme, almost doubling the number of people who will be able to get a booster dose to protect themselves and their loved ones.

I know that we are asking more from NHS colleagues who have already given so much throughout this crisis, but I also know that they will be up to the task. The NHS will be calling people forward at the appropriate time, so that those who are most vulnerable will be prioritised. I will be setting out more details of how we are putting this advice into action in the coming days.

Our fight against this virus is a global effort, so I will update the House on the part that the UK is playing. We currently hold the presidency of the G7, and, earlier today, I convened an urgent meeting of G7 Health Ministers to co-ordinate the international response. We were unanimous in our praise for the leadership shown by South Africa, which was so open and transparent about this new variant. We were resolute in our commitment to working closely with each other, the World Health Organisation and, of course, the wider international community to tackle this common threat.

Our experience of fighting this virus has shown us that it is best to act decisively and swiftly when we see a potential threat, which is why we are building our defences and putting these measures in place without delay. Scientists are working at speed, at home and abroad, to determine whether this variant is more dangerous. I can assure the House that if it emerges that this variant is no more dangerous than the delta variant, we will not keep measures in place for a day longer than necessary. Covid-19 is not going away, which means that we will keep seeing new variants emerge. If we want to live with the virus for the long-term, we must follow the evidence and act in a proportionate and responsible way if a variant has the potential to thwart our progress. As we do that, we are taking a well-rounded view, looking at the impact of these measures not just on the virus, but on the economy, on education, and on non-covid health, such as mental health. I am confident that these balanced and responsible steps are proportionate to the threat that we face.

This year, our nation has come so far down the road of recovery, but we always knew that there would be bumps in the road. This is not a time to waver, but a time to be vigilant and to think about what each and every one of us can do to slow the spread of this new variant—things such as getting a jab when the time comes, following the rules that we have put in place, and getting rapid, regular tests. If we all come together once again, then we can keep this virus at bay and protect the progress that we have made. I commend this statement to the House.

3.44 pm

Dr Rosena Allin-Khan (Tooting) (Lab): I start by sending my best wishes to the shadow Secretary of State, my right hon. Friend the Member for Leicester South (Jonathan Ashworth), who cannot be here as he is off with covid; we all hope that he gets better soon.

I thank the Secretary of State for advance sight of his statement. This variant is a wake-up call: the pandemic is not over. We need to act with speed to bolster our defences and keep the virus at bay. It is also an important reminder that no one is safe until all of us are safe.

Ministers have not met the commitments that were made at the G7 this summer to get the vaccine rolled out to other parts of the globe. What update can the Secretary of State give on the Government's global commitments?

Given that omicron is already here, what we do at home truly matters. There are measures that we can put in place right now to keep infections down and ensure that the country has the best possible protection. Will the Secretary of State set out the rationale for not introducing pre-departure testing? Surely that would be an effective way of preventing people with covid from travelling into our country.

We support the decision to introduce measures on masks on public transport and in shops, but we believe that those requirements should never have been abandoned in the first place. Keeping in place requirements for masks would always have been our plan A. Will the Secretary of State extend measures on the use of masks to hospitality and other settings, or does covid not spread in pubs? Most importantly, what is the plan to enforce mask wearing? Shop workers have given so much during the last 20 months, alongside our emergency services. Asking shop workers to enforce mask wearing is yet another pressure that they do not need and do not deserve.

If masks had been mandatory, it would have been harder for this new variant to spread. A global study published in *The BMJ* argued that face mask wearing can bring transmission down by as much as 53%. This Government's flip-flopping on masks has created confusion across schools, colleges and universities, so will the Secretary of State today confirm the new requirements across all education settings? The Prime Minister is not the best person to tell people to wear masks, when he cannot even be bothered to wear one himself when he goes into a hospital full of vulnerable patients—and may I ask the Secretary of State when Conservative Back Benchers will start wearing their masks?

Will the Secretary of State update the House on when he expects there to be a decision on vaccinations for younger children? The Government have fallen far short of their own target to offer all 12 to 15-year-olds the vaccine by October half-term, so can he say what action will be taken to speed up vaccine roll-out?

Our NHS has done us proud, and has done a fantastic job of delivering the vaccine, offering first, second, third and booster jabs, all at the same time as treating patients who are suffering from covid and trying to recover when it comes to elective procedures. I thank everyone who works in our NHS and care sector. We are putting even more demands on them at the moment. Our NHS has stepped up to the challenge; it is a shame that this Government simply have not.

Among those with mental illnesses, vaccine rates are low and mortality rates high. The Government need to stop weaponising mental health, and must instead recognise that good, clear, honest communication, which they have failed to have so far, is so important in a crisis. I know that I have mentioned this time and again, but the Government must acknowledge the trauma for people with severe covid and long covid, and for NHS staff, so where is their plan?

Labour has been clear throughout this pandemic that proper sick pay will help people to isolate. The Government have chosen to ignore us time and again, so I ask again:

what support will be available to people who need to self-isolate? Is not this the time to finally fix sick pay? I would appreciate it if the Secretary of State updated the House on the new antivirals and how they will be used. Why are the Government not already giving antibody tests to the immunocompromised? The situation we find ourselves in was entirely predictable. Yet again, this Government have shown that they are incapable of protecting our communities, protecting our NHS and saving lives.

Sajid Javid: I, too, extend my best wishes to the shadow Health Secretary and wish him a speedy recovery.

I have to say that I think the hon. Lady has misjudged the tone of the House. This is a very serious matter. The whole country will be looking for all Members of this House to work together and support the nation. Surely she is not blaming the UK Government for the emergence of the new variant. Perhaps she was just auditioning for the reshuffle that is going on in her party right now.

The hon. Lady asked about international donations. The UK is leading the world on international donations—quite rightly. It is absolutely right that that be treated as a priority. We would like to see other countries step up as well. A few months back, the Prime Minister pledged 100 million donations by June 2022, 80% of which will go through COVAX, of which we are a huge supporter; 20% will be made bilaterally. So far, we have donated over 20 million doses—more than many other countries. COVAX, which we helped found, and which we support, has donated, I believe, some 537 million doses to 144 countries.

The hon. Lady asked about the rules on travel and masks, and other rules that I set out. I think I have addressed that. I believe that the measures are proportionate, and that this is a balanced response. We have just set out a huge expansion of the vaccine roll-out programme, and it is a shame that the hon. Lady could not find it in herself to welcome that. As I said, I will set out more details in coming days on exactly how we intend to meet the requirement to vaccinate more.

On antivirals, we are one of few countries in the world to have procured the two leading antivirals. Our independent regulator, the Medicines and Healthcare products Regulatory Agency, was the first in the world to approve one of those antivirals. I am pleased with the over 700,000 courses that we have for citizens across the United Kingdom, but of course, given the emergence of the new variant, we will be reviewing that and seeing if more needs to be done.

Jeremy Hunt (South West Surrey) (Con): The late Donald Rumsfeld coined the phrase, “known unknowns”, and that is what we face with the new omicron virus. The Secretary of State is therefore absolutely right to take sensible and proportionate measures to buy time while we wait to understand how dangerous this new variant can be, but does he not agree that the fact that we face this danger is a symptom of the failure of western countries to make sure that vaccines are distributed adequately around the world? I recognise the enormous contribution that the UK has made through COVAX, the development of the AstraZeneca vaccine and so on, but is it not a moral and practical failure that while richer countries have managed to vaccinate 60% of their populations, for poorer countries the figure is just 3%?

Sajid Javid: I thank my right hon. Friend for his support. I agree with his words. It is important that all rich countries do everything they can to support the donation of vaccines to developing countries. I set out earlier what the UK has done, and we can be proud of that, but we need other countries to step up. In the G7 meeting I chaired earlier today with Health Ministers, we all agreed on the importance of this, and about redoubling efforts to make sure that all commitments are met.

Richard Thomson (Gordon) (SNP): I thank the Secretary of State for advance sight of his statement, and I add my own thanks for the work that the NHS does and continues to do in all parts of these islands to keep us all healthy and safe. The emergence of omicron, including the six cases in Scotland, along with the evidence of community transmission, shows that this is absolutely no time to be complacent. For all the measures being taken at the border, with day two PCR testing, we risk missing a number of cases as they cross the border because of the incubation period. Surely a more effective approach would be to introduce day eight PCR testing, accompanied by eight days of isolation—and surely it would be better to do that now, than to be bounced into doing that by events further down the line.

Secondly, the Secretary of State issues a call for us all to work together, and I am sure we all wish to be able to do that, but does he share my disappointment that when the First Ministers of Scotland and Wales today called for a Cobra meeting to be convened, that possibility appeared to have been dismissed out of hand already? Will the Secretary of State prevail on the Prime Minister to convene and attend an urgent Cobra meeting involving all four nations, so that people might be persuaded that he is on top of this development, as we would all expect him to be?

Finally, does the Secretary of State agree with the Opposition Front-Bench spokesperson, the Chair of the Select Committee and me that the emergence of this variant shows that none of us is safe until all of us are safe? However much is being done, and however much the UK has done to date, more still needs to be done to achieve as close to 100% global vaccination as possible, including through the vaccination programmes we are in, and by increasing global vaccine production and overcoming the barriers that patent law might place in the way of our achieving that.

Sajid Javid: First, on the hon. Gentleman’s question on day two testing, we believe that the day two testing requirement for international travel is the proportionate response. He will know that it applies to all arrivals to the UK, and that the individual would have to self-isolate until they got a negative test result, and I think that is the right response.

In terms of meetings and the UK nations working together, that has been one of the successes of the UK’s response to the pandemic. The way that nations across the UK have worked together, especially on vaccines, testing, surveillance and antivirals, shows that we are stronger together.

Greg Clark (Tunbridge Wells) (Con): Sir Andrew Pollard, who developed the Oxford vaccine, predicted in June to my Select Committee that new variants would

[Greg Clark]

escape the vaccines by being more infectious, but said that protection against severe illness should continue. Will my right hon. Friend avoid taking any panic measures if we see a rise in infections in the weeks ahead, as seems inevitable, and concentrate instead on the vaccine's effectiveness against severe illness and hospitalisation?

Sajid Javid: My right hon. Friend is absolutely right. As I said in my statement, even in the case of the dominant delta variant, we have seen some rises in infections, but also falls in hospitalisation and death rates, thankfully. The reason for that is the power of the vaccines, and especially our booster programme, which is the largest in Europe. He is absolutely right: with the new variant, as we look ahead, what matters more than anything is hospitalisations.

Clive Efford (Eltham) (Lab): The second line in the Secretary of State's statement was:

"We have always known that a worrying new variant could be a threat to the progress that we have made as a nation."

With that in mind, does he think it was wrong for the Government to abandon mask wearing in public places and confined spaces? Will he listen to the recommendations of Doreen Lawrence's report and start to issue full-face protection masks to care workers and health workers?

Sajid Javid: Surely the hon. Gentleman is not suggesting that if we had had different rules on masks over the summer, this variant would not have emerged.

Dame Andrea Leadsom (South Northamptonshire) (Con): I am sure that my right hon. Friend will want to pay tribute to the South African Government for raising the existence of the omicron variant, which resulted in their having a travel ban imposed. I have constituents—and, in fact, a family member—stuck in South Africa. For how long does he expect cancellations and suspensions of flights to occur? It is a worrying time for anyone stuck overseas.

Sajid Javid: First, I join my right hon. Friend in again expressing thanks to the South African Government for how they have handled this difficult situation. I understand her point about her constituents. Many of us will have constituents in a similar position. It is hard to say when direct flights might start. We have started our hotel booking programme, which is one part of trying to get our citizens back, but we will do everything we can to support them in that way.

Valerie Vaz (Walsall South) (Lab): We have quite rightly praised the South African doctor, but she saw her patient face to face. What advice, guidance or instruction will the Secretary of State give to GPs? I know that my constituents are keen to see their GPs face to face, which may be more effective than Test and Trace.

Sajid Javid: The right hon. Lady asks an important question. One thing that we are doing is updating guidance throughout the NHS, including for primary care.

Mr Mark Harper (Forest of Dean) (Con): The Secretary of State said in his statement about the legislation that he has laid before the House—incidentally, it is not yet available on legislation.gov.uk for Members to study—that close contacts of anyone who tests positive with a suspected case of omicron must self-isolate for 10 days regardless of whether they have been vaccinated. First, will he confirm that that is in the regulations? Secondly, for the benefit of the House, will he set out what he did yesterday in television studios: the mechanism by which the omicron variant will be identified and communicated to people contacted by Test and Trace, so that we all know how it will work? It is more complicated than the system that we have had to date.

Sajid Javid: I can confirm that the new regulation on close contact will be anyone who is a close contact of someone with a confirmed positive case of suspected omicron. The UKHSA is working at speed on the best ways to determine a suspected case. One way is the so-called S-gene drop-out test, but there are other quick ways to ascertain that. The tracing work will be carried out by Test and Trace.

Daisy Cooper (St Albans) (LD): It is often said that how a society treats its most vulnerable is a measure of its humanity, yet a quarter of the clinically extremely vulnerable have yet to receive their third primary dose because of confusion that persists about the third primary dose and the booster. One in five of the clinically extremely vulnerable are still shielding without any Government guidance or support. For them, the uncertainty of the new variant is terrifying. Will the Secretary of State or one of his Ministers please meet me and patient groups to discuss our five-point plan on how we can protect the clinically extremely vulnerable this winter?

Sajid Javid: The vaccines Minister, the Under-Secretary of State for Health and Social Care, my hon. Friend the Member for Erewash (Maggie Throup), is meeting patient groups this week and she is also happy to meet the hon. Lady.

Matt Hancock (West Suffolk) (Con): May I join others in welcoming the well-judged and rapid action this weekend as well as the acceleration of boosters, including the new provision of a mass vaccination this weekend in Newmarket? Existing vaccinations—including boosters—are effective against all known major variants before omicron, but will the Secretary of State set out plans for a variant vaccine, should that be needed in the worst-case scenario?

Sajid Javid: I thank my right hon. Friend for his support. The UK has been supporting a new vaccines programme largely thanks to his efforts when he was in my position. That work continues. If it is necessary to procure new vaccines that we believe are safe and effective and will help with the new variant, we will do so.

Sarah Owen (Luton North) (Lab): Gordon Brown said yesterday that the chief medical officer urgently needs to teach the Prime Minister "some basic medical facts", and I would say that that could probably be extended to some of those on the Government Back Benches as well, meaning that we are not going to stop the threat of variants—

Alec Shelbrooke (Elmet and Rothwell) (Con): Why don't you learn food mechanics then?

Mr Speaker: Order. Mr Shelbrooke, I thought you might have been going on the NATO delegation, and I do not want to hear that you have missed out on it.

Sarah Owen: We are not going to stop the threat of variants derailing our progress until we vaccinate the world. Our country has enough vaccine to give at least three doses to everybody, yet of the 100 million doses that were pledged by the Prime Minister to the world's poorest, less than 10% have actually been delivered. Can the Secretary of State tell us if the PM will meet his ambition to help vaccinate the world by the end of 2021, or is that yet another broken promise with catastrophic consequences?

Sajid Javid: I said earlier that, out of the 100 million commitment that the UK has made to international donations, over 20 million have already gone and been delivered, and another 10 million are about to go.

Huw Merriman (Bexhill and Battle) (Con): The return of PCR testing will be met with some apprehension by the international travel sector, which has just been getting back on its feet, but it will at least be cheered by the Secretary of State's statement that we will not keep measures in place for a day longer than is necessary. Can I ask the Secretary of State to ensure that the providers of PCR tests are those that will actually give accurate, good-value testing back to the public, and that we will not see some of the issues that arose over the summer repeat themselves?

Sajid Javid: My hon. Friend makes a very important point. I know he rightly takes a close interest in this; we do want to minimise any impact on our excellent transport and travel sector. He is right to raise the importance of making sure that PCR tests are available, the pricing is correct and the Government website where providers are listed is properly monitored so that anyone who breaks the rules is delisted.

Barbara Keeley (Worsley and Eccles South) (Lab): Although the measures taken so far are welcome, now that we have community transmission of omicron in Brentwood and in Scotland, we need more protective interventions. Mask wearing can obviously play an important part, so can the Secretary of State say whether he agrees with the call from the British Medical Association to extend it to all indoor and enclosed settings? Will he also consider measures to increase ventilation in enclosed settings, encourage working from home and give proper sick pay to those who need to isolate?

Sajid Javid: I think we have been clear about why we have set out the new rules on masks, and I think our response is the proportionate one. The hon. Lady is right to raise the importance of ventilation. That is why it is very clear in the guidelines, and many places are following that. When it comes to sick pay, it is right that we have kept the rules in place that allow people, should they test positive or have to self-isolate, to claim sick pay from day one.

Theresa Villiers (Chipping Barnet) (Con): If the situation deteriorates—we all hope it will not, but if it does—please can the Government do everything possible not to shut down the hospitality and events sector again? The livelihoods of millions of people depend on it, and they are just getting back on their feet. Please, let us not knock them down again.

Sajid Javid: I agree absolutely with my right hon. Friend.

Neale Hanvey (Kirkcaldy and Cowdenbeath) (Alba): The emergence of omicron is not really much of a surprise; it is more a case of when, not if. Anecdotal evidence from South Africa suggests that, while it may be more infectious, the potency seems to be more limited. Of particular concern are the mutations to the spike protein in two specific areas, so what action are the Government taking to put in additional resources to adjuvant therapy development, especially given the impact on monoclonal antibody therapies and the vaccine, and what is the status of genomic surveillance in the UK at present?

Sajid Javid: First, I think it is fair to say that our genomics surveillance has never been so strong. It was getting stronger even before the pandemic, but because of the pandemic, there has been a huge amount of investment, and it has paid off UK-wide. On the treatments, there is some concern about this new variant and Ronapreve, which is one of the key monoclonal antibodies that we use for treatment, but it is just concern at this point; there is no particular evidence. However, part of the reason for taking these measures is to buy the time we need—two to three weeks—to give our scientists time to assess the risk of this variant properly.

Sir Graham Brady (Altrincham and Sale West) (Con): First, what assessment has the Secretary of State made of the early reports from South Africa that the variant may actually lead to less severe illness than the previous variants? Secondly, I welcome the fact that we will have both a debate and vote tomorrow on these regulations, but would it not be better if we had the debate and the vote before the restrictions come into force, rather than after?

Sajid Javid: I believe that right after my statement the Leader of the House will be making a statement about the debate and vote tomorrow.

On the severity, there are reports, as my hon. Friend has said, but it is early days and we are looking into them, talking with our South African friends and getting more details. It is worth pointing out the difference in age profile and demographics: in South Africa, people with covid are on average younger, and we are taking that into account as well.

Marsha De Cordova (Battersea) (Lab): The Secretary of State set out the booster programme for the vaccines in his statement but has not mentioned what steps he will be taking to support those areas where take-up of the vaccine is still very low: what additional resources will be provided to those areas?

Sajid Javid: That is an important point and the hon. Lady is right to raise it. We estimate that 5 million people across the UK have not even taken up the offer

[Sajid Javid]

of their first dose of the vaccine, putting themselves and their loved ones at great risk. A lot of work has been done over the past few months and it is bearing results: we are seeing ever more people coming forward, especially in the past few weeks. Indeed, many came forward this weekend, perhaps out of concern about the new variant. A lot of work is being done with community leaders, and there is an existing communications campaign but a new one will start imminently.

Sir Desmond Swayne (New Forest West) (Con): Over the last few months there has been a useful control experiment on face coverings, given the different policies pursued in Scotland and England. What estimate has the Secretary of State made of the result? It is mumbo-jumbo, isn't it?

Sajid Javid: If my right hon. Friend is suggesting that there are mixed views on the efficacy of face coverings in helping to fight the pandemic he would be right, but I would point him to UK work by Public Health England—published, if I remember correctly, last month—referring to a number of reports setting out how in certain settings face coverings could help.

Catherine West (Hornsey and Wood Green) (Lab): What urgent action is being taken to vaccinate people who are bed-bound?

Sajid Javid: For those who are bed-bound, home-bound or vulnerable for other reasons and who cannot make it to vaccination centres, vaccinations are primarily carried out by GPs. I do not have the numbers of how many have been done, but recently to encourage more people to be vaccinated more quickly we changed the GP payment system, which seems to have helped as well.

Aaron Bell (Newcastle-under-Lyme) (Con): The Opposition often call for more restrictions, but it was the relaxation of restrictions this summer, which the Government took under scientific advice, that has put Britain in a good position prior to the emergence of this variant. While I welcome the statement and the proportionate precautionary measures the Secretary of State has taken today, will he assure me and the House that this is a temporary measure, and that when we get more information and have bought more time, we will get new measures to react to that information?

Sajid Javid: Yes, I am very happy to give that assurance to my hon. Friend. He is absolutely right that this is all about buying a bit of time that our scientists need to assess this variant properly and to determine what it really is and whether we should really be worried about it or not. He is also right to point out that we took measures in the summer removing almost all domestic rules and controls and that they turned out to be absolutely the right measures. Many of my counterparts in Europe now believe they should have taken a similar route, but I remember that all those measures were opposed by the Labour party.

Vicky Foxcroft (Lewisham, Deptford) (Lab): Immuno-compromised people continue to be worried: many still do not know whether the vaccination works on them.

The OCTAVE—Observational Cohort Trial-T-cells Antibodies and Vaccine Efficacy in SARS-CoV-2—study showed that around 150,000 people potentially have reduced or no antibody response, but OCTAVE-DUO is not due to report until early next year. Will the Secretary of State ensure that the immunocompromised population has access to antibody tests, thus allowing them to know their level of protection? Will he ensure that those with little or no protection have the support they need to stay safe?

Sajid Javid: Yes, of course. We want to make sure that we are helping people who are immunosuppressed in every way possible, including with access to any tests that might be clinically required. The hon. Lady may have noted that in the JCVI advice that I referred to, there is a recommendation, which we have accepted, that those who are immunosuppressed and are able to benefit from the vaccine to some extent should be offered a booster dose on top of the third primary dose. The antivirals are also very important for that group of vulnerable people, and it is good that the UK has procured them.

Bob Seely (Isle of Wight) (Con): Will the Secretary of State, on behalf of the Government, reassure me that the Foreign Office and its consular service will be doing all they can? I am already receiving calls from Islanders stuck in southern Africa who are worried about their ability to get back.

Sajid Javid: Yes, I can give my hon. Friend that assurance. We have been working closely with colleagues in the Foreign Office, and that will remain vital work so that we can help people—UK citizens or Irish citizens—who might be stuck abroad to come back.

Hilary Benn (Leeds Central) (Lab): Given the change to the rules for booster vaccinations announced by the JCVI this afternoon, how long does the Secretary of State think it will be before all the people between 18 and 40 who have had their first and second jabs can come forward and receive the booster jab, so that as much of the population as possible is protected?

Sajid Javid: First, I can tell the right hon. Gentleman that we have already done 17 million, which is almost one third of the adult population. That is more than any other country in Europe. However, he is right to ask how quickly we can do those who will become newly eligible. I will have to come back to the House and set out details about how we intend to meet this advice. The advice was received very quickly from the JCVI over the weekend; it did stellar work to turn it around so quickly. I have already asked the NHS about operationalising it. We are not quite there yet, but we will be very shortly, and I will set that out.

Richard Drax (South Dorset) (Con): None of us underplayed the threat of any new variant. As my right hon. Friend has said today, covid is not going to go away. It is not; it is here for the rest of our lives. The country is learning to live with the disease, which is the only way forward. Will he please reassure me, the House and the country that he will never, ever go back to locking this country down?

Sajid Javid: No one wants to see those kinds of measures. I agree with my hon. Friend that covid is with us to stay and we need to learn to live with it. I think the best way we can do that is with the primary form of defence that we have, which is our vaccination programme. I hope he agrees that we are absolutely right to basically put the booster programme on steroids, because that will really help us.

Peter Kyle (Hove) (Lab): One of the most covid-vulnerable settings in the country is school classrooms. Children have a much lower vaccination rate than adults, and children come from all over communities to one place and then return to families in the afternoon. Masks are being returned to corridors, but they are not being returned to classrooms. I take no pleasure in advising the Secretary of State to make children wear masks in classrooms. However, it is absolutely clear what the stakes will be if we get this wrong. Students have already been absent from schools in their hundreds of thousands this term, and we are approaching the exam season. If we just act cautiously in the next few days, exams will be able to be sat as normal; if we get this wrong, exams will be wrecked for the third year running. That will play havoc with students' futures, and it will play havoc with teachers and their ability to get the job done on behalf of our country.

Sajid Javid: The hon. Gentleman will know that the Department for Education today set out fresh guidance on masks in communal areas—

Peter Kyle: Not in classrooms.

Sajid Javid: Not in classrooms. I think what the Government have set out is the right approach. In terms of protecting children from the pandemic, the vaccination programme for children—especially secondary school children—is important. I think over 40% of 12 to 15-year-olds have been vaccinated. That has certainly increased since we opened up the national booking system to that cohort. I think the figure for 16 and 17-year-olds is almost 60% now, but we continue to work on it.

Andrew Bridgen (North West Leicestershire) (Con): My right hon. Friend has outlined the Government response to the emergence of the omicron variant and the restrictions he wishes to place on the public. This House will quite rightly have a vote on those measures. He has also stated that the measures will be reviewed in three weeks' time. He knows that in three weeks' time this House will be in recess. How will there be parliamentary scrutiny of the Government's review measures, or will we be having Government by diktat?

Sajid Javid: The review should take place as soon as possible. That is how the Government determined the three weeks. Unless Parliament was called back from recess or the Government took longer than three weeks, I think the approach the Government have set out is the right one.

Caroline Lucas (Brighton, Pavilion) (Green): The Secretary of State says that rich countries must do everything they can to ensure more vaccines reach the global south. Judging by his actions, he means doing

everything except the main thing those countries are actually asking for: waiving intellectual property rules at the World Trade Organisation so they can manufacture vaccines themselves. This is about justice, not charity. Will he admit that his Government's failure to work with the vast majority of countries in the world, including the United States which does support a TRIPS—trade-related aspects of intellectual property rights agreement—waiver, is endangering us all? When will he start putting the need to end the pandemic in front of the financial interests of big pharma?

Sajid Javid: I heard what the hon. Lady had to say, but the UK does not believe that waiving patent rights and intellectual property rights on these vaccines would be helpful. It would certainly mean that in the future there would be a huge disincentive for pharmaceutical companies to come forward and help the world with their technology.

Sir Charles Walker (Broxbourne) (Con): I say to the Secretary of State that injecting people, not just in this country but around the world, is a huge logistical undertaking. I believe that in India nasal vaccines are used for the administration of the flu vaccine. Please can the Government bring forward nasal vaccines? We did it in nine months for an injectable vaccine—March 2020 to December 2020. It is now nearly December 2021 and there is still no nasal vaccine, despite high levels of efficacy being proven in trials.

Sajid Javid: My hon. Friend is right to raise the importance of vaccine delivery mechanisms. If there was an approved nasal vaccine delivery mechanism, it would be helpful. He will understand that we have to allow the regulators the time to assess new delivery mechanisms, but we do take this very seriously.

Debbie Abrahams (Oldham East and Saddleworth) (Lab): I wholeheartedly agree that no one is safe until we are all safe, and the UK and other G7 countries need to take some responsibility for the emergence of this variant. I just wanted to touch on the fact that we already have community spread of this variant. If we are to contain it, we must ensure that contact tracing is relevant and as widespread as possible. Can the Secretary of State confirm—I have asked him about this in the last few weeks—that the contain outbreak management fund will be extended beyond March; that those places that do not have it will have it; and that those that have already spent it will be properly resourced?

Sajid Javid: The hon. Lady makes an important point about contact tracing. On the contain outbreak management fund, especially given the emergence of this variant, we are actively reviewing it.

Steve Brine (Winchester) (Con): I welcome the widening of the booster programme that the Secretary of State announced, but my constituents still have no walk-in access in Winchester. I would therefore really appreciate his help with that, on behalf of the increasing number of constituents who are contacting me.

The measures we will be asked to approve tomorrow night will likely appear rather small in and of themselves, but the Secretary of State knows that the wider impact of the past few days is absolutely huge. Nativity plays

[*Steve Brine*]

have been cancelled or moved online—these are moments that we just do not get back—and community events are being cancelled just in case. The Prime Minister said this lunchtime that if you are boosted, we know your response to this variant is strong. What evidence base is that drawn from, and when might we reasonably expect data from the scientists on how, if at all, the variant hits vaccine efficacy?

Sajid Javid: First, I noted what my hon. Friend said about walk-in access in Hampshire, so I will take that away and get back to him. Secondly, he is right to talk about the impact of these measures. Although I believe that they are right, proportionate and balanced, we must never forget the impact that they have on individuals and their daily lives. That is why they must be removed the moment it is safe to remove them. In terms of when we will have more data, we have set a three-week review point because that is the time when we believe that we will have more information—not just the information that we will have come up with, but information through our international counterparts.

Jim Shannon (Strangford) (DUP): I thank the Secretary of State and his team for all they do to combat covid-19 in the UK. This has an effect on Northern Ireland; the Northern Ireland Health Minister said yesterday that Northern Ireland will follow the guidance that comes from Westminster. With that in mind, having heard a leading Northern Ireland scientist say this week that he believes that the current vaccination and booster roll-out will have an effect on the new variant, will the Secretary of State assure us that any and all curtailments, such as those faced by the travel industry, will be proportionate and scientific, taking into account transmission and the seriousness of the new covid variant?

Sajid Javid: Yes, I can give the hon. Gentleman that assurance.

Dr Julian Lewis (New Forest East) (Con): As someone who, very thankfully, received his booster jab last Thursday at the outstanding St Thomas' Hospital, may I ask the Secretary of State why certain groups and communities seem to fear vaccination? Which are those groups and communities, and what can be done to persuade them that they are wrong?

Sajid Javid: There are many communities where vaccine take-up is lower than others. That has particularly been the case in the black African community in Britain and in some other black and minority ethnic communities—that has improved significantly over the past two to three months. The same is also the case in many other European countries and the US. A huge amount of work is being done through community leaders and communication campaigns, and by offering access to the vaccine in as many different ways as possible to encourage take-up.

Andrew Gwynne (Denton and Reddish) (Lab): Will the Secretary of State talk a bit more about the transmissibility of the omicron variant and the efficacy of vaccines on it, given that Australia has some of the toughest entry requirements of any country in the world, yet the variant has basically got through a concrete wall?

Sajid Javid: That is an important point. It is fair to say that we do not know enough yet—I do not think Australia or any other country does, for that matter—but we know enough to justify the action that has been taken. From that, there is emerging evidence that this variant is more transmissible, but I do not think we can describe that as conclusive at this point. On vaccine efficacy, I point to what I said earlier about taking the time to determine that.

Jason McCartney (Colne Valley) (Con): I welcome the speedy and decisive action taken by the Government over the weekend in response to the new variant. I also welcome the delivery of 17.5 million boosters. Will the Secretary of State join me in thanking not only my pharmacy-led vaccination centres, where I had my first and second doses of AZ, but my GP-led clinics, where I had my Pfizer booster? Is he confident that the infrastructure and the robust supply of vaccines are in place as we try to deliver 6 million more booster vaccines over the next three weeks?

Sajid Javid: We are very confident about the supply that we have, including accommodating the new advice that I have accepted from the JCVI. I join my hon. Friend in thanking the many thousands of GPs across the country who have been crucial to our vaccine programme.

May I take a moment to address the question that my right hon. Friend the Member for Forest of Dean (Mr Harper) asked about the timing of laying the regulations? I want to clarify that the regulations setting out the new measures have been made by the Minister for public health and vaccines—the Under-Secretary of State, my hon. Friend the Member for Erewash (Maggie Throup)—and are in the process of being registered with the National Archives. They will then be laid before Parliament and should be available to review online at around 5 pm.

Chris Bryant (Rhondda) (Lab): It does not feel as if the pandemic will be over any time soon; we have only got to omicron so far, not omega. May I urge the Secretary of State to look at two things? The first is the deliberate campaign of disinformation that is going on around the country. Some of these people are dangerous—their views are certainly dangerous. I hope that the Secretary of State will work with the Home Secretary to make sure that we check on all these campaigns about “new Nuremberg laws” and that nobody does damage to people working in the health service.

Secondly, will the Secretary of State tackle the problem of profiteering? Frankly, some companies are now charging completely disproportionate prices for PCR tests. There should surely be a fixed price across the whole UK.

Sajid Javid: The hon. Gentleman makes a very good point about how the danger of disinformation is costing lives, not just here in the UK, but across the world. Rightly, we have talked a lot about South Africa today. He will know that there is very low take-up of vaccines in South Africa even when they are available; that is partly due to disinformation campaigns. I assure him that we are working across Government with the Home Office, the Department for Digital, Culture, Media and Sport and other Departments to counter such disinformation as best we can.

On PCR tests, I refer the hon. Gentleman to the remarks that I made a moment ago.

Alun Cairns (Vale of Glamorgan) (Con): I congratulate my right hon. Friend on taking swift and efficient action in relation to the additional protections that are necessary, but when he reviews, as more data becomes available, the wearing of face masks and the additional restrictions that he has introduced, will he consider real-life scenarios? He has heard the calls from Opposition Members for mask wearing and working from home. Is he aware that in Wales those measures have been in place since the summer, yet infection rates are still much higher?

Sajid Javid: My right hon. Friend is right to raise the difference between Wales and England in the approach taken. I feel—like him, I think—that we have taken the right approach to face masks. I welcome his support today.

Mike Wood (Dudley South) (Con): My right hon. Friend rightly highlights the role of South Africa's excellent testing and analysis system in identifying omicron. It would be perverse if South Africa were treated less favourably as a result of the resources that it has put into such analyses. Will he look at neighbouring red list countries that have much lower testing and analysis levels, to see whether travel restrictions for some of those countries might be appropriate to keep people in this country safe?

Sajid Javid: We will keep that issue under review. My hon. Friend is right to speak, as hon. Members across the House have done, about the importance of South Africa's handling the matter in such a professional and exemplary way. It might reassure him to know that in the G7 meeting that I chaired earlier, we agreed unanimously about that issue and about the importance of continuing to work with and support South Africa.

Stephen Kinnock (Aberavon) (Lab): We know that if the Government just sit back and wait for the development of new vaccines for new variants, we will be left at the back of the queue, because the industry will always go to the highest bidder, such as the EU or the US. Back in April, Clive Dix, the outgoing head of the vaccine taskforce, sent the Government a specific proposal about setting up a new taskforce to fast-track the development of new vaccines for new variants. Yesterday, Mr Dix revealed that the Government completely failed to respond to his proposal. Can the Secretary of State explain why the Government have chosen to ignore Mr Dix's expert advice?

Sajid Javid: I do not think it would be correct to say that the Government have ignored the advice that the hon. Gentleman refers to. I also think it would be incorrect to say that when it comes to vaccines, the Government are somehow going to sit back and wait. I mentioned earlier the huge expansion of the vaccine programme, on the back of advice from the JCVI, and the fact that the UK already has the supply to meet it. The reason we have that is that we have a fantastic vaccine taskforce—better than in any other country in the world.

Patricia Gibson (North Ayrshire and Arran) (SNP): Most countries in Africa missed the World Health Organisation target for a mere 10% of their populations to be vaccinated by the end of last month as they

struggled to secure supplies of vaccine. As the Secretary of State has heard today, no one is safe until everyone is safe. What more will his Government do, with international partners, to ramp up the sharing of vaccines with developing countries to lessen the risk of further variant emergence, and what support can be given to those countries to tackle the mistrust of the vaccine among some sections of their populations?

Sajid Javid: In the call that I had today with G7 members, we all agreed about the importance of working with developing countries, looking into not just how to provide the vaccine but also—I hope the hon. Lady agrees that this is important—what more can be done, once the country has the vaccine, to deliver it locally, through local logistics or through other delivery mechanisms. We will be working hard to see what more we can do together.

Robert Halfon (Harlow) (Con): I thank my right hon. Friend for what he is doing, but I understand that children are at very little risk from the new variant, so can he confirm that schools will not be closed any earlier than the run-up to the Christmas holidays? May I also ask him about the mask policy? Given that masks are not required in offices, can he explain the scientific evidence on which the decision to ask students to wear them in corridors was based?

Sajid Javid: The risk to children from covid in general is, thankfully, much less than the risk to adults, but we do not know enough about the new variant to talk specifically about its potential impact on children. There are no plans of which I am aware that would require us to close schools early, and I think that that would be very detrimental to children's education. As for the rules on masks, my right hon. Friend will know that the rules set out today by the Department for Education are guidance for schools in relation to communal areas, and the DOE will be able to give him more evidence and information.

Mick Whitley (Birkenhead) (Lab): If we are to win the fight against the omicron variant, it is essential that people comply with public health guidance, but with the UK's statutory sick pay ranking among the lowest in Europe, far too many people in this country simply cannot afford to self-isolate. Will the Secretary of State commit himself to working with colleagues in the Cabinet to raise the rate of sick pay to at least the equivalent of a week's living wage, so that no one is forced to choose between doing the right thing and heating their home this Christmas?

Sajid Javid: The hon. Gentleman will know that we have kept rules in place that will allow people to claim sick pay from day one. As for the question of whether further support is needed, we keep that under review and provide further support if it is necessary.

Stephen Metcalfe (South Basildon and East Thurrock) (Con): I thank my right hon. Friend for the work that he has been doing and the speed with which he has been doing it. Can he confirm to my constituents that as soon as more is known about the new variant and if it is deemed to be less of a threat than first thought—as is starting to emerge from the evidence in South Africa

[Stephen Metcalfe]

and the people who first identified it—he will act swiftly to remove restrictions, particularly the one on self-isolation, regardless of vaccine status, especially in the run-up to Christmas?

Sajid Javid: Yes, I can give my hon. Friend that assurance.

Dame Diana Johnson (Kingston upon Hull North) (Lab): Will the Secretary of State give us his opinion on whether every Member in the Chamber should be wearing a mask?

Sajid Javid: All Members know what the guidance is, and it is a decision for them.

James Sunderland (Bracknell) (Con): Like many other Members, I welcome today's statement, and I agree that further measures and restrictions would only be a necessary evil. Will the Secretary of State acknowledge the many millions of people and businesses throughout the UK who are clawing back jobs, livelihoods and freedoms after a difficult two years, and does he agree that these further restrictions should only be an absolute last resort?

Sajid Javid: I do agree with my hon. Friend. We all know from our experience of the pandemic thus far that while many of the restrictions may well be necessary to fight covid, they have other impacts, especially on the economy, on people's life chances and on children's education and social lives. I am very much aware of the impact that they have had on non-covid outcomes, so I very much agree with my hon. Friend.

Matt Rodda (Reading East) (Lab): I welcome the Government's plans to extend the vaccination programme. However, with our NHS under severe pressure after two very difficult years, what extra resources is he willing to put forward to support our frontline NHS, particularly our GPs and our A&E and ambulance services?

Sajid Javid: This year alone, we have provided an additional £34 billion of support to the NHS and the social care system. All the extra funding is in place in each of the areas that the hon. Gentleman has just mentioned—whether it is the winter access fund for GPs or the support for the ambulance trusts, which I think have had more than £55 million for the winter pressures—and it is making a real difference.

Jane Hunt (Loughborough) (Con): Having received my booster vaccination yesterday, I would like to thank the Leicestershire and Rutland vaccination service, and particularly Rachel and Abbie, for their excellent work. Does my right hon. Friend agree that it is vital that constituents take up their vaccinations, including their booster, to help us all through the winter period?

Sajid Javid: Yes, I do. The vaccines remain our primary line of defence and I congratulate my hon. Friend on getting her booster shot yesterday. I wholeheartedly agree that everyone who is eligible should come forward, to protect themselves and their loved ones.

Rachael Maskell (York Central) (Lab/Co-op): Without in-country manufacturing of the vaccine in the global south, we will never get the protection that we need against this pandemic, and no matter how many donations the Government make, supplies will never meet the demand. Will the Secretary of State therefore look again at the issue of in-country manufacturing, whether that involves release of the patent or other mechanisms, so that we can see a proper scaling up of the delivery of the vaccine in the global south?

Sajid Javid: The hon. Lady is right to talk about the importance of in-country manufacturing in the developing world. She will know that India, for example, is one of the largest manufacturers of vaccines, including the covid-19 vaccine, but she rightly points out that this capacity needs to grow and become available in other countries, and it is right to look to see how we can support that.

Laura Trott (Sevenoaks) (Con): I welcome the acceleration of the booster programme, but may I ask the Secretary of State to do all he can accelerate the approval by the JCVI of the vaccine for the under-12s, particularly those who are clinically extremely vulnerable? I have a constituent who is seven and who is desperate to go to school without fear, and all his parents want is to be able to give him the jab.

Sajid Javid: My hon. Friend is right to raise that, and I hope she will agree that the JCVI has acted very quickly since the emergence of this new variant. If there are other things that can be taken forward to help to vaccinate the population, we will certainly be looking at that with great interest.

Steve McCabe (Birmingham, Selly Oak) (Lab): I think that the Secretary of State briefly mentioned hotel bookings in answer to an earlier question. He will be aware that over the weekend there have been reports of a shortage of quarantine hotel spaces. How will he ensure that this does not undermine his reasonable attempts at a rapid response to the new variant, and where can someone currently find reliable information about the capacity and availability of such accommodation?

Sajid Javid: The Department already had contingency plans in place for countries being rapidly added to the red list. I believe that more than 600 rooms were made available on Sunday morning, and that will rapidly increase during the next few days. I think it has already increased since then. I believe that most of the information is available on the Government website.

Dr Ben Spencer (Runnymede and Weybridge) (Con): I thank my right hon. Friend for his statement. Clearly the problem here is uncertainty. I welcome the analysis, along with the three-week review and the ambition to do it sooner, but following on from the question from my hon. Friend the Member for North West Leicestershire (Andrew Bridgen), does he agree that if the review takes place after the House has risen, we should be recalled to debate its findings?

Sajid Javid: That is a decision we will have to make closer to the time.

Liz Twist (Blaydon) (Lab): Shop workers and transport workers will bear the brunt of asking people to comply with these new restrictions. What measures do the Government propose to ensure those workers get the protection they deserve?

Sajid Javid: These new rules on face coverings will be enforceable by law, and the police and other law enforcement authorities will be able to issue penalty notices—I think the penalty starts at £200. That should be a last resort but, if necessary, it should be enforced.

Selaine Saxby (North Devon) (Con): My North Devon constituents are keen to get boosted, with a big queue last night at the Barnstaple leisure centre vaccination drop-in. Although I am delighted that the booster programme is being extended, will my right hon. Friend please reassure me that more help will be given to rural constituencies like mine where residents are struggling to get local appointments, despite the hard work of the clinical commissioning group and vaccination team?

Sajid Javid: I am pleased to hear my hon. Friend's constituents are so keen, and I assure her of that support, especially as we expand the booster programme on the back of the latest JCVI advice.

Tony Lloyd (Rochdale) (Lab): The Secretary of State will know very well that the omicron variant has alarmed people who are immunocompromised, particularly those who are uncertain about whether their third jab was a booster or a specific jab for immunocompromised people. There are also people in anomalous positions with respect to the vaccination programme. As Members of Parliament, how can we get fast-track information from the Department about what is right for individual anomalous constituents?

Sajid Javid: Most people in that situation will be contacted either by letter or directly by their GP, but I understand the importance of the question. The hon. Gentleman may have heard earlier that one piece of advice from the JCVI that I have accepted is that the severely immunocompromised who have received three doses as part of their primary course will now be offered a booster dose—a fourth dose—so long as there has been a three-month gap since their third dose. In many cases, if an individual is unsure, the best place for advice

is their GP. If the hon. Gentleman would find it helpful to meet the vaccine Minister to get more information, I can set that up.

Alec Shelbrooke (Elmet and Rothwell) (Con): I thank my right hon. Friend for his statement. He mentioned reviewing the evidence as quickly as possible. Will that include evidence from countries that had the variant before it got here?

Many health academics have said that the virulence of flu is growing with social distancing, the wearing of masks and so on, and that our immunity is not what it was because we are not mixing. With attention rightly being given to covid, are we looking at other viruses such as flu? What plans will be put in place if a very virulent strain takes hold?

Sajid Javid: Work is being done on this variant not just in the UK but by our friends across the world. At the G7 meeting I attended earlier today, we all agreed to co-operate and share whatever information we get. My right hon. Friend is right to mention the importance of the flu vaccine, and I am glad he has reminded the House that, although we have understandably been talking about the importance of the covid vaccine, and of the booster vaccine in particular, the flu vaccine remains vitally important this winter. That is one reason why we have the largest flu vaccination programme this country has ever seen.

Kate Osborne (Jarrow) (Lab): I am pleased to hear there are no plans to close schools, but what assessment have the Government made of the potential for new self-isolation requirements that could keep children out of school? What steps will be taken to mitigate time out of education, because our children and young people cannot afford to spend any more time away from their educational settings?

Sajid Javid: We will keep the new self-isolation requirements under review. At this point in time, I think very few children will be affected because, as the hon. Lady knows, the new requirements apply only to close contacts of those who have tested positive with a suspected case of the new variant. We will keep it under review, and the education of children will always be a huge priority.

Business of the House

4.49 pm

The Leader of the House of Commons (Mr Jacob Rees-Mogg): Mr Speaker, I should like to make a short business statement following the statement that has just been made by my right hon. Friend the Secretary of State for Health and Social Care.

Tomorrow's business will now be: a debate to approve the Health Protection (Coronavirus, Wearing of Face Coverings) (England) Regulations 2021 and the Health Protection (Coronavirus, Restrictions) (Self-isolation) (England) (Amendment) (No. 4) Regulations 2021, followed by an Opposition day (9th allotted day—part 1). There will be a debate on a motion in the name of the Scottish National party.

The business for the rest of this week remains unchanged to that previously announced, and I shall make a further business statement in the usual way on Thursday.

4.50 pm

Thangam Debbonaire (Bristol West) (Lab): I thank the Leader of the House for advance sight of his statement on the change of business. Of course, we are pleased that this is happening so quickly; the questions on the statement we have just heard showed that issues need to be debated, and scheduling this debate so promptly means that there will be an opportunity for those questions to be put and discussed.

There are also questions about the rules on education. If I heard the Secretary of State right, a statement will be made by the Secretary of State for Education. Constituents are asking questions of Members across the House on this and it came up in the briefing on Saturday that the Secretary of State kindly gave, so if no such statement is going to be made, will there be a further briefing on education? Will that be separate from this? May I also just ask a technical thing: how long is the Leader of the House intending to allow for the debate tomorrow? I ask that so that Members can be aware of the timing that is likely to happen.

Mr Rees-Mogg: I am grateful for the shadow Leader of the House's kind words. We gave a commitment to debate matters of national importance as soon as possible, and therefore we are delivering on that. Tomorrow's debate will last for three hours, and there will be three hours of protected time for the debate in the name of the SNP. My right hon. Friend the Health Secretary did refer to the importance of education and protecting children, but I will pass on her request for more details to my right hon. Friend the Education Secretary.

Mr Mark Harper (Forest of Dean) (Con): First, I thank the Leader of the House for organising a debate for tomorrow and for it being three hours long, rather than the 90 minutes required by statute—that is welcome. May I press him a little on what the Secretary of State said in his statement? This relates to a point made by my hon. Friends the Members for North West Leicestershire (Andrew Bridgen) and for Runnymede and Weybridge (Dr Spencer). The Secretary of State said that the Government will be reviewing

“all the measures I have set out today after three weeks”.

That takes us to Monday 20 December, which is in the recess. I hope that the Secretary of State will be able to allow these measures to lapse. However, may I have a commitment from the Leader of the House that if the Secretary of State feels he needs to renew them or, worse, to bring in stronger measures, the House will be recalled to debate and vote on such measures ahead of their coming into force? The Leader of the House will know that in the past couple of weeks, particularly due to the way the Government handled the standards measures, that there has been a diminution in the trust between Back Benchers and Ministers. Giving a clear commitment to treat Parliament seriously would help to heal that rift.

Mr Rees-Mogg: My right hon. Friend is being a little unfair on the Government. He will recall, as he was part of these discussions, as was I and as was the former Secretary of State for Health and Social Care, that we assured the House that it would get to debate and vote upon important national measures. Bringing forward the debate tomorrow is a statement of how importantly I personally, and others in government, take that commitment that it is only right that this House should approve matters of that kind. There was of course a caveat in that agreement, which is that we needed sometimes to act during recesses. Mostly that has not in fact happened; we have been able to do this when the House has been sitting. However, I cannot give guarantees as to what will happen in three weeks, nor can I give them as to what the desire of the House will be—it was only Oliver Cromwell who made us sit on Christmas Day.

Owen Thompson (Midlothian) (SNP): I thank the Leader of the House for advance sight of his statement. I am disappointed that we will lose half our Opposition day but appreciate the need to introduce the legislation. Why could the debate on the legislation not have come after we had had our full Opposition day or, given that the Government are in charge of the timetabling of business, why could they not have found another way such that we did not lose half our business? I welcome the Leader of the House's assurance on protected time tomorrow, but when will we get the second half of that debate? Perhaps it could be on Wednesday this week.

Mr Rees-Mogg: I take seriously my responsibility to ensure that Opposition parties get their Opposition days and can give the undertaking that we will try to reschedule the second half of the SNP's Opposition day at the earliest opportunity.

John Redwood (Wokingham) (Con): I appreciate the prompt three hours of debate on mask wearing. Will the motion be specific to the wearing of masks, or will we be able to raise issues such as air flow, the ultraviolet filtering of air, infection control and treatments, which are also important in combating the virus?

Mr Rees-Mogg: My hon. Friend has promoted me to your role, Madam Deputy Speaker, in respect of deciding what it will be orderly to debate tomorrow. As I said, the three-hour debate will cover the wearing of face coverings and the Health Protection (Coronavirus, Restrictions) (Self-Isolation) (England) (Amendment) (No. 4) Regulations 2021. I think, although I look with trepidation at the Chair in case I am overruled, that that will allow for quite a wide debate and would be surprised if it were interpreted too narrowly.

Madam Deputy Speaker (Dame Eleanor Laing): Indeed.

Chris Bryant (Rhondda) (Lab): The thing is that during covid we have started to develop really bad habits. As I understand it, the measures have not yet been laid—they are not available for any of us to see and will not be available until later today. They will start to apply at 4 o'clock tomorrow morning and we will then legislate for that retrospectively tomorrow afternoon. This is not the right way to do legislation. Every single statutory instrument Committee in which I have been involved in recent months has been on retrospective legislation that has already come into force. This is not the way the House should progress, surely to God.

Mr Rees-Mogg: I had hoped that the hon. Gentleman's quite long question was going to go on slightly longer, because I understand that the regulations will be laid by 5 o'clock. Had he gone on for another three minutes they would by then have been laid—

Chris Bryant: Just grow up.

Mr Rees-Mogg: The hon. Gentleman, who is currently getting a little bit grumpy, is ignoring the fact that these matters are genuinely urgent. Of course it is right that laws should not come in retrospectively in the normal course of events, but our statutes provide for statutory instruments to be brought in and debated subsequently for a very good purpose, which is that sometimes things need to be done with dispatch. The Opposition, who would have kept us in lockdown forever, should remember their dither and delay when they ask questions about the speed with which we introduce things.

Bob Seely (Isle of Wight) (Con): To follow up on the point made by my right hon. Friend the Member for Forest of Dean (Mr Harper), I have a lot of sympathy with what the Leader of the House is saying. We have acted quickly—we are learning lessons from early in the pandemic—and he is respecting the House by holding a timely three-hour debate as soon as is reasonably possible, so he gets brownie points in both respects. However, come three weeks, when we extend or—God help us not—worsen the situation, we will not be able to discuss it or do anything for at least another two and a half weeks afterwards. That is an issue.

Mr Rees-Mogg: I obviously understand that. Christmas comes but once a year and when it comes it brings a parliamentary recess as well as good cheer. We have been recalled under certain circumstances—we were last year—but it is extraordinarily rare to do it over the Christmas recess, for very good reason. We all hope that in three weeks the measures will expire, but I cannot

give any guarantees on that and nor can I give any guarantees on when the decisions on the renewal date will be made. I will always do my best to facilitate Parliament, but in a way that recognises how Parliament actually wants to be facilitated. I am not convinced that all 650 Members want to be back here on 24 or 25 December.

Daisy Cooper (St Albans) (LD): Tomorrow, we will be debating restrictions that are designed not just to reduce transmission, but, I presume, to protect the NHS. I was disappointed that, on 16 November, a Health Minister responded to a parliamentary question of mine, saying that they had no intention of publishing any assessment of the impact of the current covid hospitalisations on the availability of NHS beds, staff and elective procedures. In order for Members of this House to have an informed debate tomorrow on the impact of restrictions and whether they are sufficient to protect the NHS this winter, will the Leader of the House please confirm whether he will ask the Secretary of State for Health and Social Care to publish a statement tomorrow morning about the impact of covid hospitalisations on beds, staff and elective procedures?

Mr Rees-Mogg: I do not want to be unhelpful, but that question might have been better asked during the statement of my right hon. Friend, the Secretary of State for Health and Social Care who would have been able to give a direct answer. I suggest that the hon. Lady raises it in the debate tomorrow.

Madam Deputy Speaker (Dame Eleanor Laing): We now move on to the next item of business. I will delay for a moment to let people leave the Chamber quietly and safely with the usual social distancing.

We now come on to the House of Lords (Elected Senate) Bill.

Sir Desmond Swayne (New Forest West) (Con): Never!

BILL PRESENTED

HOUSE OF LORDS (ELECTED SENATE) BILL

Presentation and First Reading (Standing Order No. 57)

Paul Maynard presented a Bill to replace the House of Lords with an elected senate; and for connected purposes.

Bill read the First time; to be read a Second time on Friday 14 January 2022 and to be printed (Bill 204.)

Madam Deputy Speaker: I have a feeling that the right hon. Member for New Forest West (Sir Desmond Swayne) might be there on that day.

Leasehold Reform (Ground Rent) Bill [Lords]

[Relevant documents: Twelfth Report of the Housing, Communities and Local Government Committee, Leasehold Reform, Session 2017-2019, HC 1468, and the Government Response, CP 99; Correspondence between the Chair of the Housing, Communities and Local Government Committee and the Chairman of the Local Government Association on the Leasehold Reform (Ground Rent) Bill, dated 3 November and 16 November; Correspondence from the Chair of the Housing, Communities and Local Government Committee to the Minister for Rough Sleeping and Housing on the Leasehold Reform (Ground Rent) Bill, dated 23 November.]

Second Reading

5.1 pm

The Parliamentary Under-Secretary of State for Levelling Up, Housing and Communities (Eddie Hughes): I beg to move, That the Bill be now read a Second time.

As hon. Members may know, I have long championed a root and branch comprehensive reform of our leasehold system. It has been a long journey to get here from my private Member's Bill—Ground Rents (Leasehold Properties) Bill—to try to overhaul the regulations on ground rents. It is particularly gratifying to be standing here today as the Minister responsible for this hugely important legislation.

The Bill will make home ownership fairer and more transparent for future generations of leaseholders. We will do this by reducing the ground rent on new residential long leases where a premium is paid to a peppercorn. I am sure that this change, which will benefit thousands of future leaseholders, will be welcomed right across the House.

Sir Desmond Swayne (New Forest West) (Con): I lobbied for an exemption for the retirement living industry, which was granted and then withdrawn in January this year. Why was that?

Eddie Hughes: I appreciate my right hon. Friend's strong lobbying on this matter. I think the Government decided that it was appropriate to treat all leaseholders the same and therefore we made that change, although we did allow an extension in the introduction of that to April 2023.

Chris Bryant (Rhondda) (Lab): The bit I do not understand is why we have leasehold at all. It is just preposterous nonsense, is it not? It is a feudal relic. Would it not make far more sense to have some kind of commonhold situation for flats, which is what they have in nearly every other country in the world and, I think I am right in saying, also in Scotland? Does that not make far more sense? We can then just get rid of leasehold completely.

Eddie Hughes: I thank the hon. Gentleman for his intervention. I wonder why, in the brief periods when Labour has been in control, it has not done so itself. I guess English law is pretty complex, so it would not be so straightforward to simply withdraw it on the basis

that he suggests. Perhaps when Labour is in power again at some point in the distant future, it will be able to return to this matter.

Catherine West (Hornsey and Wood Green) (Lab): The Minister is being generous in giving way. He may not wish to be as radical as my hon. Friend the Member for Rhondda (Chris Bryant) is suggesting, but does he share my concern at some of the greedier developers, which are insisting on a year-by-year, annual increase? For example, ground rents are going up and up in New River Village in Hornsey. I have to name the Berkeley Group, because it really should know better. It has done very well, including throughout coronavirus, given all the leg-ups that it has had from the Government through various coronavirus packages, and it really should not be demanding multiples every year from my poor old leaseholders.

Eddie Hughes: I largely agree with the hon. Lady, not least because the ten-minute rule Bill to which I referred, which I brought to the House when I was a Back Bencher, completely endorsed her points. It is unfortunate that some people include such egregious terms in ground rents.

Mark Tami (Alyn and Deeside) (Lab): Does the Minister agree that this issue is about not only ground rents, but the admin fees that are often associated with any minor changes that the owner of the property wants to make? A lot of these properties are also linked with extra charges for management fees for the land and other things. The levels of charges placed on leaseholders are becoming totally unacceptable.

Eddie Hughes: I do not want to jump forward several pages in my speech, but the right hon. Gentleman is predicting—or at least pointing to—the fact that we have identified this problem and have ensured that when we reduce ground rents to a peppercorn, people will not be able to cheat by introducing associated management fees and other charges. If he is looking for further changes, the second part of our seminal legislation, when it comes in due course, will no doubt satisfy his needs.

The starting point for this legislation has to be our shared recognition that for many people, to be a leaseholder is also to be a homeowner, and we are clear that homes that have been bought should be theirs to live in and enjoy, not be treated as cash cows for third-party investors. This Government are on the side of homeowners, which is why in our manifesto we committed to introduce this important legislation.

Hon. Members will be well aware of the problems that many leaseholders have faced in recent years, including, as pointed out by Opposition Members, spiralling ground rents and onerous conditions that have turned the dream of home ownership into a nightmare for some leaseholders. This Bill is the first of our seminal two-part legislation to reform and improve the leasehold system. Further legislation will follow later in this Parliament to continue to address the historic imbalances in the leasehold system.

Andy Carter (Warrington South) (Con): I pay tribute to the Minister for the work that he has done so far. He may know that constituents on Steinbeck Grange in Warrington South have been calling for changes for

almost 10 years. Will he give an update on the current Competition and Markets Authority investigation, which is vital to people living in Warrington?

Eddie Hughes: The work of the CMA has been pivotal so far in already changing the behaviour of a number of significant developers. I have spoken to it recently; further work is ongoing and I hope that it will have further successes in the future. My hon. Friend is completely right to raise that point.

Both this Bill and the wider leasehold reform programme have been informed by consultation. I thank those present here today, including the Opposition Front Benchers, who have taken the time to discuss the issue. I look forward to further discussions over the coming weeks and months.

The Bill has a specific focus: the ground rent in future long residential leases. Some existing leaseholders face substantial difficulties, including costly enfranchisement, a lack of transparency and burdensome lease terms. Escalating ground rents in particular can reach unaffordable levels and make some properties difficult to sell. That is not right, which is why we have asked the Competition and Markets Authority to conduct a thorough investigation into potential mis-selling and unfair terms in the leasehold sector.

Mark Tami: I have met many people who were told by the company that sold them their property that they would be able to buy the lease, only to find out, when they inquire to buy it, that it has been sold on to some financial institution. Does the Minister accept that point?

Eddie Hughes: Once again the right hon. Gentleman points out an egregious and unfortunate practice that hopefully we will be finding ways to address in future.

Sir Desmond Swayne: That prompts the question of what proposals the Minister may have to enable leaseholders to enforce the purchase of freeholds from such companies. Does he have plans for that?

Eddie Hughes: As my right hon. Friend will know, unfortunately I am not the Secretary of State, much as I would like to be. *[Interruption]* Not yet, anyway. It is best to leave the fine detail of the formation of future legislation to the Secretary of State to decide. However, I look forward to discussing the matter further with my right hon. Friend as we progress.

Christian Matheson (City of Chester) (Lab): I have listened to my right hon. Friend the Member for Alyn and Deeside (Mark Tami) and others. The Minister is waiting for the Competition and Markets Authority report, but is he prepared to say, even before that report has concluded, that on the basis of all the evidence we are hearing from right across the House, what we are seeing is nothing more than a financial scam from a bunch of greedy speculators?

Eddie Hughes: I am not sure I can go so far as to agree, but, as a number of hon. Members on both sides of the House have pointed out, it is an unfortunate practice that we will be seeking to address in future legislation.

Catherine West: The Minister is being very generous with his time; he remembers well what it is like to be on the Back Benches. Does he agree that many of the points under discussion will be good for future generations, but it is all a bit “jam tomorrow” if we cannot help our constituents today?

Eddie Hughes: I would say that we are doing a very important thing with today’s legislation, which effectively draws a line in the sand to prevent future onerous ground rent clauses. Once we have done so, we will then have the opportunity to work, hopefully quickly, to deal with the existing ground rent problem.

Kevin Hollinrake (Thirsk and Malton) (Con): I have been known to swim against the tide once or twice with regard to this particular debate. I draw the House’s attention to my entry in the Register of Members’ Financial Interests. I am a leaseholder, not a freeholder, in this context. Nevertheless, it is not right to think that effectively scrapping leasehold and moving to commonhold is a panacea. For evidence of that, hon. Members should look at the system in Scotland, which moved to a commonhold system. Some 80% of buildings require maintenance and there is a £2 billion unfunded maintenance backlog. We should step forward very carefully. Leasehold does need reform, but I am very concerned that if we effectively scrap it altogether, we will create ourselves a new problem.

Eddie Hughes: I thank my hon. Friend, who is incredibly knowledgeable in this area. I remember discussing my ten-minute rule Bill with him at the time. I completely assure him that we will proceed with caution and seek advice from experts both across the House and outside the House. I look forward to discussing this with him again in the future. I also take this opportunity to thank the former Secretary of State, my right hon. Friend the Member for Newark (Robert Jenrick)—I am delighted to see him in his place—for all the work that he put in in driving forward this agenda. Back in January, he announced measures to make buying a freehold or extending a lease cheaper and easier for many leaseholders.

I now turn to the specifics of the Bill. Ground rent is usually paid annually by leaseholders to their freeholder or landlord, but, crucially, no tangible service is provided in return. The industry is also familiar with the term, “peppercorn rent”, to describe a token or nominal rent used as a payment in forming a contract, which typically is not actually collected in practice. Historically, ground rents were generally very low. The past two decades have seen a surge in properties sold with significant and escalating ground rent. At its worst, this practice can lead to properties becoming unsellable. These unfair practices have caused real misery for those affected and, in turn, have undermined the reputation of the leasehold system. Regardless of whether the ground rent is a nominal peppercorn or thousands of pounds, the fundamental issue is that no meaningful service is provided in return. We want to end this for new leases, and that is why we are legislating so that new residential long leases will have no financial demand for ground rent. Instead, nothing more than an actual peppercorn can be collected from the leaseholder.

Theresa Villiers (Chipping Barnet) (Con): Will the Minister acknowledge that the situation is slightly different in relation to retirement housing, where the practice has

[Theresa Villiers]

been for ground rents to more or less fund the shared spaces, and ground rents have been part of making retirement housing viable? Will he take care to ensure that the Bill does not have unintended consequences for retirement housing?

Eddie Hughes: The reason why we extended the timeframe for the introduction of this legislation for those properties is to allow people time to adjust their business models, so that they can cope with the change in legislation. To avert the risk of possible future shortages of peppercorns, and to ensure that our meals continue to be well seasoned, I should clarify that we do not expect any landlord to require the actual payment of a physical peppercorn each year. In reality, the new genuine peppercorn rent for future leaseholders means that they will not pay the rent.

The specifics of the Bill apply to residential long leases in England and Wales of over 21 years for which a premium is paid. The inclusion of the requirement for a premium clarifies that normal and legitimate practices relating to rack rents can continue. For leases regulated under the Bill, the rent demanded will not be any more than literally one peppercorn a year.

Following much careful deliberation, we have arrived at a broad and flexible definition of “rent”, using the real-world meaning, and therefore including anything in the conventional nature of rent. The Government are clear that landlords should retain the ability to collect legitimate charges. The definition will ensure that landlords can still collect legitimate charges where the market reserves them as rent, such as charges for services, including building maintenance. The broad definition will deter freeholders or landlords from trying to circumvent the new system by disguising ground rent as a different charge. It will also enable appropriate tribunals to make sound judgments on whether a leaseholder has in fact been charged a prohibited rent.

We plan to leave no loopholes for unscrupulous individuals, so we are also banning the charging of an admin fee for collecting peppercorn rent. Where a prohibited rent or administrative charge is paid, leaseholders will have the right to apply to the first-tier tribunal in England or the leasehold valuation tribunal in Wales. Provided that the tribunal deems the payment inappropriate, the relevant authority can then order the amount to be repaid. In the case of prohibited rent, that must be within 28 days and potentially also with interest.

There are a limited number of exceptions from the provisions of the Bill. The first is leases used purely for a business purpose. The intention behind the Bill has never been to reduce business leases to a peppercorn rent, so through careful consideration, we have excepted business leases that include the use of a dwelling in any way that protects the interest of residential leaseholders and commercial landlords. For mixed-use properties, such as a flat above a shop, the exception will apply only if the residential use significantly contributes to the business purpose of the lease.

Community-led housing may have few other feasible funding schemes that they can use to continue to grow developments that benefit the community, rather than secure profits. To maintain this growth, we have excepted community-led housing schemes. Home finance plan

leases are also excepted. That includes regulated home reversion plans, such as equity release and rent-to-buy agreements, where the consumer purchases the freehold at the end of the term. We will also allow shared ownership landlords to continue to collect a market rent on their share of the property. That practice is integral to the shared ownership model.

Kevin Hollinrake: The Minister is setting out a list of exemptions. Are complex developments included in that—for example, a tube station with a cinema or shopping centre attached, and a block of flats above it, all in effect part of the same development? Who will manage the complexity of that development? If I was a long leaseholder in that block of flats, I would not be keen to manage all the mechanical and electrical systems stuff in that development.

Eddie Hughes: I am not sure that I completely understand my hon. Friend’s point. The Bill will not change the management of that building’s operation; it will just prevent ground rent from being charged. If a leaseholder feels that they are being charged ground rent inappropriately, they will have a right of appeal, and the issue will be determined by the ways and means authority.

Kevin Hollinrake: I am sorry; I should clarify my point. The Minister is quite right that a management company could look after the whole entity, but things such as common areas and insurance of the whole building—among many other issues—affect the whole building, and they require somebody to have an overarching view of the entire development. I not sure how that is provided for. In fact, in 2019, when I was a member of the Housing, Communities and Local Government Committee, it looked into that and said there should be an exemption for complex developments on that basis. However, that does not appear in the Bill, despite having been referred to in debates in the Lords.

Eddie Hughes: As I said, the Government’s intention is to ensure that, for fairness, the provision applies in as many circumstances as possible. I am happy to pick that up with my hon. Friend for further discussion after the debate, to which I hope he will contribute.

Statutory lease extensions are the subject of existing legislation and so are not covered by the Bill. The peppercorn limit will apply to the extended portion of any lease extended through the voluntary process.

I should note that there is no longer an exception for the retirement sector. As I said to my right hon. Friend the Member for Chipping Barnet (Theresa Villiers), we believe that all new leaseholders should benefit from the reforms. The measures for retirement properties will apply no earlier than 1 April 2023. Hon. Members, some of whom are in the Chamber, have raised that as a concern in correspondence, and it has been debated at some length in the other place. We feel that the transition period strikes the right balance between the sector and consumers.

The Government recognise that these provisions require a robust and effective enforcement regime. Freeholders and landlords who abuse the system and deliberately seek to charge a non-peppercorn ground rent on leases in contravention of the Bill will be subject to steep fines of up to £30,000. After listening to and considering

carefully the view expressed in the other place, we concluded that the level of fines should be higher. The new maximum fine of £30,000 is in line with other housing penalties, including those in the Tenant Fees Act 2019. Fines can be even steeper for more egregious abuses of the system. For example, if a freeholder breaks the law by charging unfair rents at multiple locations, such as in a block of flats, they will pay a penalty per lease. It does not stop there; penalties can be supplemented by the repayment of all prohibited rent collected. Enforcement will be the responsibility of local trading standards authorities, which already do an excellent job of enforcing similar housing regulations. District councils in England will also have the power to take enforcement action if they choose.

We recognise that enforcement will require additional resourcing. That is why authorities can retain any penalties imposed, and put them towards the costs incurred in enforcement of residential leasehold property rules. Taken together, the enforcement regime will act as an effective deterrent, while giving authorities the flexibility that they need to ensure that any enforcement action taken is proportionate.

The Government's vision for a reformed and improved leasehold system is one anchored in fairness and transparency. For too long, too many leaseholders have been let down by institutional inertia and a ground rent system that has not worked in their interests. The system has been dogged by opaque rules and left many people in the dark. This legislation is targeted on exactly what it should target. By reducing future ground rents to a peppercorn, we will deliver a tangible and meaningful improvement to home ownership for future generations. We have engaged extensively to get to this point, and this process is by no means over. We are clear-eyed about the challenges ahead, and know that there is more to do, but today is a significant step towards fixing our broken leasehold system for good. I commend this Bill to the House.

5.25 pm

Lucy Powell (Manchester Central) (Lab/Co-op): The Leasehold Reform (Ground Rent) Bill sets ground rents on new leasehold homes to peppercorn levels. We welcome this very small step towards reform, and will not oppose the Bill this evening.

Generating income through high ground rents is an outrageous practice, as has been discussed, but serious leasehold reform is long overdue. Leasehold has been the main way that properties in shared blocks or converted flats have been owned in this country. It stems from arcane feudal laws that date back to an era of landed gentry and aristocracy, and it needs reform urgently. In its more recent manifestations, there has been what can only be described as a scam on an industrial scale, as was pointed out by my hon. Friend the Member for City of Chester (Christian Matheson), against innocent leaseholders—and it increasingly affected new houses, not just flats. It is totally wrong, and it needs ending.

Mark Tami: I have been struck by the way that two houses, next door to each other, may be exactly the same, but one can be leasehold and the other freehold. We see that all the time. When a house is advertised, the advert often says, "This is not leasehold"—it points out that fact. Leasehold properties are being devalued by the day.

Lucy Powell: My good and hon. Friend makes an extremely well-made point. The practice of new homes being built as leasehold, and sold as leasehold—buyers often do not even know that at first—has got out of all kilter lately, especially in north Wales and north-west England, where it has been a particularly egregious practice. I welcome this Bill, albeit that it is a bit too little, too late, but it does nothing to protect those trapped in the injustice of leasehold. It does not do anything for those facing excessive ground rent increases today or yesterday, nor does it put an end to some of the most egregious practices, such as selling new houses as leasehold.

The ground rent scandal typifies everything that has gone wrong with our housing market. Housing has become a commodity to be traded, packed up in financial products and thrown into an unregulated market. Large-scale developers and investors have been given free rein to create ever more complex financial products, in order to squeeze money out of homeowners. Many people do not even realise when they buy their house that they will not own the land underneath it, as my right hon. Friend has just made clear. Even worse, the leases often contain clauses that double the ground rent—in some cases, every 10 years, which means that a homeowner in a property worth a modest £200,000 might pay £10,000 a year in ground rents after they have owned the property for 50 years or so.

Catherine West: Does my hon. Friend share my concern that this has got so out of hand? The amounts being charged are rising in excess of the retail prices index, which we would expect to be a basic marker. People feel trapped, in that they cannot sell on.

Lucy Powell: Absolutely. My hon. Friend makes a really good point. People are trapped in this situation, because we all know that when we look to buy a home, we look at the overheads, and the ongoing service charges, ground rents and other costs. In recent years, those things have rightly been added to the affordability criteria, so people often cannot get a mortgage for these homes. That leaves the people living in them trapped in that situation with an unsellable home.

Sir Desmond Swayne: Does this not give rise to an extraordinary question about the legal advice provided by solicitors to those who made such purchases?

Lucy Powell: I am glad the right hon. Gentleman raises that point, because I am sure colleagues around the House will be keen to highlight—

Mark Tami: Will my hon. Friend give way on that point?

Lucy Powell: I will first try to answer it, and then when I do not answer it very well, I will give way to my right hon. Friend to give a better answer. What I do know is that, unfortunately, many people who bought houses in this situation were advised to use the solicitor of the marketing company or company selling the houses—I have many in my constituency. So they were given poor advice, and this is a mis-selling scam as well. Would my right hon. Friend like to give a better answer?

Mark Tami: My hon. Friend has in many ways made the point I was going to make. These people were often first-time buyers, keen to get on to the housing market

[Mark Tami]

and get their first home. They were told, “Don’t use this solicitor or that solicitor; use these ones, and we will give you a discount to use them”, and—shock, horror—many were not even aware, as my hon. Friend has made clear, of the property being leasehold, let alone of all the other charges associated with that.

Lucy Powell: Absolutely; my right hon. Friend makes a very good point as well. Many people, especially first-time buyers, do not understand the difference between leasehold, freehold and so on, and many of these issues come to light only as problems arise later or when they try to sell the property.

Justin Madders (Ellesmere Port and Neston) (Lab): On legal advice, it is worth pointing out that not only were some people told that they had to use particular solicitors, in breach of Law Society guidelines, but some were also told that they had to complete within a certain period of time, so even if they had used a different solicitor, it just would not have been practical for them to analyse or understand the documents correctly. That suggests to me that there needs to be a complete overhaul and inquiry into how the scandal was allowed to develop in the first place.

Lucy Powell: My hon. Friend makes an excellent point, and there is a very strong basis for a wider mis-selling scandal inquiry. Many properties are affected: in terms of houses, for which the practice has been particularly egregious, more than 500,000 leasehold houses have been built over the past 10 years. The vast majority of them are in the north-west of England and north Wales, which is why so many colleagues from those areas are here this evening.

The rights to collect the ground rents are bought and sold on the financial markets as steady income streams to investors, while leaseholders get nothing back for—in some cases—thousands of pounds a year. There is hardly a clearer illustration of the damaging pervasive tendency to treat housing as an investment opportunity—as a product to trade on the market—rather than as homes where people live and build their lives around. That should be the basis of housing in this country. We have lost somewhere what housing is: homes, places where we live, where lives are built, where we become successful—or not—and where we bring up a family. Housing is not a commodity to be traded on the financial market. We have seen more starkly than ever over the past two years that housing is also a public health issue, an educational issue, and a work, security and happiness issue, and we should begin to treat it as such.

Although we welcome this Bill, it is a very narrow first step; there are many glaring omissions—measures which could have been included even in such a narrow Bill. First, there is nothing to prevent freeholders from simply transferring their income stream from ground rents to service charges or administration or other charges, as has been highlighted. As shown by the ground rent scandal itself, there is no limit to the ingenuity that some freeholders will draw on to capitalise off the back of leaseholders. Service charges and administration charges are opaque at best, and far too hard to challenge. Will the Minister address that issue later on?

Mark Tami: Will my hon. Friend give way?

Lucy Powell: I will, because my right hon. Friend is an expert on this issue.

Mark Tami: To list just a few examples that I have come across, some leaseholders who—in theory—own a house and the land around it are asked to pay if they want a pet or want to change the flooring in the house or the layout of the garden. People have said to me, “I’m paying a mortgage on a house that I don’t really feel I own.”

Lucy Powell: My right hon. Friend is absolutely right and he gives good examples, some of which I was going to use later. He makes a very good point—some of these charges are outrageous. Will Ministers respond to that and address how we can stop that practice?

Secondly, the millions of people already trapped in leasehold homes will see no benefit whatsoever from the Bill, so none of the examples that we have heard will end as a result of it. The Government have chosen to limit the scope of the Bill to new homes, which means those already facing these bills will see no benefit at all. Delay has real costs for them; the Minister can pass the buck on to us for what happened 11 years ago, but more than 2 million new homeowners have been trapped in this feudal leasehold system since his Government came to power.

The Competition and Markets Authority has done some good work taking down the largest and worst-offending of the freeholders, but we cannot wait for it to take on every single company involved in this outrageous practice. Will the Minister work with us and support our proposal, which we will table in Committee, to protect existing leaseholders?

Thirdly, the Bill does nothing at all to stop new houses being sold as leasehold. Leasehold houses are straightforwardly wrong, for the reasons that we have already heard. At the same time that the Government promised to set ground rents at a peppercorn, which the Bill does, they committed to ending the practice of newly built homes being sold as leasehold.

Half a million houses have been sold as leasehold since 2010, 60% of them in the north-west. Those homeowners face not just exorbitant ground rents but restrictions on how they can alter their homes. We have already heard some examples: if someone wants to have a pet, or if they want to make changes to the building, they have to ask permission. All too often, people are left feeling that they do not really own the home. When the leaseholder tries to escape this nightmare by buying out the freehold, they often discover all kinds of other restrictions that they were not told about when they bought their home. This needs to change.

As recently as 2017, the Government promised legislation to prohibit the granting of new residential long leases on houses. When will that come in, and why is it not included in the Bill? It makes no sense to me whatsoever that that has not made it into the Bill. Again, perhaps Ministers will work with us, and with some of my colleagues who are in the Chamber today, in Committee to end new leaseholds on houses altogether.

There was a lot more that the Government could have done in a simple first-step Bill, but I hope the whole House will recognise that wholesale reform of

leasehold is long overdue. The building safety crisis has brought into stark relief how terrible our feudal leasehold laws are. Innocent leaseholders can be passed remediation bills totalling hundreds of thousands of pounds with no right of recourse. It is a David and Goliath situation that is hitting more and more homeowners across the country. Fixing the building safety crisis truly must mean fixing our outdated leasehold laws too.

As the last few years have shown, this is now an urgent task, so we call on the Government to do these simple things when it comes to wider leasehold reform: enable leaseholders to extend the lease or buy the freehold; make commonhold the norm, and make it much easier for properties to operate that way; abolish marriage value, as they promised they would; strengthen leaseholders' voices and simplify the right to manage; give real teeth and real recourse to the bodies that are supposed to arbitrate and act on behalf of leaseholders, or create new ones altogether; and prevent freeholders in law from passing on extortionate costs for remediation works, or for putting right problems that they have created that are not the problems of the leaseholders, as well as the things that I have already discussed. Those are just some of the reforms that are urgently needed to ensure that no leaseholder is trapped against their will in this broken, outdated system.

In conclusion, the Bill is a tentative attempt at reform. While it is welcome, it represents a massive missed opportunity to transform a leaseholder sector that continues to scam working people on an industrial scale. Even in a slimmed-down Bill, the Government have failed to close loopholes, protect those already in leasehold homes or end the sale of new houses as leasehold altogether. Wholesale reform is urgently needed to ensure that nobody continues to be voiceless, trapped in leasehold homes they cannot sell, and facing ever-growing bills and charges.

5.40 pm

Robert Jenrick (Newark) (Con): It will come as no surprise to right hon. and hon. Members to hear that I strongly support the Bill. It would be surprising if I did not, as I was one of the Ministers who instigated it, although stranger things have happened in politics.

I would like to take this opportunity to thank the Minister for his hard work in bringing the Bill to the House, the noble Lord Greenhalgh who has worked extremely hard on this issue for many months, and the fantastic civil servants at the Department who have taken this forward. There is a very strong, albeit very small, team of civil servants who have been beavering away on this issue for many months and will have a lot of work to do ahead of them not just in taking the Bill forward but, perhaps more importantly, in preparing the next Bill, which I will come on to speak about in a moment.

This is an important step on the road to leasehold reform. It is a road that really began with the Leasehold Reform Act 1967, which gave tenants of houses the right to buy their freehold. It then took the next step forward with the Leasehold Reform, Housing and Urban Development Act 1993, which gave leasehold tenants of flats the right, collectively, to buy their freeholds. There was a great deal of opposition, back during the Major Government, to that reform in this House, the House of

Lords and from propertied interests, who said that it would be a disaster for the housing market. It was not and those rights have been enjoyed by hundreds of thousands of people pursuing the dream of home ownership across the country. Then the last Labour Government took it forward one further step, with the Commonhold and Leasehold Reform Act 2002, which introduced commonhold, albeit not nearly as successfully as they would have hoped or as I would like to see taken forward in the years ahead.

The destination of those reforms is not just a better situation for leaseholders, but the gradual elimination of leasehold altogether. It is, as some have said here today, essentially a feudal form of tenure: a product of our rich and ancient history as a country, but one that is no longer fit for purpose. It does not exist in any other developed country and it does not, in essence, have a place in a modern society.

The Bill is, as my predecessor as Housing Secretary, the noble Lord Young, said in the House of Lords, the appetiser for the main course. It is a comprehensive piece of legislation to remove more of the iniquities of the present leasehold system, and to pave the way for the wholesale introduction of commonhold.

Dr Julian Lewis (New Forest East) (Con): I am very encouraged to hear that my right hon. Friend is so forward-looking on this matter. May I ask him to explain to the House how one rather backward step took place some months ago, which was the allowing of it to become routine that additional storeys could be added to existing blocks of flats? I have lived through that experience and found not only that it is terrible to have a floor inserted above you, but that when things go horribly wrong with the construction and the company goes bust or winds itself up, it is the leaseholders who have to pay thousands upon thousands of pounds to put right the faults. Would he not like to revisit that change that was made and perhaps suggest that it ought to be looked at again?

Robert Jenrick: It would not be for me to revisit that even if we wanted to. The purpose of that legislation, which was supported by many Members, was to deliver more homes—particularly on brownfield sites and in urban areas—as part of the mission of us all to deliver more homes and to tackle the housing crisis, and particularly to enable individual homeowners to build upwards on their home as their household expands, particularly if they have young children or if elderly relatives move into the home. That is an important step forward, but, as with any of these changes, we should keep it under review. If there are common instances of abuse or malpractice, we should see whether there are ways to eliminate them.

Dr Lewis *rose*—

Robert Jenrick: I will make progress, if my right hon. Friend does not mind.

The Bill was born out of two issues. One is a recent phenomenon, which the Front Benchers and other hon. Members have mentioned: the abuse of leasehold in recent years. A system that was never perfect and that many of us would wish to see reformed was subject to wholesale abuse and rip-off practices by developers and freeholders, who used ground rents as an income stream

[Robert Jenrick]

and escalated them, leaving leaseholders in a perilous position. Leasehold was used for properties for no good reason, purely to benefit from ground rents. We have heard about such examples, and particularly the use of ground rents for houses. It is difficult to see that any house needs to be built as a leasehold property. In different times, I have bought into the argument that there might be exceptional reasons why one would need to build such a home, but it is very difficult to think what those would be. The system is not used in other countries around the world, including in the United States, where there are gated communities, communities for the elderly—all manner of different homes. They are not being built as leasehold properties, so I do not see why they should be in this country.

Mark Tami: I agree fully with that point. As the right hon. Gentleman said, this practice had largely gone away. For years, houses were not built as leasehold properties, but in the north-west and in north Wales, a group of builders decided that this would be an extra way of scamming—I use that word deliberately—even more money out of the people buying the properties.

Robert Jenrick: The right hon. Gentleman is absolutely right; I do not disagree in any way. The north-west was particularly targeted, for reasons that I do not understand, with tens of thousands of homes built in this manner. It really was disgraceful. It gave leasehold a very bad name and necessitated these changes and others that will be introduced in future. The Bill ends these practices for new properties; that is key. It will ensure that the business model behind ground rents—the creation of such properties as leasehold to benefit commercially—will come to an end. We are already seeing its gradual reduction, and the Bill will lead to its elimination.

I want to address the point that was raised about why the proposals should be extended to retirement properties. As Secretary of State, I came under fierce resistance and lobbying from the retirement property sector. Its lobbyists approached Members of Parliament and my Department and threatened judicial review of our proceedings. I considered it to be an unfair practice, targeted at the most elderly and vulnerable in our society, that in addition to paying their service charge they should pay a ground rent that might escalate at a significant pace. Why not have a fairer and more transparent system where an elderly person knows exactly what they are getting when they pay the purchase price on their property and then when they pay the service charge on an annual basis, instead of receiving two bills every year? I think that is a simple matter of fairness and transparency, and it was the right decision to bring that to an end. We did, however, give a longer period for businesses to transition and to change their business model, which is why that part of the industry will not feel the force of the Bill until 2023.

Matt Rodda (Reading East) (Lab): I appreciate the work that the right hon. Gentleman has done to try to get the right balance and stand up for the interests of homeowners rather than large corporations. Does he have any reflection, further to the point made by the right hon. Member for New Forest East (Dr Lewis), on the knock-on effects of allowing additional storeys to

be built on existing blocks of flats? In my experience, there is an exploitation issue both for people who live in flats with top-hatted development—I think that is the word—and for the neighbours. In the area that I represent, there have certainly been a number of problems for neighbours to those blocks. Does the right hon. Member for Newark (Robert Jenrick) have any further reflections on that point? If he were still Secretary of State, would he have allowed that development to go ahead?

Robert Jenrick: I think it should be kept under review, like any permitted development. As we have seen with past examples, there are always cases at the edges that concern us, and there are usually ways to refine the permitted development over time to ensure that those cases do not happen again. With the permitted development that the hon. Gentleman mentions, I think—from memory—that we ensured that the developer has to work with the local council to ensure that there are not issues with building safety or loss of amenity to the leaseholders in the building, and that the design of the extra storeys is broadly in keeping with the neighbourhood. I certainly think that the issue should be kept under review.

Sir Desmond Swayne: Will my right hon. Friend give way?

Robert Jenrick: I will, but I appreciate that many other hon. Members want to speak.

Sir Desmond Swayne: As I do!

It would be quite unlawful for the capital cost of the communal areas in a retirement living community to be paid for through an administration charge, so we come back to the question whether it is in the interests of the purchaser to pay a ground rent or to pay the up-front cost in the purchase price. For a category of elderly people, it may well be in their interests to pay the former.

Robert Jenrick: My right hon. Friend gets to the nub of the issue. The debate, exactly as he says, was whether it would be better for a retired person looking to move into such a community to pay a somewhat lower purchase price for the property or the share in it that they were taking, and then, for as long as they live there, pay a ground rent, which might escalate at an unfair level, and a service charge. That is not a system that occurs in any other country in the world, including countries such as the United States that are far more advanced in their take-up of retirement properties. I took the view that it would be much fairer and more transparent for an individual to know exactly what they had to pay from the outset: they pay their purchase price and then their service charge, but they do not have to face escalating ground rent. That makes sense to me; I appreciate that there will be differences of opinion, but it was done as a matter of basic fairness.

I make it clear that the reason for the Bill's very limited scope was to bring an end to unfair practices as quickly as possible. That was the advice of the Law Commission, which said that it was better to have a two-step process so that the iniquity of escalating ground rents could be brought to a close, and then we could move on to the much more complex piece of legislation that will inevitably take the Department and Parliament a great deal of time to prepare and pass. I think that that was probably the best way to proceed.

Two further points emerge as a postscript to the events of the past few years. First, as my right hon. Friend the Member for New Forest West (Sir Desmond Swayne) said, we need to think about the conveyancing solicitors who gave or failed to give advice in the process of house sales. They failed in their duty to their clients: many constituents have come to my surgeries who were oblivious about the homes that they were buying. That applies not only in the situation we have discussed, but with respect to management fees, which may be very high or—as the right hon. Member for Alyn and Deeside (Mark Tami) mentioned—may involve charges, for example for putting up a satellite dish, building a conservatory and so on. Conveyancing solicitors need to take much greater care to bring such matters to the attention of their clients.

Secondly, the work of the Competition and Markets Authority must move forward at pace. It has already ensured that some of the major developers have settled, but I encourage all developers behind the sale of these properties, many of which they mis-sold to members of the public, to do the decent thing—the inevitable thing—and settle, so that the purchasers get some compensation for the issues that they have faced. I see that many are on the cusp of doing that, but I hope that the remaining ones will do so quickly.

I also hope that the Government will ensure that the second Bill features in the next Queen's Speech and is delivered early in that Session. There is, as I have said, a great deal of work for the Department to do in preparing that Bill and ensuring that it is sufficiently comprehensive, but I think it extremely important that it does so, and that within the course of this Parliament we deliver comprehensive reform to leasehold. It should include 990-year leases, a simpler, cheaper enfranchisement process, ending marriage value, improving the position of leaseholders in the management of buildings, and ending—as has already been suggested—the building and selling of new houses as leasehold, because there really is no justification for that.

Finally, I hope that that Bill will look to the destination of a world beyond leasehold. That is the end point towards which we must work. I established the Commonhold Council to see how we could chart that course, and it seems to me that all the complex issues that are raised are surmountable—that is the evidence from the council so far. It also seems to me that commonhold will never take shape to any substantial degree in this country without a major Government intervention, which means indicating that it is our tenure of preference, or setting an end date for new leasehold properties. I favour the latter: I think we should say clearly that, beyond a certain date, no property, whether it be a flat or a house, should be built unless it is commonhold. I hope that the Bill to be introduced in the next Session will set that course, because I think it would be an important step towards ending a feudal system and helping us to move forward as a country.

5.56 pm

Justin Madders (Ellesmere Port and Neston) (Lab): Let me first put it on record that, alongside the hon. Members for Worthing West (Sir Peter Bottomley) and for St Albans (Daisy Cooper), I am a co-chair of the all-party parliamentary group on leasehold and commonhold reform. The group is assisted by the Leasehold

Knowledge Partnership, which has been campaigning for many years for the kind of reform that we are debating today.

We might have expected the Bill to be a cause for celebration, and indeed any legislation that puts another nail in the coffin of leasehold is to be welcomed, but we are left with a feeling that it is a rather modest measure. Given that it took four years for us to reach this point, it seems that we are making glacial progress. Perhaps four years is not much in comparison with 1,000 years of leasehold, but for those who are still trapped in unsellable or seriously devalued homes because of the leases they signed, progress is not being made quickly enough.

I am not generally a fan of market-based solutions—the market is responsible for most of the egregious injustices that we have seen in leasehold—but, to a significant extent, the market has already moved away from imposing ground rents for most houses, not because those who concocted the leasehold scandal have had a prick of conscience but because a spotlight has been shone on the devastating consequences of their sharp practice. In that respect, I pay tribute to the fantastic work of the National Leasehold Campaign, which has done more than just about anyone to bring the unfairness of leasehold to the public's attention. It is an irony that those campaigners do not stand to benefit from the Bill because, as has been pointed out already, it does nothing to tackle the existing problems. That said, however, their influence has already benefited my constituents and many others.

A new Redrow estate not far from where I live originally had properties being sold on a leasehold basis. After some pretty determined campaigning from the National Leasehold Campaign, Redrow decided to stop the sale of homes in the second phase as leasehold, but unfortunately not before several hundred people had already bought their homes as leasehold. To be fair to Redrow, I should add that it did then offer them the opportunity to purchase the freehold after two years, although it was a little unfortunate, to say the least, when it subsequently lowered the purchase price for the freehold again, creating another unfairness. While I give Redrow credit for stepping back and weaning itself off the leasehold drug, that should not obscure the fact that all this could have been avoided had it not sold the properties as leasehold in the first place. That takes me back to the basic concern that remains with the Bill, which is that it enshrines in law a two-tier system of home ownership when really we should be ending it altogether.

Very few new houses are now being sold as leasehold, but around 1.5 million houses will remain leasehold after this Bill becomes law. Is there a risk that choking off income streams from those who see other people's homes as an investment will cause them to turn their attention to redoubling their efforts to squeeze as much as they can out of the existing properties? A number of Members have already mentioned that, and I will return to it later.

Turning to the details of the Bill, I know that a lot of consideration has been given to how we define a ground rent. That debate is instructive, because how can a payment for which nothing is received in return be considered a proper legal payment? The short answer is that it cannot, and I believe that that is another reason to abolish leasehold altogether. The reality is that ground rent is a legal fiction and a method of maintaining control and securing an income for which the recipient is required to do precisely nothing.

[Justin Madders]

It is therefore disappointing that lease extensions for houses are exempt from the Bill, because there is significant concern that freeholders will put in massive multipliers when offering informal lease extensions, just to make the premium look lower and more attractive. They would then make their money back through allowing the ground rents to continue. Let us not forget that both parties do not have equal bargaining power. This all just adds weight to the argument that what we have here is a minor change that will help people in the future, when what we really need to do is to deal with the injustices of the present, and the best way to do that is of course to abolish leasehold altogether.

As I said earlier, we also need to keep an eye on whether those who have been involved in the systematic deception and mis-selling change their sights to deal with the new environment that the Bill represents. They have not gone away, those offshore accounts, those trust funds and those private equity investors who see people's homes as an opportunity to cream off the cash long after the people living in them think that they have bought them. In particular, we have to keep a close eye on estate management companies, because that is one area in which charges could easily be inflated to more than cover the loss of a ground rent.

Matt Rodda: My hon. Friend is making an important speech and he has hit on a number of central issues, particularly when dealing with his own legal experience of these dysfunctional markets where on the one hand we have developers with enormous financial power and legal resources and on the other we have humble first-time buyers. Does he agree that there needs to be a rebalancing, with far greater protection for first-time buyers and ordinary householders, and with a much greater attempt by the Government to hold these large developers to account?

Justin Madders: My hon. Friend makes an interesting point. There is clearly an imbalance. We have already talked about how some enthusiastic first-time buyers who just want to get into their new homes put their trust in the people who have been assigned to deliver the legal niceties such as putting a value on the property and doing the conveyancing. They put their trust in those people, and sometimes that trust is betrayed through the egregious injustices that we have talked about.

Mark Tami: My hon. Friend has mentioned management fees, which I see as the next scandal coming down the road. People who bought their properties and were being charged perhaps £100 or £200 a year will have thought that that was okay, but that might now have gone up to £500 or £600 and there are often additional charges because, for example, fences or certain parts of the ground are not covered. People have told me that they feel they are paying their council tax twice. That is how they see it, and it is totally unfair.

Justin Madders: I thank my right hon. Friend and neighbour for his intervention, which leads me beautifully into the next section of my speech, in which I shall talk about exactly that.

I will never accept that it is right for developers to choose not to pay a sum to councils to adopt the communal areas, and that they instead save themselves money by passing on that cost to the homeowners and then make even more money from the homeowners by charging them for things that ought to be coming out of their council tax. Like my right hon. Friend, I worry that this trend will be accelerated because the ground rent gravy train is coming to an end, and that we will hear more and more stories of homeowners having no choice but to pay inflated annual service charges that, given the choice, they would prefer to pay through their council tax.

Kevin Hollinrake: The hon. Gentleman is making a good point about what is referred to as “fleecehold.” Does he agree it is entirely within the gift of the local authority to require the development to be made to adoptable standards in terms of roads and drainage, for example? It can then be adopted by the local authority, so people do not have to pay twice for such services.

Justin Madders: That is a fair point in theory, but I find it does not happen in practice. I have estates in my constituency that were built a dozen years ago and still have not been adopted because the developers have not put them up to the required standard. The to and fro never ends, because the developers have left town and they have no interest or incentive to bring those areas up to the adoptable standard.

Christian Matheson: I am grateful for the advice my hon. Friend has given to me and my constituents on this matter, as he is a neighbouring MP with particular expertise. He will be aware of one estate in my constituency that has been parcelled up and given to different developers, and it has been developed at different times. Not only do we have a problem with the local authority, but he will recall that we have a problem with different developers playing themselves off against each other in order not to bring the estate up to standard, as the hon. Member for Thirsk and Malton (Kevin Hollinrake) suggests.

Justin Madders: My hon. Friend and constituency neighbour makes the point well. It all points to the lack of capacity in local authorities to tackle these issues. I do not want to make a party political point, but we have had a decade of austerity and we are now seeing the consequences in how local authorities police these things.

I would like to see a crackdown on unfair fees and contract terms by having an enforceable list of what are considered to be reasonable charges. We should require transparency on those charges and give leaseholders the right to challenge rip-off fees and poor performance. We should also try to ensure that residents are given greater powers to take over the management of their homes, if that is where we are going.

As my hon. Friend the Member for City of Chester (Christian Matheson) said, I do not want to be standing here in a few years' time talking about another PPI for the house-building industry because the Government have once again failed to act on the warning signs that are there for us all to see.

This Bill must be promptly followed with the promised wider leasehold reforms, particularly the promised reforms for which we have been crying out that will enable

leaseholders to buy their freehold quicker, easier and cheaper. I have had a private Member's Bill ready to go for three years that would allow us to do just that. It could have already become law if there had been the will to take on the freeholder interests that would lose out as a result.

I have now got the message that my Bill will not find favour with the Government. I am aware the Bill would not have meant an end to leasehold, but it would at least have given the victims of this industrial-scale con an opportunity to take back control of their property at an affordable price. I thought this Government were all about taking back control. Do they not realise that leaseholders do not have control?

What is stopping firmer action being taken against freeholders? I know there are legal opinions floating about on freeholders' human rights, but what about my constituents' human rights? Do they not have the right to live in their own home without someone else trying to make it into a cash cow? Do they not have the right to expect that the biggest purchase they ever make will be done fairly and will be properly regulated? Do they not have the right to have a Government who are serious about stopping the industrial-scale foul play we have talked about tonight?

It is disappointing that, although on the one hand the Government accept that unfair practices in the leasehold market can turn people's home-ownership dreams "into a nightmare," we are still waiting for action for the many leaseholders who have been trapped in this web that they did not sign up to. We have made it clear that there are a number of reasons why they have found themselves in this position, not all of which are resolved by the Bill.

We know that one in three houses sold in the north-west in the past 10 years is leasehold, and those people will not benefit from the Bill. My constituents and my hon. Friend's constituents have been disproportionately affected by the leasehold scandal, and they are still waiting for something that will help. If we are to talk about levelling up in this place, we should be looking at something like that as it will deliver true justice, fairness and levelling up.

We need some clear timescales from the Minister for when existing leaseholders can expect to see action on their concerns. What commitments can they expect? I think we all agree that what has happened is unfair and a significant injustice, but when are we going to see action to put things right for existing leaseholders? The right hon. Member for Bromsgrove (Sajid Javid), when he was Communities Secretary, promised an outright ban on leasehold for all houses four years ago. That is four years of people being trapped in homes that they cannot sell because of onerous ground rents, and four years of stress and uncertainty about whether they should try to buy their freeholds now or wait until the law is reformed. I get asked regularly, "What should I do? Should I wait until the law changes?" It is very difficult to give an answer on that because we still have no clarity on when that law will be changed. So let us end four years of jam tomorrow. Let us deliver solutions for leaseholders today. Let us stand up to the vested interests and please, finally, abolish leasehold.

6.10 pm

Sir Desmond Swayne (New Forest West) (Con): I have had the nub of my argument with my right hon. Friend the Member for Newark (Robert Jenrick), but it comes down to this: the retirement living industry's business model funds the capital requirement for the communal areas through a flow of future ground rents from the outset. The Minister said that he has given the industry time to change its business model. My answer to that is: if there was a problem with an escalating ground rent, it would be perfectly appropriate to have dealt in a measure such as this with that specific problem, rather than telling the industry to change its entire model. Nevertheless, this is where we are.

The business model must therefore have changed by 1 April 2023. The difficulty is with the time it takes to sell properties in the retirement living sector. The industry's estimate is that some 4,000 apartments will remain unsold in part-sold developments. If someone was to complete on one of those properties on 1 April, they would be paying all the capital costs up front, whereas someone who had completed on 31 March would be expecting to pay a ground rent for the remainder of their tenure. That creates a huge legal confusion and a sense of injustice among the tenants in those properties. So I put a solution to the Minister: a technical amendment to the Bill to enable part-sold developments to continue to sell the unsold properties with a ground rent, provided those properties were built when it was lawful to charge a ground rent. That strikes me as proportionate. We are not dealing with a huge problem or a huge number of properties, but with some 4,000. My proposal seeks to avoid the confusion and difficulty that would arise with two different types of tenures in the same development. That seems a not unreasonable thing to ask Ministers to consider in Committee and on Report.

6.13 pm

Matt Rodda (Reading East) (Lab): It is a pleasure to speak in tonight's debate. I wish not only to address a number of issues that colleagues have raised, but to add in further details that I hope are particular to my constituency but fear may be common around the country.

First, I wish to support the points raised by my hon. Friend the Member for Manchester Central (Lucy Powell). Obviously, I welcome this Bill, which will help, but the broader point about the deep inequities of leasehold still stands true and we should be moving much faster on this important matter, trying to remove leasehold from the system of ownership in this country. Is it not incredible that the UK still has this medieval system of ownership, which, as has been mentioned, so discriminates against first-time buyers, people on lower incomes, older people and many other groups, which in many ways deserve more support and encouragement to get on to the property ladder? They deserve not to have their lives blighted by what is, sadly, sometimes the behaviour of irresponsible developers. I am not saying that all developers are irresponsible, but Members have clearly highlighted some awful and appalling examples of behaviour.

First, Loddon Park is a pleasant development on the edge of Woodley, a suburb of Reading. It is a relatively new and really quite beautiful development, with many attractive homes. The homes are freehold properties but some of the shared areas in the large development are

[*Matt Rodda*]

subject to charges. In many ways, the sort of problems described so eloquently by my hon. Friend the Member for Ellesmere Port and Neston (Justin Madders) are also occurring for those at Loddon Park—several hundred people living in an attractive new development on the edge of an urban area in the south-east of England. The residents potentially face unlimited extra costs for the maintenance of some attractive grounds—including meadow areas, large ponds and other areas where children can play—because no cap was written into the charging policy and they did not realise that when they bought their properties.

As explained earlier by my hon. Friends the Members for Ellesmere Port and Neston and for City of Chester (Christian Matheson), as well as other colleagues, some of the first-time buyers we are talking about are unfortunately not always aware of some of the difficulties into which they might get themselves. There is an unequal situation in which on the one hand there are powerful and articulate developers with an excellent team of lawyers and on the other hand there are first-time buyers. That is deeply unfair. In this case, young families face potentially unlimited additional costs to pay for the upkeep of the rather attractive communal areas around their houses. That is very sad and deeply unfair. I respect the fact that the local authority had difficulties in trying to provide the properties, but I wish it had been more careful. There is also an element of involvement from Wokingham Borough Council, which is the local authority involved. Will the Minister look into that issue? I will write to him to explain the situation and ask for his help and support.

Before I mention another egregious example from the Reading East constituency, I offer my support to colleagues who have mentioned the issue of snagging and the problems with developers that prevent the adoption of roads. I know of cases in both Reading borough and Wokingham borough in which different developers have started to build a new estate and completed all the properties, which have been sold, but the roads, street lighting and other services have not been properly completed. Although the issue has gone on for years, there has been an ongoing tussle—similar to what the hon. Member for Thirsk and Malton (Kevin Hollinrake) mentioned—between council officers and developers. It has been deeply problematic for local authorities, which often have low levels of resource in their planning departments so are not well equipped to argue the case.

Mark Tami: I totally agree with my hon. Friend. Quite often, the moment the developers sell the last property, that is it: they are not interested any more. They are not interested in snagging or doing the roads; they are off to build somewhere else. The problem is that, as my hon. Friend was saying, local authorities do not have the money to chase these people. In my opinion, if they do not finish an estate—what they were allowed to do under the planning permission—they should not be granted permission again to build anything else.

Matt Rodda: My right hon. Friend makes an excellent point. There should be much stricter rules on this issue, because such sharp practice by developers helps no one. It does not help the building industry as whole, homeowners,

local authorities or, indeed, other businesses that have to operate. In one estate near me, drivers can feel the difference as they drive on to the unadopted piece of road because their vehicle goes over a huge bump. That is not good for anyone, including many of the small businesses that have to deliver to that estate. It is surely in everybody's interests, including those of the wider building industry, to get on with it and come up with a clear, simple and fair solution to the problem so that we can all move on and not spend vast amounts of unnecessary energy chasing after developers to sort out problems such as lamp posts that do not work or roads that have not been finished off.

I wish to address a specific issue that relates to a social housing enterprise in my constituency that operates across large parts of Berkshire. I have been deeply disappointed by Housing Solutions and ask for the Minister's help. This organisation appears to have badly let down a number of residents in Woodley, the Reading suburb I mentioned earlier. It applied for planning permission to build properties next to a transport depot, where there are a lot of heavy goods vehicle movements, and on an industrial estate. The properties have been sold in a part-ownership scheme to local residents who were desperate to get on the housing ladder and were finding it quite difficult because they are on modest incomes. The local authority gave planning permission and carried out all the relevant checks—again, this is Wokingham Borough Council not Reading Borough Council. There was nothing in planning law to stop these flats from being built next to a haulage yard. The local authority looked into it and it was not able to reject the plans on that basis—on the basis that the flats were close to a noisy and polluting business. However, it did try to insist on conditions on the development. Sadly, though, it appears from lengthy inquiries from my office and also from one of the local councillors—Councillor Shirley Boyt—that these conditions have not been met. Residents, including a constituent of mine, Elise Maslen, who lives in the development, were not told of the additional changes that would need to be made to these properties—in particular, the need to adapt to air quality problems, such as mechanical ventilation and other forms of enhancements to the properties. They were also not told about the noise and pollution from the depot when they purchased the properties. That has resulted in around 20 families being trapped in flats that they do not want to be in, suffering from noise and air pollution.

The local authority has tried to find a way of bringing these properties up to spec. It has insisted on Housing Solutions doing that, but there has been a great deal of delay. This has gone on for five or six years. Sadly, some of the residents have moved away and are now having to pay for the cost of living in these properties while also living at a new address. They are deeply concerned about the health of their children and of themselves. This seems to be an egregious abuse of the situation. While it is not directly related to leaseholders, it has many of the same features, with powerful organisations, sadly, abusing their position of power and ordinary householders struggling and being provided with incorrect information. I wish to write to the Minister to ask for his help on this matter because it is of huge concern to me, to the local community and to the residents concerned. They have been treated appallingly by the housing association.

Matt Western (Warwick and Leamington) (Lab): My hon. Friend is making some incredibly important points. I have parallels in my constituency, as I am sure do other Members across the House. In one example, we have a managing company, a massive social housing provider and a partnership scheme, as he describes it, and the builder. It is a big organisation, but there is no overall ownership of the issues. Residents get utterly frustrated—I am thinking about Ellie, Matt, Sarah and others. There are 200 of them in this one development and they cannot get answers from anybody because no one is really taking ownership of the problem.

Matt Rodda: I thank my hon. Friend for his intervention, because he shows that there is a wider issue with this type of behaviour. It is deeply worrying. These are ordinary families trying to get on with their daily lives. They want to be able to find a home of their own in a high-cost area and they are being treated in the most appalling way by an organisation that should be much more responsible. As I have said, I, my office and local councillors have been struggling to find a way of solving this problem, but we have not had much success so far and would appreciate the Minister's help. We hope that, at some point, Housing Solutions will compensate these poor residents for the way that they have been treated and, indeed, buy them out of their properties if possible. It is absolutely appalling to live next to a haulage yard. People are constantly interrupted by noise from HGVs, driving past at all hours of the day and night. The air pollution from diesel particulates and nitrous oxide is deeply worrying. There is no way of protecting children and other vulnerable people in that situation. I am sure the whole House would agree that no one wants that for their constituents. There is also an issue with planning law that needs to be addressed, by which I mean looking at the risks from air pollution and from putting housing in close proximity to an industrial development. I would appreciate the Minister's help with that.

Finally, let me reiterate the points made by other colleagues about the wider issue of leasehold, which is a completely out-of-date system and totally unfair to first-time buyers and other householders—whether they be young residents, people in leasehold properties for long periods of time, or, as the right hon. Member for New Forest West (Sir Desmond Swayne) said, older residents. This system should come to an end. It is a feudal system. Our country is unique in having such a system. Surely we need to end it once and for all and move on from it.

6.24 pm

Theresa Villiers (Chipping Barnet) (Con): I refer to my declaration in the Register of Members' Financial Interests, which includes an investment property that is a flat held on leasehold.

I join other Members in strongly condemning the abusive practices that have prompted this legislation, including the sale of new leasehold houses where there is no justification, and spiralling ground rents that double every few years. All the rip-off practices about which we have heard in the Chamber this evening are simply not acceptable. I, like others, very much welcome the investigation initiated by the Competition and Markets Authority into some of the major developers in relation to unfair contract terms and what looks like mis-selling.

It is clearly right to legislate to stop sharp practices in the leasehold sector. It is also correct not to apply the ban on ground rents to existing leases, as that would retrospectively impact on long-standing investments, many of which are held by pension funds that support millions of people in their retirement. Instead, the Government will be helping existing leaseholders by making it easier to enfranchise or buy themselves out of ground rent obligations, and through their second-stage reforms.

As the Bill proceeds through Parliament, we need—as I said in my intervention earlier—to consider the retirement homes sector, where, as we have heard, ground rents are often being used to generate the capital to fund communal areas and shared facilities. Including retirement homes in the ban could affect future investment in this type of much-needed housing. As my right hon. Friend the Member for New Forest West (Sir Desmond Swayne) said, there is a case for considering a technical change to the Bill so that at least the retirement homes built but not sold prior to the commencement of the Act in 2023 are covered by the current rules, rather than the new ones.

A second potential alteration that should be looked at carefully is whether to allow the continued use of ground rents for some large, complex apartment blocks. This matter has been raised with me by a constituent who is worried that the exit of professional freeholders from the market, which is the expected consequence of abolishing ground rents, will leave leaseholders moving into such buildings with extensive financial and legal responsibilities. These complexities are intensified if there is mixed residential and business use.

The Housing, Communities and Local Government Committee acknowledged this issue in its 2019 report and advocated at least a temporary exemption for large, mixed-use buildings. If this carve-out were made, there would need to be a robust code of conduct to ensure that the remaining freeholders acted fairly. Violation of such a code should be subject to enforcement mechanisms. Having spoken to my constituent and his colleagues in the professional property sector, I think we need seriously to consider whether some leaseholders in some new blocks might want to have the option of leaving stewardship of their block to a professional freeholder.

Kevin Hollinrake: My right hon. Friend is making an important point. Would the code of conduct to which she refers—for those kinds of complex developments—include a cap on ground rents of, say, £100 or 0.1% of the value, whichever was lower, to ensure that the ground rent was always affordable?

Theresa Villiers: We would certainly need a cap, and the sort of levels that my hon. Friend mentions sound reasonable to me.

Let me turn to how this legislation will interact with new building safety laws. New building safety legislation will impose stringent responsibilities on freeholders, whether they are professionals or just flat owners who are banded together to manage their building. Frankly, not all leaseholders will want to take on such liabilities, yet this Bill will mean that for new flats, residents—whether they want this or not—will be jointly responsible for the safety, maintenance and upkeep of the apartment buildings in which they live, regardless of the size or complexity of those buildings. As my hon. Friend the Member for

[Theresa Villiers]

Thirsk and Malton (Kevin Hollinrake) highlighted in his earlier intervention, worrying research in a 2019 report commissioned by the Royal Institution of Chartered Surveyors and Built Environment Forum Scotland indicates that the removal of professional freeholders in Scotland has contributed to buildings falling into disrepair. A key problem that has been identified is that difficulties in securing a majority agreement among leaseholders and getting all flat owners to fund the repair works needed can significantly slow down remedial work, and that pushes up costs.

Matt Rodda: I appreciate that the right hon. Lady wishes to make a point about the importance of shared ownership and the difficulties of managing the shared parts of a large block of flats. Has she looked into the way that this issue is managed in other countries, given that all western countries other than the UK do not have the leasehold system? Surely there are ways to manage communal areas other than by maintaining leasehold, which involves all the difficulties that we have heard about.

Theresa Villiers: The fact that English property law is unique does not necessarily mean that it is wrong, but I acknowledge that it is important to look at how other countries manage these issues. That is partly why it is instructive to look at what has happened north of the border. Of course, Scotland has a different legal system. Leasehold and commonhold have been a fundamental part of its system for a long time, and it seems that, in some instances, that is making it more difficult to keep buildings in a decent state of repair.

This is a very important Bill, but it needs careful scrutiny if we are to ensure that it protects leaseholders effectively from abusive and unscrupulous practices, operates fairly and avoids unintended negative consequences for the very people whom it was designed to protect.

6.31 pm

Stephen Hammond (Wimbledon) (Con): Let me say to my hon. Friend the Minister how much I think everyone across this House supports his aim—I certainly do—of getting rid of some of the egregious behaviour that we have seen in the market in the past five years. That behaviour undermines the work done by those professional freeholders who have done a good job for leaseholders for many years.

We are right to look at the whole process of leasehold. My right hon. Friend the Member for Newark (Robert Jenrick) described this Bill as the appetiser before the main course. A lot of us will welcome the main course, in which we can look at making it easier for leaseholders to extend their leases through simplification of the extension process, which I assume will come in that very complex Bill. The hon. Member for Ellesmere Port and Neston (Justin Madders) was right to say that although progress has been not as fast as many would have liked, it is coming. I warmly welcome that.

This Bill is fairly tightly drawn: it is very much about the ground rents on future leases. I make only four points, and I would like those on the Treasury Bench to respond to them. First, a practical point: while we all welcome and recognise the work done by the Competition

and Markets Authority, it is missing half the problem. On the many people who may or may not have been instructed to use solicitors recommended by the developer or their agents, those solicitors had an obligation and a duty to the client purchasing the property, for whom they were working. I strongly advise Ministers to talk to the Solicitors Regulation Authority about whether this should be looked at as a corollary of the work being done by the Competition and Markets Authority.

Secondly, I heard what the Minister said about doing away with ground rent and moving to a peppercorn that will not have to be paid. What I am not clear about—perhaps if I am on the Committee, we can explore this a bit more—is why anyone would not just transfer all the increase in ground rent to other charges. He said that there are protections in progress, but some of those will be really difficult to establish. We have talked about “excessive” admin charges, repair charges and service charges; I think that will be quite difficult for the Minister to define, and I look forward to exploring that with him. If I am not on the Committee, I hope he will meet me to talk about how we might make sure that that is more tightly defined.

My third and fourth points have already largely been made by my right hon. Friend the Member for Chipping Barnet (Theresa Villiers). If ground rents are taken to a peppercorn, freeholders are unlikely to want to be involved, so we will move to a system of commonhold in reality, rather than by legislation. That raises two issues. The first is: who will manage the blocks of flats, and how will that come into place? The hon. Member for Reading East (Matt Rodda) mentioned that there are systems in other countries, but in complex buildings—those large buildings with mixed use underneath, or large-scale blocks of flats—a number of people will not want to actively participate in the management of that building; nor will it necessarily always be possible to bring them to resolution and agreement with the rest of the commonholders. For things to work, there may have to be an obligation on the commonholders to have a management company; otherwise, a number of repairs simply may not happen. My right hon. Friend the Member for Chipping Barnet talked about Scotland a moment ago.

My other major concern is this: if that provision is not there, and we no longer have professional managing agents or freeholders, who will ensure future building safety? I am interested to hear how the Minister intends to protect complex buildings. Commonhold can easily be seen to work in smaller buildings, but there is real concern about buildings over 18 metres and large buildings. If safety standards change in the future, who will force through building safety measures? I am keen to hear a response to that from my right hon. Friend the Member for Tamworth (Christopher Pincher).

6.36 pm

Jane Hunt (Loughborough) (Con): I am delighted to speak in support of this Bill. I have one or two points to raise, but in general this is an excellent Bill.

For too long, many of my constituents who have realised their dream of owning their own home have been trapped in a cycle of cumbersome bureaucracy and additional, unnecessary and, frankly, unfair expenses in the form of both ground rent and service charges. Since becoming an MP, I have supported a number of these constituents, some of whom have told me that

they were not clearly informed about the additional costs they were signing up to when buying their house—costs that have caused significant stress and hardship. I had hoped to provide an example, but unfortunately, all the cases are currently undergoing legal action, which only reinforces my point that change is necessary. I therefore welcome the Bill, which seeks to end these unfair practices.

Matt Western: I share a lot of the hon. Lady's concerns about what her constituents are experiencing. Many thousands of new homes are being built, and constituents are frustrated and surprised when they discover that they have just bought a leasehold house. We understand that a third of leasehold properties are typically houses. Does she agree that where houses have been built as leasehold, surely the simplest thing would be to make them all freehold, and to get agreement with all the developers to reduce the cost of transfer?

Jane Hunt: I wonder whether that is part of the main course that is coming up. I am not sure; we will see, I suppose.

I think I got the same memo as my right hon. Friends the Members for Chipping Barnet (Theresa Villiers), and for New Forest East (Dr Lewis), as I am going to talk about retirement homes for a moment. I draw the Minister's attention to an issue I have previously raised with him. I have been contacted by a leading developer and manager of retirement communities, which has recently completed Mill Gardens and Farnham House retirement living in my constituency. McCarthy and Stone is concerned about the impact the Bill could have on the retirement sector, following the decision not to provide it with a concession from the ban on ground rents. While it is welcome that the Bill provides for a short transition period, it does not take into account developments that were in the pipeline before the position changed, and the impact that the provisions will have on schemes that will be part-sold when the legislation comes into force.

The proposals are likely to mean that retirement developments on which building started when ground rents were expressly permitted will find themselves split, with two lease structures operating in the same building. That is likely to cause legal complexity and on-site management issues, and to complicate future apartment transactions. It could throw into doubt the financial sustainability of some communities, on the basis that the collective ground rent income on which a development's funding was predicated will be substantially reduced, even though the development has already been built.

Furthermore, financial contributions to the development costs of communal areas, which were previously shared transparently and equitably, will become complicated, and that risks a sense of unfairness and disunity arising between residents in the same block. I wonder, therefore, whether a modest technical change could be made to the Bill to allow for developments already part-sold to complete sales, so that all apartments operate on the same basis.

I heard the points made by my right hon. Friend the Member for Newark (Robert Jenrick), the previous Secretary of State, on retirement homes and wonder whether a longer transition period for retirement homes would be better than one ending in 2023. That said, it

cannot be right for buyers of new properties to face further financial demands for ground rent. House buying must be made fairer and more transparent, and freeholders and landlords must not be able to continue to amass significant profits from ground rent and, indeed, administration charges to the detriment of homeowners. The Bill is therefore an incredibly important piece of legislation that I wholeheartedly support.

6.41 pm

Kevin Hollinrake (Thirsk and Malton) (Con): It is a pleasure to speak after my former colleague in the Cabinet Office, my hon. Friend the Member for Loughborough (Jane Hunt). She made some good points, not least on part-built developments. I support the Bill's intent.

There is an expression that you should never take down a fence until you know why it was put there. As I set out in my intervention, I have one or two particular concerns. I draw the House's attention to my entry in the Register of Members' Financial Interests. I have been involved in the property sector for a long time. I am not directly involved in it today and I have no vested interest—that is for the people who make comments on Twitter in particular, because I will not agree entirely with many of the points made about completely scrapping leasehold, in effect. I am actually a leaseholder, rather than a freeholder, in this context.

On the leasehold system, for most of my life, when it comes to selling and renting property, leasehold has been a perfectly workable form of tenure for most people—for most leaseholders and indeed freeholders. In recent years, there is no doubt that the system has been tremendously badly abused. It is right of the Government to act on that in no uncertain terms. However, the fence to which I referred is between freeholders and leaseholders, and it was put there to try to ensure a proper mechanism for resolving disputes. That is why we ended up with a professional landlord who had an overall interest in an entire block, rather than in a specific unit in that block. The Bill will in effect remove any interest that a professional landlord would have in a future block. My hon. Friend the Member for Wimbledon (Stephen Hammond) is therefore right that the default will become commonhold.

On freehold, in my formative years of selling property in York, most flats were leasehold, and those flats were perfectly saleable and rentable. However, if ever we came across a development of freehold flats—a block where all the owners were freeholders, or commonholders, in modern-day parlance—we found that those properties were almost impossible to sell. In fact, mortgage lenders would not lend on them because of concerns about maintenance. If there was not a method to ensure that the building was maintained or that its insurance continued, the building might fall into disrepair and the lender's security over the property would not be sufficient to cover the mortgage. That is the concern we potentially have here, as we move to this system of commonhold. I think commonhold can work for quite a number of flats—most blocks of flats, indeed—if it is simple and easy to operate.

However, commonhold is far and away not, in any shape or form, a panacea. We can see that from the current experience. There are some effective leasehold or commonhold ways of managing blocks, with residential management companies or right to manage agreements,

[Kevin Hollinrake]

where in effect the leaseholders manage the block and take on the responsibility of a freeholder. However, there are disputes within such blocks or organisations. The trouble with the commonhold rules—as I understand it, and the Minister may tell me differently—is that each commonholder has the right to raise their own dispute regarding the particular property, and I do not think there is any clear means of resolving such a dispute.

Previously, in a leasehold agreement, the freeholder would have been able to say, “This is what is actually going to happen. These are the terms of the lease, and these are the terms of the lease that you must adhere to.” A simple example of that is the payment of insurance. As I am sure most Members in this debate will know, in a leasehold agreement the freeholder will normally arrange the buildings insurance for the entire block, which obviously covers communal areas, as well as things such as the roof. That would be the responsibility of the freeholder, who would pass on the costs to each individual leaseholder in proportion. If one leaseholder decides not to pay the insurance, the freeholder can say, “Well, you must pay the insurance”, and they can actually carry out debt collection on that leaseholder. If it is an absentee leaseholder, they can go even further: ultimately, they could disenfranchise that leaseholder completely, and take the apartment back from the leaseholder.

I know that that has been used in some draconian ways in leasehold, but generally there is a mechanism that makes sure everybody in the block pays a fair amount for maintenance and things such as the insurance, but I am not sure how that happens in commonhold. If somebody stops paying for their particular element of responsibility for the charges, I do not think there is any such mechanism. The others could take that person to court, but again, the problem is that the fellow residents—fellow commonholders—in that block would have to take one of their own residents to court, instead of a freeholder doing so who does not have a cheek-by-jowl relationship with the resident.

This is why I think we have some of the maintenance issues in Scotland, and in Scotland there are some big maintenance issues, as my right hon. Friend the Member for Chipping Barnet (Theresa Villiers) mentioned. The hon. Member for Reading West asked about other jurisdictions. Australia has a very similar system, which I think is called the strata system. There are issues there about the recruitment of people to sit on the management boards, with 37% of companies expressing difficulties in recruiting residents to sit on these management boards.

Matt Rodda: I absolutely appreciate the difficulties that the hon. Gentleman is outlining, including indeed in relation to my constituency. I should say that my constituency is Reading East; Reading West is the COP26 President’s. In Reading and Woodley, which I represent, there are a number of private roads and other shared facilities where residents come together and share the ownership of assets. Certainly in my experience as the local MP and previously as a councillor, that can be done quite effectively. I do appreciate that there may be issues with very large blocks, and the point I was making to the right hon. Lady from Chipping Campden—[*Interruption.*] Sorry, I mean the right hon. Member for Chipping Barnet (Theresa Villiers); there are various interesting

places around the country that we come from today. The point I was making is that we really should look at the wide range of jurisdictions overseas and try to work through some models of what is most appropriate in each given set of circumstances.

However, it is possible to bring residents together. Certainly, that is my experience locally, and in the example of shared private roads, that has been extremely successful. We have a number of areas where they are maintained to a very high standard, the residents all work together effectively and that is absolutely fine. So I do not think we should try unduly to put obstacles in the way of progress on this matter. At the end of the day, the real issue is moving on from this totally unequal system to one where individual householders are treated more equally, and work together in a collaborative and sensible way.

Kevin Hollinrake: The hon. Gentleman makes some good points and I am not saying that in certain circumstances commonhold cannot work. He pointed to the simple situation of a non-adopted road to which local residents have to contribute for the upkeep and it can certainly work in those situations, but I am just trying to point out that there are situations where it would prove difficult to make the system work.

Every jurisdiction—those in Australia or the US or Scotland—is different, and the UK is unique in various ways, one of which is in having a high proportion of absentee owners, such as in central London, where we all see blocks of flats that seem to be rarely occupied. Problems might arise in managing such blocks with for instance 100, 200 or 300 commonholders; there might be disputes and difficulties, such as in debt collection.

On the point about simple things to manage, the biggest issue is complex developments, as my right hon. Friend the Member for Chipping Barnet mentioned. Let us consider a block of 300 or 400 flats built above a tube station or adjoining a shopping mall; effectively there will be a common freehold in that development but would anybody here be keen to sit on a committee managing that entire block with, for example, joint M and E—mechanical and electrical—so joint electrical, heating, ventilation and broadband installations, managed not just between the 300 units but the other infrastructure in that development? There are concerns that that would be beyond the appetite of many commonholders who manage that kind of development.

Robert Jenrick: Yet it is done in every other country in the world—is that not the point? I share my hon. Friend’s reservations yet every other country in the world with equally complex cinemas and tube stations and infrastructure manages it in a way that is broadly commonhold.

Kevin Hollinrake: My right hon. Friend raises a good point and has an advantage over me as I do not know in depth how that would happen in, for instance, Manhattan, but I think we should understand that situation more before pushing ahead and ruling that commonhold will effectively become the default for every single development in the UK. The Government have done a great job in many things and one of them is in increasing the rate of development in the UK, and I have a concern that some developers might be inhibited in taking on a very complex

project because of fears about selling the residential units or renting the commercial units. I just think we need to understand more before pushing ahead and rolling complex developments into the legislation, rather than exempting such developments from it as we on the Select Committee recommended and Lord Lytton recommended in his speech—he tabled an amendment.

I just think we should look at this area and make sure we get it right, because one law we constantly effect in this place is the law of unintended consequences and we must avoid that. So peppercorn leasehold and commonhold are fine, but we need to make sure we look at those complex situations. I personally think that if we do not find a simple solution and cannot demonstrate that it will work in the UK, because the UK clearly has some unique elements to the property market, then we should set a cap on the ground rent in exempted developments, for instance of £100 or 0.1% of value, whichever is the lowest, to make sure it is always affordable for leaseholders. I absolutely understand that this has been a problem, but we must make sure that developers do not avoid exploiting development opportunities—particularly brownfield development opportunities in city centres—because of complexities.

Aside from that, I am very happy to support what the Government are trying to do.

6.53 pm

Mike Amesbury (Weaver Vale) (Lab): This is a Bill not for the many but just for the new leaseholders. Ministers have now heard the speeches of all Members taking part in the debate and in one sense they all spoke with one voice: they welcome this Bill in its narrow scope as far as it goes. We agree that abolishing ground rents via peppercorn, and beginning to rebalance the system so that it works for those who live in homes rather than for investors who use them as income streams, looking only for returns, is a good thing. However, as Members have stated—I think we heard from around 11 speakers, including interventions—the Bill deals only with ground rents, and only with the future. The feudal system now unique to England and Wales is still alive and kicking; that is something that I and the former Secretary of State, the right hon. Member for Newark (Robert Jenrick), agree on.

That is the issue with the Bill. For people already trapped in leasehold properties with high and escalating ground rents, it does nothing. For those trapped in flammable flats, facing soaring costs and crippling remediation bills, it does nothing. For leaseholders facing extortionate service charges without any transparency on where the money is going, or suffering from other unfair terms and conditions or limitations on enfranchisement, it does nothing.

We heard from my good friend and neighbour, my hon. Friend the Member for Ellesmere Port and Neston (Justin Madders), who has constantly referred to this as the new payment protection insurance scandal. People across the House have referred to the obscure practices of recommended solicitors and so forth. The right hon. Member for Newark—I name check him again—referred to the Bill as an “appetiser” before the main course. I and Members across the House—certainly those of us on the Opposition Benches—would prefer an all-you-can-eat buffet of reform. My right hon. Friend the

Member for Alyn and Deeside (Mark Tami), who is a good friend, referred to the scamming in north Wales and the north-west, with a plethora of dodgy clauses creating a cash cow for some interesting people in the market.

This Bill could do so much more, and given that it has taken this long to get any progress on leasehold reform from the Government, we expect it to do more. It is, in many ways, a missed opportunity for the Government to make good on a long-held promise. This is a story we are becoming familiar with—a Government on the side of vested interests. They are a Government on the side of some big developers who see housing as an income stream rather than as homes to be owned or lived in; developers who contribute £1 out of every £10 that the Conservatives receive in donations—developers who should instead be held to account for bad building and bad management.

We expect from Ministers at the very least a clear timetable for the more substantive second-part reforms of the leasehold landscape. We expect to hear that those will happen in the not-too-distant future. The Bill tackles only new homes yet to be built. As Members across the House have said, it will leave us with a two-tier system with nothing to help people, including those in my constituency, who are experiencing problems right now. Will the Government outline why, instead of using the Bill as an opportunity to help people currently exploited through leasehold, Ministers have left them waiting once again by failing to apply this legislation retrospectively, as the shadow Housing Minister, my hon. Friend the Member for Manchester Central (Lucy Powell), spoke about?

Do the Government have any numbers on how many more people will join those currently scammed into buying leasehold properties on bad terms while we wait for more legislation? It is those current leaseholders—people such as Katie Kendrick and Jo Darbyshire at the National Leasehold Campaign—who have been pushing for these changes over the years. Alongside the brilliant people at the Leasehold Knowledge Partnership, they have made the case time and again for doing better for those across the country who have been misled and taken advantage of. I also pay tribute to all members of the all-party parliamentary group on leasehold and commonhold reform.

Can the Minister answer why this legislation has arrived without banning houses being sold as leasehold properties? Just take a look at properties advertised on Rightmove for evidence. Local authorities will be keen to hear how Ministers will resource Trading Standards to conduct its new roles, as will I. I am also keen to hear what further action will be taken against those in the legal profession, as well as developers, who mislead. We also need to hear assurances from the Government on how they will tackle developers looking for new streams of income, for example so-called informal leasehold arrangements. Tackling ground rents only, this time around, means a risk of playing whack-a-mole. Banning freeholders from charging ground rents leaves them open—this was referred to by other Members—to finding new ways of replacing that income stream with other charges.

In conclusion, campaigners such as the National Leasehold Campaign, representing millions of leaseholders, are tired of consultations and bland statements uttered by Ministers about “When parliamentary time allows”

[Mike Amesbury]

giving the green light to foot dragging. This feudal system from a medieval era should be kicked into history, with commonhold as the default position. Our call to action and our amendments to the Bill intend to do just that.

7.1 pm

The Minister for Housing (Christopher Pincher): I thank the Front Benchers from the official Opposition for their support for the Bill. I am grateful to them, as is the whole House. It is a pleasure to see them still in their places. We know there is an Opposition reshuffle going on. It must feel to them that it is taking as long for the Leader of the Opposition to conduct his reshuffle as it is to reform leasehold. We trust that we can get on a little bit quicker than he can.

It has been a real pleasure to listen to the debate unfold. We have had a valuable and considered set of speeches. One of the ornamentations, one might say, of our Standing Orders is that they allow right hon. and hon. Members to range freely across the terrain in a Second Reading debate, and that is what has happened tonight. As the House will know, the Bill is narrowly focused on leasehold ground rent reform, but the debate has allowed the House to debate more freely the wider question of leasehold reform, retrospection and other matters. We will be addressing them in future, but let me say, before I make some further and more detailed points, that I am grateful to the hon. Member for Reading East (Matt Rodda) for his very thoughtful contribution. It sounds to me as though he is going to write me and the Under-Secretary of State for Levelling Up, Housing and Communities, my hon. Friend the Member for Walsall North (Eddie Hughes), a very long letter. We look forward to working with him to resolve the issues he raised.

I am grateful to my right hon. Friends the Members for Chipping Barnet (Theresa Villiers) and for New Forest West (Sir Desmond Swayne), and my hon. Friend the Member for Loughborough (Jane Hunt) for raising the issue of retirement sector ground rent reform. As the Under-Secretary of State for Levelling Up, Housing and Communities, my hon. Friend the Member for Walsall North, said, we have made it absolutely clear that the retirement sector has had an exemption of a further 12 months to get its business model in order. We believe that that is a right and proper amount of time, because there are a number of business models that the sector can use to effectively and appropriately levy reasonable charges that are transparent and fair on residents. It sounds as though my right hon. and hon. Friends may be interested in amendments. They know the process by which to pursue those, if they so wish. However, there will always be disparities between one set of buildings and another and between new buildings to which ground rents will not apply and older buildings to which ground rents will apply. I suspect that those differences will be factored into market calculations or will have little effect on the actual challenges that face residents.

Sir Desmond Swayne: The case for an amendment—I thank the Minister for his guidance in that respect—on the retirement sector is that it was clearly given an exemption and was assured throughout last year that that exemption would hold, but that exemption was

suddenly withdrawn in January this year. Given the time that it takes to change the model and to sell such properties, this is crying out for amendment.

Christopher Pincher: I am grateful to my right hon. Friend; he is not so much an ornament as an energetic battery in this House. We look forward to seeing what further proposals he has in due course.

My hon. Friend the Member for Wimbledon (Stephen Hammond) put his finger on it when he described how complicated the matter of wider leasehold reform is. He asked whether the Solicitors Regulation Authority and conveyancers will be engaged; whether tighter definitions will be employed; what happens in more complex developments to repair charges; and what the interaction is with the Building Safety Bill. That is why the Bill is so narrowly defined, as the Law Society advised—so that we can get on and deal with the most egregious offences on ground rents and then move on to the more complicated matter of wider leasehold reform.

As my right hon. Friend the Member for Newark (Robert Jenrick) said in what I thought was a very eloquent and forceful speech, making it clear without saying a word how integral he has been to the advancement of these reforms, they are really quite challenging. We know that leasehold is woven into the tapestry of our law and our tort. We know that in parts of the country, particularly the north-west—I think you know it as well as anybody, Mr Deputy Speaker—businessfolk of yesteryear, factory owners, would buy land in order to build houses and tie workers to those factories. Unpicking those sorts of complicated arrangements needs to be thought through carefully. With an all-you-can-eat feast, as the hon. Member for Weaver Vale (Mike Amesbury) knows full well, if someone stuffs themselves rather too quickly and rather too much, there may be unfortunate consequences down the line. We want to avoid those sorts of challenges with this Bill.

A great deal of thought has gone into the definition of rent to avoid the sort of loopholes that the hon. Member for Manchester Central (Lucy Powell) mentioned. We want to ensure that we close loopholes that would allow freeholders or landlords to collect ground rent. We considered a closely defined meaning for “ground rent”, but at the end of the day, we came to the conclusion that that would be something of a fixed target, because experience teaches us that clever operators with clever lawyers often find loopholes in such circumstances. A flexible definition of rent will help us to ensure that the tribunal will have the flexibility to consider what actually represents a prohibited rent, even if it is not explicitly called “ground rent”—the sorts of prohibitive and prohibited charges to which she referred.

We have made it absolutely clear that we will introduce legislation to ban leasehold houses; we have made that manifesto commitment and will introduce legislation as soon as we are able. We will also ensure that the second part of our legislative reform addresses the challenges with respect to existing leaseholders and retrospection, because we are committed to addressing the historic imbalance in the system.

Meanwhile, I am grateful for the work that the CMA has done, which I hope the whole House will welcome. We want to make sure that the CMA moves as quickly as possible to tighten up on egregious practices; we look

forward to its report and to the next steps that we will then undertake. I assure the House that we will move as rapidly as possible.

My hon. Friend the Member for Blyth Valley (Ian Levy) is not in his place, but he has certainly raised with me the issue of ground rent in future long leases. In January, we announced that we would legislate to change the way in which the cost of buying a freehold or extending a lease is calculated to make it cheaper and easier for leaseholders. I hope that that gives my hon. Friend some reassurance.

The Bill is the beginning of a process that we, the Conservative Government, have started and that others, for too long, have shirked. It will ensure fairness and transparency in our leasehold system. I look forward to working with right hon. and hon. Members across the House in the coming weeks to get this vital legislation on the statute book and working for leaseholders. I commend it to the House.

Question put and agreed to.

Bill accordingly read a Second time.

LEASEHOLD REFORM (GROUND RENT) BILL [LORDS] (PROGRAMME)

Motion made, and Question put forthwith (Standing Order No. 83A(7)),

That the following provisions shall apply to the Leasehold Reform (Ground Rent) Bill [Lords]:

Committal

(1) The Bill shall be committed to a Public Bill Committee.

Proceedings in Public Bill Committee

(2) Proceedings in the Public Bill Committee shall (so far as not previously concluded) be brought to a conclusion on Thursday 9 December 2021.

(3) The Public Bill Committee shall have leave to sit twice on the first day on which it meets.

Proceedings on Consideration and Third Reading

(4) Proceedings on Consideration shall (so far as not previously concluded) be brought to a conclusion one hour before the moment of interruption on the day on which those proceedings are commenced.

(5) Proceedings on Third Reading shall (so far as not previously concluded) be brought to a conclusion at the moment of interruption on that day.

(6) Standing Order No. 83B (Programming committees) shall not apply to proceedings on Consideration and Third Reading.

Other proceedings

(7) Any other proceedings on the Bill may be programmed.—*(Craig Whittaker.)*

Question agreed to.

LEASEHOLD REFORM (GROUND RENT) BILL [LORDS] (MONEY)

Queen's recommendation signified.

Motion made, and Question put forthwith (Standing Order No. 52(1)(a)),

That, for the purposes of any Act resulting from the Leasehold Reform (Ground Rent) Bill [Lords], it is expedient to authorise the payment out of money provided by Parliament of any increase attributable to the Act in the sums payable under any other Act out of money so provided.—*(Craig Whittaker.)*

Question agreed to.

Tim Farron (Westmorland and Lonsdale) (LD): On a point of order, Mr Deputy Speaker. No Minister came to this House today to address the appalling situation for the 155,000 people across the United Kingdom who remain without electricity, following damage caused by Storm Arwen. Thousands of people in Cumbria—in Coniston, Haverthwaite, Torver, Hawkshead, Grayrigg, Shap, Alston, Troutbeck, Garsdale, parts of Windermere, parts of Kirkby Stephen and parts of the Cartmel peninsula—are now facing their fourth night without electricity.

We need support tonight to help the hard work and increase the numbers of the engineers who are working around the clock to fix the connections. That may well involve bringing in the Army. We also need support for the amazing community volunteers who are helping vulnerable people and families who are cold, hungry and suffering in other ways. After four nights without power, most people become vulnerable. Could you advise me, Mr Deputy Speaker, how we can make representations to Ministers so that we can see immediate action tonight?

Mr Deputy Speaker (Mr Nigel Evans): I thank the hon. Member for giving notice of his point of order. He mentions a number of areas in and around his constituency; areas in my constituency and those of others have also been affected.

I have been given no indication that there is to be a statement today on the matter, but you are a seasoned Member of Parliament, Mr Farron, and you will know that there are other devices that you may be able to use to raise the issue, either directly with Ministers or in the House. Also, the Table Office is always there to assist Members in pursuing the interests that they have.

I thank the hon. Member for raising that vital issue.

ANIMALS (PENALTY NOTICES) BILL (WAYS AND MEANS)

Resolved,

That, for the purposes of any Act resulting from the Animals (Penalty Notices) Bill, it is expedient to authorise the payment of sums into the Consolidated Fund.—*(Victoria Prentis.)*

APPROVED PREMISES (SUBSTANCE TESTING) BILL (MONEY)

Queen's recommendation signified.

Resolved,

That, for the purposes of any Act arising from the Approved Premises (Substance Testing) Bill, it is expedient to authorise the payment out of money provided by Parliament of any expenditure incurred under or by virtue of the Act by the Secretary of State.—*(Kit Malthouse.)*

Business without Debate

DELEGATED LEGISLATION

Motion made, and Question put forthwith (Standing Order No. 118(6)),

That the draft Double Taxation Relief and International Tax Enforcement (Taiwan) Order 2021, which was laid before this House on 18 October, be approved.—*(Craig Whittaker.)*

Question agreed to.

Andrew Rosindell (Romford) (Con): On a point of order, Mr Deputy Speaker. May I ask your advice on how best we can congratulate Mr Speaker on the flying of the Lancashire flag for Lancashire Day—it is the first time in history that a county flag has flown from the Palace of Westminster—and congratulate and thank him for acknowledging the historic counties of the United Kingdom? Could you also, perhaps, gently relay to him that 26 October next year is Essex Day, and that I, along with my colleagues from the historic county of Essex, would be thrilled to see the flag of Essex flown proudly from the United Kingdom Parliament? If you could relay that to Mr Speaker, I should be most grateful.

Mr Deputy Speaker (Mr Nigel Evans): I thank the hon. Gentleman for his point of order. I remember that when the flagpoles were dedicated, he suggested to Mr Speaker that it would be wonderful to see the flag of the county of Essex flown from one of those flagpoles. Mr Speaker said, “Aye, but not till after Lancashire.” He has been as good as his word, and I shall make absolutely certain that he is informed before tomorrow’s Prayers about the approval that the hon. Gentleman has given and his request that in October the Essex flag also takes its place on one of the flagpoles.

Andrew Rosindell: On a further point of order, Mr Deputy Speaker. It is a matter of great sadness that this evening one of Her Majesty’s realms will cease to be a realm. Barbados is to become a republic. May I say how deeply sorrowful I feel, as I hope all Members will, at the loss of a realm that has been loyal to Her Majesty the Queen, and at the fact that this is being done without a referendum and without the consent of the people of that realm?

These, sadly, are the last few hours of Barbados as one of Her Majesty’s realms. May I also express my sorrow at the loss of those wonderful people who have been part of Her Majesty’s realms and the Commonwealth for so long? I trust that any other realms that decide to adopt a constitutional change of this magnitude will do so, but only once the people have given their consent, rather than simply as a result of a decision by the Government of the day.

I hope that you, Mr Deputy Speaker, will relay this to those who need to know, because we are part of a great family, and to lose a member of that family today is a matter not just for sorrow, because it also feels like a great loss: it is like losing a proud member of our family. I hope you will take that on board.

Mr Deputy Speaker: The hon. Gentleman knows that this is not a matter for the Chair, but I am aware of the importance that he ascribes to matters concerning commonwealth countries, and he has put his views on the record.

Civil Service Pay

Motion made, and Question proposed, That this House do now adjourn.—(*Craig Whittaker.*)

7.18 pm

Chris Stephens (Glasgow South West) (SNP): In raising this important issue, I refer the House to my entry in the Register of Members’ Financial Interests, and to my position as chair of the PCS parliamentary group.

May I begin by saying a few words about a personal matter? Today would have been my grandfather’s 99th birthday. My grandfather was a keen supporter of the Scottish National party, and, indeed, voted for it every time it featured on the ballot paper. He was a great influence on me, in ensuring that politics was discussed and debated. I want to pay tribute to my grandpa, and to thank him for everything he did for me. I hope that he is proud of me. He was of course a public sector worker too, and I am sure he would approve of the fact that I am raising the issue of public sector pay this evening.

The covid-19 pandemic has presented the United Kingdom with its biggest national crisis in decades. Workers in the civil service and its related areas have risen to the challenge, and have rightly been lauded as heroes by the Government. Plaudits, however, are not enough. Those workers have faced over a decade of pay freezes and pay caps which have seen their living standards fall by about 20% in real terms.

I am sure we will hear the Minister say that austerity is necessary in order to manage public finances, so let me start by putting that myth to bed. Austerity has done enormous harm to the public finances through the strangulation of living standards, investment and economic growth. It is a policy widely recognised by every reputable economist as a complete and utter failure, and workers in the civil service have been hit particularly hard by that failure. A study by Dr Mark Williams of the University of Surrey in 2018 found that average annual growth in median pay in the civil service had been up to 1.9% below inflation since 2010; that the erosion of pay in the civil service had been greater than in the rest of the public sector and that it had fallen up to 11.4% behind the rest of the public sector since 2010; and that women had been particularly hard hit, with the gender pay gap standing at 12%.

Let us not attempt to explain this away with false comparisons with workers in other sectors, or with references to the national finances and the economy. In my view, Ministers constantly change their position on this issue when it suits them. If borrowing is up, they say that they cannot afford pay rises, and if inflation is going up, they say the same. Despite the squeeze on living standards, private sector wages are going up, but they simply ignore that comparator. The Government need to stop doing this, and start taking responsibility for the welfare of the staff.

I happen to believe that the Government’s approach has been a disaster, particularly for workers on low pay. They cannot claim to want a high-wage civil service while Departments scramble around on an annual basis to find the funding to raise pay levels to the minimum wage. During the pandemic, they laud civil servants as heroes, but their pay policy makes them paupers. There is little doubt that civil servants have become the poor

relations when it comes to pay in the public sector, and it is frankly disgraceful that the Government should treat their own workforce in this manner.

Jim Shannon (Strangford) (DUP): I congratulate the hon. Gentleman on bringing forward this debate. He has a substantial amount of time in which to put forward his case. Does he agree that middle-income families who receive no help from the Government in any shape or form need to have a pay rise to help with the substantial cost of living? Does he also agree that Ministers must be mindful, when rightly uplifting pay levels, that they should increase the cap for child benefit at the same time? If there is one thing they could do to help the middle-class, it would be to increase the cap for child benefit.

Chris Stephens: I thank the hon. Gentleman for his intervention. He will know the importance of the role that the civil service has played in Northern Ireland in developing the peace process and helping the Northern Ireland economy. I am sure that, like me, he will pay tribute to civil servants in Northern Ireland for that. I agree with his point, and he will hear later some examples of what the pay freeze has meant for civil servants and the real pressures that they are under. I hope he will intervene again when we come to that.

To add insult to injury, in November 2020 the Chancellor of the Exchequer announced a pay freeze for those workers for 2021. In my view, that was totally unacceptable, and it is high time that the Government properly recognised the contribution that their workforce make to society, particularly in an atmosphere of rising inflation and falling living standards. It was therefore welcome to hear the Chancellor's recent autumn Budget announcement on the lifting of the pause on public sector pay. That announcement was accompanied by a statement that the normal process of independent reviews and recommendations would be resumed.

However, as the Chancellor should know—I am sure the Minister does—the civil service does not have a pay review body. The question therefore arises as to what mechanisms will be used to determine civil service pay, and I am now going to ask the Minister my first question. Assuming that the Chancellor is sincere about the pause being lifted, can he confirm that there will be no fetters on pay bargaining in the civil service this year, and that there will be no arbitrary cap on pay awards contained within any civil service pay remit guidance?

That brings me to the importance of pay coherence and coherent pay policy. Ever since the financial crash in 2008, and more recently during the pandemic, the Government have insisted that we are all in it together and we must be united in our efforts to overcome the difficulties we face. However, they continue to foster a divisive approach to pay arrangements for their own workforce through the delegated pay system. This needs to change if the Government's words are not to ring hollow.

Against that backdrop, I highlight PCS's long-standing objective of securing a return to national bargaining on pay and terms and conditions covering all workers in the civil service and related areas. The delegated bargaining system has created a wholly unacceptable situation where workers doing broadly the same job at broadly the same grade suffer huge disparities in pay. Similar inequities

exist in relation to annual leave and working hours arrangements. The delegated system is also unnecessarily costly, time-consuming and inefficient as a result of the replication of the same process across every bargaining unit, where one set of negotiations would suffice.

On this issue, again, the Government always change their position. They claim they cannot direct Departments that have delegated authority on pay, yet they persist in centrally mandating things that Departments must do. For example, they instructed all Departments last year to pay £250 to staff earning below £24,000 a year. It is therefore demonstrably the case that the Government are the single source from which all civil service pay arrangements emanate.

Another example is that, under freedom of information, we know the departmental permanent secretaries got together in February 2018 to agree the joint position across all Departments that there would be a pay rise of 1% to 1.5% for public sector workers. I find it extraordinary that there are 200 separate pay negotiations across UK Government Departments but one pay policy.

In recent years PCS has entered a number of pay reform agreements within Departments that have put right some of the structural discrimination and inequities that exist. In the Home Office, the Department for Transport, Her Majesty's Revenue and Customs and the Ministry of Justice, agreements have been reached on pay reform that have secured good negotiated outcomes for all concerned. PCS will rightly be continuing to press for an expansion of this approach, and it should be encouraged by the Government.

Last year, alongside its national pay claim to the then Chancellor of the Duchy of Lancaster, PCS submitted single sectoral pay claims to chief operating officers of parent Departments at delegated level. As a step change towards national bargaining, PCS indicated that it stood ready to engage and to start discussions on how sectoral claims may bring a greater degree of coherence to current pay arrangements.

These proposals sought to reduce the number of bargaining units at sectoral level from 55 to just 13, with scope for further rationalisation over time. Indeed, PCS indicated it was prepared to discuss business cases in respect of workforce reform that may enable funding to be provided to address the structural inequities. Astoundingly, given the Government's rhetoric on their commitment to efficiency in the public sector, there has been almost no progress on that concrete proposal that would deliver the efficiency they claim to desire.

PCS rightly intends to repeat this approach in 2022, and I seek an assurance that the Government will grasp the opportunity to improve efficiency in pay bargaining across the civil service. Will the Minister confirm that he agrees with the former Chancellor of the Duchy of Lancaster, now the Secretary of State for Levelling Up, Housing and Communities, when he told the Select Committee on Public Administration and Constitutional Affairs on Thursday 10 December 2020 that

"trying to tackle some of the balkanisation of the process of pay, reward, recruitment and so on—creating what has been called in a vogue phrase "one civil service"—is a very good thing"?

Will the Minister also confirm that he will turn those words into action by engaging in a proper way with the civil service trade unions to achieve greater coherence on pay across the civil service, including a full exploration

[Chris Stephens]

in all delegated areas of the business case processes for pay reform? In addition, will the Cabinet Office proactively assist delegated areas in developing successful business cases? Will steps be taken to involve the trade unions properly in the task and finish group on pay delegation and related matters, which has been established in Whitehall, but about which the unions have so far neither been informed, nor consulted?

That brings me to the impact of the civil service pay policy. At Prime Minister's questions on Wednesday 17 November, the Prime Minister said:

"I think that actually the Department for Work and Pensions, under the Secretary of State for Work and Pensions, my right hon. Friend the Member for Suffolk Coastal (Dr Coffey), has performed outstanding service. It has performed miracles. Among the things that it has achieved is helping to get millions of people effectively back into employment, in spite of all the difficulties that we have faced. We now have unemployment running at virtually record lows, in spite of all the difficulties we have faced in this pandemic and as we come out of furlough. That is largely thanks to the work of the DWP."—[*Official Report*, 17 November 2021; Vol. 703, c. 579.]

In response to those words of praise, the PCS trade union received more than 50 emails from individual DWP workers about the toll that more than a decade of real-terms pay cuts have taken on them. Some commented that they felt embarrassed to be a government worker, and that they have had to ask friends and family for handouts, and have even turned to food banks. Many are seriously considering leaving the DWP, not because they do not like the job, but because they cannot afford to stay. The following are just some examples of comments received by these government workers for whom the Prime Minister had such high praise. These describe in devastating terms the impact that continued pay restraint is having on civil servants and their families, and what a real pay increase would mean for them.

Jim Shannon: One issue I recognise in my constituency, from my weekly or even daily dealings with some workers, is that workers in the DWP do an extremely stressful job. They are looking after the financial affairs of others, and are trying to guide people through the system and help them. Does the hon. Gentleman agree that the hard work they do in the DWP must be reflected in the wages they receive?

Chris Stephens: Yes, I agree with the hon. Gentleman on that. I am sure he will be fully supportive of, and will recognise, some of the statements from DWP workers who responded to the Prime Minister's words earlier this month. As one DWP worker put it,

"I have been coming into the office during the whole of the pandemic and I am now totally disheartened and angry that DWP put so little value on the work that the staff do. Now there is a great improvement in the jobs market staff are leaving all over the place... The powers that be have to do the right thing and award us a decent wage rise otherwise there will be very little experienced staff left.

I never thought when I took up this position that I would ever have to send an e-mail like this one letting people know how hard it is to make ends meet in 2021."

Another said:

"I have worked for DWP for nearly 17 years, those years of which I felt proud to work for my government. Now I feel embarrassed. I work hard, as I always have. I have two children to

bring up and can honestly say I'm on the breadline. My family suffer financially, with the rise in cost of fuel bills, food...everything has gone up but our pay...absolutely disgusting. Our government doesn't look after its own workers but expect us to be loyal and perform an outstanding job...which we always do."

Another DWP worker, a single parent of two, said:

"My son works as an apprenticeship who receives more wages than me. I have considered using the food bank but not keen in letting them know where I work as ashamed my employers can't seem to look after their own staff. I have used a food hub before as no details were given. When I receive my wages at the end of the month there is nothing left by the 1st of every month. I am unable to save so no holidays. I am unable to save for Christmas so everything goes on credit card which I ran up nearly £2,000 of debt.

I have worked for your company since 2008 and have never felt the struggle that I do now. Food prices have rocketed and gas and electric have also gone up, how do you expect families working for a government organisation to cope when you don't give them the wages to reflect the price rises now. I am ashamed to be working for the DWP."

A DWP worker for almost 20 years said:

"Having a pay freeze has meant that I have to choose between having my heating on or feeding my family. Yes these struggles are real even for the Hard Working Civil Servant!...As a mum I have concerns for my children's wellbeing when I have to tell them that they cannot go to the after school clubs or go out with their friends because I can't afford it. They are suffering mentally taking on my worries as well when I tell them that I can't get them a birthday or Christmas present that they deserve. I have had to take on a 2nd job in the evenings so that I can afford these for my children leaving me less time to be with them. A Civil Servant should not HAVE to work two jobs to pay bills and live...Having a pay rise would alleviate a lot of my worries. It won't make me rich but my family would be able to live without the worry of deciding to put the heating on, have a substantial healthy meal or afford to put clothes on our backs. We shouldn't be made to beg for help from various charities."

A Department for Work and Pensions administrative officer said:

"I'm not quite at the stage of having to choose between heating and eating but I fear that I may be in that position in the near future. Add to that the state of our pensions and I fear that I may never be able to retire. I really don't know how I am supposed to save towards my retirement on what I am paid...Boris Johnson said a little while ago that employers must pay better wages so when is he going to follow his own advice and pay us a wage that we can actually live on and save for our future?"

Another DWP worker said:

"Personally I am struggling on my pay to make ends meet and really dreading the next Gas/Electric bill. My water rates have also gone up and food prices are just getting ridiculous even though I shop as cheaply as I can using certain low-price supermarkets. I am single and my son lives with me just so I can afford my rent and even that is a struggle...It would be really helpful to receive a decent pay rise given that inflation is certainly rising and before long I will not be able to meet my cost of living. Staff in DWP deserve to be recognised properly for all our hard work during 2020 making sure the people of our nation who urgently needed help with money received it. All staff worked tirelessly to ensure the nation's needs were met so not are we only helping them back into employment we were there when they weren't and needed us the most."

Another administrative officer, who works in the Child Maintenance Service, said:

"I cannot name any colleague who is not feeling that we have been demoralised by the government's total insensitive behaviour following the Government announcement of a Public Sector pay freeze in November 2020. Did not every DWP employee rise to the challenge during covid ensuring payments for children still were upheld and our colleagues in the benefit office maintaining benefit payments to the people whose lives were thrown into turmoil?...At 61 years

of age I am now financially worse off than I have ever been. This morning my gas and electric supplier...sent me a letter stating last year my annual bill for gas and electric was £900.00 and they are increasing my direct debit now because with the rise in energy prices they are estimating it to be £1900.00 this year. Please tell me, ministers who voted for the pay freeze for your loyal civil servant of over 20 years, how am I going to pay this bill?"

Jim Shannon: The hon. Gentleman referred to the Child Maintenance Service, with which my staff and I have regular contact. One problem that we have when we take child maintenance complaints through the system is changes of staff. Why are there changes of staff? Because the remuneration that the civil servants in that department need is not there. Does the hon. Gentleman feel, like me, that a civil servant wage is necessary for staff in that department we are to retain staff and have continuity of staff in respect of complaints—in other words, if we are to ensure that when people make contact, they can speak to the same person they spoke to the first time?

Chris Stephens: I could not have put that better myself. The hon. Gentleman, representing his constituents in Northern Ireland, will certainly be aware of the importance of Child Maintenance Service payments, and of payments for those who are not in work and who rely on universal credit. He is right that civil servants have performed miracles, given the huge numbers of people who were on universal credit during the pandemic, and I know he agrees that they should be properly remunerated and given a decent wage rise for their wonderful efforts.

A civil servant of 39 years has said:

"I currently work for the DWP. The Prime Minister and other politicians always give us credit for the work that we do and for how we have coped through the pandemic, delivering our services. We have been called miracle workers. It would be great to see that reflected in a decent pay rise. I am lucky if I get an extra £5 a month every year when we get our pay rise. With the costs of electricity, gas, food, and travel all going up, my family are really struggling to make ends meet."

A civil servant of 42 years told me:

"I have been in the civil service for 42 years and have never found it so difficult to manage financially. I am still working from home and have to sit in a room with thick clothes and one small electric heater as I cannot afford the heating bills. I am disabled and I cannot see the future at all. After giving my whole working life to the service of others, making a difference to our DWP claimants' lives, I would appreciate a wage that enables me to keep up with rising living costs. My wage has reduced in real terms for decades now, and with rising costs it will reduce again. I'm 62 with many health conditions and cannot consider taking a second job. I feel really abused and forgotten by my employer who I have shown only loyalty and commitment particularly during the pandemic."

Another DWP worker has said:

"I have always been proud to work for the Department of Work and Pensions and consider it to be a great place to work. Family and friends expect it to be a well-paid job as we are 'working for the Government', so I always feel disloyal when asking to borrow money or not being able to afford a day out or having to buy small presents for birthdays and Christmas. I want my children to know that you reap what you sow, and that if you work hard you see the rewards. Sadly, at this time, I do not feel that this is the case for me."

A DWP worker who was forced back into the workplace has said:

"With increasing fuel and food prices, I am finding it incredibly hard to survive financially. I am widowed, I live alone and am unable to make ends meet. Furthermore, I have to find £200 a

month to travel to work, as face-to-face appointments are now being forced and we are no longer allowed to work from home. It would appear I have to resource my own 'miracles every month', whilst being in a very demanding role. Moreover, my health and wellbeing are currently suffering. I am by no means alone, and have many colleagues in the same position."

A full-time work coach, a mother, has said:

"I am relying on my child benefit to cover electricity and gas for my family next week, until I receive my next pay in almost two weeks' time. This is due to rocketing energy prices, rocketing fuel costs and childcare costs that I need to cover. My wages are simply not enough to cover all of these costs and I am left struggling every month. I have been with the Department since 2006 and have never known it to be this bad."

Another employee in the Child Maintenance Service has said:

"My wage has dropped to just above the minimum wage and my workload complexity has increased. I'm worried sick about the basics: affording heating; paying travelling-to-work costs; and trying to pay the overdraft. In the meantime, as a frontline worker, I have to stay positive and professional whilst dealing with the emotional and financial issues of the public. I don't treat the public with platitudes the way that I am by successive Governments."

As the hon. Member for Strangford made clear, it is an emotional job. These staff have to deal with many of the public's emotional and financial issues. That, to me, says it all when it comes to the question of why a pay rise is necessary.

An administrative officer in DWP has told me:

"I joined DWP last year during the first wave of the covid-19 pandemic and received a salary of £21,262. My monthly salary is £1,442.65. My monthly expenses including rent and bills is £1,265, leaving me with less than £180 to cover my work travel and food expenses."

Another child maintenance officer—for over 23 years—said:

"I am stuck on an income that doesn't even cover my bills which are rising every year. Is anyone going to help the staff who have been loyal to the Child Maintenance Service for years? I actually love my job, but am so disappointed with the pay. We deserve more."

A civil servant who joined DWP in 2016, who said that they were paid significantly higher in their previous Department, has said:

"I am stuck on an income that doesn't even cover my bills which are rising every year. Is anyone going to help the staff who have been loyal...for years? I...love my job but am so disappointed with the pay, we deserve more."

A DWP worker who is nearing retirement age says:

"I am retiring in May 2022 so the pay freeze has seriously affected my pension. I will be on a lower pension for ever and ever and there's no compensation. I really have lost out as have a lot of my colleagues in the same situation."

Another DWP worker says:

"I am struggling to keep a roof over my head, feed and clothe my daughter and have not bought clothes/shoes for myself in over a year. Without support of family would honestly be in real state. My 75 year old father supports me from his pension which is not great either."

A work coach says:

"As a Work Coach we have put ourselves and our loved ones at risk throughout the entire pandemic by interacting with many customers to ensure they received the upmost support...Myself and my colleagues have helped countless people transition from the national lockdown and from losing their jobs into finding new light in a brand new sector of work. The DWP have worked long hours to ensure our customers are getting the support they need. We ourselves sacrificed time with our loved ones to ensure our

[Chris Stephens]

Nation got back to its once thriving self and all we have received was a thank you and a pat on the back! Actions speak louder than words and never more so in our current climate...Needless to say the world around us is increasing in price dramatically. A pay rise would reflect the rise in living costs and allow us to keep up with the rapidly increasing inflation."

Those are just some examples from one Government Department, but civil and public servants are experiencing the same difficulties right across Government services. Employers are experiencing recruitment and retention problems because of this, and staff continue to face very real hardship. There is also a clear economic case to end pay restraints and give a real-terms increase to civil servants. The benefits of a real-terms increase would outweigh the costs. Before the pandemic, about 70p in every £1 of public money ended up in the private sector economy, whether in grants, contracts or, crucially, the wages of public sector workers. The pandemic can only have increased that 70p figure.

In my experience, workers and civil servants do not have Cayman Islands accounts to put their wages in, and neither do they place their wages in a shoe box and hide it under their beds. No, they spend their money in the private sector economy—in the high street and the hospitality sector, buying additional presents for their family or spending more putting their clothes in for dry cleaning. Not only do they keep the economic wheels of the country going in their work; they do so with their hard-earned wages.

The realities of the examples provided by those who work in the civil service, the compelling moral case and the undeniable economic case can only begin to be rectified by funding for real-terms pay increases across the civil service and related areas for this coming year. I therefore look forward to hearing the Minister's response.

7.48 pm

The Paymaster General (Michael Ellis): I thank the hon. Member for Glasgow South West (Chris Stephens) for securing this important debate, and welcome the opportunity to respond. I know that, in his role as chair of the PCS parliamentary group—a position that I think he still holds—he shares my interest in matters relating to the civil service.

At the beginning of his remarks, the hon. Gentleman paid tribute to his grandfather. Although, of course, I did not have the privilege of knowing his grandfather, may I say that I am sure that his grandfather would be proud of him, not only for the speech that he has just given to the House, but for his service to his constituents as a Member of Parliament?

Across the House we all know that civil servants are committed to delivering vital services to the general public. That is what they do; it is the essence of who they are. Ministers are enormously proud—I include myself in this category—of the dedication and professional commitment that civil servants across the board and of all grades demonstrate in delivering public services and the Government's priorities, particularly during what we know has been a very challenging time. Civil servants of all grades have played a vital role during the pandemic to maintain public services, and will have performed functions that will have saved lives.

Civil service pay is determined by separate processes for delegated grades—typically grade 6 and below—and the senior civil service, which is calculated separately. For delegated grades, the Cabinet Office publishes the pay remit guidance on an annual basis. The pay remit guidance is a cost-control document setting out the parameters of average awards in a pay remit year for Departments. For the senior civil service, it is different. The Senior Salaries Review Body makes independent recommendations to the Government based on evidence provided by the Government, with recognised trade union data and labour market data added into the equation.

In 2011, some 10 years ago now, the Government took a tough but fiscally responsible decision to implement a two-year pay freeze. That was followed by a 1% pay award between 2013 and 2017, applied across all workforces in the public sector, as many of us will recall. There is no doubt that these were difficult decisions but they were fiscally responsible ones that we had to take in response to the then economic position—a position, I need to say, that we had inherited from the previous Labour Government. Those responsible decisions ensured that the Government rewarded hard-working civil servants, which is as it should be, while enabling the UK to tackle the huge deficit that had grown. The sustainable pay structures that we put in place at that time supported many civil servants and prevented us, as a society, from burdening our children and grandchildren with even more debt that accrues. In the years post 2017—from 2018 to 2021—the 1% pay cap was lifted and the civil service received pay rises of up to 2.5%, which was actually higher than inflation at the time.

In the face of huge uncertainty and the unprecedented impact that the covid-19 coronavirus pandemic had on the economy, the Government temporarily paused pay rises for the majority of public sector workers in 2021-22. We ensured that those who most needed it had the protection that they needed, with 2.1 million public sector workers with median earnings at or under £24,000—therefore many of the individuals whose accounts the hon. Gentleman relayed to the House—receiving an increase of at least £250, equivalent to over 1%.

In his most recent spending review, my right hon. Friend the Chancellor of the Exchequer announced the end of the temporary pay pause in the public sector, including the civil service, starting from the 2022-23 fiscal year and throughout the duration of the spending review period, right the way through to 2024-25. During this forthcoming period, these increases will retain broad parity with the private sector while continuing to be affordable. It is thanks to the strong recovery in the economy and in the labour market that Her Majesty's Government have been allowed to return to a normal pay-setting process. My right hon. Friend the Chancellor of the Exchequer also announced the increase to the national living wage of 6.6% to £9.50 an hour from April 2022 for those aged 23 and over, which will benefit more than 2 million of the lowest paid workers in the country. That will keep us on track for our target of the national living wage rate being two thirds of median earnings by 2024.

The public sector has on average better remuneration packages when compared with the private sector. That is not a well-known or acknowledged fact, but it is true. In 2019, the Office for National Statistics reported that

the public sector benefits from a 7% on total remuneration compared with the private sector. In 2020, the median salary in the public sector was £1,770 higher than the private sector. That gap is most acute at the lower grades, where the public sector average hourly wage is 20% higher than the private sector.

Chris Stephens: I thank the Minister for his personal remarks, which are very much appreciated.

The Minister talks about public sector pay, but does he acknowledge the study from Dr Williams from the University of Surrey, which suggests that civil service pay is lower than the rest of the public sector? Can the Minister tell us what he and his departmental colleagues will do to rectify that situation?

Michael Ellis: I look forward to reading that report, and I will certainly have a look at it, but there is no getting away from the fact that when one looks at the last fiscal year, the public sector was being paid on average £1,770 higher than the private sector. That is particularly noticeable at the lower pay grades, where we find that public sector pay is 20% higher than private sector pay. I am happy to look at the figures he wishes to bring to our attention, and I will do that, but the premium I refer to also reflects the generosity of civil service pensions when compared with the private sector. Most members are in what are called defined-benefit schemes, where employers contribute around 27% of earnings. In contrast, most private sector employees receive defined-contribution pensions, which are dependent on investment performance and where employer contributions are typically around 50% of those in the public sector.

Following the outcome of the spending review, the Cabinet Office—my Department—is assessing what the affordability position will be for Departments to make pay awards going forward. The 2022-23 pay remit guidance is due to be published in spring next year, just a few months from now.

The hon. Gentleman made a powerful speech, with some moving contributions from people who had written to him and to others. I am confident that when we announce the 2022-23 civil service pay remit guidance, we will continue to strike the all-important balance between appropriate reward for hard-working civil servants and the need to live within our means as a nation and recover, as we need to do, from the economic impact of the pandemic.

Chris Stephens: I am grateful again to the Minister, who has been typically generous. When the Cabinet Office looks at the remit guidance, will it consider the nonsensical position of having all these different negotiations—something like 200 of them—taking place across Departments and reduce them while ensuring that pay across the civil service is equitable for the work done?

Michael Ellis: The hon. Gentleman makes an attractive argument for a reduction in the number of discussions. The rationalisation of those issues is always worth looking at, and I will ask my officials to look at that aspect.

I remain confident that when the Government announce the 2022-23 fiscal year civil service pay remit guidance, the focus will be on striking the balance expected of us by the general public between appropriate rewards for those hard-working individuals in the civil service—as one of Her Majesty's Ministers, I know how hard civil servants work and I recognise the work that they do—and the need for all of us, in a fiscally responsible society, to live within our means. The Government have fiscal responsibility for that. We will strike that balance and together we will recover from the painful economic impact of the covid-19 pandemic.

Question put and agreed to.

8.1 pm

House adjourned.

Westminster Hall

Monday 29 November 2021

[STEWART HOSIE *in the Chair*]

Access to Salbutamol Inhalers

4.30 pm

Stewart Hosie (in the Chair): Before we begin, I remind Members that they are expected to wear face coverings when they are not speaking in the debate, in line with current UK Government guidance and that of the House of Commons Commission. I also remind Members that they are asked by the House to have a covid lateral flow test twice a week if coming on to the estate, which can be done at the testing centre in Portcullis House or at home. Please also give each other and members of staff space when seated, and when entering and leaving the room.

Nick Fletcher (Don Valley) (Con): I beg to move,

That this House has considered e-petition 578676, relating to access to salbutamol inhalers.

It is a pleasure to serve under your chairmanship, Mr Hosie. I begin by thanking the creator of the petition, Brian McElderry, who took the time to speak with me recently, and Elaine Cunningham, whose daughter Lauren Reid died as a result of suffering an asthma attack while working in a commercial kitchen because she did not have access to her inhaler. I am also grateful to Asthma UK, which supports the petition and provided many of the statistics that I will reference.

More than anything else, Lauren was known for her generosity. On the day she died, she called her gran to say that she was buying lunch for 10 of her co-workers. She was a beloved Rangers fan and she loved music and, of course, cooking. She was devoted to her job and worked so hard that she finished her apprenticeship a year early. She was only 19 years old.

Lauren had suffered from asthma since she was an infant. At 16, she became an apprentice at a restaurant in Glasgow and, three years later, she was a fully qualified chef. Her mum has talked about how Lauren kept her inhaler with her almost everywhere she went; but with severe asthma, one attack can have life-changing consequences.

We do not know why Lauren did not have her inhaler with her, or what triggered the attack, but on this occasion she did not have it when her asthma flared up. The first Elaine knew of the incident was when she received a call from Lauren's boss to say that Lauren was struggling to breathe and needed her inhaler. The asthma attack led to cardiac arrest and, although her manager gave her CPR, she could not be revived.

Lauren was hospitalised with severe brain damage. Her friends and family stayed by her bedside round the clock but, a few days later, Elaine had to make the heartbreaking decision to turn off her daughter's life support after doctors said that she would never recover. Since then, Elaine has been campaigning for Lauren's law, which would legally require salbutamol inhalers to be stored in commercial kitchens.

The UK has one of the highest rates of asthma in Europe, which costs the NHS £3 billion every year. Sadly, we also have one of the highest asthma death rates generally—nearly 50% higher than the European average—and for people aged 10 to 24, it is the highest. Unfortunately, the rates of asthma nationally are going up, not down.

In the UK, 200,000 people suffer from severe asthma. In Scotland, where Lauren lived, one in 14 people receive treatment for asthma and in England, the figure is one in 11. Those statistics demonstrate that asthma is a relatively common condition and, although it is manageable for most people, it remains a serious risk for those who have it. Most people with asthma are acutely aware of that and carry their inhalers with them, but Lauren's story shows that one attack without an inhaler on hand is enough to cause serious harm or even death. We have all forgotten something in our time.

Working in a commercial kitchen poses more of a risk for people with severe asthma than most other settings, which is why the inhalers would be only for staff, not restaurant customers. Asthma UK considers a high-risk environment to be one where the triggers for an asthma attack on the respiratory system are exponentially greater than in normal environments.

In commercial kitchens, that includes the presence of inhalable materials such as powder, flour, dust and sometimes toxic fumes. Heat and humidity are also known to cause asthma attacks. Compounding those issues is the fact that stress can make a person more likely to react to asthma triggers; I think most people would agree that professional kitchens are not known as a calm environment. One might be tempted to argue that if kitchens are such a dangerous place, perhaps people with asthma should not work in them, but I do not think that is the only or best solution to the problem.

Inhalers are an effective way to treat asthma attacks. They are self-administered and do not require any previous training. Adding one to the first aid kit that professional kitchens already have would be an easy way to make them a safe environment for employees with asthma. At the same time, salbutamol inhalers are a prescription medicine, so keeping an emergency one on hand is not as simple as picking up a spare one from Boots. Keeping asthma inhalers in commercial kitchens would require an exemption from prescription control, which would have to be granted by passing legislation.

The salbutamol inhalers currently in use have been licensed for more than two decades. Their risks are well known. Side effects are typically mild and do not last long. When the Medicines and Healthcare products Regulatory Agency, whose representatives I met last week, looked at the effect of salbutamol inhalers on children, for instance, it found that they would not cause serious harm if accidentally given to a child without asthma or one whose sudden breathing difficulties were not caused by asthma.

Although overuse of salbutamol inhalers can sometimes cause problems, the petition seeks to keep them in kitchens only for emergency use, and their stocks could be easily monitored. We have a precedent for this already. Since 2014, an amendment to the human medicines legislation has allowed schools to store emergency inhalers for asthmatic students.

[*Nick Fletcher*]

Asthma is not an uncommon condition, and working in the food industry should not be impossible for people with asthma. Keeping asthma inhalers in commercial kitchens would be a simple, inexpensive way of reducing the chance that anyone else will suffer the same experience as Lauren. I am therefore asking my hon. Friend the Minister whether the Government will commission research on the benefits and risks of requiring salbutamol inhalers to be kept in professional kitchens. That research could then be reviewed by the MHRA, which would make its own recommendation on whether to change the law. I know that that is a long process and today's debate will not cause any immediate change, but I do hope that it raises awareness and is the first step towards creating Lauren's law.

4.37 pm

Margaret Ferrier (Rutherglen and Hamilton West) (Ind): It is a pleasure to serve under your chairship, Mr Hosie, and to follow the hon. Member for Don Valley (Nick Fletcher)—we keep meeting each other in Westminster Hall.

Today's debate is of huge importance, and I am grateful to the almost 2,000 of my constituents who took the time to sign e-petition 578676. My constituency had the second highest number of signatories in the UK, clearly showing how strongly the community in and around Glasgow feel about the petition's aims.

The events that prompted this petition are devastating. We have heard how Lauren Reid, who was just 19 years old, suffered a severe asthma attack at work. Tragically, she did not have her inhaler with her at the time and she passed away later that week in hospital after becoming starved of oxygen during the attack. Nineteen is no age to pass, and I cannot imagine how difficult it has been for Lauren's family and friends in the time since. It is horrible to think of this as preventable, but I do hope that today's debate can serve as a step forward to ensuring that these events are not repeated in the future. The hon. Member for Strangford (Jim Shannon) has a debate next week on asthma outcomes, which I hope will further contribute to recognition of the seriousness of this illness and what can be done to protect sufferers.

Before moving on to more general points, I would like to commend Lauren's mum, Elaine, who has pursued Lauren's law tirelessly throughout what will undoubtedly have been an exceptionally painful and difficult year. Her loss is unimaginable and her commitment is admirable. She has my full support in her campaign for salbutamol inhaler provision in commercial kitchens.

Asthma is a common chronic condition. It is more common in Scotland and the UK than in most other places in the world. More than 8 million people, or 12% of the population, have been diagnosed with asthma. According to the National Institute for Health and Care Excellence, it accounts for 2% to 3% of all primary care consultations, 60,000 hospital admissions and 200,000 bed days per year. Interestingly, although it is more common in boys in childhood, it is actually most prevalent in adult women, such as Lauren. As we have heard, one in 14 people in Scotland is currently being treated for asthma. It is also estimated that occupational asthma accounts for 9% to 10% of adult onset asthma.

It is widely accepted that commercial kitchens can both aggravate existing asthma and trigger it in people who have previously never had any symptoms. That is because commercial kitchens have a number of irritants. The use of powder substances such as flour, which is in daily use in most kitchens, is one of the biggest triggers. Current advice for people who develop occupational asthma is to consider a change in role or career. That might seem like reasonable advice: why would someone continue to put themselves at risk once they know the triggers? Realistically, however, it is not—not when there are other options that could help people manage the problem and stay in the job they love. When reading about Lauren, her passion for her work shines through. Nobody should have to choose between their passion and their health; the two do not have to be mutually exclusive.

I said earlier that asthma is a common condition, and kitchens are not the only workplaces where occupational asthma is prevalent. It is also triggered by allergens that affect hairdressers, agricultural workers, mechanics and healthcare workers. If something can be done to mitigate the impact of occupational asthma or to ensure better outcomes when someone suffers an attack, it should be. Making sure that salbutamol inhalers are available in high-risk environments is an easy thing to do. We already know that it can be done, because we allow non-prescription inhalers to be kept in schools.

In conclusion, I am sure the Minister and her Government colleagues support these measures but they have to abide by the human medicines regulations. I urge her to commit to a review and ask the relevant bodies to explore whether inhalers can be provided to commercial kitchens.

4.42 pm

Jim Shannon (Strangford) (DUP): Thank you, Mr Hosie, for giving me the opportunity to speak in the debate. I am very pleased to see the Minister in her place, and I am convinced that I will get a decent response from her on the issues I raise. I think we are all convinced of that, and I look forward to her contribution. I thank the hon. Member for Don Valley (Nick Fletcher) for setting the scene so well, as he always does, on a matter that is of some interest to me.

I am the Democratic Unionist party's health spokesperson at Westminster, so I want to be involved in these issues. I am also the chair of the all-party parliamentary group on respiratory health, so this is a topic in which I have a particular interest. As the hon. Member for Rutherglen and Hamilton West (Margaret Ferrier) said earlier, we will have a debate on asthma next week, and it could well be that the Minister will respond to that debate as well—I suspect that she will.

Why am I interested in this issue? As I said, I am my party's health spokesperson, but also my second son Ian—he is a young man of 30 now, so this is a long time ago—was born with a combination of asthma and psoriasis. The doctor informed us at an early stage that the psoriasis and skin problems that he had would diminish as the years went by, but that his asthma could increase. In a way, that is probably what has happened. He takes an inhaler with him every day and manages to control his asthma. It is a very personal matter for our family, as it is for many others. When I am in my office, which is very busy—everybody's office is busy—I get lots of referrals on this issue.

As hon. Members will be aware, I have been intimately involved in the drive to have asthma inhalers available in school so that a qualified person can administer salbutamol and other relief inhalers for a child who has a medically documented need. It is essential that if a child forgets their inhaler, the school nurse or equivalent has the ability to provide an inhaler and supervise its use. I am pleased that this endeavour was successful back home in Northern Ireland.

Prescriptions are prepared for a specific person only. If someone other than the person named on the prescription were to buy or use the drugs, that would be illegal. The provision within schools for emergency inhaler use has various safeguards, and it is important to have them in place. A clinically trained and responsible person—usually the school nurse or someone equivalent—acts as a guarantor of the appropriate use. The inhalers are held for specifically named children, people cannot use someone else's inhaler and the school nurse is legally permitted to prescribe the inhaler. With covid-19, those safeguards are even more important and the restrictions are more stringent now than perhaps they were a year ago or further back.

Therefore, in theory, I understand and agree with the impetus behind this petition. However, I believe it is right and proper that we highlight the difficulties that there clearly are. Safeguards need to be in place and there needs to be care in the widening of allowing prescription-based relief inhalers to be available to anyone, on any occasion.

With asthma, undoubtedly prevention is better than cure. That is always the case with health issues, alongside early diagnosis. In June 2020, *The Pharmaceutical Journal* reported a substantial increase of 60% in inhaler prescriptions in 2020 from the year prior to covid. I think we are all convinced that those increases are down to the pandemic, the problems people have had and the dangers that they perceive there to be.

NHS data showed a similar large increase in inhaler prescribing across the United Kingdom of Great Britain and Northern Ireland. In March 2020, 2.77 million prescriptions were made for salbutamol inhalers, a rise of 63% from the previous February. I know that this led to supply issues. Can the Minister reassure us that supply issues for inhalers have been addressed? We all have constituents who use their inhalers monthly, and in Northern Ireland there were some who were worried that they could not get their inhaler. I hate to bring it up, Mr Hosie, but the Northern Ireland protocol is to blame for many things, including access to salbutamol inhalers. Can the Minister give us some indication that that will not be a problem in the future?

People whose asthma had been well controlled for years and who did not use their inhalers were getting one, as they said, “just in case”. We all know that prescriptions are not handed out just in case, but given only when the case is fully justified. I am concerned if prescription medication is to be given out not as needed by a dedicated healthcare professional but at random and different buildings; such an extension, as proposed in this petition, would have to be carefully considered. It is about making it safe, getting it right, and doing it the right way. We want to make sure that that happens.

We would need more information to ensure that there was appropriate regulation, as there is with the current prescription service through which the GP prescribes,

and then the pharmacist checks the dosage and informs people about how and when to take the medication. I believe this is imperative for medicinal safety. It is a safeguard for the young children who get the medication, and gives their parents peace of mind.

To conclude, while the drive behind this petition is laudable, there is much work to be done to make it safe. In her response, can the Minister reference the concerns I have raised, as we seek to get the delicate balance of the availability of salbutamol inhalers exactly right? That will save lives in the process and make sure that everyone is safe.

4.48 pm

Ms Anum Qaisar (Airdrie and Shotts) (SNP): It is a pleasure to serve under your chairmanship, Mr Hosie. I thank the hon. Member for Don Valley (Nick Fletcher) for leading this important debate and all those who signed e-petition 578676, including the 981 in my constituency of Airdrie and Shotts.

As the hon. Member for Rutherglen and Hamilton West (Margaret Ferrier) said, this is a perfect tragedy that has impacted many people in the wider Glasgow area, including my constituents. In common with the hon. Member for Strangford (Jim Shannon), this subject is close to my heart as I was diagnosed with asthma at a young age. I could not say the whole phrase when I was younger, so I always used to call it “my blue inhaler,” and I have used a blue inhaler since I was a child.

I start by expressing my sadness over the death of Lauren Reid, who tragically died at the age of 19. Lauren was working in a Glasgow city centre bar in February 2020 and although she usually carried her inhaler everywhere with her, on that day she unfortunately did not have access to one. She suffered a devastating cardiac arrest and was rushed to hospital, but the damage inflicted to her brain by the asthma attack was simply too severe. Her mother, Elaine, was left with a decision that no parent should ever have to face—to turn off Lauren's life support. If Lauren had had access to an inhaler, she might still be with us today.

Lauren worked in an environment that posed a high risk to those suffering from asthma. The fumes and dust in commercial kitchens increase the likelihood of an asthma attack. A recent study estimated that 30% of asthmatic attacks are linked to the work environment, yet for most workplaces an emergency asthma kit is not available. Like others, I welcome the heroic efforts of Lauren's mum, Elaine Cunningham, whose campaign has attracted widespread public backing, including 1 million views on TikTok. That is important because the campaign is reaching younger people, ensuring that knowledge about the impact of asthma and the use of inhalers is widespread.

The campaign has highlighted the need for a change in the law around access to inhalers. Currently, there are no healthcare provisions that allow commercial kitchens to hold an inhaler. I understand that there are hurdles to placing these types of inhalers in the workplace. The inhalers contain prescription drugs that can pose a serious health risk if they are overused, but we might be able to overcome these hurdles.

Parliament passed the Human Medicines (Amendment) Regulations 2014 to allow schools to hold inhalers for emergency use, and the changes in the regulations allowed

[*Ms Anum Qaisar*]

inhalers to be stored in schools without a prescription. That change has almost certainly saved lives. As has already been stated by the hon. Member for Rutherglen and Hamilton West, asthma is one of the most common allergies across the UK, with millions of people diagnosed—myself included. Every 10 seconds, someone has a potentially life-threatening asthma attack. Sadly, three people die every day. It is estimated that two thirds of those deaths could be prevented by routine care. An estimated four out of five people with suspected severe asthma who should receive specialist care are unable to, meaning that they miss out on life-changing treatment. That has a negative long-term impact on the NHS, with treatment for asthma patients costing the NHS £3 billion a year, making it one of the costliest conditions to treat.

As the hon. Member for Don Valley stated when he introduced the debate, deaths caused by asthma are 50% higher here in the UK compared with the EU. We have the worst death rate in Europe for young people aged 10 to 24 with asthma. We are not doing enough, and we can do more. Improving access to inhalers in commercial kitchens might be just one small step, but it could make a huge difference.

We can do more across the four nations to combat asthma. In Scotland we are taking steps to make the changes. When changes to the regulations occurred in 2014, the Scottish Government consulted Asthma UK and worked alongside it to implement the policy. Guidance was developed in partnership with key stakeholders from NHS Scotland and education authorities to ensure that inhalers were used correctly in schools.

Elaine's campaign has already received the support of Unichef, the national union that represents kitchen chefs, which shows that there is a level of support in the industry for the proposed changes. I hope that the Government will engage with stakeholders and have the important conversations to make the changes happen, and I would welcome the Minister's comments on that.

More generally, the Scottish Government will continue to do all that they can to combat asthma. Recently, the Scottish Government announced the respiratory care action plan, which sets out a vision for the Scottish NHS and prioritises the need for more preventive measures to combat respiratory conditions, including asthma. The need for action on asthma has increased since the pandemic, with the number of undiagnosed cases increasing since last year. The Scottish Government are committed to ensuring that meaningful data is provided on asthma cases, to help understand where people's needs are not being met. To deliver the most effective person-centred care, the Scottish Government will continue to work with stakeholders on the implementation of this plan.

The UK Government should follow the lead of the Scottish Government in the provision of free prescriptions. Since 2011, those in Scotland suffering from asthma have had access to free inhalers, meaning that no person is left without an inhaler. A recent survey conducted by Asthma UK found that three quarters of people living with asthma in England struggled to pay for their prescriptions. Individuals have often turned to skipping doses of their inhaler to cut costs, posing a risk to their health. The UK Government should follow the Scottish Government's lead and provide free prescriptions to those who suffer from asthma.

It has been almost two years since the tragic death of Lauren. What the petition is proposing will save lives. We simply need to do more to ensure that there is more access to inhalers—for Elaine, for Lauren and for all those who, like me, suffer from asthma.

4.56 pm

Alex Norris (Nottingham North) (Lab/Co-op): It is a pleasure to serve under your chairmanship, Mr Hosie. I am grateful for the chance to speak for the Opposition in this important debate.

I start, like others, by paying tribute to the young chef Lauren Reid, whose tragic passing last year has led to this debate. Described by her mum as

“the most amazing, kind, beautiful and caring person”,

may we turn this family's heartache into action and look at ways we can prevent this from happening again.

I also pay tribute to Lauren's mum, Elaine, who has been spearheading this campaign, and I send my thoughts and prayers to Lauren's family and friends. I also send them to her colleagues. Hearing what the hon. Member for Don Valley (Nick Fletcher) said about their experience in that moment, and their efforts, I send them my solidarity, too.

Securing a debate through the petition route is a very hard thing to do—100,000 signatures is an awful lot. That speaks to the seriousness of this case, and to how strongly people feel about it. I commend those who promoted it and organised it, and all those who signed it.

The hon. Gentleman had the difficult job of opening this poignant debate, and I thought he did a very good job and made a thoughtful case. I was particularly struck by two things, which I might also speak about. The first was the context of asthma in this country, and the second was the risks in commercial kitchens, which is what, beyond the broader national messages about asthma, makes this individual case very compelling.

There were similarly thoughtful contributions from other colleagues. The hon. Member for Rutherglen and Hamilton West (Margaret Ferrier) set out just how common asthma is. It behoves us, as a national legislature, to act on behalf of that significant portion of our population. I agree with her comments against the argument that those at risk should change roles—I do not give that view much succour, either. I would not want to give up my dreams for something that a reasonable adjustment could prevent, and I would not want anybody else to do that, either.

We look forward to the upcoming debate on asthma secured by the hon. Member for Strangford (Jim Shannon), where we will be able to continue talking about some of these themes. He made very interesting points about schools, which offer an analogous example—a read-across—showing that what Elaine and her family are asking for is working somewhere else. That is very useful. Moreover, I think we all share the hon. Gentleman's views on safeguards, because we are conscious of the risk regarding prescription drugs.

At the root of this issue is a simple argument, which is to permit the availability of salbutamol inhalers in commercial kitchens. This campaign is backed by Unichef—the chef's union—and others, such as GMB, my trade union. They are calling for an exemption to be made, whereby commercial kitchens can be supplied

with inhalers and administer them in emergencies. In their response, the Government have said that that is something that the regulator would need to approve, and if it sees a benefit a public consultation will be launched. I hope that the Minister will update us on the progress of her discussions with the licensing authority. Similarly, has she engaged with the Royal Pharmaceutical Society about the production of draft guidance once the licencing authority has finished its consideration? It would be very interesting to know what progress has been made in the period between the Government's official response to the petition and today.

Turning to asthma more generally, 57% of healthcare professionals have had patients who have had an asthma attack or needed emergency care because, for whatever reason, they did not have their medication with them. Life happens: these are errors that any of us could make, particularly when living busy lives, and as we have heard, this is a big group of people. Some 5.4 million people in the UK are receiving treatment for asthma, leading to 41,000 hospital admissions last year due to asthma-related concerns alone, and 1,300 deaths. That is a really significant issue and it requires significant action in this place. As the hon. Member for Airdrie and Shotts (Ms Qaisar) has said, the rate of asthma deaths has increased recently, and we are an outlier relative to our neighbours, with a death rate that is 50% higher than the average in the European Union. Again, we are called upon to understand the challenges in our country and to look at what we might do differently, and this is certainly one of the things we could do differently.

As numerous hon. Members have said, the reason why the distinct setting of a commercial kitchen deserves special consideration is that it is a potentially risky environment, with triggers such as flour, fumes, heat, dust, odours and a lack of decent ventilation. It is perfectly reasonable for us to consider whether we might do better in that setting, because everybody should be safe at work and have safety nets to help them. The example in the case of schools is clear: it has been possible to make an exemption in schedule 17 to the Human Medicines Regulations 2012 to allow the sale and supply of salbutamol inhalers and EpiPens to schools for use in emergencies, so the petition is not asking for something that cannot be done.

I will make a couple of very brief points about the regulator itself. We in this country are very well served by the Medicines and Healthcare products Regulatory Agency, which will be an exceptionally important body for all of us at some point in our lives. Whatever medicine or medical device we may need, the MHRA is the regulator that tells us that it is safe for us to use, so we all rely on it. However, it is also a very busy regulator. The pace of change in that market is significant, both domestically and globally, and recently we in this place have put a significant number of new responsibilities on the MHRA through the Medicines and Medical Devices Act 2021, which received Royal Assent earlier this year. That Act was, in part, a response to our exit from the European Union and the change in the regulatory environment that arose from it. The MHRA is on a high wire and it is not overhyping it to say that it has a life-and-death job, but we are going to make a 20% cut to its staff. The MHRA's income from the European Union has dried up so we are reducing its staff, yet we are asking it to do more, and that cannot be wise. I hope

that the Minister will reflect on that and assure us that Ministers are actively looking at that decision so as to ensure that that cut does not happen, because it does not support patient safety in this country.

To conclude, it is right that we first listen to the MHRA before we act, but the petition's proposal is reasonable and, because it has a comparative example, feasible. I hope that the Minister will address my questions and those of colleagues, and give us a sense of the conversations taking place and of the timetable, because people are watching today's debate. I hope they will feel that we have done this really important issue justice—I think we have—but they will want to know where it goes next, so I hope we will hear that from the Minister.

5.4 pm

The Minister for Care and Mental Health (Gillian Keegan):

It is a pleasure to serve under your chairmanship, Mr Hosie. I will start by acknowledging the tragic death of Lauren Reid, aged just 19 with so much to live for, having achieved so much already, and to offer my sympathies to her mum Elaine and her family and friends. I also thank my hon. Friend the Member for Don Valley (Nick Fletcher) and all those who signed this petition for ensuring that this issue has been brought to the attention of the House, and thank all Members who have taken part in today's debate.

On 25 August the Government responded to the petition, which seeks wider availability of non-prescribed salbutamol inhalers. I will build on that response in my speech. Asthma inhalers are a mainstay treatment for patients with acute asthma. Ready access to prescribed inhaler can save lives in an emergency. The safe sale and supply of prescribed medicines, including inhalers, is carefully and thoroughly regulated in the UK, through the Human Medicines Regulations. Some medicines are classified as prescription only because they could result in harm if used without medical supervision, even if used correctly, or they are frequently used incorrectly and may cause harm as a result. Prescription inhalers are in that category.

The Medicines and Healthcare products Regulatory Agency, as the licensing authority in the UK, has advised that exemptions can be made in the relevant Human Medicines Regulations, and that any such change would depend on the careful and thorough review of evidence supporting it. As the hon. Member for Strangford (Jim Shannon) says, we need to do that very carefully and ensure that safety is at the heart of everything. We would need to ensure that the benefits of such a change would outweigh any risks, and any change would also depend on the advice of our independent expert advisory committee, the Commission on Human Medicines.

I am pleased that the MHRA met my hon. Friend the Member for Don Valley on 25 November to provide detailed advice on the type of information needed to support a change. I understand that the discussion focused on the evidence needed to enable a full assessment of benefits and risks by the MHRA and the CHM. I hope my hon. Friend found that helpful.

For the benefit of the House, and for the record, I will give some detail. A full assessment would need evidence clearly showing the intended benefits, including an outline of the magnitude of the issue, such as how many people are affected by serious asthma attacks and

[Gillian Keegan]

the locations where having such medicine available would be of the greatest benefit. The evidence would also need to consider any risks and how they could be managed—for example, that the medicine could be stored, handled, and used safely in an emergency.

Once adequate information is collected, the MHRA seeks independent advice from the CHM. At that stage, it would also consider guidance to stakeholders on the safeguards that would need to be in place. Feedback from a public consultation would be considered before a final decision on implementing any legislative change. The MHRA welcomes any submission of evidence from interested parties and is committed to ensuring that the UK becomes an even greater place to develop, manufacture and supply medical products, and that, most importantly, we have continued access to safe medical products.

As many hon. Members have mentioned, an amendment was made to the Human Medicines Regulations in October 2014 to allow schools to procure and store non-prescribed salbutamol inhalers. At that time, the potential advantages and disadvantages were tested through pilot schemes placing inhalers in some schools and tracking their usage. Information was collected by surveys of patients, teachers and schools, and was analysed by the MHRA and CHM.

The Health and Safety Executive owns guidance on reducing the risk of asthma in the workplace. The Department will be looking further into this matter, along with HSE and MRHA. Once that information-sharing exercise has taken place, the Department will be in a better position to decide whether further action needs to be taken. It will explore commissioning research to examine this issue further.

I have heard the concerns in this House, and indeed among the wider public, about this issue. I thank all those who have taken part in this debate, and mostly the 102,058 people—patients, stakeholders, and families of asthma sufferers—who signed the petition.

I will also update the House on additional public health measures that we have put in place to improve outcomes for people with asthma. The 2019 NHS long-term plan sets out commitments and objectives for the NHS for the next 10 years. It includes respiratory disease as a national clinical priority and aims to improve outcomes for patients, including those with asthma. The respiratory interventions proposed in the NHS long-term plan include early and accurate diagnosis of respiratory conditions, because the earlier diagnosis of conditions may prevent avoidable emergency admissions for asthma. Pharmacists in primary care networks will undertake a range of medicine reviews, including educating patients on the correct use of inhalers.

Since 2019, several initiatives and publications have been announced in support of the long-term plan. NHS England and Improvement's national patient safety team has prioritised work on asthma as part of the adoption and spread safety improvement programme. That will

support an increase in the number of patients in acute hospitals receiving every element of the asthma discharge care bundle from 38% to 80% by March 2023.

Since April, the academic health science networks in England, in partnership with the patient safety collaboratives, have been working with provider organisations to improve the uptake of all elements of the asthma care bundle for patients admitted to hospitals in England. Compliance with the elements of good care, as described in the bundle, is measured as part of the national asthma audit. The care bundle includes actions that should help to reduce the number of patients who are readmitted following discharge and ensure that all aspects of the patient's asthma care are considered. The bundle assesses inhaler technique and includes care follow-ups. Those interventions should prove more beneficial than relying on emergency use inhalers to provide temporary relief.

To the question asked by the hon. Member for Strangford, the Department works closely with the MHRA, the pharmaceutical industry, NHS England and Improvement and others operating in the supply chain to help to prevent shortages. The team has advised that there are currently no shortages in the supply chain.

I would like to take a moment to remember Lauren and to send our sympathies to her family and friends. I thank all those involved in bringing forward this important debate. I hope that what I have set out demonstrates our commitment to the issue. We want to facilitate changes that will protect public health, so we will look into it with the relevant bodies. We are working hard to ensure that asthma care improves for all, as outlined in the NHS long-term plan, and that asthma sufferers have access to the best care available.

5.12 pm

Nick Fletcher: I thank all Members for contributing, and the Minister and you, Mr Hosie. I thank the petitioners and the MHRA for meeting me. Most of all, however, I thank Elaine, Lauren's mum. As I said when I met her, I cannot promise that Lauren's law will become legislation, but we have a wonderful Minister who has given a wonderful speech and an awful lot of work is going on to look after people with asthma.

I am sure that if Elaine continues to campaign, with the support of many Members, including me, Lauren's law will be passed. The loss of a daughter is something that no one should go through, but by raising the issue I hope that Lauren's memory will be a lasting one that gives many people the opportunity to work safely in commercial kitchens doing what she loved so much.

Question put and agreed to.

Resolved,

That this House has considered e-petition 578676, relating to access to salbutamol inhalers.

5.13 pm

Sitting adjourned.

Written Statements

Monday 29 November 2021

BUSINESS, ENERGY AND INDUSTRIAL STRATEGY

Horizon Europe

The Parliamentary Under-Secretary of State for Business, Energy and Industrial Strategy (George Freeman): The Government are announcing today a guarantee to provide a financial safety net for successful UK applicants to Horizon Europe, while we push to formalise our association as soon as possible.

We agreed terms for association under the EU-UK Trade and Co-operation Agreement. When the TCA was agreed in December 2020, the UK and EU signed a joint declaration on participation in union programmes and access to programme services. This sets out the parties' shared commitment for the UK to associate to Horizon Europe alongside Euratom R&T, Fusion for Energy and Copernicus at the earliest opportunity. The Government remain committed to securing this outcome so that research collaboration can continue, and we stand ready to formalise our association, but disappointingly there have been persistent delays from the EU, which has led to uncertainty for the UK sector and their European partners.

UK and EU researchers and businesses have a long history of successful collaboration. As Europe's leading R&D and science centre with world-class universities, scientists and innovators, the UK will bring a significant amount to the programme. Further delays will benefit neither the EU nor the UK.

The Government's priority remains association to Horizon Europe. UK researchers, businesses and innovators have been able to apply to calls as "Associated Candidates" since early 2021. So to provide reassurance to UK-based applicants, the Government have decided to guarantee funding for the first wave of eligible, successful applicants to Horizon Europe who have been unable to sign grant agreements with the EU.

The guarantee is a short-term measure intended to address the continued delays from the EU to formalise the UK's association to Horizon Europe. The funding will be delivered through UK Research and Innovation, which will publish details on how the guarantee will work including eligibility, scope and how to apply in the coming weeks.

The Government have always been clear that our priority is to support the UK's research and development sector and we will continue to do this in all future scenarios. As announced in the 2021 spending review, in the event that the UK is unable to associate to Horizon Europe, the funding allocated to Horizon association will go to UK Government R&D programmes, including those to support international partnerships.

The Government looked at the practicalities of handling such a situation in 2020 and developed a detailed set of alternatives plans, which included continued support for international research, innovation collaboration and domestic research support. This work is being refreshed and we remain ready to implement these plans should they become necessary. I have written an open letter to

the sector to set out my early thinking on the policy priorities should we be unable to associate, and will be inviting their views over the coming weeks.

[HCWS431]

CABINET OFFICE

Standard for Algorithmic Transparency

The Paymaster General (Michael Ellis): My noble Friend the Minister for Efficiency and Transformation (Lord Agnew Kt) has today made the following written statement:

The Cabinet Office's Central Digital and Data Office (CDDO) has today published a cross-Government standard for algorithmic transparency. This move makes the UK one of the first countries in the world to make progress on developing a national algorithmic transparency standard. The CDDO was established in January 2021 as the new strategic centre for digital, data and technology for the Government.

Several leading organisations in the field, such as the Centre for Data Ethics and Innovation (CDEI), Ada Lovelace Institute and Alan Turing Institute, as well as renowned academic and international institutions, including the Oxford Internet Institute, AI Now Institute and OECD, have called for greater transparency to help manage the risks associated with algorithmic decision making, bring scrutiny to the role of algorithms in decision-making processes and help build public trust.

In the National Data Strategy, the Government committed to working with leading organisations in the field to explore what an effective mechanism to deliver greater algorithmic transparency would look like. It reiterated this commitment in the response to the National Data Strategy consultation, and announced that it was developing a public sector algorithmic transparency standard in the National AI Strategy.

While designing the first version of the standard, CDDO has worked closely with the CDEI. It has convened stakeholders from across Government, civil society and academia, and conducted a deliberative public engagement exercise with the CDEI and BritainThinks, to ensure that a diverse range of views have been taken into account.

Proactive transparency in this field is a natural extension of the UK's long-standing leadership in data ethics and open data. Several public sector organisations will trial the standard in the coming months, and provide user feedback to CDDO. CDDO is also seeking further feedback from stakeholders outside of Government. Following the pilot, CDDO will iterate the standard based on feedback gathered and seek formal approval from the Data Standards Authority in 2022.

This development comes after the Government have consulted on a proposal to introduce transparency reporting on the use of algorithms in decision making for public authorities, Government Departments and Government contractors, as part of the wide-ranging consultation on the future of the UK's data protection regime. It sought views on the role that such reporting would play in building public trust, as well as what the key contents of mandatory transparency reporting should be and whether any exemptions should apply.

I have deposited a copy of the standard and accompanying guidance in the Libraries of both Houses, and published both on www.gov.uk.

[HCWS428]

TREASURY

Financial Conduct Authority Mortgage Review

The Economic Secretary to the Treasury (John Glen): The issue of mortgage prisoners is one of my key priorities. I recognise the difficult position these borrowers

are in and understand the stress that many experience as a result. I remain committed to examining what further can be done to assist borrowers and this is why I asked the Financial Conduct Authority (FCA) to conduct a review on mortgage prisoners to provide the further detail necessary to continue this important work. The Mortgage Prisoners Review [CP 576] has today been laid in Parliament.

The review identifies that there are now around 47,000 mortgage prisoners—these are borrowers who are up to date with payments, who are unable to switch, and who could potentially benefit from switching if they were eligible for a new deal. Most mortgage prisoner loans originate from prior to the financial crisis, when lending standards were looser, and this means that many affected borrowers struggle to switch as a result of not meeting post-financial crisis risk appetite.

The report is clear that the underlying reasons mortgage prisoners are unable to switch are complex, and it is therefore crucial to understand the facts and data around this issue in order to consider our approach. The FCA's review provides important insight into the mortgage prisoner population which the Treasury will now examine to determine if any further practical and proportionate solutions can be found for affected borrowers who struggle to obtain a new mortgage deal.

More widely the review shows that the number of borrowers with inactive firms has materially decreased since the FCA last collected data in this area in 2019. This partly reflects the ability of many borrowers in closed books to switch to an active lender if they so choose. I would encourage all mortgage borrowers to examine their switching options to ensure they are on as competitive a rate as possible for their circumstances.

I am also encouraged to see that the interest rates paid by almost all borrowers in closed books are less than the rates they signed up to when they took out their mortgage, with a third paying at least 3.5 percentage points less.

However, it is clear that challenges remain in addressing this issue. While there is evidence that some mortgage prisoners have switched as a result of significant regulatory interventions made to date, it is also clear that the number of borrowers who have benefited is small. This new report also makes clear that the reasons borrowers struggle to switch are complex and varied, and that there are no simple solutions to increase the number of borrowers who are able to switch to better rates with active lenders.

Nevertheless, I remain committed to this issue, and am grateful for the work undertaken by the FCA on this review which provides the crucial insight necessary to

consider any further action. I am also grateful to the industry partners who have committed to continue to work together on this issue and look forward to further engagement with them.

With the data from this review, the Treasury will now target our work to determine if there are any further practical and proportionate solutions for affected borrowers, including consideration of means through which we can help borrowers better position themselves to meet lender risk appetite. While I am approaching this further piece of work with appropriate ambition and optimism, I am also keen to manage borrower expectations by emphasising that any solutions tabled must avoid the potential for significant risk of moral hazard to consumers in the wider mortgage market or those who aspire to obtain a mortgage and must be value for money for the taxpayer. Any announcements on this will be made when the Treasury has had sufficient time to examine the review's findings and consider any options available to address this complex issue.

Copies are available in the Vote Office and at: <https://www.gov.uk/government/publications/mortgage-prisoner-review>.

HOME DEPARTMENT

Biometrics Commissioner: Annual Report

The Minister for Crime and Policing (Kit Malthouse): My noble Friend the Minister of State, Home Department (Baroness Williams of Trafford) has today made the following written ministerial statement:

I am pleased to announce that my right hon. Friend the Home Secretary (Priti Patel) is today publishing the annual report of the Biometrics Commissioner, together with the Government's response.

The Biometrics Commissioner is an independent office holder, who is appointed by the Home Secretary under section 21 of the Protection of Freedoms Act 2012. This is the first report submitted by the Commissioner, Professor Fraser Sampson, who was appointed earlier this year.

The report covers the exercise of the Biometrics Commissioner's statutory functions over the reporting year, a large proportion of which fell to his predecessor.

I am grateful to Professor Sampson for this report, which we have published in full.

Copies of the report will be available from the Vote Office. The Government's response will be placed in the Libraries of both Houses.

[HCWS429]

Ministerial Correction

Monday 29 November 2021

TRANSPORT

Decarbonising Aviation

The following is an extract from the Westminster Hall debate on Decarbonising Aviation on 21 September 2021.

Kerry McCarthy: Are trade unions involved at any of the Jet Zero Council discussions?

Robert Courts: The hon. Lady makes a very good point, and I am grateful to her for it. I have a great deal of sympathy with people who ask for the membership of the Jet Zero Council. We have to have a finite number of people on the council, simply because it is a technical body and has to be able to produce results, but trade

unions are involved in the sub-groups, which I will spend a moment talking about, particularly to put right some of the misunderstandings.

[Official Report, 21 September 2021, Vol. 701, c. 84WH.]

Letter of correction from the Under-Secretary of State for Transport, the hon. Member for Witney (Robert Courts):

Errors have been identified in the response I gave to the hon. Member for Bristol East (Kerry McCarthy).

The correct response should have been:

Robert Courts: The hon. Lady makes a very good point, and I am grateful to her for it. I have a great deal of sympathy with people who ask for the membership of the Jet Zero Council. We have to have a finite number of people on the **main** council, simply because it is a technical body and has to be able to produce results. **Trade unions are also not currently involved in the sub-groups**, which I will spend a moment talking about, particularly to put right some of the misunderstandings.

ORAL ANSWERS

Monday 29 November 2021

	<i>Col. No.</i>		<i>Col. No.</i>
LEVELLING UP, HOUSING AND COMMUNITIES	657	LEVELLING UP, HOUSING AND COMMUNITIES— <i>continued</i>	
Accessibility Standards for New Homes: Consultation Response	670	Homes: Climate Standards.....	660
Children in Temporary Accommodation	662	Housing Developments: Infrastructure.....	670
Community Funding: Scottish Borders.....	667	Integrated Rail Plan	664
Dorset: Increasing Opportunity	669	New Housing Developments: Community Consultation	663
EWS1 Forms.....	666	Planning (Street Plans) Bill	668
Fire Safety Remediation: Protection for Leaseholders	657	Topical Questions	671
Homelessness Reduction: London	668	Transport Infrastructure: Cheshire.....	664

WRITTEN STATEMENTS

Monday 29 November 2021

	<i>Col. No.</i>		<i>Col. No.</i>
BUSINESS, ENERGY AND INDUSTRIAL STRATEGY	27WS	HOME DEPARTMENT	30WS
Horizon Europe	27WS	Biometrics Commissioner: Annual Report.....	30WS
CABINET OFFICE	28WS	TREASURY	28WS
Standard for Algorithmic Transparency.....	28WS	Financial Conduct Authority Mortgage Review	28WS

MINISTERIAL CORRECTION

Monday 29 November 2021

	<i>Col. No.</i>
TRANSPORT	7MC
Decarbonising Aviation	7MC

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**not later than
Monday 6 December 2021**

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CONTENTS

Monday 29 November 2021

Oral Answers to Questions [Col. 657] [see index inside back page]
Secretary of State for Levelling Up, Housing and Communities

Covid-19 Update [Col. 677]
Statement—(Sajid Javid)

Business of the House [Col. 699]
Statement—(Mr Rees-Mogg)

House of Lords (Elected Senate) [Col. 702]
Bill presented, and read the First time

Leasehold Reform (Ground Rent) Bill [Lords] [Col. 703]
Motion for Second Reading—(Eddie Hughes)—agreed to
Read a Second time
Programme motion—(Craig Whittaker)—agreed to

Animals (Penalty Notices) Bill: (Ways and Means) [Col. 738]
Motion—(Victoria Prentis)—agreed to

Approved Premises (Substance Testing) Bill: (Money) [Col. 738]
Motion—(Kit Malthouse)—agreed to

Civil Service Pay [Col. 740]
Debate on motion for Adjournment

Westminster Hall
Access to Salbutamol Inhalers [Col. 183WH]
E-petition debate

Written Statements [Col. 27WS]

Ministerial Correction [Col. 7MC]

Written Answers to Questions [The written answers can now be found at <http://www.parliament.uk/writtenanswers>]
