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HOUSE OF LORDS

OFFICIAL REPORT

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

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

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House of Lords

Monday 15 January 2024

2.30 pm

Prayers—read by the Lord Bishop of Durham.

Poverty: International Development Aid Question

2.36 pm

Asked by **Lord Bruce of Bennachie**

To ask His Majesty's Government what plans they have to promote the end of absolute poverty through international development aid.

The Minister of State, Foreign, Commonwealth and Development Office (Lord Ahmad of Wimbledon) (Con): My Lords, the UK has a proud history of tackling poverty with our aid spending. The White Paper on international development re-energises that work, setting out how we will focus aid where it is most needed and most effective. The UK aims to spend at least 50% of our bilateral aid in the least developed countries. But aid alone will not end absolute poverty, and the UK uses a range of levers, including our expertise and policy influence, to support our partners' development objectives.

Lord Bruce of Bennachie (LD): My Lords, the Government's change of focus and the cuts mean that, in spite of the Minister's reply, the UK has lost its focus on poverty reduction. UK aid to Africa fell by £258 million in 2022, and its share of aid reduced from 52.3% to 44.1%. The situation in Asia was similar, and further cuts are planned. Africa has around 500 million people living below the poverty line. Does the Minister accept that, if the UK is to play a significant role in ending absolute poverty by 2030, the Government must refocus on poverty reduction in Africa? Can he set out, now or in writing, the poverty-focused UK spending in Africa aimed directly at reducing absolute poverty? Can he set out when spending on poverty reduction in Africa and Asia will return to pre-cut levels?

Lord Ahmad of Wimbledon (Con): My Lords, I do not agree with the noble Lord; we have achieved a great deal on the eradication of poverty. Focused on humanitarian support, we have provided more than £1 billion of life-saving support in humanitarian emergencies. We have committed £90 million to support in education emergencies, and the UK spent almost £1 billion on global health in ODA in 2022. I take the noble Lord's point on Africa, and he will be pleased to know that, in 2024-25, we will increase our ODA spend there to £1.3 billion.

Lord Watts (Lab): My Lords, does the Minister agree with me that we cannot do much about poverty unless we control population? Can he explain why, despite large amounts of money being spent on aid, millions of women still do not have access to family planning?

Lord Ahmad of Wimbledon (Con): I agree with the noble Lord. The issue of population and, linked to that, education is key. That is why the Government have repeatedly committed themselves to the importance of quality education for girls and the empowerment of women. As we move towards 2030 through the White Paper, we will focus much of our spending—up to about 80%—on ensuring that we focus on the drivers. That includes focusing spending specifically on education and empowerment, including women's and girls' personal health—that is a key focus. So I agree with the noble Lord, and our spending and programmes will be focused in that way.

Lord Collins of Highbury (Lab): My Lords, the Minister said that ODA is not the only lever we have. The average low-income country now spends 2.3 times more on servicing debt payments than on social assistance. In introducing the White Paper, Andrew Mitchell said that we need to “do far more” on debt relief. Does the Minister agree with the UN Development Programme that

“advancing the Sustainable Development Goals hinges on reshaping the global financial system”?

Can he tell us what progress the department has made, as Andrew Mitchell also referred to, in talks with the G20 on a common framework on increasing access for low-income countries?

Lord Ahmad of Wimbledon (Con): The noble Lord raises important points. First, on the issue of less developed countries, I alluded to the focus on girls and women. About 80% of our spend by 2030 will be on that, tackling the structural issues that the noble Lord highlighted. It is important that we look not just at providing development support but at issues of debt, trade, tax and corruption—and at delivering the challenges across health and climate change. The White Paper acts as a framework to our conversations, not just with our G7 and G20 partners but beyond. We are very much focused on empowerment through aid, and we will work with private sector partners in an increased fashion to ensure that, for every pound of support spent on development aid, we fully leverage private finance in this area as well.

Lord Purvis of Tweed (LD): My Lords, as has already been said, the impact on women and girls is disproportionate. Liz Truss agreed with us in November 2021, when she gave a crystal clear promise. She said that she had

“decided to restore the women and girls development budget to what it was before the Overseas Development Assistance (ODA) cut”.

Everything that the Government have subsequently announced in the White Paper will mean that we are not at pre-cuts levels for women and girls. Why on earth was this promise shamefully reneged on?

Lord Ahmad of Wimbledon (Con): First, I understand that it is the noble Lord's birthday, so I extend my best wishes and those of your Lordships' House—he is 21 once again.

Lord Purvis of Tweed (LD): I know what my present will be—the Minister's answer.

Lord Ahmad of Wimbledon (Con): Well, apart from my dulcet tones, my present is to reassure the noble Lord of the Government's commitment to girls' education, with the spending on women. I accept that the former Prime Minister detailed that, and I agreed with the Prime Minister at that time about the focus on girls and women when it comes to our development spending. That will be a focus. The noble Lord will have seen our women and girls strategy, which runs to 2030 and has a specific focus on ensuring that we reach those objectives. I agree with the noble Lord who spoke previously that we absolutely must spend more on girls' education, but there is a second element to that, which is the empowerment of women. That will help us in supporting other countries as well as helping those countries to get themselves out of poverty and become increasingly self-sufficient.

The Lord Bishop of Durham: My Lords, very helpfully, in the White Paper there was an emphasis on the importance of locally designed and led development for tackling absolute poverty, and there was a promise of a strategy for reaching that. What stage is it at, and when will that strategy be seen?

Lord Ahmad of Wimbledon (Con): The right reverend Prelate is right to raise that question. I will take back the specific issue of an update on the strategy and write to him, but we believe very much in localised solutions. That is why, when we consulted on the White Paper, there were more than 70 countries that we consulted with, and we received about 426 replies from about 46 countries. That ensured that our White Paper demonstrably showed what local needs stood for. On the development of the paper, I will write to the right reverend Prelate.

Lord Lamont of Lerwick (Con): My noble friend has mentioned many factors: aid, education, tax. The one word he has not mentioned is trade. Does he not agree that trade liberalisation is one of the greatest engines for relieving poverty? That is how the countries of south-east Asia went from undeveloped status to middle-income status. Is not one of the greatest threats to developing countries today the increase in protectionism, much of which exists among the advanced industrial countries, including the United States and Europe?

Lord Ahmad of Wimbledon (Con): I totally agree with my noble friend I am sure that *Hansard* will correct me otherwise, but I think I did mention trade. I agree that trade is part and parcel of this, which is why we are working with the BII and British investment partnerships to ensure that we raise and leverage more financing to ensure sustainability. It is not just about providing aid; this is about development support, which allows countries to really progress directly themselves, and we need private finance and the private sector to work hand in glove with us on this.

Baroness Jones of Moulsecoomb (GP): My Lords, does the Minister, or rather do the Government, understand that there is a link between the super-rich getting richer—for example, five men have since 2020 been adding \$14 million per hour to their wealth—versus 5 billion people who have fallen into greater poverty?

There is a link between inequality and the whole issue of being able to mop up poverty. Do the Government understand that link?

Lord Ahmad of Wimbledon (Con): The noble Baroness differentiated between me as a Minister of the Crown and the Government. I assure her that we are at one and we totally understand the connection that she makes, because it is right. That is why we must focus on the most vulnerable. Again, I reiterate our focus on issues of girls' education and the empowerment of women, because it is the most vulnerable who suffer and inequalities fuel that. We will focus on this in many of our programmes. That is why my right honourable friend the Development Minister has published our figures beyond this year and into next year, to demonstrably show how we are increasing funding, notwithstanding the challenges we face with the reduction to 0.5%, to ensure that there is real transparency in the British Government's spending.

Lord Londesborough (CB): My Lords—

Baroness Symons of Vernham Dean (Lab): My Lords—

Baroness Williams of Trafford (Con): It is the turn of the Cross Benches.

Lord Londesborough (CB): My Lords, the White Paper makes several laudable commitments, some of which require significant upfront investments, such as access to basic services, and that brings us the uncomfortable question of how these projects will be resourced, given not one but two huge hits to our ODA budget: some 25% lost due to the UK abandoning its 0.7% commitment, and almost 30% of what is left being spent on housing refugees in the UK. Can the Minister confirm the net budget for overseas aid once both these factors are taken into account?

Lord Ahmad of Wimbledon (Con): My Lords, the strategic decision to reduce was taken because of domestic pressures. It was right that we gave a commitment to return to 0.7%, and the Government stand by that. On the issue of domestic spending on refugees, we have always acted within the DAC rules and we continue to do so. I do not think a single noble Lord will dispute that it is right that we have taken responsibility for those coming to the UK, whether from Ukraine, from Hong Kong or coming directly from Afghanistan, as they have recently, and that we use that money to help support them. We will act within the DAC rules. It does mean, yes, that there is less spending there, but it also ensures that we fulfil the responsibility that we owe to those coming to the UK to rebuild their lives.

Engineered Stone and Silicosis

Question

2.48 pm

Asked by **Baroness Bennett of Manor Castle**

To ask His Majesty's Government what consideration they have given to restricting the use of engineered stone, following the decision by Australia to ban it; and whether they plan to make silicosis a notifiable disease.

The Parliamentary Under-Secretary of State, Department for Work and Pensions (Viscount Younger of Leckie) (Con): My Lords, the Health and Safety Executive, HSE, is not currently considering restricting the use of engineered stone. The Control of Substances Hazardous to Health Regulations already require employers to put in place measures to prevent workers being exposed to respirable crystalline silica. This includes adequate controls ensuring compliance with the workplace exposure limit and health surveillance identifying potential ill health. HSE keeps requirements for reporting occupational diseases under review and is not currently making silicosis reportable.

Baroness Bennett of Manor Castle (GP): I thank the Minister for his Answer, but Australia acted after it found that one in four stonemasons had incurable, debilitating and sometimes fatal silicosis. Estimates suggest that, in the UK, 1,000 people a year die from silicosis as a workplace disease and many more suffer from debilitating conditions—not just stonemasons but construction workers, engineers and agricultural workers. Surely the Government should at least look into this further and get more data on a problem on which Australia, which is broadly comparable to us, has found it crucial and essential to act.

Viscount Younger of Leckie (Con): I am pleased that the noble Baroness has raised this point. She will know that the HSE is different from Safe Work Australia because the latter does not work as a national workplace regulator and instead sets policy. According to our figures, Australia has reported 260 cases of silicosis. However, a significant number of workers using engineered stone in Australia are known to be SMEs or sole traders, who remain hard to reach. To answer the question of the noble Baroness, we are very much in touch with Australia on this important matter.

The Lord Speaker (Lord McFall of Alcluith): My Lords, the noble Lord, Lord Campbell-Savours, is participating remotely.

Lord Campbell-Savours (Lab) [V]: My Lords, as someone with former downstream involvement in the industry, I welcome this important Question. I suggest that we confine any debate on further restriction to the dry cut of granite, cement and quartz and not to other products. Engineered stone is primarily quartz; if cut wet, there is little problem but, if cut dry, it can lead to dust and lung problems and may well require further regulation. This is a problem primarily in Europe, as there is now very little dry-cut activity in the United Kingdom.

Viscount Younger of Leckie (Con): The noble Lord makes some very helpful comments. He is right that individuals are most at risk when dry cutting and polishing are being performed. In Great Britain, as I think he alluded to, engineered stone is mostly imported. He makes an interesting point about the amount of silica content found in engineered stone: yes, it is high, but sandstone also contains 70% to 90% and granite

25% to 60%. The Health and Safety Executive and COSHH have taken good measures on that over many years.

Lord Palmer of Childs Hill (LD): My Lords, I am not very reassured by the Minister's comments on British health and safety precautions and enforcement. Can he explain in greater detail what we are doing, rather than just hoping that this will go away? Are cases increasing, and are there numbers for illness in the UK, not Australia, from these causes?

Viscount Younger of Leckie (Con): In contradiction to what the noble Baroness, Lady Bennett, said, our information is that nobody has suffered any long-term exposure to silicosis. There are instances of non-compliance, which have reduced from 19% to 11%, but the HSE has been tackling exposure to RCS for many years through a mature regulatory model that combines targeted inspection activity on high-risk activity, communications activity and working with stakeholders.

Lord Winston (Lab): My Lords, the issue of silicosis from stone grinding has been known since the 1940s, when it was first described by the late Dr Donald Hunter, an expert on industrial disease. He recommended a number of precautions. Are the available precautions, which should be enforced, now clear and do the Government understand them? Are they similar to those introduced in Australia?

Viscount Younger of Leckie (Con): I can reassure the House that, as mentioned before, most engineered stone in the UK is imported. There could be an issue where engineered stone is used for fitting kitchen worktops, where the importance of PPE and masks is understandably difficult to monitor. However, the HSE and COSHH have been looking at this over many years.

Baroness Watkins of Tavistock (CB): My Lords, can the Minister explain what is behind the reluctance to make silicosis a recordable disease? If we did so, we would be able to monitor the size of the problem and put in place further preventative interventions and thus, in the long term, save the public purse in both the NHS and the benefits system.

Viscount Younger of Leckie (Con): The Health and Safety Executive recently carried out a post-implementation review, or PIR, of RIDDOR, which, as the noble Baroness will know, deal with the reporting of injuries, diseases and dangerous occurrences, with a view to expanding that to include areas where HSE regulatory intervention can add value. HSE will start the process of reviewing the remaining recommendations—including the inclusion of pneumoconiosis, which is, in effect, silicosis—within the next business year.

Baroness Sherlock (Lab): My Lords, the HSE's own website says:

“Silica is the biggest risk to construction workers after asbestos”.

[BARONESS SHERLOCK]

As the Minister said, it is found in engineered stone which is used extensively in kitchens and bathrooms for counter-tops. The UK has a silica exposure limit of 0.1 milligrams per cubic metre. As I understand it, that is twice the legal limit in the United States and Germany, and four times that in Portugal. I ask the Minister: has this been looked at recently? Is he aware that the first case of someone getting silicosis was in Australia in only 2015? Since then, hundreds more cases have come online. In Australia, this is being talked about as the asbestos of the 2020s. I urge the Government not to be complacent about it.

Viscount Younger of Leckie (Con): The noble Baroness is absolutely right. I reassure the House that Great Britain has a very good record in this area and the European Union reflects our approach. For example, the silica limit in Great Britain—as the noble Baroness has pointed out—is 0.1 milligrams per metre cubed, which was set in 2006 and is now comparative across the world. The EU considered a lower limit, but it was not adopted due to uncertainties about the reliability of measuring techniques below the limit we are at.

Lord Foulkes of Cumnock (Lab Co-op): My Lords, has the Minister seen the reports in the Scottish media that part of the Stone of Destiny has been taken into private ownership by a member of the Scottish National Party? Which department is responsible for recovering it, and what are they doing about it?

Viscount Younger of Leckie (Con): It is certainly not mine.

Lord Hendy (Lab): My Lords, one of the problems with silicosis is that it is not necessarily diagnosed by doctors and recorded on death certificates. That is because it is not a well-recognised condition apart from among experts. This means that deaths as a consequence of chronic obstructive pul—

Noble Lords: Oh!

Lord Hendy (Lab): Noble Lords know what word I mean: COPD. Deaths that are consequent on COPD do not necessarily record silicosis. Do His Majesty's Government support the recommendations of the APPG on respiratory diseases, particularly the need for an industry awareness campaign on silicosis?

Viscount Younger of Leckie (Con): Yes, the noble Lord makes some very good points. I reassure him that the current HSE silica intervention continues to raise awareness of the requirement to adequately control exposure to RCS, for those in the construction sector and those providing materials for construction, such as brick manufacturers and stone fabricators. These campaigns will continue through 2024.

Baroness Bennett of Manor Castle (GP): My Lords, the sense of complacency has been very strong. I draw noble Lords' attention to the fact that, in many cases, exposure to silica is producing diseases in young people aged 19 to 26 in Australia. Given the concern about the health and well-being of our workforce, are the

Government considering that this and other issues in workplace safety are a significant contributor to our problem of so many people of working age being unable to work because of health?

Viscount Younger of Leckie (Con): It is easy for the noble Baroness to say that we are complacent, but we are not. I have laid out a number of actions that we are taking. The HSE has continued to deliver inspection campaigns in industries associated with RCS exposure. The HSE also investigates concerns about inadequate risk management, which has been going on for many years. I mentioned the post-implementation review, and HSE will start the process of reviewing the remaining recommendations—including the inclusion of pneumoconiosis—within the next business year, as I said earlier.

Driving Licence: Young and Newly Qualified Drivers Question

2.59 pm

Asked by **Baroness Randerson**

To ask His Majesty's Government whether they are planning to introduce a graduated driving licence for young and newly qualified drivers.

The Parliamentary Under-Secretary of State, Department for Transport (Lord Davies of Gower) (Con): My Lords, the Department for Transport has no plans to introduce a graduated driving licence scheme for young drivers. The department commissioned the £2 million Driver2020 research project to examine interventions designed to help learner and newly qualified drivers improve their skills and safety. We look forward to receiving the findings from that project, which will feed into considerations on further measures we could take to improve road safety for young drivers.

Baroness Randerson (LD): My Lords, the Minister will know that, in Wales, seven young men—still teenagers—lost their lives in tragic car accidents in the few weeks before Christmas. Year after year, young drivers, particularly young men, are grossly overrepresented in road casualty rates, and research shows that a combination of inexperience and incomplete brain development often features in the cause of accidents—although I obviously cannot comment on the two concerned. There is widespread support for graduated driving licences from the Association of British Insurers, the RAC, Brake, Project EDWARD and the Parliamentary Advisory Council for Transport Safety. Will the Minister agree to add to the work that the Government are currently doing a thorough look at their recommendations to see whether it is now time for graduated driving licences in order to save these lives?

Lord Davies of Gower (Con): I assure the noble Baroness that the Government take this very seriously and are always prepared to listen to what others have to say. Going back to my earlier point, our largest young driver research piece is the Driver2020 project, an evaluation of interventions to improve the safety of

young, novice drivers in partnership with the Transport Research Laboratory. It started in 2019 with 28,000 learner and novice drivers taking part and was completed in summer 2022. We look forward to getting the report this year.

Earl Attlee (Con): My Lords, I remind the House of my interest as a qualified HGV driving instructor; I have done a lot of work with young drivers. Why does my noble friend the Minister not understand that young, novice drivers are completely ill-equipped and unable to block out distractions from youngsters in the back of the vehicle unless they have an older driver with them?

Lord Davies of Gower (Con): I do understand that. It is not a question of generalising; not all drivers are that bad. We must aim at making sure that the young, novice driver—who is perhaps not as experienced as others—is properly dealt with.

Lord Liddle (Lab): My Lords, while one has enormous sympathy with what is behind this Question, how can the Government get into these matters of further sophistication when there is an enormous waiting list for driving tests? The last stated figure was an 18 and a half-week wait for a driving test, which is very important to people trying to get jobs. The Government are supposed to be working towards a nine-week target. Can the Minister report progress on that, or is it just another example of a country that is not working any more?

Lord Davies of Gower (Con): I cannot give the noble Lord exact figures on that issue, but we will have a look at it and perhaps write to him.

Lord Swire (Con): My Lords, no one wants to prevent young people getting in their cars to get jobs and so forth. But with the considerable increase in the volume of traffic, particularly on motorways, and the introduction of smart motorways, is it not ludicrous that a novice driver can pass their driving test and drive straight on to a motorway or in the dark, both of which they may never have done before?

Lord Davies of Gower (Con): I take my noble friend's point, but I think noble Lords should be aware that on acquiring their first full licence a new driver is on probation for two years. During that time, they are subject to a limit of six penalty points for any driving offences, including any received when in the learning stage. If six or more points are received, the driver loses their full licence and must apply again for a provisional licence, re-entering the learning stage, so it is quite stringent.

Lord Carlile of Berriew (CB): Does the noble Lord agree that one reason why young people sometimes drive so badly—and why so many young people are convicted of driving without insurance—is that the cost of insurance is way outside the budget of most families, even when the child in that family has learnt to drive through a driving school? Is it not time that the Government and the insurance industry got together to talk about educating young drivers to drive better and to obtain more driving experience?

Lord Davies of Gower (Con): I thank the noble Lord for that. He makes a very good point, and it is something which the Government could well look at.

Lord Forsyth of Drumlean (Con): My Lords, I declare an interest as someone who will be 70 later this year. Can my noble friend explain why it is that when you are 70, you have to reapply for your driving licence? Why pick on 70?

Lord Davies of Gower (Con): Can I say that I agree with my noble friend? At the age of 70, drivers must renew their entitlement and, at most, every three years after that. To renew the entitlement, they must make a legal declaration that they can meet the standards required to drive and confirm that they have listed any medical condition. That is the important point: whether there are any new medical conditions.

Lord Watts (Lab): My Lords, while I support reviewing the issue of young drivers, perhaps if the Minister is to do that, he will look at older drivers. As far as I know, there have not been any young drivers driving up motorways in the wrong direction.

Lord Davies of Gower (Con): Again, I would say that it is about, every three years after becoming 70, making a medical declaration to ensure that a person is of sound mind and able to continue driving on our roads.

Baroness Kramer (LD): My Lords, many Members of this House are grandparents with teenage grandchildren. I say as one of them that it is exceedingly alarming to know that a new driver who has just passed their test can take a number of youngsters out after a party or some other gathering or to a gathering. Hopefully, they are not breaking the law by drinking, but the behaviour in the car and the distraction is a genuinely serious issue and a major cause of many of the accidents about which we are concerned.

Lord Davies of Gower (Con): The noble Baroness is absolutely right; I cannot disagree with her. That is why the Government have commissioned the young driver research piece, the Driver 2020 project, and I hope that it will produce some suggestions as to how we may deal with this.

Lord Kirkhope of Harrogate (Con): My Lords, I want to apologise to the House. About a year ago, I got up and claimed that insurance and other details said that women drivers were substantially better drivers than men, and I wanted to argue their case. Sadly, within 24 hours of my asking that question, two female members of my family committed minor offences in motor cars. I therefore wish to ask my noble friend to try to justify my position by indicating that between young drivers—young people of both sexes—young women drivers are safer drivers for insurance purposes than young men.

Lord Davies of Gower (Con): I am afraid I am not in a position to comment on that. What I can say, on a very serious point, is that, overall, the figures for 2022 are that one fifth of all car collisions resulting in death or serious injury involved young drivers aged between

[LORD DAVIES OF GOWER]

17 and 24. In 2022, 1,365 young car drivers were killed or seriously injured. Young male car drivers aged 17 to 24 are four times as likely to be killed or seriously injured compared with all car drivers aged 25 or over.

Lord Brooke of Alverthorpe (Lab): My Lords, does the Minister agree that one of the major factors leading to the death or serious injury of those aged between 17 and 24 is a higher incidence of drink and drugs among that cohort, which is well known by the insurance industry? Does he recognise that we have the weakest rules relating to the amount that one can drink in the whole of Europe, apart from Malta? Is it not time that, when they come to undertake the review following the evidence being presented, the Government take action and require them to stay away from drinking in the way that they do at the moment?

Lord Davies of Gower (Con): The noble Lord makes a very good point. I appreciate everything that he says.

BBC: Royal Charter

Question

3.10 pm

Asked by **Lord Dubs**

To ask His Majesty's Government what consultations they propose to have before the next renewal of the BBC's Royal Charter about news and current affairs programmes, including the future of *Newsnight*.

The Parliamentary Under-Secretary of State, Department for Culture, Media and Sport (Lord Parkinson of Whitley Bay) (Con): My Lords, the BBC has a duty under its royal charter to deliver impartial and accurate news and current affairs programmes. It decides independently how to deliver these services. The Government's mid-term review focuses on impartiality, editorial standards and making sure that we have a BBC that represents all audiences. As required by the royal charter, His Majesty's Government will consult the public on the BBC's future as part of the charter renewal process.

Lord Dubs (Lab): My Lords, does the Minister agree that the BBC faces an immediate crisis given the 34% real-terms cut in its income between 2010 and the present? This cut has had an adverse effect on some programmes, including "Newsnight", the BBC's flagship current affairs programme, which may have to be cut back in an election year when what we want is more scrutiny of politicians, not less. Is not there some truth in what Sir Max Hastings said: that there is a "Tory war on the BBC"?

Lord Parkinson of Whitley Bay (Con): It is important to begin with the fact that the BBC will benefit from more than £3.8 billion of licence fee income per year; that is a considerable amount of money. We froze the licence fee to help people with the cost of living but it is now rising in line with inflation. It is for the BBC to decide how it spends the money that it gets from the

licence fee payer within the expectations that are clearly set out in the royal charter, in which its first public purpose is:

"To provide impartial news and information to help people understand and engage with the world around them".

It is important that the BBC does this.

Lord Vaizey of Didcot (Con): My Lords, those of us who care passionately about the BBC are very worried about the direction of travel for BBC News. There have been decimating cuts to local radio, with long-standing presenters being made redundant in the most brutal of ways, the botched merger of world news and domestic news, and the cuts to flagship programmes. As the Minister said, is it not the BBC's duty as a publicly funded broadcaster—particularly in an age of disinformation being so widespread—to invest heavily in a news service that we all rely on?

Lord Parkinson of Whitley Bay (Con): Although it is up to the BBC to decide how to deliver its services, the Government are clear that it must make sure that it continues to deliver its remit as set out in the royal charter and the agreement. The Government expect Ofcom, as the BBC's regulator, to ensure that the BBC is held to account in the way it does so. We recognise the strength of feeling on the importance of news coverage, both nationally and locally. We have raised the concerns expressed in your Lordships' House and another place about cuts to local news reporting services, but it is up to the BBC to decide how it delivers these services with the money that it gets.

Lord Birt (CB): My Lords, my final act in departing the BBC in 2000 was to negotiate a licence fee settlement for seven years at RPI plus 1.5%. That was with a Prime Minister who was crystal clear—to repeat a phrase from earlier—that he wanted to see a well-funded BBC in a rapidly expanding new digital universe. A quarter of a century later, we find the BBC with its finances brutalised and forced to pull back in every area of programming. Is it not time to restore the scope and scale of our most important national cultural institution?

Lord Parkinson of Whitley Bay (Con): The BBC is indeed a beacon that shines brightly around the world, reflecting British values and doing great credit to us as a nation. I pay tribute to the noble Lord for the work that he did at the corporation. However, since he left, we have seen the number of people paying the licence fee falling. It has fallen by 1.7 million people over the last five years. Therefore, as well as ensuring that there is a fair settlement that gives the BBC the money that it needs and is fair to the people who pay the licence fee, we are looking at the funding model to ensure that the BBC is able to continue to get the income and to shine brightly as a beacon in an increasingly competitive media landscape.

Lord Foster of Bath (LD): As the noble Lord, Lord Dubs, has implied, the biggest threat to the BBC's news and current affairs is from this Government. After the level of cuts that we have already heard about and last year's two-year freeze on the licence fee, the Government did at least promise an inflationary increase in the licence fee for this year. Will the Minister

now acknowledge that the Government have also broken that promise by giving an inflationary rise that is much lower than was anticipated, saving British households the equivalent of one egg per month while causing the BBC to have to have a further £90 million in cuts? How does that ensure that the BBC will continue to be the most trusted international provider of news across the world?

Lord Parkinson of Whitley Bay (Con): The increase has been calculated based on the annual rate of CPI inflation in September. That is the same measure that we use for the increases to the pension and to those in receipt of benefits. It ensures that the BBC can get income from the licence fee while being fair to those who pay it at a time when household budgets are also hard pressed. That money delivers the BBC more than £3.8 billion per year. It is for the BBC to decide how it carries out its obligations as set out in the royal charter.

Baroness Thornton (Lab): My Lords, I am very tempted to sling “Winterwatch” into this debate as it is being reduced because it is an expensive programme, which is a great shame. However, I will return to the issue that my noble friend Lord Dubs raised, because “Newsnight” is a much-respected and cherished institution. I would like to understand the need for the BBC to make changes in response to this funding challenge. Is the Minister satisfied with the BBC’s assurances in relation to the continuation of investigative journalism? Is he equally satisfied that now that privatisation is off the table and there is a clearer strategy for its future, Channel 4 can also continue to play its important informing and investigative role?

Lord Parkinson of Whitley Bay (Con): The royal charter sets out clear expectations for how the BBC impartially delivers news output. It is for the BBC to decide how it does this and through which programmes, however beloved they are in your Lordships’ House. I know that Members of your Lordships’ House have worked on “Newsnight” and many watch it and get their news that way. However, it is important that the BBC makes the decisions on how it adheres to the obligations set out in the royal charter and in its public purpose. It is also important that we do not have a Government who tell the national broadcaster how to report the news.

Viscount Colville of Culross (CB): My Lords, I declare an interest as a former news editor of “Newsnight” and a freelance TV producer. In the last year, commissions for factual programmes on all channels have been massively reduced. Over 70% of freelance documentary television producers are said to be without work. Does the Minister agree that Ofcom should investigate how the massive reduction in BBC budgets over the last decade has adversely affected the commissioning of documentaries on the BBC?

Lord Parkinson of Whitley Bay (Con): Ofcom has a role under the current royal charter to see how the BBC is meeting its obligations. It does this independently but will have heard the point made by the noble Viscount. More broadly, the Government are working on growing our creative industries so that there are

many other avenues for brilliant documentary makers to add to the public understanding of current issues that are of interest to us all as globally engaged people, and many ways in which people can get their news and current affairs programming.

Lord Naseby (Con): In his consultations, will my noble friend urgently take up the position on free-to-air, particularly regarding the test match series in India between England and India, which starts in about two weeks’ time? Does he realise, and does the BBC understand, how literally millions of people are sitting at home in this cold weather dying to see that cricket?

Lord Parkinson of Whitley Bay (Con): The listed events programme is a particular piece of work, but I will take my noble friend’s point back to Ministers, who, I am sure, hope for this to bring some joy and warmth into the lives of listeners and viewers.

Lord Winston (Lab): My Lords, do the Government agree that multiple, daily, repeated quiz shows, which are almost continuous on the BBC now, are a good way to make sure that the licence remit is fulfilled?

Lord Parkinson of Whitley Bay (Con): The BBC has a licence remit and there are quotas for the number of hours of current affairs and news programming that it must show. What it fills its channels with outside of that is, rightly, a matter not for Ministers but for the BBC itself to decide.

Baroness Coussins (CB): My Lords, before any funding formula is introduced for the BBC, will the Minister commit to commissioning an independent, separate and dedicated impact assessment of that funding formula’s impact on the World Service, which needs a great deal of budgetary resilience built into it so that it can continue to respond flexibly to geopolitical situations around the world, especially through its language services?

Lord Parkinson of Whitley Bay (Con): The Government have made it clear—I am happy to say it again—that continued investment in the World Service is necessary to reflect the UK, its culture and its values to the rest of the world. Last March, we announced a £20 million uplift for the BBC World Service over the next two years, on top of the £94 million that it gets annually, to protect all 42 World Service language services, to support English language broadcasting and to counter disinformation. I agree with the noble Baroness about the importance of doing that in the world situation we face.

Israel and Palestine

Commons Urgent Question

The following Answer to an Urgent Question was given in the House of Commons on Monday 8 January.

“Let me begin by reiterating our fundamental belief in Israel’s right to defend itself against Hamas. The events of 7 October were truly horrifying. Israel has a right to restore its security and to ensure that such horrifying events can never be repeated. We are also clear that too many civilians have been killed. Israel needs to ensure that its campaign is targeted on Hamas

leaders and operatives, fulfils its obligations to protect civilians and is consistent with international humanitarian law.

No one wants to see this conflict go on for a moment longer than necessary. That is why the United Kingdom played a leading role in securing the passage of UN Security Council Resolution 2720, which made clear the urgent demand for expanded humanitarian access. The resolution also called for the release of hostages and for steps towards a sustainable ceasefire, for which the British Government have consistently led calls.

Britain has been pushing a number of innovative and impactful approaches—especially, but not only, maritime delivery—to support aid for Gaza. We are focused on the bigger picture and longer-term strategic value. UK Ministers are lobbying the Government of Israel hard and regularly to allow more aid in and reduce the numerous constraints that are hindering many aspects of our and others' efforts to help Gazan civilians. We have appointed Mark Bryson-Richardson as our representative for humanitarian affairs in the Occupied Palestinian Territories.

Last week, a Royal Navy vessel delivered 87 tonnes of life-saving UK and Cypriot aid, destined for Gaza, into Egypt. We have also supported the United Nations World Food Programme to deliver a new humanitarian land corridor from Jordan into Gaza. Seven hundred and fifty tonnes of life-saving food aid arrived in the first delivery and a second convoy, with 315 tonnes of critical supplies, reached Gaza last week, partly funded by the United Kingdom. Nevertheless, the risk of famine is stark, and the Foreign Secretary and other Ministers throughout the Government are pushing the need to address this with the Israeli Government.

The Government are urging all sides to avoid further escalation. The situation is fragile and an escalation in violence, including on Lebanon's southern border with Israel, is not in anyone's interests. In the Red Sea, the Houthis' attacks against commercial shipping are patently unacceptable. We have already taken action to deter Houthi threats, and we will not hesitate to take further action as needed.

There is no perfect formula for peace. What I can say is that Gaza should ultimately be under Palestinian control, and we support a two-state solution that guarantees security and stability for both Israeli and Palestinian people”.

3.21 pm

Lord Collins of Highbury (Lab): My Lords, all our thoughts are very much with all the civilians who have been caught up in this horrific and continuing war. I certainly welcome the Minister's efforts in securing United Nations Resolution 2720 and the Government's commitment to seek and push for a sustained ceasefire that will deliver the humanitarian support that we wish for.

Andrew Mitchell in the other place referred to the ICJ case that was being pursued by South Africa and said that we would follow and respect its decision. But international humanitarian law is broader than that simple case. What are we doing to support the ICC to

have adequate access, support and resources to properly investigate all breaches of international humanitarian law? Clearly, this is an issue that concerns all our global partners.

The Minister of State, Foreign, Commonwealth and Development Office (Lord Ahmad of Wimbledon) (Con): My Lords, I first thank the noble Lord for his kind remarks. Securing UN Security Council Resolution 2720 was of course important. Being directly involved, I can assure your Lordships that it was hard-graft negotiation until the very end. It is right that we need a ceasefire that is respected and sustainable. I pay tribute to my noble friend the Foreign Secretary for advocating this and I know that His Majesty's Opposition share this view.

I can say no more about the ICJ case than that the ICJ is an institution that we support and that we await the outcome of the case. It is extremely important, for all concerned, that international humanitarian law is upheld. In all our interactions, we look to ensure—recently, my noble friend the Foreign Secretary engaged directly with senior representatives of the Israeli Government—that this point is made very clearly. Unlike Hamas, Israel is a state and it has obligations in this respect, which it recognises.

We are very supportive of the ICC as an institution. Earlier today, my noble friend the Foreign Secretary and I met the prosecutor of the ICC, who is visiting, to discuss a raft of different issues about the institution and its various priorities.

Lord Purvis of Tweed (LD): My Lords, I thank the Minister for his kind words earlier. There have now been 101 days of this violence, and we have now seen the reports of 8,000 innocent Palestinian children being killed, and 150 UN workers also dying in the violence. The Israeli Government have said that their strikes have been targeted and proportionate, but analysis by the *Financial Times* before Christmas showed that the devastation of buildings in north Gaza is now more than it was in Dresden and Cologne, and is comparable to Hamburg. The Israeli forces have been using 2,000-pound bombs, which are four times the size that allies used in Mosul against ISIS, and have been using unguided munitions that date back to the Korean and Vietnam wars. The Government have said that they have monitoring aircraft in the region, which are being used to identify potential Hamas terrorists. That is to be welcomed, but are the Government also monitoring the use of the unguided so-called “dumb bombs” that have been raining down on Gaza, causing massive civilian damage? This will be evidence when it comes to any potential legal challenges, so are the Government collating the information?

Lord Ahmad of Wimbledon (Con): My Lords, I will first share my own thoughts and those of the Government. I think I speak for every Member of your Lordships' House when I say that the loss of life we saw in the terrorist attacks on 7 October, and subsequently the loss of so many innocent lives in Gaza, is something we all deplore. That is why the Government have been working extensively. I and my noble friend the Foreign Secretary, literally during the course of the last month

or so and during the Christmas period, have been working to ensure that we get the agreements in place to allow for humanitarian support to be provided to those most in need. No one needs to demonstrate how the situation in Gaza is being played out; we have seen it. There is acute need, particularly for the most vulnerable, and women and children in particular—70% of those who have been killed are women and children. I alluded to the importance of collating evidence earlier as well. There are international institutions looking at this, and Israel itself is a responsible state that has responsibilities under various agreements it has signed. Now is the time to focus on getting that sustainable ceasefire, so we can see that rebuilding, getting support in and also, let us not forget, getting the hostages out who have been held since 7 October.

Lord Turnberg (Lab): My Lords, the war would end tomorrow if the hostages were released, but is it not time to call out the role of Iran in all of this? Although Iran is apparently keeping out of it, it is promoting Hamas to carry out its horrible acts, and pushing the Houthis into the direction they are taking. Without Iran, they would not be doing this. Is it not time we told them to stop?

Lord Ahmad of Wimbledon (Con): I assure the noble Lord that we have done exactly that. While there may not be direct operational instruction from Iran to those militias that are being supported—not just those that have been supported in the Occupied Territories, but those further afield—I assure the noble Lord that we are making that case. My noble friend the Foreign Secretary recently spoke directly with the Foreign Minister of Iran, and that point was made very strongly.

Lord Polak (Con): My Lords, I agree entirely with the noble Lord, Lord Turnberg. There are still over 130 hostages—men, women and children—being held in Gaza, and we should not forget them. Like other noble Lords in this House, we had the difficult opportunity to visit Kfar Aza down in the south of Israel last week. It was horrific. I was able to say the memorial prayer to the son of my friend, Netta Epstein, who died when he jumped on a grenade to save the life of his fiancée. But would my noble friend agree that there is some small light in the darkness? That is the Abraham Accords. I will be specific and mention the Kingdom of Bahrain; its understanding and support, not only in the fight against Hamas but also against the Houthis, is that small light.

Lord Ahmad of Wimbledon (Con): My Lords, first of all, on my noble friend's point on hostages, I myself, along with the Foreign Secretary, have met with various members of the families of hostages currently being held. I assure noble Lords that we are doing our utmost with those who have influence to ensure their release as well as their safety at the current time. On the wider issue, when one looks at the situation currently, every glimmer and silver lining of this dark cloud is welcome, and I agree with my noble friend that the role of, and our partnership with, Gulf countries is particularly important. I also acknowledge fully the role that Bahrain has played in treading a very challenging line for itself, considering its position in the region and

its domestic audiences, but equally standing up on principle, as we saw during the Manama Dialogue from His Highness the Crown Prince.

Lord Singh of Wimbledon (CB): My Lords, I have visited Auschwitz and seen something of the suffering of the Jewish people, and I appreciate the wonderful contribution the community is making to this country. But should we be silent and look the other way when every human rights organisation, the United Nations, Amnesty International and others point to gross abuse of human rights in Gaza? Should we look the other way when Benjamin Netanyahu compares the Palestinians with the Amaleks, who, according to the Bible, God ordered the Jews to slaughter—every man, woman, child and infant in the cradle—or when he says that the 25% of the Israeli population who are Palestinians have no rights, or when the Defence Minister states:

“We are fighting human animals and we act accordingly”?

Lord Ahmad of Wimbledon (Con): My Lords, far from it. We are not looking the other way. We have a strong relationship with Israel and are making very forceful points to the Government of Israel about their responsibility. I have stood at this Dispatch Box a number of times, and the Israeli Government recognise their duty and obligation, aside from to the Occupied Palestinian Territories, to the 21% to 22% of the population of the State of Israel who are non-Jewish, which includes many Christians and Muslims.

Civil Nuclear Road Map

Statement

The following Statement was made in the House of Commons on Thursday 11 January.

“With permission, Madam Deputy Speaker, I wish to make a Statement on civil nuclear power in the UK. Today, we have published three key documents that reinforce the UK's position as a leader in the civil nuclear renaissance: a civil nuclear road map, a consultation on alternative routes to market, and a consultation on a proposed policy for siting new nuclear power stations. That sets us on a path towards deploying up to 24 gigawatts of nuclear power in Britain by 2050 as part of a cleaner, cheaper and more secure energy system for the future. It is the biggest investment in more than 70 years.

In the civil nuclear road map we are setting out our overarching strategy for the deployment of new nuclear reactors in the UK, and how His Majesty's Government intend to work with the nuclear sector to deliver that ambition. The road map establishes our vision for a vibrant British nuclear sector, providing detail on the policies that we are pursuing to enable delivery, covering areas such as siting, regulation, financing, the joint work that we are undertaking with Defence nuclear colleagues to develop the required nuclear skills and supply chain in the UK, and how we are taking care of our nuclear legacy through policies on decommissioning and waste management.

Announcements in the road map include a commitment to reform the regulations, financing and decommissioning of civil nuclear to make it more agile, thereby streamlining regulation while retaining the UK's world-class standards of safety. For example, the measures that we are

announcing today could cut by up to 50% the approval times for reactors that are already approved by overseas regulators.

We are also announcing our commitment to reduce global dependence on Russian fuel and to grow the UK supply chain by investing £300 million, alongside industry, in the British production of clean, green high-assay low-enriched uranium fuel for innovative new reactors, thereby offering a commercial alternative to Russia for ourselves and our allies and partners.

The road map also sets out our long-term ambition for nuclear, providing high-level timelines and key decision points for a wide range of nuclear technologies over the next decades. Those technologies include small modular reactors, advanced modular reactors and gigawatt-scale projects, including a new commitment to explore a further gigawatt-scale nuclear project after Sizewell C. Advanced nuclear technologies, such as SMRs and AMRs, present the opportunity to decarbonise across the energy sector, from grid electricity through industrial heat to entirely new industries such as the production of hydrogen and synthetic fuel.

Last year, we set up Great British Nuclear as an arm's-length body responsible for helping to deliver new nuclear projects and lead our energy revolution, but we are also keen to harness innovation in the private sector and help developers to bring forward new nuclear projects outside of GBN's ongoing SMR selection process. We are therefore today also launching our alternative routes to market consultation. That consultation, which will run for 12 weeks, aims to understand where the Government could support the private sector to bring forward advanced nuclear projects.

Finally, in recognition of our enhanced nuclear ambitions and the exciting potential offered by advanced nuclear technologies, we are launching a public consultation on a proposed new policy for the siting of new nuclear power stations. That consultation marks an important first step in the process for developing a new nuclear national policy statement for England and Wales, and will run for eight weeks. The results of the consultation will be used to inform the drafting of the national policy statement document, which we intend to publish for further consultation.

The proposed siting processes announced today would, of course, apply only to England and Wales. Although our ambition is for a whole British nuclear revolution, the current Scottish Government sadly remain committed to blocking any planning application for new nuclear in Scotland under their devolved consenting regime. However, we continue to invite the Scottish Government to join us and more than 30 other countries around the world to allow for reinvestment in, and the renewal of, our nuclear capacity across the whole UK in order to meet our net-zero and energy security objectives. Our intention is to designate the NPS in 2025—subject, of course, to parliamentary processes. For the first time, we intend for the NPS to provide a planning policy framework for SMRs and AMRs, as well as the traditional gigawatt-scale power stations.

To achieve the UK's nuclear ambitions, the Government believe that additional sites will be required for new nuclear projects, along with greater ongoing

flexibility in the site selection process to enable new technologies. We are excited to introduce a positive shift in approach in the siting consultation: the new NPS will empower nuclear developers to identify potential sites for development, fostering developers' innovation and, indeed, flexibility. Although the existing designated nuclear sites may possess many inherent positive attributes that potentially make them a consideration for future development, the change allows for the exploration of diverse new locations. By entrusting developers with that responsibility, we aim to streamline the process, encourage creative solutions and enhance the overall efficiency of nuclear development, ultimately contributing to the growth and sustainability of the industry.

We propose that the siting of new nuclear would continue to be constrained by robust criteria that determine where development can occur. Developers would be empowered to undertake the initial screening of sites based on those criteria, with advice from regulators and statutory agencies. Of course, it is our intention that safety will remain paramount, with the highest safety, security and environmental standards overseen by the independent nuclear regulator and environment protection agencies. Public consultation and community engagement will also remain essential parts of the process. This package—this vision, this announcement—represents the biggest investment in nuclear in the UK for over 70 years, ensuring our energy security, keeping us on the path to net zero and delivering the jobs of the future: our nuclear future.

I commend this Statement to the House”.

3.32 pm

Lord Lennie (Lab): My Lords, I thank the Minister for the Statement and wish him and his colleagues as happy a new year as possible, in the circumstances.

Nuclear energy is a key part of Britain's future energy mix. We therefore support the Government's commitment to new nuclear power. Nuclear power is a long-term project that requires cross-party consensus. I confirm that, as far as we are concerned, we have it. It is not new that we have a need for more homegrown, clean power in this country to cut energy bills and give us energy security, but the vulnerabilities of the current system have been deeply exposed by the energy bills crisis and the invasion of Ukraine, showing our reliance on external supply over the last two years.

Although this latest commitment is welcome, it is something of an irony that this road map emerged from Chris Skidmore's independent review of net zero. Given the reason for his resignation being the lack of progress by the Government on energy and climate policy, particularly the Offshore Petroleum Licensing Bill, do the Government not find it counterproductive to be taking one step forward and one step back at the same time?

Given this history, one would understand the nuclear industry being at least sceptical of the commitments in the Government's Statement. What concrete steps are the Government taking in the short term to give the industry the confidence to work alongside them to deliver what the road map offers?

Furthermore, it is disappointing that, over the past 13 years, progress has stalled under this Government. They came into power in 2010, with 10 new sites

having been identified by the previous Labour Government, yet they still have not managed to complete one nuclear power station. Even this newly promised road map is coming two years later than promised. That is two extra years when people will not feel the benefits. However long it takes for bills to fall as a result of the Government's long overdue realisation that we need to generate more clean electricity, it will be two years later than it could have been. None the less, do the Government have a timeline for when that will happen? What assessment have they made of the expected impact of bills in the longer terms?

While of course it is a road map for 2050, the report also sets out a number of steps to be taken in the next 12 months. One of these is publishing a nuclear skills task force report alongside a defence nuclear enterprise Command Paper. Regarding the former, can the Minister give us a preview by telling the House what steps are already being taken by the Government to ensure that the UK retains critical skills in our nuclear sector? These jobs are highly skilled, well-paid, unionised and an asset that should be protected and treasured right through the supply chain, from apprenticeships to nuclear physicists.

Another step in the next 12 months is to finally reach an investment decision on Sizewell C, before the end of this Parliament. That commitment is also welcome, but for Hinkley Point C there is less certainty. Will the Minister update us on the timeline for Hinkley Point C, which was originally promised to be delivered by 2017, seven years ago? When will it start supplying power to households?

Finally, also said to be happening in the next year is completing the Great British Nuclear-led SMR technology selection process, thus announcing which technologies will be supported to achieve final investment decisions by 2029. There is much frustration in the industry, where attempts to site SMRs face delays and blockages. What steps will the Government take to unblock this and widen the development of SMRs and other advanced technologies?

Earl Russell (LD): My Lords, I thank the noble Lord, Lord Lennie, for his contribution. This road map is overdue but at least it is here. The question is: will timely financial investment and industry participation follow? The Liberal Democrats recognise that nuclear energy has always been part of our energy mix and will continue to be so as we transition away from fossil fuels.

The road map creates new risks and does little to provide energy security in the medium term. It sounds very glorious to meet one-quarter of our electricity demands by 2050, but will it deliver? It is a bit of a curate's egg. On these Benches, we think that the Government are putting too many of our energy eggs in the "grand nuclear gigawatt energy infrastructure projects will always deliver" basket. Gigawatt nuclear energy projects have a long history of being announced with much fanfare, running into a blizzard of problems, becoming delayed, being delivered late and way over budget or not being delivered at all. The reality of nuclear projects in the UK is that Hinkley Point C is well over budget, now £33 billion, and late. Little progress has been made on Sizewell C, despite years of discussion and attempts to find ways to finance it.

The current proposed financing package charges already hard-pressed consumers up-front. Why will it be any different this time? This strategy requires the extension of four AGR nuclear power plants beyond their planned end of life and is subject to regulatory approval. When does the Minister expect the regulators to take these decisions? Mini reactors should be explored, but this should be as well as, not instead of, investing in renewable energy.

If planning and regulatory processes can be streamlined for nuclear, surely that can be done for offshore and onshore wind. We welcome the £300 million invested to free the UK from energy dependence on Russian advanced nuclear fuels. This is critical to our security. When does the Minister expect that the UK will be totally free from Russia? The Government must be able to give a true account of the costs of nuclear decommissioning.

The future is renewable. By 2030, technology improvements could slash today's prices by one-quarter for a wind and half for solar. Other technologies, such as long-term storage, are also promising. The Liberal Democrats are committed to ensuring that 80% of the UK's electricity is generated by renewables by 2030. The UK Government are aiming to decarbonise Great Britain's electricity system fully by 2035, yet they have not provided a coherent strategy to achieve their goal. Investment in renewables and green technologies is essential. How do the Government plan to integrate the nuclear road map with their renewables ambitions? Given the scale of renewables that the Government are planning, inflexible nuclear base load systems are an ill fit. We need the flexibility provided by technologies such as interconnectors, storage and demand flexibility. Finally, when will we see a full and comprehensive integrated energy strategy to achieve net zero with a clear road map for renewables?

The Parliamentary Under-Secretary of State, Department for Energy Security and Net Zero (Lord Callanan)

(Con): I thank the noble Lord, Lord Lennie, and the noble Earl, Lord Russell, for their introductions. On the comments from the noble Lord, Lennie, we of course welcome the support of the official Opposition. The noble Lord is right to say that these are essentially very long-term schemes. It is good to have a degree of cross-party consensus between the two main parties about the importance of nuclear to our future energy system and energy security.

I was not sure of the Lib Dem position. The noble Lord started off quite positively, saying that the Lib Dems welcome the role of nuclear, which of course is a change from their attitude during the nuclear financing Bill. I think I spotted in what the noble Lord was saying a hint of possible support, but we will have to wait for clarity on that. I also agree with his comments about renewables. It is not an either/or choice; we need to do both. We need to contribute to nuclear to support our baseload ambitions and, of course, continue our world-leading support for renewables and the future rollout of solar, offshore wind and all the other renewable technologies.

We have published three key documents which reinforce the UK's position as a leader in the civil nuclear renaissance: first, a civil nuclear road map; secondly, a

[LORD CALLANAN]

consultation on alternative routes to market; and, thirdly, a consultation on a proposed policy for siting new nuclear power stations. In response to the question from the noble Lord, Lord Lennie, this really does set us on a path towards deploying up to 24 gigawatts of nuclear power in Britain by 2050, as part of the cleaner, cheaper and more secure energy system of the future. The road map very much establishes our vision for a vibrant British nuclear sector, which includes exploring building a major new power station and investing in advanced nuclear fuel production. It includes key enablers such as skills regulation, financing and effectively managing our nuclear legacy, and it sets out our long-term ambition for nuclear, providing high-level timelines and key decision points for a wide range of nuclear technologies over the next decade.

Finally, in recognition of our enhanced nuclear ambitions and the exciting potential offered by these new technologies, we are launching a public consultation on the proposed siting of new nuclear stations to help attract investment into the UK nuclear sector, and empowering developers to find suitable sites to enable a wide range of potential communities to benefit.

The noble Earl, Lord Russell, asked about freeing us from Russian nuclear fuel. I can confirm that it is the ambition of the Government to make sure that we are completely free of any components of Russian nuclear fuel by 2030.

3.42 pm

Lord Howell of Guildford (Con): My Lords, this road map is extremely welcome. However, in view of the fact that Hinkley Point C is now €15 billion over budget and many years late, and has almost bankrupted Électricité de France, with the Chinese partners reportedly stopping all further payments, does my noble friend think it wise to make a replica of the Hinkley Point project at Sizewell C and make it the spearhead of our nuclear programme, when smaller modular reactors and new technologies could be ready many years sooner and with much less burden on the taxpayer and the consumer?

Lord Callanan (Con): My noble friend makes a good point, but the attraction of using a similar design is that many of the teething problems that have been undergone at Hinkley will hopefully be solved by the time we get to a decision on Sizewell. As I said, my noble friend makes a valid point and, again, it is not a question of either/or. We will continue the development of SMRs and AMRs in conjunction with large-scale nuclear.

Lord Birt (CB): My Lords, I welcome the Government's Statement on their long-term nuclear policy. It is and it should be a critical component of our strategy for achieving net zero. However, I want constructively to raise some points. I worked at No. 10 in 2004 when the decision was made in principle to give the go-ahead to a new nuclear plant, which of course became Hinkley Point C. It has become a 25-year project. This is a genuine question: what lessons does the Minister think the UK can learn about how we manage these ambitious long-term infrastructure projects? Did we set out to fund it in the right way?

Lord Callanan (Con): The noble Lord makes a number of good points. Clearly, there are some lessons to be learned from the process of Hinkley. We absolutely funded it in the right way, to go back to the point made by my noble friend Lord Howell, because the cost is being borne by EDF—and it is very kind of the French taxpayer to help us out in our nuclear programme. That is one of the reasons why we needed to look at alternative funding mechanisms for the Sizewell project. Of course, there are always lessons that can be learned in the regulatory process, the planning process and so on to try to bring these projects onstream a little sooner.

Lord Jones (Lab): My Lords, the Minister will know of the great contribution made to the generation of nuclear power by the plants of Trawsfynydd, in the magnificent landscape of old Meirionnydd, and Wylfa on Ynys Môn, Môn Mam Cymru, or Anglesey. Can he give any encouragement today to people who wish to see further generation at the Trawsfynydd plant and the renewal of energy production at Wylfa? Does he know that those plants are far-flung in the north-west of Wales, where well-paid and skilled work is very rare? Can he give any encouragement at this stage?

Lord Callanan (Con): I welcome the noble Lord's comments. We recognise the substantial contributions that many communities in Wales have made over the years towards our nuclear policy in the UK and all the energy that we have received. Part of the consultation is a check on the siting of new nuclear plants, and community support, the existence of existing grid connections and so on will play important roles in future siting policies. The plants that he mentions score very well in that regard.

Baroness Bloomfield of Hinton Waldrist (Con): My Lords, I draw attention to my nuclear interests as outlined in the register. I wholeheartedly welcome this report—and its earlier cousin, *Towards Fusion Energy*—particularly its emphasis on the cross-Whitehall endeavour to build the skilled workforce that the industry needs, which we all know will be a challenge. But back to Wales. Following on from what the noble Lord, Lord Jones said, can my noble friend the Minister reassure me that, in deciding sites for a further large-scale and small modular reactor, sufficient weight will be given to the levelling-up needs of north-west Wales, where the creation of a nuclear cluster, including gigawatt generation at Wylfa and both SMR and medical radioisotope production at Trawsfynydd, would indeed be transformative?

Lord Callanan (Con): My Lords, I know from many conversations that I have had with my noble friend her absolute commitment to pursuing the cause of Wales and the contribution that it can make to our nuclear renaissance. I give her the absolute reassurance, building on the reply that I gave to the noble Lord, Lord Jones, that the communities she has mentioned are very well placed to benefit from the new nuclear policies that we have announced. On her other point, my noble friend is correct to say that we need to build a skilled nuclear workforce to ensure that we have the people we need to power this future nuclear renaissance.

Viscount Hanworth (Lab): My Lords, the road map makes frequent reference to high-temperature gas-cooled reactors. An indigenous project to build such a reactor, called U-Battery, was shelved due to a lack of government support. From whom do the Government propose to import such technology—which, by the way, was pioneered in Great Britain? When will the Government give sufficient support to our native industry, which was once pre-eminent in the world?

Lord Callanan (Con): The noble Viscount makes an important point. We had one of the most pre-eminent nuclear industries, but that industry was left to die during a number of Governments, particularly starting with the Labour Government in 1997. Now we are on a different page. There are a whole host of different new technologies and processes coming forward in this space, and it is very much the job of Great British Nuclear to guide us in the process of selecting the best technologies to take forward.

Baroness Stuart of Edgbaston (CB): My Lords, could I have reassurance from the Minister that, in his discussions about civil nuclear energy and the skills space, which has been mentioned several times before, he works very closely with the Ministry of Defence? At the very time when it has an increased demand for those types of skills, it is experiencing a shortage. I do not want to see us robbing Peter to pay Paul and still not having enough people who can do these jobs.

Lord Callanan (Con): The noble Baroness makes a very valid point. We are looking forward to the upcoming findings of the nuclear skills taskforce, very ably chaired by Sir Simon Bollom. I am sure he will have some interesting comments and observations for us in taking forward the diverse needs of the workforce.

Lord Naseby (Con): Is my noble friend in a position to tell us when there will be a move forward on the advanced small modular reactors? My understanding of the background is that Rolls-Royce has been ready for the best part of two years, and I understand the same is true for the competitors, which are supposed to be bidding in due course.

Lord Callanan (Con): I am happy to reassure my noble friend. We have given Rolls-Royce £210 million to help in the development of the next phase of small modular reactors. There are a number of competing technologies. Great British Nuclear will be making progress on selecting the most appropriate technology in the months and years to come.

Viscount Stansgate (Lab): My Lords, on page 28 of the road map document, reference is made to the fact that additional sites will be needed beyond those already designated. In the light of what the Minister has just said about the process of consultation, when does he expect the Government to be in a position to make announcements as to which sites have been chosen?

Lord Callanan (Con): There is quite a process to go through before then. We announced today the consultation on the national policy statement on siting, and we look forward to seeking the views of various interested parties and communities. There will be a further

consultation once we have produced the national policy statement. There are a few steps to go through yet, but we want the process to be as transparent as possible, involving communities, residents and companies looking to take this work forward.

Lord Walney (CB): My Lords, further to the question from my noble friend Lady Stuart, do the Government understand the scale of the step-up needed to run a massive civil nuclear expansion alongside military expansion? There is the renewal of the deterrent and the additional responsibilities that the hugely welcome AUKUS agreement places on the UK, getting not simply the workforces ready but the interdependencies across the supply chain in the UK.

Lord Callanan (Con): We very much understand that. I know the noble Lord, in his previous constituency interests, had a close connection with these matters. It is important that we take the two projects forward together. There are a lot of synergies in the experience and training required among very skilled workers, and we are determined to make sure that we have the appropriate skills here in the UK.

Lord Jackson of Peterborough (Con): My Lords, I welcome the road map and particularly the important focus on energy security. However, is not the wider context that many of the delays over the years have been as a result of the planning system and, therefore, that the Government need to look holistically at reform of strategic infrastructure planning, the compensation code and compulsory purchase? We have not had new legislation on compulsory purchase for over 40 years. Are those wider issues not just as important as access to private and public money?

Lord Callanan (Con): My noble friend makes a good point. Separate processes for potential reforms to the planning system are going forward in government across a range of areas. Of course, it is important not just for the nuclear industry but in terms of grid connections, solar farms and all the other technologies coming forward. We need to find ways to do these things more quickly in this country and to make sure that people have appropriate opportunities to feed in their views, their objections, et cetera, but there is no reason why it should take literally decades to do some of these schemes.

Lord Liddle (Lab): My Lords, speaking as a native of Cumberland and a former Cumbria county councillor, does the Minister recognise that the most enthusiastic supporters of new nuclear power are to be found in west Cumberland and among the people who work at Sellafield and in its associated activities? Will he end the record of dither and delay—this is not a party-political point—about what is to happen in the nuclear industry? Does he recognise that at Sellafield and at Moorside there is a potential site for SMRs and the major new gigawatt nuclear power station, which was planned but then scrapped, although it is now apparently back under consideration?

Lord Callanan (Con): I agree with a lot of what the noble Lord said. I absolutely accept the strong support of the communities in west Cumbria. I am not sure

[LORD CALLANAN]

I agree that they are the most enthusiastic—I am sure our colleagues from Wales would disagree about that—but we can probably agree that they are as enthusiastic as many other communities. His party-political point about dither and delay was slightly unfair; much of it was started under a Government whom he was close supporter of. But perhaps we should put those matters aside and welcome the fact that both Front Benches now agree that we should take forward the new nuclear renaissance we have announced.

Lord Lansley (Con): My Lords, I draw attention to my registered interest as co-chair of the UK-Japan 21st Century Group, and to the fact that I have family members living on Anglesey. I say to my noble friend that they, too, share the view that the further development of nuclear power generation at Wylfa would be very welcome on Anglesey. Since Hitachi withdrew from the project at Wylfa, we have legislated for the regulated asset base model. With the example of Sizewell C, is there scope, and indeed action, to bring Hitachi back for a project at Wylfa again?

Lord Callanan (Con): Wylfa is one of a number of excellently co-ordinated and positioned sites. I am not sure I want to give it any prominence beyond what it already has; there are a number of other potential sites. I am sure we will be very interested in having further discussions with Hitachi if it wants to progress those proposals.

Lord Hope of Craighead (CB): My Lords, the sole remaining nuclear power station in Scotland, at Torness, is nearing the end of its useful life. Are discussions taking place with the Scottish Government about the contribution that Scotland can make to the road map once the Torness power station has to be closed down?

Lord Callanan (Con): The noble and learned Lord is absolutely right: Scotland has an excellent long tradition of support for nuclear power. Sadly, that is not shared by the existing Scottish Government. We would like to have discussions with them on this, but they seem to have set their face against nuclear power. Of course, some of the planning powers are devolved, so they are entitled to take that decision. However, speaking on behalf of their friends in England and Wales, I am sure we will be very happy to help them out with power in the future, with the many cross-border connections.

Baroness Bennett of Manor Castle (GP): My Lords, I begin by welcoming the Government's launch of the consultation on amending the contract for difference bidding, which will potentially allow repowering of onshore wind to be included within it. Of course, that could potentially see us finally getting new onshore wind, which we have not seen for so long—the cheap, affordable facilities that can be spread around the country. That can be done very quickly, if the Government sort that process out. But as the noble Lord, Lord Lennie, said, we are talking about the suggestion of small modular reactors and the final investment decision in 2029. The Minister in the other place said that we would not be looking at them until well into the 2030s.

Are the Government not simply being distracted from the solution to our energy issues and energy security, which is renewables?

Given that the last estimate I have seen for the nuclear clean-up of our old nuclear is a cost of £260 billion—an estimate made by Professor Stephen Thomas at the University of Greenwich—and that the Nuclear Decommissioning Authority has just been warning that ageing equipment at Sellafield means that there is a serious risk of a fire there, should we not clean up the old mess before we risk creating new ones? Will the Government make sure that there is no public cost in any future clean-up, if indeed we see any new nuclear?

Lord Callanan (Con): Yet again on this subject, the noble Baroness sets up a false choice between either nuclear or renewables. We are in favour of doing both; they both have a contribution to make to our diverse energy system. I bow to no one in my support of renewables. I think that wind and solar are great, and they are relatively cheap compared with fossil fuel sources; they will make a massive contribution to our energy supply in future. But they are intermittent, so it is important to have baseload capacity as well. You cannot run your whole energy system on wind and solar, however much the Greens would like to tell us you can. We need other sources as well—we need diversity, we need storage, and we need nuclear. We can do both.

Baroness Lawlor (Con): My Lords, I welcome the Statement on the development of civil nuclear. I thank my noble friend for his answers so far but, given that it is a long-term project, two things must be kept under constant review and need constant effort. Have the Government made any further plans or given any thought as to how they will allocate finances between the large-scale nuclear projects, the SMRs and the AMRs? Bearing in mind that the research and technology will continue to change, we should not be tied too much to those that may not be so easy to achieve. What is the thinking about changing the weight given to the different sorts of nuclear? That is my first question.

In relation to long-term development, I pick up on the remarks of the noble Lord on the Cross Benches who talked about the large-scale structures involved and the kind of education and training we need for nuclear physicists, who are very highly trained. Physics is not a growing subject at university—many universities have closed their physics departments. That goes right down to the skilled technicians and technologies that we need to run any civil nuclear plant. I pick up on the comments of the noble Lord who mentioned the skills near Sellafield. We need to keep whatever skills we have, but there is a lot of work to be done at every level of education and training so that we have the workforce. Can the Minister comment on that?

Lord Callanan (Con): I thank my noble friend for her suggestions. Of course, we need to pay close attention to the skills needs of the future, which is why we have set up the nuclear skills task force and are eagerly awaiting its report for us to take forward. My noble friend is also right that we need to keep a close

eye on the costs of the different technologies. She is right to say that they are essentially long-term projects, but many of our energy infrastructure projects are long term—even offshore wind developments take a number of years to bring to fruition. Many of the projects that are coming on stream now were started a decade ago. Obviously, we want to try to bring down the timescale for those deployments, but nevertheless all those infrastructure projects contributing towards our long-term energy security of supply are essentially long term, and nuclear will be an important part of the mix.

Lord Lucas (Con): My Lords, is the European pressurised reactor working reliably and safely anywhere in the world and, if so, where?

Lord Callanan (Con): My noble friend makes a good point—but, of course, these are matters for the regulators, which will keep a close eye on the safety, security and efficacy of the technology.

Automated Vehicles Bill [HL]

Committee (2nd Day)

Scottish and Welsh legislative consent sought.

4.05 pm

Amendment 23

Moved by Baroness Randerson

23: After Clause 6, insert the following new Clause—

“Commencement of sections 5 and 6: review of road infrastructure

- (1) Before making regulations commencing sections 5 and 6 of this Act, the Secretary of State must undertake a review to identify how widespread issues with the condition of the roads might impact the safe operation of automated vehicles.
- (2) The review must also outline a strategy for improving road infrastructure in locations where this would put the safe operation of automated vehicles at risk and must make a recommendation as to whether a body should be established to design the improvements required.”

Member’s explanatory statement

This amendment would require the Government to review the impact of road infrastructure and the potential impact of poor road quality on automated vehicles, before commencing and making authorisations under sections 5 and 6.

Baroness Randerson (LD): My Lords, I have Amendments 23, 24, 54, 58 and 60 in this group. Amendment 23 calls on the Government to review the current state of road infrastructure. Amendment 24 asks for a similar review of the gaps in the telecommunications network. In both cases, those reviews should be done before commencing and making authorisations under Clauses 5 and 6. The reasoning behind this is simple: in the current state of our infrastructure, automated vehicles will simply not work.

First, let us look at the state of our highways. The current neglected, ramshackle state of our highways will not provide the reliable and consistent signals on which AVs will depend. Everything from road services to white lines to battered signage obscured by foliage will have to be transformed; there will have to be a

revolution. I have a couple of thoughts. When I am in London, I stay in an area that was redeveloped with a modern road layout designed about 20 years ago. On the surface, it is ideal for automated vehicles: the roads are much wider and straighter than the average roads, and modern in concept. It would be potentially perfect except that, since it was created 20 years ago, no one has maintained it. When I go out of the door to cross the road, I cross at what I always regard as a notional zebra crossing: the stripes disappeared long ago. People in the area know that it is there, but it no longer has stripes. It is a big job to deal with that basic, regular wear and tear across the UK, because it is well beyond the resources of local government and it must be done on a similar timescale across local government boundaries, because automated vehicles will, in many cases, not be stopping at the local boundary.

I have a second thought, from experience. There has been a real revolution lately in the state of French roads; it has happened over about the last five to seven years. There has been widespread improvement in road surfaces, and traffic calming and safety measures have been widely introduced. It is an example that it can be done, and done quickly. I have no idea how much money France spent, but it obviously cost a great deal.

Another issue I want to raise in this respect is the issue of consistency in traffic signs. There are some problems with that. I will give the example of warning signs about fords. Back in 2016, the Government decided to deregulate the signs warning that there is a ford ahead, so the local authority no longer has to provide a sign of a specified size, design or siting.

I am aware of this issue, which I have raised here on several occasions, because of the tragic case of a young woman who drowned after failing to notice a small, badly sited warning sign on a dark country road in heavy rain. I know about this case because the coroner’s report drew attention to the need for the standardisation of signs. I have no idea whether ford sign deregulation was a one-off or whether other road signs were deregulated around the same time, but they will all have to be similar or within a range recognised by automated vehicles; otherwise, the whole thing will not work.

Therefore, there needs to be a major financial commitment. I recognise that automated vehicles will start with limited services in limited areas—probably city centres or motorways—but quite soon this country-wide revolution will be needed, and so will need to be financed. I acknowledge the importance of the amendment in the name of the noble Lord, Lord Liddle, asking where the money for this necessary revolution will come from, as it is a key strategic issue.

Similarly, Amendment 24 deals with current gaps in the telecommunications network, mainly, although not exclusively, in rural areas. When I am not in the House of Lords, I live a mile from the city centre of Cardiff, where there is a very poor mobile network. It would certainly not be strong, regular and reliable enough for automated vehicles. It is obviously dangerous to have gaps in the network—it might be personally dangerous to be driving through the countryside and find yourself marooned, but probably even more dangerous if there were a gap on major roads.

[BARONESS RANDERSON]

The Transport Select Committee in the other place took evidence on this, noting the “significance” of the current gaps, and the SMMT and others have made representations to us on the importance of this. The Government’s shared rural network project aims at 95% 4G coverage by at least one operator by 2025, but that leaves a 5% gap, which is worrying. In its report, the committee noted the key co-ordinating role of the Government in this, so I would be interested to hear what the Minister sees that co-ordinating role being, beyond this 95% aim.

Amendment 54, and Amendments 58 and 60, which are consequential, relate to personal delivery services, which we raised last week. As was noted then, we have hit a snag with the very tight scope of the Bill. Ironically, the one aspect of the Bill that is already up and running, with trials and regular services, is excluded from its scope. Those running these services are urging the Government to take action to support their businesses.

4.15 pm

Already operating in the UK are companies called Starship and Cartken, which is working with DPD. They are operating from West Yorkshire to Milton Keynes, from Cambridgeshire to Manchester to Bedfordshire. They operate what are called personal delivery devices—PDDs. This operates on a much wider scale in the US and several EU countries. Basically, it is robots; they mainly use pavements but occasionally have to cross the road. They are operated to provide deliveries, which, of course, means that they have to go off the road and up people’s drives as well as on the pavements.

Over the last five years, PDDs have already made 5 million deliveries in the UK. The companies involved, and there are many interested in the future of this, are very keen for the Government to legislate. This Bill, however, does not help them at all. The US, Estonia, Finland and Japan already have PDD regulation; there are several other countries in the process of producing it. Once again, why is Britain not at the forefront, given that these little vehicles are already operating? It will affect investment in our economy if the Government do not sharpen up on this very rapidly. It is also important for carbon reduction. We need to encourage this kind of alternative for deliveries.

The Department for Transport must be aware of the urgent need for this legislation because the companies concerned have been vocal about it. Why was the decision made to exclude this blossoming sector from the legislation? What are the problems with including it? Will the Minister agree to go back to his department and consider broadening the scope of the Bill so that the sector can be included, allowing us to take advantage of the latest technology? I beg to move.

Lord Lucas (Con): My Lords, I have a couple of amendments in this group, but I will start by talking about Amendment 51 in the name of the noble Lord, Lord Liddle. If he wants to come in ahead of me and take precedence on it, he is welcome to do so. No? I thank him.

Last time, I talked about what I referred to as my Eastbourne letter. Since then, I have had a courteous non-reply. It seems to me that the Government are really lacking energy on this. They are not making speed; they are not forging ahead; they are not looking for opportunities in the way I would hope. What the noble Baroness, Lady Randerson, has just said about delivery vehicles is typical of that, as is their inability to give me an idea of how a particular operation might be tackled by automated vehicles. What are they looking at? Where are they taking this industry? Are they a Government who are in the lead or just sitting back and waiting for things to happen? Currently, they are giving me the second impression. I hope I am wrong, but nothing I have heard in our previous session, today or in the letter has given me any comfort on that.

I very much support Amendment 51 in the name of the noble Lord, Lord Liddle. Let us pin down the Government on this matter and get them to produce a very useful strategy in six months’ time, so that we know what they intend to do and we get some energy and direction, rather than just the gentle, permissive Bill we have at the moment.

I have two amendments in this group, Amendments 44 and 45. The former looks forward to the point where automated vehicles become standard. In the early days, there will be a little fleet, and whenever it needs recharging, it will trundle back to its base. But that is not the way of operating any large-scale automated vehicle rollout; they have to be able to charge at ordinary, public charging points. If that is to be possible, we have to start thinking about the problem now. There is no point putting in a whole network of charging points, which we are making reasonable progress on, if none is usable by automated vehicles. We have to remember that, under our intentions, these charging points will be used by automated vehicles in five or 10 years hence. What does that look like, and what are we asking for? This comes back to the point I made last time about international standards: what do we expect to be available for an automated vehicle to hook into a roadside charging point? It does not carry a credit card with it—at least not in the ordinary way. These problems have to be addressed, solved and agreed internationally early and then incorporated into the rules and regulations we have for the charging point rollout. The point of my Amendment 44 is to give the Government power to specify how the charging point rollout should be made accessible to automated vehicles. They should commit to do at least that in the Bill, and then we can push them to do it speedily.

My second amendment is about using automated vehicles on railway track. There are two railways—particularly in relation to the Beeching railways—that we might want to revive. They will start off as routes that people are not used to using and where there is no existing train service—we are not trying to divert trains down them, by and large. Why do we not want to consider using the best available technology and run a service which runs every minute, rather than every hour, and that stops at the stations that the people in the vehicles want to stop? There are all sorts of other things that could come from using automated vehicles. From the point of view of automated vehicles,

you are dealing with an environment where there are no people—but maybe the occasional cow. It is therefore a much less problematic environment to run an automated vehicle service than a public road. Where we are looking at reviving railways, or looking at a low-use branch service that we would like to make much better, we ought to look at automated vehicles as an alternative. The point of my Amendment 45 is to make sure that the Government have the power to do that, should they ever have the opportunity. I very much look forward to the noble Lord, Lord Liddle, proposing his amendment.

Lord Liddle (Lab): My Lords, we have had two very interesting and productive contributions from the noble Baroness, Lady Randerson, and the noble Lord, Lord Lucas. The noble Lord has, in essence, put his finger on a real point about whether the Bill is satisfactory. On our side of the House, we want to promote innovation: that is what the country needs. The country needs new ideas and new things that will work and will be commercially successful. An innovation policy is not just a matter of making regulations for something that somebody has already had an idea about that might work—which, I think, is the case with the classic automated vehicle—it is also about considering how the technology that we are on the threshold of developing can be applied more widely in a way that leads to great human benefit and advance. Our probing amendments—and they are very much probing amendments—are on the theme of how wide the scope of the Bill is and whether the issues have been thought through as a genuine innovation policy for the country.

My two amendments, Amendments 51 and 56, are really about what is in the scope of the Bill. Are we regulating for delivery robots or not and, if we are, have we thought about how this framework might be different from the automated vehicle framework and how it would be the same? This is a very serious issue, and you can think of lots of social benefits from a widespread rollout of delivery robots. On Amendment 51, have we thought about these questions in terms of public transport, as against the automated car? What special arrangements do we have to make for public transport, if any, and where? These are speculative amendments, but I think they are raising fundamental points about whether this Bill is going to be a great leap forward for us or not.

The other aspect which we are concerned about is the infrastructure element. What changes in infrastructure will be necessary? Have the Government done work on that? Have they thought about where roads need to be redesigned and how the sensing systems of artificial intelligence will work on our infrastructure? I can see quite a lot of potential costs in this, but I do not want the cost to be a barrier to innovation. I want the Government to have thought in advance about how you deal with the question of what changes in infrastructure are necessary. I do not want a repeat, if I can say it plainly, of what I think has been the pretty chaotic rollout of charging points for battery vehicles. We need a plan. Is the Bill giving us a plan or a road map for these developments? With those comments, I commend our amendments and look forward to the Minister's reply.

Lord Cameron of Dillington (CB): My Lords, forgive me for intervening before the Minister responds, but the word “rural” in Amendments 51 and Amendment 61 attracted my attention, as you might expect. As I said in my Second Reading speech—and following up on what the noble Lord, Lord Liddle, has just been talking about, the Government have to make a plan, because the SDVs could make a huge difference to rural life, if the rules allow it. I do not expect Uber 2—or whatever you want to call a fleet of for-hire self-drive vehicles—to make an impact. It is not going to come into the countryside, in the same way as Uber 1 has not come into the countryside. It is not economically viable for any fleet of hire vehicles to do so. As I see it, for rural purposes, it is most likely going to be a solution whereby, if it is a big market town, there may be a car available as a self-drive vehicle or, if it is a small rural village, it will probably be a private vehicle either for hire or for free by use of the local community and all its different members.

We will need the Government to enable it to happen. That is really the point that everyone has been making: the Government have to think about it. Can a private citizen allow their SDV to be used by others, either for hire or for free? How easy will it be for private citizens to rent out an SDV locally? As I understand it, the insurance is likely to be covered by the motor manufacturer, but would that insurance cover the situation that I am describing, where an SDV will have a multi-purpose role in a small rural village? I hope that the Government will think about these things.

4.30 pm

Lord Ranger of Northwood (Con): My Lords, I want to make a few brief points on what we have discussed today and what I have read in the Bill previously. It is seen as a very legally descriptive Bill. Some of the challenges and questions that we are raising in our conversations are around use cases, applications and geography, including how this will shape the future in terms of not just mobility but society. These are quite large concepts for us.

My recommendation to the Minister and the Government is that different phases and parts of the Bill addressing specific use cases and their applications may evolve as we go forward, be they about where automated vehicles may be used in railways, rural life, emergencies or the as yet innovative opportunity for such vehicles in commercial applications. In a previous debate on the Bill, I spoke about how we should potentially view automated vehicles as the equivalent of a smartphone, as compared with the mobile phones that we had originally. A smartphone is no longer just a phone; it enables us to do so many other things. These vehicles have the opportunity to become so many other things that we probably cannot define them to the nth degree yet; it is therefore difficult for the Bill to work against that. However, if we can start to scope out additional use cases and see how they would affect the legislation, that may be the way to go.

Let me make a point or two about the points that have been made, for example about the challenges around road signage and automated vehicles. We are already stepping towards an environment where sensors and smart vehicles acknowledge the changes that happen

[LORD RANGER OF NORTHWOOD]
on the road and the speeds on the road around us. This will be another phase of that evolution. Funding for that is a good question; we should discuss in more detail where we will look at providers, digital technology suppliers and the other opportunities that they will provide from that kind of implementation of technology.

We should look at making sure that charging points are integral and standard for usage with automated vehicles as well. I helped the then Mayor of London set up the London electric vehicle partnership in 2008, when we first looked at electric vehicles. We knew that there would be a challenge around standards and charging but we did not allow those challenges to hold us back. We need to think about agile development, failing fast, and enabling trialling and testing to continue so that we do not slow things down as we look for overall international agreement on some of these things. It is a challenge to make sure that we get momentum, which I think we are all looking for.

Perhaps we can identify the use cases that we are highlighting more specifically, then look at how the Bill can address them in its future versions.

Lord Berkeley (Lab): My Lords, I shall be brief. It has been an interesting debate on this group of amendments because we have started talking about infrastructure separately from what goes on it. That is an important issue to look at because, whether in terms of the comments that I remember the noble Lord, Lord Cameron of Dillington, making at Second Reading about the benefits of living in the countryside or the comments of other noble Lords who have mentioned the need for proper infrastructure, the key to this—it was in the press at the weekend, I think—is that the infrastructure mapping must be accurate. Who is going to do it?

The noble Lord, Lord Lucas, suggesting putting it on an old railway line. The old railway line is on the maps already, but can you drive down it safely? Is it a guided bus rail, which is another form of getting around? Not only do all these things need to be kept up to date but somebody needs to be responsible for ensuring that they are up to date and for what happens if they are not. I am sure that this is all on Minister's mind for when he responds, but there is further work to be done here.

The Parliamentary Under-Secretary of State, Department for Transport (Lord Davies of Gower) (Con): My Lords, I thank your Lordships for the many contributions to this interesting debate. I will try to address the issues that have been raised.

These amendments concern the integration of self-driving vehicles into the existing transport system, particularly the extent to which each may need to adapt to accommodate the other. I begin by clarifying a key point. Self-driving vehicles must be capable of operating safely and legally using the infrastructure as it exists today. There can be no expectation on the part of developers that our roads will change in some way to accommodate their vehicles. Nor do we consider such changes to be necessary for safe deployment.

Vehicles will need to be able to cope safely with issues such as wear and tear, road closures and variation in signage that are found across our road network. This also extends to digital infrastructure. Self-driving vehicles can make use of services such as data connectivity, GPS and digitised traffic regulation orders, but like humans they will need to be able to maintain safety in the event that these services are unavailable. Those which cannot do this would not be authorised.

Government and local authorities have duties to manage and maintain their road networks for the benefit of all users. Over time, local authorities may choose to adapt their networks to leverage the wider benefits from self-driving vehicles. This might include, for example, investing in information systems that can communicate directly with vehicles. However, this is a long-term view. Considering that we are still in the early stages of the deployment of this new technology, it would be premature to anticipate what such changes could look like. Our guiding principle remains that self-driving vehicles must adapt to our roads, not the other way around.

This brings me to Amendments 37 and 50, tabled by the noble Lord, Lord Liddle. These probe our plans for adapting the road network to accommodate self-driving vehicles, including how this will be funded. For the reasons that I have set out, the deployment of self-driving vehicles does not require any adaptations of our physical or digital infrastructure. This means that there are no associated costs and that the noble Lord's amendments are therefore unnecessary. It means that the infrastructure reviews proposed by the noble Baroness, Lady Randerson, in Amendments 23 and 24, are also unnecessary, along with consequential Amendments 58 and 60. However, in relation to the noble Baroness's comments on the condition of the road network, I note that the Government have recently announced the biggest-ever funding uplift for local road improvements, with £8.3 billion of funding to resurface over 5,000 miles of roads across England.

Amendments 51 and 61 call for strategies to be published on the application of self-driving vehicles in rural areas. The Government have already published their comprehensive vision for the future of self-driving technology in the UK, *Connected & Automated Mobility 2025*. As part of that vision, the policy paper considers the opportunities for self-driving technology to improve public transport and to enhance mobility in rural areas. Furthermore, in October last year, we published the *Future of Transport* rural innovation guidance, providing local authorities with advice and support to embrace technologies such as self-driving vehicles in rural areas. To publish further strategies would risk duplicating this existing work. On the specific point raised by the noble Lord, Lord Liddle, about public transport, our investment in trials such as CAVForth in Scotland and Harlander in Belfast demonstrates clearly that our commitment extends well beyond private use of self-driving vehicles.

On Amendment 48, Clause 47(4)(b) specifically states that the user-in-charge immunity does not extend to the qualifications of the driver. The requirement to hold a valid driving licence therefore continues to apply to the user-in-charge, even while the self-driving

feature is active. This is necessary as they may be required to resume control of the vehicle in response to a transition demand.

In a no-user-in-charge vehicle, there is never a requirement for a qualified person to assume control. While a no-user-in-charge feature is active, any person in the vehicle is simply considered a passenger and will not need to hold a driving licence.

Driving licence categories will continue to apply to self-driving vehicles as they do to conventional ones—for example, by weight and number of seats. It would be premature to consider new categories of driving licence at this stage, but it would be possible in the future under the Road Traffic Act. I hope that the noble Lord, Lord Liddle, feels that this clarifies the position sufficiently.

Amendment 44 concerns the interaction between self-driving vehicles and ChargePoint infrastructure. Self-driving vehicles are not yet on our roads and the technology for automated charging is still very much in its infancy. However, we will continue to monitor the future direction of the technology. Should developments demonstrate a need for regulation in this space, we will consider next steps on consultation. The Government are focusing our current intervention on areas where an accelerated pace of rollout is most needed, such as high-powered chargers on the strategic road network and for local street charging.

Amendments 54 and 56 refer to delivery robot vehicles and devices. It is the Government's view that the Bill already contains the necessary legislation to regulate the safety of all self-driving road vehicles. In line with Clause 94, any mechanically propelled vehicle intended or adapted to be used on the road is already within the scope of the Bill.

As I have said previously, the definition of a “road” extends beyond the carriageway itself. For example, it includes the pavement. Delivery robots and devices that meet these criteria would therefore be in scope. However, to pass the self-driving test, they must drive legally and comply with all relevant regulations. This includes construction and use regulations, and restrictions on pavement use by motor vehicles. Any future changes to regulations on pavement use would need to be balanced with the need to maintain safety and accessibility for other road users. All in-scope vehicles will be subject to the monitoring, assessment and reporting requirements set out in Clause 38. This makes additional reporting requirements unnecessary.

I know that my noble friend Lord Lucas, who tabled Amendment 45, is a long-standing advocate for this particular use case. Although it sits outside the regulatory framework that we are proposing, which is concerned only with roads and other public places, I reassure him of our interest in its potential. We are one of the first countries to explore the business case for self-driving mass transit on segregated routes, with 10 feasibility studies under way backed by £1.5 million in government funding. We are already looking at how regulatory requirements could be overseen for segregated routes. Work is under way with the Office of Rail and Road and the Health and Safety Executive to establish a firm footing for the kind of deployment that my noble friend is interested in. While the technical regulations

being developed in support of the Bill may be a useful guide for these “off-road” applications, the frameworks are distinct.

I hope, as a result of what I have said, that the noble Baroness, Lady Randerson, sees fit to withdraw her amendment.

Baroness Randerson (LD): My Lords, I thank the Minister for his response. This has been a good debate, with some important points raised. It is a good example of us trying to think positively, outside the box, about the important issues that this new technology will raise for us all. I just pick one raised by the noble Lord, Lord Cameron, which is the potential to benefit rural areas. I fear that they will probably be the last areas to benefit, unless there is a proper plan. That is the sort of thing we should rightly be doing here at this stage of the Bill. However, having listened carefully to the Minister, I will look very carefully at *Hansard*, because he said some interesting but worrying things.

4.45 pm

First, he said that self-driving vehicles must be able to operate on the roads as they are today. I will take that away and think about it, because the Minister is arguing there will be no cost. I have to say this is not the way those involved in the technology behind this new industry see the future; they do not think along those lines. The AV industry considers that there will have to be changes to our roads for its vehicles to operate in anything other than the most limited manner. Of course, there will be areas where you could run a robo-taxi system over a few hundred yards, or perhaps establish a public transport system in some modern areas of a city centre, but it is not going to be a general thing that can be done without considerable change. Indeed, it is not the experience of the experiments taking place in San Francisco, where failures in the system have been very much linked, on occasions, with the state of the infrastructure.

I am afraid that the Government are driving themselves into a cul-de-sac on this one. There are parallels with the Government's attitude to electric vehicle charging points. Over the years since that change began to happen, the Government have told us that the market will decide; that competition is king and that government do not have a role in leading on this. That did not work, and there are reasons why we are behind so many other countries in the rollout of electric vehicle charging points, and therefore the sale and development of electric vehicles—that part of our economy—and of course the manufacture of the vehicles to service that economy. The Government need to look carefully.

I turn finally to the scope of the Bill. The Government's understanding of its scope seems to be at variance with the interpretation by the clerks of this House. There needs to be a discussion, because it is not realistic to argue that delivery robots are part of this Bill if they cannot deliver. You cannot as a delivery robot do your job if you are constrained to the highway. A delivery robot, at least nine times out of 10, has to deliver to a place that is not the highway.

Having said all that, I will of course read *Hansard* carefully. I thank the Minister for his answer and I withdraw my amendment.

Amendment 23 withdrawn.

Amendment 24 not moved.

Amendment 25

Moved by **Baroness Randerson**

25: After Clause 6, insert the following new Clause—

“Commencement of sections 5 and 6: review of the MOT regime

- (1) Before making regulations commencing sections 5 and 6 of this Act, the Secretary of State must undertake a review of whether the MOT regime is fit for purpose in light of the changes to the regulation of automated vehicles introduced by this Act.
- (2) The review must in particular assess whether an MOT adequately covers the testing of both mechanical and software components of an automated vehicle.”

Member’s explanatory statement

This amendment would require the Government to review the current MOT regime before commencing and making authorisations under sections 5 and 6.

Baroness Randerson (LD): My Lords, I have Amendments 25, 55E and 59 in this group. Amendments 25 and 59 are associated. They make a simple and obvious point about thinking more outside the box and trying to predict the future.

Consequent on the revolution in vehicle operation, there will, of course, be a need for the modernisation of MoTs to include much more emphasis on software. It will be essential for owners and operators to download updates on a regular basis. If this is not done, the vehicle will either progressively or suddenly become less safe, or probably cease to operate. Last week, I tested the issue of what happens when someone writes software and then the company goes bust, and who is then responsible for carrying on with the software.

There is a major issue here about the modernisation of MoTs. Compared with internal combustion engine vehicles, there will be far less danger of automated vehicles having mechanical failures or deterioration, because there are far fewer mechanical parts to go wrong or to wear out, so the whole emphasis of the MoT and other tests will change and it stands to reason that it is essential to train people with the IT skills required to deal with that change. That is not currently happening in sufficient numbers. The vacancy rate in jobs of this nature within this industry is 7%—twice the average for the sector as a whole.

Amendment 55E asks the Government to develop a workforce strategy to ensure that we have a workforce with the right skills. There is bound to be concern, as automated vehicles become more common and as they replace services that currently operate with human drivers, that automated buses, taxis and delivery vehicles are taking away existing jobs. It is therefore very important that the Government maximise the opportunities for new jobs, too. The Government’s own research estimates that 38,000 new jobs can be provided as a result of this technology and, indeed, updating and maintaining IT. That is possibly an underestimate, but the Government need to prepare now for the highly skilled and well-paid jobs that will potentially come as a result of this technology.

The point of my amendments is simply to probe the Government’s plans to make sure that they are fully prepared and are looking at reviewing the MoT, because many modern cars are halfway there at the moment and need to have that annual look at whether their IT and software are up to date and fully functioning. We also need to have the people to make sure that that can be done. I beg to move.

Lord Berkeley (Lab): My Lords, I will speak to my Amendment 37A. Before I start, I will comment on the noble Baroness’s introduction to her Amendment 25. What she proposes is extremely important. My amendment seeks to go a bit further, rightly or wrongly.

Given the issues we have talked about during the passage of this Bill so far, the issue of changes in technology is really quite serious. Obviously, we do not understand many of them, but we hope that the Government do, and I am sure that they do. I am quite keen to probe the idea of an independent body to keep an eye on safety, health and safety at work and other issues which come up in the course of this Bill. I think the noble Baroness’s Amendment 25 is a good start, but it is a wish to see the Government marking their own homework. That is better than not having any marking at all, but I think there is a long way to go before we can get anything that we can totally trust about what is going on—without getting into the Post Office, Horizon and things like that.

I asked to have a discussion with the Office of Rail and Road, as it has been called for the best part of 10 years. It is an independent body with statutory functions to supervise and comment on the safety and performance of rail and, more recently, it has had a similar but smaller role in respect of roads, in particular monitoring the performance of National Highways. I think most people believe that it performs its regulatory function pretty well. There are many other regulators that we are not going to raise today, but they all have one thing in common: they are all independent of government. Now I know that Ministers can sack the chair of these organisations and do things, but the independence is there.

They have regulatory powers as well. I shall quote one example of what the ORR has been doing on the motorway network. It is quite complicated, but it started off with the Department for Transport asking the ORR to carry out an evidence stocktake to gather the facts on the safety of smart motorways. Then the Secretary of State increased that and said that he wanted some quality assurance of the data and the evidence underpinning the conclusions arrived at with regard to lane rentals. This is the Government asking an independent regulator for its opinion. I think it is really good that the Government have done this. There were then a number of discussions with the House of Commons Transport Committee and the ORR provided its first report, *Quality Assurance of All Lane Running Motorway Data*. National Highways then used this data to assess smart motorway safety and demonstrate to stakeholders, the public and the Government that the conclusions drawn from the analysis were appropriate and robust.

The Transport Committee in the House of Commons has done quite a lot of work on it. Its conclusion in a report published in December 2023, in a second assessment, was that the ORR’s annual independent reporting

“has provided better transparency in relation to safety on the strategic road network and smart motorways and helped to drive performance improvements”—

which the report then discusses.

Noble Lords will know of the fuss about smart motorways, with lots of debates about their safety and so on. It is interesting that the Transport Committee concluded that, over a number of years, Governments, National Highways and its predecessors had

“underestimated the scale of safety measures needed effectively and reliably to mitigate the risks associated with the permanent removal of the hard shoulder”

from these motorways, and had

“failed to deliver safety improvements ... in a timely fashion”.

I do not want to criticise the Government for doing this; they were trying to save money and increase the amount of traffic on the motorway, et cetera. My point is that here were the Government, rightly, asking an independent regulator for its opinion, and then passing it to the Transport Committee, which concluded:

“The Department should make the introduction of changes to the design and operation of the Strategic Road Network depend on a formal health and safety assessment by the Office of Rail and Road”.

5 pm

There are many similarities between what we are talking about in this Bill and what has happened on the motorways. It has come out well. I think noble Lords would agree that the ORR work, the Government’s work, and the fact that the Government asked for an independent adviser, are all good.

Will the Minister be prepared to sit down with me, colleagues and the ORR to see whether a similar arrangement could be made for an independent statutory body—maybe the ORR or another body—to investigate on an ongoing basis whether everything that is proposed, especially under secondary regulations that we will not see, is the best and safest? I look forward to hearing the Minister’s response.

Lord Lucas (Con): My Lords, I very much hope that the Government will look at Amendment 25, in the context not only of this Bill but of whether the MoT test needs updating anyway in these respects. More and more aspects of automation are coming into cars. We heard last time how cars can be frightened of bags blowing in the road or reluctant to change lanes when asked as a result of automated features; doubtless, more will come in. Such features are having a noticeable effect on the way that a car behaves on the road. We ought to test to make sure that they are operating properly. I do not see any trace of that in the MoT as it is. We should be aware of the need to move.

Lord Tunnicliffe (Lab): My Lords, I will speak briefly to each of the amendments in this group, a lot of which have what I call a “motherhood” characteristic. In other words, they are self-evidently sensible things to do; the debate is whether these ideas are properly

caught by the language or whether, indeed, they need to be on the face of the Bill. Therefore, I would like the Minister to try to answer in two ways: first, whether he essentially disagrees with the concept in the amendment and, secondly, if he agrees with it, why we should not have it in the Bill.

I start with Amendment 25; I believe Amendment 59 is consequential to it. This is an entirely reasonable amendment. It is difficult to believe that the standards expected and the areas considered will be identical—or even largely identical—to the present MoT regime, and therefore I think a review is entirely sensible.

Similarly, my noble friend Lord Berkeley has made a good point in Amendment 37A—and, as I read it, Amendment 57A is consequential—that the Office of Rail and Road could make a singular contribution. The ORR’s problem is that it has the responsibilities of a railway inspectorate on the one hand and, potentially, of a road inspectorate with particular reference to this area. The problem, particularly on the railways, is that there is often not enough business to keep such teams properly employed. The skills required are very similar. It could be a merger of two teams or learning from each other—there are all sorts of things that one can think of when it comes to drawing the rail and road people into the way that the various investigatory and rule-setting powers would work. As I said, Amendment 57A is consequential.

My noble friend Lord Liddle has three amendments in this group. I shall speak particularly to Amendments 40 and 41. I did not find these the easiest to read because the whole problem of taking a statement and then adapting it to a new meaning is not without its hazards. I will quote the appropriate subsections from Clause 61. Subsection (1) says:

“The main purpose of the role of inspector is that of identifying, improving understanding of, and reducing the risks of harm arising from the use of authorised automated vehicles on roads in Great Britain”.

That is then conditioned by subsection (2):

“It is no part of that purpose to establish blame or liability on the part of any person in relation to a particular incident”.

That is a no-fault environment in which many people would agree you get a better result out of the inspection of events. However, we feel that we need to take that further. Amendment 40 would add, at the end of the wording in subsection (2),

“unless the investigation concludes that a failure in the technology of an automated vehicle is at fault”.

That would give it a specific requirement to bring out and invite the inspector to say, “It was the technology that caused this accident”. We think it important that they are able to specify that the technology was at fault.

Clause 68(1) says:

“An inspector must report any findings of an investigation to the Secretary of State”.

In a sense, that implies that this is pretty routine stuff and it only needs to go to the Secretary of State. We believe that because of the complexity, and the obvious desire of the people who have looked at this at some length that parliamentarians should be involved with the evolution of this, there should be a caveat to that. Amendment 41 proposes to add

[LORD TUNNICLIFFE]

“who must lay this report before Parliament should the investigation find a technological failure of an automated vehicle to be the cause, or one of the causes, of an incident”.

So the situation would be that the Secretary of State received all reports where the technology had not been found at fault, but where the technology had been found at fault, that would be reported to Parliament.

In Amendment 55E, the noble Baroness, Lady Randerson, has asked for a workforce strategy. This is classic. The whole of the UK, frankly, calls for a workforce strategy, and over and over again you see decisions being made without regard to the workforce capability. There is a good case for this particular role, but the Government should grasp the proper use of workforce strategies in managing our society. We think of the problems of doing something as being about physical things, such as factories, but over and over again it is the limitation of skills. Any activity is as much about the skill of the people working with it—it is particularly interesting to look at this in the military—as it is about the kit they are using to deliver it. We should be thinking more and more in these terms. I do not know whether this is one of the launch areas, but bringing it up in the Bill was a good thing.

Finally, Amendment 56A from my noble friend Lord Liddle, as stated in the explanatory statement, is “to probe the difference between ‘automated,’ ‘autonomous,’ ‘autonomously’ and ‘self-driving’”.

There is an unwritten rule that, when writing standards, you never use synonyms. The moment you use synonyms you ask people to start trying to define the difference. If you have a good, simple concept, it should have one label in any regulation. It makes the writing very boring, because there is so much repetition, but it makes it unambiguous. I am afraid that this document is somewhat ambiguous because of the various terms that it uses for the same concept.

Lord Davies of Gower (Con): My Lords, I thank noble Lords for their contributions. The amendments in this group concern the day-to-day operation of the regulatory framework.

Amendment 40, tabled by the noble Lord, Lord Liddle, refers specifically to incidents in which the technology of a self-driving vehicle is at fault. In such a situation, it would be for the in-use regulatory scheme to determine whether regulatory sanctions were appropriate. Criminal penalties would also apply if the authorised self-driving entity had failed to disclose relevant safety information. Separately, a statutory inspector may also conduct an independent safety investigation. The statutory inspector is then responsible for publicly reporting on safety lessons and making recommendations for improvement. These reports would include the failure in vehicle technology and any other causation factors.

The amendment therefore confuses the role of a statutory inspector with that of the in-use regulatory scheme and the police. In doing so, it inadvertently contravenes a long-standing fundamental principle in incident investigation: learning, not blaming. In developing the inspector role, we have been guided by international standards, best practice and precedent, including that established by our own exceptional existing transport accident investigation branches. All three of these branches conduct no-blame investigations.

I have similar concerns that his Amendment 41 also risks departing from established precedent in safety investigation. An inspector must be able to report neutrally and factually without being influenced, directly or indirectly, by any person or organisation. Historically, this has extended even to Parliament. Indeed, none of the reports published by the existing air, maritime, and rail accident investigation branches are required to be laid before Parliament. However, I am happy to reassure the noble Lord that it is absolutely the Government’s intention to make all the inspector’s reports, findings and associated recommendations publicly available on GOV.UK, as is the case for the existing branches.

I confirm that specific testing for self-driving vehicles will be considered for inclusion in the MoT. Naturally, this will need to be an evolutionary process, developed in line with the introduction of the technology. The MoT will continue to play an important role in ensuring the ongoing maintenance and roadworthiness of the vehicle. However, we will not depend on it to ensure that self-driving vehicles drive safely. Authorisation places the obligation on the authorised self-driving entity to ensure that its vehicles continue to satisfy the self-driving test. The Bill grants powers to set requirements, secure information and issue sanctions as necessary to ensure that this is done. The review proposed in Amendments 25 and 59 could therefore unnecessarily delay the implementation of Bill.

On the noble Baroness’s specific question, in the event of an authorised self-driving entity ceasing trading, safety must be the priority. It would not be right for a vehicle to drive itself without someone taking responsibility for how it behaves. Given that this market is still emerging, there is much that we do not know about future ownership models and what consumer protections will therefore be needed. However, I can confirm that the important issue of the handling of ASDEs’ insolvency will be considered, following consultation, as part of establishing financial and good-repute requirements for authorisation.

5.15 pm

Turning to Amendment 55E, we recognise that having the right workforce and skills in place will be pivotal to the successful deployment of self-driving vehicles. In 2022, the department established the transport employment and skills taskforce, made up of leading transport industry figures. Supported by this taskforce, we have commissioned a future skills assessment for the transport sector, and this will report on skills gaps and provide recommendations to government and industry.

The Government have already published a series of wider plans for how we will build the right capabilities in industry and the public sector to tackle the challenges of the coming decades. For example, our national cybersecurity strategy and *Advanced Manufacturing Plan* both include plans to strengthen industry skills. The same work is under way in our own delivery bodies. The Vehicle Certification Agency has already formed links with the National Cyber Security Centre and is working to develop the necessary skills to assess the cybersecurity of self-driving vehicles. I trust that these examples reassure the noble Baroness that the

necessary work is already in hand. To publish an industry-specific workforce strategy within the year would therefore be unnecessary and likely duplicative.

I turn to Amendments 37A and 57A from the noble Lord, Lord Berkeley. We expect that operator licensing functions will sit with the Driver and Vehicle Standards Agency. The DVSA is already responsible for licensing operators of passenger service vehicles and freight, and it has existing powers to stop and test vehicles. It is therefore well placed to undertake this role. We expect the authorisation process to sit with the Vehicle Certification Agency, and the close existing relationship between these two bodies will help to ensure that the whole system runs smoothly.

Transferring the licensing process to the Office of Rail and Road would split these functions and their respective lines of accountability, which would add significant complexity. More generally, the specialist expertise of the Office of Rail and Road is in regulating the effective management of our road and rail infrastructure, rather than the vehicles that operate on them. Therefore, the overlap between the ORR's core functions and the regulation of self-driving vehicles is relatively narrow and may confuse the intended roles of the VCA and the DVSA. I recognise the noble Lord's points about the importance of independent oversight and, with this in mind, I remind him of the role of the statutory inspectors, who will conduct independent safety investigations.

I turn to Amendment 56A and the definitions used in the Bill. I make clear that the terms highlighted in this amendment do not all mean the same thing. The Bill covers a highly technical area, and it therefore uses a combination of defined terms and further descriptors to clarify their meaning. In brief, a vehicle travels "autonomously" if it does so without being monitored or controlled by an individual. This definition is set out in Clause 1(5). The Bill then refers to the "self-driving test", which establishes whether such a vehicle can operate safely and legally. In other words, these terms draw the distinction between the simple ability to operate without human control and the ability to do so to the required standard.

An authorised automated vehicle is one that has proven that it meets the standard and has been authorised by the regulatory regime. The term "autonomous" is not given a definition in the Bill, because it is used only in the specific context of marketing offences. While we need to be able to draw out these nuances in the Bill text, we are conscious of the need for simplicity and clarity in public understanding. Our research has shown that "self-driving vehicle" is the term that is most easily understood by the public, so it is the term that we focus on in our public communications.

In conclusion, I ask the noble Baroness, Lady Randerson, to withdraw her amendment.

Lord Berkeley (Lab): I asked the Minister whether he would be prepared to meet me, one or two colleagues and perhaps the regulator, the Office of Rail and Road, so that we can understand a little more what he has said. I am very interested in his response, but it would be very helpful if we could have a meeting before Report.

Lord Davies of Gower (Con): I am always happy to meet the noble Lord.

Baroness Randerson (LD): My Lords, I thank the Minister for his response and thank all those who have taken part in this short debate. I want to pick out a couple of things. One is about the urgency of the reform of the MoT, a point made by the noble Lord, Lord Lucas, which stands in a bit of contrast to the Minister's point. I am delighted that the Minister has acknowledged that there is a need to reform the MoT, but I believe that he used the word "evolutionary". Evolution can move very slowly. One point that has come across from noble Lords across the Committee is that current vehicles are part of the way there and have a whole system of software that needs attention in an MoT. I hope that the Minister will take away the fact that those changes need to be worked on with some urgency and that we need changes to the MoT in the near future.

Very good points have been made about the need for skills strategies, and to make the best of innovation by having the skills that will be needed. I thank all noble Lords who have taken part and withdraw my amendment.

Amendment 25 withdrawn.

Clauses 7 to 9 agreed.

Clause 10: Register of authorisations

Amendment 26 not moved.

Clause 10 agreed.

Clause 11 agreed.

Amendment 26A

Moved by Lord Holmes of Richmond

26A: After Clause 11, insert the following new Clause—

"Statement of accessibility principles

- (1) The Secretary of State must prepare a statement of the principles that they propose to apply in assessing, for the purposes of this Part, whether an automated vehicle meets the required level of accessibility.
- (2) The principles must make provision for the accessibility of—
 - (a) physical features and structures of the automated vehicle,
 - (b) computer and software systems used in the automated vehicle, and
 - (c) where relevant, booking platforms and other interactive digital services and systems used prior to, during and after using an automated vehicle, including through underpinning such services and systems with mechanisms to allow human intervention if required.
- (3) In preparing the statement under subsection (1), the Secretary of State must consult such persons they consider appropriate, in particular disabled people.
- (4) The statement under subsection (1) should include consideration of the accessibility of infrastructure with which automated vehicles must interact, such as pavements, kerbs, drop off and parking points."

Lord Holmes of Richmond (Con): My Lords, it is a pleasure to open this debate on this group of amendments. In doing so, I declare my interest as an adviser to Boston Ltd. I shall speak to Amendment 26A, which I thank the noble Baroness, Lady Brinton, for co-signing. I look forward to hearing about the other amendments in this group, which I shall not trespass on at this time.

Automated vehicles are either accessible, or they should not be pursued. They have such potential to enable mobility through technology, transforming people's lives, be they older people, disabled people or any member of our society. If accessibility is not the golden thread that runs through all their development and deployment, this project should not proceed any further.

We see in Clause 87 a couple of mentions of disabled people and older people. It is good to see that, but Clause 87 is not specific or sufficient. Without greater detail in the Bill, inevitably we will have potentially many elements of the user experience which simply will not be accessible, and there is precious little point in having 70% of the end-to-end experience accessible if 30% is not. That needs to run through all elements: not just the AV itself but everything involved in that user experience of engaging with an automated vehicle. That is why my Amendment 26A proposes a statement of accessibility principles which will run through and set out in the Bill, in detail, what is required to enable an accessible experience for all users.

As has been said, the vehicle itself, the physical features, must be accessible. All onboard systems must be accessible, but also the booking platforms and all the physical infrastructure that the AV needs to interact with, such as kerbs and drop-off points, must be accessible; otherwise, the experience will be unable to be seen as accessible. It can be rendered useless if just one of those elements is not accessible. We need to see a statement of accessibility principles set out in the Bill; it needs to be understood as an end-to-end accessible experience for users; and we need to see disabled people involved in the development and deployment of this whole AV enterprise. I believe that by having all these elements in the Bill, we will have much greater opportunity to enable an accessible experience for all.

It is clear that we need to have backstops. If the onboard system fails, if the booking system fails, if any element fails, by technical glitch or for want of accessibility, there needs to be a human in the loop, the potential for human intervention, so that a disabled person, an older person or, indeed, any person is not left, potentially, in a vehicle with a failed onboard system and no back-up, both for safety but also just for knowing where you are—the vital information to enable you to have an accessible experience in that AV.

We have spent many decades putting right inaccessible buildings, infrastructure and public realm that was built and conceived of long before accessibility, inclusion and inclusive by design were even considered, let alone deployed. That is still a work in progress, but we need to be absolutely certain that we are not potentially building new systems, vehicles and infrastructure that are inaccessible by design. We cannot start creating new steps—new barriers to access—in cyberspace and across the whole AV experience. We will get this right

if we see it as a user experience, end-to-end, every beat point with a golden thread of accessibility ensuring that AVs can be enabling, emancipating and a positive experience for all users. I beg to move.

Baroness Brinton (LD): My Lords, I declare my past interest as a member of the Select Committee on the Equality Act and its impact on disabled people, which included assessing PSV transport regulations for safe and effective travel for disabled people. Once again, I am delighted to follow the noble Lord, Lord Holmes of Richmond, and to have been able to sign his Amendment 26A. I have three amendments in this group, also signed by my noble friend Lady Randerson.

I want to pick up the point the noble Lord made when he talked about not just disabled people, but the elderly and frail in our society. If you include all of those, we are talking about more than one in four of the population. This is not something that affects a few people; it is a major, really important part of automated vehicles, increasingly so as we become an elderly society, because it is less likely that people will be able to make their own journeys. One reason why so many disabled people cannot travel around is because they do not have access to the right vehicles.

On this group, I want to refer to the Minister's response at Second Reading, when the noble Lord, Lord Holmes, and I raised accessibility just not being visible in this Bill, neither generally nor in Clause 83. From the Dispatch Box, the Minister said:

"The granting of self-driving authorisations will be subject to the public sector equality duty, and the Government intend to make equality impact assessments part of the authorisation process".—[*Official Report*, 28/11/23; col. 1070.]

The granting of self-driving authorisations being issued by a regulatory body would mean that the grantee has to follow the PSED, providing that it is supervised by a state regulatory body and providing a public service, so he is no doubt correct that PSVs would be able to follow it. I would hope that the provision of public sector AVs would fall within scope but, as we have discussed, there are many other parties to the running of an AV, some of which may not appear to be party to the PSED or realise that they are required to obey it.

5.30 pm

Can the Minister confirm that all those involved in the journey—the noble Lord, Lord Holmes, outlined some, such as those providing the apps or helping disabled passengers, as some parts of the journey are currently reliant on assistance from a driver or conductor who will not be visible—are aware that they have to follow the PSED? Also, will the organisation granted authorisation, as well as any private owners or leaseholders of AVs and all those in the PSV chain, from hailing apps through to any staff involved in the journey, have to obey it too?

The Select Committee on the Equality Act recommended that, under the PSED, the duties to assist passengers in wheelchairs in Sections 165, 166 and 167 of the Equality Act should be brought into force. In 2011, one year after the Act came into force, the Government said that they would do so, as they did in their response in 2016. However, the online

advice for the licensing authorities on the Equality Act still says that they have yet to be brought into force. There is a gaping hole. Without it, disabled people—particularly those in wheelchairs, under these three sections—discover the failures of it every day when they make journeys. It could be when taxi drivers, or perhaps in future a hailing app, refuse to take them. If I want to hire an Uber and no wheelchair cab is available, I do not get my journey at all. That is why the noble Lord, Lord Holmes, made the point about ensuring that this must be by design—so that various groups in our society are not excluded from using AVs because those AVs cannot help or take them.

I raise this because it has become painfully clear that too many PSV companies and their staff currently do not understand the PSED. Doug Paulley had to take First Bus to the Supreme Court in 2017 to ensure that wheelchair users had access to the wheelchair space on a bus, over and above suitcases and baby buggies. That was delivered through a change to the bus driver regulations, which would be disapplied in Clause 83.

That brings me on to Clauses 83 and 87. The Minister kindly noted my concerns about disapplying current taxi, private hire and bus legislation resulting in important accessibility protections not applying. He went on:

“Clause 87 requires that automated passenger permits could be granted only with a view to improving the understanding of how these services can be provided and designed for older and disabled passengers. Service providers will also need to report back on lessons learned”.—[*Official Report*, 28/11/23; col. 1070.] An “understanding” of how these services can be provided is a mile away from the actual provision and design of these services for older and disabled passengers, so forgive me for not being enthusiastic about the provision for them to report back on lessons learned. Lessons cannot be learned where people have ticked a box but not delivered what is needed. I see the noble Lord, Lord Holmes, nodding and am grateful for his support.

Why do I say this? A further problem was highlighted by the House of Lords Select Committee report on the Equality Act. Its report noted at recommendation 31:

“Our evidence has demonstrated that there is a fundamental flaw in the current Public Sector Equality Duty, namely that a public authority can make no progress towards the aims of the general duty and yet be judged compliant with it by the courts. We have heard convincing evidence that an amendment is needed to remedy this”.

The Select Committee recommended that a new subsection be added to Section 149 of the Equality Act to strengthen it and the Government said in their response that they would set up a review to make this happen. However, sadly, as with Sections 165, 166 and 167, the Government have not even set up a review, let alone changed the current legislation. That is another gaping hole.

That is why I have asked for Clause 83 not to stand part and laid Amendment 53, which would at least establish a statutory advisory panel with the purpose of designing a national minimum standard for accessibility of self-driving passenger service vehicles, and Amendment 57, which is consequential to it. The key thing about Amendment 53 is the involvement of disabled people. We in the disabled community have a saying: “Nothing about us without us”. Where coproduction works

best, we are involved right from the start in the design, so that the voice of the disabled passenger can be heard and understood before it is too late to change it. I thank the Minister for his offer of a meeting and I hope that we can meet before Report. In the meantime, I hope that he can respond more favourably than he did at Second Reading.

Baroness Bennett of Manor Castle (GP): My Lords, it is a pleasure to follow the noble Lord, Lord Holmes of Richmond, and the noble Baroness, Lady Brinton, and to agree with everything they said. In offering support to all the amendments in this group, I will make a couple of additional points.

First, to follow on from debates on previous groups today, it is obvious that, given the general state of our roads and infrastructure, if we are to see automated vehicles operating in the foreseeable future, that will be in only very limited and controlled circumstances—probably in newly constructed areas—and they are likely to be public transport. A great deal of our debates on this Bill have focused on private individuals having their own cars whizzing around, but public transport systems are most likely to be the first affected. We need to see the provision of access by design included as part of that.

Secondly, it deserves to be noted that, for the past year, the Transport Committee has been holding hearings on the accessibility of what we have now. These have exposed insufficient accessibility right across the transport sector, particularly in the need to update regulations to accommodate modern travel methods and equipment. As the noble Baroness, Lady Brinton, said, we are starting from scratch and could get it right from the beginning, so we should absolutely aim to do so. She spoke about relying on the public sector equality duty when it is so clearly failing; we have not heard the final conclusions of the Transport Committee, but a report out last month from the disabled people’s organisation Transport for All titled *Are We There Yet?*—to spoil the ending, the answer is definitely “No”—surveyed more than 500 disabled people in England on the journeys they had made in 2021 and 2022.

The report found that disabled people make far fewer journeys than non-disabled people—an average of 5.84 a week, which is one-third of the national average across the community. Those disabled people said they would like to make twice as many journeys every week, but lack of accessibility was preventing them doing so and being able to fully participate in our society, in the way that they would like. Finally, the report noted that nearly half of the respondents

“thought that the accessibility of transport and streets” would worsen in the next 10 years, while only 28% thought it would improve. Your Lordships’ House has a duty and an opportunity to show that it is possible to make things better instead of letting them continue to deteriorate.

Lord Borwick (Con): My Lords, I declare my interest, as I have been involved in accessibility to modern taxis and other public transport over many years. I entirely agree with most of the points made by the noble Baroness, Lady Brinton, and my noble friend Lord Holmes. However, with their amendments, I am

[LORD BORWICK]

not sure that we are heading in the right direction. It is clear from Clause 87 that those clauses intending to make the vehicle more accessible are heading in the right direction, but the noble Baroness believes they do not go far enough.

I am not sure that adding an extra automated vehicle accessibility standards panel, as in Amendment 53, would do anything other than delay everything in practice. By the time that such a panel is formed and educated to the standard of familiarity that we all hold with the Bill—or most of us do—I am not sure that it would do anything but delay the whole Bill, when we are already behind others. Although I very much hope that we could be at the forefront both of the existence of automated vehicles and of accessibility, we are of course two years behind other countries in Europe. We have got to catch up. I hope that we can alter Clause 87 to achieve what the noble Baroness, Lady Brinton, and I would like to see, rather than add a completely new panel on top.

Baroness Brinton (LD): I very gently challenge the noble Lord on his contribution. The problem is that, if there is no chance to rethink, for example, the design of some of the vehicles or the structures that go with it—including architectural software structures in apps—it will be too late. We will end up in the position that we have now found ourselves in on the railways; five years ago, we were expecting to have level access at every single railway station in the country to remove the need for ramps. Unfortunately, because there was no work done at that time, rolling stock was bought that did not conform with other rolling stock—let alone platforms—and it was delayed until 2023. It has now been delayed until 2035.

If we do not tackle this right at the start, it will prevent disabled people using these vehicles, because they will not be involved in the process. Just like trying to get hold of wheelchair-accessible cars, it will be almost impossible to find accessibility works for disabled people in AVs.

Lord Borwick (Con): I understand the point that the noble Baroness makes.

Lord Tunncliffe (Lab): My Lords, first, I am very sympathetic to the whole problem of access. Secondly, I recognise it is very complex and defer to the noble Lord, Lord Holmes, and the noble Baroness, Lady Brinton, in the detailed knowledge that they display in these two amendments.

Broadly speaking, I would like to see these amendments encapsulated in the Bill. The key question, however—which I invite both the noble Lord and noble Baroness to answer—is whether the two concepts contained in these amendments are mutually compatible or are in any way in conflict. If they are not, I support the general direction of these amendments and hope that there is recognition of the latest point made by the noble Baroness: you can expect a much more optimal solution if you adopt a clear direction on this difficult issue at the start, rather than trying to bolt it on afterwards.

5.45 pm

Baroness Randerson (LD): My Lords, I will take up the last point made by the noble Lord, Lord Tunncliffe. You have to start on the right footing immediately. One theme that has run through the amendments to this Bill is that those of us putting forward probing amendments are not doing so in the spirit of wanting to delay anything. I would argue that the purpose of these amendments—the detail may not be ideal; but this is the probing stage—is so integral to getting it right that you must accept that there might be a delay.

This whole project could be seriously delayed by bad publicity, adverse reporting and so on. If one in four people are looking to this brave new world of public transport, which was going to open things up for people with disabilities, and they discover that they cannot get on the new buses or into the new taxis, that will be the sort of really bad publicity that will set this revolution back by a considerable period of time.

I add one little example to those already provided by my noble friend Lady Brinton. I have 30% of normal hearing. I have found a number of times that the requirement to have both audio and visual announcements is not carried out in practice: they either have one or the other. An audio announcement on its own is no use to me at all. It shuts bus journeys off to me in areas where I am not familiar with the stops and layout of the town. If we apply that principle to people in wheelchairs and people with serious sight loss, large parts of the huge potential benefits of this new technology will be unavailable to an increasingly large section of the population. With an older population, this percentage will only get bigger.

Lord Tunncliffe (Lab): The noble Baroness, Lady Brinton, has made the point that she can speak twice in Committee. I invite her to speak for a third time to confirm that the two amendments are mutually compatible.

Baroness Brinton (LD): I suspect that between Committee and Report, the noble Lord, Lord Holmes, and I will discuss this in detail. We might even try to do it at the meeting with the Minister.

Lord Davies of Gower (Con): I once again thank noble Lords for their contributions in this group. Self-driving vehicles present an opportunity to radically improve the accessibility of transport. In particular, automated passenger services could help open up new transport links in areas where accessible services are currently limited. As colleagues rightly point out, however, it will take work to get this right. Indeed, I remind the House of the Law Commissions' comments on this subject; they said:

“there is much that is not known about how passenger services will operate in the absence of a driver. The immediate need is to collect more evidence and gain more experience, particularly on issues such as accessibility and safeguarding”.

The Government have taken that on board. We are undertaking research to improve our understanding of the current driver duties, so that we may better design requirements to ensure journeys are accessible. Further, applicants for passenger permits will not only be required to show how they are designing services to meet the

needs of older and disabled people but obliged to publish reports on how those needs are being met in practice. That is in addition to the requirements under the public sector equality duty, to which I referred in our earlier debate.

On Amendments 53 and 57, we recognise the importance of co-designing the development of self-driving vehicles with disabled people. In our policy paper *Connected & Automated Mobility 2025*, we committed to setting up an accessibility advisory panel before we launch the passenger permitting regime. The panel will advise on the granting of permits and assist in the development of national minimum accessibility standards. Although we have chosen to do that through non-statutory means, such a body is in line with the principle underpinning the Law Commissions' recommendation.

The Government already have a statutory adviser on transport accessibility in the form of the Disabled Persons Transport Advisory Committee. The committee has an established role in providing independent advice to the department. It provided feedback as part of the Law Commissions' review, and its expertise will be brought to bear alongside the advisory panel. Creating further statutory roles risks duplication; I do not wish to see additional complexity added at the expense of a material improvement in outcomes. By contrast, the flexibility offered by a non-statutory solution enables a tailored response that can adapt quickly to the rapid evolution of policy in this area.

I turn to the proposal for a "statement of accessibility principles" put forward by my noble friend Lord Holmes of Richmond. I absolutely recognise the points he raised and the intent of his amendment, and I reassure him that the measures in the Bill already provide scope to consider accessibility at every stage. As I said during our last debate, the Government will require anyone seeking authorisation to submit an assessment of fair outcomes. As well as considering accessibility for people with different needs, the assessments will cover data biases. Applicants will be required to include plans for how they will avoid their vehicles unfairly discriminating against particular groups, as was recommended by the Centre for Data Ethics and Innovation.

My noble friend's amendment highlights the importance of adopting a whole-journey approach when reviewing accessibility. In his very apt words, there must be a "golden thread" running from the physical vehicle design to the booking system, the integration with public transport, the support offered by operators and beyond. Indeed, the respective roles of each of those elements will likely change considerably as the technology develops and as users become more confident. That is why we look to address those important issues in Part 5 of the Bill as part of the automated passenger services provisions. These provisions allow us to set specific requirements covering the whole-passenger experience, rather than splitting them across the authorisation and operator licensing processes. As I said, accessibility is a mandatory consideration in setting those requirements.

We have already indicated in our policy scoping notes that equality and fairness are likely to be included as part of the statement of safety principles. Therefore, a second set of accessibility principles may create

overlap. However, I hope that this offers my noble friend some reassurance that the intent of his amendment is already being considered.

Finally, I turn to the proposal that Clause 83 be removed. Clause 83 disapplies existing taxi, private hire and bus legislation to vehicles operating under an automated passenger services permit. The application of existing public transport legislation to self-driving vehicles is complex and uncertain. While it will remain possible for providers to be regulated under these regimes, as was the case for the CAVForth bus project in Scotland, relying on this alone could leave gaps in regulation. This in turn could lead to unintended consequences and hamper the development of the automated passenger services industry. Therefore, the Law Commissions recommended offering a separate bespoke scheme, creating a clear and lawful route for service providers to become licensed. As well as bringing clarity, this has allowed us to create a modern, flexible framework, specifically designed to help grow our understanding of how automated passenger services can best support people with disabilities. The Government want public transport to be available to all. The intention of Clause 83 has never been to undermine that goal. Its purpose is simply to avoid the ambiguity and potential overlap in how current passenger licensing laws might apply to service providers.

In conclusion, I respectfully ask my noble friend Lord Holmes of Richmond to withdraw his Amendment 26A. I look forward to discussing these issues further with him and the noble Baroness, Lady Brinton, in the coming days.

Lord Holmes of Richmond (Con): I thank all noble Lords who have taken part in this important debate, particularly the noble Baroness, Lady Brinton. I thank my noble friend the Minister for his response.

The reality is that the current measures on accessibility in the Bill are not specific and are insufficient. To my noble friend Lord Borwick, I say that it is entirely possible that we could add to Clause 87 to make it specific to and sufficient for that purpose; I will certainly get my drafting pen out between Committee and Report.

I look forward to the meeting with the Minister to cover these issues. It is essential that we get them right at this stage. I will give an example of what happens if we do not. For many years, and potentially still, there have been stations on our network that are described as fully accessible; they are marked as "fully accessible" stations on the overall map of the network, be it in London or nationally. Indeed, they are: if you arrive at the stations, they have wide gates; if you have access needs or are a wheelchair user, they have audio announcements; and if you happen to be visually impaired or blind, they have lifts that enable passengers to access the platform. They are fully accessible stations—but you cannot board the train when it arrives. That is why it is critical to look at the golden thread of accessibility for the end-to-end experience. Just one small step, be it even tiny, can trip up the whole process of enabling an accessible experience.

The Bill needs to be beefed up on accessibility, otherwise it will be a game of catch-up and missed opportunities. The Minister said in winding up that

[LORD HOLMES OF RICHMOND]

there is “scope” for that, but scope is not actuality. He said that there is potential and opportunity, but opportunity is not inevitability. We have the opportunity in the Bill not to slow anything down. Through the input of disabled people from the outset, we can actually speed up the process and have free consultation from them—although everybody who is part of the co-production should, rightly, be paid and supported.

More needs to be done between Committee and Report. The opportunity that accessible automated vehicles provide cannot be left to go the way of other transport developments over the previous 200 years. We will certainly return to this between Committee and Report, potentially with some specific amendments on Report, but for the moment I beg to withdraw my Amendment 26A.

Amendment 26A withdrawn.

Clause 12: Power to establish operator licensing scheme

Amendments 27 and 28 not moved.

Clause 12 agreed.

Clause 13 agreed.

6 pm

Clause 14: Collection and sharing of information

Amendment 29 not moved.

Clause 14 agreed.

Clauses 15 and 16 agreed.

Clause 17: Power to issue information notice

Amendment 30 not moved.

Clause 17 agreed.

Clauses 18 to 21 agreed.

Clause 22: Use of information obtained

Amendment 31 not moved.

Clause 22 agreed.

Clauses 23 to 37 agreed.

Schedule 1 agreed.

Clause 38: General monitoring duty

Amendments 32 and 33 not moved.

Clause 38 agreed.

Clauses 39 to 41 agreed.

Clause 42: Protection of information

Amendment 34 not moved.

Clause 42 agreed.

Amendments 35 and 36 not moved.

Clause 43: Fees

Amendment 37 not moved.

Clause 43 agreed.

Amendment 37A not moved.

Clauses 44 and 45 agreed.

House resumed.

Defending the UK and Allies

Statement

6.03 pm

Baroness Williams of Trafford (Con): My Lords, it has come on to the monitor fairly late, so I thought it might be helpful for the House to know that the Back-Bench speaking time will be 30 minutes, if required.

The Lord Privy Seal (Lord True) (Con): My Lords, with the leave of the House, I shall now repeat a Statement made in another place by my right honourable friend the Prime Minister. The Statement is as follows:

“Mr Speaker, I would like to update the House on the action that we took on Thursday night against Houthi military targets in Yemen.

Since 19 November, Iran-backed Houthis have launched more than 25 illegal and unacceptable attacks on commercial shipping in the Red Sea, and on 9 January they mounted a direct attack against British and American warships. They fired on our ships and our sailors—it was the biggest attack on the Royal Navy for decades—and so we acted. We did so in self-defence, consistent with the UN charter, and to uphold freedom of navigation, as Britain has always done.

Alongside the United States, with support from Australia, Bahrain, Canada and the Netherlands, we ordered the RAF to strike two Houthi military facilities in Yemen. I want to be clear that these were limited strikes. They were carefully targeted at launch sites for drones and ballistic missiles to degrade the Houthis’ capacity to make further attacks on international shipping. I can tell the House today that we assess that all 13 planned targets were destroyed. At the drone and cruise missile base in Bani, nine buildings were successfully hit. A further three buildings were hit at Abbs airfield, along with a cruise missile launcher caught in the open. We have seen no evidence thus far of civilian casualties, which we took great care to avoid. I know the whole House will join me in paying tribute to the incredible bravery and professionalism of all our service men and women.

The need to maximise the security and effectiveness of the operation meant that it was not possible to bring this matter to the House in advance, but we took care to brief Members—including you, of course, Mr Speaker, and the leader of the Opposition—before the strikes took place, and I have come to the House at the earliest opportunity. I do not take decisions on the use of force lightly. That is why I stress that this action was taken in self-defence. It was limited, not escalatory.

It was a necessary and proportionate response to a direct threat to UK vessels, and therefore to the UK itself.

Let me be absolutely clear why the Royal Navy is in the Red Sea. It is there as part of Operation Prosperity Guardian, protecting freedom of navigation as a fundamental tenet of international law. The Houthis' attacks on international shipping have put innocent lives at risk. They have held one crew hostage for almost two months, and they are causing growing economic disruption. Global commerce cannot operate under such conditions. Containers and tankers are having to take a 5,000-mile detour around the Cape of Good Hope. That pushes up prices and imperils the passage of goods, foods and medicines that the British people and others rely on.

We have attempted to resolve this through diplomacy. After numerous international calls for the attacks to stop, a coalition of countries gave the Houthis a clear and unambiguous warning two weeks ago. Last week, the UN Security Council passed a resolution condemning the attacks and highlighting the right of nations to defend their vessels and preserve freedom of navigation, yet the Houthis continued on their reckless path.

We should not fall for the Houthis' malign narrative that this is about Israel-Gaza—they target ships from around the world. We continue to work towards a sustainable ceasefire in Gaza and to get more aid to civilians. We also continue to support a negotiated settlement in Yemen's civil war, but I want to be very clear that this action is completely unrelated to those issues. It is a direct response to the Houthis' attacks on international shipping. We should also recognise the risks of inaction. It would weaken international security and the rule of law, further damage freedom of navigation and the global economy, and send a dangerous message that British vessels and British interests are fair game.

There is another point here, which is often overlooked. The Houthis' attacks risk worsening the dire humanitarian situation in Yemen itself. The United Kingdom helps to feed around 100,000 Yemenis every month, with aid arriving via the very sea routes that the Houthis have in their sights.

The threats to shipping must cease. Illegally detained vessels and crews must be released, and we remain prepared to back our words with actions. But dealing with that threat does not detract from our other international commitments; rather, it strengthens our determination to uphold fundamental UN principles. If our adversaries think they can distract us from helping Ukraine by threatening international security elsewhere, they could not be more wrong.

On Friday, I travelled to Kyiv to meet President Zelensky and address the Ukrainian Parliament. I took a message from this House to the Rada that we will stand with Ukraine today, tomorrow and for as long as it takes. If Putin wins in Ukraine, he will not stop there, and other malign actors will be emboldened. That is why Ukraine's security is our security. That is why the UK will stay the course, and it is why I am confident that our partners share our resolve.

Far from our resolve faltering, our military support to Ukraine will increase this year. We will provide the biggest single package of defence aid to Ukraine since

the war began, worth £2.5 billion. That will include more air defence equipment, more anti-tank weapons, more long-range missiles, thousands more rounds of ammunition and artillery shells, training for thousands more Ukrainian service men and women, and the single largest package of advanced drones given to Ukraine by any nation. All this is on top of what we have already provided to support Ukraine.

In total, since the war began, the United Kingdom will have provided almost £12 billion of aid to Ukraine. We were the first to train Ukrainian troops, the first in Europe to provide lethal weapons, the first to commit main battle tanks, the first to provide long-range missiles, and now we are the first to keep the promise made at last year's NATO summit, alongside 30 other countries, to provide new bilateral security commitments. Ukraine's rightful place is in NATO, and NATO will be stronger with Ukraine in it, but these commitments will help bridge the gap until that day comes.

Under the new agreement that we signed with President Zelensky, we are building Ukraine's military capacities; and, if Russia ever invades Ukraine again, we will provide swift and sustained assistance, including modern equipment across land, air and sea. Together with our allies, the UK will be there from the first moment until the last. For all of this, I bring a message of thanks from President Zelensky to the British people. Today, I hope that this House will join me in sending a message back to the Ukrainian people: that we stand together as one in support of these firm commitments.

We are building a new partnership with Ukraine, designed to last 100 years or more. Yes, it is about defence and security, but it is also about trade, investment, culture and more. There could be no more powerful sign of our unique bond than Ukraine's decision to adopt English as the language of business and diplomacy. So, through the British Council, we are going to fund English language training for the Ukrainian people.

In dangerous times, we are investing in defence, hardening our critical infrastructure and building our alliances. We are resolute in our principles: international security; the rule of law; and the freedom to determine your own future. An attack on those principles is an attack on everything that we believe in and on which our lives and livelihoods depend. As the home of parliamentary democracy and a leader in collective security, it is our responsibility to defend those principles and to defend our people. This is who we are. This is what Britain does and will always do. I commend this Statement to the House".

6.13 pm

Baroness Smith of Basildon (Lab): My Lords, I thank the Lord Privy Seal for repeating today's Statement. I also thank him, on my behalf and that of the noble Lord, Lord Newby, for our briefing at the Cabinet Office today; it was appreciated and useful.

As we heard in the Statement, this situation has been escalating over several weeks, putting lives at risk and causing considerable disruption to international shipping. First, we concur that the Government were right to do all they could to end such attacks through international diplomatic routes. We appreciate the considerable efforts that were taken to avoid a military response. As the Statement said, freedom of navigation

[BARONESS SMITH OF BASILDON]

is a fundamental tenet of international law, so seeking as wide a consensus as possible through the UN and other routes was the right approach.

However, when it became apparent that these diplomatic efforts were not working, it was also right that the Government acted in self-defence following further direct attacks on our Navy and US warships. So we back this limited and targeted action to reinforce maritime security in the Red Sea. We strongly condemn the Houthi attacks targeting commercial ships of all nationalities, putting civilians and military personnel—including British forces—in serious danger. Their actions are unacceptable and illegal. If left unaddressed, they could lead to a devastating rise in the cost of essential food in some of the poorest countries in the world.

The international community clearly stands against the Houthi attacks. Alongside the UK and the United States, four other countries were involved in this military operation. More than a dozen nations are part of the maritime protection force in the Red Sea, while many others supported the recent UN Security Council resolution that condemned these attacks in “the strongest possible terms”.

The UK’s response was proportionate and targeted to avoid civilian casualties. Can the Leader of the House provide more information on the strategic objectives of the military response, including how the Houthis’ response will be judged? He will be aware that, today—before the Statement was drafted, I think—there were reports of a further missile attack on a US cargo ship. I am sure that the Government will monitor this carefully; there may not be full information available yet but, at this stage, I ask him to commit to returning to your Lordships’ House in order to ensure that we are kept informed.

We are not clear yet whether this is a short-term targeted response or part of an ongoing campaign from the Houthis, but can the Leader of the House confirm that the strategic objective is to degrade or destroy the capability to launch attacks on international shipping? In the light of this assessment of capabilities, does he agree that further parliamentary scrutiny will be essential?

Our primary objective has to be the avoidance of escalation across the Middle East, so continuing engagement with our international partners is vital. None of us wants to see this proportionate act of self-defence being exploited by those in the region who seek to expand and escalate violence. This includes in Yemen itself. We must support international diplomatic efforts to address the huge humanitarian impact of the civil war.

Our Armed Forces across the region are showing the highest professionalism and bravery, both in defending commercial shipping and in this targeted action. As the Leader of the House said, we thank them; it is also worth putting on the record that we are proud of them. They continue to show that Britain is a force for good. However, can I ask the Leader of the House about their protection and how the Government are bolstering protection for our service men and women in the region?

The Leader of the House also referred to Ukraine. The professionalism of our Armed Forces has been crucial in our support for Ukraine. We on these Benches

welcome the Prime Minister’s announcement of £2.5 billion for Ukraine next year and strongly support the agreement on security co-operation. This will provide President Zelensky with the vital confidence that he needs to plan for the year ahead; it also cements our support for self-defence for decades.

The Leader of the House asked this House to send a message to Ukraine. The strong message from this Parliament continues to be that we in the UK stand united—and will continue to stand united—in our condemnation of Putin’s invasion and our determination that Ukraine is equipped to defend itself for as long as it takes.

It is now more than 100 days since the shockingly brutal events of 7 October. Israel’s right to self-defence is fundamental yet, the longer the conflict in Gaza rages, the more the risk of escalation throughout the entire region grows. All our thoughts are with the civilians who have been, and continue to be, caught up in this horrific war. As my noble friend Lord Collins of Highbury confirmed earlier today in your Lordships’ House, we welcome the efforts to secure UN Resolution 2720 and the Government’s commitment to seeking a sustained ceasefire, which would deliver the humanitarian support that is so desperately needed.

In the same way that we should seek to avoid escalation in the Red Sea, we must also urge restraint on the Israel-Lebanon border and make it crystal clear to parties that the UK does not support this conflict extending into Lebanon. On the issue of humanitarian support into Gaza, can the Minister say anything about other routes that may be looked at in order to provide such support, such as via the Royal Navy or airdrops? How are the Government supporting the diplomatic process that is being brokered by the US envoy to prevent a full-scale war breaking out across that border between Israel and Lebanon?

Lord Newby (LD): My Lords, I thank the noble Lord for repeating the Prime Minister’s Statement.

As the Statement makes clear, our military action follows not only a direct attack on our warships but some 25 other attacks on commercial shipping in the Red Sea over recent weeks. These attacks not only jeopardised many lives but were and are threatening the continued operation of the sea route through the Red Sea and the Suez Canal, which plays such a vital role in the world trading system. We therefore also believe that the UK had little option but to act.

The challenge in these circumstances is always whether the action we take will have a lasting deterrent effect and whether it is proportionate. Whether it has a lasting effect on the Houthis remains to be seen, but it was certainly limited in scope and was, in our view, proportionate to the attacks that we had suffered. However, it is hardly likely to be the end of the story, and I repeat the request by the noble Baroness that Parliament has every opportunity to debate events as they unfold.

What makes this episode so significant and worrying is that it represents yet another flashpoint in an already extremely volatile area where the risk of escalation attends every move. I am sure that the Minister and the Government are well aware of this risk, but I ask them

to keep it front of mind in the coming days and weeks as the situation develops. The Prime Minister says that this action is completely unrelated to what is happening in Gaza, but there is surely some link. It is therefore reassuring to hear the Prime Minister repeat that the Government will continue to work towards a sustainable ceasefire in Gaza and getting more aid to civilians. Can the Minister say anything about this work and give the Government's assessment of the likelihood of aid being increased in the short term and of achieving a ceasefire at some point in the coming days and weeks?

On the Houthis, can I ask the Minister about the extent to which the UK and the US Governments have sought and obtained international support for the actions that we have taken? It is obviously in the interests of a large number of countries, not least our European neighbours, that the Suez Canal route is kept open, yet the Statement only mentions the Netherlands among all the European countries that have supported our military action. What is the attitude of other major nations in Europe towards this action? What efforts have been made to get their more overt support to date, and what more is being done to extend the coalition, whose membership at the moment looks rather limited compared with the global nature of the threat posed by continued Houthi military action on world trade?

As we take action against the Houthis, what more can we do to support the recognised Yemeni Government, not least by helping them to solve the huge problems of malnutrition and famine that afflict Yemen, where some 11 million children remain in need of humanitarian assistance? The Statement says that the Government feed around 100,000 Yemenis every month. This clearly meets only a very small fraction of the need. Might the Government consider, at the very least, reinstating the £200 million cut which they recently made to our aid budget for Yemen?

The Statement also deals with our continuing military assistance for Ukraine. We support the strong line which the Government have taken in pledging our long-term support to the country in its struggle against the Russian invaders. However, we hear disturbing reports that some other members of the coalition supporting Ukraine may be getting cold feet. Can the Minister tell the House what diplomatic efforts the UK is making to ensure that Ukraine gets the support it needs in the future, not just from this country but from our other international partners?

It has become a cliché to say that we live in an increasingly dangerous world. Yet, as this Statement demonstrates, it is sadly the case. We will have to work increasingly hard in the months and years ahead, not just on our own but in co-operation with other like-minded democracies, to vigorously defend the principles for which we stand.

Lord True (Con): My Lords, I am extremely grateful for the tone and content of the response from the noble Baroness and the noble Lord. In person, by their presence here and in what they said, they absolutely exemplified what I was talking about in the Statement—the need to send a united and common message out from this House to the Ukrainian people and the Ukrainian

Parliament that we will be there for the duration, for as long as it takes, and of our steadfast and implacable opposition to interference with freedom of navigation, which is one of the most fundamental and long-lasting principles of international law.

The noble Baroness was quite right to point out that these events followed weeks if not months of continuing activity by the Houthis dating back to last year. I think it was on 16 December 2023 that the HMS “Diamond” brought down an attack of drones targeting commercial shipping in the Red Sea. We said at the time that it was the first time in more than 30 years that the Navy had fired in action at an aerial target. Yes, warnings were given on 3 January this year. We joined the international statement on the Red Sea. My noble friend the Foreign Secretary is here, and I can assure the noble Lord and the noble Baroness that there have been continuing unceasing efforts on the diplomatic front and in direct conversations and channels, for example, with the Iranian backers of the Houthis—the Foreign Secretary himself spoke to the Iranian Foreign Secretary—to make people be in no doubt that this is a situation which the international community could not and will not tolerate.

I think there has been a slight downgrading of the degree of international support and commitment here. There are 20 other nations involved in Operation Prosperity Guardian, which is the core of the protection of the Red Sea. Although we only cited four nations that were specifically involved in the targeted operation that took place last weekend, many other nations are offering practical support and diplomatic assistance. Let us also not forget that on 10 January the UN Security Council passed a resolution condemning the attacks and on the rights of nations to defend their vessels and to preserve the freedom of navigation. The right to self-defence is inherent in Article 51. We were exercising self-defence, but in our action we are also exercising action in defence of international law and freedom of navigation.

The noble Baroness asked what our strategy is. Our strategy and intent, and the intent of the international community, is to ensure and maintain the principle of free and open navigation. A clear signal has been sent to the Houthis, in a different form of language from the very clear signals that were sent before. We hope very much that in time it will be heeded and that we can restore international law and the rule of order in the Red Sea. We urge the Houthis to stop jeopardising—I agree with what the noble Baroness and the noble Lord said—the best chance of peace in Yemen for years, which happened on the basis of previous discussions. They need to engage constructively to expand the benefits which the de facto truce in Yemen brought to the Yemeni people.

I was asked about aid to Yemen. We are deeply committed to support for Yemen. In March, we committed £88 million of aid for this financial year and we are delivering care for about 400 facilities there at the moment.

The Houthis must heed the message and obey international law, and those who back them must urge them to do so. I am not speculating on what might or might not happen in the future. I am aware of a further incident today, but I think the noble Baroness

[LORD TRUE]
will understand if the British Government and our partners wish to evaluate what has happened and what may be behind it.

On coming back to this House, we have the inestimable value of having my noble friend the Foreign Secretary here in it. He is answering Questions tomorrow, although not on this subject. I know that he and I are very committed, as is my noble friend the Captain of the Gentlemen-at-Arms, to making sure that your Lordships are kept informed—so far as we may.

I assure the noble Baroness that we are aware and have taken into account the positioning of other British forces and assets in the broad area. Without going into detail, certainly, consideration is being given to the security of those people.

So far as Israel and Gaza are concerned, we absolutely reject the absurd Houthi claim that this is anything to do with the Israel and Gaza conflict. The Houthis were firing on ships that had nothing to do with Israel. This is a completely false narrative and we should not fall into the trap—I was pleased that the noble Baroness and the noble Lord did not—of linking it in the way that the Houthis suggest.

Of course, we would love to see the conflict in Israel and Gaza somehow come to a conclusion. No one wants to see it go on a moment longer than necessary and we support a sustainable ceasefire, as the Prime Minister has made clear, but it must be sustainable—one that will last. That means, frankly, Hamas no longer in power in Gaza and able to threaten Israel with rocket attacks and other forms of terrorism. Hamas does not represent the Palestinians' legitimate aspirations. Perhaps some of those who charge around on the streets of our kingdom might recognise that and think of it for a moment.

However—and I fully take what noble Lords opposite have said—ahead of a sustainable ceasefire, we want to see immediate and sustained humanitarian pauses to get more aid in and hostages out, helping to create the conditions for a durable peace. A sustainable ceasefire would be just the first step.

In our dialogue and that of the Foreign Secretary, we are looking at ways to get more humanitarian aid in, as and how we can. We have encouraged the Israeli Government to facilitate some access from the sea, without going into specific places or points. We are very much on the case here, but I re-emphasise that the aim is to deter the Houthis, and to deter the Russians in their unlawful breaches of international law and their aggression in Ukraine.

I again thank the noble Baroness and the noble Lord opposite for what they said on Ukraine. I assure the noble Lord, Lord Newby, that although we are the first in terms of the security arrangements announced in the Statement, they flowed from the Vilnius discussions. In the days and weeks ahead, I think that he will find that many other nations follow our course.

6.34 pm

Baroness Falkner of Margravine (CB): My Lords, this is a sombre moment, because we have seen an escalation provoked entirely by Iran and its proxies, but we must be on our guard not to fall into the trap of provocation leading to a wider conflagration. I entirely

support the Government's action and I hope that they will continue to consult Parliament. The noble Lord, Lord True, might recall that I moved the first Private Member's Bill in 2016 trying to regularise a war powers Act of some sort. I was given assurances that Parliament would always be consulted and that there was no need for legislation.

International co-operation has been mentioned today. We know that European Union member states are meeting on 1 February to determine how a naval task force mission might be organised. My question to the noble Lord is whether, once we know what their naval mission will be like, there will be any element of interoperability and burden-sharing with them.

This action is entirely necessary. I have just returned from Singapore, and I looked out on the Malacca Strait and saw what harm a lack of freedom of maritime navigation might do there, in the Taiwan Strait and in numerous other places. I am very pleased that we are taking our United Nations Security Council responsibilities to defend international peace and security so seriously.

Lord True (Con): I very much welcome what the noble Baroness has said. Who gains most from freedom of navigation? It is some of the poorest people in the world. Not only in this action standing up for the principle of free navigation at sea but in the developing situation in Ukraine, the British Government have been extraordinarily active in protecting navigation.

In Ukraine, not least because of the consistent material support that the British Government have given to the Ukrainian Government, which we commit to continue, the Ukrainians have been able strategically to force back the aggressive actions of the Russian fleet and deployment in the Black Sea. That has enabled an opening of grain routes via the Black Sea and out to the world, which has led to very considerable exports of Ukrainian grain. One of the most deplorable things about the Russian attempt to block navigation in the Black Sea was that the people who gain most from Ukrainian grain exports are, as I said, some of the poorest in the world.

I assure the noble Baroness that we are working tirelessly with allies to keep an international focus on this. We were originally there as part of Operation Prosperity Guardian, which itself is an international and multinational action. I very much accept what the noble Baroness said.

Baroness Goldie (Con): My Lords, I unequivocally support the action that the Government have taken and observe that it was not only the right course of action but the only course of action. I pay tribute to our Armed Forces for their precision and professionalism in discharging that essential task.

I ask the Minister to reassure me on one point and it is quite simply this: I know from my previous experience as a Defence Minister that paramount in any discussion about the deployment of our forces and our defence capability is operational security. It must dominate any further discussion on any future intervention, which I fear may be more likely rather than less. In this Chamber at least, can we be reassured that, if the Government are contemplating further

action that involves deployment of our Armed Forces, absolute regard will be had to the need to keep matters covert until the intervention has taken place, and then there is an appropriate place for discussion in Parliament?

Lord True (Con): My Lords, there is a balance to be reached in these things. I agree with what my noble friend said. In terms of accountability, the Prime Minister came to the House of Commons and explained the position at the first opportunity. As I said in the Statement, he ensured that the leader of the Opposition was briefed, as we did in this House. There is a balance to be struck, but in no circumstances must we imperil our heroic service men and women by telegraphing and broadcasting what future operations may be. I assure my noble friend that operational security is fundamental.

However, she and the House can be assured that we are taking proportionate and deliberate action. My noble friend the Foreign Secretary wrote an article in the newspaper; I do not read them all, so I cannot remember which one it was—

The Secretary of State for Foreign, Commonwealth and Development Affairs (Lord Cameron of Chipping Norton) (Con): *The Daily Telegraph*.

Lord True (Con): The *Daily Telegraph*—a very important newspaper. He set out in precise and clear detail the extent to which the Government had gone to show and make sure that our action was proportionate and deliberate. We will continue to operate in that way, also protecting operational security.

Lord Browne of Ladyton (Lab): My Lords, further to the initial point made by the noble Baroness, Lady Falkner, there is a trap of aggression leading to further escalation. I draw your Lordships' attention to the views of a former US ambassador to Yemen, and now an American academic, published on Friday, in which he stated that the Houthi attacks on Red Sea shipping were, in his assessment, designed to "provoke US retaliation". Given that the domestic popularity of the Houthis was ebbing until the outbreak of hostilities in Israel/Gaza, and that they derive almost all their support from fostering a sense of anti-western grievance, what assessment has the Foreign Office made of this hypothesis that the Houthis have foreseen and deliberately provoked military reprisals?

No one should dispute, and certainly I do not, that our air strikes, which in the words of the Prime Minister were

"intended as a limited, single action",

were proportionate and justified. But we must be mindful that we may have degraded Houthi offensive capabilities at the price of increasing their domestic political support. Can the Minister inform us what analysis has been undertaken in respect of the likely long-term political consequences of our actions, particularly within Yemen itself?

Lord True (Con): My Lords, I do not think that "aggression" is really an appropriate word to use in this respect. The United Kingdom, the United States and other nations involved have not undertaken any form of aggression. I think that if the noble Lord,

with his great experience as a very distinguished Minister, had been faced with a situation where a British warship had been attacked by 20 drones and nine missiles, he might have asked himself whether some response would be appropriate. I think I said in this Statement, and repeated in earlier responses, that very careful and calibrated warnings have been given here. But with this aggression—if one wants to use that word; frankly, it is tantamount to a piratical attempt to interrupt the right of people all over the world to trade and move, and use the freedom of the seas—there is, as I said in the Statement, a cost to inaction. The Government's judgment, and I believe the judgment of the House broadly, would be that not to have responded to that kind of attack, not only on one of our own warships, would have a cost. Were we to lose such a warship, having been targeted by 29 weapons, that would have been regarded as a disaster. We should remember that the Houthis have launched more than 25 attacks already on ships in the region, including those sailing under the British flag. This is not aggression; this is an act of self-defence and defence of international law.

The Lord Bishop of Leeds: My Lords, I am very reassured by much of what I have heard this evening, but I think there is a distinction between what is escalatory in intent and in effect. If the effect is escalation, how are the UK Government preparing or planning for a wider escalation? I am particularly concerned about the capacity of our Armed Forces. I am happy to be reassured, but often in this House we have questions about whether we have sufficient personnel, as well as equipment. Can the Minister give some assurance that we do have capacity, and that the implications of the 2023 integrated review might be revisited in the light of developments in the last few months?

Lord True (Con): My Lords, the right reverend Prelate refers to the integrated review. Obviously, the integrated review refresh confirmed an additional £5 billion to the Ministry of Defence over the next two years. That followed a £24 billion four-year cash uplift in defence spending in 2020, which I think was the largest sustained increase since the Cold War. For the first time, our annual defence budget is over £50 billion. I do not think that is what is actually keeping the right reverend Prelate awake at night; I think he was asking whether we can be assured that our troops, airmen and sailors will receive the equipment and resources they need to meet whatever eventualities occur. The Government's commitment is that the answer to that is yes. We are already letting contracts for the renewal of equipment, to ensure proper defence and support.

As far as escalation is concerned, I can only repeat what I said: the British Government and the international community have made it absolutely clear that they do not want escalatory action in this part of the world under any circumstances. However, we were confronted with the situation we were, with the Houthis firing on innocent commercial vessels. Houthi attacks on commercial shipping in the Red Sea increased 500% between November and December; then we saw the attack on warships. It is not the British Government or anyone else who have been escalating; we were faced with action to which we have made an appropriate, lawful and proportionate response.

Baroness Smith of Newnham (LD): My Lords, following on from the right reverend Prelate's question, perhaps I might press the Lord Privy Seal a little further. While it is clearly right that this action was taken, and the fact that it was limited and proportionate is very welcome, we are seeing ever more military engagement, for all sorts of very pertinent reasons. We hear that the defence budget has been increased, and we have heard the figures. We have heard the further commitment to Ukraine; all those are welcome. But do we actually have the reassurance that we have sufficient personnel to man—person—our ships? In particular, do we have sufficient people working in the Navy, and is recruitment adequate, because there are some short-, medium- and long-term questions we need to be reassured about?

Lord True (Con): My Lords, we do have enough people. Not only do we have enough people, we have some of the most outstanding people in our nation, and I know that the noble Baroness would agree with me on that. Recruitment is always a challenge in any walk of life, and certainly in the Armed Forces. We are actively involved in recruitment and will continue to be so. I believe that serving our nation in the Armed Forces is a very high calling, and I am confident that we will be able to sustain the efforts to maintain our forces in the years ahead.

Lord Craig of Radley (CB): My Lords—

Lord Jopling (Con): My Lords—

Baroness Williams of Trafford (Con): My Lords, let us hear from the noble and gallant Lord, Lord Craig of Radley, and then my noble friend.

Lord Craig of Radley (CB): My Lords, the Statement mentioned that the performance of the Royal Air Force was supported by Australia and three other countries. That sort of support is very important to the crews, and I thoroughly encourage that as much of that sort of international support is obtained as is possible. Media reports suggested that France may have been approached but did not wish to support the RAF attack. Is there any truth in that?

Lord True (Con): My Lords, the noble and gallant Lord, with his great experience, will know that I am not going into the individual stances of particular nations on particular events or operations. We are in constant discussion with not only the Government of France but other nations about the situation. France is an important ally. The noble and gallant Lord is absolutely right to refer to the brilliance of the operation—that is our early assessment of its effectiveness. Assessments are obviously continuing, but I think he would have been very proud, in his old career, of the effectiveness of the Air Force in the operation that it undertook.

The noble and gallant Lord is absolutely right as far as international support is concerned. We are very grateful to all the Governments involved in this operation. I mentioned Bahrain, the Netherlands and Australia—that partnership with Australia is obviously very important, but a range of nations were involved. He is absolutely right to say that this international co-operation is

important. I am hearing that from all round the House. My noble friend the Foreign Secretary, the Defence Secretary, the Prime Minister and others are involved tirelessly in that operation.

Lord Jopling (Con): My Lords, the Minister will recall that the Saudis have had many years of armed conflict with the Houthis. Now that the alliance of those who are opposed to the Houthis has been extended, would it not be helpful to ensure there is the largest possible co-operation and integration with the Saudis, both in military assets and intelligence matters?

Lord True (Con): My Lords, the Kingdom of Saudi Arabia is an extraordinarily important player and actor in the field. The Prime Minister had a constructive and useful meeting there when he visited the region last year. He was very well received, as is my noble friend the Foreign Secretary when he goes there for grown-up, constructive, thoughtful talks about how we may secure long-term peace and prosperity for an area of the world where there should be peace and prosperity for all. That is our hope. We have agreed with the Government of Saudi Arabia to co-ordinate action on supporting regional security. The Prime Minister also discussed humanitarian aid for Gaza. My noble friend is absolutely right that the Gulf countries are important for our interests, particularly trade and investment, and energy and climate change. I can assure him that those dialogues continue.

Lord Soames of Fletching (Con): My Lord, I join other noble Lords in congratulating the pilots of those four Typhoons, who undertook an astonishing, skilful and very courageous mission—an eight-hour return flight, including what must have been a very difficult attack. It is clear that the Houthis still retain a substantial store of potentially extremely dangerous and hazardous missiles. My noble friend has already quite properly said that he cannot forecast what might happen, but it is clear that we will not have done that much harm to their residual stocks.

Lord True (Con): My Lords, I think the Houthis have fewer missiles than they had before this operation took place, but my noble friend is absolutely right. Again, I am not going into operational matters and would not want to give the House any impression of what might or might not follow in any eventuality, but it is clearly a good thing if the Houthis' capacity to take action is degraded. The real thing is that the Houthis should simply stop these attacks. Those who have influence over them—notably the Iranian Government, who support them—should tell them to stop, and they have been told that they should tell them to stop. That may be a naive aspiration, but that is the way to deal with the problem: stop it.

The Deputy Speaker (Baroness Fookes) (Con): The time is up on this business.

Noble Lords: Oh!

Lord True (Con): I am sorry, I think the noble Baroness was not here: we have agreed to extend this to 30 minutes.

Lord Stevens of Birmingham (CB): That is fortunate.

As we have heard, the action taken by the Royal Navy and the Royal Air Force was clearly both justified and necessary. Although the Prime Minister's Statement is careful, for diplomatic reasons, to say that action was unrelated to other events in the Middle East, it clearly is related to the malign influence of Iran on the Houthis, as far as Hamas is concerned, and in the threat that Hezbollah poses to Israel on its northern border. As Israel confronts hundreds of thousands of Hezbollah missiles aimed at its northern border, with over 100,000 Israeli citizens evacuated and Hezbollah still not having pulled back above the Litani river, as required by UN Security Council Resolution 1701, what further pressure can western powers, including His Majesty's Government, bring to bear on Iran to get the Hezbollah terrorists to cease and desist?

Lord True (Con): My Lords, it is quite clear that the behaviour of the Iranian regime, including the actions of the revolutionary guards, poses a significant threat to the safety and security of the United Kingdom and our allies. Indeed, Iran's direct threats to dissidents in the UK are also concerning. There have been at least 15 credible threats by the regime against people in this country. We have sanctioned more than 400 Iranian individuals, but the noble Lord is quite right to say that, although Hamas alone was responsible for carrying out the attacks, Iran bears responsibility for the actions of groups such as those he has referred to and the Houthis, who it has long supported politically, financially and militarily. As I said earlier in my response, my noble friend the Foreign Secretary called his Iranian counterpart directly on 31 December and made it clear that Iran must use its influence with groups to prevent escalation, including in the Red Sea. We will hold Iran to account for any further escalation from these groups, which it continues to support. We will continue to work to disrupt Iranian activity, including attempts to smuggle to the Houthis, by working with our international partners in those operations.

Lord Lancaster of Kimbolton (Con): My Lords, I remind your Lordships' House of my interest as a serving member of the Armed Forces. To be clear, three tests need to be passed before we can have military action. The first is that it must be necessary, the second that there must be clear distinction between military and civilian targets, and the third that it must be proportionate. I am quite clear in my mind that we passed all three of those tests in this action and I give it my full support. Equally, I recognise that there is no connection to what is happening in Israel and Gaza. However, that view is not necessarily held by some in the region. I simply ask my noble friend to continue to argue the case that there is no link. My other concern is that, although we had lots of support in the region, not all our allies there were vocal in their support for this action. If we are to continue this possibility, can we please ensure that diplomatic effort continues so that we can get all of our allies singing from the same hymn sheet?

Lord True (Con): Absolutely so, my Lords. My noble friend and my other noble friend Lord Ahmad of Wimbledon are both very actively involved with

this, along with the Foreign Secretary. Some people can say things in a place such as this House and say things publicly that maybe they cannot say in other forums. That may well be the case in diplomatic exchanges. However, I can assure your Lordships that few people support the disruptive and malign activities of the Iranian regime in seeking to destabilise an area of the world where we must spend all our efforts to bring stability and prevent escalation. That is our constant objective. I can promise my noble friend that we will certainly continue to make the distinction between protecting international shipping and the situation in Gaza, because that is the truth of the matter. As I said in my first response, the Houthis were firing on ships that had absolutely nothing to do with Israel. That is an activity which must cease.

Lord Purvis of Tweed (LD): My Lords, this is the 18th time I have asked a question on or raised Yemen in this Chamber in the past three and a half years. The first time I was referencing UK humanitarian and development support for Yemen, which was £235 million. It was justified by the Government—correctly—on the ground that the UK has a long-term interest in a more stable Yemen, with the kind of prosperity and human development to which the Leader referred. That £235 million has been cut by two-thirds over the intervening period, without an impact assessment being published by the Government, so the figure the Leader referred to is now less than one-third of what it was three and half years ago. What was the strategic case for that?

Lord True (Con): My Lords, Yemen has been through an extraordinarily difficult period of conflict and the noble Lord is quite right to bring the matter to your Lordships' House, as have many other Members of this House. The United Kingdom Government have stood with the Yemeni people, and we continue to stand with the Yemeni people. As the noble Lord will know with his expertise in these matters, there has been a de facto settlement in some of the conflict in Lebanon, which Saudi Arabia has been involved with, and there is a good chance of a peace in which we could develop further humanitarian aid. Again, the Houthis should recognise that. Frankly, if you are worried about humanitarian aid, whether you are a Houthi or anybody else, firing on commercial shipping is about the worst thing you could do.

Baroness Bennett of Manor Castle (GP): My Lords, I take just a moment to join the expressions from around your Lordships' House of solidarity with the people of Ukraine. We should put on the record the world's sadness at the death of the poet Maxim Kryvtsov, who died in the front line fighting to defend his country, Ukraine.

We are focused mostly on the significant military action conducted by UK forces in the Red Sea, which was obviously long planned and considered, which the Houthi forces must have been expecting and, indeed, have been deliberately inviting. Yet it is only days later that Parliament is debating the UK's action. Can the Leader of the House assure us that, before any further

[BARONESS BENNETT OF MANOR CASTLE]
action is considered—action that can only be escalatory—the House will be consulted and the Commons will have a vote on that action?

In view of the testimony cited by the noble Lord, Lord Browne of Ladyton, and others about the concerns of experts that the Houthis may actually be strengthened by the UK and US action—indeed, the right reverend Prelate hit the nail on the head talking about the difference so often in UK foreign policy in the Middle East between intention and effect—can the Leader of the House tell me hand on heart that the US and UK Governments have a long-term plan for peace and stability for the region of the Red Sea and more broadly, rather than being drawn again into a conflict without any long-term plan? Given that today the death toll in Gaza has exceeded 24,000, will the UK Government call for a ceasefire now?

Lord True (Con): My Lords, I have referred to the British Government's desire to see a sustainable ceasefire, but I have set out some of the conditions and the state in which that would happen. The noble Baroness forgets very quickly the bestial attack that was made on Israel by Hamas, and Hamas must be dealt with. I cannot give an assurance that there will be a vote before every action that is necessary, for the very precise reason that other noble Lord have said: we need to consider the operational security of our forces who are putting their lives on the line, in this case not only in self-defence in relation to attacks on them but also in upholding international law, about which the noble Baroness is often quite eloquent in this House. I find it disappointing that, when there is a flagrant breach of international law and Governments such as the Government of Australia, of which she has some knowledge, join us in taking action to deal with it, she is so churlish. No one wants war, but if those who peddle war get away without a response, history proves that the consequences are often dire.

Automated Vehicles Bill [HL] *Committee (2nd Day) (Continued)*

7.05 pm

Schedule 2: Amendments related to Part 1

Amendment 38

Moved by Lord Liddle

38: Schedule 2, page 80, leave out lines 17 to 19

Member's explanatory statement

This is a consequential amendment on Lord Liddle's other amendment to insert a new clause entitled "Liability of insurers".

Lord Liddle (Lab): My Lords, from a discussion of the critical world situation, we move to discuss insurance questions under automated vehicles—such is the breadth of the House of Lords.

In moving Amendment 38 and speaking to the other amendments in this group, we on this side of the House are not pretending that we are insurance experts. We are not, but we do think it is a very striking omission from the Bill that there appears to be no

reference to insurance, at least in any detailed way. I think this is puzzling. There are already arguments from the Association of Personal Injury Lawyers that the advent of automated features in driving cars has led to insurance uncertainties, the obvious example being that if one puts one's car on cruise control on the assumption that it has an automatic braking system and the automatic braking system does not work, who is liable? Is it still the driver, or the people who manufactured the system, or the motor manufacturer who installed it? I think these questions will multiply as we move towards a world of automated vehicles.

This was brought home to me when the Minister kindly wrote to us—I am not sure I have the piece of paper here—about the time that you are allowed when you are given a warning that you have to take control of the vehicle. The department has not made up its mind. It wants to try to work out how this might vary in different circumstances; that is what I understand the department's position to be.

This strikes me as highlighting what I think will become a significant issue: if an accident occurs in this period, where you are given a warning and you have to do something to control the car, there will be tremendous disputes about who was actually in charge and liable at the time. This at least has to be addressed. If it is not addressed in the content of the Bill, we have to know that the department has a solution to this issue.

That, in summary, is what the amendments I have put down are about. I am not sure that they are technically in order, and I doubt very much whether they would be in the final version of the Bill, but we are asking the Government here to take away this issue, think about it and come up with something when the Bill comes back to us on Report. With that, I move the amendment in my name.

Baroness Randerson (LD): My Lords, I added my name to one of the amendments from the noble Lord, Lord Liddle, because I was struck by the briefing that we received from the Association of Personal Injury Lawyers, to which the noble Lord has just referred. Other people who have been in correspondence with us have highlighted the fact that non-motorised road users, such as cyclists and pedestrians—one can think of many others; horse riders, for example—are already physically the most vulnerable on any road. Their vulnerability will be compounded in future by their legal disadvantage in relation to insurance unless this Bill is very clear.

This is not like a vehicle-to-vehicle accident. If my vehicle hits your vehicle, in normal circumstances we will be insured. The situation is dealt with by lawyers acting for insurance companies, which operate via clear rules. Because of the information they hold, automated vehicles should make things clearer. They will have recorded the information showing exactly what has happened; we will no longer rely on individual drivers' responses.

However, when a vehicle hits a pedestrian, that pedestrian would not normally be insured as a pedestrian and would undoubtedly be unaware of their legal situation and, in most circumstances, of their legal rights. They could be in a position where they are too

young or too badly injured, for instance, to be able to take the appropriate action at the time. So it is very important that this Bill is absolutely clear about the situation.

The Association of Personal Injury Lawyers raised the specific issue of Section 2 of the 2018 Act, which allows people who are injured by an automated vehicle when it is driving itself to make a claim against the driver's insurance. This provision is now included here. If the Bill is passed, this section will apply to automated vehicles if they are travelling while an authorised automation feature of the vehicle is engaged.

7.15 pm

To benefit from this provision, injured people will need to know, and prove, that an authorised automation feature was engaged, and that the car was driving itself, when the incident occurred. The association makes the point that this might not be easy. It could mean that additional investigations are needed during a legal claim to find out what mode the vehicle was being driven in, which could make a legal claim complex and delay the payment of compensation. This would undermine the very purpose of Section 2 of the 2018 Act, which was introduced after the Government recognised the complexity of claims against vehicle manufacturers.

This is an important set of amendments, and it is essential that the Government look again to clarify precisely where the balance of power—if I can put it that way—should lie.

Lord Holmes of Richmond (Con): My Lords, it is a pleasure to take part in this group of amendments. As has been rightly stated, it covers a serious and significant aspect of the Bill under consideration.

I will speak to my Amendment 55A, which, quite simply, goes to the question around the provision of data to establish liability in the event of an AV being involved in an accident. What we know from the whole question of automated vehicles is that they are simultaneously both extraordinary producers of, and consumers of, data. There are so many data issues, which need to be considered right through every element of the Bill in front of us.

When it comes to the swift understanding, investigation and attribution of liability in the event of an accident, it is clearly critical for all of that data to be understood by the parties who require it in the establishment of liability for the accident. Amendment 55A simply asks the Secretary of State to review the current situation and to produce guidance to bring clarity, certainty and whatever is required to avoid delay, distress and any other negative elements that would be occasioned if the wrong approach were taken in the event of an automated vehicle being involved in an accident where there was an inability to gain the right access to the data and to quickly and efficiently establish liability. I look forward to the Minister's response.

The Parliamentary Under-Secretary of State, Department for Transport (Lord Davies of Gower) (Con): My Lords, once again I am grateful for the contributions in this group. One of the central functions of the Bill is to clarify how liability is to be handled in a world of

self-driving vehicles. This is a complex area and I reiterate my thanks to the Law Commissions for their many years of work developing the approaches that we are discussing today. I am grateful also to noble Lords for their insightful contributions and scrutiny on this critical issue.

Amendment 55G, tabled by the noble Lord, Lord Liddle, would require a study to be conducted on human reactions to transition demands. Before I address that proposal, I will respond to his specific point about how liability applies during the transition period. The Bill is explicit that the authorised self-driving entity remains responsible for the behaviour of the vehicle until the transition period expires. After that period, liability shifts to the driver. However, it is a misconception to imagine that manual control will simply be forced on the driver at the end of that period. Clause 7(3)(e) mandates that vehicles be capable of dealing safely with a situation in which the user-in-charge fails to assume control. In other words, although legal responsibility shifts back to the driver once the transition period expires, the vehicle is still required to bring itself to a safe stop without their intervention. A vehicle that was unable to do that would not be authorised.

On the amendment itself, there is already a considerable body of evidence on response times to transition demands, particularly using simulators. Much of that underpins the international automated lane keeping systems regulation to which I referred earlier. There are a number of additional research projects in this space already in development across the Department for Transport and its agencies. For example, one such project looks to explore what activities a user-in-charge can safely perform while their vehicle is driving itself. This is a question that will also require ongoing monitoring and evaluation over time. We will be able to mandate information sharing from authorised self-driving entities to further expand this evidence base as the technology develops.

Lord Liddle (Lab): I am not trying to be difficult, but I did not quite understand the point the Minister made about the ASDE still being liable. Let us hypothesise a simple situation. A vehicle is being driven autonomously. A warning is given so the driver takes control, but he is unable to stop the vehicle in time from crashing into a motorcyclist or whatever. The driver is in control—is it clear that he is not liable? Does the Minister see what I mean? I think you can have a situation where you are required to take control but it is too challenging a situation for you to do what is necessary, and you get involved in an accident. Are you then liable? I just do not understand. I am not clear what the position is.

Lord Davies of Gower (Con): I am grateful to the noble Lord for bringing up that point. I think the Bill specifically protects the driver from being put in an impossible position by the handover, but I might go away and get proper clarification instead of standing here and—while not guessing—giving my opinion.

Lord Liddle (Lab): That is fine with me. Perhaps, in the meeting we are going to have, we can discuss this question so that someone who actually understands it properly can explain it to us.

Lord Davies of Gower (Con): That will be a challenge.

I will pick up from where I left off. We will be able to mandate information sharing from authorised self-driving entities to further expand this evidence base as the technology develops. Such issues may also be considered and reviewed as part of the general monitoring duty under Clause 38. For those reasons, I believe the amendment is unnecessary.

On Amendment 55A, tabled by my noble friend Lord Holmes of Richmond, he is right that swift and reliable access to vehicle data will be central to correctly apportioning liability—a point also raised by the noble Baroness, Lady Randerson. As our policy scoping notes set out, we intend to develop regulatory requirements covering data recording, retention and access, in line with the Law Commissions' recommendations. Ensuring that those are appropriate and proportionate will require careful consultation and impact assessment. The approach proposed by the amendment is unlikely to allow for that and therefore will not adequately address the issue.

Amendment 55F calls for the Government to lay a Statement on who is responsible for insuring and maintaining authorised automated vehicles. The Road Traffic Act 1988 makes it an offence to use or permit the use of a vehicle without appropriate insurance or in a dangerous state. The offence therefore applies to the driver, and potentially to others who enable the use of the vehicle. Clause 49 is clear that the user-in-charge is to be considered a driver for all purposes other than those relating to how the vehicle behaves. The responsibility for roadworthiness and insurance therefore sits with the user-in-charge, just as it does with a conventional driver. Self-driving vehicles that do not require a user-in-charge must be overseen by a no-user-in-charge operator. These operators may own and oversee fleets of vehicles, meaning that they would be responsible for maintenance and insurance. Alternatively, they may simply offer an oversight and incident response service for privately owned vehicles. In this case, it is more appropriate that those responsibilities sit with the owner. Where the responsibilities sit will therefore depend on the business model, and that will be clarified by the Government as part of each operator's licensing conditions as necessary.

Amendment 55H calls for a Statement on the information that will be published to support the underwriting of self-driving vehicle insurance. Under the Automated and Electric Vehicles Act, self-driving vehicles require policies where the insurer has first-instance liability when the vehicle is driving itself. The insurer is then able to recover against the person responsible, which may be the authorised self-driving entity, following an incident. The Government will establish a public register of self-driving vehicle authorisations, including a list of authorised self-driving entities. The Driver & Vehicle Licensing Agency vehicle registration database will then identify which vehicles have been authorised as self-driving. That will provide clarity about which vehicles require a self-driving insurance policy. While we feel that this information will be sufficient to ensure that vehicles are fit for underwriting purposes, we recognise that further data could support the more accurate pricing of risk. My officials have begun discussions with insurers about what could be needed,

and this dialogue will continue as the secondary legislation is developed. I trust that clarifies the position, and I hope the noble Lord, Lord Liddle, agrees that Amendments 55F and 55H are not needed.

With Amendments 38 and 52, the noble Lord looks to remove the need for the victim of an incident to prove that an automated vehicle was driving itself in order to make a claim for compensation. There is no such need to begin with. Where a conventional driver-operated vehicle is involved in a collision, the victim has a claim against the at-fault driver. In practice, either the victim or the driver will contact the relevant insurer for the vehicle, who will then investigate the claim to establish fault and issue compensation appropriately. This approach is long-established and set out in law. It generally works well, and it is not the function of the Bill to change it. The Automated and Electric Vehicles Act assigns the insurer first-instance liability in incidents caused by an automated vehicle that is driving itself. That means the victim is able to claim compensation from the relevant insurer whether there is an at-fault driver or whether the vehicle was in self-driving mode. A claim can be made in either case. The insurer can then determine whether that claim is covered by the conventional third-party insurance or the self-driving vehicle insurance. As I have set out, we will be setting authorisation requirements mandating certain forms of data logging. This information will help the processing of claims.

On Amendment 39, it would be inappropriate to apply a presumption of liability inconsistently across different road users. That could even encourage risk-taking behaviour and ultimately compromise road safety. I recognise the wider point that the noble Lord is making about the safety of other road users. In our earlier discussion about accessibility, I referred to some of the measures we will use to avoid specific groups being placed at a disadvantage by the introduction of self-driving vehicles. For example, we will look to include principles of equality and fairness in the statement of safety principles and will take steps to prevent data biases. These will also apply to vulnerable road users.

In conclusion, I respectfully ask the noble Lord to withdraw his amendment.

Lord Liddle (Lab): I am happy to withdraw the amendment on the understanding that we have a further conversation about it.

Lord Davies of Gower (Con): I am happy to accommodate that.

Lord Liddle (Lab): I beg leave to withdraw the amendment.

Amendment 38 withdrawn.

Schedule 2 agreed.

7.30 pm

Clauses 46 to 54 agreed.

Schedule 3 agreed.

Clauses 55 and 56 agreed.

Amendment 39 not moved.

Clauses 57 to 60 agreed.

Clause 61: Purpose of inspectors

Amendment 40 not moved.

Clause 61 agreed.

Clauses 62 to 66 agreed.

Schedule 4 agreed.

Clause 67 agreed.

Clause 68: Report of findings

Amendment 41 not moved.

Clause 68 agreed.

Clauses 69 to 81 agreed.

Schedule 5 agreed.

Clause 82 to 84 agreed.

Schedule 6 agreed.

Clauses 85 to 87 agreed.

Clause 88: Collection, sharing and protection of information

Amendment 42 not moved.

Clause 88 agreed.

Clauses 89 to 90 agreed.

Clause 91: Power to update type approval requirements

Amendment 43 not moved.

Clause 91 agreed.

Clauses 92 and 93 agreed.

Amendments 44 to 55H not moved.

Clause 94: General definitions

Amendments 56 and 56A not moved.

Clause 94 agreed.

Clauses 95 and 96 agreed.

Clause 97: Regulations

Amendments 57 and 57A not moved.

Clause 97 agreed.

Clause 98 agreed.

Clause 99: Commencement and transitional provision

Amendments 58 to 61 not moved.

Amendment 62

Moved by **Lord Moylan**

62: Clause 99, page 71, line 1, at end insert—

“(7) Regulations under this section may not be made until the Secretary of State has launched a public consultation for updating the Manual for Streets to take into account the consequences for streetscapes of the introduction of automated vehicles, particularly in urban areas.”

Lord Moylan (Con): My Lords, I realise we are coming to the end of Committee, so I shall endeavour to be fairly brief, but the subject I raise by way of these two amendments is quite important. Generally, this is a good Bill at a technical level, but it assumes that automated vehicles are going ahead and will be deployed. In fact, there has been little debate with the public about what the consequences of this might be for our streetscapes and the urban landscape in which we live. There has been a failure on the Government's part, in a sense, to sell to and explain to the public what I call the look and feel of automated vehicles, as opposed to the technical matters dealt with in the Bill.

If I may say so, it was a mistake of the Government when they published their policy document on this subject last year not to have brought it to the Floor of the House for debate at some point, so that noble Lords could have commented on what they thought the consequences might be. An illustration of that failure is the debate we had earlier on accessibility. The fact is that disabled people—and the rest of us—simply do not know what the Bill will mean for them in practice. They ask questions of my noble friend the Minister and get very exiguous answers, which do not satisfy them as to what their experience will be when these vehicles are deployed. That is true in other realms as well.

My Amendments 62 and 63 simply probe these questions. This may not be a long debate, but it is important to raise them. Amendment 62 relates specifically to the *Manual for Streets*, which is to do with how our streets are designed. Amendment 63 is broader and takes account of the operation of the streets, how they function and the legislation that covers that. To a certain extent, the *Manual for Streets* and design sit within the broader operation, but I have separated them out because there are two different questions.

It is worth saying that, when the *Manual for Streets* was published in 2007 and its complementary second part published in 2010, it was widely welcomed by people who were interested in this area. It has been due for an update for quite a long time, and I believe that a contract was let two or three years ago to one of the chartered institutes in order to prepare a draft.

[LORD MOYLAN]

But, as far as I know—my noble friend will correct me if I am wrong—it has never been republished, and we are still waiting, years on. I do not understand why. Before I go further, I ask my noble friend to give us an indication of when the revised version of the *Manual for Streets* might be published. Will it take account of any of the consequences for the design of streets that might arise from the introduction of automated vehicles?

I was involved in quite innovative and imaginative—I hope—streetscape design ideas for some 15 years, as the deputy leader of a London borough council and with personal responsibility for that area, as deputy chairman of Transport for London, and during the whole of that time as chairman of Urban Design London, which I helped to found nearly 20 years ago. We were trying to achieve the removal of clutter—particularly guard-rails along pavements—the scrapping of one-way highways through the centre of London, like Piccadilly, and their reversion to more natural two-way streets, and the promotion of shared space. In short, we were trying to humanise the urban experience, which is what we are trying to achieve. How will those ambitions be affected by the introduction of automated vehicles?

The Government have a clear and robust but fundamentally unconvincing response to this, saying that there will be no changes: that automated vehicles will simply have to respond to what exists and, if they do not work with that, they will not be allowed on the road. As I understand it, that is the Government's position, but this is unconvincing. Take guard-rails as an example. We know that automated vehicles will be designed so that, as far as possible, if somebody steps out in front of them or if a cyclist goes across their path, they will automatically detect the obstruction ahead of them and stop. That exposes the entire urban network of automated vehicles to frivolous activity on the part of people who want to stop them and bring the whole thing to an end, if they choose to do that.

I cannot believe that, with the amount of money that is likely to be required as an investment from the private sector in automated vehicles, manufacturers will not, at some point, turn up at the department, saying, “This can't go on. We can't be putting up with all this. We're not going to invest in a network that can be brought to a stop on this basis. We demand the reintroduction of guard-rails. Let us have designated pedestrian crossing points on the streets that everyone will have to move to”. Potentially, for the first time in England, this would criminalise jaywalking, so that people could be fined for crossing the road. That is naturally what they will ask for.

At that point, I find it difficult to believe that the Government will turn around and say, “No”. They will have taken the bait: they will have sold the idea that there are millions of green jobs—or blue jobs, or whatever we want to call them—in all of this, and that the investment is good for Britain and so forth. We will have put in place the Bill's legislative, technical and insurance-based risk-management apparatus, much of which is sensible—I know there are detailed questions about its operation, but, fundamentally, I think everyone in the House agrees that this is a necessary component. But it puts the cart before the horse; it puts the

framework in place before we know what it will look like when it is deployed. I gave that one example of guard-rails, but I could multiply this; in the interest of time, I will stop with that one example.

However, these are important questions, and I feel fundamentally dissatisfied—not with the content of the Bill and what it is trying to achieve but with the Government's approach to it, which seems to pre-empt discussion about who benefits from this, its purpose and the attractions we will find in it, allowing us to debate that when the Bill effectively excludes it. My amendments simply open up a brief moment at the very end of Committee—I realise that people are understandably thinking of further obligations in the course of the evening and may not want to debate this at great length, but these are important questions. Any contribution would be helpful, but a response from the Minister that is a little more than what has been said before—and a little more convincing than what has been said before—would be very helpful.

7.45 pm

Lord Tunnicliffe (Lab): The noble Lord has assured us that this is a probing amendment, and I am convinced he is not expecting many answers from me. I give way to the Minister.

Lord Davies of Gower (Con): I am grateful to my noble friend for tabling these amendments and for sharing his perspectives on these issues. I will begin by briefly addressing his point about public understanding and properly communicating what he refers to as the “look and feel” of a world with self-driving vehicles.

In previous debates, I have referred to *The Great Self-Driving Exploration*. This ground-breaking study was specifically designed to allow people from all walks of life to understand more about self-driving vehicles and to comment on whether they felt their introduction would be beneficial. This is just one example of the work we have been doing in this space.

Amendment 63 looks to require that a statement be made on the necessary changes to highways legislation that may arise from the use of self-driving vehicles. As I set out earlier this afternoon, the Bill does not require changes to our roads, nor are changes considered necessary for the safe deployment of self-driving vehicles. The Bill already sets out the legislative changes that we believe are necessary to enable their use. Local authorities are responsible for managing their road networks, and the existing legislative framework provides them with a wide range of powers to regulate traffic. It also places duties on them to ensure that they do so effectively, for the benefit of all road users. We believe that this existing framework is sufficient to enable them to regulate traffic, including self-driving vehicles, appropriately. Highways legislation is a complex area of law, covering a wide range of powers, duties and responsibilities. For many parts of the Bill, a statement of the kind proposed in the amendment would be irrelevant and would cause unnecessary delay in implementing the new regulatory framework.

My noble friend's Amendment 62 calls for a consultation on updating the *Manual for Streets* to take into account the introduction of self-driving vehicles.

As I have made clear, self-driving vehicles must adapt to our roads, not the other way round. We would therefore not expect significant changes to the *Manual for Streets* to be necessary. As was pointed out, the manual was first published in 2007 and updated in 2010. The department is working on bringing together and updating both manuals, which will be published in due course. I will ensure that my noble friend is updated on the progress of this.

Local authorities are responsible for the design and management of their roads, and for setting their own design standards. We have long encouraged them to use the principles in the *Manual for Streets* in doing so. The department produces a wide range of technical advice documents on aspects of street design and traffic management, of which the manual is just one. There is no statutory consultation requirement for the *Manual for Streets*, so imposing such a requirement in this case would be unnecessary. However, in line with good practice, key stakeholders have been involved in its development.

Tying the commencement of the Bill to the production of the manual would appear disproportionate, considering there is relatively little overlap between the two. It would therefore cause unnecessary delay in implementing the framework for self-driving vehicles. While I recognise that I may not have been able to provide my noble friend with all the answers that he was looking for,

I hope that these explanations have none the less been helpful and go some way to allowing him to withdraw his amendment.

Lord Moylan (Con): My Lords, my noble friend has not actually provided the answers to any of the questions that I raised, but I am not wholly surprised by that. I shall say only that it is indeed part of the purpose of the proposals to cause delay to the implementation of the Bill while we work out what we are trying to achieve. My noble friend has acutely put his finger on that point—so we are at odds on that.

However, given the lateness of the hour and the fact that I do not think that further debate would be fruitful in eliciting helpful responses from my noble friend, I ask the Committee's leave to withdraw the amendment.

Amendment 62 withdrawn.

Amendment 63 not moved.

Clause 99 agreed.

Clause 100 agreed.

House resumed.

Bill reported without amendment.

House adjourned at 7.52 pm.