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PARLIAMENTARY DEBATES
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OFFICIAL REPORT

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

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House of Lords

Tuesday 7 May 2019

2.30 pm

Prayers—read by the Lord Bishop of Rochester.

Electric Vehicles: Charging Points

Question

2.36 pm

Asked by **Baroness Randerson**

To ask Her Majesty's Government what measures they plan to introduce to encourage local authorities to install more charging points for electric vehicles.

The Parliamentary Under-Secretary of State, Department for Transport (Baroness Vere of Norbiton) (Con): My Lords, the private sector has funded the majority of the UK's 17,000 public charge points, and we want this to continue. The Government's role is to provide the right policy environment to encourage private sector investment and limited support when necessary. We provide guidance and some funding to local authorities: around £4 million to the on-street residential scheme, £40 million to eight Go Ultra Low cities and further funds for taxi and bus infrastructure funding.

Baroness Randerson (LD): My Lords, despite that, the growth in the electric vehicle market is not as rapid as it needs to be. This is a chicken-and-egg situation. Sales of electric vehicles will not increase dramatically until users are confident that they can find a charging point. Will the Government provide stronger leadership and support to local authorities, some of which have not yet installed a single charging point? Fleet owners are responsible for half of all new cars purchased. Will the Government consider introducing a range of new incentives to encourage them to opt for EVs?

Baroness Vere of Norbiton: I thank the noble Baroness for a number of questions there. I disagree with her that growth is not rapid. We are the second-largest market for electric vehicles in Europe. I believe that the rollout to date has been very successful. For example, within the last 30 days 1,000 charge points have been introduced. The noble Baroness spoke about local authorities and we support the work they are doing. There is no more funding available but we are encouraging the private sector to step up and, with £400 million in the charging infrastructure investment fund, we believe that it will.

Lord Forsyth of Drumlean (Con): My Lords, would it not be a good idea for Parliament to give an example to the rest of the country? We have 487 parking spaces between this House and the other place, and I am told there are two charging points in the House of Commons and three more promised for Royal Court. How can we expect the country to take us seriously if we cannot put our own house in order?

Baroness Vere of Norbiton: I completely agree with my noble friend that we need more charging points within the House. I certainly used to drive but I do so no longer. I use public transport and I encourage all noble Lords to do the same.

Lord Hain (Lab): My Lords, does the Minister agree that a lot of people, if not most, live in terraced properties and the real problem is lack of infrastructure to get cars parked outside their homes to a charging point? Has she looked at the city of Oslo, which has stanchions along the kerbside, which is safe, that allow car owners to charge their cars right on their doorstep, as it were, but on the other side of the pavement? Without government investment on a huge scale, the private sector will not be able to deliver this and the targets the Government have set will not be met.

Baroness Vere of Norbiton: I will certainly look at Oslo. As I mentioned in my opening Answer, there is a £4 million on-street residential charging point scheme for local authorities. To date, 28 local authorities have benefited, resulting in the installation of over 1,000 charging points. The noble Lord is quite right: this is not necessarily a matter for central government, but local authorities can make sure that there is a permissive planning environment whereby, if private networks come in—I hope that they will—they are able to put up those sorts of charging points.

Baroness Deech (CB): My Lords, I drive an electric car with a range of 120 miles. Does the Minister appreciate that the problem is not so much the supply of charging points but the fact that they tend to be different? There is no uniformity. You find one but the plugging-in mechanism does not fit your car. There are many different versions. Some need payment, some do not, and some need you to subscribe. We need enforcement of uniformity across all charging points.

Baroness Vere of Norbiton: The noble Baroness will be aware that we are making good progress in that area. The Alternative Fuels Infrastructure Regulations came into force in November 2018 and they set out a number of things that have to happen in relation to charging points. I reassure all noble Lords that the Government stand ready: where the market fails, we will step in and make sure that there are appropriate charging points. As for range anxiety, as I understand it is known, Highways England has a fund of £15 million to make sure that there is a charging point every 20 miles on 95% of the strategic road network.

Lord Rosser (Lab): My Lords, how many public electric charging points across the UK do the Government believe will be necessary and by when? On what assumption about the percentage of vehicles that will be electric is that figure based? What percentage of charging points do the Government expect to be provided by public investment—by local authorities—and what percentage by private investment?

Baroness Vere of Norbiton: As I mentioned, we expect the majority of charging points to be installed through private networks. However, there is the £400 million charging infrastructure investment fund, which consists of £200 million from government and £200 million from private investors. Shell and BP, for example, both now have their own charging point networks. We expect such private companies to step up and make sure that we have the necessary charging point infrastructure to meet the growth in the market.

Lord Elton (Con): My Lords, will there be a sufficient supply of electricity for all these plugs?

Baroness Vere of Norbiton: Yes, of course there will. In all seriousness, because we have the Road to Zero strategy and are very clear about what we are aiming for, that will give certainty to the energy sector and make sure that sufficient electricity is available. Obviously, investment in low-carbon generation is taking place, and we are consulting on secondary legislation to make sure that charging points have smart functionality, which means that they can be charged off peak.

Baroness Thornhill (LD): My Lords, I say proudly as Mayor of Watford that we have the highest use of EVs in Hertfordshire. However, there is certainly a disconnect between the Government's ambition for national charging infrastructure and the reliance on councils, in a piecemeal way, to come forward with more charging points. The noble Baroness is quite correct to say that, until we have standardisation, we will clearly not make the progress that we anticipate. Given that range anxiety and cost are the two main barriers, what plans do the Government have for a more integrated approach to the adoption of electric vehicles, which at the moment is piecemeal and fragmented?

Baroness Vere of Norbiton: A top-down approach in this matter would probably not work. Technology is developing very rapidly at the moment, and noble Lords will know that we are seeing a vast change in the speed of charging cars and in the sorts of charge points required. Central government can provide the right policy support and, as I have said, local authorities can apply for funding, but we certainly expect the private networks to step up.

Yorkshire: Devolution

Question

2.44 pm

Asked by **Lord Kirkhope of Harrogate**

To ask Her Majesty's Government what plans they have to proceed with a devolution process for Yorkshire which takes into account (1) rural and urban interests, and (2) the services and industrial sectors, and reunites the historic Yorkshire Ridings.

The Parliamentary Under-Secretary of State, Ministry of Housing, Communities and Local Government and Wales Office (Lord Bourne of Aberystwyth) (Con): My Lords, the Government have responded to the leaders of the Sheffield City Region, indicating that they are ready to progress their deal along the lines they have proposed and, recognising the strength of the Yorkshire identity, to consider a localist approach to devolution elsewhere across Yorkshire.

Lord Kirkhope of Harrogate (Con): My Lords, I declare my interest as a co-chair of the All-Party Parliamentary Group for One Yorkshire—alternatively, God's own country. Although I am delighted that at last there is progress on devolution, I hope my noble friend will acknowledge that the economy of Yorkshire is equivalent to that of Scotland, and that 75% of those who reside in Yorkshire identify with that enormously

important brand, as do all our national and international contacts. Therefore, there should be no delay in allowing One Yorkshire to proceed, even if it does so in parallel with the Sheffield City Region.

Lord Bourne of Aberystwyth: My Lords, I thank my noble friend for all he does in relation to matters Yorkshire, and congratulate Yorkshire on a very successful Tour de Yorkshire; I am sure the whole House would want to do so. The women's section was won by Marianne Vos of the Netherlands, the men's section by Chris Lawless of the United Kingdom—ironically, a Lancastrian.

We are very pleased with the progress being made in relation to Sheffield. My right honourable friend the Secretary of State has written to the Sheffield City Region leaders indicating that we are prepared to allow councils that do not see their future in that city region to join an alternative, wider Yorkshire devolution group after 2022—subject to satisfying the usual tests.

Lord Wallace of Saltaire (LD): My Lords, is the Minister aware that when Jake Berry, Minister for the Northern Powerhouse, gave a very discouraging response at the One Yorkshire conference in Leeds last month, he strongly preferred a four sub-region answer for Yorkshire, based on three cities and North Yorkshire? He called North Yorkshire a "rural powerhouse" but was unable to explain what he meant. Perhaps the Minister here will be able to. Perhaps he could also explain what he means by a "localist approach". We want a regional, county approach, not a localist approach.

Lord Bourne of Aberystwyth: My Lords, in relation to the comments made by my right honourable friend in the other place, I am sure that all parts of Yorkshire are powerhouses, and I am sure he meant that every part of Yorkshire packs a powerful punch. The noble Lord will understand that we are pleased with the progress being made in relation to the Sheffield City Region and, as I said, are very much up for looking at other parts of Yorkshire. Officials are taking that forward and will be meeting people throughout Yorkshire to discuss it.

Lord Grocott (Lab): My Lords, whatever happens in respect of developments in Yorkshire, does the Minister not agree that we are approaching, or perhaps have even arrived at, a situation in which the structure of local government in this country is unbelievably complex and unintelligible to vast numbers of people—including, I dare say, a good few of us in this House. We have some cities with mayors, some without; we have different powers in different areas; we have regional government in certain places and not in others. So just as a start towards intelligibility, could the Minister place in the Library, on one sheet of A4, the types of local authorities that currently exist, the frequency of elections therein and the powers that they individually exercise?

Lord Bourne of Aberystwyth: My Lords, the noble Lord is always shining a light on parts of the British constitution to indicate their idiosyncrasies, which may well be true of local government as well. It is more whether it works than whether it can be deconstructed in any meaningful way that is important. As I have indicated, we are progressing the position in Sheffield—

which I am sure all parts of the House welcome—and we are committed to issuing a Statement on the framework of devolution in England within the timescale the Select Committee has asked for, which I am sure the noble Lord will welcome. We are taking things forward in a very meaningful way, and the latest developments in Sheffield should please us all.

Lord Newby (LD): My Lords, I speak as a resident of the North Yorkshire powerhouse. The Minister says that the Government are taking things forward in a meaningful way. They are not actually taking things forward in respect of any part of Yorkshire whatever, bar Sheffield. On what basis do the Government feel that they can continue simply to turn down the expressed wishes of virtually every local authority in Yorkshire for a One Yorkshire deal?

Lord Bourne of Aberystwyth: My Lords, as I have indicated to the House, we are looking at the prospects and possibilities for all of Yorkshire. Discussions are going on with officials about the way forward. I am sure the noble Lord will welcome what has happened in Sheffield, as I know many other Members will. That is very welcome and it is within the context of looking at the wider Yorkshire position that we are moving things forward, which is to be welcomed.

Lord Kennedy of Southwark (Lab Co-op): My Lords, can I confirm that the Minister is saying that at the end of the term for South Yorkshire, if the authorities want to leave that arrangement they can go into another arrangement in Yorkshire and that the Government will not stand in their way?

Lord Bourne of Aberystwyth: My Lords, I am very happy to confirm that that is the case. If authorities were to leave the Sheffield City Region—the two authorities that have previously had difficulties with that arrangement, say—the city region would carry on with the remaining two. It would still be a viable entity, but we are running ahead of ourselves. There is a commitment within the agreement whose details we are now looking at. We are making progress on that to ensure that it carries on until at least 2022.

Lord Hamilton of Epsom (Con): Further to the point made by the noble Lord, Lord Grocott, surely many different areas of this country have different characteristics and therefore devolution should take different forms in different areas?

Lord Bourne of Aberystwyth: My Lords, as always, my noble friend puts it extremely well. That is the case: we do not impose a blueprint on every part of the country. The devolution arrangements that exist for the metro mayors differ from each other. That is to be welcomed as they are in different areas with different needs.

Plastics: Reduction in Use *Question*

2.51 pm

Asked by Lord Dubs

To ask Her Majesty's Government what their latest proposals are to reduce the use of plastics.

The Parliamentary Under-Secretary of State, Department for Environment, Food and Rural Affairs (Lord Gardiner of Kimble) (Con): My Lords, we are already working with industry to reduce our use of plastics. Key to this will be our reforms to the packaging waste regulations. We will shortly publish the response to our proposals on banning plastic straws, stirrers and cotton buds. Our response to the proposals on extending and increasing the plastic bag charge will follow thereafter. Where existing powers are insufficient to match our ambition, we will seek additional powers in the environment Bill.

Lord Dubs (Lab): My Lords, will the Minister consider a sentence from the answer given to this House last month on the same topic? It referred to the Government's, "plans to eliminate all avoidable plastic waste by 2042".—[*Official Report*, 10/4/19; col. 491.]

That begs a lot of questions, as it is a long way ahead. What about unavoidable plastic waste? Surely that can also be dealt with. We know about the statistics—the Minister will be fully aware of them—on the dangers to marine life and the thousands of years that it takes for plastic to degrade. Plastic has been found north and south on this planet, from the Arctic to the Antarctic. Surely we require more drastic action than that.

I have had an interesting e-mail from Waitrose about what it is trying to do. Will the Minister comment on two specific suggestions? First, can he develop a clear, visible kitemark on all packaging to indicate whether it contains plastic, and whether it meets decent standards? It would be a kitemark agreed throughout industry. Secondly, what about having an annual award to industry—I would like, without his permission, to call it the David Attenborough award—for the company, business or local authority that does best each year in getting rid of plastic?

Lord Gardiner of Kimble: My Lords, there were quite a few questions there but I agree with the thrust of what the noble Lord said. That is why we are working internationally, as well as at home. I share your Lordships' frustration; we need to take action, which is why the UK plastics pact is so important. One of its targets for 2025 will be:

"100% of plastics packaging to be reusable, recyclable or compostable".

Others include to eliminate by 2025 unnecessary single-use packaging and to have,

"70% of plastics packaging effectively recycled or composted".

I agree with the noble Lord and we want to take action. This Government are taking action through research, which will obviously be an enormously important point, to find alternatives to the far too extensive use of plastics.

The Lord Bishop of St Albans: My Lords, many consumers are now choosing to use biodegradable bags rather than plastic ones, believing these to be preferable, yet researchers from the University of Plymouth have shown that many of these bags are not in fact biodegradable. Will Her Majesty's Government undertake to produce clear standards and guidelines so we can be sure that these are biodegradable and improve the environment, and that we are not misled?

Lord Gardiner of Kimble: My Lords, it is absolutely essential for us all that, in seeking to do the right thing, we are in a position to do so. In response to the noble Lord, Lord Dubs, Morrisons are replacing plastic bags for loose fruit and vegetables with paper ones. That sort of thing is happening up and down the country with retailers that understand their responsibility to ensure that we have a better planet for the next generations.

Lord Teverson (LD): My Lords, one of the ways that we will reduce the use of plastic is making sure that we dispose of it responsibly, not at the cost of the environment. One way of doing that is banning exports of our waste and clearing up our own mess. What target do the Government have for banning the export of low-grade recycle?

Lord Gardiner of Kimble: My Lords, the noble Lord is absolutely right that we must recycle more here. We must use less, so there will be less recycling. We certainly need to do more at home, so we need to work with industry to have suitable plants to take much more of the UK's plastic waste. Other countries that take waste are also important. We are a party to the Basel convention and it is essential that we work together to ensure that we are absolutely not sending plastic, or other waste, to countries that cannot cope with it and therefore pollute the environment.

The Lord Bishop of Southwark: My Lords, I bring the Minister back to the question asked by the right reverend Prelate the Bishop of St Albans about what government intervention might be appropriate in quality control and establishing standards of practice.

Lord Gardiner of Kimble: My Lords, it is clear that the Government recognise the need for consistency on what we are in a position to recycle and to ensure proper marking so we know what can be recycled. The Government must and will take responsibility in these areas.

Baroness Symons of Vernham Dean (Lab): My Lords, the noble Baroness, Lady Neville-Rolfe, consistently made the point—from the Minister's Benches—that there should be a national policy on how we dispose of plastics. That has been consistently resisted on those Benches and made a matter for local authorities. I do not know whether the Minister does his own weekly shopping, but it is enormously difficult to buy fruit and vegetables without plastic containers, to the detriment of the environment. The noble Baroness made this point about disposal consistently and his own side has resisted over and over again.

Lord Gardiner of Kimble: My Lords, I am a little confused by what the noble Baroness has said. When I go into our fruiterers, I pick up and look at the fruit and am given it in a paper, not plastic, bag. As I have already said, Morrisons are using paper bags instead of plastic ones. This is happening more often. As I said in my earlier answer, we recognise the need for consistency. We need to enable people to recycle more, but we also need to reduce the use of plastic. I have been very clear about that.

Baroness Fookes (Con): My Lords, is there any possibility of developing plastic which degrades?

Lord Gardiner of Kimble: My Lords, there are issues with the words, "biodegradable plastic", one of which is concern over microplastics, which is why we need to undertake more research into this. It sounds a very good idea, but the last thing we want to do is create even more microplastics.

Climate Emergency Question

2.59 pm

Asked by **Lord Bird**

To ask Her Majesty's Government, further to the climate emergency declarations by the First Minister of Scotland on 28 April, the Welsh Government Minister for the Environment, Energy and Rural Affairs on 29 April, and the House of Commons on 1 May, what plans they have to formally announce a climate emergency in the United Kingdom.

The Parliamentary Under-Secretary of State, Department for Business, Energy and Industrial Strategy (Lord Henley) (Con): My Lords, our approach will continue to be defined by the action we take, not the words we use. The Government fully recognise the urgency of tackling the challenge of climate change. We were the first country to introduce long-term, legally binding carbon reduction targets and have decarbonised our economy faster than any other G20 country.

Lord Bird (CB): I am very pleased to hear that we have nothing to worry about and that all we need to do is just more of the same. I worry because 80 years ago, when we were facing the arguments of what to do about Nazi Germany, people used the word "appeasers". In 30 or 50 years' time, are this Government, the Government after them and the one before them going to be seen as appeasers around the environment? That is what really concerns me. May I suggest that the noble Lord considers the possibility of looking at the future generations legislation in Wales, which brings together the environment, poverty, health and all these questions, so that we can offer a future to our children?

Lord Henley: My Lords, I did not say that we have nothing to worry about. I and my right honourable friend the Secretary of State have made it clear, including in the debate we had last week in the name of the noble Lord, Lord Rooker, that there is something to worry about. We are certainly worried about climate change, but we are also of the view that we have taken considerable action in this country; we will take further action, both in this country and internationally, for the benefit of the whole planet. We will also offer leadership, internationally, as a result of actions both international and national.

Lord McNicol of West Kilbride (Lab): My Lords, on the Minister's final point, it is vital that the Government take all necessary steps to avoid the impending climate catastrophe. This includes, as he touched on, using powers to lobby our allies to cut emissions. Can he explain to the House what steps, if any, Her Majesty's Government are taking to persuade President Trump's Administration to return to the Paris agreement and meet their obligations to cut pollution?

Lord Henley: My Lords, the noble Lord is quite right to stress the importance of taking action domestically, because by doing so we can offer worldwide leadership. I can give an assurance that we will continue to offer that leadership as a result of the very good record we have. That is why we want to host COP26 next year: it will be an opportunity for this country and the whole world to put it to America, and other countries, that they must all play their part in this field.

Baroness Boycott (CB): My Lords, without a doubt we have to change the way we farm and the way we eat if we are to avoid this climate emergency. The Government's new Agriculture Bill might not be perfect but it does go some way towards addressing these issues by setting out what is in the common good: we will cease to subsidise in the way we do at the moment and reward farmers for biodiversity, and for soil and water management. My question is: where is the Bill? When are we going to get it? Given the state we are in, why can we not hurry up?

Lord Henley: My Lords, as to where the Agriculture Bill is, I fear that I cannot help the noble Baroness, but no doubt my noble friend sitting beside me will be able to offer advice in due course. All I can say is that we will do all we can in all fields—there are a great many fields in which work needs to be done—to reduce our carbon footprint. As I have said before, we have done a great deal, but there is a great deal more to do.

Baroness Jones of Moulsecoomb (GP): My Lords, the Government met the Extinction Rebellion campaign recently. What did they learn from that and what policies are going to change as a result of the meeting?

Lord Henley: My Lords, the most important thing is that we had the report a few months ago from the IPCC, which we put to our own climate change committee. Last week we received a report from the climate change committee and we will respond to it in due course.

Lord Fox (LD): My Lords, returning to the agricultural issue, one way of reducing the climate change impact of agriculture is to grow fewer crops. We could do that by reducing waste. Tony Juniper estimates that about one-third of food in this country is wasted. That is equivalent to cultivating an area the size of Yorkshire and Lancashire and then throwing all the food away. Does the Minister agree that, for whatever reason, the message is not getting over to the general public, food companies and food services? What are the Government going to do and what can we all do to help the Government get this message across?

Lord Henley: The noble Lord makes a good point. The first thing to say is that we should all eat up our greens.

Baroness Jones of Moulsecoomb (GP): Please, no!

Lord Henley: I will restrain my carnivorous habits in the future. However, the noble Lord makes a good point, and everyone should get that message—there is a great deal of waste in the food chain, just as there is throughout the world. We have possibly a lot less waste

than in the third world as a result of the efficient means we have of moving food around and processing it, but as the noble Lord said, there is still a great deal of further waste, and more must be done.

Lord Howell of Guildford (Con): My Lords, in support of the point made by the Labour Member just now, and in light of the fact that 99.3% of all carbon emission increases arise not, alas, in this country but in the wider world—in particular in Asia, Africa and the United States, where the per capita energy consumption is the highest of all—can we have an outline from the Government, maybe through a White Paper or a climate report, on exactly what the younger generation and the whole country are doing to bring to bear the resources on the technology needed to fight climate change and determine our own future rather than just make speeches?

Lord Henley: My Lords, the gist of what I am trying to say is that what we are doing through our actions is important in this country. Obviously, as my noble friend makes quite clear, what is happening throughout the rest of the world is far more important, because we are only a small island, producing a relatively small amount of carbon emissions. However, as a result of what we do—and we have a good record, which goes back through all Governments who have been in power over the last few years—we believe that we in this country can show international leadership and hope to persuade other countries to follow suit.

Kew Gardens (Leases) (No. 3) Bill [HL] *Second Reading*

3.07 pm

Moved by Lord Gardiner of Kimble

That the Bill be now read a second time.

The Parliamentary Under-Secretary of State, Department for Environment, Food and Rural Affairs (Lord Gardiner of Kimble) (Con): My Lords, as the Minister with responsibility for the Royal Botanic Gardens Kew, I am delighted to bring forward this Bill. First, I place on record from the outset my appreciation for honourable Members in the other place, and indeed my noble friend Lord True, for promoting similar Bills on Kew via the Private Members' Bill route. I know that many of your Lordships have a keen interest in supporting Kew; indeed, my noble friends Lord Eccles and Lord Selborne were closely involved with Kew as previous chairmen of the trustees.

Kew is a scientific institution of the utmost importance, not only for the UK but as the global resource for knowledge on plants and fungi. We face immense challenges when it comes to the preservation of the natural world. Within this challenge, it is clear that there is an essential role for plants and fungi. Kew will help to provide answers about how plants and fungi will help us to survive. It has world-renowned collections, including the Millennium Seed Bank at Wakehurst, and the Herbarium at Kew itself. The restoration and digitisation of the Herbarium will need considerable investment and will make the collection accessible globally.

[LORD GARDINER OF KIMBLE]

Kew's scientific research leads the world. With more scientists today than at any time, its research is crucial in solving the challenges facing humanity today. Kew plays an extraordinary global role in partnership with scientists, educational experts and communities, promoting research, education and conservation. It does so much to involve the public, with over 2 million visits to Kew and Wakehurst each year, and around 100,000 pupils on school visits. It is building a wider understanding of plants and fungi and why they matter to us all.

I turn to this two-clause Bill. Not only is Kew an extraordinary scientific institution but its estate includes many special buildings and structures, more than 40 of them listed. It is a considerable challenge to ensure the maintenance of both core and non-core structures, which, due to their historic nature, is undertaken at considerable expense. For instance, the restoration over six years and reopening last year of the Temperate House is a tremendous achievement of Kew's mixed funding approach. I thoroughly recommend to any of your Lordships who have not been to see it a visit to that extraordinary work.

Non-core parts of the Kew estate include some listed residential buildings near Kew Green, which badly need investment to maintain and enhance their condition and enable Kew to realise additional income. Attracting capital investment to refurbish buildings within the boundaries of Kew is one of the great opportunities available, but the current 31-year limit on leases has made that difficult to realise.

The Bill will allow leases to be granted on land at Kew for a term of up to 150 years. Currently, the Crown Lands Act 1702 limits leases at Kew Gardens to a term of 31 years. Longer leases will enable Kew to realise additional income from land and property and will reduce maintenance liabilities and running costs. The additional income generated will help Kew to achieve its core objectives, maintain its status as a UNESCO world heritage site, and prioritise maintenance and development of its collections, as well as improving the quality of its estate. The Bill has the full support of the Kew board and residents in the Kew area, in particular through the Kew Society.

I have reflected on what may be the challenges to the Bill. The various safeguards that apply now would still apply to any lease granted under the Bill. Kew's activities are overseen by Kew's board and by the Secretary of State for the Environment, Food and Rural Affairs. The Royal Botanic Gardens, Kew, is an executive non-departmental public body and an exempt charity. It is governed by a board of trustees established under the National Heritage Act 1983. As an exempt charity, although the Charity Commission does not regulate it, it must abide by charity law, with the Secretary of State as Kew's regulator for charity purposes. This regulation is co-ordinated between the Charity Commission and the Secretary of State.

To ensure that Kew's operational arrangements comply with the National Heritage Act, public and charity law, a framework document exists between Kew and Defra dealing with business planning, resource allocation, appointment of board members and, pertinently, the disposition of land. Thus, at all times in the governance

process, the board of Kew, the Secretary of State and Defra play a key role in determining the operational management, and would continue to do so in the grant of any lease under the Bill.

Secondly, Kew's UNESCO world heritage site status and other designations offer protection under the planning system which would apply to any lease granted under the Bill. Kew was inscribed as a UNESCO world heritage site in 2003 due to its outstanding universal value as a historic landscaped garden and world-renowned scientific institution. As a result, the UK Government, through the Kew board and the Secretary of State, have the ultimate responsibility for ensuring the protection, management, authenticity and integrity of the property.

As part of UNESCO world heritage site status, Kew has a management plan to show how its outstanding universal value as a property can be preserved. This includes protections and mechanisms in the planning system, including conservation areas in the London boroughs of Richmond and Hounslow, offering protection to the Kew site itself and a wider "buffer zone" that protects the historic landscape character of Kew. The Kew Gardens site is grade 1 on the Historic England register of historic parks and gardens of special historic interest in England. Much of its site is designated metropolitan open land, applying similar protection to that offered to green-belt land. Forty-four of the buildings and structures in the site are listed; indeed, Kew is part of an archaeological priority area. These protections mean that any lease would require local planning permission and compliance with the Town and Country Planning Act 1990, the Planning (Listed Buildings and Conservation Areas) Act 1990, the National Planning Policy Framework and the Government's policy for the historic environment.

Thirdly, conditions would apply to the lease itself. In accordance with the duties that both the Kew board and the Secretary of State must carry out, the lease, while seeking to be commercial, will be capable of applying the necessary restrictions that will protect Kew. The Bill disapplies the restriction in Section 5 of the Crown Lands Act 1702 relating to leases of land at Kew: it will remove the limit of 31 years and apply a maximum of 150 years. This will bring Kew in line with the provisions made for the Crown Estate by the Crown Estate Act 1961. The changes provide the ability to grant longer leases on the land. The Bill would not alter the many protections in place for Kew and its status as a world heritage site. All proposals for granting leases are subject to scrutiny and must go through Kew and Defra's governance. All proposals must comply with the protections in the planning framework and, in every case, the lease will contain any restrictions that may be necessary. The very status of Kew and all the protections it comes with make its property one of the safest in terms of conservation that could be envisaged.

In conclusion, I emphasise that this is very much Kew's Bill. It is about enabling Kew both to manage assets on a sound and sustainable commercial footing and to enhance the site and support its core objectives. Kew's trustees need this Bill to do what is necessary. The Bill is an opportunity for us to support Kew. Enabling it to maintain and enhance both core and non-core parts of its estate will be crucial to its long-term

success and its global role in addressing the many challenges of enhancing a natural world that is undoubtedly in trouble; plants and fungi, and a better understanding of them, will help us enormously to meet those challenges. As I said, this is a two-clause Bill. It may be modest in size but, once enacted, its impact will be of immense benefit to Kew and help it further in its valuable work, which has been described in previous weeks, perhaps previous years, as part of our generation's custodianship, ensuring that we know more answers about how we will turn things around. Probably unknowingly, previous generations have done things to this planet that we all now regret. As the Minister responsible for Kew—one of the biggest privileges in government, I think—I see the scientists and management there on a very regular basis. This Bill is one that they desire and that will help them to do so much of what we desire. I beg to move.

3.19 pm

Baroness Warwick of Undercliffe (Lab): My Lords, some time ago I had the privilege of visiting Kew under the auspices of the all-party parliamentary group. We heard from some of Kew's senior team and scientists about the amazing work they do by using plant and fungi knowledge to help to solve some of the most critical challenges facing humanity. As well as meeting the scientists, we reviewed their extraordinary and beautiful book collection. I had not realised just how substantial and influential the work at Kew has become, with more than 350 scientists working across six research departments. They draw in the best scholars in their fields from around the world as well as from the UK. Kew's corporate strategy, *Unlocking Why Plants and Fungi Matter*, sets out some really exciting plans for the future. For example, I was delighted to hear about its collaboration with Queen Mary University of London on an MSc course. In 2017, Kew won a gold medal at the Chelsea Flower Show for its "State of the World's Plants" exhibit, bringing its science to new audiences. It is not at all surprising that Kew was awarded UNESCO world heritage site status in 2003. I certainly felt that this was a jewel in the crown of the UK's scientific excellence to be nurtured and celebrated.

I was therefore very concerned when the then coalition Government planned to cut the state grant in 2016-17, with a potential consequence being the loss of 125 scientific staff. Kew's funding relies heavily on state grant, although it has been increasingly successful in raising external funds. At the time there was a major public outcry. An inquiry held by the Science and Technology Committee in another place reported that the Government's management of funding had exacerbated budget reductions and, "forced a more rapid change in scientific personnel than may otherwise have been necessary".

In response, the then Deputy Prime Minister accepted that damage would be done if grant was withheld or reduced. Fortunately, the Government announced measures aimed at easing Kew's difficult position and 2017 saw the start of a positive and very welcome four-year funding settlement from Defra and a capital funding package.

Kew is not the only research establishment to experience the uncertainty and dangers inherent in having to rely substantially on government funding, which can be

subject to numerous political uncertainties and changes in policy. Expanding flexibility of resourcing goes some way to protecting major centres of excellence in science such as Kew. Alternative sources of funding will help to ensure that its reputation as a leading research institution can be maintained. That is why I want to support the Bill and wish it a fair wind through this House.

The proposals in the Bill have been in limbo since 2017, which must have been frustrating for all concerned. The Bill's aim seems quite modest in that it extends the leases already available to Kew for residential and commercial use—thus generating income—from a very limiting 31 years to an expanded 150 years. But although modest, as the Minister said, its effect could have a substantial beneficial impact on the income Kew can generate over time through having longer leases to offer and including, importantly, a reduction in maintenance costs.

I have not said anything about how marvellous Kew is as a garden and special leisure space that we all know and love to visit. I cannot tell your Lordships just what a pleasure it was to be one of the first visitors to the newly renovated Temperate House last year. Anyone who has visited the Hive cannot fail to be impressed. It is a 14 metre-high cube, raised on columns, providing an immersive experience connecting you to real bees. Bees communicate through vibrations, and these vibrations are picked up by a sensor called an accelerometer. The bees' vibrations are sent in real time to the Hive. Adults as well as children are transfixed. I was thrilled to discover that this amazing experience was made possible through the work of physicist Dr Martin Bencsik of Nottingham Trent University, and I must declare an interest as a board member at Nottingham Trent. It is a great example of how Kew harnesses university science and art together to create awareness of the natural world.

Your Lordships will gather that I am a great fan of Kew, but today I want to focus very specifically on Kew's world excellence in the fields of science. Without that science, the garden at Kew would lose one of its key purposes, which is to engage the visitor in learning about the natural world and to develop, particularly for children, imaginative ways of understanding why plants and fungi matter.

In proposing the Bill, the Government have said that their aim is to help Kew support its scientific research, as well as to retain its UNESCO world heritage status. I of course support that, but my one anxiety is that the Government will see this as possible substitute funding and use it as a mask for reducing government grant in the future. I hope that in replying the Minister will reassure the House and commit to this additional resource being indeed additional, which will enable Kew to reinforce even further its reputation as a world centre of excellence in sciences.

3.24 pm

Baroness Kramer (LD): My Lords, I speak in this debate from the perspective of a member of the community. I was at Kew yesterday and a couple of weeks ago. That was nothing to do with this debate, just a typical part of a bank holiday weekend as far as I am concerned; I take visitors there regularly. To anybody who has not been, I say go now, because at

[BARONESS KRAMER]

the moment there is an extraordinary exhibition of glass sculpture by Dale Chihuly, integrated with the plants and buildings in a way that I have never seen before; it is totally breathtaking. Anybody who doubts that should capture me and I will show them the photographs on my phone—you will not be able to resist going.

Kew has had the benefit of some great directors, such as Sir Peter Crane, who, by chance, I happened to know from many years before in Chicago. He is extraordinary, and really pulled the gardens into the modern era. The current director, Richard Deverell, is engaging more and more of the community in the life of Kew, without in any way undermining the science.

I have been engaged before in trying to support the funding of Kew. I was part of the flurry of phone calls that led to Nick Clegg going into a quad meeting to insist on the restoration of science money. I am also conscious that local Conservative colleagues, including the noble Lord, Lord True, and Zac Goldsmith, have been very engaged in trying to protect this funding. This is not in any way a party-political issue in Richmond; we all love this place and we want to protect it.

I want to use this debate to stress an important message that I hope Defra has taken on board: do not keep increasing the pressure to raise commercial revenue from places such as Kew. The grant which once, not that long ago, was 90% of Kew's funding is now down to about 40%.

Kew has done everything it can to engage with ways to bring in the public. The wonderful children's area is just about to reopen and I have mentioned the Chihuly exhibition. We heard also about the Hive, the treetop walk and the many other developments in the garden to make it a real attraction. But my goodness, it is expensive. For a single adult, a ticket is £16.50. Automatically, that has an impact on who comes. I have an annual membership, which is £71, and if I go seven or eight times a year or take a friend, it is under £10 a throw. I would support the gardens anyway, but I can afford it. I am afraid that, when you go to Kew, you see an overwhelmingly white, middle-class group of people. I am delighted that they are there—it is wonderful—and that there is special provision for school groups and attempts at outreach. However, Kew does not reach so many people whom it should, and it is for this reason.

During trade engagements as a Minister for the coalition Government, when I talked to people from developing countries I became so aware of how highly they regard Kew for the collaborative work it does in a variety of different areas with countries that, without it, would not have the capacity to understand and protect their biodiversity and to develop from that products that can tackle cancer, provide new materials and tackle sustainability issues. It is an enormously important relationship. Frankly, so many of our institutions are regarded in the developing world as a hangover of empire; there is an argument that items from museums should be returned. The attitude towards Kew is utterly different. Yet, because of the need to charge at these levels—and I have had this row with three directors—Kew has never been in a position to try to engage with the many ethnic communities across

even London. Those people could get there easily—the District line goes direct—but the price is a barrier. That is a real failing for something that offers so much that deliberately engages with children and people with imagination. You do not go to Kew just for entertainment; you come away with a greater understanding of the science of botany, biodiversity issues and water management—I could go through an endless list. I am really afraid that, if we keep putting such pressure on places like Kew, we force them to keep raising their admission prices, which Kew has tried desperately not to do, and make it very difficult for them to reach out to the broader community.

There is one particular reason why Defra could look to be more generous. I do not know what the costs are for Kew for dealing with oak processionary moth, but I am very engaged with Richmond Park, which spends several hundred thousand pounds a year trying to deal with this invasive pest. Frankly, the problem is there because, as I know from my time as an MP, officials from Defra and the Forestry Commission—it is a different place now, so I do not accuse the same officials—refused to act when we had only 20 trees impacted by oak processionary moth. They said that it was not a risk to the health of trees; it was a risk only to the health of people, so it was for the Department of Health. We therefore had a massive getting together of Richmond Park people, Kew Gardens staff, the council folk and officials from Defra, the Forestry Commission and the Department of Health, and I have never been at an event at which officials were so insulting, frankly, to the local community. They refused to provide any kind of support or help, and the consequence is that much of south-east England is now impacted by oak processionary moth, which is a risk to both human and animal health. The cost of removing the nests, which has to be done in full hazardous kit, is extremely expensive, so Defra should allow for that in the way it looks at providing funding.

I shall just finish by referring to the leases. I am glad to have heard the assurances from the Minister. If somebody in the local community were to read this Bill, they might fear that the commercial pressure could rise to the level that Kew would be persuaded to try to commercialise part of the garden—part of its crown jewels, if you like—through new building or through leasing it out, for example. I know that that is not at all Kew's intention. As I understand it from local councillors, the leases relate to buildings that already exist, essentially on Kew Green, and this would give more flexibility to allow Kew to get a better rent and a better arrangement that could bring in more funding. I share the concern of the noble Baroness, Lady Warwick, that that should not be substitute funding but additional funding and should not become a rationale for reducing the grant further, but it is a relatively small amount—£4 million a year—which, anyway, should not make that kind of difference. However, such an assurance would be very worth while.

I ask the Minister to address that question and give us some confidence that he recognises that there is a limit to the commercial pressure that can be put on an entity and still have it deliver that combination of extraordinary research and community asset. I also

want to put into his mind the need to provide Kew with the capacity to do that outreach to a much broader set of communities—particularly those who could easily get to Kew—so that they can reflect on and see that rich diversity of plant life from all across the globe in a setting that enhances it and contains none of the awful commercial, colonial overtones evident in various other venues. It is really important to do that at a time when we are trying to bring this country together. That is not seen as a central role for Kew, but it seems to me that it could be very significant.

3.34 pm

The Earl of Selborne (Con): My Lords, I should first declare that I have served two separate terms as a trustee of Kew, the second as chairman.

The Minister has explained how the Crown Lands Act 1702 prevents Kew granting leases of more than 31 years. It is not often that we delve so far back in history, and I should like to put this desirable Bill into a further historical context. It was Sir Joseph Banks in the 18th century who did most to set Kew Gardens on its way to becoming an important scientific establishment. However, after his death, and for many years in the mid-19th century, there were fierce rows between the directors—first, Sir William Hooker and then his son Sir Joseph Hooker—and their political boss, the first Commissioner of Works.

The row was about whether Kew's role was essentially as a botanic garden and scientific institution or whether it was to be a public park. The row got so fierce that eventually Prime Minister Gladstone had to intervene; wisely, he went with Sir Joseph Hooker. By 1900, the Royal Botanic Gardens were transferred from the Commissioner for Works to the Board of Agriculture, as MAFF—now Defra—was then known. Kew's role in botanical investigations, taxonomy, plant sciences and, not least, economic botany, were promoted to underpin government policies, as well as to support farmers and horticulturists. As the Minister explained, Defra continues that legacy of looking to Kew for scientific underpinning on policy issues.

The National Heritage Act 1983 transferred direct responsibility for Kew Gardens from the Ministry of Agriculture, Fisheries and Food to a board of 12 trustees. The first chairman was my noble friend Lord Eccles. I suspect that the director at the time found the imposition of a trust board more onerous than the occasional meetings held with Ministers and officials previously. From 1 April 1984, when the Act came into force, the funding from government sources as a percentage of total spend started, frankly, to decline. This is partly because the role of Kew has expanded as it becomes ever more relevant. Not only does the quality of the science itself attract increased expenditure and, one hopes, increased funding, but its international importance has also increased and continues to do so. One has only to read the report from the United Nations that came out this weekend to note that biodiversity will at last be on the G8 agenda. Botanic gardens around the world, not least Kew, will have an important contribution to make.

I must, in all fairness, confess to mission creep. I remember when the noble Lord, Lord Whitty, was the Defra Minister responsible for Kew and I was chairing

the trust, he gently rapped me over the knuckles for taking on yet more commitments. This was over the mycology collection, which was going to be lost—something we felt could not be tolerated. Of course, there was no funding for it so we had to commit ourselves to raising the money. I always recognised that the noble Lord, Lord Whitty, was quite right to draw attention to the commitments that we were making.

This week we hear about the United Nations report on global threats to biodiversity. To meet the increased need to broaden the funding of Kew, a foundation was set up in 1990 as a charity with the sole object of raising funds for projects not covered by grant aid or self-generated money. We heard from the noble Baroness, Lady Kramer, about how far the envelope has been pushed on admissions. I recognise her point about how difficult it is to attract people from different ethnic backgrounds when there is such a need for self-generated money.

The Kew Foundation remains highly successful in raising funding, particularly for key buildings and core projects but, inevitably, as we heard from the Minister, some buildings in need of repair cannot be described as core buildings. Considerable sums of money will be needed to maintain them adequately. A wider range of commercial options including, for example, long leases, would reduce maintenance liabilities and running costs while in no way impacting on this UNESCO world heritage site. The case has been made clearly by previous speakers, so I need do no more than say that the Bill will be of great assistance to Kew and that I give it my full support.

3.39 pm

Lord Holmes of Richmond (Con): My Lords, it is a great pleasure to take part in this Second Reading debate. I congratulate my noble friend the Minister on the way he introduced this afternoon's debate. I also pay tribute to my noble friend Lord True and the honourable Member Zac Goldsmith, who introduced Private Members' Bills in 2017 and 2018 that bear quite a resemblance to the Bill in front of us this afternoon.

I have a declaration to make. In this debate I speak as a local who loves Kew. Where else can you go to commune with one in nine of all the world's plant species, go on a treetop walk, go to concerts or, in previous years, go open-air ice-skating? This summer, Alison Moyet will perform there—I am not sure if that is the first time Alison Moyet has been mentioned in *Hansard*, but if it is, that is twice in just one Session. Every time you go, you gain an education, whatever age you are and whatever stage of life you are in. It is such a special place.

When I was working on the Olympic Games as one of the directors of London 2012, we really appreciated this. That spring in one of the flowerbeds we planted flowers and shrubs to make the five Olympic rings. They were beautiful at ground level, but, at least as importantly, every passenger in every plane that went over Kew Gardens—which I am afraid they have to—saw before they had even landed at London Heathrow from the beautiful floral display right in the centre of the gardens that the Games were going to be in this country.

[LORD HOLMES OF RICHMOND]

As we have already heard, this is quite a small Bill, but it is incredibly significant and could have such a positive impact on all the workings of Kew, not least, over the years and on an ongoing basis, through a potential £40 million income stream. It is important that this should be additive, rather than just a substitute for other, declining sources of funding.

The title of the Kew Gardens corporate strategy sums it up pretty much perfectly:

“Unlocking why plants and fungi matter”.

There could barely be a more important time for Kew Gardens. We had yesterday’s UN report, and report after report in recent months and years. We have had report after report, and yet the world keeps burning. Kew could barely be more significant. In itself it is one small piece of south-west London, but it has such a global impact.

Kew has numerous USPs. It has the largest fungarium in the world; the largest collection of living plants in any botanic gardens in the world; the world’s largest wild plant DNA and tissue bank; and the stunning seed bank at Wakehurst Place, which has over 1 billion individual seeds. Kew Botanic Gardens is an incredibly special place with an extraordinary collection, and it is such a necessary insurance policy for our planet.

At a time of such uncertainty, change and, yes, division, it is worth considering the continuity, creativity and conservation at Kew. It does as much for the planet as any other place on the planet. This Bill will play a significant part in ensuring its future, and thus all our futures. I wish this Bill good speed on to the statue book.

3.43 pm

Lord Carrington (CB): My Lords, I will not repeat the tributes made to Kew or restate the value it has given to this country. However, I warmly endorse the purpose and content of this short Bill, although it is a pity that the background information on the property portfolio affected by the Bill and the associated financial liabilities have not been fully identified and described, as to my mind this would assist Members in seeing the significance of the Bill and the likely beneficial effects on the public purse.

As in all culture and heritage matters, the importance of securing stable funding and managing cost is paramount, as institutions such as Kew Gardens—and there are many like it—nearly always rely on the generous sponsorship of the likes of the National Lottery Heritage Fund, Defra, the Arts Council, et cetera. Their resources are inevitably limited, however much we may wish otherwise, so every effort needs to be made by the management and trustees of these institutions to investigate and generate other income, either from within or from benefactors.

In the case of Kew, it is clear that by offering leases of up to 150 years for residential and commercial properties under its control, it can attract substantial capital sums. The decent length of leases enables and justifies expenditure on much-needed refurbishment, which in any event becomes the responsibility of the lessee under the terms of their lease. Of further benefit to all concerned is the ability to attract mortgage and other bank finance, which was scarcely available with

short-term leases. The lessee can therefore afford to pay more and to spread the financial cost over many years.

To demonstrate just how significant the effects of this Bill will be, it would have been nice to see some more detailed projections of capital receipts and deferred expenditure than the bald figure of £40 million in the first 10 years. No doubt management and trustees have this information, as it will play a large part in determining the requirement for future grant in aid from Defra, which currently appears to be £41 million or 35% of total income.

The Bill enables many of the issues identified in the House of Commons Science and Technology Committee report to be satisfactorily resolved. Despite the lack of information on the property portfolio and the financial benefits provided by the Bill, I give it my warm support.

3.47 pm

Baroness Byford (Con): My Lords, I thank my noble friend the Minister for introducing a Bill that has been described as “modest” but that I believe is vital. I add my support to the proposals in it. I wish Leicestershire were nearer Kew and I could become a regular visitor, but sadly not. Over many years I have had the great joy of going there—literally as a member of the public—and just enjoying the parkland and being part of it, and on other occasions of going to see the research it is so well known for worldwide, not just in this country. I know that my noble friend is a passionate supporter of this Bill, and he and I both wish it well. I will not go over the ground that some have already covered on the facility the longer lease will give—that is essential—but I will come back to the question of finance later.

As has been said, Kew Gardens employs some 350 scientists. We should remember not just those working there at any particular moment but those who go on to do research elsewhere, which is so hugely important. Its six research departments do some wonderful work. In addition, its amazing library, art and archives are a great source for many to share in its knowledge. Indeed, it is not just a UK but, I believe, a global role we are engaged in. It would be wonderful to see more young children there; I would also like to see many of us who are still young at heart there.

Kew becoming a UNESCO world heritage site in 2003 was a great step forward. The Royal Botanic Gardens and the work undertaken there are key to the survival of many rare species, to seed banks and for disease control. I am sure that my noble friend will smile because we have taken a great many statutory instruments through in recent weeks looking at plant health and disease control and what we can do about them. The work done at Kew is even more important than it might have been thought in the past.

With changing climate patterns, it is even more likely that infection and disease will continue to be imported, thus risking damage to our own national species. Indeed, in today’s paper, there is a headline that my noble friend Lord Holmes referred to: “Fungal disease wiping out ash trees will cost economy £15bn”. I understand that the Government have pledged £6 million towards research work in halting this disease, plus an

additional £4 million to £5 million towards strengthening border security. We cannot understate how important it is that people who go on holiday and decide to bring things back—and the companies that import plants and trees—carry a big responsibility in making sure that those plants are not infected.

As I said, I am pleased to support this short Bill but, like other noble Lords, I seek clarification on its financial implications. I know that establishing the Kew Gardens (Leases) (No.3) Bill opens up new income streams for use. I also understand that my honourable friend Zac Goldsmith said:

“I stress that the Bill ... would not involve selling assets nor would it be about renting out Kew Gardens”.—[*Official Report*, Commons, 30/1/18; col. 719.]

Richard Deverell, director of Kew, said that the Bill offers,

“an excellent opportunity to attract private investment that will help ensure that we have an estate that supports the needs of the botanic gardens”.

Like other noble Lords, I would like the Minister to clarify Defra’s commitment. At the moment, Defra is committed to supplying a third of the total costs. In future years that may be reduced, but, as the Bill stands, as far as I can see, there is no statement at all about Defra’s commitment.

RBG Kew is funded through a combination of grant in aid from Defra, self-generated income and charitable donations. The total income for 2017-18 was £111.7 million, of which some £40.8 million was grant in aid from Defra. Can the Minister tell us whether future financial support is anticipated to be continued in the short or long term? What proportion of the other income was self-generated compared with that obtained by charitable donations, as they are two very different sources?

It is not often we have a little Bill that we are all pleased to support. I know that my noble friend is keen for it to have fair wind. For me, Kew is one of the jewels in the crown, as has been mentioned, but it has enormous importance not just to us in this country but other places around the world. I wish the Bill well.

3.53 pm

Lord Whitty (Lab): My Lords, I too wish the objective of this Bill well. I have a long and affectionate link with Kew. My grandfather, Lawrence Lavender, after whom I am called, was an apprentice at Kew in the 1890s. When I went there as Minister, I was given his application form, which shows the archival accuracy of Kew on administrative as well as scientific, horticultural and botanical matters. He returned to Kew and became the manager of the Temperate House in the 1920s and was a long and proud member of the Kew Guild until he died in his 90s.

I used to live across the river in Isleworth. It is not quite as fashionable as Kew. Nevertheless, I used to go for walks in Kew. It was a bit of countryside in town, which I deeply appreciated. When I returned to my association with Kew as a Minister nearly 20 years ago, I was very pleased. My sheet as Minister started with “Sort out the foot and mouth epidemic”, but further down it said I was responsible for Kew Gardens, and that cheered me up no end. Indeed, it was in that

period that Kew got its world heritage accreditation and I welcomed Her Majesty the Queen there to celebrate that occasion.

I wish Kew well, and I want to ensure that it has adequate resources from government, private and charitable resources and those who visit. I have to say to the noble Baroness, Lady Kramer, that I can remember when there was a huge row in the community when the turnstile charge went up from one old penny to thruppence. It is now somewhat higher, as she said. Regrettably, that reflects the cost of maintaining its scientific, horticultural and botanical lead. I therefore understand the reasons for this Bill and for extending the leases on some of the existing leased property. I understand the good intentions of the trustees and the Minister in this respect.

I would usually applaud a very short Bill, but I think that some of the things the Minister said in his introduction to the Bill need to be in the Bill. Any extension of leases or any new leases have to be in support of the central objectives of Kew—scientific, botanical, horticultural and amenity value—otherwise, on the face of it, this is an open-ended Bill. A 150-year lease could be granted on any part of the estate for activities not entirely compatible with the central aims of Kew. I might be forced to propose a very short additional clause in Committee effectively saying that any such extension of leases or new leases have to be compatible—preferably supportive, but certainly compatible—with the main aims of Kew. Those additional two lines would not overburden the legislature and would make this Bill into a Bill that did not raise the kind of suspicions that I think some people have about its real aim.

As the noble Baroness, Lady Byford, and others have said, we need a few more details about the finances before we end the process on this short Bill, and we need in the Bill some restrictions on what otherwise appears to be an opened-ended commitment to extend leases of one of this country’s jewels in the crown—a jewel for all of us. Any implication that it could be diverted for commercial and residential property, as so many other properties around London have been converted in recent years, would undermine the objectives that the Minister and the Kew trustees have in promoting this Bill. I hope the Minister and his department will seriously consider putting that qualification in the Bill.

3.58 pm

Viscount Eccles (Con): My Lords, it is a pleasure to follow the noble Lord, Lord Whitty, and I agree with what he just said. Kew is a very complicated institution, and it is important that the focus is maintained. Without going into any more detail than this, there was a short period after the 1983 Act when Kew lost, to a certain extent, its focus. I would welcome a little more detail in the Bill.

I should declare an interest. Peter Walker took through the National Heritage Bill in 1983. I was lucky enough to be in the right place at the right time and became the first chairman of trustees—indeed, before the effective date referred to by my noble friend and successor Lord Selborne. I had three Ministers in my time at the non-departmental public body, described as “executive”, although we should always remember

[VISCOUNT ECCLES]

that the best description is a twisted arm's-length public body. There is always a regime, as has been referred to by my noble friend on the Front Bench, and how that regime works is very important both to Defra and to the board of trustees. Sometimes it works better than it does at others. The three Ministers, none of whom is in his place, were my noble friends Lord Jopling, Lord MacGregor and Lord Deben. That goes to show that, as we all love Kew and obviously they did too, it is a very good route to this House.

I also had the good fortune to spend a lot of time and energy, particularly after the storms which affected Kew and which some of your Lordships might remember, with Jean Trumpington. I know that I should refer to her as Lady Trumpington but we became "dear Jean" and "dear John". We had great fun together at Kew in pursuit of Kew's interests.

I had two directors. When I got there, Arthur Bell was the director. It has already been referred to but I will sum up his reaction. He said, "John, you need to remember that nobody told me that I would find myself responsible to a board of trustees". He took it in very good part. Arthur was a soil scientist. Nobody in the world who heard him give his lecture on the importance of the top nine inches of soil will ever forget it. He was a lovely man.

After Arthur, we were very lucky to recruit Iain Prance. Sir Ghillean, as he is now, came back from working at the New York Botanical Garden. At that time, Kew needed an exceptional director and in Iain Prance we found one. Iain would have appreciated this Bill if it gave Kew more commercial freedom. Indeed, in 1993 he said that the mission of Kew could be achieved only through the implementation of the income generation programme and it being both strong and effective.

Much reference has been made to the possibility of substitution—that is, as Kew gets more successful at raising money, maybe the grant will be affected—but, quite honestly, one can never know the answer to that. You have to remember that behind Defra lurks the Treasury, and the impact comes when you have events like those of 2008. It is a moment of truth when the nation's finances get into difficulty and you cannot be sure what will happen.

Iain Prance did a great deal for income generation. The friends' organisation and the foundation were formed during his directorship. Above all, the Millennium Seed Bank was very much part of Iain's vision for Kew and an outstanding example of his and his wife Anne's fundraising skills. If the noble Baroness, Lady Kramer, wants to look at the full story of how the admission charge to Kew has gone up, she should go to eBay and buy *In for a Penny*—a very good book about Kew. Through Iain's vision, much more than plants come into it—ecosystems, the environment and habitats are all strongly represented.

In his 1993 document—if it can be obtained from Kew then I strongly recommend it to your Lordships, as it is just as valid today as it was 25 years ago—Iain ends with the example of the calabash tree, its products and the Amazonian ecosystem which supports it. Those of you who have been to that part of the world will know that water containers are made from its fruit.

This tree needs bats and many ants, natural protection from predators, animals to disperse its seeds, and, of course, it has tremendous interaction with human beings; that is probably the most important point, which we have to take on board to a much greater extent than we have so far.

In terms of seeing Kew in the wider world of biodiversity and the control of man's impact on the environment, there may be a case for a larger Bill. However, in the meantime, I fully support the Bill before us.

4.06 pm

Lord Hodgson of Astley Abbotts (Con): My Lords, I am the 10th speaker on a two-clause Bill and am succeeding my noble friend Lord Eccles, who is a past chairman of the Royal Botanic Gardens. I am aware that I should not trespass on the House's kindness and generosity by reploughing ground that has already been extensively ploughed.

I am not a plantsman—I can just about distinguish a daisy from a buttercup—so my commenting on Kew's professional competence would be otiose, to say the least. As many noble Lords have said, Kew has a worldwide reputation for excellence. I am a strong believer in the virtues of soft power in the modern world, and as other noble Lords have pointed out, in any list of our soft power assets, Kew would be at the top. Indeed, in preparation for this debate, having printed off the annual report of Kew, I could not help but be impressed by the quality and detail of the engagement with the public and the encouragement of volunteering, so I have an instinctive sympathy with the Bill's strategic aim.

However, picking up a theme begun in earlier speeches, I want to be reassured that the plans envisaged in the Bill are properly thought through and have the appropriate checks and balances. I was extremely grateful to my noble friend for addressing this topic in some depth in his opening remarks, which, as an expert Minister, were as smooth as cream. One could not envisage circumstances in which any disagreement could possibly arise between the various authorities and powers involved with Kew.

As my noble friend explained, the Royal Botanic Gardens is a charity, but a charity with a difference: it is an exempt charity. It is worth the House being clear what this means. As a review of the Charities Act 2006 said:

"The exempt charities are those institutions that are comprised in Schedule 3 of the Charities Act 2011 ... They are institutions that are charities but which are exempted from registration with the Charity Commission ... They were granted this exemption because they were considered to be adequately supervised by another body or authority".

Confusingly, although in practice,

"exempt charities are bound by charity law and can access the tax breaks associated with charitable status, they are not required to"—

indeed, they are not permitted to—

"register with the Charity Commission, and so are not subject to the same reporting requirements as other charities (e.g. submission of accounts). It follows that, though the Charity Commission has ultimate responsibility for the regulation of the entire charity sector, it has little visibility over this large group":

the exempt charities, many of which have very significant assets—museums, higher education institutions, charitable and social housing projects and so on.

This is not the only confusion. To qualify as an exempt charity, a charity must have what is called a principal regulator. In the case of Kew that is Defra, under the supervision of my noble friend. That term “principal regulator” creates an unhelpful public perception of what the role entails. The legislation does not—I repeat, not—confer regulatory powers on the principal regulator, which in this case is Defra. It gives it the simple duty to promote charity law alongside its existing role. All the regulatory compliance and enforcement powers rest with the Charity Commission. So if my noble friend’s department were to believe that there had been charitable mismanagement at Kew, it could do absolutely nothing about it directly. All it could do would be to act as a traffic policeman and wave the case through to the Charity Commission for investigation, and enforcement if necessary. Your Lordships will see that this is a rather muddled situation with a confused regulatory hierarchy. As Clausewitz, the great military strategist, said, “Better a bad general than a divided command”. This is a divided command if ever I saw one.

When my noble friend comes to wind up, could he answer the following points? At the heart of the Bill is the encouragement of Kew to make better use of its property assets and general estate. Property is an issue of importance under charity law. Sections 117 to 128 of the Charities Act 2011 lay down controls on the use of land by a registered charity. Indeed, Section 117 is entitled, “Restrictions on dispositions of land: general”. First, is it intended that any actions taken under the provisions of the Bill will comply fully with the requirements of those sections of the Charities Act? Secondly, what organisation will actually grant the new leases envisaged by the Bill?

Perhaps I may refer your Lordships to the excellent briefing note produced by the Library, which says:

“The freeholds for the land and buildings used by RBG Kew have different ownership. The Board of Trustees only holds the title for the Wellcome Trust Millennium Building and adjacent land at Wakehurst Place (including Havelock Farm) ... The Crown owns the land and buildings at Kew, while the National Trust owns the freehold of the remaining land at Wakehurst Place”.

There therefore appear to be three possible landlords or lessors: the trustees of Kew, the Crown and/or the National Trust. If the leases are to be granted by the Crown, will the Crown itself be subject to charity law?

I then draw the House’s attention to the provisions of the National Heritage Act 1983. Here I start to work on the point raised by the noble Lord, Lord Whitty. It contains a whole section devoted specifically to the Royal Botanic Gardens, as several other noble Lords have pointed out, under Schedule 4 and Sections 23 to 29, particularly Section 24. A number of subsequent amendments may have overtaken my points and made them irrelevant, but I think these provisions are still outstanding. In Section 24, subsection (2) states:

“For those purposes the Board may, subject to the provisions of this Act - (a) enter into contracts and other agreements (including agreements for the Board’s occupation or management of land)”.

There is no mention of charity law. Subsection (3) says:

“Subject to the provisions of this Act, the Board may do such things as they think necessary or expedient ... (c) otherwise for the purposes of their functions”.

That is a very wide and permissive provision. Finally, subsection (5) says:

“If the Minister directs the Board to exercise functions specified in the direction in relation to land so specified, the Board shall exercise them on his behalf in such manner as he may from time to time direct”.

These are pretty wide powers and I am not clear how they are going to mesh with the provisions of the Charities Act 2011, with which the Royal Botanic Gardens at Kew should be complying, as an exempt charity.

Will my noble friend lay out in detail how his department will be supervising—riding herd—the execution of the plans provided for in the Bill? He kindly had a briefing meeting with noble Lords last week when I explained that my concerns flow from my experience with my house at Ludlow in Shropshire. The Forestry Commission proposed to give a commercial operator, Forest Holidays, the benefit of a 125-year lease. This arrangement was approved by Defra without either the commission or the department appearing to have any comprehension of the value of the concession they were granting. The noble Baroness, Lady Kramer, made this point. We surely do not want to risk this happening again.

In conclusion, as I said at the outset, I am not against the provisions of the Bill; nor do I attack the Royal Botanic Gardens at Kew in any way. However, I am for the charity sector, which is a great feature of our national life and engages the support of so many members of society. The sector has taken some blows to its reputation in recent years: tax avoidance, overaggressive fundraising, spectacular loss of financial control, malpractice of staff in charities working overseas and controversy over the level of executive salaries. Sadly, today’s *Times* carries an article headed, “Charities pay the price for a loss of trust”. Whenever there is trouble in the sector, any other parties who may have had some peripheral involvement in or responsibility for the particular transaction vanish like snow off a dyke. If there were to be trouble at Kew, I fear that the response of my noble friend’s department would be, “Nothing to do with us, gov. Call the Charity Commission. It is sorting it out”. I am anxious to minimise the chances of further blows to the sector’s reputation, hence my search for further reassurance on the regulatory aspects of the Bill, which, in principle, I support.

4.17 pm

Lord Wrigglesworth (LD): My Lords, I briefly rise to welcome and support the Bill. Unlike many noble Lords who have spoken in this debate, I am a relative newcomer to the world of Kew. That has arisen because of our good fortune in moving down to the London Borough of Richmond in recent years and becoming close neighbours—indeed friends—of Kew. As a member of the public who uses Kew Gardens with family and friends a great deal, I want to thank the staff and volunteers who make such a wonderful experience for thousands of visitors every week of the year. Although I know that there is a debate to be had about the

[LORD WRIGGLESWORTH]

balance between public and private funding, I have no doubt that the private funding efforts that Kew Gardens has made over recent years have attracted many members of the public who probably did not visit in previous years.

I entirely agree with my noble friend Lady Kramer about the cost of going in to the gardens, but, looking at the price of season tickets for football clubs, I would say that the cost of watching Chelsea or Crystal Palace is not uncomparable. But I would like to see much greater diversity among fellow visitors to the gardens; that clearly is an issue. My noble friend mentioned the Chihuly exhibition earlier, which I am going to later in the week, having been alerted to it by friends from California who are coming to stay with us in Richmond for a few days and have asked to go to Kew to see the exhibition.

All the other exhibitions and activities that go on there, such as Kew Sparkle at Christmas, draw in thousands of people. That obviously increases the revenue, which is the object of the exercise, but the staff and volunteers provide an enormously rich and wonderful experience for many young people; it is very much a family centre that people from all over the country and all over the world visit. So I simply want, on behalf of all those visitors, to say a great thank you to the people at Kew who provide such a wonderful experience for us, week in and week out throughout the year. I wish the Bill well. If it strengthens the position of Kew Gardens, many visitors such as myself will be delighted. So godspeed to the Bill and good luck to the Minister in pushing it through.

4.20 pm

Baroness Bakewell of Hardington Mandeville (LD):

My Lords, I too thank the noble Lord, Lord Gardiner, for his introduction to the Bill and for his time and that of his officials in their briefing. We have many experts in the Chamber who have been involved with and supported Kew Gardens over the years—the noble Earl, Lord Selborne, the noble Viscount, Lord Eccles, the noble Lords, Lord Holmes of Richmond and Lord Whitty, and many others. I am glad, like others, that the Government are taking the step of bringing forward this Bill to help secure the future of Kew.

As others have said, Kew is not only a national treasure, it rightly deserves its world heritage site status and it is held in very high regard around the world. Many far-flung countries have reason to be grateful to Kew for helping save and preserve some of their indigenous iconic plant species. Many noble Lords have praised the facilities provided at Kew, including the noble Baroness, Lady Warwick of Undercliffe, my noble friend Lady Kramer and others. I do not think that I have ever taken part in a debate on such a short Bill before, and I am unlikely to do so again—but, despite its brevity, the Bill has very important implications for the future of Kew. If we are to accept at face value the purpose of the Bill, as I do, it will help to secure the financial future of Kew, allowing the trustees to raise money through long-term leases on properties on the periphery of the estate. This should ensure that scientific work continues apace at the gardens.

This does, of course, have implications for the gardens. We have heard this afternoon from my noble friend Lady Kramer about the pressure that fundraising

in this way may put on Kew, and from the noble Lord, Lord Carrington, about how this will proceed. The noble Baroness, Lady Byford, said that we had to be very careful about the financial implications and the likelihood of continued funding from Defra. There is also the issue of the existing exemptions from the Charity Commission, which the noble Lord, Lord Hodgson, so eloquently set out. It will be down to the trustees and the Secretary of State to ensure that any future long-term leases restrict the scale, style and type of any development, so that it enhances the natural environment of the gardens rather than detracting from it. I was reassured by the Minister's comments in his introduction on this aspect. I was also very interested in the comments of the noble Lord, Lord Whitty, about adding a clause to safeguard Kew's ethos and focus.

It is very important that the trustees should have sufficient financial resources to plan ahead and carry out the enormously beneficial work that currently takes place under their auspices. On the subject of resources, I believe that the figure of £40 million of possible revenue quoted in the House of Lords Library briefing is somewhat off the mark and that £15 million is likely to be closer. However, in addition to cash coming in from longer leases, benefit will accrue from not having to maintain buildings newly leased to others. This will provide savings that can be diverted to other, more innovative work.

We heard from my noble friend Lady Kramer and others about the high entrance fees. They are prohibitive for those on fixed incomes and those from ethnic backgrounds, and this is extremely worrying. Perhaps it is something that the Kew trustees could look at.

It is important to keep a perspective on this issue. The work that Kew has done over the last two centuries is enormous, from the growing of seedlings to be introduced to Sri Lanka and Malaysia to become their rubber industries, to the preservation of the oldest pot plant in the world, which arrived at Kew in 1775 and is still going strong. Would that I had such success with pot plants, which are not one of my strong points. Kew also works on combating pests and diseases, which we have heard about. In one case in 1950, the banana was decimated; it was virtually wiped out by a single fungus. So protecting plants that are a key food source is extremely important.

Many plants also have medicinal qualities. Research into their curative properties is essential in our current world. The survival of many species of both plant and tree has often been down solely to the work done at Kew, including that of the ginkgo biloba—I am not sure that I pronounced that right—which was widespread during the time of the dinosaurs, 180 million to 200 million years ago.

Unlike other noble Lords in this House, I have visited Kew Gardens only once, some four years ago, and I am envious of noble Lords who live closer to Kew and are able to visit much more often; I sympathise with the noble Baroness, Lady Byford. Progressing along the raised walkways gives a fascinating view of the breadth and scope of the gardens. It is not only a place of scientific research, growth and preservation but a wonderful family attraction and educational

resource that is second to none. In June, three American nephews and a niece of my husband will visit England for the first time; they want to “do” England in a fortnight. I am compiling a list of what they will want to see when they are here, and Kew Gardens is definitely on that list.

We have much to be thankful for in the survival of Kew. The Bill is a positive step in the right direction in helping the trustees to fulfil their duty to preserve this rare world heritage site for future generations, and I fully support it.

4.27 pm

Baroness Jones of Whitchurch (Lab): My Lords, I thank the Minister for setting out the purpose of this small but significant Bill so clearly. While I do not have any interests to declare, and I certainly cannot claim to have any family connections on the scale of my noble friend Lord Whitty, I have a particular interest in Kew’s future well-being, as I held my wedding reception there many moons ago, and a lovely event it was too.

We on these Benches support the Bill. We accept the argument that long leases would make the properties on the Kew Gardens estate more commercially attractive, and we understand the imperative to generate more income to support Kew’s world-class scientific research and historic landscape and buildings, of which people are quite rightly very proud, as we have heard from around the Chamber today. Its status as a UNESCO world heritage site is richly deserved and must be consolidated at all costs. However, it is important that, during the progress of the Bill, we can be reassured that the powers to extend leases and to encourage greater commercial investments and partnerships will be carried out with extreme sensitivity and care. It is absolutely vital that the core ethos and the inspiration of the gardens are not overshadowed by commercial exploitation, particularly one that in the future might become controversial. As noble Lords have said, the Bill gives the Secretary of State considerable powers to expand the commercial activities across the estate. We have talked about the Bill being short, but in those two short clauses there are considerable powers for the Secretary of State and, within that, concerns have quite rightly been addressed.

When we met with the Minister and the representatives of Kew before this debate—I thank him for arranging that—it was explained that the initial objectives would be to extend the leases on the seven residential properties on the border of the gardens overlooking Kew Green. As we have heard from the noble Baroness, Lady Bakewell, the revised estimate of the extra resources from doing so is around £15 million, although earlier documents quoted the figure of £40 million, so it would be helpful if the Minister could clarify the current estimates for the additional income envisaged.

In addition to those seven properties, there are another 40 or more buildings on the site, and we need to be clear about the longer-term impact of releasing some of those properties. I agree with the noble Lord, Lord Carrington, that detail about the property portfolio and the potential longer-term implications for finance would be useful. Perhaps the Minister could take that matter away.

I do not suggest that the Palm House or the Temperate House would be used commercially, but other, less fundamental, less core buildings might be ripe for income generation in future, and it is important that we look ahead and have a sense of what the future challenges and opportunities from other buildings on the site might be. Can the Minister confirm that longer leases are being considered for other properties on the estate in future? Does he recognise that, as the Bill is framed, it would give the relevant Minister power to allow that?

The Explanatory Notes state that:

“Incomes from the change will depend on further development of Kew’s Estates Strategy and third party partnerships”.

Is the estates strategy a document in the public domain because, if it is, it would be useful to have a copy? What type of third-party partnerships are envisaged? It would be helpful to your Lordships to have further detail of what is meant by that phrase.

Does part of the strategy include attracting more foreign investors? For example, Kew has previously accepted money from the Sackler family for the Sackler bridge. Is it now the policy no longer to accept money from the family, in line with the policy adopted by the Tate and others, and might that have a further adverse impact on foreign income? Any clarification the Minister can give on that would be welcome.

We know that many of these decisions are not made lightly but are driven by the necessity to balance the books, so difficult choices are forced on the trustees and others. My guess is that the trustees would not be coming forward with this suggestion if they did not feel acutely the need to generate income forced on them by cuts in other areas. I have no doubt that the proposals are driven by financial necessity, in part forced on Kew by cuts in grants from Defra.

In 1983, 90% of Kew’s funding came from the Government but, as we have heard, in 2018 its income will be £111 million, of which only £40 million will be grant in aid from Defra, which is less than 37%. Kew has done great work in making up that shortfall by visitor income—we have heard about some of the implications of increasing visitor prices—commercial activities and other charitable giving, including some large philanthropic donations. Nevertheless, as my noble friend Lady Warwick pointed out, over the years, there have been a number of reports about financial concerns about Kew, forcing it to make difficult choices about job cuts and where maintenance, repair and other investment is made. As we heard, in 2015 a House of Commons Science and Technology Select Committee warned that cuts in government funding were placing Kew’s world-class scientific status at risk.

As several noble Lords have stressed, we need to be assured that the Bill will not be used by the Government to further cut the grant to Kew if its income from other sources increases as a result of the lease extensions. I agree with my noble friend Lord Whitty that the purpose of any income from the extensions should be solely to provide investment in projects compatible with Kew’s core objectives and enhance Kew’s status as a UNESCO world heritage site. Can the Minister confirm that this will be the case? Can he guarantee that the Government will not use the Bill as an excuse

[BARONESS JONES OF WHITCHURCH]

to shift further the burden of cost on to Kew rather than the Treasury? Can he clarify in more detail the precise powers of all those involved in the oversight of any redevelopment proposals on the site? Apart from the Kew trustees, Defra and the local planning departments, might other organisations, such as English Heritage, be consulted? Would UNESCO have a role in overseeing any changes in use, given that they might have an impact on Kew's world heritage status? Can the Minister clarify whether any covenants on the land to be redeveloped might be a barrier to remedial work taking place?

Finally, and specifically, I understand that five of the seven properties already identified for extended leases are currently let. Have the tenants been consulted about these proposals? Is it expected that their rents will increase immediately after the property leases are extended? Although the Bill allows for leases of up to 150 years, is it envisaged that leases of variable lengths might be established? For example, will there be break clauses? Most importantly, what will the content of the leases be and what steps can be taken to remove leaseholders whose activities are no longer in keeping with the environmental principles that underpin Kew's ethos? In future, a catering outlet may have a lease but may no longer produce food in keeping with the ethos promoted by Kew in other areas—for example, regarding biosecurity and the encouragement of plant development; there are other examples of that. We may provide a lease in good faith but then find that the leaseholder's ethos and our ethos go off in separate directions. I am keen to know how that would be handled once the leases have been agreed. I look forward to the Minister's response on these issues and to pursuing them with other noble Lords in the Bill's stages to come.

4.36 pm

Lord Gardiner of Kimble: My Lords, the debate has been exceptional. The truth is that we all love Kew but we also admire and respect it. I was interested to hear about the family connection of the noble Lord, Lord Whitty. We in this country should be immensely proud of such provenance.

My noble friend Lord Hodgson mentioned soft power. At the last CHOGM, which was held in this country, I was tremendously proud when, while the leaders were deliberating other matters, Kew arranged for the spouses of the leaders of the Commonwealth countries to be shown a plant from every Commonwealth country. What is a better example of soft power? Richard Deverell, the director, was not with us for last week's briefing meeting, to which noble Lords were invited, because he was busy in China. Kew has a global reach, whether in Madagascar, China, vulnerable parts of the world or Wakehurst. I should say immediately that the Bill is not at all related to Wakehurst, which is owned by the National Trust; this is about the Crown land at Kew.

As I said, Kew Gardens is one of the world's most iconic—I would say the most iconic—botanical gardens. Yes, it is home to beautiful grounds and historical buildings but, as I deliberately said, I am very proud of the fact that we have the largest number of scientists at Kew that there has ever been. The noble Baroness, Lady Jones of Whitchurch, referred to cuts. As my

noble friend Lord Eccles, said, at times of national difficulty, all institutions and departments must play their part. However, the fact is that there are now more scientists at Kew than there have ever been; it was very generous and quite right of the noble Lord, Lord Wrigglesworth, to refer to the staff and volunteers too. The esprit de corps among the staff is tangible, as it is among the volunteers. Not only do visitors benefit from that, but I know how much volunteers enjoy working at Kew.

A number of points have been made, quite rightly. I am happy to email a copy of the Kew strategy to 2020-21 to noble Lords who have participated in the debate. It is entitled *Unlocking Why Plants and Fungi Matter*. The noble Baronesses, Lady Warwick of Undercliffe and Lady Kramer, specifically asked about it, but I think that the document is useful to us all. This is what it says about creating the world's leading botanic gardens:

“We want our botanic gardens to be a reason for people to visit the UK and for British residents to make the journey across the country”—

I rather think that that may be from Somerset and Leicestershire for my noble friends. It goes on:

“We want our visitors to be representative of society and will positively act to ensure there are opportunities for a greater diversity of people to be drawn into our gardens”.

Several noble Lords referred to the next generation. The new children's garden at Kew is going to be a fascinating place for play and learning. We very much want all members of the community both locally and beyond to feel that Kew is their place too.

The noble Baronesses, Lady Warwick, Lady Kramer and Lady Jones of Whitchurch, asked about the funding. It is the intention that the proceeds which result from this Bill should provide an additional source of income for Kew. The latest spending review settlement extends to 2019-20. The noble Lord, Lord Carrington, and my noble friend Lady Byford referred to income. While the full scale of the benefits have not been fully market-tested, depending on options and planning decisions, the advice from Kew is that they would be likely to generate up to £15 million of income and cost avoidance, along with the chance to explore further opportunities as the result of this legislation. Kew intends to invest the income in infrastructure, enabling it to deliver its mission.

The noble Lord, Lord Carrington, and the noble Baroness, Lady Jones of Whitchurch, referred to the group of non-core estate properties that Kew wishes to attend to. As has been said, there are four houses and three flats on the edge of the site, mainly on Kew Green. The five properties are currently let on one-year leases following renovation work which has been partly funded by a loan. Two properties are unoccupied and require substantial renovation work to bring them up to a habitable condition. This is about ensuring that non-core property can be attended to and for the income then to go towards enhancing infrastructure and the core properties, which is what the Kew trustees wish to attend to. Kew will focus on this portfolio of properties in the first instance, in particular the two unoccupied properties. I am sure that there will be other opportunities.

In my opening remarks I deliberately emphasised that if there is a parcel of land in this country with more safety valves and oversight, I do not know it. Kew has all the designations in terms of conservation, local planning, its UNESCO site status and grade 1 listings. The land is overseen by a board of trustees along with the Secretary of State and, indeed, there is a memorandum of understanding between Defra and the Charity Commission. When reflecting on this candidly with officials, I could not think of a place that has more protections. I would be very interested—as a matter of scientific or nerdy interest—in whether any other parcel of land has the protections that we have quite rightly placed on this one.

In earlier documentation, reference was made to a £40 million; that was in 2015. On further reflection, Kew has looked at this realistically, with the residential properties in mind and the considerable cost of the two unoccupied properties, and realised that the majority of this benefit will be over the first 10 years via capital receipts and cost avoidance—although there may be ongoing revenue impacts over the 150-year period, if a lease were to be granted up to that period. As I said in my opening remarks, this legislation enables exactly the same protections whether it is up to 31 years or 150 years. I say to the noble Baroness, Lady Jones of Whitchurch, that the trustees and the Secretary of State will not permit unsuitable use of these properties—and I use the word “unsuitable” perhaps advisedly. I put on record that there is absolutely no intention of that. This is about a benefit to Kew; it is not about detracting from its reputation. It is about enabling these buildings, in particular the non-core estate, to be habitable—as is the case for two of the buildings—or in a much better condition than they are now.

A number of your Lordships, specifically my noble friend Lady Byford, asked about the proportions of income: 36% is from Defra grants; 26% is visitor and commercial income; and 38% is from private grants and donations. Having been responsible for Kew since 2016, my experience is that, four-square, the mixed-funding model has worked extremely well. By way of an example, Kew’s herbaceous borders—probably the longest in the world—were opened with Defra paying for the attractive gravel tarmac and a very generous philanthropist paying for the border. I do not expect the philanthropist was very keen on the tarmac, but they were engaged with the longest herbaceous border in the world. I do not resile from the fact that the mixed-funding model is absolutely right. The mixture of state funding from Defra, commercial income from non-core property and visitor centre engagement, and philanthropy and so forth is appropriate. My experience of going to Kew a great deal is that it embraces ever more people in its work; whether it is a large or small donation, far more people are embraced. The local residents of Kew, and their regard for its importance, are a key component of that.

A number of other issues were raised. My noble friend Lady Byford mentioned the importation of pests, and the noble Baroness, Lady Kramer, talked about oak processionary moth. I could not regret more the loose connection some years ago of a tree coming from the continent with oak processionary moth. We are using every endeavour to restrain the spread within Greater

London and a part of Surrey. We are holding the line with it deliberately, pending research and work. I do not know about previous occasions, but there is active collaboration in Richmond and with the Royal Parks. I spent a day there and saw a tree with 60 nests being removed. The success of this wretched caterpillar and moth is phenomenal, and we need to do all we can about it. Kew is absolutely clear about that, as is RHS Wisley; there is great ongoing collaboration on that. Of course, the research that Kew undertakes on many of these issues is also vital, such as for the fungal disease in ash trees that we have heard about.

The noble Lord, Lord Whitty, and my noble friends Lady Byford and Lord Hodgson raised issues about the decision-making on the granting of leases. The legislation will enable the Secretary of State to grant longer leases on the land at Kew Gardens. The Secretary of State will not grant a lease without the recommendation of the Kew trustees, who will always consider the options in the light of their duty to deliver their mission and statutory duties best. The Kew trustees will of course retain the power to grant leases of up to a year if they so choose.

I just want to re-emphasise to the noble Lord, Lord Whitty, who queried whether the changes could in any way endanger Kew’s world heritage site status, that any proposals for new build or changes to buildings or their use, including the wider estate, will continue to be subject to rigorous review and to the highly restrictive planning requirements of a UNESCO world heritage site. There are rigorous planning consents required for developments at Kew Gardens. Kew is in the process of updating its world heritage site management plan, which will be approved by UNESCO, with the firm intention of maintaining world heritage site status into the future. By generating income from its estate, Kew’s plans will help enable it to achieve its core objectives as well as retention of UNESCO world heritage site status.

I will look in *Hansard* at the specific points on the charity matters that my noble friend Lord Hodgson referred to. As the principal regulator, the Secretary of State has a duty to take reasonable steps to ensure that Kew is complying with its duty under charity law. The Secretary of State has a relationship with the Charity Commission as set out in the Defra-Charity Commission memorandum of understanding. For a body to be a charity, it must exist for its charitable purpose for the public benefit only and therefore must demonstrate independence from any forces that might seek to prevent it doing so. The Charity Commission’s review of the register reports that, where a governmental authority has been given powers under a charity’s governing document—in this instance, the National Heritage Act—it is bound to exercise those powers solely in the interests of the charity, and therefore the Secretary of State cannot exercise that power for the Government’s own benefit. I should also say that I have studied the memorandum of understanding, and I am very happy to discuss that issue with my noble friend if he wishes.

My noble friend Lord Eccles referred rightly to biodiversity. Our forthcoming environment Bill will help us meet our ambitions, which surely must be right in these current times, that we leave the environment in

[LORD GARDINER OF KIMBLE]
 a better state than the one in which we found it—of course, we have a lot of work to do to secure that. We have also committed to working with partners at home and abroad to build support for an ambitious post-2020 global biodiversity framework, putting greater emphasis on the vital role that our natural environment plays in improving our well-being and economic prosperity. I mention that, as did my noble friend, because Kew has an enormous locus in this matter.

Like the noble Baroness, Lady Warwick of Undercliffe, I think that the Hive is an extraordinary experience. It came from the Milan Expo, and we fought quite hard, really, to get it to Kew, which seems such an appropriate place for it—it was Wolfgang Buttress who created this extraordinary place. For any of your Lordships who have not seen the Hive, I should say that it attracts not only children but an enormous number of adults, too. I think the children aspect is really important. The noble Baroness, Lady Kramer, also mentioned the children's area. I agree, and that is why I opened my remarks with that. I assure your Lordships that Kew is fully seized with the need to ensure that ever more people, with a greater diversity of background and interest, can see that Kew is the answer to a lot of our travails.

To my noble friend Lord Selborne who took us back to Joseph Banks and the rows of earlier days, I say that we are extremely fortunate in Richard Deverell and his executive team; they are so well regarded around the world. With reference to the UN, I am pleased to say that this could not be a more timely affair.

My noble friend Lord Holmes referenced the five Olympic rings and I have mentioned CHOGM, which is extremely proud-making. My noble friend Lady Byford referred to international students; I have met many students there from overseas, which is also immensely important. The noble Baroness, Lady Jones of Whitchurch, referred to restrictions placed on Kew as a result, in effect, of it being listed as a world heritage site. Listing as a world heritage Site sets certain obligations rather than additional restrictions. It is within that prism that Kew is on the list. The local planning authority, advised by Historic England, is responsible for deciding whether a proposed development should go ahead. As I said, Kew is located in conservation areas, about which there have been various references; I will write to noble Lords more fully on that as my time is sadly reaching an end.

The current donor engagement strategy is guided by an organisational ethical position and third-party engagement policy. Kew looks at major funding opportunities on a case-by-case basis while, clearly, considering financial, legal, ethical and reputational factors. The estate strategy is not in the public domain but I would be very happy to discuss it with any of your Lordships who feel that would be helpful, and to offer any appropriate reassurances.

Many points have been made. I believe this Bill—and the need for us to extend the licences—is appropriate, not only to deal with a non-core estate when there are many demands on the core estate, but also as a way of generating income to do the important work that Kew undertakes for us. I am sure that we will discuss these matters at further stages. I am hoping for a speedy passage,

as your Lordships can imagine, as I think this Bill is worthy of that. In the meantime I would be extremely grateful if your Lordships would consider giving the Bill a Second Reading.

Bill read a second time and committed to a Committee of the Whole House.

**Financial Services (Miscellaneous)
 (Amendment) (EU Exit) (No. 2)
 Regulations 2019**
Motion to Approve

4.58 pm

Moved by Lord Young of Cookham

That the draft Regulations laid before the House on 3 April be approved.

Lord Young of Cookham (Con): My Lords, the Treasury has been undertaking a programme of legislation, through SIs introduced under the EU withdrawal Act, to ensure that, if the UK leaves the EU without a deal or an implementation period, there continues to be a functioning legislative and regulatory regime for financial services in the UK.

The SIs made before 29 March covered all the essential legislative changes that needed to be in law by exit to ensure a safe and operable regime at the point of exit. While the deficiency fixes covered in this SI are important, it was not essential for them to be in law at exit, as long as they could be made shortly after. This SI will help ensure that the UK regulatory regime continues to be prepared for withdrawal from the EU. The approach taken in this SI aligns with that of previous SIs laid under the EU (Withdrawal) Act, providing continuity by maintaining existing legislation at the point of exit, but amending where necessary to ensure that it works effectively in a no-deal context.

This SI has four components. First, an important aspect of our no-deal preparations is the “temporary permissions regime”, which enables EEA firms operating in the UK via a financial services passport to continue their activities in the UK for a limited period after exit day, allowing them to obtain UK authorisation and complete any necessary restructuring. We also introduced a run-off mechanism via the Financial Services Contracts (Transitional and Saving Provision) (EU Exit) Regulations 2019, made on 28 February, for EEA firms that do not enter the temporary permissions regime or that leave the regime without full UK authorisation.

This SI does not amend the design of these regimes but introduces an additional safeguard for UK customers of firms that will enter run-off. Specifically, it adds an obligation on firms that enter the contractual run-off regime—part of the run-off mechanism established by the Financial Services Contracts Regulations—to inform their UK customers of their status as an exempt firm and of any changes to consumer protection. This ensures that EEA providers must inform their UK customers if, for example, there are changes to consumer protection legislation in the firm's home state or in the EEA that affect UK customers. Part 3 of this SI introduces similar obligations for electronic money and payment services firms in the contractual run-off.

The second component of this instrument concerns the post-exit approach to supervision of financial conglomerates. An EU exit instrument fixing deficiencies in the UK's implementation of the financial conglomerates directive was made on 14 November last year. As part of the EU exit instrument made on 22 March this year, which makes amendments to the Financial Services and Markets Act, Parliament approved a temporary transitional power giving UK regulators the flexibility to phase in regulatory changes introduced by EU exit legislation. As part of work to apply this power, the regulators proposed that, in certain circumstances, changes to the supervision of financial conglomerates should be delayed in order to give affected firms time to reach compliance in an orderly way. To achieve this, a transitional arrangement needs to be introduced to the FiCOD regulations in respect of the obligations on the regulators to supervise financial conglomerates.

The Treasury and the regulators engaged with industry on the temporary regimes and on the approach to phasing in onshoring regulatory changes in order to minimise disruption for firms. TheCityUK, with representation from a number of different trade associations and law firms, expressed support for the approach to transitional arrangements, describing them as “prudent and pragmatic”.

Thirdly, this SI makes a clarificatory amendment to the Electronic Money, Payment Services and Payment Systems (Amendment and Transitional Provisions) (EU Exit) Regulations 2018. Here, the drafting approach resulted in the FCA having only the implicit power to cancel the temporary deemed registration or authorisation of an EEA-authorised payment institution or EEA-registered account information service provider that is providing account information services, which lacked the insurance cover currently applicable to EEA passporting firms conducting this activity. This instrument makes this cancellation criterion explicit.

Finally, this instrument makes corrections to earlier EU exit SIs. All the legislation laid under the EU (Withdrawal) Act has gone through the normal rigorous checking procedures. However, as with any legislation, errors are made from time to time and it is important that they are corrected.

Certain provisions in the Financial Services Contracts Regulations 2019 relating to the run-off regimes incorrectly referred to “EEA fund managers”. These references are now removed, as EEA fund managers will not be able to make use of these regimes. In the Long-term Investment Funds (Amendment) (EU Exit) Regulations 2019, made on 20 February, references to “European long-term investment funds” were not fully replaced with the term that will be used for UK-only funds. In the Capital Requirements (Amendment) (EU Exit) Regulations 2018, made on 19 December last year, a redundant paragraph on EU member state flexibility in the liquidity coverage delegated regulation was not deleted as it should have been. This SI corrects these drafting errors.

As I explained in my opening remarks, it was not essential for the additional measures and corrections covered by this instrument to be in law by the original exit day of 29 March, and that is why this instrument has not been considered by your Lordships earlier. Now that the Article 50 process has been extended for six months, we can ensure that these provisions are in

place and that the UK's regulatory regime will continue to be prepared for withdrawal from the EU in all scenarios. I hope that noble Lords will join me in supporting these regulations. I beg to move.

Baroness Kramer (LD): My Lords, I am so glad I did not have to write the content of this SI; it was hard enough trying to work one's way through it when simply reading it. It is obviously the result of a combination of “Oops!” and communication with customers. I see absolutely no reason to oppose it. If anything, this underscores the complexity of trying to make arrangements for dealing with a no-deal scenario. I hope we never have to use it, because we would run into more “Oops!” if we ever found ourselves in that situation. I hope the Treasury is going ahead with a mapping exercise to try to link this all together, because how anybody who functions in the industry can ever work their way through all this is completely beyond me. Frankly, if you ever needed an argument for remaining, it seems that this alone provides it.

Lord Tunncliffe (Lab): My Lords, this is one of many no-deal SIs on which I have been forced to represent Her Majesty's Opposition from the Front Bench—a pretty unattractive pastime. The principal reason for this is the fact that most of these SIs amend an SI that amends an SI that amends an Act that is many years old, which makes it fundamentally difficult to understand them. When one has put all the intellectual effort into understanding the so-called no-deal SI, one then discovers that the actual substance of the SI is frequently merely technical or consequential.

I found that this SI, and particularly its Explanatory Memorandum, really won the prize for being the most difficult to understand yet. In my frustration, I thought I would find out to what standard an Explanatory Memorandum should be created. I had the inspiration to go along to the Secondary Legislation Scrutiny Committee offices to seek guidance. I was once on that committee when it had a much grander title, the Merits Committee, and the staff there were always helpful and competent. I asked, “What is the guidance on the creation of SIs?” They said there were two pieces of guidance: that given by the committee itself and the Government's guidance, which—for reasons I do not understand—is actually issued by the National Archives. The guidance from the committee itself is some 17 pages long. The latest version is from July 2016. Its objectives are caught in one particular paragraph:

“The purpose of the EM is to provide members of Parliament and the public with a plain English, free-standing, explanation of the effect of the instrument and why it is necessary. It is not meant for lawyers, but to help people who may know nothing about the subject quickly to gain an understanding of the SI's intent and purpose. Legal explanations of the changes are already given in the Explanatory Note which form part of the actual instrument”.

The latest government guidance from the National Archives, the fifth edition on statutory instruments, dated 27 November, states at paragraph 2.9.2:

“The purpose of an EM is to provide the public with an easy-to-understand explanation of the legislation's intent and purpose—why the legislation is necessary. Avoid repeating content you have included in the Explanatory Note. Your explanation should be concise but comprehensive, and should not generally exceed four to six pages. Use plain English and avoid ... jargon”.

I put it to noble Lords that this document fails.

[LORD TUNNICLIFFE]

I then turned to the EM itself, which at paragraph 15.2 states:

“Katie Fisher, Deputy Director for Financial Services EU Exit Domestic Preparation at HM Treasury, can confirm that this Explanatory Memorandum meets the required standard”. She is wrong. It does not.

However, in my frustration, I rang the number given at paragraph 15.1 to try to understand a little more and my conversation resulted in an email from Richard Lowe-Lauri. At long last, after much toil, I feel that I do largely understand the Explanatory Memorandum, as prompted and helped by that useful email. What did I find? I found at the end of this exciting process that the issues tackled in this SI are technical, consequential or merely corrective. Therefore, I have nothing to object to, except for one very minor question about paragraph 2.4, the last sentence, which happens to be about five lines long. It states:

“It also inserts provisions into other temporary regimes, allowing EEA financial services firms to continue to service existing contracts with their UK customers post-exit, and mitigating risks faced by UK firms using services provided by non-UK central counterparties and trade repositories”.

I could not find anywhere how and what the risks were that we were mitigating and how they were being mitigated. Otherwise, I have no objection to the SI.

Lord Young of Cookham: My Lords, I am grateful to both noble Lords who have taken part in this debate. I agree with the noble Baroness, Lady Kramer. I do not want a no-deal scenario any more than she does. The Explanatory Memorandum at paragraph 7.2 explains all that we are doing to move away from no deal by seeking a,

“deep and special future partnership with the EU ... greater in scope and ambition than any such agreement before and”, that encompasses “financial services”.

Lord Tunncliffe: On that point, the Minister should realise that that paragraph has been repeated 65 times, so we all know it well.

Lord Young of Cookham: That is why I knew exactly where to find it. I am sure that the noble Lord had no difficulty with that particular paragraph as he has had an opportunity to reflect on it many times. But I am grateful to the noble Baroness, Lady Kramer, for her broad support for the SI before us.

I note from the noble Lord, Lord Tunncliffe, that we have tested his patience. He made that abundantly clear and he has awarded the wooden spoon to this particular Explanatory Memorandum. If he ever wants a different job, perhaps he could be recruited to draft Explanatory Memorandums for the Government. He clearly has high standards, and he is capable of turning the documents in front of him into something which he understands, which is a valuable skill.

I shall deal with the specific point he raised about paragraph 2.4 of the Explanatory Memorandum. The Financial Service Contracts (Transitional and Saving Provision) (EU Exit) Regulations 2019 inserted provisions into the Central Counterparties (Amendment, etc., and Transitional Provision) (EU Exit) Regulations 2018 and the Trade Repositories (Amendment and Transitional Provision) (EU Exit) Regulations 2018; I hope the noble Lord is still with me. These amendments established

a run-off regime for central counterparties, allowing UK firms time to wind down relevant contracts and business with non-UK CCPs in an orderly manner. They also established a run-off regime for trade repositories giving UK firms time to make alternative arrangements with another registered or recognised TR to satisfy the reporting obligations set out in the European Market Infrastructure Regulation—EMIR. In a nutshell, without these run-off provisions, UK firms would face cliff-edge risks, and that is the risk that we seek to mitigate, including disruption to services from non-UK CCPs and TRs introducing operational, legal and stability risks. I hope I have dealt with that point.

On the noble Lord’s valid final point—that an Explanatory Memorandum should be a stand-alone document which is readily understood—the Treasury has endeavoured to ensure that all its Explanatory Memoranda provide a full and clear explanation of how and why each exit instrument laid under the Act is intended to operate, so that we can scrutinise the legislation as effectively as possible. However, in the light of his comments, we will have another look at this Explanatory Memorandum and consider whether the document should be revised and relaid to ensure that its explanations are as clear as possible.

Motion agreed.

Severe Disability Premium: Transfer to Universal Credit

Statement

5.16 pm

The Parliamentary Under-Secretary of State, Department for Work and Pensions (Baroness Buscombe) (Con): My Lords, with the leave of the House, I shall now repeat in the form of a Statement the Answer given by my honourable friend the Minister for Disabled People, Health and Work to an Urgent Question in another place on the transfer of the severe disability premium to universal credit. The Statement is as follows:

“Universal credit is the biggest change of the welfare system since it was created. It is a modern, flexible, personalised benefit reflecting the rapidly changing world of work. When designing universal credit, a choice was made not to replicate every aspect of the disability provision in the legacy system. However, I want to make it very clear that our intention was that no money from this area would be taken out of the system. Universal credit was therefore designed with all the money from the old disability premiums recycled to target support for the most severely disabled.

Disabled people are some of the biggest beneficiaries of universal credit, with around 1 million disabled households having on average around £100 a month more on universal credit than they would have had on the legacy benefits. On Friday, the High Court handed down a judgment in relation to universal credit and the severe disability premium. The severe disability premium—SDP—is an additional premium payable with mean-tested benefits such as ESA. Universal credit is more targeted and support is focused on those who need it most. Transitional protection will be available for people who are moved on to universal credit from other benefits, provided their circumstances stay the same.

We are pleased that the court recognises that it is for Ministers to frame the appropriate transitional arrangements for moving claimants on to universal credit, and we will consider all our options. This Government are committed to delivering a welfare system that supports disabled people”.

5.18 pm

Lord McKenzie of Luton (Lab): My Lords, I thank the Minister for repeating the Answer to the Urgent Question. On their flagship social security policy, the Government have yet again found themselves before the courts, subject to a judgment of illegality, and mired in complexity.

As we have heard, on 7 June last year the Government pledged that severe disability premium claimants would no longer have to transfer to universal credit until managed migration started. Yet for months afterwards, they were still required to do this until the Government finally introduced the statutory instrument that came into force on 16 January. In the interim, because the severe disability premium does not exist in universal credit, in transferring they have lost about £180 per month. The Government plan to pay them only £80 a month in compensation, but if they were to move under managed migration, transitional protection would cover the full amount. Little wonder the High Court said in its damning judgment on Friday that this had no logical foundation. Payments to former SDP claimants are part of the regulations for the managed migration pilot but the Government have still not scheduled those for debate, so no payments at all have been made.

Will the Government ensure that the payments to former SDP claimants who have transferred to universal credit fully reflect the loss that they have suffered? From what the Minister said in her introduction, I am not sure that that is the commitment that the Government are making. Also, what assessment have they made of the hardship that claimants might have suffered as a result of this loss of income and, in particular, of the impact on their children, who have had to take on additional care responsibilities as a result of their family’s loss of income?

Baroness Buscombe: My Lords, as I have already said, Ministers are considering the judgment in detail and will make a decision about their response in due course. When designing universal credit, it was important to provide a simpler system, and a conscious choice was made not to replicate every aspect of disability provision in the legacy system, which contains seven different disability payments. These are difficult to deliver and prone to error, and they can be confusing for claimants. Therefore, we are replacing those seven complex and overlapping disability benefits.

Under the legacy benefit system, 500,000 disabled people did not claim what they were entitled to. Therefore, in terms of families losing out, about £2.4 billion of benefits went unclaimed in the legacy system as a whole. We have now moved to a much fairer system. For example, the rate per month under UC for claimants determined as having limited capability for work and work-related activity is more than twice the amount payable through the equivalent support group component of ESA. Under universal credit, it is now £336.20 per

month per household, compared with £167.05 per month through the equivalent ESA support group. This means that around 1 million disabled households will gain an average of £100 more per month on universal credit than on legacy benefits.

Baroness Thomas of Winchester (LD): My Lords, I thank the Minister for repeating the Answer. She said that the Government are considering their options and whether the regulations will have to be rewritten. What about the 10,000 people who are still waiting for the lump-sum payments that they were promised? They will have to wait much longer unless the Government separate the payment regulations from the rest of the managed migration pilot regulations so that the lump-sum payment can be made as soon as possible. Being disabled is very expensive and I expect that people have racked up quite a lot of debt because of this problem. Will the Government undertake a thorough process of evaluation of the effect of universal credit on disabled people?

Baroness Buscombe: My Lords, I make it clear that current severe disability premium claimants will receive transitional protection as part of the managed migration process. We now have transitional payments in place for severe disability premium claimants who have moved on to universal credit. As the noble Baroness well knows, we are now spending over £50 billion a year on benefits to support disabled people and those with health conditions, which is over £4 billion more than in 2010. We continue to evaluate the impact of our policies on this system. As the lead Minister for research at the Department for Work and Pensions, I am very clear that we make it our business to evaluate all the policies that we put in place.

Baroness Lister of Burtsett (Lab): My Lords, the Minister said that transitional protection will be available for people moved on to universal credit from other benefits, provided their circumstances stay the same. However, surely natural migration occurs only where circumstances change—sometimes very trivially. As a result, many people are a lot worse off, because they have been transferred on to universal credit, despite the Government’s original claim that nobody would be worse off under universal credit. Will the Government look again at natural migration and pause it to see what can be done to provide transitional protection for this group, who are just being forgotten about?

Baroness Buscombe: As the noble Baroness knows, the focus of this Urgent Question is the court case and severe disability payments. We put that block—if I can call it that—in place on 16 January to stop those with a severe disability migrating, and to prevent any more people who are on severe disability premium naturally migrating to universal credit, because we recognise that there is an issue here.

However, to deal with the stock of SDP claimants who have already moved to UC following a change of circumstances, it has been agreed that claimants will be eligible for a transitional SDP payment if they meet the following criteria: that they were eligible for SDP before they claimed UC; that their UC award has not subsequently terminated; that they have not ceased to

[BARONESS BUSCOMBE]

be entitled to one of the qualifying benefits for the SDP—the middle or higher-rate care component of DLA, the PIP daily living component, the armed forces independence payment or AA; and that no one has become a carer for them. This is focused on that bespoke cohort of individuals the judgment relates to: those who live alone, without a carer.

Baroness Lister of Burtersett: Perhaps I might come back, because the Statement talks about people being moved on to universal credit generally. The terrible position of those on SDP is the worst tip of an iceberg, but there are a lot of people underneath it who are losing out because they are being naturally migrated to universal credit—often because of the most trivial changes in circumstances, such as moving house.

Baroness Buscombe: My Lords, I am sticking to the Urgent Question—which is about the severe disability premium. However, the reality is that we are looking at that judgment and considering with care the way in which we support those who are transferring naturally to universal credit. It is important that we have the legislation in place as soon as possible, so that in future everybody is manage-migrated, as it were, rather than naturally migrating, which, as the noble Baroness has said, some are at the moment.

Atrial Fibrillation

Question for Short Debate

5.28 pm

Asked by Lord Black of Brentwood

To ask Her Majesty's Government what progress they have made towards Public Health England's target to increase the proportion of known atrial fibrillation patients who are offered and started on appropriate treatment to 89% by 2021.

Lord Black of Brentwood (Con): My Lords, I am most grateful to all noble Lords taking part in this important debate this evening.

Atrial fibrillation is a heart condition which causes an irregular and often unusually fast heart rate as a result of abnormal electrical signals in the heart. Because of the irregular rhythm, diagnosis is straightforward, through a manual pulse check at an ordinary GP appointment. It is easy to detect, the examination takes seconds and a range of effective treatments, including, where appropriate, anticoagulation, can be deployed.

Although sometimes uncomfortable, in itself AF is not fatal, but its sinister mischief is that it can lead to blood clots forming in the heart that can then enter general circulation and block arteries in the brain, causing stroke. As a result, AF is the root cause of one in five strokes in the UK, and people with this condition are five times more likely to suffer one than those with a regular heartbeat.

Strokes which arise from AF also tend to be more severe than other types of stroke and are associated with significant mortality and morbidity. In addition to the enormous human consequences of an AF-related stroke—for the patient as well, of course, as their families—treating and managing strokes places a huge financial

burden on the National Health Service. The average health and social care cost of stroke in the first year after onset is estimated at £22,175, with accumulated costs of over £45,000 after five years. AF illnesses overall cost the NHS about £2.2 billion each year.

I have an interest in this subject as a result of personal experience. I was diagnosed 16 years ago with a form of AF, known as paroxysmal atrial fibrillation. It is brought on by sudden exertion such as running, which I therefore avoid. It happens to me but rarely; the last time it occurred was here in the House of Lords, when I was rushing too quickly up the stairs for a vote. Such is my devotion to my noble friend the Chief Whip that I am prepared to risk ill health for him. I am one of the fortunate ones, though, in that I was aware of the problem because it manifested itself with unpleasant symptoms. I received a swift diagnosis and have been on effective treatment ever since. My condition is well managed and monitored but some people are not so fortunate. For some, the condition is symptomless and undiagnosed, which is when it is at its most dangerous. For others, a diagnosis is made but they then receive inadequate treatment; the consequences of that can be cataclysmic. The debate today is about those people and what can be done to ensure that their condition is diagnosed and managed.

At the end of the day, while AF is a common condition with potentially serious consequences—it affects around 2.5% of the population in England—it can, with proactive diagnosis and effective treatment, be dealt with in a way which reduces the risk of stroke and minimises health and social care costs for the taxpayer. It is estimated that appropriate treatment with effective anticoagulation remedies averts one stroke in every 25. That is why clinical guidelines from NICE make it clear that people with AF should have their risk of stroke assessed and be offered anticoagulation remedies to help prevent the formation of potentially lethal blood clots.

We last had a substantive debate on this issue four years ago, I think. Since then we have seen good progress, to the credit of the Government and the NHS. In 2016, a menu of preventive interventions published by Public Health England set out an ambition to increase the optimal management of people with AF from 74% to 89% by 2021. More recently, the *NHS Long Term Plan* identified cardiovascular diseases as,

“the single biggest area where the NHS can save lives over the next 10 years”,

not least through better detection and treatment of high-risk conditions including AF, high cholesterol and high blood pressure in order to prevent 150,000 strokes.

As part of that process, NHS England and Public Health England have committed to new national goals for AF, the aim being to ensure that 85% of the expected number of people with AF are detected by 2029 and that 90% of those diagnosed with high risk are adequately anticoagulated by then. Those aims are absolutely laudable but as yet we have little clarity on how such ambitions are to be translated into local action within the NHS to improve patient outcomes. Can my noble friend the Minister let us know how the upcoming national implementation framework will support delivery

against the cardiovascular disease prevention ambitions for AF, and how NHS England and Public Health England will measure progress against the goals for detection and management, and report on them?

Key to that ambition are two issues: diagnosis and treatment. I should like to say a word about each. First, it is estimated that in England about 1.4 million people suffer from AF, of whom 1.11 million have been diagnosed. That figure has improved significantly since 2015 but it still means that one in five people with a condition that has potentially fatal consequences is unaware of the fact. Ensuring that they are identified and risk-assessed is absolutely fundamental to reducing the number of avoidable strokes. A quick examination can have a huge impact on an individual's life. In the absence of a national screening programme for AF, we need to ensure that GPs and healthcare professionals take every opportunity to undertake manual pulse checks, especially among at-risk groups such as the elderly. Can my noble friend tell us what steps are being taken to ensure that that happens, and what Public Health England and NHS England are doing systematically to ensure that individuals at risk of AF are diagnosed?

Once that crucial diagnosis is made, the next hurdle is effective treatment through anticoagulation, particularly for those at the highest risk of stroke. The enormous benefits of anticoagulation are well recognised and clinical guidelines underline its importance. NICE recommends that people with AF at risk of stroke should be offered either warfarin or a non-vitamin K oral anticoagulant—a NOAC. All treatment options should be available to patients where clinically appropriate, but the terrible truth is that many high-risk patients are not receiving adequate treatment because they are getting no medication at all or an ineffective treatment such as aspirin. That has profound consequences.

National clinical audit data for stroke shows that in England in 2017-18 nearly 16,000 people were admitted to hospital with potentially avoidable AF-related strokes. Many of these incidents arose because there had been no diagnosis. Tragically, however, over 40% of these strokes affected people who had been diagnosed with AF but were not receiving an appropriate therapy at the time of their admission to hospital. This means that in the space of 12 months there were 6,703 AF-related strokes that were potentially preventable. Just think for a moment of the shocking human consequences of that failure. The data shows that of those potentially avoidable strokes, because of a failure to anticoagulate, one quarter—1,723 souls—died in hospital. Another 46%, or 3,077 people, were discharged with a severe or moderate disability of a kind which will have changed their lives, and those of the loved ones who care for them, for ever.

To address what is, I believe, an extremely grave issue of undertreatment, the national clinical directors for stroke and cardiovascular disease have made it clear that failure to prescribe an important treatment such as an anticoagulant needs to be seen as an error as serious as prescribing the wrong treatment. What consideration has been given by NHS Improvement to classifying stroke cases that occur in patients with diagnosed AF who were not receiving an appropriate treatment as a “Never event” that requires further investigation?

Ensuring increased accountability and transparency in this area could be a vital step in addressing the problem of undertreatment.

My final point relates to the sub-optimal treatment of patients who have been diagnosed and are on an appropriate treatment. Regrettably, strokes among this group can, and still do, occur as a result of poor-quality anticoagulation control and poor adherence to medication. At the moment, warfarin continues to be the most commonly prescribed therapy for AF: some two-thirds of patients are treated with it, compared to around one-third for NOACs. Whereas treatment of AF through a NOAC significantly improves a patient's quality of life because it does not require routine monitoring or ongoing dose changes, treatment with warfarin—alongside a risk of bleeding—can be unpredictable and unstable if not carefully monitored.

Estimates suggest that even well-monitored warfarin patients are outside the therapeutic range which gives them effective protection about one-third of the time, meaning that they are then at risk of stroke. Indeed, a report by Anticoagulation UK last year showed that 37,000 patients in England are known to have sub-optimal warfarin control. We know that is a problem but we do not know enough about it because of a lack of data. We need to remedy that. Will my noble friend say what steps are being taken to enable local NHS services to identify those whose AF treatment is sub-optimally managed? Will she engage with NHS England and Public Health England with a view to putting in place a system for the routine collection and publication of INR and therapeutic range data to measure the effectiveness of anticoagulation management and to inform quality improvement strategies?

I am conscious that I have sought to cover a lot of ground today but this is a big issue which impacts on many hundreds of thousands of people, and is one where we can make a real difference. I look forward to contributions from other noble Lords, and to hearing from the Minister.

5.38 pm

Viscount Craigavon (CB): My Lords, we should be grateful to the noble Lord, Lord Black of Brentwood, for tabling this important subject for debate and for his tour d'horizon of the facts and circumstances of AF. I have chosen to focus more on the Question, which may be a mistake. I have been a member of the All-Party Parliamentary Group on Atrial Fibrillation for some time, and have tried to support its good work, in which it has the excellent outside help of the AFA—the AF Association.

The direct Question asked by the noble Lord, Lord Black, has been rather overtaken by a more up-to-date report published in February this year, more narrowly focused on CVD—cardiovascular disease—rather than many preventive interventions in the whole of the NHS, which the earlier report covered. That earlier report by Public Health England in 2016 gave a five-year plan to come up with the figure of 89% by 2021. The key words in the Question are “known ... patients”, as there are estimated to be an additional huge number, about 300,000 people, who have this condition but are undiagnosed and unaware of it but who nevertheless suffer from it in varying degrees.

[VISCOUNT CRAIGAVON]

As to what is meant by the phrase “appropriate treatment”, if the underlying problem with AF is an irregular heartbeat or activity, this might lead to clots or strokes. When people are offered anticoagulants, that may usefully ameliorate the symptoms, but it is not strictly treating the underlying heart condition itself. When we are talking about treating 89% of patients, that is not treating the underlying cause in the heart, which can be very difficult, but largely dealing with the symptoms, which is nevertheless useful and desirable.

The more recent report, in February, again emanating from Public Health England, focusing solely on CVD, has chosen to launch a new 10-year prediction or ambition, ending in 2029. Again, this covers only known patients, but is obviously aiming also to reduce the number of those unaware of their condition. It is nevertheless useful to have the Minister here to answer how the 2016 prediction for 2019 is presently going and whether the figure of 89% for 2021 is realistic. In all these percentage predictions, it can be asked how useful or valuable it is to create these sorts of targets, especially some time ahead, with so many variables likely to intervene.

One might also ask by what authority such ambitions are arrived at. Like the sustainable development goals, successors to the millennium development goals, many of which failed to reach their expectations, I believe it is better to have common benchmarks, against which some sort of progress can be measured. However, as with the current climate change debate, one can be slightly sceptical about predictions the further away in time they are laid out. I am grateful that we have these Public Health England reports and predictions, and I do not want to seem to be nit-picking about the percentages, all of which I have taken from them. However, the target or ambition in the 2016 report, as in the Question, is that by 2021 89% of known patients should be on appropriate treatment for AF; whereas in the latest report, in February this year, the 10-year target ambition from now—apparently 84%—to 2029 is going to be only 1% higher, at 90%. I realise that in many things the last few percentage points are sometimes the most difficult to achieve, and it may be that the latest report has wisely resisted the temptation to be too optimistic.

To explain where this comes from, I will quote the report itself:

“Progress has already been made”—

to 84%—

“and it has therefore been agreed that the ambition for optimally managing AF should be 90%. There is clinical consensus that a treatment ambition of 90% is appropriate and achievable”.

I emphasise the words “optimally managing AF”. As I said earlier, the Minister might be able to throw some light on these intentions.

As I also said earlier, all the percentages I have quoted so far relate to known cases of AF, but the report I mentioned also deals with the percentages of detection. As the noble Lord, Lord Black, mentioned, that is what percentages of all cases are known and have been identified. That is obviously difficult to estimate, but I earlier gave the round figure of 300,000 for those not detected, which in the 10-year report relates to a starting

figure for detection of 79%. That is set against the target in 10 years—for 2029—of 85%. Again, whatever the figure might be, that size of the unknown is very worrying, especially as everyone agrees that AF can be readily diagnosed.

Leaving percentages behind for now, I shall continue on the latest report by Public Health England, of February 2019, on CVD. AF is only one of three aspects of CVD it covers, the others being blood pressure and cholesterol. It is encouraging that this report also addresses some stark health inequalities, committing to publishing data highlighting high-risk conditions and setting goals in future to remedy these. It also usefully raises the aspect of return on investment, which is not just financial but includes lives saved and lived. It also helpfully reminds us that the present direct annual cost to the NHS of CVD is £7.4 billion, and that the wider, non-healthcare costs are at least double that, at £15.8 billion.

I shall focus the rest of my speech on AF amelioration and therapies, where changes have been frustratingly slow. There is a general need to make the public and clinicians aware of and understand the particular connection between AF and prevention of strokes. It is widely accepted that aspirin has no effect on AF, but it is still widely prescribed for known AF patients. That figure might be as high as 20%, when there are so many improved remedies available today. There is a high percentage of patients who have suffered strokes and are known to be AF patients but who are not receiving any effective anticoagulants.

One therapy that can be effective, if properly given, is warfarin, but there are often shortcomings in administering this. While I realise that not all therapies are suitable for everyone, there are the recent additional medicines called DOACs, also referred to as NOACs, which, while they may be more costly, provide much simpler and successful outcomes for most AF patients. I realise that there is something called clinical independence, and that clinicians cannot be forced to prescribe what others might think best, but this is a long-term matter of educating and informing both patients and clinicians. This will continue to be a valuable and worthy process, but at the same time it is frustratingly slow. If anyone has seen the effects of a stroke and thought, often correctly, that it could have been avoided, I hope they might support efforts to make knowledge about AF a more important priority in our health service.

5.47 pm

Lord Rennard (LD): My Lords, the noble Lord, Lord Black of Brentwood, is to be congratulated on securing this debate and on his personal tenacity in pursuing this issue through many other debates and questions and through the activities of the all-party parliamentary group. I have been pleased to take part in some of these, including the one to which he referred, in 2015, which focused on detection of AF. His Question today refers to the *Menu of Preventative Interventions* published by Public Health England in 2016. This communicated an ambition to increase optimal management of people with atrial fibrillation from 74% to 89% over the five years to 2021.

As the noble Lord said, AF is the root cause of one in five strokes, and people with the condition are five to six times more likely to suffer a stroke than those with a regular heartbeat. Aside from the human cost and many indirect costs, strokes directly cost the NHS more than £2.2 billion each year, but the risk of an AF-related stroke can be substantially reduced by providing effective anticoagulation therapy to prevent the formation of clots. Too often, however, AF remains underdiagnosed and undertreated. In 2014, NICE estimated that around 250,000 people in the UK have undiagnosed atrial fibrillation, and the King's Fund says that a huge proportion of those who have been diagnosed with AF are not receiving the correct anticoagulation medicine to prevent stroke.

Better diagnosis and treatment could prevent around 7,000 strokes, prevent more than 2,000 people suffering severe disability and prevent 2,000 premature deaths each year. With an ageing population, AF prevalence is likely to grow, so why are we not identifying the condition and treating it as effectively as we might? Much of the problem is that there are significant gaps and inequalities in our health system, as shown by the rates of AF detection and access to therapies and treatment for stroke. Cardiovascular disease is one of the conditions most strongly associated with health inequalities, and if you live in England's most deprived areas you are almost four times more likely to die prematurely than someone in the least deprived. Cardiovascular disease is also more common where a person is male, older, has a severe mental illness or is south Asian or African-Caribbean in ethnicity.

Action to address health inequalities, as proposed in the recent *NHS Long Term Plan*, is of course very welcome. The plan states:

"Early detection and treatment of CVD can help patients live longer, healthier lives. Too many people are still living with undetected, high-risk conditions such as high blood pressure, raised cholesterol, and atrial fibrillation".

A new return on investment tool confirms that savings can be made from better identification and management of patients. This suggests that more than 14,000 heart attacks and strokes could be prevented each year through earlier identification, diagnosis and effective management of AF. However, we are not doing what we could because suboptimal treatment of AF is widespread, particularly through the prescribing of aspirin monotherapy.

The National Institute for Health and Care Excellence recommends that people with AF who are at risk of stroke should be offered either warfarin or a non-vitamin K oral anticoagulant, known as a NOAC. NICE also makes explicit that people with AF should not be prescribed aspirin on its own for preventing stroke, as the bleeding risks outweigh the clinical benefits. This is reiterated in the NICE AF quality standard, QS93:

"Adults with atrial fibrillation are not prescribed aspirin as monotherapy for stroke prevention".

But some healthcare professionals still believe that aspirin is an effective alternative to other NICE-recommended therapies. This practice puts a significant number of patients at unnecessary increased risk of stroke. The most recent national audit for stroke reveals the extent

of suboptimal treatment with aspirin monotherapy and the impact on patient outcomes. In 2017-18, approximately 2,400, or 14%, of AF-related stroke patients were being prescribed aspirin on its own when they were admitted to hospital. This issue can be addressed with better education for healthcare professionals, particularly in primary care, to prevent aspirin on its own being prescribed when new cases of AF are diagnosed. Just as importantly, local GP practices and the new primary care networks can take proactive steps to ensure that existing AF patients are appropriately anticoagulated by identifying and reviewing those currently prescribed aspirin alone for AF-stroke prevention, as a priority.

At a population health level, addressing inappropriate treatment in individuals whose clinical risk factors are suboptimally managed provides the opportunity for every health economy to improve AF-stroke prevention at scale in a short timeframe. This can be achieved by undertaking a systematic audit of primary care data to identify AF patients being treated with aspirin monotherapy, and offering them more effective long-term treatment with a NICE-approved anticoagulant therapy such as warfarin or a NOAC. The new *NHS Long Term Plan* included a commitment to support the creation of CVDprevent, a new national cardiovascular disease prevention audit, to support healthcare professionals in primary care to improve the identification and management of patients with high-risk CVD conditions, including AF. It is critical that this system incorporates metrics to systematically identify patients with AF currently treated with aspirin monotherapy.

There are a number of questions to consider. How close are we to having regular systematic audits in every GP practice? The guidance on risk assessment and stroke prevention for atrial fibrillation, known as the GRASP-AF tool, can help to identify people at risk who are not anticoagulated or who are suboptimally anticoagulated. How far is this tool being used to help GPs assess the risk of AF-related stroke and provide for effective management of AF in patients? Can the Minister tell us what new measures are being taken to ensure that new and existing patients with AF are not prescribed aspirin monotherapy for preventing stroke, in line with NICE clinical guidelines? In addition, can we know the timelines for implementing the CVDprevent primary care audit programme?

We look forward to hearing what steps are being taken to enable local NHS services to identify AF patients who are being suboptimally managed, and then supporting them to obtain the right treatment. We would like to know how local NHS clinical commissioning groups and providers are using the national audit for stroke to improve atrial fibrillation management. For example, what training is being made available to medical personnel and health staff, including pharmacists, to encourage pulse checks in routine check-ups, and in non-clinical settings, to detect AF?

Finally, I draw attention to how researchers at the University of Birmingham have developed two apps that help patients and clinicians manage atrial fibrillation more effectively. Funding for this research came in part from Horizon 2020, the EU framework programme for research and innovation. Will this kind of funding be guaranteed in future?

5.57 pm

Baroness Wheeler (Lab): My Lords, I too congratulate the noble Lord on securing this important debate and welcome the time we have had to look in more detail—albeit we will not use it—at this issue, which is so vital to addressing premature death or severe disability arising from heart disease and stroke. I also commend the noble Lord's work and campaigning on AF, in particular on the need to reach the estimated 425,000 people who have yet to be identified and treated. Following our last debate on AF in 2015, the noble Lord and I had a helpful follow-up meeting with the then Minister, the noble Lord, Lord O'Shaughnessy, particularly on the need to step up routine health checks of at-risk groups in GP surgeries and community settings, including pharmacies. The inclusion of heart disease and stroke in the better care for major health conditions action plan in the NHS Long Term Plan is welcome.

We recognise the good progress made since PHE's setting in 2016 of the ambition in the *Menu of Preventative Interventions* of increasing the optimal management of people with AF from 74% to 89% over five years. The figure for 2017-18 was 84%, and there is strong clinical consensus that the PHE target of 89% is both appropriate and achievable. PHE estimates that if the ambition was achieved within three years, at least 49,000 strokes and 32,000 heart attacks could be prevented, which shows what can be achieved if the current barriers are overcome. PHE also shows that reductions in other events averted, including heart failure, TIAs, vascular dementia and angina, would achieve 81,000 life years gained and avoid 9,000 mortality cases. As we have heard, the NHS long-term plan sets an additional, less focused target of preventing up to 150,000 heart attacks, strokes and dementia cases over the next decade.

I would welcome the Minister explaining how the NHS and PHE ambitions are to interact and be brought together into a coherent long-term implementation plan. When the NHS long-term plan was published in January, noble Lords underlined the need for a clear implementation plan setting out what is to be achieved, how the plans are to be implemented, and how the outcomes are to be funded, measured and evaluated. Can the Minister update the House on the work being undertaken, the consultation taking place on its development, and tell us when any plan is due to be published?

We also pay tribute to the work of the AF Association, the Stroke Association, the British Heart Foundation and other key health organisations which have been instrumental in raising awareness among patients, the general public and policymakers of the importance of identifying and treating people with AF. We welcome the collaboration between NHS England, PHE and the key health charities, and the February launch of the action plan for improving the detection and treatment of the ABC causes of heart disease—AF, high blood pressure and high cholesterol—and promoting free health checks for those high-risk diseases. As the Stroke Association put it at the time, in England alone there are 5.5 million people with undiagnosed high blood pressure who are ticking time bombs for stroke. Tackling this and AF would see the biggest drop in the number of strokes each year.

As the carer of my disabled partner who had a major brain haemorrhage stroke in 2008, I am sure that noble Lords will understand me focusing on stroke. As we have heard, AF contributes to one in five of all strokes in the UK and, if we do not act now, the number of strokes is set to increase by 44% in the next 20 years.

The excellent call to action in last year's white paper from the AF Association on the inequalities and unmet needs in detecting AF and therapies to prevent AF-related stroke has been referred to. Its call to action in four areas—supporting patient education, adapting clinical practice to enhance AF detection, strengthening clinical and professional training in AF and promoting awareness and accountability among decision-makers for effective AF-related stroke policies—have been raised, and I look forward to the Minister's response to those important issues.

NHS England's national stroke programme, which de facto replaces the national stroke strategy that ran out in 2017, underpins the NHS Long Term Plan. I understand that there are five work streams under the programme, including prevention, and this feeds into wider CVD respiratory diseases. Four aspects of the AF-related work under the programme refer to: consideration of a new national CVD to support clinical improvement; targeted awareness-raising, particularly in at-risk communities, such as some BAME communities; promoting the NHS RightCare CVD pathways, which have had significant impact when they have been effectively used; and improving the use of genetic testing when detecting and diagnosing CVD conditions. Can the Minister update the House on those developments? I was unable to find any specific data on AF conditions in BAME communities or any specific programmes to raise awareness or treatment levels, and I should be grateful if the Minister could advise the House of the work being done on that important issue. Is there, for example, any national information on CCG work to date on this?

The NHS plan commits to supporting GPs, pharmacists, nurses and the voluntary sector in primary care settings to case-find and treat people with high-risk health conditions. It is vital that diagnosis and treatment is provided before patients have a stroke and are hospitalised. The AFA white paper makes for concerning reading on the awareness of AF as a stroke risk factor among staff outside specialist cardiology settings, and calls for tailored guidelines for non-specialists to be drawn up to help to embed simple AF awareness practices and treatment in everyday care settings. Can the Minister advise what work is being done to address this issue?

Worryingly, the White Paper also refers to uncertainty among health professionals over how to deal with anticoagulation therapy, particularly for patients with complex conditions. Problems in using and interpreting risk assessment scores and the difficulty in AF detection associated with the complexity of symptoms is also identified. Moreover, healthcare professionals are often not passing to patients guidance on awareness-raising developed by patient organisations, which of course have first-hand experience, which would really help to raise patient awareness action. What guidelines and decision-making tools are being developed, particularly to support GPs?

Noble Lords have highlighted the role that new technology is increasingly playing in opportunistic clinical and community settings for AF, such as mobile ECG devices and ECG patches. The AFA white paper praises the pilot scheme in England enabling community pharmacies to refer people with an abnormal heart rhythm to a one-stop AF clinic after first testing them with a handheld device, which has speeded up diagnosis of AF and access to appropriate anticoagulant therapy within two to three weeks, compared with the national average of 12 weeks. These developments need to become routine in every CCG area. Following on from the successful scheme of virtual clinics run across south London in Lambeth and Southwark CCG in 2016, we welcome today's announcement of funding for specialist clinical pharmacists in 23 areas with high levels of deprivation and/or high levels of untreated AF.

An NHS England press release draws attention to the fact that people who are poorer, who are from black and ethnic minority backgrounds or other disadvantaged groups are more likely to be among those who go undiagnosed and untreated. Following on from my earlier question, can the Minister provide further information on how those areas are to be evaluated and documented so that we can begin to develop a countrywide assessment of how the problems in hard-to-reach communities can be addressed?

Still on the subject of new technologies, smartphone apps and smart watches can help patients uncover AF symptoms, but what steps can be taken to ensure that they are fully integrated into the care pathway, so that people with suspected AF receive adequate follow-up care?

On research for future treatments, I was very interested to hear about the British Heart Foundation study, again at the University of Birmingham, on biomarkers. They are measurable indicators of a biological state or condition which could pave the way towards better detection of people with AF and more targeted treatment. Two biomarkers identified in the study—brain natriuretic peptide, and fibroblast growth factor 23—have the potential to be used in a blood test in community settings, such as GP practices, to simplify patient selection for ECG screening, leading to speedier diagnosis. Is there any further information on this and other developments that could help in the detection and treatment of people with AF?

Finally, with the progress being made in identifying and treating people with AF, can the Minister provide the House with a timeframe by which we would hope to see routine pulse checks become normal procedure, fully integrated into everyday primary care practice?

6.06 pm

The Parliamentary Under-Secretary of State, Department of Health and Social Care (Baroness Blackwood of North Oxford) (Con): My Lords, I thank my noble friend Lord Black for giving us all this opportunity to discuss what is not just an important issue but one that must be of incredible importance to him personally, and for sharing his story to date. As noble Lords are aware, and as we have discussed, although briefly, AF is a common heart rhythm disorder associated with debilitating consequences including heart failure, stroke, poor mental health—which we have not yet discussed—reduced quality of life, and death.

As my noble friend rightly said and others repeated, anticoagulation is an effective therapy for managing people with AF who are at risk of stroke. It can reduce the risk of stroke by up to 66%. AF increases the likelihood of stroke by five times; on average, there are 40 AF-related strokes every day in England. As my noble friend rightly indicated, PHE has been working alongside key partners to increase the proportion of patients with AF offered appropriate treatment from 74% to 89% by 2021. I will come on to the questions asked about surveillance and data.

My noble friend and other noble Lords are absolutely right that, although we have made progress on treatment, regional variation remains in the detection of AF and appropriate treatment. For that reason, a national programme was established in 2017 by NHS England and Public Health England to tackle the issue of AF-related strokes. Through this work, the 15 academic health science networks across England made it a priority to “detect, protect and perfect”—that is quite challenging to say in one sentence—AF services.

In response to questions from my noble friend Lord Black and the noble Viscount, Lord Craigavon, regarding the importance of accurately monitoring progress, a number of quality and outcomes frameworks—QOFs—measure the diagnosis and management of patients with AF. I am pleased that, based on the captured data, we can say accurately that progress has been made and that, as of last year, 84% of people with AF were appropriately managed with anticoagulation treatment; however, as the noble Viscount said, those people are only those who have been identified. It has therefore been agreed that the ambition for optimally managing AF should be increased to 90%; there is clinical consensus that this revised ambition is appropriate and achievable.

As the noble Baroness, Lady Wheeler, rightly identified, there is a role for technology to aid self-management and prevention. That is why, in July 2015, AliveCor's KardiaMobile ECG mobile heart monitor, which allows individuals to detect, monitor and manage heart arrhythmia, joined the NHS Innovation Accelerator. Currently, 33 NHS organisations, including GP practices and acute trusts in all 15 academic health science networks, now use it with the aim to reduce the prevalence gap in AF to ensure that more people are treated appropriately to prevent AF-related strokes.

As has been mentioned, *The NHS Long Term Plan*, published in January 2019, sets out the ambition to prevent 150,000 heart attacks, strokes and dementia cases over the next 10 years. It includes commitments to developing and implementing an AF patient optimisation demonstrator programme, helping to case-find and optimise treatment for people with known cardiovascular disease. That is important because it will include practice pharmacists being trained in shared decision-making skills to utilise when having conversations with patients about their treatment options, which answers some of the questions asked by the noble Lord, Lord Rennard. It will also give health professionals the opportunity to work together with patients to decide on a patient's treatment and care. SDM has been shown to improve patient experience and increase adherence to medication—a crucial issue raised by the noble Viscount, Lord Craigavon.

[BARONESS BLACKWOOD OF NORTH OXFORD]

Clinical pharmacists, anticoagulant nurses or other appropriately qualified clinical staff will also carry out case-finding in GP records to find people with untreated AF as part of this programme, which is an encouraging part of the commitment made in the long-term plan. The programme launched on 7 May was developed in collaboration with Public Health England, the British Heart Foundation, the academic health science networks and NHS RightCare, as mentioned by the noble Baroness, Lady Wheeler. Through the programme, NHS England will invest £9 million over 18 months to case-find patients in GP records who have been diagnosed with AF but are not receiving optimal treatment. Twenty-three CCGs across England have already begun implementing the programme.

Of course, stroke prevention and treatment is a priority for the NHS. NHSE has been working closely with the Stroke Association to develop a national stroke programme to be delivered within the timeframe of the long-term plan. As the noble Baroness knows, the implementation plan will be published shortly. The programme will build on the successes of the Department of Health's national stroke strategy and look at how to improve stroke care across the whole pathway, addressing the challenges of prevention—in this case, secondary prevention—service reconfiguration, optimising rehabilitation services, workforce development and transformative data. NHS England has engaged with cross-sector partners to support Health Education England in the development of workforce modelling for strokes. Health Education England is also looking carefully at the various components of the proposed stroke pathway and undertaking workforce modelling to articulate which workforce will be required; that will be engaged in the discussions on the spending review, as we have discussed previously in Questions. It has worked with arm's-length bodies, charities, professional associations and academics to ensure that the required workforce is achievable over the period of the long-term plan.

The long-term plan also outlines commitments to improving vital stroke rehabilitation services. The recently established Stroke Programme Delivery Board also aims to place a strong focus on rehabilitation. Campaigns to increase awareness of stroke onset have been in place since 2009; of course, that is essential because early response is vital in avoiding disability. Public Health England has run the "Act FAST" national campaign, of which I know your Lordships will be aware. It has helped to reduce the amount of time between someone having a stroke and arriving at hospital, helping those eligible for thrombolysis and thrombectomy to access treatment in a timely way. As a result, 5,365 fewer people have become disabled due to stroke since 2009—an outcome we can all be pleased about.

I will answer some of the questions asked by the noble Baroness, Lady Wheeler, and the noble Lord, Lord Rennard, regarding regional variation. Quality of care varies greatly depending on geographic location, the day of the week and even the time of day that a patient is admitted. The NHS is working with providers to share best practice through initiatives such as that mentioned by the noble Baroness: the RightCare programme, which sets out optimal pathways for the

care of stroke patients and AF patients through the collection of data in the Sentinel Stroke National Audit Programme.

My noble friend Lord Black, the noble Viscount, Lord Craigavon, and the noble Lord, Lord Rennard, all rightly linked surveillance, training and optimal treatment. CVDprevent will be the national primary care audit tool, and has been referred to by a number of noble Lords. It will automatically extract routinely held GP data covering the diagnosis and management of six high-risk conditions that cause stroke, heart attack and dementia. It will be implemented from March 2020, in response to a question asked by the noble Baroness, Lady Wheeler. The outputs will include regular national data extraction for a professionally led national audit programme which will be limited to routinely recorded primary care data. They will require no input from GPs. Analysis and reporting will identify achievement, gaps, variations, opportunity and treatment. They will also support systematic quality improvements to reduce health inequalities, a point mentioned by a number of noble Lords. They aim to improve outcomes for individuals and populations.

I also point to the primary care networks, which will be required to deliver a set of seven national service specifications. Five will start in April 2020: structured medication reviews, enhanced health in care homes, anticipatory care with community services, personalised care, and supporting early cancer diagnosis. The remaining two, which will start by 2021, comprise cardiovascular disease case finding and locally agreed action to tackle inequalities. All these will go towards answering the questions that have been raised in the debate.

I am conscious there were some questions that I have not been able to answer, and I will be happy to write on those. I hope that I have demonstrated in my response the NHS's commitment to improving outcomes not only for people living with AF in this country but for the many more who are at risk of suffering from stroke. I cannot think of a more fitting way to close this debate than by repeating the excellent point from the CVD report referred to by the noble Viscount, Lord Craigavon: the return on investment of getting this right will be measured not just in a better quality of life for patients, important though that is, but in lives saved and life-changing disabilities averted. That is something which we must all work together to achieve.

School Exclusion: Timpson Review

Statement

6.17 pm

The Parliamentary Under-Secretary of State, Department for Education (Lord Agnew of Oulton) (Con): My Lords, with the leave of the House I shall repeat a Statement made earlier today in the other place by my right honourable friend the Secretary of State for Education. The Statement is as follows:

"Mr Speaker, last March the Government commissioned Edward Timpson to explore how head teachers use exclusion and why some groups of pupils are more likely to be excluded than others. The review and the Government's response are published today and I have placed copies in the House Libraries.

The Timpson review is thorough and extensive. I want to thank Edward and all those he worked with during the review, including schools, local authorities, parents, carers and children. Exclusion rates have risen over recent years but are lower than they were a decade ago, and permanent exclusion or expulsion remains a rare event. Some 85% of all mainstream schools did not expel a single child in the academic year 2016-17. Edward Timpson's review found excellent practice across the school system but also variation across different schools, local authorities and groups of children. The Government agree with Edward Timpson's conclusion that there is no "right" level of exclusion that we should aim for, but we do need to examine why there are differences in exclusion rates for pupils with different characteristics and in different parts of the country.

I want teachers to be free to teach and pupils to be free to learn in a safe and ordered environment, so I absolutely support head teachers when they conclude that they need to suspend a pupil in response to poor behaviour or to expel them as a last resort. But it is vital that we support schools to give pupils at risk of exclusion the best chance to succeed, and ensure that, for those children who are permanently excluded, this is also the start of something new and positive. I am clear that, where exclusion is the right decision to take and you are excluded from a school, you must not be excluded from high-quality education. This matters because excluded children include some of society's most vulnerable and disadvantaged, with a third classed as "children in need": that is, children who are known to social services. Overall, when children from ethnic minorities are compared with white British children, there is no substantial difference in exclusion rates. The review found that children from some groups, such as black Caribbean children, are more likely to be excluded than white British children, while children from other groups such as Indian children are less likely.

The Government's response to Timpson is based on four core commitments. We will always support head teachers to maintain a safe and orderly environment for pupils and staff. We will support schools to give pupils at risk of exclusion the best chance to succeed. We will make it much clearer when and how it is appropriate for head teachers to remove children from their school; and, at the same time, we will make sure that there is sufficient oversight when they are. Finally, we will do more to support schools and alternative providers so that excluded pupils continue to receive a high-quality education.

To deliver this, the Government are today committing to the following actions. First, we will make schools accountable for the outcomes of permanently excluded children. We know that this is complex and needs to be done in a way that is fair to schools and pupils, so we will work with education leaders over the summer to design a consultation, to be launched in the autumn, on how to deliver this in practice. As part of the consultation, we will also look at the implications of any changes to the way that alternative provision is commissioned and funded, and how we can mitigate the potential unintended consequences that Edward Timpson identified, including how to tackle the practice

of "off-rolling". We will establish a practice programme to drive better partnership working between local authorities, schools, alternative provision and partners, building on the excellent practice that Timpson identified in his review.

We will work with sector experts, led by the department's lead adviser on behaviour, Tom Bennett, to rewrite our guidance, including on exclusions, behaviour and discipline in schools, by the summer of next year. We will call on local authorities, governing bodies, academy trusts and local forums of schools to establish a shared understanding of the characteristics of children who leave school, by exclusion or otherwise. Our expectation is that this information will be used to inform improvements in practice and reduce disparities in the likelihood of exclusion between different groups of pupils.

We will work with Ofsted to both define—so there is greater clarity for school leaders—and tackle the practice of off-rolling, whereby children are removed from school rolls without formal exclusion in ways that are in the interests of the school rather than the pupil. We believe that this practice is relatively rare, but we are clear that it is unacceptable.

Finally, this autumn we will set out our plans for alternative provision, including more on how we will support alternative providers to attract and develop high-quality staff through a new alternative provision workforce programme, and how we will help commissioners and providers to identify and recognise good practice.

Before concluding, I want to address the issue of violent crime, particularly knife crime, which has tragically taken the lives of far too many young people. The issues surrounding serious violence, anti-social behaviour, and absence and exclusion from school are complex, which is why we are working with the education and care sectors, the Home Office and other departments as part of a comprehensive, multi-agency response. While exclusion is a marker for increased risk of being both a victim and a perpetrator of crime, we must be careful not to draw a simple causal link between exclusions and knife crime. There is no clear evidence to support that. I am clear, though, that engagement with and success in education is a protective factor for children. The measures outlined in our response to Timpson will play a key role in ensuring that every young person is safe and free to fulfil their potential away from violent crime.

I would like to thank all colleagues on all sides of the House who have taken a close interest in this area, and I mention in particular my right honourable friend the Member for Harlow for both his and his committee's work on this important issue, in particular its inquiry into alternative provision, which has helped shape government thinking. Most of all, I would like to thank Edward Timpson and all those he worked with during the review. In taking forward our response, like him, we too will take a consultative and collaborative approach, to learn from those who carry out valuable and often challenging work teaching, supporting and caring for excluded children and those who are at risk of exclusion. I commend this Statement to the House".

6.24 pm

Lord Bassam of Brighton (Lab): My Lords, I am very grateful to the Minister for repeating this important Statement, and I join him in thanking Edward Timpson and all those who contributed to this report.

It is a fact that too many children are being written off as failures, with tragic consequences. Permanent exclusions have risen by 40% in the past three years, and analysis carried out by Barnardo's found that one in three local authorities in England has nowhere for excluded children to go, leaving them socially excluded and at serious risk of being groomed and exploited by criminal gangs. This is simply not acceptable. Urgent action is required to help schools reduce the number of children who are excluded. It is therefore imperative that those schools have the necessary resources to support pupils at risk of exclusion, especially those with more complex social needs.

We know that the most vulnerable children in society are more likely to be permanently excluded. Indeed, analysis found that 78% of permanent exclusions were issued to children who had special educational needs or who were eligible for free school meals. It is also worth noting that Traveller children of Irish heritage have the highest rate of permanent exclusion, followed by Gypsy and Roma children. However, as this House has noted in recent debates, school budgets are £1.7 billion lower in real terms than they were just five years ago. As a result of the shortfall, special needs provision in England has lost out on some £1.2 billion since 2015. Does the Minister share my concern, and that of others, that the current level of funding is so desperately inadequate that many schools have had to cut back on support staff who provide key support and early intervention for children with challenging behaviour? Here I am thinking of teacher assistants.

Exclusions must be used only as a last resort; on that I think we are all agreed. However, as Mr Timpson emphasised, "exclusion from school" should never be allowed to become "exclusion from education"—and yet sadly that is what has been happening over the past few years. It is clear that the Government must do more to improve the availability and quality of alternative provision, to ensure that every child, particularly the most vulnerable, gets the education they need to achieve a positive future. However, the latest wave of free schools included just two specialising in alternative provision. Does the Minister recognise that restrictions on new schools imposed by this Government have seriously constrained the ability local authorities have to address the lack of services in some areas without allowing other schools to be built?

I would also like to touch on the shameful practice of off-rolling, which the Statement dealt with, where schools try to remove pupils who cause problems or who might lower exam league table performance. Pupils moved in this way miss out on the support they would receive via the formal exclusion process, and are hidden from scrutiny and due process. Schools must be made accountable, not only for permanently excluded pupils but for those who leave their rolls in other ways and circumstances. Will the Minister advise the House

what action the Government are taking to address this phenomenon? The Statement makes plain that this is accepted as an issue, and we must ensure that no child is left behind.

To conclude, although the Opposition broadly agree with the recommendations of the review, we remain concerned at what is not included. The Government's response to the report makes no mention of the impact of cuts to schools, nor have they outlined a credible plan for how improved outcomes for pupils in alternative provision will be achieved. This falls far short of where we believe we should be going on this issue.

Lord Storey (LD): My Lords, I too thank the Minister for the Statement that he has read, and I thank Edward Timpson for his report. It is not a surprising report, really—we all knew that this was going on—and I always wonder why we need to wait for a report before taking action. It is an absolute scandal that 40 pupils a day are permanently excluded from school and 2,200 pupils every day are put on a system of semi-exclusion. What happens? Well, two things happen. First, if they are lucky, they get put into alternative provision, and most of that alternative provision is unregistered. We have heard what the chief inspector has said about unregistered schools—that they are unsafe and that vulnerable young people are put in a very unhelpful situation. Many of them, if they are not put into a proper alternative provider, get involved in gang culture, and we know where that can lead. So why does the report not say absolutely clearly that unregistered schools for alternative provision should not be allowed and that we should take action against them? These vulnerable young people need to be in the most supportive environment with the best qualified and trained teachers.

Secondly, on the issue of knife crime, I welcome the idea of having a multiagency discussion to look at how we deal with this, but it is sad that there is no mention of the youth service. We should be investing in the youth service and, in particular, in detached youth workers.

Then we come to the issue of off-rolling, which has already been mentioned. Again, it is a scandal that schools can just off-roll pupils—often the most vulnerable pupils, including those with special educational needs. Nowhere does the report say why schools are allowed to off-roll. Why are schools off-rolling? We know that they off-roll because they want to do well in their school inspection and in their league table results, but, again, that should not be allowed. Also, when a pupil is off-rolled from a school, who is responsible for that pupil? Not the school or the local authority—the pupil is in limbo.

I hope the Minister might address those three issues. Finally, I am sure he would agree that it would be useful to have a proper debate on this issue in your Lordships' House.

Lord Agnew of Oulton: I will respond to the noble Lords, Lord Bassam and Lord Storey. On permanent exclusions, last year 85% of schools had none at all, so it is important to put the issue in some perspective. But we are not complacent in any way—that is why we commissioned Timpson last year to undertake his review.

That flows into the issue of off-rolling, which greatly concerned both noble Lords. The term has crept into usage only in the past two or three years, and when we initially commissioned Edward Timpson to undertake his review it was not in common usage, but he has expanded the report to deal with it. It is important to reassure noble Lords that off-rolling is an unlawful practice, so it is not something that a school can do legitimately. We are focusing on this partly through the changes to the Ofsted inspection framework, for example, which will come in in September, which will ramp up the inspection process to ensure that such things are not going on. Ofsted will look at children who have left the school roll and interrogate the school as to why they have left and where they are.

Lord Bassam of Brighton: I am grateful that the Minister has said that off-rolling is illegal, but have the Government actually challenged any of the schools that have off-rolled? Is there any data on that?

Lord Agnew of Oulton: I am not aware of any specific data, but from this September, with the new Ofsted inspection framework, it will be very clear in any inspection that the issue will be under the spotlight in a way that is not the case at the moment. As we know, Ofsted has quite a lot of power to change behaviours in the system, so I am optimistic that we will see a change in behaviour. I also think that the public debate about off-rolling has changed behaviours already in those schools where it may or may not have been going on. One of the Timpson recommendations also asks us to look at the convoluted and complicated system of coding of attendance, which allows a lot of opacity—that will also help.

On funding, we are very aware that funding is tight in the system, but it is important to place on record that we have increased SEND funding from £5 billion in 2013 to £6.3 billion in the current year, and we have opened 42 AP free schools since the free school programme began.

6.35 pm

Lord Baker of Dorking (Con): My Lords, I warmly welcome the Timpson report and the reaction to it that we have heard from the Minister tonight. I hope that it will lead to a significant reduction in the number of pupils who are excluded—or off-rolled or home educated or sent to PRUs—which has grown far too much in the past few years.

It is very welcome to see that the consultation process that the Minister announced is so wide, and I am glad that he is in charge—he is the Minister in the department who is driving this policy, and we should be grateful for that. In the consultation process, I hope that he will ask the head teacher who excludes to meet with the local authority and the parents to determine a plan for the education of the student who is being excluded, and to review that plan, and for Ofsted to examine it in its inspections.

The Minister should also not exclude the possibility of some financial support for parents when they have to take on the responsibility of educating their children. One cost that should certainly be paid for by the school is for the examinations that the student takes.

Those cost about £300 to £400 per set of examinations and, as those now have to be announced, that is the very least that should be provided for them.

In general, I warmly support the report. This is a major step forward in the education system.

Lord Agnew of Oulton: I thank my noble friend Lord Baker for his supportive comments, and I agree with everything that he said. There are 30 recommendations in the Timpson report, and we are broadly supportive of all of them. However, Timpson stresses that we need to be careful about how we implement any of his recommendations and that we should have careful consultation with key stakeholders, parents in particular, on how we take matters forward. For example, by making permanent exclusions more difficult, we do not want to push the problem into another bucket such as off-rolling or misuse of the different attendance codes. But we all share the objective that we want to reduce the problem in the system.

Lord Touhig (Lab): My Lords, 70% of pupils excluded from school have special educational needs. In their response to the report, the Government have promised to review the Special Educational Needs and Disability Code of Practice by the end of next year. I am not clear from the Statement whether that review will be included in the work to be undertaken by Tom Bennett. Specifically, on the review of the SEND code of practice, can the Minister say what the terms of reference of the review will be, who will conduct it and who will be invited to give evidence?

Lord Agnew of Oulton: My Lords, I do not have a specific answer to those questions at the moment. I am happy to write to the noble Lord. The Tom Bennett behaviour initiative will be available to the whole school system. The idea is that we will have behaviour support networks available to all schools; that is why, again, it will not be rolled out until next year.

The Earl of Listowel (CB): My Lords, I too warmly welcome this report and the Government's support for its recommendations. Will the Minister look carefully at investment and continuing professional development for teachers? It is so important that teachers maintain empathy for their pupils. An opportunity for good professional development, allowing teachers to stand back and try to put themselves in the shoes of their students, can prevent them feeling demoralised and attacked by pupils; rather, they may feel sympathetic and want to work for them. I ask the Minister also to look again at the punitive role of Ofsted. When I have raised this with him in the past, he has said that it is part of our cultural identity in this country. The continentals have a much more supportive inspectorate. Reducing the pressure—and the culture of pressure—on schools will help ensure that fewer children are excluded in the way that we are seeing far too often. I look forward to the Minister's response.

Lord Agnew of Oulton: My Lords, to answer the noble Earl's question on teacher training, we are increasing awareness of the training available on such things as having mental health leads in schools. We have also committed to a programme of training 200 psychiatrists and psychotherapists to go into the school system.

[LORD AGNEW OF OULTON]

We are very aware that we need to increase the skillsets available to schools to deal with the wide range of issues confronting them. I understand the noble Earl's concerns about Ofsted as an institution. We are trying to create a cultural change here, but I am optimistic that the new framework will move some way to addressing his concerns. We have done a lot. For example, when my right honourable friend became the Secretary of State for Education, he did a joint video with the Chief Inspector of Schools to try to get the message through on issues such as workload and looking at data. It is a piece of work that we will have to continue.

Baroness Garden of Frognal (LD): My Lords, I welcome this report but might the matter of exclusions be a feature of the Government's relentless concentration on the academic success of schools, which marginalises students with more technical and practical skills and, indeed, those who simply want to be good, rounded citizens? Can the Minister say what happened to the excellent work done by Charlie Taylor, the coalition Government's expert on behaviour, some seven years ago? He had some great systems for enabling some of the worst offenders to change their ways. He talked about positive measures to improve attendance rather than the very negative message of stopping exclusions.

Lord Agnew of Oulton: My Lords, without sounding complacent, I think it is important to give some perspective to the current exclusion rate. It is about the same as it was 10 years ago; it improved but it has got worse in the last three years. I do not want to paint a picture of there being a crisis. I accept that we are concerned, and we are doing something about it, but it would be wrong to suggest that there is a crisis. Regarding attendance, we have made quite a lot of improvement. The persistent absence rates have dropped quite a lot. Looking again at a 10-year ranking, in 2006-07, 24.9% of secondary schools had persistent absence of more than 10%; that is now down to just under 14% of secondary schools, and that is while raising the bar to make it a harder judgment. So attendance is improving. I do not have the specific information on Charlie Taylor's work; I am happy to write to the noble Baroness. The Tom Bennett review will be in a similar vein, showing schools best practice and how to manage children in these situations.

Baroness Morris of Yardley (Lab): My Lords, I welcome the report. I think Edward Timpson is highly regarded across all sides of the House, and this is a thorough piece of work on which we should build. Having said that, I am disappointed in the Government's response. It seems very woolly, with rather a lot of waffle. The recommendations tend to be about rewriting guidance and setting up a committee. Looking quickly through them, I honestly cannot see much that is new. There is not one big—or even small—idea that I would see as fresh thinking in response to a good report.

In particular—I ask the Minister to have a look—behaviour partnerships were abolished in 2010 by Michael Gove as part of his bonfire of the quangos. As the Minister is setting them up again, perhaps he could look at the good practice followed under the last years of the Labour Government. If my memory

serves me right—it may not—I think the Labour Government also had a proposal whereby the examination performance of excluded children stayed for two years with the school from which they had been excluded. That must have been got rid of at some point by the Conservatives or the coalition. Can the Minister reassure us that he will learn from that and will not reinvent the wheel?

My main point is that I am not sure whether or not we are talking about fixed-term exclusions. When we talk about 85% of schools not excluding, that does not include the many schools who have fixed-term exclusions; these run at 500 times more than permanent exclusions at some 2,000 per day. Will the Minister tell us whether what he has said applies to fixed-term exclusions? I am interested in two figures. First, how many children who are eventually permanently excluded have already gone through a series of fixed-term exclusions? I bet it is almost every single one of them. Secondly, does he have the figures on exclusion by type of school—that is, maintained schools and academies?

Lord Agnew of Oulton: The noble Baroness, Lady Morris, asks about the difference between permanent and fixed-term exclusions. She is right; I have been quoting the figures for permanent exclusions, because that is the final sanction that exists for a school.

Baroness Morris of Yardley: I asked how many of the children given fixed-term exclusions were then permanently excluded.

Lord Agnew of Oulton: I accept that there is a ladder of escalation, which starts with sanctions that gradually move up in their impact. I disagree slightly with the noble Baroness on the strength of the recommendations in the Timpson report. For me, the stand-out recommendation is number 14:

“DfE should make schools responsible for the children they exclude and accountable for their educational outcomes”.

This has the potential to be a very powerful change, but Timpson has cautioned us to be careful in how we implement it, because of the adverse behaviours that it might create.

Lord Addington (LD): My Lords, the report and the Government's responses to the key recommendations keep talking about special educational needs and integration of the approach. Of course, I applaud this; I remind the House of my declared interests. However, unless you have some form of recognition and identification earlier on in the system, you will always be playing catch-up. We know that many of the groups we are talking about will have unidentified, or undealt with, special educational needs.

The report and the Government's response talk about enhancing the role of SENCOs. SENCOs are one person in the system and they will not be experts in every condition they have to deal with. Will the Government make sure there is better access at a school or at academy-chain level to expertise in those commonly occurring conditions? We know that three children in every class will be dyslexic, one will be dyspraxic and several will have ADHD. Unless you have that expertise on hand, it will always be a problem

and we will always be playing catch-up. If you go to the local authority, there will be terrible problems with co-ordination. How will the Government start to address this?

Lord Agnew of Oulton: Again, I would like to provide a certain amount of moderation. This is not to be complacent but, for example, about 10 years ago, children with a statement were three times more likely to be excluded compared to being 1.6 times more likely to be excluded in 2016-17. The picture is not quite as bleak as the noble Lord—

Lord Addington: My Lords, I said that the main problem is for those with unidentified special educational needs, or those whose needs are identified later on. Often it is those people who have marginal problems, which are magnified by their social condition.

Lord Agnew of Oulton: The noble Lord will be aware of the training programme we have rolled out over the last three years. We are very focused on this and the number of people trained to identify dyslexia, dyspraxia and so on in the school system has increased dramatically over the last three years.

Lord Judd (Lab): My Lords, the encouraging news of this review is long overdue. For nine years, I was privileged to be president of YMCA England. What I discovered and learned in those years was the complexity of the problems facing young people who were vulnerable and in difficulty. When I talked with some of those in young offender institutions, their lives were such a nightmare that it was not surprising that they were in such institutions. It is wise that the Government intend to keep the terms of reference for this inquiry as wide as possible because one has to look at the complexities of the situation, including the social context of the community in which the school exists.

One also has to look at the whole issue of the systems we use to monitor education—league tables, and so on. There are too many examples of ill-informed heads putting children out because they might affect the place that the school secures in a league table. All these issues must be looked at if the review is to be of use. One of the most important things we need to look at, and I hope the review will do so, is the context of society as a whole. What are the values that young people see operating in society and how does this help them to re-establish themselves as positive members of society, who contribute to it?

Lord Agnew of Oulton: The noble Lord is right: this is an immensely complex area. Trying to unpick it and come up with a coherent way of dealing with all the issues that spring from it is very difficult. For example, Afro-Caribbean children have a substantially higher chance of being excluded than white working-class children, but we are not clear why. That is just one example.

On children understanding the values of our society, that is why we have worked so hard on the relationship and sex education legislation; we were able to bring that through with the support of this House very recently. That will help to reinforce the values that

children should learn. Equally, we are trying to tackle that with the work we are now doing on the consultation on home education and children who are not in school. All these things conflate and our job is to try to bring together a package of initiatives that will improve the outcomes for these very vulnerable children.

The Countess of Mar (CB): My Lords, did the Minister read the article in the *Times* a few weeks ago about children who come from dysfunctional homes? I have recently had dealings with a young man, a 13 year-old, who ticked every single box in that article. He had been suspended from school, put into isolation and blamed for his condition. He was behaving badly at school. Fortunately, he has a cousin who took him in hand during the Easter holidays and showed him he was loved. He was just seeking love and attention. His mother used him as a lackey and a boot-boy; she did not care whether he went to school, or what he wore there, or whether he was fed. He did not sleep properly and when he went to stay with the cousin at the weekend, all he did was sleep. It is very important for school staff—teachers in particular—to understand the handicaps that these children have to face before they punish them. It is not their fault.

Lord Agnew of Oulton: The noble Countess, Lady Mar, is absolutely right. Last week, I visited Christ's Hospital School in Sussex. I do not know if noble Lords are familiar with it, but it is a boarding school where about 70% of the pupils are in receipt of some sort of means-tested bursary. They spoke about a girl there who I will call Anna, who is 16 years old. She came from a very broken home and does not want to see her parents again. She is a potential Oxbridge candidate. She has nowhere to go in the holidays and, because of the complexity of safeguarding rules, she cannot stay with one of the teachers in the school, so she has to stay in a YMCA hostel. I felt that was very dispiriting. It gives a snapshot of just how complex the areas we are dealing with are. We are doing all we can to try to help; that is my main reason for being in this job. It is the children who are most disadvantaged who need our help the most.

Lord Lexden (Con): Will greater support and guidance be available to the parents of children excluded or in danger of being excluded under the initiatives that are to follow the Timpson review? Does my noble friend agree with the noble Lord, Lord Storey, that the decline of the youth service in certain areas has perhaps contributed to the problems that now exist?

Lord Agnew of Oulton: There will certainly be more guidance—for example, for parents considering home schooling. We very much need to uprate the guidance so that they understand the implications of that. As for the youth service, we are doing all we can to try to improve the advice available to young people. For example, a great deal of effort is going in through the Careers & Enterprise Company to try to show them the pathways into skills; the uprating of apprenticeships will give them a higher profile; and T-levels will also help. These are all aimed at children who are less sure of the path into a secure career.

Lord Shipley (LD): My Lords, the Minister talked of the need for a careful consultation—I am sure that is right—but one of the conclusions of that consultation may well be that extra cash is needed. Is any bid being made by the department to the spending review? If there is not a request for additional funding, it could have to top-slice its own budgets, and obviously it is important that any such top-slicing be avoided.

Lord Agnew of Oulton: I assure the noble Lord that we are making a very bullish bid.

Baroness Newlove (Con): My Lords, I welcome this report, but after listening to my colleagues in the House of Lords I think there is one area that would help parents: looking at health visitors. We hardly see any health visitors wherever we go. It is good to bring them in to help them to understand the education process.

Lord Agnew of Oulton: We have committed to the deployment of mental health leads in schools over the last two years, and they are being rolled out as we speak. Good mental health is an absolute priority. We recently issued the Green Paper on children and young people's mental health. We are aiming to incentivise and support schools and colleges to identify and train a mental health lead. We are introducing new mental health support teams and are teaching about mental health in the new health education curriculum that will come into place in September next year.

Places of Worship: Protective Security Funding *Statement*

6.55 pm

The Minister of State, Home Office (Baroness Williams of Trafford) (Con): My Lords, with the leave of the House, I will repeat a Statement given by my right honourable friend the Home Secretary in the other place about security in our places of worship:

“Yesterday marked the start of Ramadan, a peaceful time of prayer and reflection. Throughout the holy month, Muslims will come together in mosques to celebrate. The tragic events in Christchurch, New Zealand, will never be far from their minds, and the 51 innocent souls who were slaughtered in March will be remembered in many prayers. A terrorist gunned down these Muslim men, women and children as they paid respects to their God. A few weeks later, Christians were massacred by terrorists in Sri Lankan churches as they observed their faith on Easter Sunday. More victims were targeted in hotels, with over 250 lives lost. Just days ago, a gunman stormed a synagogue near San Diego, killing an innocent woman on the last day of Passover. Each one of those atrocities was heartbreaking and tragic, and my thoughts are with every single person affected. I know the House will join me in condemning these hate-fuelled attacks on our freedoms and values.

This slaughter has sent shockwaves through our religious communities. People are understandably worried. Many members of my own family contacted me after Christchurch to seek reassurance and to ask, ‘Just what are you doing to stop this happening here?’ With your permission, I would like to answer this today to provide some much-needed reassurance.

There can be no doubt that people are being targeted because of their religion—in terrorist attacks around the world, yes, but also in vile hate crimes on the streets of this country: sledgehammer attacks on mosques, a Christian preacher spat at in the street and a brick thrown through a glass synagogue door. I condemn all these attacks with every fibre of my being. No one should be targeted because of what they believe. Everyone, of every faith, deserves the right to observe their religion without fear, and we are doing all we can to ensure that this remains the case in the UK and that our fundamental values are preserved.

Allow me to update the House on some of the work under way to protect our religious freedom. First, I have increased the places of worship protective security fund to £1.6 million for 2019-20—double the amount awarded last year. Expressions of interest are now open for the next round of the fund, which will open in July. Since the scheme launched in 2016, over £1.5 million has already been awarded, with 63 grants to churches, 49 to mosques, five to Hindu temples and 17 to gurdwaras. They have paid for security equipment such as CCTV, security lighting, new locks or fences. Many more places of worship will now benefit after we made it even easier to apply this year, by removing the need to find multiple quotes and contractors. A separate £14 million grant also provides security for Jewish schools and synagogues against terror attacks.

Secondly, a new £5 million fund will provide security training for places of worship across England and Wales. This funding will support the physical security measures provided by the places of worship fund. It will share best practice and help faith organisations understand how best to protect their worshippers.

Thirdly, we are consulting religious communities on what more can and should be done to help them. We will shortly announce a programme of engagement to help us understand what they need and how to make it work in a faith setting. This listening exercise will inform how the £5 million security training fund is spent to ensure that it is effective, and it will help ascertain how we can best protect worshippers.

Fourthly, we are providing immediate help with a Ramadan package of support for mosques. We know that Muslims are anxious for their safety after the atrocity in Christchurch and that tensions are heightened during religious festivals, so we are supporting faith associates to provide security training and advice for the Islamic holy month. Support is being given in 12 workshops around England and Wales and guidance is being distributed to over 2,000 mosques, community centres and madrassas.

Finally, our world-class police provide vital protection to all places of worship. Patrols near mosques were stepped up following the Christchurch attack to provide much-needed reassurance, and the police increase activity around religious festivals and holy days, including the Ramadan period. Our security services work tirelessly to disrupt all terror threats to this country. This includes tackling the growing threat from the far right, with four such terrorist plots disrupted since the beginning of 2017. We are also using a range of other powers to tackle the threat of terrorism and extremism in this country.

Our robust hate crime legislation has seen far-right influencers jailed for a range of offences, including religiously aggravated harassment. As Home Secretary I can exclude a foreign national from entering the UK if I believe their presence would not be conducive to the public good—a power I can, and do, use to stop hate preachers stirring up tension here; I have excluded eight since I became Home Secretary. Our Prevent and Building a Stronger Britain Together programmes work with and through local communities to challenge terrorist or extremist ideologies—from Islamist to the far right.

Together, this comprehensive package of support provides protection for all our places of worship. We know that there are deep and genuine concerns in religious communities; we know that people are feeling vulnerable and scared. But have no doubt: I am listening to these concerns and responding. The diversity of this country—our shared values of tolerance and respect—is what makes us truly great. We will never allow those who seek to divide us to win. The freedom to practise any religion or none is a cornerstone of our democratic society. People must have the peace of mind to worship without fear, and I am doing everything in my power to make this possible. I commend this Statement to the House”.

That concludes the Statement.

7.03 pm

Lord Rosser (Lab): I thank the Minister for repeating the Statement made in the Commons. Is the money announced in the Statement new funding or funding reallocated from another budget heading? The Statement deals with a serious issue, in the light not only of the tragic and sickening events elsewhere in the world but of events on our own doorstep, with the increasing number of attacks causing damage to synagogues, temples, mosques, churches and other places of worship, with the fear that, before long, those attacks could be directed more at worshippers than at just the buildings themselves.

It is a sorry state of affairs when people of different faiths do not always feel safe simply practising their religion. The language of hate that seems increasingly to be used only ramps up the likelihood of such attacks. What is even more appalling is that that language is used by some who hold or seek to hold office in our democratic structures and institutions, and by so doing give that language an air of respectability.

Places of worship should be open to the public as havens for quiet reflection, contemplation, prayer and worship, and as places where an understanding hearing and help may be found. But it is increasingly difficult to keep places of worship open for most of the day because of the threat of attacks in one form or another—increasingly difficult because people, often volunteers, are needed inside to ensure that nothing untoward occurs, and, even then, a single person on their own may feel too vulnerable to want to carry out that role even when they have the time.

We support making more money available for protective security measures as a means of seeking to reduce fear and apprehension for those practising their faith in places of worship. But this cannot be regarded as a solution to the problem. We need, beyond the increased security measures set out in the Statement, resources directed at those who preach or practise hatred or

encourage others to do so, and in particular also at those who might find such messages seductive or compelling. That requires further resources not simply for our seriously overstretched police but for community organisations and local government and our schools, for example, which have also been denuded to the bone to the detriment of the extent and level of what they can achieve in this field.

The Government also need to press ahead with a review of the Prevent strategy, identifying and concentrating on best practice and making clear to all that it is directed at reducing and stopping hatred and extremism across the board and not by any particular group within our diverse community.

I hope that when she responds the Minister can provide reassurance—which was not spelled out in the Statement, which contained fewer than 30 words on the involvement of local communities and the Prevent strategy—that what the Government have announced today is but one aspect, albeit important, of a much wider, properly resourced programme to address the increasing trend of hatred and hostility in what appears to be becoming our more fractured society instead of a diverse society that draws its strength, unity and values from that diversity.

Baroness Hamwee (LD): My Lords, I, too, thank the Minister for repeating the Statement. She repeated the Home Secretary’s four specific items. I thought that the third, which was,

“consulting religious communities on what more can and should be done to help them”,

might have been the first one in the list. The amounts of money which are mentioned are welcome, but they are very small when one compares them to the cost to the community of an attack—any sort of attack, but particularly a major attack. The aim must be to eliminate religious hatred.

The focus of this Statement—I do not think it pretends to be otherwise—seems to be on relatively low-level physical security. I believe that the maximum grant, if that is the right term, that has been made is £56,000. Will the Minister tell the House the average, more or less, level of grant that has been given recently—it will be 80% of the total cost of the work proposed—and what can be achieved by that sort of money? I do not know how much CCTV costs; that may be the best of the physical arrangements.

I have a couple of questions for the Minister about the application form on the Home Office website. There are questions about the building, asking whether:

“The exterior and interior ... is in a good state of repair and look well maintained”,

whether there is “natural surveillance”—I am not sure what that means—and whether it is in a conservation area. What is the relevance of some of these questions? There are questions about security measures, such as whether personal injury or assault has been experienced in the past 12 months and whether the building is,

“visible and identifiable as a place of worship? e.g. Symbolism/description on exterior of building, building dominate town or hidden away etc”.

My reaction on reading that is that we should be loud and proud about faiths which are practised. Again, will the Minister tell the House the purpose of such questions?

[BARONESS HAMWEE]

Five million pounds is proposed over three years for training. I appreciate that the Community Security Trust is outside this scheme, but I mention it because I was struck by an email circulated to members of my synagogue asking for volunteers to come forward for specific levels of training, and I realised how much these groups depend on volunteers. Is the Home Office satisfied that all communities that need training will be able to access this funding?

Like the noble Lord, Lord Rosser, I want to ask about the Prevent programme, which is mentioned. What progress is there with the review that is to be undertaken? Will the Minister assure the House that it will be independent and that community organisations and civil society, including of course faith organisations and faith communities, will be given every opportunity to contribute evidence?

Baroness Williams of Trafford: I thank both noble Lords for their comments. The noble Lord, Lord Rosser, asked what elements of the funding are new or not new. The £1.6 million in the Statement is not new money. It will be released in July. The £5 million funding is also not a new announcement and will be released in this financial year. As the noble Lord may have heard my right honourable friend the Home Secretary say, the Ramadan package is new. A £50,000 pre-Ramadan training package has already started and an additional £7,000 will be available during Ramadan. As he heard me say, Faith Associates was chosen to do that. There will be a training package in place for communities that need it, which will be aligned with the places of worship scheme.

The noble Lord commented that this is not just about buildings. He is absolutely right—. Just securing a building will not create confidence or put the minds of communities at rest. I do not know whether he recalls it, but the reassurance that was provided by the police following the “punish a Muslim” letter was exemplary. Communities up and down the country were very grateful for that, and the police will be doing the same over Ramadan. I mentioned £5 million over three years for security training. We are most grateful for the work of Tell MAMA and the CST. Touching slightly on what the noble Baroness, Lady Hamwee, said, the two work together because a problem for one community often reflects itself in a problem for another community.

The noble Lord also touched upon the online world and how it is so invidious in hooking people into areas of extremism or terrorism. Of course, he will know that the online harms White Paper has now been published, and I look forward to the introduction of the Bill. The noble Lord, Lord Rosser, rightly pointed out that communities are at the heart of all that we do. The Building a Stronger Britain Together projects that we do with civil society groups have proved very beneficial in moving them to promote integration and cohesion within communities.

Both the noble Lord and the noble Baroness, Lady Hamwee, talked about the Prevent review. We committed to do it in 2019 and I am sure that further details of it will come forward. I do not have them at my fingertips now, so I will not pretend to know every single aspect.

However, one thing that should not be forgotten in the context of Prevent is that the rise of the far right has seen almost 50% of referrals to the Channel programme being related to far-right concerns. The noble Baroness, Lady Hamwee, said that the consultation should have come first. I am sure that my right honourable friend the Home Secretary did not list the four things in order of importance, but of course consultation with community groups is at the heart of what we do.

The noble Baroness asked about the size of the grants and talked about it being a relatively small fund. However, when you put together the £5 million training package and double the funding for this year, plus the Ramadan funding, it is not an insubstantial amount. I cannot give her the average size of the grant because I do not know it, but I shall try to find out for her in due course.

She also talked about some of the funny things on the application form. As she listed them, I reflected on why you would need to know whether the institution in question was in a conservation area. I surmise that it is because you would need to know what you can stick on the outside of or put around buildings. Certainly, whether a building is secluded or in full sight will influence the risk assessment. Similarly, a building in a poor state of repair is clearly more of a security risk. Basically, it allows an assessment of risk.

The noble Baroness talked about the £5 million-worth of training and asked whether all communities that need training will get it. I really hope that communities that need it will come forward. The consultation will be online very shortly. I know that organisations such as the CST and Tell MAMA are fully engaged when it comes to working with each other, so there will be community involvement and participation. I look forward to the details of the consultation coming online in due course.

7.18 pm

The Lord Bishop of Rochester: My Lords, I too am very grateful to the Minister for repeating the Statement from the other place. From these Benches, I welcome it and echo some of the things that have already been said by the noble Lord, Lord Rosser, and the noble Baroness, Lady Hamwee, not least about the wider context, although I recognise that this Statement has a limited focus.

The Minister has already observed the tragic events in Christchurch, Sri Lanka and San Diego. It seems to me that one of the learnings from those events is the impossibility of predicting where, or even when, a dreadful event might occur. With that in mind, I am particularly grateful for the broadening of the eligibility criteria in relation to potential grants from the fund, whereby it is now not necessary for places of worship to have experienced an incident of hate crime in order to make an application. That is an important loosening around the unpredictability of where things might occur.

Speaking specifically for the Church of England, we have hitherto been pleased to assist, through our Cathedral and Church Buildings division, with some of the practicalities of administering the scheme by sitting on the advisory panel that assesses the applications. Clearly, we would be willing to continue doing that and,

as one of the better resourced faith communities, to make a contribution. I hope that the Minister will confirm that that participation, not only from the Church of England but from other religious communities, will still be welcomed in helping the process to work.

There are a couple of things on which I would welcome further comment from the Minister. One has already been referred to by the noble Lord, Lord Rosser—that is, the balance between ensuring security and maintaining welcome and openness. Clearly, that is a daily concern for our cathedrals and other nationally significant places of worship of different faith traditions, but it is also relevant for what one might call the humbler, local ones. Reference has already been made to the role of volunteers in making sure that buildings remain open. It seems that continued engagement is needed on how to get the balance right between, on the one hand, openness and accessibility and, on the other, the security of both buildings and persons.

I have a final observation and question on the security of persons. I am conscious that some religious leaders in the public eye—I am not thinking particularly of people like me—might be at greater risk precisely when they are not within their place of worship. I am thinking particularly of those who have perhaps had a high public profile over some issue or over something that they have said. It is when they are at home, with their family or in other settings that the risks might be greater. Is consideration being given to support in terms of security in the homes of the public religious leaders of faith communities?

Baroness Williams of Trafford: I thank the right reverend Prelate for those questions. Starting with his last question first, the real benefit of the consultation is that people—including, I am sure, the right reverend Prelate himself—can point out some of the wider risks that we have not perhaps considered in deliberating on the security of not just places of worship but the people who worship there and those who lead people in worship.

He mentioned the point raised by the noble Lord, Lord Rosser, which I neglected to deal with—that is, the balance between security and being welcome and open. People go to places of worship for such a wide range of reasons. We all know the role that the Church has played throughout history through the various operations it facilitates for people who are hungry, homeless, need refuge for the night or just an ear to listen, which is one of the most important things the clergy does. It is always so sad when a church or other place of worship is closed for security reasons. The right reverend Prelate has made a very good point. I know that he is not making a pitch but an offer from the Church of England, and I thank him for the help that it has given with the administration of funding so far.

Lord Harris of Haringey (Lab): My Lords, I am grateful to the Minister for repeating this Statement. Three years ago, I reviewed London's preparedness for a major terrorist incident and had some consultation meetings with faith communities. Complacency may be the wrong word, but I was concerned about the sense that came across from so many of the faith communities that "This would not happen to us because we are good people", and therefore their unwillingness

even to contemplate it. As the right reverend Prelate just said, anyone can be a target. Every faith has been a target somewhere in the world—many in this country.

I was slightly concerned that this is a Statement made by the Home Office as much for show as for reality. This is not new money—the Minister has told us that. Spending £1.6 million between the country's 60,000 places of worship equals £26 each, which does not buy much in the way of CCTV or physical preventions. If it was just applied to one community, maybe it would be a little bit more. The Minister could not tell us what the average sum spent in the previous round was. According to the Statement, £1.5 million was spent on 134 places of worship, so that was £11,000 per place of worship. Spreading this amount of money and saying that it will target all communities and all places of worship is ambitious, and I therefore wonder what the purpose of this Statement has been, other than to demonstrate that the Home Secretary is doing something.

One of my report's specific recommendations was that advice and encouragement should be given to every place of worship. If a parochial church, a mosque or a temple has a committee, one member of that committee should be designated to take responsibility for security, to look at the arrangements, to do some general planning and to liaise with the police about what could be done in the event of an attack on that place of worship. Will the Minister pick that up?

Baroness Williams of Trafford: I thank the noble Lord for his points and pay tribute to the work that he did, some of which has been subject to questions from myself. He talks about complacency. I think it is fair to say that we are all complacent until something happens to us—we never quite think that it will. He asks whether this is all for show. No, it is not. As we go into the holy month of Ramadan, there are people who are concerned, and I think it absolutely right to reiterate what is and what will be available to them and to give them reassurance.

The noble Lord states the average and says that it is not much, but there will be different amounts within that. Some will have got more, some might even have got less, depending upon the needs. I do not think, so far as I know, that needs have not been met; that is the most important thing. Of course, if demand changes, that will be considered. He makes a very valid point about advice being given to every place of worship. I do not know what advice is given to places of worship, but it is certainly a good suggestion, as is the idea that a specific person might be responsible for it. Of course, the right reverend Prelate might pipe up and say that in fact this already happens, but I thank the noble Lord for his suggestion.

Lord Beith (LD): My Lords, may I put two points to the Minister? First, the timely and speedy use of intelligence, which has not always been the case in some other countries, is something that we must maintain and ensure. Secondly, with the many thousands of places of worship, the role of volunteers—which has been emphasised by several noble Lords—is absolutely crucial. It is perhaps worth reflecting that in the context of safeguarding against the abuse of children and vulnerable people, those of us who hold office in

[LORD BEITH]

churches are nowadays required to attend training, particularly to alert us to what might be the signs of a threat or a danger to children or other vulnerable people. There is something of a model there for training volunteers in places of worship in how to spot what might be a dangerous situation, and what would be a sensible and prudent course of action for them to take.

Baroness Williams of Trafford: The noble Lord precisely lays out some of the training being done and that will be offered over the next three years. It is not just putting CCTV on buildings. He is absolutely right that intelligence is vital and that in the Church of England, the Muslim community and the Jewish community, which all rely on volunteers—some of their institutions would close without them—those volunteers should be trained and safeguarding measures should be put in place.

Lord Scriven (LD): My Lords, can I come back to the point that my noble friend Lady Hamwee made regarding the bureaucratic nature of the application

process? If you are local, whether somewhere is hidden or not you will know about it. Whether it is in a conservation area is irrelevant; it is that particular conservation area, for example, which will determine what will need to be put up and whether it will be granted by the planning authorities. It is not national. I therefore ask the Minister in a spirit of friendliness to go away and look at this, because it is bureaucratic. Can she look at making it a little more light touch, and work out which questions are needed centrally and which are local?

Baroness Williams of Trafford: I was trying to be helpful to the noble Baroness but the noble Lord makes a perfectly reasonable point. The funding has taken slightly longer to come on-stream than we anticipated for precisely that reason. We wanted to cut down on some of the bureaucracy that holds people back from making these applications, so that point is well made.

House adjourned at 7.31 pm.

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