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**HOUSE OF COMMONS  
OFFICIAL REPORT**

**PARLIAMENTARY  
DEBATES**

**(HANSARD)**

**Thursday 28 January 2010**

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# House of Commons

*Thursday 28 January 2010*

*The House met at half-past Ten o'clock*

## PRAYERS

[MR. SPEAKER *in the Chair*]

## Oral Answers to Questions

### TRANSPORT

*The Minister of State was asked—*

#### Swindon to Kemble Railway Line

1. **Mr. Laurence Robertson** (Tewkesbury) (Con): What recent assessment he has made of progress on his Department's feasibility study into the doubling of the Swindon to Kemble railway line; and if he will make a statement. [313710]

**The Parliamentary Under-Secretary of State for Transport (Chris Mole):** Officials at the Department for Transport are currently in detailed discussions with Network Rail to determine an acceptable price for this work along with time scales for construction. We hope to be in a position to give further information on the matter in the near future.

**Mr. Robertson:** I am grateful to the Minister for his response. Do I take it that there will be a decision to go ahead with the redoubling of the line, which is important to people who live in Cheltenham and Gloucester—a major town and an historic major city? The rail link between those places and London is unacceptably slow, unreliable and expensive, and people in the area, including many of my constituents, need to see an improvement. Will the Minister give us an assurance that we will move in the right direction on this one?

**Chris Mole:** The Secretary of State and the Minister for the South West strongly support the scheme, which opens up the possibility for increases in service frequency to Gloucester and beyond, as well as providing an improved diversionary route to and from south Wales. Departmental officials, as I have said, are working closely with Network Rail to ensure that it can introduce a scheme that is affordable within the resources available to the region.

**Mr. David Drew** (Stroud) (Lab/Co-op): I hear what my hon. Friend has said, but if Network Rail has come up with a figure of £65 million, rather than £45 million, which is what we thought that it would be, can we have an urgent meeting with him and Network Rail to look at how we can make the scheme affordable, because as my neighbour, the hon. Member for Tewkesbury (Mr. Robertson), has said, it is vital that that programmed work is undertaken?

**Chris Mole:** I am always happy to discuss with local Members progress on schemes in their areas. If Network Rail comes up with one figure or another, we will continue to discuss it.

**Mr. James Gray** (North Wiltshire) (Con): I, too, broadly welcome the redoubling of the line, largely through my constituency, on behalf of my constituents who commute from Kemble. None the less, in proposing these plans, will the Minister bear in mind the interests of the people who live alongside the line, particularly in the village of Minety, who are concerned that there will be too much extra traffic on the line, and who seek local improvements if the redoubling goes ahead?

**Chris Mole:** We always expect the concerns of local constituents to be taken into account, but the objective of the improvements is to enable additional trains to run and to provide the option of a diversionary route for south Wales.

**Norman Baker** (Lewes) (LD): The Swindon to Kemble stretch of line is of major strategic significance, and it is a public policy failure that we have not been able to redouble it so far. Given the expected increase in passenger traffic over the next 10 or 20 years, will we have a policy of reopening lines and stations that should not have been closed in the first place, and of redoubling lines that should not have been singled? If the Scots and the Welsh can successfully reopen railway lines, why can we not do so in England?

**Chris Mole:** Of course, we can and do, but it is a question of the affordability of any scheme that is introduced at any particular time. If the hon. Gentleman is saying that his party would make additional resources available for capital investment in the railways, it is something to which we would be sympathetic.

#### Ticket Offices

2. **Lynne Featherstone** (Hornsey and Wood Green) (LD): What recent representations he has received on railway station ticket office opening times in Hornsey and Wood Green constituency. [313711]

**The Parliamentary Under-Secretary of State for Transport (Chris Mole):** No representations have been received on this matter since the hon. Lady last wrote to the Secretary of State about it in October 2009.

**Lynne Featherstone** (Hornsey and Wood Green) (LD): I am sure that the Minister is aware of the Secretary of State's successful intervention to halt the plans of South West Trains to close ticket offices. What consideration has his Department given to using those powers on First Capital Connect in my constituency? What criteria does he use for such an intervention, and will he make a commitment to review the recent closures, which have damaged safety at stations in my constituency, with a view to using those powers in Hornsey and Wood Green?

**Mr. Speaker:** I heard three questions, but one answer will suffice.

**Chris Mole:** The Secretary of State has no powers to object to major changes under the ticketing and settlement agreement where passenger representative groups have not sustained objections. In this case, FCC agreed to monitor sales of tickets at weekends over an eight-week period last autumn. The Department has not yet received details of that assessment, and will continue to pursue that train operating company for that data, which are months overdue. I am sure that in raising the question, the hon. Lady has reminded FirstGroup of its commitment.

### Tramlink (Crystal Palace)

3. **Mr. Andrew Pelling** (Croydon, Central) (Ind): How much funding his Department has provided to the Greater London Authority for the extension of Tramlink to Crystal Palace. [313712]

**The Minister of State, Department for Transport (Mr. Sadiq Khan):** The Department has not received any bids for funding an extension to the Croydon Tramlink.

The Department for Transport provides substantial funding to Transport for London in the form of a block grant. My Department's funding for TfL has risen dramatically since 2000, more than doubling to just less than £3 billion in 2009-10 and rising to £3.3 billion next year. That funding is not ring-fenced to specific projects, and it is for the Mayor and TfL to prioritise spending to deliver transport services in London as they see fit.

**Mr. Pelling:** The Minister is right. Substantial moneys have been given for investment in public transport in London, but the Crystal Palace extension, which was on the agenda under Ken Livingstone's mayoralty, offered the prospect of regeneration for deprived parts of my constituency. Traders in Upper Norwood strongly support such a scheme, and there is close to unanimous support in the community. Is it time for the Government, Transport for London and the Mayor to get together to try and get the scheme back on the agenda?

**Mr. Khan:** I know that the hon. Gentleman's constituents always watch Transport questions. If they are not doing so, it is important that he reports back to them the bad news that the current Mayor's business plan for 2009 includes no proposals for the Croydon Tramlink. In his draft transport strategy, the Mayor mentions the extension of Tramlink after 2020, with no commitment to any additional funding. One of the downsides of voting for the present Mayor is that areas such as Croydon are neglected.

### First Capital Connect (Thameslink)

4. **Simon Hughes** (North Southwark and Bermondsey) (LD): What assessment he has made of the effects on the economy of London of recent disruptions in First Capital Connect's Thameslink service. [313713]

**The Minister of State, Department for Transport (Mr. Sadiq Khan):** There have been severe problems with First Capital Connect's service. The service continues to be unacceptable in terms of cancellations, punctuality and passenger service and information. The poor service has caused disruption for passengers and will inevitably have had some impact on London's economy. My noble

Friend the Secretary of State and I are considering all options open to the Government to require radical improvements.

**Simon Hughes:** The Minister will know that not only my constituents, but many, many others have got so frustrated that the number of people petitioning the Government to do something now is growing by the day. Will he assure us that a decision will be taken not on the basis of defending the ideology of sustaining franchises, but in the interests of commuters and other users of the service, and that the users of the service will hear something soon?

**Mr. Khan:** The way in which the hon. Gentleman asked the question is important, as is the point that he has made. Hundreds of thousands of commuters have received an appalling service, not for one week or one month, but over a period of three months. We take the matter seriously, and the Secretary of State and I discuss it daily with the train operating company, which includes telephone calls, meetings and letters. The hon. Gentleman is right to remind us that each day the service is not improved is another day of suffering for passengers, and there is a cost to London as well.

**Kelvin Hopkins** (Luton, North) (Lab): Thousands of my constituents travel every day by First Capital Connect, as do I, and we can give a daily account of the failings of that company, which has shown itself to be totally incompetent and interested only in making money, not providing a service. I urge my right hon. Friend to give serious consideration to taking the franchise away and bringing it back to the public sector.

**Mr. Khan:** All options are on the table. I hear my hon. Friend's representations, as I listen to all representations. The point made in the previous question is important. We must not allow dogma to dictate the quality of service, or lack of it, that passengers receive. My job, and that of the Department and our officials, is to ensure a radical improvement in the quality of service provided by First Capital Connect.

**Stephen Hammond** (Wimbledon) (Con): The Minister is right. Dogma should not be part of this discussion. First Capital Connect should rightly be condemned for the poor service that it has provided. However, if dogma is not to be a part of the discussion, I am sure the Minister will want to inform the House that the east coast line has seen punctuality drop from 89 per cent. to 67 per cent. since it was nationalised. If we are concerned about the future of the London economy, can the Minister assure the House that there are no plans to reduce the number of trains running through the core on Thameslink 2?

**Mr. Khan:** I am glad the hon. Gentleman has given me an opportunity to remind the House of the £5.5 billion investment in the Thameslink programme, which is at risk if, God forbid, the Conservative party forms a Government. On policy, it is important that I remind him of the "Conservative rail review: Getting the best for passengers" policy, which is this:

"The DfT's role should be radically stripped back . . . retaining only a limited involvement"

with franchises. So the powers that we have would be taken away if the Opposition were to form a Government.

### National Concessionary Bus Passes

5. **Mr. Mark Harper** (Forest of Dean) (Con): If he will bring forward proposals to enable national concessionary bus passes to be used on community transport services; and if he will make a statement. [313714]

**The Minister of State, Department for Transport (Mr. Sadiq Khan):** I pay tribute and thank the more than 5,000 voluntary bodies which provide community transport around the country, making a substantial positive impact on transport priorities. Some sectors of community transport are already eligible for concessionary travel. Local authorities are also able to offer concessions on any form of community transport on a discretionary basis. We have no current plans to extend the £1 billion national concessionary scheme.

**Mr. Harper:** I am grateful for that answer and for the tribute that the Minister has rightly paid to the many community groups that run those essential transport services. The problem in constituencies such as mine, where there are not many scheduled bus services, is that the free bus pass is completely useless for many older and disabled constituents. The district council has to run a costly parallel system of travel tokens, which people who qualify for the pass can use on community transport. Will the Minister consider a proposal for extending the free concessionary bus pass, so that we can get rid of a layer of wasteful bureaucracy and have a more efficient, streamlined system that could deliver better services at no more cost to the taxpayer?

**Mr. Khan:** I am happy to look at new ideas. Aside from the cost, there are practical problems with the definition of eligibility, including who would be eligible, and with the impact on rural bus demand, given the extra burdens that such a scheme would impose. I am happy to talk to the hon. Gentleman about any proposals that he has, but it is worth adding that Forest of Dean district council did not respond to the recent consultation on the special grant. However, he may have constructive ideas, which I am happy to listen to, about improving the service that his constituents receive.

### Passenger Security (Screening)

6. **Ann Winterton** (Congleton) (Con): Whether he plans to add profiling to the passenger security screening measures in place at UK airports. [313715]

**The Parliamentary Under-Secretary of State for Transport (Paul Clark):** Security staff at Heathrow are undergoing training in behavioural analysis techniques, whereby passengers are selected if they are behaving suspiciously. We will review the effectiveness of that trial before deciding whether it can be rolled out more widely.

**Ann Winterton:** Following the recent alleged attempt to bomb the plane that was destined for Detroit from Amsterdam Schiphol airport, it has been suggested that UK airport security could be stepped up through passenger profiling, which is perhaps what the Minister was talking about. Will it make passengers' journey through security and travel safer? Will it, in fact, be effective?

**Paul Clark:** All approaches to security have one underlying aim, which is to make sure that those flying to, from and within the United Kingdom are safe and able to go about their business knowing that all agencies and all parts of the industry have taken the necessary steps. Profiling has certain considerable limitations, which is why aviation security is multi-layered. Behavioural analysis techniques mean that one can profile against the norm; therefore people behaving people suspiciously will require further security checks.

**Mrs. Louise Ellman** (Liverpool, Riverside) (Lab/Co-op): Does my hon. Friend have sufficient power to assure himself that a variety of security measures are deployed to respond to changing intelligence information?

**Paul Clark:** Yes, I believe that we do. We have an arrangement whereby a range of security and intelligence agencies come together to advise Ministers, agencies and airlines on the operations that they need to undertake.

**Mr. Angus MacNeil** (Na h-Eileanan an Iar) (SNP): We all know that there can be large queues at airport security points, but will the Minister explain why passengers, when travelling to Scotland through Heathrow terminal 5, have to get through security 35 minutes before departure, while at London City airport a more sensible approach is taken, with no time limit so long as the passenger can make the flight?

**Paul Clark:** I shall certainly look into the specifics of that issue, but our role is to set the required security standards; the airport operators need to ensure and manage the necessary processes, including queues.

**Phil Wilson** (Sedgefield) (Lab): Kromek is an award-winning company in my constituency, and its chief executive officer, Arnab Basu, was awarded the title of entrepreneur of the year. It is developing a scanner that can identify whether liquid in a bottle is explosive, and the product is being trialled in the United States and other areas. Will my hon. Friend meet me and the company to see what we can do to promote that great British invention?

**Paul Clark:** I know that my hon. Friend the Member for Sedgefield (Phil Wilson) is a strong campaigner for his constituency's industries and, particularly, for Kromek. I assure him that members of my Department, along with the police and the Home Office, have been collaborating closely with Kromek and, indeed, other companies to take forward that work and ensure that our security systems are ahead of the threat that we face. However, I am always more than willing to meet organisations.

**Mrs. Theresa Villiers** (Chipping Barnet) (Con): I fully appreciate that the extreme sensitivity of this issue puts real constraints on the detail that the Minister can share with the House, but can he help me with the following question? The Israelis have used behavioural analysis for some years to spot suspicious behaviour within a perimeter that stretches out as widely as airport car parks. Does he see any scope for using such techniques in the UK to address risks that arise before the security check stage to guard against attacks of the sort that we saw in Glasgow in 2007, which are targeted on people queuing?

**Paul Clark:** The hon. Lady is right that it is not possible to go into operational details. As regards the techniques that are available to us, we continue to receive information and consider opportunities through the intelligence agencies as to what is possible. Behavioural analysis techniques are being trialled at Heathrow with the BAA and UK Border Agency staff based there. I saw that for myself earlier this week when I visited Heathrow and discussed it with the operatives. We keep all these opportunities under review.

**Mrs. Villiers:** There is clearly scope for a consensus to emerge on an intelligence-led approach to security, which is welcome. However, the Minister will recall the Prime Minister's 2007 promise to deliver a data system to identify and stop terror suspects before they board a plane to come to the UK. Why have the "authority to carry" provisions that are necessary to deliver that not been put in place, given that countries such as Australia have had those systems for some years? Will the Minister admit that the e-Borders programme is expensive, late, and leaves us behind other countries that have better systems that are already in operation?

**Paul Clark:** The hon. Lady will be well aware of the statement made by my right hon. Friend the Home Secretary earlier this month, and of the Prime Minister's statement to this House on 20 January, clearly taking forward the options and rolling out further the e-Borders programme, as well as the watch list and no-fly list, which we are working on. We are in discussion with other countries, and working together where there is a security threat, before these people board flights to the UK or elsewhere.

**Mr. John Leech** (Manchester, Withington) (LD): Any additional security requirements at airports are likely to be very expensive for airport operators. What assessment has the Minister made of the financial impact on regional airports, which have already been particularly hit by the recession?

**Paul Clark:** The requirements for security have always been very clearly known, and meeting the costs involved is a matter for the business that is running the airport. However, we have regular discussions, and we have obviously had substantial discussions since 25 December last year with airport operators to discuss the roll-out and mechanics that are required. The costs are an operating cost that falls against the business of running an airport.

#### A47

7. **Mr. Henry Bellingham** (North-West Norfolk) (Con): When he next expects to hold discussions with the Highways Agency on recent fatalities on the A47. [313716]

**The Parliamentary Under-Secretary of State for Transport (Paul Clark):** I am aware of the recent fatal accident at East Winch, and I extend every sympathy to the families and friends of those killed. As part of the strategic road network, the established procedures are being followed, which involves the Highways Agency undertaking a fatal accident study following any police investigation, which may identify recommendations for safety improvements.

**Mr. Bellingham:** I thank the Minister for that reply and for expressing his regrets at what was an horrendous double fatality. What are the prospects for that stretch of road being dualled? Can he ensure that when the Highways Agency sets up its safety audit it looks specifically at reducing the speed limit and installing more fibre optic flashing warning signs?

**Paul Clark:** Obviously, recommendations may be made arising from the investigation by the police and the Highways Agency. There are no plans to dual that part of the A47, which is, overall, one of the safer stretches of A road in our country, as is indicated by the figures on personal injury in accidents. However, any lessons that can be learned arising from a fatality will of course be taken on board.

**Mr. Robert Goodwill** (Scarborough and Whitby) (Con): Some of the worst accidents on this type of road are head-on collisions, when frustrated motorists attempt to overtake lorries in dangerous locations. The speed limit for large goods vehicles on single carriageway trunk roads is 20 mph slower than that for cars. Would narrowing that gap improve road safety?

**Paul Clark:** The hon. Gentleman will be aware that that matter is part of the work we have done in the new road safety strategy for 2011 and beyond, particularly in relation to the types of roads referred to by the hon. Member for North-West Norfolk (Mr. Bellingham) and the Opposition Front-Bench spokesman. We are aware that single carriage, rural A roads account for proportionately more deaths given the volume of traffic on them, which is why we are looking at a range of issues. We are considering the specific point raised by the hon. Member for Scarborough and Whitby (Mr. Goodwill), but equally, there is a view that such a change would not help and that it would lead to further accidents.

#### Gatwick Airport (Railway Station)

8. **Laura Moffatt** (Crawley) (Lab): What recent discussions his Department has had on the redevelopment of the railway station at Gatwick airport. [313717]

**The Parliamentary Under-Secretary of State for Transport (Chris Mole):** Enhancements to Gatwick airport station have been discussed with key beneficiaries at three meetings over the past four months. My hon. Friend was at the most recent meeting last week, where Gatwick Airport Ltd and Network Rail agreed to negotiations that could enable work on the full improvement scheme to start by 2013.

**Laura Moffatt:** I am grateful for that response. Setting aside the worrying 1,500 job losses proposed by Network Rail, Network Rail will carry out a major upgrade of the track and signalling along the Brighton line. If we miss the opportunity to do the much-needed work at Gatwick airport, it will be a travesty. I know that the Department has been working extremely hard with the stakeholders—Gatwick Airport Ltd, the regional development agency and everybody else—to do that work. Can I squeeze some more out of him? Will he do a little more to make sure we deal with the current shortfall?

**Chris Mole:** I congratulate my hon. Friend on the exemplary way in which she has engaged with Network Rail, the regional Minister and key stakeholders at Gatwick airport to press for progress. One might argue that she is a model Back Bencher. The full scheme would bring better connectivity and surface access, removal of a platform bottleneck, more reliable journeys on the Brighton main line and inward investment and retention of businesses around Gatwick. It is opportune to remind partners that there is a limited window of opportunity, and that negotiations need to be concluded by the end of March.

### High-Speed Rail

9. **Tony Lloyd** (Manchester, Central) (Lab): What recent progress his Department has made on its plans for high-speed rail; and if he will make a statement.

[313718]

**The Minister of State, Department for Transport (Mr. Sadiq Khan):** The Department for Transport is continuing its assessment of the detailed report from High Speed 2, which was received at the end of last year. If the Government decide to pursue proposals for high-speed rail, we will publish a White Paper setting out plans by the end of March 2010.

**Tony Lloyd:** In thanking my right hon. Friend for that answer, I say that there is enormous enthusiasm for a high-speed rail link across the length and breadth of this country, but can he persuade the traditionally London-centric Departments that this scheme is not about London? It is about connecting together the whole of our nation, which is what makes it exciting and viable.

**Mr. Khan:** It is not just a question of Departments; political parties are obsessed with London, forgetting the rest of the country. When some parties form a Government, they want to serve the whole country, not just the privileged few. The benefits of a national high-speed link will not simply be extra rail capacity, faster journey times and positive environmental impact, but economic regeneration and increased employment for those parts of the country that arguably need it the most.

**Mr. David Evennett** (Bexleyheath and Crayford) (Con): I welcome the Government's conversion to the benefits of high-speed rail for the whole country, but will the Minister now listen to sense and, on environmental grounds, abandon his plans to build a third runway at Heathrow?

**Mr. Khan:** I am grateful for the question, because it gives me a chance to explain to the House the inconsistency of Conservative policy. The Mayor of London wants an estuary airport on the Thames. The Bow Group and Lord Heseltine say that there is a false choice—

**Hon. Members:** Order, order.

**Mr. Speaker:** Order. I do not require any help from people chuntering from a sedentary position, so they are wasting their voices. I say to the Minister of State that he will want to focus his reply on Government policy and not on that of the Opposition.

**Mr. Khan:** Government policy was articulated last January—I know that the hon. Member for Bexleyheath and Crayford (Mr. Evennett) was here then—when we made clear our support for a third runway as long as the relevant planning processes are gone through. Last week's report from the Conservative think tank and Lord Heseltine confirms that a choice between the third runway and high-speed rail is a false choice. We want intelligent debate based on evidence, not playing to the gallery.

**Mr. Stephen Hepburn** (Jarrow) (Lab): Does the Minister agree that the best way of boosting the north-east economy and ending the north-south divide is by pressing ahead with the high-speed rail link to Newcastle? Will he put his full support behind the proposal?

**Mr. Khan:** Absolutely right. My hon. Friend reminds me that the benefits will be not simply to London but to the north-west, the north-east, the east midlands, Yorkshire and Scotland. We are a party that believes in governing for the whole country and not just for our chums in London.

**Mark Hunter** (Cheadle) (LD): When we finally get high-speed rail, to which all parties are apparently now committed, there is increasing speculation that one way in which the train operators will seek to minimise journey times is by reducing the number of stops. Stockport station, on the west coast main line, which serves not only my constituency but the wider Stockport area and south Manchester, is a hugely important strategic stop. Can the Minister guarantee that when we finally get the high-speed rail link on the west coast main line, it will continue to stop at Stockport?

**Mr. Speaker:** Order. We also need some high-speed questions.

**Mr. Khan:** I shall try to give a high-speed answer.

The challenge that the hon. Gentleman raises is one of those that David Rowlands and High Speed 2 had to look into. When we produce our White Paper, we will hopefully deal with some of the challenges and the balances that need to be made between stopping at more stations and the disbenefit of slowing down the trains. He makes an important point, which David Rowlands looked into.

### Station Reopening (London)

10. **Martin Linton** (Battersea) (Lab): If he will discuss with the Mayor of London the merits of reopening (a) Battersea High Street station and (b) other closed railway stations in London.

[313719]

**The Parliamentary Under-Secretary of State for Transport (Chris Mole):** If the Mayor puts forward any such proposals for discussion, I will be happy to meet him. It is for Network Rail, the relevant train operator and Transport for London to consider the best way of meeting an identified transport need in that particular part of London.

**Martin Linton:** If only the Department for Transport were London-centric, I would certainly be very pleased; I have not noticed it so far.

Is my hon. Friend aware of the demand in Battersea for the reopening of Battersea station, or at the very least for a footbridge to the newly opened Imperial Wharf station? Battersea station was closed only because of an air raid during the war. It was one of 33 London stations that were closed during wars and never reopened, including Walworth, Camberwell, Wormwood Scrubs and others.

**Mr. Speaker:** Order. I am very grateful to the hon. Gentleman, but we must have a question, not an essay. We have got the thrust of it, and I look forward to the Minister's reply.

**Chris Mole:** My hon. Friend articulates the case very well for his constituents, and I understand his point about new stations in areas of development and regeneration. We give the Mayor about £3 billion a year to sustain and develop transport networks in London, and I encourage my hon. Friend to engage with the Mayor and local councils to promote the reopening of the station.

#### Potholes (Highways Agency)

11. **Mr. Philip Dunne** (Ludlow) (Con): What recent estimate he has made of the number of potholes and other road surface defects requiring repair on roads maintained by the Highways Agency. [313721]

**The Parliamentary Under-Secretary of State for Transport (Chris Mole):** The Highways Agency has a comprehensive road resurfacing programme to reduce the potential for potholes and other surface defects. However, the severity of the recent weather has led to an increase in those defects. There is no value in the agency counting potholes, as it has a robust regime for identifying them and allocating the resources necessary for undertaking repairs. That is sufficient to keep England's motorways and trunk roads in a serviceable and safe condition.

**Mr. Dunne:** The Minister has obviously not read the report produced last year, before the recent weather that has further damaged the road network, by the Asphalt Industry Alliance, which reported that there is a 13-year backlog of maintenance on our road network. The Government have had 13 years, and not only did they fail to fix the roof when the sun was shining—

**Mr. Speaker:** Order. May I ask the hon. Gentleman to put a question?

**Mr. Dunne:** Certainly, Mr. Speaker.

Not only did this Government fail to fix the roof when the sun was shining, but they failed to fix the roads. What are they going to do now that the roads are in a much worse condition than they were when that report was issued?

**Chris Mole:** The hon. Gentleman asked me about the Highways Agency, and I have given him an appropriate answer about the strategic road network. If he is widening his question to include local roads, those are of course matters for local authorities, many of which may well be Conservative-controlled.

#### Transport Network (Cold Weather)

12. **Sir Nicholas Winterton** (Macclesfield) (Con): What assessment he has made of the effectiveness of his Department's response to the effects of recent cold weather conditions on the transport network. [313722]

**The Minister of State, Department for Transport (Mr. Sadiq Khan):** The country recently experienced the most prolonged severe winter conditions for nearly 30 years. The Government's actions, working with local government and others, stabilised and minimised the disruption to transport systems. We are continuing the work to ensure that those systems are able to respond to further challenges.

**Sir Nicholas Winterton:** I am grateful to the Minister for that somewhat brief reply. Is he aware, as another junior Transport Minister clearly is, that some 17,000 trains were suspended in England and Wales during the snowy weather up to 9 January? Why were 17,000 trains suspended in that period? What are the Government and Network Rail doing to reduce that number for future occasions of inclement weather?

**Mr. Khan:** I am sure that the hon. Gentleman will tell me that when he was in the House 30 years ago, the trains all ran on time and snow did not cause delay or cancellation—when they were nationalised. North Europe, America, Canada and other parts of the world experienced severe weather, and they also had problems with their transport systems. All major road networks were open in this country and I think that we did pretty well. We showed a generosity of spirit and a get-up-and-go attitude, which led to most of the country coping pretty well.

**Clive Efford** (Eltham) (Lab): Southeastern Trains stopped running trains in the cold spell at 9 o'clock in the evening, yet the docklands light railway and London Underground continued their services throughout the day, almost without disruption. Why did Southeastern Trains stop running trains? If my right hon. Friend does not know, will he haul the company in and get it to explain why it completely disrupted the service?

**Mr. Khan:** My hon. Friend makes an important point. We did haul in Southeastern Trains, and we told the company that what happened was unacceptable. That demonstrates that we are a Department that believes in engaging with the private sector, not allowing it to get away with anything it wants to do. Southeastern Trains has learned the lessons and will ensure in future that the service is better. We know from last year that further bad weather is possible in February. We will see whether the lessons have been learned from our hauling in.

#### Topical Questions

T1. [313730] **Simon Hughes** (North Southwark and Bermondsey) (LD): If he will make a statement on his Departmental responsibilities.

**The Minister of State, Department for Transport (Mr. Sadiq Khan):** Since our previous Question Time in December, my Department has announced a £200 million electrification programme for key railway lines in the north-west, responded swiftly and effectively to the

recent severe weather and aviation security threats, and invested £20 million in bringing integrated smart ticketing to our cities in five years. We have now received the High Speed 2 report, and are working intensively on the Government's response.

**Simon Hughes:** Given that since 1997, the real cost of travelling by motoring and air has gone down, while the real cost of travelling by rail has gone up, will Ministers make a commitment that, if re-elected, the formula for regulating rail fares will change so that the real cost of travelling by train will decrease, not increase?

**Mr. Khan:** The hon. Gentleman is right to raise the issue. Some train operating companies have used the regulations in which we prescribed regulated fares to introduce much more expensive fare regimes for the rest of the day. We are learning the lessons of that, and ensuring that when a new franchise is awarded, a basket of improvements benefits the commuter rather than any train operating company.

T7. [313737] **Jessica Morden** (Newport, East) (Lab): Will the Minister give me an update for long-suffering Severn bridge users on progress on resolving issues, including using debit and credit cards and considering a freeze on the annual tolling increases?

**Mr. Khan:** I am pleased to inform my hon. Friend that, as a direct consequence of her campaign, lobbying and giving me a hard time outside as well as inside the Chamber, work is under way to make the necessary amendments to the secondary legislation to allow card payments to be accepted on the Severn crossing. The Department for Transport legal and policy people are currently making progress on the changes to the regulations and it is anticipated that the amendments will be made, and that the instrument will come into force in April.

T2. [313731] **Mr. Simon Burns** (West Chelmsford) (Con): Given that we are having the second winter of excessive harsh weather, which is causing serious problems with potholes on our roads, does the Minister accept that local authorities and the Highways Agency must do more to ensure that the repairs are done as quickly as possible? Will he join me in welcoming Essex county council's decision to double the budget for this year to deal with those problems?

**Mr. Khan:** I am grateful for that question and the way in which it was asked. We have tripled the amount we give to local authorities to maintain their roads. Last year, we announced an additional £32 million to allow local authorities to assess their roads. If local authorities maintain their roads regularly, there is less chance of potholes forming. Of course, we consider sympathetically applications for additional funding. We are talking to 10 local authorities from last year, and will consider applications made this year, too.

**Mr. Ken Purchase** (Wolverhampton, North-East) (Lab/Co-op): The Minister will be aware that a railway workers' lobby was here yesterday. The thrust of one of their complaints was that accountants are instructing engineers on what to do. The workers fear that that will result in serious safety failures. What can he say to the House in response to that? Can he assure us that the de-manning of the maintenance service will not impede safety on the railways?

**The Parliamentary Under-Secretary of State for Transport (Chris Mole):** The Office of Rail Regulation, which is both the economic and safety regulator for the railways, has challenged Network Rail to reduce its costs, and improve its efficiency and effectiveness, by around a third over the next control period. The challenge to Network Rail is to ensure that it does that without impacting on either the performance or the safety of the railway. The ORR is inspecting and ensuring that safety is maintained, and any concerns that employees or others have should be referred directly to it.

T4. [313733] **Mr. John Baron** (Billericay) (Con): Government figures show that foreign left-hand drive heavy goods vehicles account for three times the number of accidents that our own right-hand drive HGVs account for. Given that I have raised this issue with the Government over the last few years, and suggested a solution—the mandatory issuance of Fresnel mirrors that would eliminate the blind spot—what progress have they made in reducing that accident rate? Will the Minister meet me to discuss the issue?

**The Parliamentary Under-Secretary of State for Transport (Paul Clark):** Let me at the outset say that I am more than happy to meet hon. Members to discuss road safety issues. The additional resources that we have given to the Vehicle and Operator Services Agency to undertake checks and issue Fresnel mirrors has had a significant effect on the number of accidents. As I said, I am more than happy to meet the hon. Gentleman to discuss the matter.

**Julie Morgan** (Cardiff, North) (Lab): Will my right hon. Friend assure me of the Government's commitment to high-speed rail electrification from London to south Wales?

**Mr. Khan:** I can confirm that we are committed to that. As I said, we believe in serving the entire country, which includes electrifying the Great Western line from London all the way to Swansea—that was a £1 billion announcement. My hon. Friend may be interested to know that currently in Europe, only two countries have less than one mile of electrified line—Albania and Wales. That needs to be sorted out.

**Greg Mulholland** (Leeds, North-West) (LD): Has the Minister made an assessment of the costs nationally to the damage to roads as a result of the cold weather? Will he conduct a review into the use of salt, as opposed to grit, which is used by some other countries, because of the damage that it does to road surfaces?

**Mr. Khan:** That is one of the things the UK Roads Liaison Group gives advice on. The hon. Gentleman will be aware, although he may have missed what I said earlier, that we have trebled the amount of funding we give to local authorities in relation to roads maintenance. We have also announced an additional package of £32 million to assess the roads, which will include dealing with the point he made. If he has problems with local authority funding, I am happy for him to approach both the Department for Transport and the Department for Communities and Local Government, which give additional money in exceptional circumstances.

**Mrs. Ann Cryer** (Keighley) (Lab): Does my hon. Friend agree that a conflict of interest could be residing within the Office of Rail Regulation, because it is responsible for both safety and investment?

**Chris Mole:** I am more than content that the ORR understands how it needs to discharge both those responsibilities at the same time without any conflict of interest.

T5. [313734] **Ann Winterton** (Congleton) (Con): Rail passengers travel at peak times in overcrowded carriages in conditions in which it would be illegal to transport cattle and sheep. When is that lack of capacity to be tackled? When will adequate rolling stock be delivered for the safety and comfort of the travelling public?

**Mr. Khan:** The hon. Lady raises a point that has been raised before. We have announced plans to increase our rolling stock by 2014 and we are ahead of the curve in relation to delivery from 2008. It is a question of choices. Had we taken the advice to increase our spending this year by only 1 per cent., it would have led to a reduction of £840 million. If we take the advice to reduce our spending next year by 25 per cent., any idea of increased capacity is pie in the sky.

**Clive Efford** (Eltham) (Lab): On several occasions before Christmas, the road network in south-east London and east London came to a complete gridlock because of incidents in the Blackwall tunnel or on adjacent roads. That unacceptable situation occurs too frequently. When my right hon. Friend next meets the Mayor of London, will he put that high on his agenda, because it cannot be allowed to continue?

**Mr. Khan:** I am not sure what the Mayor's priorities are, but they are not the Croydon tramlink or the Dartford crossing. In fact, he seems obsessed with interfering with Conservative leadership issues. I will ensure that we try to impress on the Mayor the priority of serving Londoners and addressing some of the challenges they face, rather than increasing fares on buses, tubes and trams.

T6. [313735] **Sir Nicholas Winterton** (Macclesfield) (Con): Is the Minister aware of the statement by the AA that the money to fix all Britain's potholes could be raised within 100 days if increased profits from VAT on fuel were diverted to that problem? Will the Government act accordingly to fill in and repair the potholes?

**Mr. Khan:** I am always happy to tell local authorities what to do, but I actually believe in devolution and giving local authorities the power to do as they see fit. I am only disappointed that so many of them are Conservative and decide not to invest in maintaining our roads. They invest in various projects rather than serving the community that they were elected to serve.

**Sir Patrick Cormack** (South Staffordshire) (Con): In view of the fact that using our airports is becoming increasingly frustrating, uncomfortable and disagreeable because of necessary security measures, will the Minister convene a meeting of all airport operators to see what can be done to address the issue of passenger comfort?

**Paul Clark:** Let me assure the hon. Gentleman that we have regular meetings with the airport operators to discuss exactly those issues. I wish to put on record our thanks to all those who have worked on the new measures that have come into force since 25 December, and to the travelling public for their patience when experiencing delays immediately after the new requirements were introduced. Most people recognise the proportionality of the security arrangements, but we keep them under review.

**Mr. Philip Hollobone** (Kettering) (Con): To be more cost-effective, Kettering borough council, of which I am a member, would like to employ one set of street wardens for parking enforcement and to tackle litter and dog-fouling offences. Two lines of guidance from the Department are preventing the council from doing that. Will the Minister look at that situation?

**Mr. Khan:** If the hon. Gentleman writes to me, I shall be happy to look into it.

**Mr. Paul Burstow** (Sutton and Cheam) (LD): I thank the Minister for his answers to the hon. Members for Wimbledon (Stephen Hammond) and for Luton, North (Kelvin Hopkins) and my hon. Friend the Member for North Southwark and Bermondsey (Simon Hughes) about First Capital Connect. May I ask him a further question on that issue? How much longer will it take for the Secretary of State to reach a judgment on whether that company is up to the job of delivering its franchise agreement?

**Mr. Khan:** I do not apologise for being tough when it comes to those who run our trains, if there are financial concerns or the companies are in breach of the agreements, either through enforcing remedial action or financial penalties. Over the last three months, First Capital Connect's performance has been unacceptable—I would go so far as to say it has been disgraceful. We are doing all that we can to ensure that the quality of service improves for the hon. Gentleman's constituents. Some people are advising us that we should not micro-manage train operating companies and should let them have more flexible and longer franchises. We have declined that advice, and we take a hands-on approach to ensure that commuters receive the best quality service.

## WOMEN AND EQUALITY

*The Minister for Women and Equality was asked—*

### Employees with Families

1. **Jessica Morden** (Newport, East) (Lab): If she will discuss with trade union representatives the guidance provided to employers on rights for employees with families. [313700]

**The Minister of State, Government Equalities Office (Maria Eagle):** The Government are committed to building a fair and family-friendly labour market, and my Ministerial colleagues and I meet regularly with both unions and representatives of business to discuss this aim and how

to advance it. Today's announcement that fathers will be able to take up to six months off on paternity leave by replacing the mother at home for some of her maternity leave is a further advance for the flexibility agenda.

**Jessica Morden:** The unions are doing a great job in promoting the right to work flexibly, but many parents remain unaware of their rights or are wary of asking for them. What more can the Department do, working with the trade unions, to make people feel more able to ask for more family-friendly hours and to increase the uptake of that right?

**Maria Eagle:** There is a range of things that we can do. Equality reps, which many trade unions have in workplaces, can help to provide better information and signpost individuals and companies to it. The section of the businesslink.gov website on employing people has 350,000 hits a month from employers seeking information on how to provide better flexibility. The evidence is that many people ask for flexible working and 95 per cent. of requests are positively met.

**Jo Swinson** (East Dunbartonshire) (LD): Many businesses find that operating a flexible working policy brings huge productivity gains, as well as being good for those with families, although some remain either unconvinced or unsure of how to go about it. What can the Government do to promote the business benefits of flexible working too, and encourage more organisations to take it up, whether by creating part-time roles at senior levels or pursuing such policies as job sharing?

**Maria Eagle:** The hon. Lady is right. We do a range of such work. The Secretary of State for Work and Pensions recently announced that we would bring together employers, business representatives and the TUC to look at how to improve family-friendly working practices further. That type of pragmatic three-way discussion does just that: it is successful, and it is good news for employees and employers. In other words, it is a typical, good Labour policy.

**Fiona Mactaggart** (Slough) (Lab): Employees at O<sub>2</sub> in my constituency presented me with a petition last week about child care vouchers. It was initiated because the child care voucher companies had left them unaware that the Government had changed their planned policy for tax breaks for child care vouchers. Will the Minister please talk to the child care voucher providers to ensure that they work with the companies that use such vouchers and inform employees of that positive policy?

**Maria Eagle:** I am happy to take up the point that my hon. Friend has made and talk to the relevant organisations.

### Equality Bill (Religious Groups)

2. **Andrew Rosindell** (Romford) (Con): What recent discussions she has had with religious groups on the provisions of the Equality Bill. [313702]

**The Minister for Women and Equality (Ms Harriet Harman):** Ministers in this House—in particular my hon. Friend the Parliamentary Secretary, Government Equalities Office—and Ministers in the Lords have had a number of discussions with religious and belief

groups and have received a number of representations relating to religion or belief since the introduction of the Equality Bill. Such discussions and representations are ongoing.

**Andrew Rosindell:** Will the Minister finally admit that were it not for the successful amendment from Baroness O'Cathain in the House of Lords earlier this week, the Equality Bill as unamended would have further restricted employment for people working in religious organisations?

**Ms Harman:** No, it would not. We thought that it would be helpful for everyone involved to clarify the law, and that is what the amendment that we brought forward aimed to do. That amendment was rejected. However, it would be helpful for the House to understand that there are religious jobs and non-religious jobs within organisations. For example, I would say that a pensions assistant ensuring that the records database is kept up to date was not doing a religious job. I would also say that issuing and processing invoices, even if it is done in the employment of the Church of England, is not a religious job.

To make it clear, the law applies to religious organisations when they employ people in non-religious jobs in the same way that it does to everyone else. We have always been clear that we are not going to insist on non-discrimination in relation to religious jobs such as being a vicar, a bishop, an imam or a rabbi. The law has stepped back from that and said that religious organisations can decide themselves how to do that. However, when it comes to non-religious jobs, those organisations must comply with the law, and that is how the law remains.

**Mr. Mark Harper** (Forest of Dean) (Con): The Minister will know that before the Government's defeat, her Bill as unamended did not even make it clear that ministers of religion would have to live in accordance with the faith of their religion. Following the Government's defeat in the other place not once but three times, by a coalition led by Conservative peers, bishops and Cross Benches, the Bill has been improved. Can the Minister confirm that the Government will accept the decision in the other place to enable Churches to insist that key posts be held by those who live in accordance with the tenets of their faith, or will she seek to reverse that defeat in this House?

**Ms Harman:** I think that the hon. Gentleman is trying to perpetrate a further misunderstanding. We are absolutely clear that we have never intended to extend the non-discrimination provisions to ministers of religion, nor have we ever tried to do so. Therefore they are exempted. We have always made it absolutely clear that they are and will continue to be exempted from the non-discrimination laws, and we have not sought to change that. There has been an issue about what is or is not a religious job, and we sought to clarify that. Our helpful clarification was not regarded as helpful in the House of Lords, and therefore the amendment was defeated. We will consider how to respond to that, but an official announcement will be made in due course, once these things have gone through the machinery, as it were. However, I would reassure hon. Members that the policy will remain as it is, and I would not want to lead them to anticipate that it will be brought forward again in this House.

### Equality Bill (Access to Information)

3. **Miss Anne Begg** (Aberdeen, South) (Lab): If she will bring forward amendments to the Equality Bill to provide equality of access to information for blind and partially-sighted people. [313703]

**The Minister of State, Government Equalities Office (Maria Eagle):** Undertakings have been given in the other place to consider tabling amendments on Report. However, the existing disability discrimination legislation provides that accessible information for visually impaired people and others is a reasonable adjustment, and the disability equality duty requires public authorities not to discriminate against disabled people on the grounds of their disability. Providing accessible information for disabled people might be required to meet that obligation in appropriate circumstances.

**Miss Begg:** The problem is that organisations such as the Royal National Institute for Blind People feel that the provisions of the Disability Discrimination Act 2005 to which the Minister referred are unenforceable because access to information is classed as an auxiliary aid and service. I hope that my hon. Friend will look favourably on the suggestion that the Equality Bill needs a separate clause to make these provisions absolutely clear. Will she also confirm that trying to solve this problem by means of a judicial review would not be the way forward?

**Maria Eagle:** The requirements of the current Disability Discrimination Act are enforceable, and they can be enforced in appropriate circumstances. However, we want public authorities to take a leading role and to lead by example in providing accessible information to those with visual impairments and others. In that respect, I hope that the House authorities themselves will consider whether refusing to allow a visually impaired parliamentarian a Braille copy of a Bill is really helping that parliamentarian to do his job. Should we not be leading by example in this respect? I believe that we should be, and I hope that the House authorities will reconsider that decision.

### Equality Bill (Age Discrimination)

4. **John Howell** (Henley) (Con): When she plans to publish the draft regulations on age discrimination as provided for in the Equality Bill. [313704]

**The Solicitor-General (Vera Baird):** We aim to consult in the autumn on a draft order under the Equality Bill, which will specify the exceptions to the otherwise full ban on age discrimination against adults in services and public functions.

**John Howell:** I thank the Minister for that response, and I am pleased to see that the Government have accepted the concerns of those of us who served on the Bill Committee about the need to retain good age discrimination. Can she confirm that the exemption for companies such as Saga will be in the regulations, and not just in the guidelines?

**The Solicitor-General:** Yes, I can, and I am sorry that I could not do so earlier when I was asked to make that clear on Report. There will be a number of specific

exceptions. There has been a very good consultation process on this. We had 106 responses from businesses, the age lobby and local authorities—indeed, everyone we could have wished to feed in did so. There will certainly be specific exemptions for financial services, and for age-related group holidays, which are obviously advantageous.

**Mr. David Winnick** (Walsall, North) (Lab): Does my young ministerial colleague not agree that it is totally unacceptable that anyone should be discriminated against because of their age, and that there is no justification for forcing someone out of work when they reach 65 if they want to continue in employment? If it is good enough for us, it should be good enough for the people outside the House.

**The Solicitor-General:** I volunteer to be the young Minister who responds to my equally youthful colleague's question. Obviously, we are looking as closely as we practically can, and as quickly as we can, at the question of the future of the default retirement age, which frankly seems unpromising. It is probably older than both my hon. Friend and me, and past its sell-by date.

**Lynne Featherstone** (Hornsey and Wood Green) (LD): Following on from the question from the hon. Member for Walsall, North (Mr. Winnick), and given that the Equality Commission now agrees that a mandatory retirement age is discriminatory and should be outlawed, I should like to inform the Minister that there is an opportunity in the Lords at the moment to table an amendment on this matter. Will the Government table such an amendment to end the mandatory retirement age?

**The Solicitor-General:** It is prudent, when something has been a fact in a given piece of law in our system for a very long time, not simply to click one's fingers and remove it, but to consult and to find out what any unintended consequences might be, so that it can be done—if it is to be done—in a sensible way, after all the input has been considered. We have recently mentioned a date by which we expect to complete that process, and I hope that the hon. Lady will curb her impatience at least until then.

**Gordon Banks** (Ochil and South Perthshire) (Lab): I have seen as an employer, and personally as the years roll on, the value of experience. I hope that the good voters of Ochil and South Perthshire see that too. Does the Minister agree that valuable experience will be a building brick to get the economy growing as we move out of recession, and that it should be seen as a significant asset?

**The Solicitor-General:** Yes, I do—I am equally prepared to volunteer to be an experienced Minister. A number of employers are now seeing the benefits of having older people working for them, which is marked in places such as B&Q. They see enormous benefits in terms of good customer relations and general wisdom. I agree with my hon. Friend 100 per cent.

**Andrew Selous** (South-West Bedfordshire) (Con): Is the Minister aware that a golf club in my constituency proposes to stop offering reduced membership to its pensioner members, on the basis of its understanding of the Equality Bill? Has it got it right?

**The Solicitor-General:** No, it has not. I can write to the hon. Gentleman to set out, step by step, how it has got it wrong. But take it from me—it has got it wrong.

#### Government Equalities Office

5. **Tony Lloyd** (Manchester, Central) (Lab): What information the Government Equalities Office collates on the gender pay gap for (a) full-time and (b) part-time workers. [313705]

**The Solicitor-General (Vera Baird):** The Government Equalities Office uses data collected by the Office for National Statistics in the annual survey of hours and earnings to monitor the gender pay gap. In 2009, women working full time were paid 12.2 per cent. less than full-time men; women working part time were paid 2 per cent. more than part-time men. Comparing all women—full and part time—with all men, the pay gap is currently 22 per cent.

**Tony Lloyd:** I thank my hon. and learned Friend for that answer. In recent times, one disappointing thing has been the growing pay gap in the private sector. That is possibly a result of the financial restraints currently operating there, but it is still unacceptable. Will the Equality Bill have a material impact on that pay gap in the private sector? Is there any evidence that other parties will offer their support for that step forward?

**The Solicitor-General:** Overall, during our period in office, the pay gap has reduced from 27.5 to 22 per cent. We are passing pleased about that, although the Equality Bill is intended to jump that process up a lot of gears. Our proposals have not had wholehearted support from the Opposition, to put it bluntly. The proposals hinge on the need to make pay structures in business transparent, so that we can compare business with business, sector with sector, like with like, and see where the imbalances are. Only when such imbalances are visible can they be

pushed out. The short answer is that we were not supported in that admirable endeavour by Her Majesty's Opposition.

**Philip Davies** (Shipley) (Con): Is it not ludicrous that the Government give tens of millions of pounds to the Equality and Human Rights Commission to lecture the rest of the country about the gender pay gap, yet the Equality and Human Rights Commission itself pays women more than men?

**The Solicitor-General:** I am groping hard for the logic behind that question—was “ludicrous” the word the hon. Gentleman used. The Equality and Human Rights Commission has had a lot of input into making the right measurements available so that the hon. Gentleman, as well as I, can know what the pay gap is, so that he can join forces with me to ensure that women are given equal pay in the very near future.

**Hugh Bayley** (City of York) (Lab): Let us get real about low-paid women workers. The national minimum wage has increased the earnings of many more women than men. Will the Government Equalities Office keep a close eye on the impact of a minimum wage on the gender pay gap for low-paid workers, and make representations to the Department for Business, Innovation and Skills to use the minimum wage as a key driver for equality?

**The Solicitor-General:** Of course the minimum wage has had an enormously advantageous impact on low-paid women, despite the best endeavours of the Tories to stop it getting on to the statute book. It will continue to have a good effect, as will a number of other proposals that we have. Perhaps the most telling fact is that the Tories will oppose all the steps we take to advance equal pay, even though it is clearly known that the most important single measure to get children out of poverty is to give women equal pay. That does not affect the Tories, but they still oppose it.

## Business of the House

11.34 am

**Sir George Young** (North-West Hampshire) (Con): May I ask the Leader of the House to give us next week's business?

**The Leader of the House of Commons (Ms Harriet Harman)**: The provisional business for next week is as follows:

MONDAY 1 FEBRUARY—Motion to approve the seventh report 2009-2010 from the Standards and Privileges Committee (HC 310); followed by motion to approve a money resolution on the Constitutional Reform and Governance Bill; followed by motion to approve a Ways and Means resolution on the Constitutional Reform and Governance Bill; followed by Consideration in Committee of the Constitutional Reform and Governance Bill (day 5).

TUESDAY 2 FEBRUARY—Remaining stages of the Flood and Water Management Bill.

WEDNESDAY 3 FEBRUARY—Motions relating to police grant, local government finance and council tax.

THURSDAY 4 FEBRUARY—Motion to approve a Ways and Means resolution on the Crime and Security Bill; followed by remaining stages of the Corporation Tax Bill; followed by remaining stages of the Taxation (International and Other Provisions) Bill.

FRIDAY 5 FEBRUARY—Private Members' Bills.

The provisional business for the week commencing 8 February will include:

MONDAY 8 FEBRUARY—Opposition day [4<sup>th</sup> allotted day]. There will be a debate on an Opposition motion. Subject to be announced.

I should also like to inform the House that the business in Westminster Hall for 25 February and 4 March will be:

THURSDAY 25 FEBRUARY—A debate from the Transport Committee entitled "Rail Fares and Franchises"

THURSDAY 4 MARCH—A debate from the Foreign Affairs Committee entitled "Global Security: Non-Proliferation".

**Sir George Young**: I am grateful to the right hon. and learned Lady for giving us the forthcoming business but she has not actually been very forthcoming. We already knew the business for next week and she has only given us the business for one day on the following week. Can she share with the House her plans for the week after next?

Will there be a statement next week on today's conference on Afghanistan? While I am on international matters, may I ask once again for an opportunity to debate Haiti? Last week the right hon. and learned Lady said that she would look for an opportunity "in some form or another, for Haiti to be debated on the Floor of the House next week".—[*Official Report*, 21 January 2010; Vol. 504, c. 449.]

Given the huge international effort that will be needed to rebuild that country and the problems of rehousing millions of people who have been left homeless, surely this is an issue for which we should find time in this House.

We are due to debate the Wright report on 23 February. Despite the Prime Minister's warm words at Prime Minister's questions last week, there is now widespread suspicion that the Government have adopted an approach that is simply designed to fail. Today's edition of *The Times* reports that we will be voting only on an unamendable order, which could be blocked by a single Member. Is that consistent with the spirit of consensus to which the right hon. and learned Lady has constantly referred? The last time a similar package of reforms was debated in the House, in 2002, we had a debate and then we voted on a series of resolutions on the recommendations of the Modernisation Committee. Why is that not an appropriate precedent for the Wright Committee? Will the House be able to vote on the resolutions of which the Government approve as well as on those that they do not? Does the Leader of the House agree with my suggestion that we should postpone the February recess by one day and debate the Wright report earlier than she proposes, given that we are seriously beginning to run out of time? Yesterday she admitted that she was not much good at reversing. Today she risks stalling.

May we have a statement on the release of material to the Chilcot inquiry? When he announced the inquiry, the Prime Minister unequivocally said that

"no British document and no British witness will be beyond the scope of the inquiry."

Yesterday, Sir John expressed his frustration that key documents relating to the legality of the Iraq war had failed to be declassified. Has the Prime Minister now backtracked on that commitment?

May we adopt the Chinese menu approach to Business questions? When I say "No. 41", that means I am looking for the date of the Budget; when I say "42", I am looking for the date of the Easter recess. Last week, the right hon. and learned Lady very helpfully pointed us in the direction of Easter. We are getting warmer, but may I repeat that I am asking this question on behalf of people who work in the House and who can take leave and holidays only when the House is not sitting? Can she provide us with another clue today?

May we have a debate on how Britain is governed? Two reports in as many weeks from senior civil servants who have worked under Labour paint a picture of a dysfunctional Government, with a "strategic gap" at the heart of Downing street that allows Ministers a free rein to produce endless reams of unnecessary and bad legislation.

On behalf of Conservative Members, may I thank the right hon. and learned Lady for one thing and offer her our full support? According to a survey this week from the National Centre for Social Research,

"New Labour has helped ensure that British public opinion now has a more conservative character."

**Ms Harman**: I am sorry that I am unable to announce any business after Monday for the week after next—the reason is as follows. The Supreme Court has made a decision about the freezing of assets of those suspected of being involved in terrorist activities. As hon. Members will know, it is very important that we stop money flowing into organisations that will then use it for terrorist activities. Freezing assets is an important part of the armoury to tackle terrorist activity. The Supreme Court has given a judgment that the methods of freezing are outwith the law. We therefore need to address that

issue, because we are absolutely determined that we should be able to freeze assets, but we must do so in a way that is compliant with the substantive law. We have applied to the Court for a stay of implementation of the release of those frozen assets to allow us to consider whether or not we can bring forward legislation before those assets are unfrozen so that we can put the law in order, but prevent the release of assets to those whom we think should not have them.

I am sorry that I did not have a chance, because these things are ongoing at the moment, to give that explanation to colleagues. A decision will be made at 12 o'clock in the Supreme Court to say whether it will give a stay of implementation of its judgment such that will allow us to legislate. I did not want to announce the business for the week after next given that it may be subject to decisions relating to information that we will not have until after 12 o'clock.

On Afghanistan, we had a debate led by the Foreign Secretary and closed by the Secretary of State for Defence last week. Obviously, the very important conference is taking place today and I know that the House will want to be updated. Similarly, I thank the right hon. Gentleman for referring to Haiti, which remains an important issue. We will look for opportunities to ensure that the House can be updated, not only about the work that the Government are doing—the doubling of the aid that has gone to Haiti—but about the £50 million that the public has donated and the very important work that our search and rescue teams are doing. I acknowledge the right hon. Gentleman's request about Haiti, which I know is shared by many hon. Members, and I shall do what I can about it.

On the Wright report, the right hon. Gentleman has talked about “widespread suspicion”. It is fair enough for people to be suspicious if there is something to be suspicious of, but he should not be suspicious because we are trying to be very straightforward about this. The Government have been very positive about reforming and improving how the House of Commons works, and we have a clear record of bringing to the House of Commons reforms that have then been accepted by it. We are keen to continue that reform by taking forward the recommendations in the Wright Committee report. The Government's preference for reaching decisions on these reforms is that we proceed on the basis of consensus, and proceed as quickly as possible. We would like to recommend to the House no fewer than 21 of the Wright Committee's recommendations. We thought it would help the House to have a full day's debate—as the right hon. Gentleman said, we have given a provisional date of 23 February for that—at the end of which we will place all 21 before the House under the Remaining Orders of the Day. I hope that some of them will go through without objection, as I know that there will be consensus in the House. That will probably not be the case for all of them, but let us hope that it will be for as many as possible. If there are objections, we are committed to bringing back to the House those motions that have been objected to. Resolutions will then be tabled that can be amended. At the point at which they are amendable, any recommendation from the Wright Committee's report can thereby be attached.

It is important for people to understand that there is no consensus on some aspects of the recommendations. The Liaison Committee issued a report yesterday about

the election of Chairs of Select Committees, and we are in favour of the Wright Committee's proposals on that—we want the House to be able to elect those Chairs by secret ballot—but the Liaison Committee was split down the middle. It agreed to support the Wright Committee's proposals, but only by seven votes to six votes. If the right hon. Gentleman is trying to convey the view that there is consensus and that we are trying to oppose it, that is wrong. There are different views and we are trying to get consensus—*[Interruption.]* I am sorry, Mr. Speaker, that I have had to go on so long about that. I hope that people will understand that we are being completely open about this and are trying to make progress.

On the question of the material for the Chilcot inquiry, the Government will obviously do everything by the rules as laid down. On the right hon. Gentleman's question about the machinery of Government, we had Cabinet Office questions yesterday and I suggest that he should have put that question to Cabinet Office Ministers.

**Mr. David Heath** (Somerton and Frome) (LD): On the Wright Committee, I do not think that suspicions have been entirely allayed. The Leader of the House might help the process, given that she appears to be seeking unanimity rather than consensus, if she said that if any of the motions were objected to, the matter would be brought back to the House the following week for a decision. I think that that is the appropriate way of dealing with the issue. Will she give that commitment?

The right hon. and learned Lady mentioned Cabinet Office questions. May I ask for a debate arising from Cabinet Office questions yesterday on the subject of the Government Communication Network? My hon. Friend the Member for Lewes (Norman Baker) asked, among other things, why 225 people were employed as communications officers in a single Department. The Parliamentary Secretary to the Cabinet Office said that in a typical Department 600 calls a day were made to the communications officers, so, according to my calculations, that is fewer than three a day to those individuals. I am sure that they do a lot of other work, too, but that does not seem to be an over-taxing burden. Perhaps we should have a debate on that.

We have heard a lot of talk from the Prime Minister and others about a decision on a referendum on alternative voting systems. However, I have searched the amendment papers for the Constitutional Reform and Governance Bill and no amendment seems to have been tabled. I assume from that—of course, the Prime Minister would not indulge in idle talk—that a discrete Bill must be coming forward to implement that. Will she confirm that that will be the case? Perhaps it will be discussed in the week for which she has not yet given all the business.

We read, surprisingly, this week that Pas-de-Calais wishes to be considered part of London and the south-east for the purposes of the 2012 Olympics. This is a novelty that I do not think we have seen since the days of Mary Tudor. Lots of parts of this country would like to be considered part of London and the south-east for the purposes of the 2012 Olympics, so may we have a debate on the Olympics legacy? Two thirds of the Olympic contracts are going to London and the south-east, sports participation figures show hardly any rise—and, indeed, they record a reduction in women's participation—

[Mr. David Heath]

and tourism benefits will be affected by cuts to the VisitBritain budget. May we have a debate on the Olympics legacy?

May we have a debate on the impending clearance of the radio spectrum and its effect on radio microphones? This is crucial to a lot of theatres and music performance venues around the country that will have to replace expensive equipment wholesale. For some, the cost will be prohibitive and I think that we could usefully have a debate on that.

Lastly, after what the right hon. Member for North-West Hampshire (Sir George Young) said, I guess that I just have to say, “41, with no black bean sauce.” I simply want to know when the Budget is. The Leader of the House did not answer me last week, or the right hon. Gentleman this week. Please, let us have an answer.

**Ms Harman:** The hon. Gentleman asked me for an undertaking to bring back to the House the following week those motions that are objected to. I cannot give an undertaking for the following week, but obviously we will want to bring them back as soon as possible. The view that the Government will advance to the House is that we will have a full debate on all the matters arising from the Wright report, but that we should not have to have that debate all over again if motions are objected to and have to be brought back. However, that argument would be undermined if too much time were to pass before we come back to consider the motions that are not agreed. I therefore hope that colleagues will recognise that the chance for the substantive debate on matters that the House might wish to amend will arise before we get to Remaining Orders of the Day.

I am sorry if that is not terribly clear, but I hope that the House will not be suspicious. It is quite complicated, and we should recognise that there are disagreements on this matter. We take the view that we want to make as much progress as possible on reform.

The hon. Member for Somerton and Frome (Mr. Heath) asked about the Government Communication Network. The job of people working in Government Departments on communication and information goes beyond just picking up the phone and answering calls, as they also have the very important task of providing information. Their job is about making Government transparent and accountable to the public, so they have to look up and give out the information that people ask for. The Liberal Democrats regard themselves as supporters of openness, transparency and freedom of information, so I am sure that they will agree that someone has to provide that information. That is an important part of Government accountability.

As for the Constitutional Reform and Governance Bill, all the issues to be discussed in Monday’s debate are already on the Order Paper. An extra day would be needed if any further substantive matters were brought forward.

On the Olympics, I strongly support the motivation behind the question from the hon. Gentleman. We want to make sure that the money spent secures a legacy after the Olympics, and that that legacy is not just for London but for all the UK. No doubt he can put that point to my right hon. Friend the Olympics Minister and get the information that he requires.

The hon. Gentleman also asked about the radio spectrum. I shall look into whether there should be a topical debate on the matter. [HON. MEMBERS: “And the Budget?”] As far as the date for the Budget is concerned, we are still a little way away from arranging it. [Laughter.] It is not next week. My job is to announce the business for next week and the week after so that the House can know what is happening, and the answer is that the Budget will not be held in either.

**Several hon. Members** *rose*—

**Mr. Speaker:** Order. No fewer than 31 right hon. and hon. Members are seeking to catch my eye. If I am to have any chance of accommodating everyone, brief questions and answers are required.

**Mr. Stephen Hepburn** (Jarrow) (Lab): Will the Leader of the House give us an early debate on pleural plaques? We need to be able to lay down a marker on any Government proposal that might allow future victims of pleural plaques in Scotland to be compensated by the British taxpayer, when future English victims will get nothing at all.

**Ms Harman:** I thank my hon. Friend for raising this important issue. We are aware of the strength of feeling on this matter, and are firmly committed to ensuring that people suffering from asbestos-related diseases receive the help and support that they need. We hope to be in a position to give the Government’s response on pleural plaques soon.

**Miss Anne McIntosh** (Vale of York) (Con): The Leader of the House has said that the Youth Parliament sitting that was held here in the Chamber was a great success, so what requests has she had from other organisations? Would it be possible to have a pensioners’ Parliament? If so, what would the procedure be? Would any such proposal be debated in the House, and who would take the decision about other such occasions?

**Ms Harman:** The Deputy Leader of the House has written to the hon. Lady and, like her, I strongly support the suggestion. I believe that, as happens in Scotland, many other organisations and not just those representing the elderly could use the Chamber when we are not sitting. It would bring people into the House of Commons and would be all to the good.

**Mr. Tony McNulty** (Harrow, East) (Lab): May we have a debate on London government? We were promised three rape crisis centres, but none has been delivered. We were promised low fares, and some are going up by more than 20 per cent. We were promised more police, and the latest proposal is to cut police numbers in London by up to 500. This man cannot even be bothered to chair the Metropolitan Police Authority but still takes £250,000 from *The Daily Telegraph*. Is not it the case that London has stopped laughing at this clown?

**Ms Harman:** I agree with my right hon. Friend. We get precious little support from the Mayor of London, whether it be on housing and transport for Londoners, the important local responsibility to provide help and support for rape victims or our initiative to get neighbourhood police in every area. However, the Government will do everything that we can to support Londoners.

**Mr. Greg Knight** (East Yorkshire) (Con): Is the Leader of the House aware that next week is salt awareness week? If we cannot have debate on that, will she tell the House what recent representations Ministers have made to the food industry about the desirability of reducing salt levels in its products? Does she agree that this country would be a far better place if we had less salt in our food and more on our roads?

**Ms Harman:** I totally agree. I think that salt awareness is very important indeed. We want to make sure that there is less fat, sugar and salt in our food. This is an important public health issue, and something on which the Government and the health authorities need to take action. That is not the nanny state, just good public health policy.

**Ms Gisela Stuart** (Birmingham, Edgbaston) (Lab): May we have an early debate on how different local education authorities are implementing the Building Schools for the Future programme? I am particularly concerned about the way that Birmingham city council and Catalyst are imposing charges on the use of schools outside core school hours. Other LEAs seem to be able to charge much lower rates, thereby allowing communities to continue to be able to use school buildings.

**Ms Harman:** This is a very contentious issue, and justifiably so. Public money has gone into state-of-the-art school buildings that are very important for pupils but which also should be available for the wider community. I shall raise the matter with Ministers in the Department for Children, Schools and Families, and ask them to liaise directly with my hon. Friend in support of her efforts to ensure that her community can use newly built local schools.

**Mr. Nicholas Soames** (Mid-Sussex) (Con): The British Government have always played a very important role in the middle east peace process, so is the Leader of the House aware that it is now commonly held that the Government of Israel's treatment of the people of Gaza puts them in breach of the fourth Geneva convention, and that their illegal blockade of Gaza now amounts to collective punishment? Does she agree that it is essential for this House to have a debate to express its views, and to give our Government a stronger mandate to try and persuade the Government of Israel that it is not in their interests to proceed in this way?

**Ms Harman:** The Government are in no doubt about this issue. We are strongly committed to the course of action that the hon. Gentleman has outlined, but there are many hon. Members on all sides of the House who also have strong views and who would like to have an opportunity to take part in a debate. I shall therefore look for an opportunity for such a debate.

**Mr. William Bain** (Glasgow, North-East) (Lab): Will my right hon. and learned Friend give consideration to holding a debate on the benefits to Scotland and the United Kingdom of the Union? Has she had an opportunity in the last week to see the helpful figures from the Scotland Office that put the fiscal benefit of the Union to Scotland at £75.7 billion since 1999? In her view, would that have happened if we had followed the advice of the Opposition parties?

**Ms Harman:** My hon. Friend is absolutely right, and he may find an opportunity to raise the matter at Treasury questions next week. The benefit goes beyond just the fiscal benefit to Scotland, because the Union allows us to stand and work together to tackle the recession and to bring the UK economy into recovery. Without that protection, the situation would have been very perilous for Scotland. He may therefore like to consider raising the point in Treasury questions, when he will be able to get further information.

**John Hemming** (Birmingham, Yardley) (LD): On the Wright report, will the Government give a commitment that all the Wright resolutions will be put before the House, at the very least in a form that would enable us to have a deferred Division on each recommendation?

**Ms Harman:** As I have said, we are going to table 21 recommendations, which is a substantial number, in four key areas that I have identified along with other recommendations. If there are further issues that hon. Members believe would secure the support of the House, they can do so by tabling amendments to other recommendations when we deal with those that are not agreed on the initial day.

**Albert Owen** (Ynys Môn) (Lab): Tomorrow, Friday 29 January, is SOS day, on which the Royal National Lifeboat Institution will celebrate the work of our lifeboats and their crews. I declare an interest as a member of its council. The year 2009 was the busiest year for the RNLI crews, as more than 8,000 people were rescued. Can we have a debate on their efforts and the work that they do, and on the linkage with search and rescue teams and other maritime services, as that would raise awareness of safety incidents and the perils of the sea?

**Ms Harman:** I join my hon. Friend in paying tribute to the work of the RNLI, and I suggest that he seek an opportunity in Westminster Hall to debate it, to allow other Members who agree with him to express their views, too.

**Mr. Peter Bone** (Wellingborough) (Con): First, may I tell the right hon. and learned Lady how well she did yesterday? Has she considered a job swap? Returning to a question asked by the hon. Member for Somerton and Frome (Mr. Heath), after 450 years, the good citizens of Calais have come to their senses and want to become part of the United Kingdom. What steps has the right hon. and learned Lady taken in that regard, and when we open up her heart, will she have "Calais" carved on it?

**Ms Harman:** The hon. Gentleman will have to give me notice of his questions, so I can work out a witty riposte.

**Mr. Speaker:** Relating to next week's business, as I am sure the hon. Gentleman's question did.

**Ms Harman:** The hon. Gentleman will have to give me about 24 hours on that one.

**Jim Sheridan** (Paisley and Renfrewshire, North) (Lab): There appears to be some ambiguity surrounding the implementation of temporary and agency workers

[Jim Sheridan]

legislation. Will my right hon. and learned Friend therefore arrange for the appropriate Minister to come to the House and clarify the position and the impact on hundreds of thousands of workers in the UK?

**Ms Harman:** I will ask Ministers in the Department for Business, Innovation and Skills to write to my hon. Friend and place a copy of their correspondence in the House of Commons Library. The protection of temporary and agency workers is important not only to protect those workers against exploitation but to prevent other people from having their terms and conditions undermined by those who would exploit workers. This is an important issue, and I will make sure that he receives a letter.

**Mr. Andrew Robathan** (Blaby) (Con): I am very suspicious about No. 42. The dates of the Easter recess are not important to MPs, because I doubt whether many MPs will take a holiday over Easter, for obvious reasons. However, they are important to all the staff of the House, as they would allow them to take a family-friendly holiday. Will the Leader of the House speak to her right hon. Friend the Prime Minister and tell him to stop dithering and call an election now? Afterwards, *Deo volente*, the shadow Leader of the House will sit in her position and can determine the date of the Easter recess.

**Ms Harman:** We will announce the recess in the normal way, and I shall do so at an early opportunity.

**Mr. Tom Watson** (West Bromwich, East) (Lab): We are entering an era in which the mark of an open society is the way in which it guarantees access to open knowledge through the internet. It is therefore vital that liberal democracies do not send mixed signals to closed societies that seek to restrict internet freedoms for their citizens. The anti-counterfeiting trade agreement that is being discussed in Mexico might inadvertently do that, so may we have a debate in the House so that hon. Members can test that notion and find out more about our negotiating position?

**Ms Harman:** I will look for an opportunity to debate that issue, which may benefit from a debate in Westminster Hall. We believe that it would be helpful if there were more transparency on the anti-counterfeiting trade agreement negotiations. As is common practice in trade negotiations, the ACTA negotiations are taking place in confidence, and working documents are not disclosed without the consent of all the negotiating parties. Our officials have been asked to press for more transparency at every opportunity, and have consistently argued for that in the ACTA negotiations, and in bilaterals with our partners. We will raise the issue, as my hon. Friend requests, in Mexico where the negotiations are under way.

**John Mason** (Glasgow, East) (SNP): The Leader of the House said it would be good if Scotland and England stood together. May we have a statement or debate on the Student Loans Company, as Glasgow will suffer as a result of the SLC redundancies? Jobs are being transferred from Glasgow to England, which suggests that the Government are anti-Scotland and anti-Glasgow.

**Ms Harman:** It does not suggest any such thing, and if the hon. Gentleman wants further information, he can table a written question.

**Mr. Parmjit Dhanda** (Gloucester) (Lab): Will my right hon. and learned Friend consider a debate on the leniency shown by magistrates courts to celebrities? Rock star Pete Doherty recently appeared in Gloucester magistrates court on drug and driving offences. While he was there, a sack of heroin fell out of his pocket, and 13 others were found on his person in court. Yesterday, he was given a £750 fine. Does she agree that we need to encourage courts to take a firmer grip on this?

**Ms Harman:** I know these issues concern the public very much, but my hon. Friend will recognise that it is not right for the House to second-guess magistrates in any particular case or, indeed, in any part of the criminal justice system, which must operate independently of our elected representatives.

**Mr. Douglas Hogg** (Sleaford and North Hykeham) (Con): Will the Leader of the House arrange for a debate next week entitled, "Treasury interference in helicopter procurement", which would enable previous Defence Secretaries to make the point that they made to the Chilcot inquiry: that the Prime Minister interfered with requests from the Ministry of Defence for funding, with the result that helicopters that would otherwise be available in Afghanistan are not available, and lives have been lost as a direct consequence?

**Ms Harman:** I would strongly refute the implication behind the right hon. and learned Gentleman's question. If he wants to raise those issues, he can do so in Treasury questions next week.

**Mr. David Drew** (Stroud) (Lab/Co-op): Gloucestershire county council is conducting a review of schools that are part of the national challenge arrangements. In my constituency, that involves the closure of the Vale of Berkeley college. There are two questions relating to that on the consultation document, which can largely be accessed on the internet. One is about closure, and the other is about a "hard" federation. The second suggestion is not viable, so we need a third question about whether the school could become a co-operative trust school. Will my right hon. and learned Friend do something to make sure that we get a fair consultation in the county?

**Ms Harman:** I will raise that matter with Ministers in the Department for Children, Schools and Families, and ask them to see whether they can support my hon. Friend in securing a fair consultation for his constituents.

**Sir Nicholas Winterton** (Macclesfield) (Con): When Robin Cook was Chairman of the Modernisation Committee, it produced a unanimous report on the election of Members to Select Committees. Unfortunately, although the measure was supposed to be decided on a free vote, the Government opposed it. Can the Leader of the House give us a firm assurance that when matters relating to the Wright report come before the House, not only for debate but for voting purposes, there will be a genuine free vote on the part of the Government and the Government Whips Office?

**Ms Harman:** I pay tribute to the hon. Gentleman for his long-standing commitment to these issues and, indeed, his work over many years on the Modernisation Committee. I can assure him that when the Wright issues come before the House, that will be House business and it will be subject to a free vote.

**Clive Efford** (Eltham) (Lab): May we have a debate in the House on policing and security in London? The Mayor of London was elected on a promise to provide strong leadership for the Metropolitan Police Authority, and some of us would like to scrutinise exactly what he thinks he has achieved that makes him believe he can break his promise to the people of London and not give up his £250,000-a-year job with *The Daily Telegraph*.

**Ms Harman:** My hon. Friend is absolutely right: there is a trail of broken promises. First, the Mayor said that he would respect the autonomy—the operational independence—of the Metropolitan police, but then he decided to grab it and try to run it himself from City hall. Now, he is saying he is too busy to do so, although my hon. Friends have rightly pointed out that he does not seem to be too busy to earn a lot of money writing for the newspapers. I will ask Ministers at the Home Office to look into the issue.

**Bob Russell** (Colchester) (LD): Can the Leader of the House find time in the week after next for a debate on “An Anatomy of the Economic Inequality in the UK,” a report of the National Equality Panel, produced by the Government Equalities Office, which was available to the media on Tuesday but was still not available today to Members in the Vote Office? Will she link that with votes on early-day motion 343, on the Joseph Rowntree Foundation audit on poverty?

*[That this House registers its dismay that an audit undertaken by the Joseph Rowntree Foundation shows that poverty is at the same level as it was in 2000, with two million children in low-income households, unemployment at a 12-year high and repossessions at six times the level of 2004; and urges the Government to pursue policies to eradicate poverty and promote equality.]*

Will she also link it with early-day motion 297, on the Fabian Society study on poverty? Those three reports all point out the failures of the Labour Government.

**Ms Harman:** As the hon. Gentleman has had a chance to read the extensive summary, at least, that has been published, he will recognise that the report shows that we have narrowed the gap between rich and poor, which was growing under the Conservative Administration in the 1980s, and that we have halted the growth in inequality, but that we need to do more to narrow it. We have already had a debate in the House on improving social mobility in accessing the professions, following the Milburn report. This is a constant theme in Children, Schools and Families questions and in Treasury questions as we seek to tackle unemployment. It will also be a subject in considering health issues when we get the Marmot report on health inequalities. There will not be a single debate. The topic will be a running theme of how we make sure that this country is fair, and as we do more to tackle the historic inequality that the hon. Gentleman knows has been handed down from generation to generation.

**Mr. Andrew Mackay** (Bracknell) (Con): Why has the Leader of the House yet again, this time in replying to the shadow Leader of the House, my right hon. Friend the Member for North-West Hampshire (Sir George Young), failed to give a guarantee that the Prime Minister is coming to make an important statement next week? Clearly, it is in the interests of the House that there be a statement from the Prime Minister on the Afghanistan conference, probably on the Yemen conference and probably, if matters develop, on the Northern Ireland peace process negotiations.

**Ms Harman:** As the right hon. Gentleman knows, the Prime Minister was in Northern Ireland in those very important talks; that is why he was unable to be back in the House yesterday. He is engaged in the talks relating to Afghanistan, and he seeks to do all the very important work as Prime Minister of this country and internationally, and also to keep the House updated. I will look up the figures—I think he has given an unprecedented number of statements to the House. In his “Governance of Britain” statement in July 2007, he said that he would make it a priority to give statements to the House and keep the House informed, and he has done that. I cannot announce in advance what statements any Minister is to make, but I assure the right hon. Gentleman that the Prime Minister regards it as a priority to keep the House informed.

**Philip Davies** (Shipley) (Con): May we have a debate on the desirability of prisoners having Sky TV in their cells? When I asked in 2006 how many prisoners had Sky TV in their cells, the answer was 1,500. When I asked the same question again just before Christmas, the figure had risen to 4,070. Many of my constituents—law-abiding people—would love to be able to afford to have Sky TV, but cannot. Why should prisoners be able to have Sky TV in their cells? May we have a debate so that we can find out how the Government can justify that?

**Ms Harman:** The hon. Gentleman can ask a question in Home Office questions. We have been clear in our approach to prison policy, but we have been baffled by the prison policy of the official Opposition. Last week they announced their policy on prison ships. The policy sailed on Wednesday, but it seemed to have sunk by Thursday.

**Jo Swinson** (East Dunbartonshire) (LD): I am sure the Leader of the House will share my concern about the recent crackdown on press freedom and the imprisonment of human rights activists in Kazakhstan. That is all the more ironic because this year, Kazakhstan chairs the Organisation for Security and Co-operation in Europe, which of course promotes democracy. May we have a debate to discuss this worrying situation and what influence the Government might be able to bring to bear to get Kazakhstan to take its international responsibilities as chair of the OSCE more seriously?

**Ms Harman:** I will ask the Foreign Secretary to write to the hon. Lady to reassure her on those points in relation to Kazakhstan.

**Mark Pritchard** (The Wrekin) (Con): May we have an urgent debate on Somalia? Is it not the case that a small minority of Somalis are leaving the United Kingdom,

[Mark Pritchard]

travelling to Somalia, trying to undermine the transitional Government in Mogadishu, which the Government support, training in terror camps, and coming back to this country trained up and possibly posing a threat to our national security?

**Ms Harman:** Obviously, in relation to any country that is vulnerable to being infiltrated by those who support terrorism internationally, we work internationally. I will ask the Foreign Secretary to update the hon. Gentleman.

**Dr. Andrew Murrison (Westbury) (Con):** The Leader of the House will have seen in the press recently the fruits of the labours of the Minister of State, Department of Health, the right hon. and learned Member for North Warwickshire (Mr. O'Brien), and the Under-Secretary of State for Defence, the hon. Member for North Durham (Mr. Jones) in trying to sell their eleventh-hour improvements to veterans health care. Given that the matter is of enormous importance to veterans and to Members of the House, will the right hon. and learned Lady try to encourage her colleagues, if it is not too much trouble, to come to the House to explain what they plan so that that can be subject to proper scrutiny here?

**Ms Harman:** The hon. Gentleman is wrong to talk about eleventh-hour improvements to veterans health care. There has been a sustained focus on the improvement to veterans health care, whether that is primary care, with new arrangements with the NHS, hospital care or mental health services. If he looks at the Command Paper that was issued by the Secretary of State for Defence a couple of years ago and all the work that has transpired following that, he will realise that his comments are ill-judged. If he wants to suggest anything specific that would contribute to the improvements that are under way, I am sure the Secretary of State for Defence, working with the Health Secretary, would look at that positively.

**Mr. Mark Harper (Forest of Dean) (Con):** As the Leader of the House knows, the Constitutional Reform and Governance Bill is being debated next week. Being formidably well briefed, she will also know that my new clause 1 would remove section 141 of the Mental Health Act 1983, which discriminates against Members of Parliament who have a mental health problem. She will also know that Mr. Speaker's Conference on parliamentary representation recommended that that provision of the Mental Health Act be abolished as soon as possible and a Select Committee report on it. She will know, too, that a Minister in the Justice Department committed the Government to that course of action this Tuesday. I have written to my right hon. Friend the Member for East Yorkshire (Mr. Knight), the Chairman of the Procedure Committee, to ask his Committee to look at the matter at the earliest opportunity. If he does so and brings his recommendations forward, will the right hon. and learned Lady ensure that the House gets an early opportunity to make a decision so that people in this country with a mental health problem recognise that Members of the House treat mental health and physical disabilities in exactly the same way and do not discriminate against one or the other?

**Ms Harman:** I strongly support the work that the hon. Gentleman is doing on that and the principles that lie behind it. It has, as he says, been taken up by work underlying the Speaker's Conference. The matter is still under consideration, but I will make sure that we get back to him as soon as possible to let him know how we intend to respond to the situation when the CRAG Bill returns to the House.

**Mike Penning (Hemel Hempstead) (Con):** I am sure the Leader of the House and all colleagues in the House will pay tribute to our armed forces in Afghanistan, whom I had the pleasure of visiting last week. What was very sad and very annoying was that when we went through Brize Norton, Commonwealth soldiers who are fighting for this country, for our armed forces, were segregated and not allowed to fly with the rest of the British soldiers because they did not have a British passport. I can see that the right hon. and learned Lady is somewhat bemused by that. Will she contact the Ministry of Defence and find out why Commonwealth soldiers, particularly South African soldiers, are not allowed to go through the United Arab Emirates into theatre and why such segregation takes place, and come back to the House to explain why they are treated in such an appalling way?

**Ms Harman:** I will ask the Secretary of State for Defence to write to the hon. Gentleman and place a copy of his letter in the House of Commons Library.

**Dr. Evan Harris (Oxford, West and Abingdon) (LD):** On the Wright report, I agree that we cannot go on like this, with suspicious minds. To allay suspicions, given what the Leader of the House said, could she reply to the Wright Committee setting out which of the 21 Wright report recommendations she plans to put, thereby helping everyone to identify which recommendations do not currently find favour with the Government? That would be open and straightforward. I commend that action to her.

**Ms Harman:** The issue is not just about those recommendations that do or do not find favour with the Government, but about those on which we think there is a good prospect of achieving a consensus. I ask all hon. Members, when they talk about the issue, at least to be fair and recognise that there is no House unanimity against which the Government are standing; there are different views, and we have to work out where there is a consensus. It is not just a question of what we do not find favour with; it is a question of the recommendations with which we think the House is able to move forward. All the motions will be tabled in good time so that hon. Members can consider them, and I have told the House about the four big-ticket areas where we want to make changes. They are the election of Select Committee Chairmen; the election of Select Committee members; the ability to introduce private Members' motions to the House and vote on them; and a business Committee for Back-Benchers' issues. Those are important areas, and I hope that we can move forward on them.

**Tim Loughton (East Worthing and Shoreham) (Con):** Child protection issues have remained prominent in the headlines since the tragic events at Edlington, and, while the Government have been in denial, suppressed reports have been oozing out of Doncaster showing what a basket-case the local authority was. One report

that I have seen shows that social workers were not registered, and that children's services staff were not even Criminal Records Bureau-checked. Can we have a rational debate on that topical and important subject to ensure not only that other serious case reviews that are due to come out are properly authored, but that we learn their lessons properly? We will not do so all the time that they are not published.

**Ms Harman:** That matter was discussed in the House in 2006, when child protection issues such as serious case reviews were reformed and reviewed. I certainly think it right that all the findings from which lessons need to be learned be made public; there is no point in producing a finding and then not sharing it, because all those people who are supposed to act differently will not know and the lessons will not be learned. However, it has been agreed over the years, with the support of children's organisations and, indeed, the official Opposition, that the investigative background to the findings be not published, so that the investigation can range widely. The Opposition have not made any substantive proposals to change that; they have come forward with lots of fire and brimstone. Therefore, it would be much better to have a sensible discussion about how we bring into the public domain as much information as possible—within the purview of those serious case reviews—and then the findings. We all recognise that there were major problems in Doncaster, and they are being addressed.

**Mr. Paul Burstow** (Sutton and Cheam) (LD): May I draw the right hon. and learned Lady's attention to early-day motion 623, which concerns First Capital Connect's disastrously—shockingly—bad service to its passengers?

*[That this House believes that the ongoing disruption to First Capital Connect services travelling into London needs to stop; deplores the severe reduction in timetabled services due to mismanagement by First Capital Connect, which has not employed enough drivers to cover the shifts needed; is concerned that commuters are having to find alternate routes into work and school, adding considerable time and expense to their daily journeys; notes the petition on the Number 10 website calling on the Prime Minister to act on this matter; calls on the Secretary of State for Transport to recognise this gross lack of competence; further notes that the current disruption is a breach of the franchise; and further calls on the Secretary of State for Transport to serve immediate notice to terminate the franchise agreement with First Capital Connect and to offer the franchise to a more capable organisation.]*

Some 4,923 people have signed the petition on the No. 10 website. In Transport questions I asked the Minister of State to set out how soon we could expect the Secretary of State to come to a view about whether First Capital Connect will have its franchise terminated. The Minister did not answer that question, so can we have a statement as soon as possible so that he can answer it and say what else the Government are doing?

**Ms Harman:** The hon. Gentleman will have an opportunity to raise that issue on Thursday 25 February in a debate about the Transport Committee's report on rail fares and franchises.

**Mr. Philip Hollobone** (Kettering) (Con): Will Her Majesty's Government support the Sustainable Communities Act 2007 (Amendment) Bill, which is

scheduled for future business? While ensuring proper scrutiny, will the Leader of the House try to encourage its prompt and efficient passage through both Houses before Dissolution?

**Ms Harman:** I shall ask the Secretary of State who is responsible for that work to write to the hon. Gentleman.

**Mr. Andrew Pelling** (Croydon, Central) (Ind): The Leader of the House is aware that Croydon's branch of the Young Christian Workers came to see me in the House this week. It is made up mainly of eloquent young women, although there are some young men in it, too, and they were here to talk about the continuing "Get Fair" campaign. Would it be appropriate, before the general election, to have a debate in the House about the important issue of poverty reduction among young people? It has been at the centre of the Government's programme of work throughout many Departments, but much more needs to be done, which is why the YCW's "Get Fair" campaign is so important.

**Ms Harman:** I thank the hon. Gentleman for raising that issue, because it gives me the opportunity to join him in commending the work of Croydon's Young Christian Workers. Their concerns and his are shared by other young people throughout the country, and during the current economic difficulties the Government have remained committed to tackling poverty and disadvantage. The pre-Budget report committed further support to vulnerable families and set out the key principles that will guide our strategy to eradicate child poverty; and we have of course legislated to frame and enshrine those targets in law.

**Greg Mulholland** (Leeds, North-West) (LD): How does the Leader of the House compare the conduct and behaviour of Elizabeth Wilmshurst, who resigned knowing that she was right, with that of senior Ministers, who took us into an illegal war knowing that they were wrong? Can we have a debate in the House about what happens after the Iraq inquiry? If it emerges—as it seems it will—that the Government took us into an illegal war and breached international law, that will not be the end of the matter. Can we therefore have a debate to discuss what action will be taken if that is what emerges?

**Ms Harman:** We do not accept that the use of force in Iraq was unlawful, and the issue was before the House when it voted to support the use of force. The Attorney-General at the time, Lord Goldsmith, gave evidence to the Chilcot inquiry yesterday, setting out the processes whereby he, as Attorney-General, was the authoritative adviser to the Government on that issue. What happens after the inquiry has reported is a matter best considered when we have had an opportunity to see its substantive report.

**Mr. Speaker:** I am grateful for the co-operation of the House, thereby enabling all colleagues to be accommodated within the session in a reasonably timely fashion. We are going to proceed to the topical debate—

**Bob Russell** *rose*—

**Mr. Speaker:** But not before we have heard a point of order from the hon. Gentleman.

## Point of Order

12.26 pm

**Bob Russell** (Colchester) (LD): On a point of order, Mr. Speaker. I seek your guidance and help as to how hon. Members can access official Government reports. I refer to the report entitled, “An Anatomy of Economic Inequality in the UK”, which the Government Equalities Office produced. Copies were made available to the media on Tuesday, but the report is still not available in the Vote Office, and the suspicion is that, because the report includes very bad news for the Government, it was released in a crowded news week with stories about Afghanistan and Northern Ireland. It is a damning report on the Government’s incompetence on poverty in the UK over the past 12 years or so, but hon. Members still cannot obtain a copy of it in the Vote Office.

**Mr. Speaker:** I am very grateful to the hon. Gentleman for his point of order. I understand his frustration, which is almost certainly shared by other right hon. and hon. Members, that the report is not currently available in the Vote Office—though my understanding is that the Vote Office has received copies of the Government’s response to the report. I accept that that is an unsatisfactory state of affairs; I gather that the Vote Office is working at this moment to put matters right; and the hon. Gentleman of course has done us all a service by placing his concerns on the record.

## Holocaust Memorial Day

*Topical debate*

12.27 pm

**The Parliamentary Under-Secretary of State for Communities and Local Government (Mr. Shahid Malik):** I beg to move,

That this House has considered the matter of Holocaust Memorial Day.

I am grateful to my right hon. and learned Friend the Leader of the House for selecting this subject for debate. Holocaust memorial day is a commemoration that enjoys support from all parts of the House. It is right that hon. Members make time to discuss these issues, which have such enduring significance, and it is right that we stand together as one to send a clear message to those who minimise, dispute or even deny the relevance of these issues today. As someone who has visited the Majdanek death camp, I feel repulsed by some of those individuals.

I am confident that hon. Members will join me in ensuring that the message from the House today is not just to condemn the atrocities of the past, but to affirm their ability to speak to us now. When speaking of the Holocaust, there is a constant risk. To many of us, the sheer scale of the horror is too much to take in.

**Mark Pritchard** (The Wrekin) (Con): The Minister mentioned Majdanek, which I had the great honour of visiting with him and other parliamentarians. Will he join me in paying tribute to the Holocaust Educational Trust, which does such great work in informing and educating parliamentarians, as well as schools up and down the land, about the holocaust?

**Mr. Malik:** Absolutely; the Holocaust Educational Trust, its chief executive, Karen Pollock, and its chair, Lord Janner, do an amazing job. That is why I am very pleased that between 2006 and 2011 this Government will have invested a total of some £9 million, which has already led to about 4,500 pupils and 1,000 teachers being able to go out there and really experience it.

**Mr. Andrew Pelling** (Croydon, Central) (Ind): I am grateful to the Minister for giving way, as I know he has limited time. May I add to what was said in the previous intervention? The Holocaust Educational Trust tells us of the sheer industrial scale of the evil of man to man. I went to Auschwitz-Birkenau, where so much evil was perpetrated in such a dreadful fashion. We must always remember that, and that is why it is important that this debate is taking place.

**Mr. Malik:** The hon. Gentleman is obviously correct. These are issues that we cannot just talk about in a historical context, because, sadly and tragically, they are as relevant today as they were all those years ago.

As I was saying, when speaking of the holocaust, there is a constant risk. To many of us, the sheer scale of the horror, to which hon. Members have alluded, is too much to take in. We cannot describe the enormity of what we have read about or witnessed on visits to death camps. We cannot begin to relate to the hatred that motivated people to act so barbarically. We cannot understand how people abandoned their own humanity to participate in such horrors. Many others before us

have looked at the holocaust and said, “Never again”; but appallingly the Shoah, even if unparalleled in scale, was not the horror that ended all horrors.

**Julie Morgan** (Cardiff, North) (Lab): I have great sympathy and support for my hon. Friend’s remarks. Is he aware that the all-party group on Gypsy and Traveller law reform will today hold a meeting at which we will mark the estimated 220,000 Gypsies who died in the holocaust? Does he agree how important it is to remember what happened to the Gypsies and to all the other people who died in the holocaust?

**Mr. Malik:** My hon. Friend is absolutely right. At least 200,000 Roma and Sinti people were killed. It is right that we acknowledge the suffering of all those who suffered at the hands of the Nazis: some 11 million in total—a conservative figure—and 6 million of them because they were Jewish.

**Mr. David Winnick** (Walsall, North) (Lab): Nearly 50 years after the second world war, it is estimated that nearly 800,000 people were murdered in Rwanda; we should remember that. When the Home Affairs Committee went on a visit to Russia and Ukraine, we paid our respects—I suggested that it should be so and my colleagues readily agreed—at Babi Yar, just outside Kiev, where in September 1941 30,000 men, women and children were murdered simply because they were of Jewish origin, and nothing to do with religion or anything else; and that was before the death camps, of course.

**Mr. Malik:** My hon. Friend, who takes a keen interest in these issues, is absolutely correct. As I have said on several occasions, and we will all say during this debate, the scale of the horrors is very hard to comprehend and imagine. All the interventions that we have heard so far have come from people who have been touched by having made an effort to go out there and understand the issues more closely.

**Dr. Andrew Murrison** (Westbury) (Con): I have not been to Auschwitz-Birkenau with the Holocaust Educational Trust, but I have attended the debriefing that young people get following their visits, which is extremely salutary. Does the Minister agree that the real genius of the trust is its ability to trace the development of anti-Semitism in Germany and to impress upon young people that this happened not simply in isolation but, disturbingly and disquietingly, has parallels with the way that we live our lives today? That brings it home to young people that such things could happen again, and, one hopes, helps us to guard against that. That is the real message of the Holocaust Educational Trust.

**Mr. Malik:** The hon. Gentleman is absolutely correct. That is the power of the work of the trust. It ensures that people understand the relevance of that historical genocide and holocaust in today’s world, and understand how something so evil that it is completely unimaginable could start from something that was perceived in some ways to be relatively benign.

On this continent alone, we have seen thousands killed in Bosnia. As my hon. Friend the Member for Walsall, North (Mr. Winnick) said, we have witnessed 1 million people dying in Rwanda; and hundreds of thousands have died in Darfur. In Cambodia, well over

1 million people died. These figures are surely incomprehensible. Yet it is not the numbers alone that speak of the evil of genocide—it is the mentality of those who committed the acts, systematically dehumanising people on account of their race, their religion or their ethnicity; treating them worse than livestock. The inhumanity is not the victims’ but the perpetrators’. A phrase used by the Khmer Rouge brutally sums up this inhumanity: “To spare you is no profit, to destroy you is no loss.”

Perhaps the degree of evil allows us some hope. The fact that we feel such discomfort in the face of horror allows us to reassure ourselves that this could never happen in our lifetime. But I hope that hon. Members agree that this hope would be misplaced. We cannot simply say, “Never again.” Only if we act on our hope—if we determine that we will learn history’s lessons—will we have honoured the memory of those who suffered and perished in the genocides.

**Mrs. Theresa Villiers** (Chipping Barnet) (Con): I am sure that the Minister will agree that Holocaust memorial day provides a salutary reminder not only of the gravity of the evil of which humanity is capable but of the fact that so many people stood by and let it happen; that is one of the most disturbing things that I have always drawn from these commemoration days. It is also worth remembering, however, that not everyone did that, and that some people stood up for those who were being persecuted. In that respect, it is particularly important to remember those who supported the Kindertransport, which saved so many Jewish children.

**Mr. Malik:** The hon. Lady is absolutely correct. Edmund Burke reminds us that, for evil to prevail, all that is required is that good people do nothing. She is also right to highlight the importance of recognising the efforts, in some cases courageous efforts, of those who did so much, often at personal risk to themselves. That is why, in April last year, the Prime Minister announced that we would commemorate those holocaust heroes—something that we are hoping to do very shortly.

As some hon. Members will be aware, I am proud to be a trustee of the Holocaust Memorial Day Trust; I am also a patron of the Wiener Library. Yesterday marked the 65th anniversary of the liberation of Auschwitz-Birkenau, which has become a byword for the evils of the holocaust. The theme of that day was “The Legacy of Hope”. I attended the national day in London, while tens of thousands of people gathered at hundreds of local events.

**Mr. Jim Cunningham** (Coventry, South) (Lab): I have been to Auschwitz, which is horrendous for anybody who goes there. I am glad that the Government, through their education policies, are encouraging schoolchildren to go from Britain to visit that place, because going there and seeing the photographs of young women—looking into their eyes, they seem to be pleading—is horrendous and has quite an effect. I urge the Government to encourage a lot more of those visits.

**Mr. Malik:** My hon. Friend is obviously right. It may sound perverse, but for those of us who have had the privilege to go there, it has been truly life-transforming. That is why the work of the trust is so important.

[Mr. Malik]

The inspiration for Holocaust memorial day was the "Secret Archive of Oneg Shabbat". The archive is a compendium of testimonies and histories of various residents from the Jewish ghetto in Warsaw, which were written down and buried in milk churns. The historian who led that process, Emanuel Ringelblum, understood well that the Nazis were not just trying to contain some Jews. They were trying to eliminate the Jews—to extinguish their presence, their existence and their history, and to cut off their hope and remove their voice.

**Mr. Winnick:** From the whole of Europe.

**Mr. Malik:** Absolutely.

That is why Ringelblum made sure that the histories were buried. Although the Nazis did not find the histories, other people uncovered them some years later. For that reason, the victims are not forgotten. Their voices speak today, and their legacy is one that gives us hope. If we are prepared to listen, it gives us hope that their suffering is our cause for action.

**John Mason** (Glasgow, East) (SNP): The Minister has mentioned hope a number of times, and I do not want to go against that, but does he share my opinion that this is a long-running issue? In 1290, the Jews were expelled from this country, and we cannot be over-optimistic that that will not recur in the future.

**Mr. Malik:** If the hon. Gentleman is saying that there is no room for complacency, he is, of course, right. History is supposed to teach us, and it teaches us that such things happen again and again, but it might not teach us well enough that we learn. That is the challenge for us: to learn from history to ensure that we do not repeat the mistakes of the past. We are much better placed today than we have ever been, but there is no room for complacency whatever.

**Angela Watkinson** (Upminster) (Con): I am most grateful to the Minister; he is being generous in taking so many interventions. One of the most chilling lessons that I learned from visiting Auschwitz-Birkenau was that, to those who conducted the mass killings, these were not wild, emotional and uncontrolled murders, but dispassionate, calculated, organised and justified. Meticulous records of the killings were kept. Does the Minister agree that we must learn that lesson and be aware of that aspect if we are to ensure that such things never happen again?

**Mr. Malik:** It is profoundly chilling to consider that there was an era where so many people could believe that it was right to do what they did, in the way that they did it.

Survivors, too, give us hope. I know that many in this Chamber will have met survivors of the holocaust, and any hon. Members who have had the privilege of speaking to them will agree that it is a deeply humbling and profoundly moving experience. The histories on the written page may record some of the horror, but they cannot properly capture the triumph of the survivors. I understand that that is an odd word to use in this context, because all the survivors will have endured

unimaginable suffering and the loss of loved ones. But their spirit and dignity in the face of what happened is a triumph, and I pay tribute to them.

A number of survivors spoke yesterday, and others had their testimonies read out by young people. Those present witnessed the force of the survivors' stories. We were then challenged to become part of the legacy of hope. I can do little better than read the invitation from the day's organisers:

"Our responsibility is to remember those who were persecuted and murdered, because their lives were wasted. Our challenge is to make the experience and words of the victims and survivors of the Holocaust and subsequent genocides a meaningful part of our future...It is their example that can inspire us to greater action."

My commitment to the legacy of hope is not just as an elected representative or as a Minister, but as one who shares humanity with those who died. My aim is to do all that I can to ensure that the evils of racism and hatred are challenged and rooted out. Hon. Members know that the Government have worked hard to promote the UK Holocaust memorial day—obviously with cross-party support. We give a sizeable grant to the Holocaust Memorial Day Trust to help it to do what it does. We also support the Holocaust Educational Trust, as I said earlier, which does outstanding work to raise awareness of the holocaust among young people and others.

**Mr. Pelling:** As the Minister comes to the conclusion of his speech, would he acknowledge that today is a chance for us to think positively about forgiveness and redemption? For instance, the German Government have given moneys for a proper facility at Auschwitz-Birkenau.

**Mr. Malik:** It is true that those countries found wanting at that time—and it was not just Germany—have learned much and are incredibly progressive. It is also true, however, that there are still elements in those countries who, not so far behind the scenes, are not so disappointed with that past. That is why we have no room for complacency whatever.

I pay tribute again to the chief executive of the Holocaust Educational Trust, Karen Pollock, and to its chair, Lord Janner. I pay tribute to them for the work that they have done with all political parties and for the way in which they have captured the imagination of young people throughout the country through their work. I pay special tribute to Stephen Smith, the former chair of the Holocaust Memorial Day Trust, who has gone on to be chief executive of the Shoah Foundation in the USA. That is just recognition of the exceptional skill and commitment he brought to bear in raising awareness of the holocaust, through the trust and elsewhere, in a way that is meaningful to our lives today. The money from the Government has been magnified many times over through his dedication and that of other colleagues.

On the subject of survivors, Eva Schloss, the step-sister of Anne Frank, was in my constituency. Often, when we are fighting the far right, we equate them with Nazis and it does not quite work. In this case, when one of the kids in my constituency asked her, "What do you think about the BNP?" she said, "I think they're no better than Nazis." That was so powerful, and it had an impact in a way that our literature could never achieve.

On that note, I look forward to hearing the views of right hon. and hon. Members on a subject that rightly commands the support of the whole House.

12.48 pm

**Robert Neill** (Bromley and Chislehurst) (Con): I am sure the whole House will be in accord with the Minister, both in the content of his speech on this important topic and in the manner in which he made it. Occasionally, he and I have our differences, but on this issue he, I and everyone else in this House are entirely united. We are all grateful for the opportunity to debate this important topic.

The Minister is right to recognise the importance of Holocaust memorial day and right, too, to recognise the tremendous work of the Holocaust Educational Trust. Many of us will have come into contact with it, and we have found our experience, and our knowledge of this subject, enriched—if that is the appropriate word for so dreadful a topic—by its work. It is right that everyone has the chance to understand the horrors of what happened, so I endorse entirely everything that the Minister said.

I, too, am sure that those of us who have had the privilege of meeting holocaust survivors will have been profoundly moved by their testimony. As the generation who suffered in the holocaust leaves us, it is all the more important that their memories are kept alive and that the lessons are learned. I was particularly struck by the comments of Members who have visited Auschwitz-Birkenau. My hon. Friends the Members for Ilford, North (Mr. Scott) and for Upminster (Angela Watkinson) and I have visited it with the Holocaust Memorial Day Trust. Not only was it a deeply moving experience, but two things about it particularly struck me.

First, it might seem trite, but it is worth restating the sheer banality of the circumstances that gave rise to such horror, and the ordinariness of what had been a run-of-the-mill army barracks but was suddenly turned into an industrial machine for the mass murder of human beings. We were standing in an office that could have been something like a 1930s local government office, but in fact millions of people were consigned to their deaths there. That brings home the fragility of what we take to be civilisation and sophistication in an advanced western society.

**Mr. Pelling:** May I add to the hon. Gentleman's comments about the banality of Auschwitz-Birkenau? When we visited, we saw the pictures of a band welcoming people who had come there. That was one of the saddest deceptions that could have been made against people who were ultimately, or sometimes immediately, going to their death.

**Robert Neill:** The hon. Gentleman is absolutely right, and we must learn the lesson from the way in which Germany, which had been a democratic state, was perverted, taken over and turned into a fascist dictatorship. We must learn just how easily that can happen, even in an educated and sophisticated society, and how the models of everyday life can be twisted and perverted to evil ends. That strikes us hugely strongly.

The other thing that struck me at Auschwitz-Birkenau came from looking at many photographs, which I also had the chance to do when I visited the holocaust museum in Israel. I thought back to the photographs

that I saw of my parents as young people and my grandparents at about the same time, in the 1930s and '40s. Those in the photographs that I saw were the same type of people, from every rank of society and dressed in much the same fashions of the time. In a sense, it could have been my parents and grandparents. It is hugely important to bring that home to people. It echoes the words of Pastor Niemöller that he did not speak up for others when people came for them, and in the end no one was left to speak up for him. That is a hugely important part of the work.

**Mr. David Burrowes** (Enfield, Southgate) (Con): I commend what my hon. Friend is saying. The message that came across to me and the students from my constituency who went to Auschwitz-Birkenau two years ago, which I was reminded of yesterday, was that the holocaust was not just about the huge scale, numbers and evil consequences but about the individual lives lost and the effect on families and communities. Future generations of families were lost, and that message certainly came home yesterday.

I commend the Holocaust Educational Trust for its ongoing work, not just for what happened yesterday. I was appreciative to hear that in my school, holocaust educators do work throughout the curriculum throughout the year to bring the message home.

**Robert Neill:** I agree entirely with my hon. Friend's sentiments. In fact, I will turn in a moment to some of that work.

The final thing that I was going to say about my visit and the lessons of it was on a point of irony. The evening when we came back from Auschwitz-Birkenau, the leader of the British National party was on "Question Time", which seemed to me a particularly obscene juxtaposition and perhaps reinforced my point about the need for vigilance. Even in societies that we think are sophisticated and democratic, that can be undermined. We must always be alert to that.

**Mr. Lee Scott** (Ilford, North) (Con): Does my hon. Friend agree that even though people put on suits and ties and stand on doorsteps telling lies, a Nazi is still a Nazi today as it was during the war years?

**Robert Neill:** My hon. Friend is absolutely right—evil is evil however it is dressed, and we need to restate that continuously. I was struck by an interesting article in *The Times* by my hon. Friend the Member for Surrey Heath (Michael Gove), who made the interesting and historically justified point that anti-Semitism is a virus that mutates. The hon. Member for Glasgow, East (John Mason) mentioned the expulsion of the Jews from this country in mediaeval times, and my hon. Friend pointed out in his article that over the years, the rationalisation for anti-Semitism has changed and been twisted. Initially it was perhaps on the basis of religion, the blood libel and so on, and then it was twisted almost in Nietzschean terms to a scientific, race selection reason. Even today, we have to be alert to the fact that it mutates again into a denial of the right of the Jewish people to self-determination and a homeland.

**Mrs. Louise Ellman** (Liverpool, Riverside) (Lab/Co-op): Does the hon. Gentleman share my concern that the Community Security Trust, in its meticulous collection

[Mrs. Louise Ellman]

of data, has shown that there has been a record rise in attacks on Jewish people? Is that not a stain on our society?

**Robert Neill:** The hon. Lady is absolutely right, and I have been greatly impressed by the impeccable work of the CST. I have come across a number of its organisers and volunteers, and it is right to remember that they do great work. It should be a matter of the deepest concern to all Members that such attacks can continue and that external factors are often perverted to give rise to the increase in anti-Semitism, which I am sure we all condemn.

**Mr. Winnick:** I agree with that. Saturday will be an unhappy anniversary, because it will be 77 years to the day since Hitler was appointed Chancellor by Hindenburg. Returning to the domestic scene, which the hon. Member for Ilford, North (Mr. Scott) mentioned, does the hon. Gentleman accept that although immigration is a perfectly legitimate subject for debate—no one is suggesting otherwise, certainly not myself—there should be particular care in the coming general election about how the debate is conducted? It must be very far from the BNP. If we are talking about discrimination and the persecution of Jews, we must bear in mind that as we saw in Stoke last Saturday, there are also other groups in this country who are subject to racist thugs who will use any sort of lie against the Muslim community.

**Robert Neill:** The hon. Gentleman is right. That is why it is important first that the mainstream democratic parties are not afraid to address these issues, but also that we set a lead in the tone and responsibility with which we do so. That is hugely important. He is quite right that issues are sometimes hijacked by extremists—we have seen the operations of the English Defence League as well as the BNP, and it is right that we are vigilant against extremism of all kinds.

I mentioned the work of the Holocaust Educational Trust, which many hon. Members have referred to. I am glad that we are able to do so. It was a Conservative Government who had Holocaust education introduced into the national curriculum in 1991, and I am glad that the current Government have enabled that work to expand and continue. My party will always continue to support it, as I am sure all responsible and democratic parties will. It is important that Holocaust education remains a part of the core history curriculum. As other hon. Members have said, I hope that other opportunities are taken to bring the topic forward within the curriculum as well. Some local education authorities ensure that it is addressed in religious studies, citizenship and other appropriate areas. It is important that every opportunity is sensibly and sensitively used, and I am sure that we all want funding for such schemes to be supported and continued, because education is crucial to all of us in dealing with these matters.

The Holocaust Educational Trust's outreach programme is crucial and central to its work. I have had the privilege of witnessing in some schools the profound impact that a survivor or someone with direct experience makes. The "Think Equal" scheme has been devised specifically for schools in areas of racial tension and it therefore deals to some extent with the issues that the hon.

Member for Walsall, North (Mr. Winnick) rightly raised. We should not limit the education to being about only one community. The scheme works with staff and educators to enable students to focus on the dangers of racism across the board, taking the Holocaust as an experience that leads to general application. Surely that, too, is commendable. The scheme also provides training for trainee teachers. It is hugely important that teachers are alert to the subject. Holocaust Memorial Day is therefore the visible part of a much wider, more significant and very valuable programme.

I hope that the good work that is done in schools will be reflected in some of our institutions of higher education. I greatly hope that we will continue to make the case to the university sector for adopting the EUMC—European Monitoring Centre for Racism and Xenophobia—definition of anti-Semitism and to deal appropriately with speakers who transgress.

There are still things that we can do practically to take the survivors' legacy forward. The students from Bullers Wood school in my constituency, with whom I had the privilege of travelling, were bright, intelligent young people and the experience played on their minds. One could tell that from talking to them on the plane coming back. That is why the programme is important and I am glad to say that more students from schools in my constituency and many others throughout the country will go this year.

My right hon. Friend the Member for Witney (Mr. Cameron) represented the official Opposition at the national commemoration yesterday. We are united in recognising the importance of Holocaust Memorial Day, and I echo my right hon. Friend's words that it is "vital that we teach generations today and in the future"

about what happened and the lessons to be learned. I am sure that all parties in the House wish to continue to support the work of the Holocaust Educational Trust and that we all appreciate the importance of Holocaust Memorial Day.

1.2 pm

**Mr. Andrew Dismore** (Hendon) (Lab): I am pleased that my right hon. and learned Friend the Leader of the House accepted my request for the debate, which has become an annual institution. Yesterday was the 10th national Holocaust Memorial Day commemoration. I take pride in the fact that I devised the parliamentary strategy that led to its being established. I do not take credit for the idea behind it, but for focusing the campaign to make it happen. That occurred after a visit I paid to Auschwitz with the Holocaust Educational Trust and the personal impact it made on me.

We all have our memories of a visit to Auschwitz and it is always something little that suddenly strikes us. What struck me, from the industrial scale of what I saw, were the piles of shoes and boots, from which every single shoelace had been removed by some poor slave labourer. That brings home the industrial nature of what happened.

I pay particular tribute to Rabbi Barry Marcus for his work. On the plane back from the visit, I thought, "What can I do as an individual to stop this happening again?" Having the privileged position of being a Member of Parliament meant that I had access to the private

Member's Bill process and parliamentary questions to push forward the idea of a memorial day on a cross-party basis.

The motivation was not just to draw attention to the visits to Auschwitz, but to reflect on what I picked up from my constituency. I have the biggest Jewish constituency in the country—one in five people are Jewish. The holocaust is in many ways a living thing in that community. Many debates, discussions and arguments about its implications for modern society go on. However, those discussions are introverted and go on among Jewish people, and I took the view that we needed to try to turn them outward to engage society as a whole. If there were another holocaust—please God, there will not be—it would not come from within the Jewish community, who would be the victims, but from wider society, as happened in Germany. It would come from people from my sort of background—an ordinary small town in Yorkshire or wherever, where there are not many Jewish people. That is why it is important to turn the debate outwards.

The idea was not to rival Yom HaShoah, the Jewish community's own commemorative day. There were arguments in the Jewish community about whether it was a good idea and what day it should be. The purpose was to educate and inform about the lessons of the holocaust, not just on one day, but to use that day as a focus for schools and communities throughout the country. Consequently, events happen throughout the country, including in my borough of Barnet, though, for the first time, I was not invited this year, which I found distressing. We see a lot on broadcast media. Wonderful documentaries have been made and there is good news coverage. Of course, tribute has been paid to the Holocaust Educational Trust, and I am pleased that the visits to Auschwitz are supported by grants from our Government.

As has been said, the holocaust was not about just the Jews, but the Roma and Sinti, gay people, disabled people and political opponents. I have had the opportunity of meeting holocaust survivors at the Holocaust Survivors Centre, which is part of Jewish Care and is based in my constituency. An estimated 5,000 survivors of the camps or refugees live in the UK now, but they are, inevitably, a dwindling band. Indeed, I spoke to the chap sitting in front of me, who was a holocaust survivor, at the ceremony yesterday and he told me that seven of his friends had died in the previous year.

I pay tribute to Judith Hassan, Jewish Care's director of services for holocaust survivors and refugees, and her staff for the work of the Holocaust Survivors Centre. It provides a social centre for survivors, practical advice, befriending and, most important, a recording of testimonies. As survivors age, it is vital that their legacy is recorded. The imaginative legacy of hope means that those testimonies must live on.

We have all heard the moving stories of many prominent holocaust survivors—Ben Helfgott, Gena Turgel and others, who do such magnificent job going around schools—but talking to those who perhaps do not have the same confidence or are less prominent, such as the chap to whom I spoke yesterday, also sends out the message.

Like my hon. Friend the Minister, I visited Poland with the Holocaust Educational Trust and the all-party group on anti-Semitism. We went to Warsaw and Majdanek. As my hon. Friend said, in Warsaw, we saw

the effort not just to eliminate the Jews, but to obliterate all memory of them. The first thing we saw were tram tracks going nowhere in the middle of a wasteland. Our guide said, "Before the war, this was the Warsaw equivalent of Oxford street." It had been completely obliterated. We have heard of the ghetto uprising—the first civilian uprising against the Nazis. The Jews were outnumbered 1,000 to one, and the Germans' technological advantages were enormous, but they held out for nearly a month—27 days in 1943—to make the point that there were people who were prepared to resist.

My hon. Friend the Minister mentioned Oneg Shabbat, the extraordinary archive—the secret archive, which was inspired by Emmanuel Ringelblum, a holocaust victim, to ensure that the memory of the Jewish community lasted. Those people had no way of knowing whether the milk churns would be found, or whether they would be found by the Germans and destroyed, but that was their legacy of hope. In Emmanuel Ringelblum's words:

"It must all be recorded with not a single fact omitted. And when the time comes—as it surely will—let the world read and know what the murderers have done."

I also had the opportunity of meeting Elie Wiesel when he came to receive his honorary knighthood. He said that

"hope without memory is like memory without hope."

On our visit to Poland, we went to villages where all traces of the substantial majority Jewish population have been eliminated—completely wiped out. In one village, we found the synagogue down a back street, locked up and now used as a store room. The grave stones had been dug up and used to pave the roads. Some had been recovered and turned into a moving and poignant memorial in the forest some distance away from the village.

As my hon. Friend the Minister said, we visited Majdanek on the outskirts of Lublin. The Polish people must have known what was going on there; they were pretty powerless to do anything about it. We visited the Parliament in Warsaw, and what brought matters home to me there was the memorial to hundreds of Polish Members of Parliament who had been murdered by the Nazis. Those who had not been murdered by the Nazis were killed by Stalin. That brings it home that if it had happened here, none of us would have survived because the intention was to eliminate the leadership of the country.

It was interesting to talk to the Chief Rabbi in Poland—an American rabbi who had gone to live there—and hear how children of the holocaust who had been adopted by Polish families and become Catholics, because that was predominant religion in Poland, were now rediscovering their Jewish heritage and looking into their backgrounds and families.

I pay tribute to the Yad Vashem "The Guardian of the Memory" scheme, which I launched in Parliament two years ago on 23 January 2008. The idea behind it is for us all to take on the responsibility of remembering a victim of the holocaust and light a candle on Yom HaShoah. I asked Yad Vashem whether it could identify victims of the holocaust who were MPs, and it came up with 12 names, whom we paired with living MPs. I chose Itzhak Seiakis who was a Greek MP—the whole House knows that I am quite interested in Greek affairs and speak Greek. Seventy-seven thousand Jews lived in

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Greece before the holocaust; 60,000 were murdered. All we knew about Itzhak was that he was born in 1882 in Larissa and died in 1942 in Auschwitz. Rather than just light a candle, I felt it was incumbent on me to find out more about him and to turn him into a person, as it were, in memory.

Using my connections in Greece, I was able to establish that his family in Larissa were merchant tailors, originally from the island of Khios. He had been educated to a high level, probably in either Athens or Istanbul. He moved to Thessaloniki, where he became a Member of Parliament and director of the community charity organisations of the city. He was arrested along with the rest of the panel of the directorate on 14 April 1941 only six days after the Germans invaded. After a few weeks in prison in that city, he was deported to Auschwitz, where he died in 1942.

My researches enabled me to identify a living relative, Alberto, who was living in an old people's home in Thessaloniki. He did not speak any English, so I had to try to make contact with him in Greek, but unfortunately he died weeks before I was able to do so. I regretted that I had not been able to find Alberto Seiakis's legacy of hope and hear his story, and fill in the gaps about Itzhak.

For me, that was about trying to build on that legacy of hope—learning about people whom it is difficult to find out about. We can easily find out about prominent people, but the people who are not easy to find out about make up the 6 million Jews and the 11 million victims. Every single one was a real living person. When we talk about the telephone numbers of people who died, it is easy to forget that each was an individual person with their own family, hopes and aspirations, all of which were snuffed out by the Nazi holocaust.

Have we achieved very much? There are still many outstanding issues from the holocaust—holocaust restitution, for example. Only last year, Parliament unanimously passed the Holocaust (Return of Cultural Objects) Act 2009, which I introduced as a private Member's Bill. It will come into force in a few days' time so that we can close yet another chapter in the holocaust and enable people to reclaim their looted works of art.

Has Holocaust memorial day achieved the objective we originally set out for it 10 years ago? There is no doubt that there is a much wider knowledge of the holocaust now than 10 years ago; that the holocaust features in our school curricula much more than it ever did; that Holocaust memorial day has provided a focus for communities to come together to talk about the holocaust; and that it has provided an opportunity to confront those Holocaust deniers such as the British National party, as we saw with Nick Griffin on "Question Time".

Holocaust memorial day has also, indirectly, brought alive the holocaust for the Armenians, although they are not commemorated as part of the process. However, it has not prevented the genocide in Darfur. We remember Rwanda, Bosnia, Cambodia, East Timor and all the other genocides that have taken place since 1945, but genocide is still with us. We must remember, through Holocaust memorial day, that there is still an awful lot more for us to do if we are ever to eliminate genocide from our planet.

1.13 pm

**Mr. Paul Keetch** (Hereford) (LD): I join the whole House in marking this day and pay tribute to the hon. Member for Hendon (Mr. Dismore) for his personal effort over many years to ensure that the House and Parliament mark this important day.

The Minister and the hon. Member for Bromley and Chislehurst (Robert Neill) mentioned the BNP, and I add my condemnation of those Nazis. What I find particularly distasteful is its use of the Union flag to promote its vile and outrageous policies. The House and the whole country acknowledges that. My father fought in the war, in the Royal Air Force, and my mother was a nurse in the war. For all who fought Nazism in Germany, Italy and other parts of the world, I find the BNP's parading of the Union flag in that way quite repugnant. We should be concerned about that.

We have Holocaust memorial day for two reasons, the first of which is to remember. We remember those 11 million people and 6 million Jews, the intellectuals, Gypsies, liberals and communists—people whose only crime was an accident of their birth or their views. They were not combatants or soldiers and they were not fighting a war; they were innocent men, women and children. As has already been described, they were slaughtered in an industrial way—it was not a frenzied killing or a knee-jerk reaction, but a cold calculated, brutal act of genocide.

It marks—I suppose—the low point in human existence, because the people who did it were led by an elected Government and people who were in other ways intelligent, sensible and rational. Yet because of their hatred for certain sectors of society, they were able to perpetrate that crime. We should never forget the basic fact that it was done in our world, in our continent.

The second reason why we should mark Holocaust memorial day was given by George Santayana:

"Those who cannot remember the past are condemned to repeat it."

Sadly, as colleagues have already said, the holocaust that occurred in Nazi Germany, though bigger than almost any we have ever seen, was not the last. We have seen genocides in East Timor, Cambodia, Tibet, Burma, Bosnia, Ethiopia, Rwanda and Darfur—the list is very long—and we must never forget that we have an ongoing role in our lives, in our Parliament and in our communities to ensure that people remember what has happened and that they do not let it be repeated.

For that reason, I too congratulate the Holocaust Educational Trust, Karen Pollock and Lord Janner on the magnificent job they have done in getting the importance of listening and understanding across to young people, who perhaps do not have the same connection that some hon. Members have with those who fought in the war or who remember directly. I have not been on one of the trips to which hon. Members have referred, even though I have been invited on a number of occasions. I would like to go—even if saying that I would "like" to go sounds crazy. Sincerely, it is obvious that those who have been have found great strength. Children from my constituency have been on the trips, and it has brought home to them what happened.

I pay tribute to those from this country who tried to do something—the Kindertransport has been mentioned. We should not forget the people in this country who

tried to do something before the outbreak and in early stages of war. The British Committee for the Jews of Germany and the Movement for the Care of Children in Germany pushed through the idea that children from Germany and the occupied territories of Austria and the Czech lands should be able to come to this country. The first transport arrived on 2 December 1938 and the last left Germany in September 1939, just before the outbreak of war. Indeed, the last transport from the Netherlands to this country left on 14 May 1940, the very day that the Netherlands surrendered.

Between 9,000 and 10,000 children came to these shores, 7,500 of whom were Jewish. It was people such as Sir Nicholas Winton who organised and facilitated that. Ordinary families from all over the United Kingdom took those children in. Those children made huge contributions to our society, and we should not forget them or the people who looked after them.

It is almost impossible to say anything new about the holocaust. The spirit to which the Minister referred led to so much good writing and eloquence, which, frankly, none of us in this House can match. I conclude by remembering the words of Pastor Niemöller. As a German in 1946, he reflected on the fact that he and others did not come and raise their issues and concerns. In 6 January 1946, he said:

“First they came for the communists, and I did not speak out—because I was not a communist;

Then they came for the trade unionists, and I did not speak out—because I was not a trade unionist;

Then they came for the Jews, and I did not speak out—because I was not a Jew;

Then they came for me—and there was no one left to speak out.”

Today, in this Chamber, we are marking the fact that we remember. We should not let it happen again.

1.20 pm

**Mr. Tony McNulty** (Harrow, East) (Lab): It is a pleasure, if that is the right word, to speak in this debate in this place. As my hon. Friend the Member for Hendon (Mr. Dismore) suggested, we have had a role in these events through history, however small. Let me just point out to the hon. Member for Hereford (Mr. Keetch)—I had a row with Michael Heseltine about this once—that the Nazis were not elected. They never secured a majority. It was the foolishness of the Deutsche Zentrumspartei and the German Conservative party—no partisan point intended—that allowed Hitler and the Nationalsozialistische Deutsche Arbeiterpartei into power. They were never elected. That may be a small point, but I make it.

It is instructive, too, to look back in *Hansard* and read the 1937-38 debates on the emergency in Europe that led to the Kindertransport initiative. Many strong speeches were made saying that we must do something, but there were also those which asked what it had to do with us. Let us remember that this was at a time when the Prime Minister of the day, Neville Chamberlain, wrote—I do not have the exact quotation, but I cited it on the 70th anniversary of the Kindertransport—that the Jew, although rather shifty was not terribly unpleasant and we should probably do something to help them. That was the Prime Minister in 1937-38.

When my hon. Friend asks whether national Holocaust memorial day has been successful, my answer is that that is debatable. I recently did a question time with

others at a synagogue in my constituency, and some of the questions asked revolved around the issue of whether it was safe for British Jewry to remain in Britain. The answer is profoundly yes, with qualifications, but if people have to ask that, we have some way to go. Why do we remember? It is for two reasons. First, we must never forget, but secondly, we must never repeat. The two go hand in hand.

Why do we remember the Shoah, the holocaust, more than any other historic event? It is because of its banality, its normality and its extraordinary ordinariness. It is because of the mechanised, industrial scale on which a state's decision to eradicate a race was carried out. We should not equivocate in comparing atrocities, but that mechanistic and industrial nature is unprecedented, and that is why we remember it and should continue to remember it. As the survivors fade away, we have all the more reason to remember. That is why I endorse what everyone has said about the Holocaust Educational Trust. I went to Auschwitz-Birkenau with my hon. Friend in 1998 or 1999, as he said, but as even Kindertransport survivors fade away, we should remember all the more. That is why this debate is important.

The main point that I wish to make is that you cannot equivocate on this issue. You cannot say that you are doing all you can to avoid a subsequent holocaust if you let things slide or pass. I say that not as a partisan point: I genuinely mean it. You cannot indulge Kaminski, given his past. You cannot indulge people who dabble with the history of the Latvian Waffen SS and claim, “That's okay, we don't really mean it and we'll gloss over their history.” You cannot do that and mean it when you say, “Never again.” The lesson of national Holocaust memorial day must be that you cannot be just a little bit anti-Semitic. You cannot be just a little bit of a holocaust denier, and you cannot be just a little bit in support of terrorism.

**Mrs. Villiers:** The hon. Gentleman discredits what were very moving remarks by making a partisan point and perpetuating falsehoods about the allies of the Conservatives in the European Parliament.

**Mr. McNulty:** The hon. Lady misses the point: it was not a partisan remark. I simply say that she should look at the history. I repeat my point: if Holocaust memorial day is supposed to be about “never again” as well as remembering, we cannot equivocate.

It is a disgrace that at any stage since the inception of national Holocaust memorial day the Muslim Council of Britain has boycotted it. I have said that to its members' faces, so I am not saying anything here that I would not say to them. It is very disappointing that Dr. Abdul Bari decided that Davos was more important than attending the commemorations. That is a matter of profound regret, given the nature and sensitivity of the day. Someone else from MCB attended in a personal capacity, whatever that means, and a rather junior person attended in Dr. Bari's stead. That is a matter for regret for MCB, as well as for the unity that we all seek.

We cannot say “never again” and then indulge Ahmadinejad, the holocaust denier, or others. During the demonstration in London last summer—I was not on it, but I passed it—I saw genuinely sincere people holding banners saying, “We are all Hezbollah now”. That made me weep when I saw it. But the leader of that

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movement thinks that all Jews are the grandsons and granddaughters of pigs and monkeys, he is a holocaust denier and he wants to push Israel into the sea. That is not to say that Israel is above criticism, but that is a different matter. We cannot as a Government or a country equivocate on those points. You cannot be a little in favour of terrorism and fully support national Holocaust memorial day. You cannot, as al-Qaradawi has done, condemn 7/7 here but then say that our little children bombers in the west bank and Gaza will take on Israel because it is a war state and there is no such thing as an Israeli civilian. You cannot equivocate on such matters: you have to condemn, and you have to condemn harshly.

When I talked to the British Board of Deputies early in the consideration of my hon. Friend's Bill to introduce a national Holocaust memorial day, I said that part of the purpose was to remind people that "never again" meant exactly that. As other hon. Members have said far more eloquently than I could, we have not held to that. If we slip and indulge other people and their ideologies simply because that makes things easier for us, we will fail in ensuring that it never happens again. We should, of course, engage with all communities, including the Muslim Council of Britain, but we should do it in terms that leave people in no doubt about our collective values. That includes condemning anti-Semitism and all forms of racism. If we slip on that just a little or if we tell people what they want to hear rather than what they should hear, we fail. We fail not only as a Government, but as a nation and as parliamentarians.

The substantive point behind national Holocaust memorial day was, of course, never to forget, but—and this is where we have our failings—it is also about ensuring that it is never, ever repeated in any form, but certainly in that mechanised, racist and ethnocentric form. We are in better shape now than we were, but we are being a tad complacent if we think that somehow, 10 years on from the first national Holocaust memorial day, we have done the business and there will never be another holocaust of any description. I hope that that is right, but that legacy of hope is what we build on and hope that it is not formed of eggshells.

1.29 pm

**Mr. Lee Scott** (Ilford, North) (Con): Let me start by paying tribute to Karen Pollock and the Holocaust Educational Trust for the work that it does under her inspirational leadership, not only in our schools, but on the trips to Auschwitz. Over a number of years I have visited Babi Yar, just outside Kiev in Ukraine, to which the hon. Member for Walsall, North (Mr. Winnick) referred earlier, and Theresienstadt in the Czech Republic, as it now is, but in all honesty I had always put off visiting Auschwitz. I had been invited by the Holocaust Educational Trust on many occasions and had chosen to find a reason, which comes from my history. If my grandparents on both sides had not decided to come to this wonderful country, they would have perished in the holocaust and my parents would not have been born, and I certainly would not have been born.

I went to Auschwitz on a quite cold Thursday morning with a plane full of wonderful young people, who will be our future. No matter how hard I tried, I was not prepared for what I experienced. I did not think I would

react in the way that I did, and probably not a day has gone by since October, which is when I went, when it has not played on my mind. Of course I knew what happened in the holocaust. Like the hon. Member for Hendon (Mr. Dismore), I have a very large Jewish community in my constituency. We can dispute who has the largest—[*Interruption.*] We will dispute that on another occasion; none the less, I have a large Jewish community and I am Jewish myself, so I was fully aware of what happened in the holocaust. I pay tribute to the hon. Gentleman and the work he has done, and also to my good friend Lord Janner.

Like others, when I got to Auschwitz, it was the little things that affected me. For me, it was seeing the children's shoes at the start. The last time I had cried before then was on the birth of my daughter, who is now 21, but I am not ashamed to say that it was the first time I had cried since then. The experience had an effect that I cannot really put into words. We went round Auschwitz and saw the crematorium, and as we were above the railway lines where evil people decided who should live and who should die and that children should be dragged away from their parents and murdered, I was honoured to be asked to read a poem. However, I did not make it through the poem. I cried for a second time on that visit, and at one point I could not stop myself. Was it because I felt that, but for a quirk of fate, it could have been not me, but my grandparents standing on those railway lines? I am really not sure.

As we walked round with the young people, they asked me, "What can we do to stop this happening? How can we make a difference?" I said to them, "It's happening today. There are people out there who would do exactly the same today, whether to Jews, Muslims or any other minority group, because hatred is a terrible thing, and hatred without even knowing why you hate someone is even worse." After I was elected to this House, I received a phone call at my home from someone who said, "You dirty Jew. We're going to burn you to death." I obviously cannot tell the House who it was from—because I do not know—but hatred has not gone away.

We owe it to ourselves never to forget. That is why I pay tribute to the work that the Holocaust Educational Trust and others do. If we are so honoured in the coming months, I would like my party—I say this from the Back Benches, but I have asked this of my party directly—to extend the programme, so that more and more young people can go and see what happened, because out there the years go by and people do not grasp the enormity of what happened.

I should like to pay tribute to a few people in my area. Yesterday morning we stood in a quite cold holocaust memorial park, which we have built in my borough of Redbridge. I commend Councillor Alan Weinberg, who was one of the movers behind that, and Leon Schaller, who, along with others, contributed funds for the park. As Rabbi Sufrin said prayers, we stood with children from King Solomon high school and people from all different communities and religions, and we remembered. We also heard from a holocaust survivor—there are obviously fewer and fewer survivors as the years go by. I was again moved, as I am every day on Holocaust memorial day.

It is a strange thing to describe, but when somebody says, "You went to Auschwitz. What was it like?" I have to say that I was very disturbed. I want to finish with

what disturbed me the most. There were TV screens as we came in after landing at Luton airport. “Question Time” was on, and that vile man Mr. Griffin was on TV. The things he comes out with—yes, they will be dressed up to be just the right side of the law and yes, he will not actually say what he truly means—are there to divide us. I just hope that this wonderful country that we live in—and it is a wonderful country—will realise that.

**Angela Watkinson:** My hon. Friend has just described what disturbed him most. What disturbed me the most—he will have seen this for himself at Auschwitz—was how the whole thing was justified by the Nazis to themselves. They convinced themselves that they were not doing anything wrong. He will have seen the accommodation for the officers who ran Auschwitz—it was where their wives and children also lived—which was no more than a stone’s throw from where the prisoners were kept. The people living there could not possibly have not known what was going on, so there must have been a mindset behind it all that convinced them it was justified and that they were not doing anything wrong. That was the most dangerous thing.

**Mr. Scott:** Yes, that is perfectly correct. The commandant and the other staff lived in close proximity to where people were being gassed. There is no way that their families did not know what was happening, but my hon. Friend is right: they convinced themselves that it was okay.

I return to my previous point: I hope that the people in our wonderful country will realise that, whatever they choose to do, the gentleman whom I have mentioned and what he represents are not the way to go.

**Mr. Jim Cunningham:** As I said earlier, I went to Auschwitz about 20 years ago. People can read about it or see films and documentaries about it, but it is only when they go there and see for themselves the horrendous thing that happened in Europe in the run-up to and during the second world war that they understand. We should also pay tribute to those who took on the Mosleyites on the streets of London in the ’30s, because they were courageous people as well.

**Mr. Scott:** Again, that is absolutely correct.

Many more people want to speak in the short time we have left, so I would like to finish by again thanking the Holocaust Educational Trust for the privilege of that experience. Even though it disturbed me and even though I think about it every day, it is right to do so, because if we do not think about it, history can repeat itself, whatever group it might be. We are duty bound to ensure that that never happens again.

**Several hon. Members** *rose*—

**Mr. Deputy Speaker (Sir Michael Lord):** Order. Before I call the next speaker, let me remind the House that we have approximately 20 minutes left in this debate. Three hon. Members are seeking to catch my eye, so perhaps all three will bear that in mind when making their remarks.

1.38 pm

**Mrs. Louise Ellman** (Liverpool, Riverside) (Lab/Co-op): It is encouraging to see how Holocaust memorial day—set up 10 years ago following the work of my hon. Friend the Member for Hendon (Mr. Dismore) with all-party

support—has become so much a part of the calendar and the life of this country. However, it was never intended that Holocaust memorial day should be the sole way in which the holocaust should be remembered. Indeed, its remit was not only to commemorate the unique evil of the holocaust, but to learn lessons from that for other genocides and the prejudice and hatred in the whole of our society. It is because remembering the holocaust and learning the lessons from it need action all year round that the work of the Holocaust Educational Trust, which was founded by Lord Janner and the late Lord Merlyn-Rees and of which I am a council member, is so important.

Last week I was privileged to take part in the Merlyn-Rees memorial lecture, organised by the Holocaust Educational Trust. There were three aspects of that event that underline the importance of holocaust education in its broadest sense throughout the year. Students from the “Lessons from Auschwitz” programme participated in that event, and talked about how their personal experience of visiting Auschwitz-Birkenau had greatly affected them and, even more importantly, led them to bring back the message about what had happened there to younger people, so that they too could learn the lessons. A reminder of the current pervasiveness of anti-Semitism was brought home very clearly by the hon. Member for Surrey Heath (Michael Gove), and I commend his excellent work in this regard, which takes place all year round.

We also listened to a presentation by Efraim Zuroff, from the Simon Wiesenthal Centre. He spoke of the importance of bringing Nazi war criminals to trial. It is important to do that to ensure not only that such people are brought to justice, but that young people today can be educated about what happened in the past. It is chilling to discover that, even now, countries such as Austria and Lithuania resist bringing war criminals to trial despite solid evidence of their complicity in mass murder. That should not be allowed to continue.

We should also look at what is happening in the United Kingdom today. The excellent work of the Community Security Trust has revealed record levels of attacks on British Jews. More than 609 incidents were recorded in the first six months of 2009, and increasing numbers of such incidents are linked with events in the middle east. There is an uneasiness across the Jewish community in this country that has not been felt for generations, and that should be a matter not only for that community but for the whole of our society. British Jews are loyal citizens of this country. They participate in and contribute to all walks of life, yet they feel increasingly uneasy and threatened in their own country.

We should also be concerned about the messages of hate that emanate from various sources, including the internet. We are familiar with the messages of anti-Semitic hate from organisations such as the British National party. We are all aware of those, and we are rightly ready to condemn what those organisations are doing. But are we as ready to condemn the anti-Semitic messages of hate that come from Islamist jihadist sources? They are present in our society, on our university campuses and on the internet.

Are we willing to condemn internet sites such as Hamas’s al-Fateh website, which are preaching to British children at this moment messages such as the one in a column entitled “Stories of Uncle Izz al-Din”? The column depicts the Jews

[Mrs. Louise Ellman]

“as if they are wolves whose eyes blaze with evil, evil fills their hearts...They are indeed the murderers of the prophets”.

Should we allow such a website, with its cartoon headed “Criminal Jews” that depicts a person who is half Israeli soldier, brandishing a gun and with teeth bared, and half stereotyped diaspora Jew, with a skull cap and a big nose, grasping for money? Is it right, as we commemorate Holocaust memorial day, that that internet site should be able to broadcast such messages of hate to children in this country and elsewhere in the world? I am told by the Home Office that it is considering whether there are grounds to stop the website on a voluntary basis. It should make its mind up quickly about that. If we are serious about stopping these messages of hate, we must think not only about the BNP but about Islamist jihadist sources of hate as well. That website is one of them.

Holocaust memorial day has never been only about what happened in the past, however horrendous and uniquely evil that was. It has always been about the present and the future as well. It is about learning the lessons of the past for present and future generations. When we talk about the Holocaust memorial day and remember that yesterday’s commemorations focused on the message “The Legacy of Hope”, we should renew our determination to fight hatred, prejudice and bigotry wherever we find them, so that we can create a society that is happy, acceptable and fit for everyone.

1.45 pm

**John Mason** (Glasgow, East) (SNP): The Holocaust Educational Trust makes it clear that the people who suffered during the holocaust included gays, blacks and Roma Gypsies as well as, overwhelmingly, Jews. I must admit that I did not know much about the trust until I was invited to go last September to Auschwitz-Birkenau with a group of Glasgow pupils, along with the hon. Member for East Dunbartonshire (Jo Swinson) and some journalists. It has already been observed that these journeys involve a day of preparation before the visit itself, and a debriefing and school projects afterwards.

Different things affect different people individually on these visits. For one of the journalists, what struck him was the shoes. He told us that he had a little girl, and he realised that some of those shoes would have fitted her. I was challenged in a number of ways. One related to the position of the Roma Gypsies in our society today. They are a group that some people really despise and would not want living next to them. The visit brought it home to me that those feelings are continuing today and are real.

The physical aspect of the visit that struck me was the railway. Some Members will know that I am a fan of railways and that I like travelling by train. Clearly, railways are used sometimes for good things and sometimes for bad things, but to see the railway in the Birkenau camp, which had been specifically built to kill people, struck me as particularly awful. It was built to get the Hungarian Jews into the camps as quickly as possible, quite late in the war. The last thing I did that day was to walk right along the track back to the famous gate.

I have visited other sites that I have found moving, including Terezin, near Prague. It was meant to be a transit camp, but 33,000 people died there, including

prisoners of war, which should not have happened. In Israel, I visited Yad Vashem. The children’s memorial there is a dark place with mirrors and a few lights, and the names of the children who died in the holocaust are read out. I found that quite overwhelming. It is also possible to visit ghettos and synagogues in other towns.

The Jews were not the sole victims of the holocaust, but they were largely so. The Holocaust Educational Trust is very good at reminding us that we should oppose all discrimination against all minorities and promote understanding and good relationships. It was a good by-product of our visit to see the children from some very well-off private schools in Glasgow mixing with children from ordinary state schools and, hopefully, understanding each other.

The Jews have suffered a lot, historically. Back in biblical times, they were treated as slaves in Egypt. They were expelled from Rome during the Roman empire. In 1290, England became the first European country to expel the Jews, and that lasted until 1656. Clearly, I am not a fan of Edward I, for a number of reasons. It was interesting that he expelled the Jews, largely for financial reasons, and that Cromwell brought them back for similar reasons. They were expelled from Spain in 1492, and from Portugal in 1497. It has been said that Scotland is the only European country not to have exercised state persecution of Jews, although there was not a large Jewish population there in the past. Also, I went to the cinema recently with a Jewish friend, and youngsters in the cinema were making anti-Jewish comments, so none of us is exempt from that kind of thing.

As time is limited I shall not go into great detail, but I want to raise the question of why the Jews are the subject of so much hatred historically. There are some superficial reasons such as that the Jews killed Jesus, but, fairly obviously, Jesus was Jewish, all Jesus’s early followers were Jewish, and the whole early Christian Church was Jewish. One can say that gentiles such as me who follow the Christian faith are the second-rate believers, and the Jewish ones are the first-rate believers.

What are the lessons to be learned from the holocaust? One is that we need to be peacemakers, not just peacekeepers. As previous speakers have mentioned, it is difficult to separate the Jews from Israel. Clearly, some Jews are opposed to the current existence of Israel, and many are opposed to particular policies of the Israeli Government. I fear that for some people being anti-Israel on the surface is a cover for being anti-Jewish underneath. Among committed Christians, there are those who are pro-Arab, pro-Palestine and anti-Israel, and others who are strongly pro-Israel and seem blind to its failings.

**Mr. Winnick:** Will the hon. Gentleman give way?

**John Mason:** Another Member wishes to speak, so I will have to carry on.

On the home front, we need to learn how to treat minorities—including the Jewish one—and the poor. That is a measure of a civilised country. The Equality Bill is important in that regard, and I welcome its protection of the disabled, of gay people and of other groups. However, it is necessary to be careful about how the Bill addresses religious matters. On the foreign front, the lesson to be learned is how to deal with the middle east. It is easy to be a strident supporter of one side or the other, but surely one role for this country is to be a peacemaker in the middle east.

1.51 pm

**John Mann** (Bassetlaw) (Lab): I refer the House to my entry in the Register of Members' Financial Interests. In that context, I want to place on record all our thanks for the work of Elliot Conway, who has just moved on to greater and better things, having been for a number of years an effective director of the all-party parliamentary group against anti-Semitism. In the past year, I have also chaired the international parliamentary coalition against anti-Semitism. Yesterday, Italy commenced a comparable inquiry to that held by the House on a cross-party basis three years ago, and Canada has also held a cross-party inquiry throughout this week. The cross-party nature of the work and some of the successes achieved have been demonstrated by today's debate. I trust that all parties will ensure that, whatever decisions are made on budgets, such essential work is red-circled at a minimum, in each and every year of the next Parliament.

I also urge those on the Front Benches to consider how they can assist the excellent work of Beth Shalom, the only bespoke holocaust centre in this country, which has sadly had to make some staff redundant in recent times. Local authorities have been unwilling to pay what I would deem an appropriate charge to participate in such educational activities. Engagement by Government and Opposition with James Smith and the team at that centre would be beneficial. In these times of austerity, it is important that such work is not cut back but expanded. There is a role for temporary Government assistance to keep that good work going at the same strength.

I echo the sentiments and thanks expressed to the Holocaust Educational Trust, the Community Security Trust, Stephen Smith and his team, and the Holocaust Memorial Day Trust committee. I congratulate both sides of the House on the cross-party alliance on the matter during this Parliament. It has been a model for other Parliaments across the world to take forward such work. I want to suggest some other ways in which we can take the work forward.

In 2012, Olympic year, we should do something, whether in connection with Holocaust memorial day or

in some other way, to look at the contribution of Britain in 1948, why Britain was chosen to host the Olympics, and how racism and the holocaust link to the history of the Olympics. There is a British angle, not least in relation to holocaust survivors in this country who became Olympians, that is a worthy subject for education. I suggest that to the Government and Opposition parties as an agenda item for the next two years.

Just before the Olympics, the Euro 2012 championship will take place in Poland and Ukraine. I do not have the necessary time to go into some of the issues in eastern Europe and the rewriting of history led by academics in particular—the rebalancing of history, as some of them call it—but it is fundamentally worrying. If possible, on a cross-party basis, we should engage their Parliaments on the issue. That football championship, in which all four home countries aspire to participate if they are successful in qualifying—doubtless some will, not least England—gives an opportunity for such engagement. It is vital that we take that opportunity.

We also need to engage the European Union as an institution in holocaust education. Given some of the progress of the past 10 years, since the initiatives of my hon. Friend the Member for Hendon (Mr. Dismore), backed by others, we have something to sing about. We can do more at the European level. We should engage the European Union, the new European Parliament and Commission, and Britain should take a lead in the Council of Ministers in getting proper resource and thought and more research at a European level and across nations. That will allow holocaust education and the lessons of the holocaust to permeate a wider range of countries. That is our responsibility as British parliamentarians as well as good Europeans, and I recommend that to those on both Front Benches.

On days such as yesterday, we reflect on the past—

1.58 pm

*One and a half hours having elapsed since the commencement of proceedings, the motion lapsed (Standing Order No. 24A).*

*Sitting suspended (Standing Order No. 20).*

## Leeds City Council Bill

*Motion made (Standing Order No. 204A)*, That the Bill be read the Third time.

**Madam Deputy Speaker (Sylvia Heal):** It may be helpful if I draw the attention of the House to the fact that the Leeds City Council Bill and the Reading Borough Council Bill are virtually identical, and I think it will therefore be for the convenience of the House if the Bills are debated together.

3 pm

**Mr. Paul Truswell (Pudsey) (Lab):** I beg to move, That the Bill be now read the Third time.

I do not intend to detain the House with a very long speech. I hope that even the most assiduous students of the Bill will now be satisfied that it addresses a major abuse of the peddling laws in Leeds, while not affecting the ability of genuine pedlars to continue to ply their trade.

In a previous debate, I gave the example of one of my constituents who ran a stall in the centre of Leeds. He employed staff, had a street trading licence and paid taxes and business rates. His business and staff were nearly driven to the wall by a competitor who abused legislation on peddling by setting up in direct competition. Of course, he was able to do so without paying any of the overheads of my constituent. The Bill is intended to give the authorities in Leeds the opportunity to prevent such abuses from occurring while allowing genuine pedlars who are mobile and can carry their wares around with them to continue to trade unaffected.

3.2 pm

**Mr. Christopher Chope (Christchurch) (Con):** It is a pleasure to follow the hon. Member for Pudsey (Mr. Truswell), who made a commendably brief speech. The reason why I will be similarly brief is that when Leeds city council realised that I and a number of other Members were concerned about the contents of clause 5, it sought discussions. As a result of those discussions, the clause was amended significantly to the form in which we see it today. That form means that pedlars will be able to continue to act in Leeds city centre provided that they do not have goods anywhere other than immediately about their person. That means that they cannot have goods in a container or, particularly, in a trolley.

When I had my discussions with council officers from both Leeds and Reading, it became apparent that the real mischief that they wanted dealt with was people with large trolleys blocking up the town centre. They showed me photographs, which I looked at, and I thought that they had made a strong case. The current law means that before Bills are brought forward to restrict the rights of pedlars, the Government require a strong case to be made justifying them. I took the view that that case had been made out in Leeds and Reading, so I said that if the required amendments were made—we discussed the detail of those amendments, which are now incorporated in clause 5 of the Leeds Bill and a similar clause of the Reading Bill—I would allow the Bills an easy passage through the House. We have now reached Third Reading, and after the Bills get their Third Reading shortly, they will go to the other place.

I want briefly to set out what I want to happen in the other place because I hope that the Bills will be amended further. I know that pedlars also hope that that will happen. It is appropriate to deal with the Leeds City Council Bill first because Mr. Marks, one of the founding fathers of Marks and Spencer, was originally a pedlar in Leeds. There is an argument about whether he or his father was a pedlar, but in any case, if the father was a pedlar, the son may have been a hawker—the two categories are the same under the Bill. My hon. Friends and I have been keen to ensure that the Bill's ambit and application are reasonable and proportionate.

Clause 4 deals with provision of services. I do not invite the Minister to make a long speech, but I hope that he can explain the interaction between the services directive and clause 4 and the equivalent provision in the Reading Borough Council Bill. There has been much uncertainty after the implementation of the services directive at the end of last year. Although I spoke about the subject in some detail in an earlier debate, a closure motion was unfortunately moved, which meant that the Minister was unable to comment—I am sure that he was itching to do so. I therefore hope that if he comments on nothing else, he deals with that matter because it would be helpful to ventilate the information in the public arena and enable people to have a better understanding of what is happening.

Clause 5 and the equivalent in the Reading Borough Council Bill do not permit trading by pedlars with any wheeled vehicle, not even one that is no greater than 1 cubic metre in capacity. In that respect, the Bill and the Reading measure are different from the Bournemouth Borough Council Bill and the Manchester City Council Bill. Following an opposed Committee hearing, the latter Bills were amended to allow pedlars to have with them a wheeled vehicle no greater than 1 cubic metre in capacity. I know that some pedlars would like a similar amendment to be made in another place to the measure that we are discussing.

Clause 6 deals with seizure. The Bill and the Reading Bill require only

“reasonable grounds for suspecting that a person has committed” an offence before enabling an officer or a constable to seize goods. I am pleased that the equivalent provisions in the Manchester and Bournemouth Bills will be amended later this afternoon by amendments that I tabled and that have been conceded by the Bills' sponsors to change the necessity for mere “suspecting” to a requirement for “reasonable grounds” for belief. A whole series of amendments were tabled and I hope that, when the Leeds and Reading Bills reach the other place, they will be amended in a similar fashion.

In respect of clause 7, “Seizure of perishable items”, the Leeds City Council Bill and the Reading Borough Council Bill are different from the Manchester City Council Bill and the Bournemouth Borough Council Bill. The clause allows seizure of perishable items, which is not allowed under the Manchester and Bournemouth measures. I hope that that aspect of those Bills will be looked at in the other place.

I hope that similar amendments will be made to clause 8 of the Leeds City Council Bill, “Return and disposal of seized items”, as are going to be made to the Bournemouth and Manchester Bills.

We then come to clause 10, “Compensation where seizure unlawful”. Manchester and Bournemouth are

going to concede that it is reasonable to exclude the provision that means that goods can continue to be held even following acquittal, if there is an appeal—in other words, an appeal for judicial review. I took the view that the measure was rather oppressive and I am pleased that it is the subject of an amendment that will be accepted by Manchester and Bournemouth councils. I hope that the Leeds and Reading provisions will be amended in that respect when they reach the other place.

Probably the most significant concessions to be made later today by Bournemouth and Manchester relate to the fixed penalty regime, which is contained in clauses 11 to 14 in the Leeds City Council Bill and clauses 12 to 15 of the Reading Borough Council Bill. I tabled a lot of amendments to the equivalent provisions in the Bournemouth and Manchester Bills, and I am delighted that their promoters have told me that they intend to accept my proposals, which will result in the removal of all clauses relating to fixed penalties. I hope that similar amendments to remove the fixed penalty regime from the Leeds and Reading measures will be made when they reach the other place.

In clause 16, “Provision of information to authorised officer”, the Leeds City Council Bill contains a power that goes beyond those in the Manchester and Bournemouth measures. Because that is a distinct provision of the Reading Borough Council Bill and the Leeds City Council Bill, I hope it will be subject to detailed scrutiny in the other place.

The Leeds City Council Bill and the Reading Borough Council Bill are indeed pretty similar, but there are two differences. The latter deals with touting. The reasons for that have been explained to me by Reading borough council, but because it is a unique provision, I hope it will be the subject of detailed scrutiny when it reaches the other place. The same goes for clause 18 of that Bill, “Powers of community support officers”, in relation to fixed penalties.

I think there is going to be quite a lot of work for the other place in respect of the four Bills. They came to the House without having any petitions against them, but I am sure there will be petitions against them in the other place. I hope that as a result, there will be the usual detailed consideration of their contents.

What is so important about this—it is also why I am so pleased that the Leeds and Reading measures are at the top of our agenda today—is that both councils have negotiated with Members of the House who had concerns about the contents of the Bills.

**Mr. Humfrey Malins** (Woking) (Con): I remember sitting on the Opposed Bill Committee to discuss the Bournemouth Bill some months ago. During the course of that Committee, some of us sought to reach a fair compromise that looked after the interests of genuine pedlars, and from what my hon. Friend is saying, it appears that such a compromise has been reached.

**Mr. Chope:** I am sure that many genuine pedlars remain concerned about aspects of these two Bills, and some have suggested to me that without the ability to take some of their goods with them in a wheeled trolley or receptacle, even if limited to 1 cubic metre in size, their ability to operate will be significantly reduced. However, I accept that we should concentrate not on reaching the perfect solution, but on trying to find a reasonable compromise.

**Dr. Andrew Murrison** (Westbury) (Con): It is great that a compromise has been brokered. However, my hon. Friend referred to all the work that was done in the other place. Does he share my concern that there will be a lot of work for this place if some of the 410 local authorities are tempted to bring forward private Bills to deal with their local issues? Does he agree that we must do something to ensure that we have a form of legislation that will be permissive, to allow—

**Madam Deputy Speaker:** Order. The hon. Gentleman is straying wide. We are now on the Third Reading of these two Bills. Whatever happens in the future will have to be dealt with then.

**Mr. Chope:** The difficulty of reaching this stage on these Bills has deterred many other councils from bringing forward Bills that have not been thought through. I am sure that ultimately we will need a national solution, because otherwise it will take up an enormous amount of the time of hon. Members. There are other issues that we need to address.

**Mr. Edward Leigh** (Gainsborough) (Con): There was a recent case of a pedlar who was prosecuted because she had two milk trolleys stuck together. What would be the effect of the Bills on this lady? Would she be able to carry on trading?

**Mr. Chope:** If she had two milk trolleys stuck together and sought to peddle in the areas covered by these two Bills, she would not be able to claim that she was operating lawfully as a pedlar. If my hon. Friend had seen some of the pictures from the city centres in Leeds and Reading, he would understand why I accepted the amendments. The issue of permissible trolley size can be revisited in the other place, and I am sure that petitioners will attempt to make their lordships take a different view. I thought that the amendments to clause 5 of the Bills was a substantial step forward for pedlars' rights, compared with the highly restrictive regime that was originally included. That is why I accepted the amendments. The price that I have had to pay for doing so, on behalf of the pedlar community, is undertaking not to obstruct further the progress of the Bills through this House. I cannot give an undertaking on behalf of others, but I hope that my hon. Friend will respect that agreement so that these Bills receive a Third Reading. I hope that the reservations that he understandably still has can be resolved in the other place.

**Mr. Leigh:** So is my hon. Friend telling me that under the Pedlars Act 1871, not only would Mrs. Crofts, the woman who was prosecuted, have had to approach people, but she would have had to be carrying the stuff? Is that right?

**Mr. Chope:** Yes, she would have had to be carrying the goods on her person. I do not know what the goods were, but she could have had them in a tray, up her sleeves, in her pockets—

**Madam Deputy Speaker:** Order. I have allowed some latitude, but we are now straying rather wide of the Third Reading of the two Bills.

**Mr. Chope:** The last thing that I want to do is be led astray by my hon. Friend the Member for Gainsborough (Mr. Leigh). If more such Bills are brought before the House, he will have a chance to make similar points about them. However, for now let me say that I am content that the Bills that we are discussing should receive a Third Reading.

3.20 pm

**Philip Davies** (Shipley) (Con): I certainly do not intend to detain the House for long, but I want first to congratulate my hon. Friend the Member for Christchurch (Mr. Chope), who has done a sterling job on behalf of pedlars in this country. Whatever one's view happens to be on the merits or otherwise of the Bills that we are discussing, I am sure that everybody would commend him on how he has argued his case and won concessions as a result. I am full of admiration for what he has done.

Because of my regard and respect for my hon. Friend, I will certainly follow what he said about the further progress of the Leeds City Council Bill and the Reading Borough Council Bill. In many respects he is a very reasonable man; in fact, one could argue that on those two Bills he is perhaps far too reasonable a man. I am still concerned about a number of aspects of the Bills, some of which he touched on. He raised an important point about whether clause 4 falls within European directives that have been introduced since the Bills were brought forward. Like him, I await the Minister's response on that.

**The Minister for Further Education, Skills, Apprenticeships and Consumer Affairs (Kevin Brennan):** I would be more inclined to give that if I felt that there was some progress being made—as I felt there was a few moments ago—and if that continued.

**Philip Davies:** I am grateful to the Minister, but I hope that he will allow me to go through one or two other concerns that I happen to have about the Bills. Not only have my concerns been recognised by my hon. Friend the Member for Christchurch in our various debates on the issues, but in some cases they have been recognised by the promoters of these Bills and some of the others that we might come to discuss later.

I want to touch on the issue of fixed penalty notices, which are covered by clauses 11 to 15 of the Leeds City Council Bill. I remain nervous at the prospect of council officers having the power under the Bill to serve fixed penalty notices on people. It is perfectly clear from our debates that the local authorities concerned simply do not want pedlars in their cities. For council officers representing cities that clearly do not want them there under any circumstances to have the power to issue fixed penalty notices without, in my opinion, particularly strong safeguards is dangerous. We also face the ludicrous situation whereby clause 13 allows the council to fix the level of the fixed penalty notice. On the one hand we are giving the council a blank cheque to set the notice at a level that it feels is appropriate, whereas clause 14 pulls back from that and gives the Secretary of State reserve powers to reduce that fixed penalty notice where he considers it to be excessive. Why the Bill says that is beyond me. The Secretary of State must know what level he would consider excessive, so, rather than go through a ridiculous rigmarole whereby a council sets a fixed penalty, only for the Secretary of State to decide

that it is excessive, why can we not set the actual amount in the Bill so that we all know where we stand? It seems utterly ludicrous that we cannot do that.

**Mr. Chope:** My hon. Friend is making a powerful case in pointing out why the provisions relating to fixed penalties in the two Bills are unreasonable, oppressive and disproportionate. The good news is that the concerns relating to the fixed penalty provisions in the Bournemouth Borough Council Bill and the Manchester City Council Bill have been accepted by the promoters of those Bills, albeit late in the day. We can only hope that, when these two Bills get to the other place, their promoters will accept that these provisions should be removed. We could not have done what we did without tabling amendments. Having reached that agreement, however, I was unable to table amendments on Report because I might have been accused of delaying the progress of these two Bills.

**Philip Davies:** I accept that. I understand my hon. Friend's position on this, but I return to the point I made earlier: I think that he is being far too reasonable about these Bills.

The fixed penalty is supposed to be set at a reasonable level to cover the costs incurred by the local authority in issuing it. Clause 15, however, deals with how a surplus in an authority's accounts may be spent or applied. If a fixed penalty were set at a level that only covered costs, we should not even be talking about a surplus in the accounts. I worry, when I see such provisions in a Bill, where they might lead to. Perhaps the fixed penalties would end up being a money-raising measure for the local authority.

I want to concentrate on clause 4 of the Reading Borough Council Bill, which relates to ticket touting. The Culture, Media and Sport Select Committee, on which I have the privilege to serve, recently carried out an inquiry into ticket touting. I cannot see what a Bill about pedlars has to do with ticket touting.

**Mr. Chope:** I hesitate to interrupt my hon. Friend, but if he looks at the Bill, he will see that it is clause 11 that deals with ticket touting.

**Philip Davies:** My hon. Friend is entirely right.

I do not understand what ticket touting has to do with pedlars; these are, in many cases, separate issues. That point was conceded by my hon. Friend the Member for Canterbury (Mr. Brazier) when we debated the Canterbury City Council Bill. Indeed, that Bill's promoters agreed that the inclusion of such a provision was muddying the waters, and they kindly removed the relevant clause. However, the Reading Bill still contains such a clause. I perfectly understand the points that have been made about events such as the Reading festival—I know that that is a big event—but a Bill about pedlars should not be interfering in the wider issue of ticket touting.

As the Select Committee found, the secondary market for the sale of tickets is a perfectly legitimate market; it has never been considered otherwise. No one in this country has ever been taken to court because of it. One court case took place in Australia, and the ticket tout won. The Office of Fair Trading made it clear in its evidence to the Select Committee that the secondary market for tickets works in the best interests of the consumer. It does so because people who buy a ticket for an event that they subsequently cannot attend often

find that they cannot get a refund. The promoters of events often do not make provision for refunds. People who find subsequently that they cannot go to the event are therefore left with a ticket that they cannot sell on, and that they cannot give back to the promoter, who will not refund them. They have no option but to sell it to someone else, to get their money back or even make a profit. That is in the interests of people in Reading, who want to go to the Reading festival but subsequently find that they cannot.

Equally, people who were not sure whether they could go to the Reading festival when the tickets were issued for sale, and therefore did not buy a ticket, but then found that they could go to the event, would be unable, without a secondary market, to exercise their choice—nobody forces them to do it—to pay a perhaps inflated price at a later date.

**Mr. Chope:** Does my hon. Friend accept that the potency of his argument can be developed in another place, particularly if some of the people engaged in such activities petition against the Bill when it reaches the other place shortly?

**Philip Davies:** I accept what my hon. Friend says, but we might be in the ridiculous situation—I will happily give way to him if he can convince me otherwise—whereby a secondary market for tickets to the Reading festival, which is of interest to people across the country and perhaps even internationally, is available to people everywhere, including on the internet, except Reading. It seems perverse that the Bill's promoter should want to deny choice to the people of Reading, while allowing people in the rest of the country, and perhaps further afield, the opportunity to exercise such choice. Why should a Bill that is supposed to deal with peddling affect the legitimate secondary market, which works in the best interest of the consumer?

I accept the advice of my hon. Friend that such matters should not be delayed unnecessarily. I hope that the grave concerns that I have raised will be addressed in the other place, because the Bills will be better for the cities and towns concerned if such points are taken heed of. I am grateful to my hon. Friend for extracting the concessions that he has, but I wish that he had managed to extract further concessions.

3.33 pm

**Mr. Edward Leigh (Gainsborough) (Con):** I for one, I think along with my hon. Friend the Member for Shipley (Mr. Davies), am pleased that the Reading Borough Council Bill provides in clause 15 for the Secretary of State to have reserve powers in respect of the levels of fixed penalties. We look forward shortly to hear the Minister's comments, because we want councils to treat their powers circumspectly and to remember that pedlars often trade on a very small scale. The explanatory memorandum to the Reading Borough Council Bill states that clause 14

“provides that the Council must fix the levels of fixed penalties”—that is fine; I am sure we can trust Reading borough council to be circumspect. It continues:

“In doing so the council must have regard to the reasonable costs incurred by them in administering the street trading regime under Schedule 4 to the 1982 Act, the costs of enforcing the provisions of Schedule 4 and the administration and enforcement costs under Clause 11.”

What worries me is that if we take into account all those costs, the council could argue that the cost of enforcing the regime to deal with pedlars is heavy. I do not want councils who are under pressure regarding their spending to level fixed penalties that will drive these people out of the market.

I have referred to Mrs Crofts, who trades in south Yorkshire and around the country. Although she was peddling in a small way, with two milk floats joined together, when she was sentenced the magistrates took into account that she had to pay a £110,000 confiscation order issued by Swansea Crown court in 2007 for possessing goods with false trademarks. I cannot believe that such a lady could have such property and I can only assume that that fine was a maximum amount. I only mention this case to show that the Secretary of State must be very circumspect in keeping an eye on these borough councils to ensure that they are not imposing too large a fine on these people. This lady was trading from two milk trolleys stuck together and, rather pathetically, she said after the court case that she would continue to trade but would be downsizing. How much more pathetic can you get?

When councils implement clause 14, they must have regard to people like Robert Edwards, who has a licence under the Pedlars Act 1871 and sells his own poetry. Apparently not many people are interested in buying his poetry. In 15 months on the road, he has sold 750 books but most were through established retail bookshops. His best day ever, he has said, was when he sold seven. This chap is hardly a great—

**Madam Deputy Speaker:** Order. The hon. Gentleman has made his point. Perhaps he would now confine his remarks to the Third Reading of the two Bills.

**Mr. Leigh:** I am very happy to do so. I just wanted to quote those two examples to try to convince the Minister, who I think will not need any convincing, to reassure us that he will use his reserved powers under clause 15 to ensure that when fines are imposed, they are at a low level so that this traditional activity, which is dying out, will carry on in the country.

3.38 pm

**The Minister for Further Education, Skills, Apprenticeships and Consumer Affairs (Kevin Brennan):** The House is aware that, prompted by the number of local authorities seeking these additional powers contained in the two Bills, we are undertaking research to look at the perceptions and applications of the national and local regimes. We are now consulting. The consultation period will come to an end on 12 February and we will publish the Government's response in due course.

In the light of the questions about the service directive, I can say that, in effect, it limits authorisation schemes for service providers so as not unduly to limit cross-border provision of services. It is for local authorities to be able to justify any such authorisation schemes under the terms of the directive and the Department has drawn the attention of local authorities to this.

3.39 pm

**Mr. Geoffrey Clifton-Brown (Cotswold) (Con):** We all have to take our turn in the Opposition Business team in dealing with these private Bills, which have had a long genesis in terms of getting through the House. As

[*Mr. Geoffrey Clifton-Brown*]

long ago as 12 June 2008, I argued from the Dispatch Box that we should have a national review of this whole subject, so I am delighted to hear today from the Minister that we will have the results of such a review by the end of February. He then said that he would consider those and in due course we would have a result. Does he think “in due course” is likely to be before the general election or not?

**Kevin Brennan:** For the sake of clarity, what I said was that it will conclude on 12 February and then in due course the Government will report—“in due course” means exactly that.

**Mr. Clifton-Brown:** We can conclude from that that “in due course” probably means after the general election, so, with a bit of luck, it will be a Conservative Government who will have to consider these matters. We will do just that; we will see whether this procedure is satisfactory and what we can do on a more national basis.

I was delighted to hear from my hon. Friend the Member for Christchurch (Mr. Chope) that such good progress has been made that he now feels able to support a Third Reading, although I was careful to note what he said about the amount of work that needs to be done in the other place.

**Mr. Chope:** My hon. Friend used the word “support”, but I would prefer to be quoted as saying that I was “allowing progress”.

**Mr. Clifton-Brown:** My hon. Friend speaks clearly for himself, but I do not think he would demur from the second part of my comment, which was that there is still a lot of work to be done in the other place. In “allowing” his support for these Third Readings today, I hope that he will provide every possible assistance to the other place to ensure that these Bills get on to the statute book. I say that because, as the hon. Member for Pudsey (Mr. Truswell) said, his local authority and other authorities have spent a great deal of time and resources in trying to achieve that aim. It is incumbent on both Houses to try to make progress and get the Bills on to the statute book.

My hon. Friend the Member for Christchurch has managed to secure some useful amendments, which I shall discuss briefly: the provision in clause 5 about pedlars having goods about their person does mean that they cannot have vast great floats, which take up space and cause a nuisance; the Minister has made it clear how the interactivity between the services directive and the provision of services by pedlars is supposed to work; we have had a great deal of debate about clause 6 and about the issue of seizure, particularly the seizure

of perishable goods, as set out in clauses 7 and 8; and our long debates seem to have produced eminently sensible amendments to clause 10(1)(ii) in respect of goods held on acquittal. They are proportionate and reasonable, they are not oppressive and my hon. Friend has done the promoters of the Bill a favour in securing such amendments. I also agree with him about the apparent inconsistencies in the Bills about the fixed penalties, and it would have been much more sensible to have specified a maximum level of fine in clauses 11 to 14, even if local authorities could then set a level below that. It would be up to them to use their discretion, according to the severity of the problem that they face in their local area, to determine what level of fine to set.

I was initially opposed to the appointment of community support officers—when they were proposed by this Government I thought that they were about getting policing on the cheap—but I must say that this is one of the very few examples of when the Government have introduced something and I have completely changed my mind about it. These officers do a great job of work in their localities and they provide a lot of reassurance for the public by their visibility. The amendments of their powers that my hon. Friend has managed to secure in the Bill in respect of requiring information from those who might have committed an offence is also of benefit.

With those few words, I hope that the House will proceed to support the Third Reading of these two Bills and that we can move on to the other Bills that we have to discuss. I also hope that the other place will give a fair wind to the Bills, so that we can get them on the statute book.

3.44 pm

**John Thurso** (Caithness, Sutherland and Easter Ross) (LD): It is with considerable interest, if not exactly unalloyed pleasure, that I have followed the proceedings on these Bills over a number of afternoons. Among other things, that has had the unintended consequence that at a recent dinner party I attended I was able to speak at length and depth on the subject of pedlary, much to the dismay of the other guests. Notwithstanding that, the protagonists have clearly arrived at a workable, if not necessarily amicable, truce. In that regard, it would be quite wrong of me or anybody else to stand in the way of this Bill’s further progress and I hope that the House accords it a Third Reading.

*Question put and agreed to.*

*Bill accordingly read the Third time and passed, with amendments.*

### **Reading Borough Council Bill [*Lords*]**

*Bill read the Third time and passed, with amendments.*

**Bournemouth Borough Council Bill [Lords]**

*Further consideration of Bill, as amended (Progress reported, 21 January)*

**Madam Deputy Speaker (Sylvia Heal):** In keeping with the previous debate on these Bills, it will be for the convenience of the House if certain amendments relating to the Manchester City Council Bill [Lords] be debated together with those relating to the Bournemouth Borough Council Bill [Lords].

*Amendment proposed (21 January): 4—(Mr. Chope.)*

3.46 pm

*Question again proposed, That the amendment be made.*

**Madam Deputy Speaker:** With this we are taking amendments 5 and 6 to the Bournemouth Borough Council Bill [Lords] and amendments 6, 7 and 8 to the Manchester City Council Bill [Lords].

**Mr. Christopher Chope (Christchurch) (Con):** We were debating this amendment a week ago and I was in the process of summing up the debate. I am pleased to say that since I sat down last week an important conversation has taken place between myself, Bournemouth borough council and Manchester city council about these two Bills. What has effectively come out of that conversation is that Bournemouth borough council and Manchester city council realise that the Bills go far too far and they are prepared to concede a series of significant and substantial amendments and concessions.

Although I know there will still be people, particularly in the pedlar community, who think that those concessions do not go far enough, I have taken the view that as I am in a position of relative weakness—as reflected in the votes on these issues, where I rarely got more than a dozen of my Back-Bench colleagues to support the case I put forward—reaching a compromise that involves significant concessions, which could of course have been made much earlier or even several years ago, is a worthwhile achievement. I commend the flexibility of both Bournemouth borough council and Manchester city council in agreeing to those concessions, even at this late stage. One can imagine that people become rather entrenched and say, “If I give ground now, I shall look like a weakling.”

**Mr. Edward Leigh (Gainsborough) (Con) rose—**

**Mr. Chope:** I think that my hon. Friend thinks I am a weakling for having conceded so much on the previous two Bills.

**Mr. Leigh:** No, of course I do not think that. I am just a humble spear-carrier in the pedlar campaign and my hon. Friend is the general. I merely want a reassurance that, having obtained these concessions, he can convince us that pedlary as we have understood it since 1871 will carry on. He has unfurled the banner on behalf of a community who had no other support. Before we withdraw from our position, we want the reassurance of our hon. Friend and nobody else.

**Mr. Chope:** I believe that lawful pedlary has now been recognised across the House as something worth while that should be allowed to continue. The Minister for Further Education, Skills, Apprenticeships and Consumer Affairs is now conducting a consultation on possible changes. My hon. Friend should look at that consultation to see whether he wishes to make a submission to it.

**Mr. Tobias Ellwood (Bournemouth, East) (Con):** I want to add a sense of reality to what my hon. Friend is saying. The introduction of these Bills was never designed to challenge genuine pedlars, but to put the relationship between genuine pedlars and street traders into perspective. Illegal pedlars were giving a bad name to the genuine pedlars whom my hon. Friend and his entourage have been trying to support, and I want to make it very clear that we had the genuine pedlars in mind when drafting the Bill.

**Mr. Chope:** I am grateful to my hon. Friend for that intervention. He has referred to what he describes as my “entourage”, so perhaps this is the moment for me to thank all those who have assiduously supported these debates over the past months and years. We can now claim that we have been able to concentrate minds and achieve significant concessions.

This is the lead Bill, and I believe that what has come out of our debates is that the Government set up an inquiry, which they were never going to do otherwise. They then went out to consultation, and have now done so again. We are promised that, when the consultation’s results are known in due course, there will be a prospect of further, national legislation.

I do not know what will happen with that, but the best thing is that we are going to get a code of guidance. A draft code has been published with the consultation: if that were widely disseminated, it would bring an enormous amount of clarity to the issue, both for pedlars and those who must enforce the law as it stands.

We will come in due course to the amendments that have been accepted. Because of the agreement that has been reached and the concessions that have been made, I beg to ask leave to withdraw the amendment.

*Amendment, by leave, withdrawn.*

**Mr. Chope:** I beg to move amendment 32.

**Madam Deputy Speaker:** With this, we are taking amendments 33 to 42, 44 to 47, 49 to 55 and 57 to 70 to the Bournemouth Borough Council Bill [Lords], and amendments 35, 36 to 45, 47 to 50, 52 to 58 and 60 to 73 to the Manchester City Council Bill [Lords].

**Mr. Chope:** These groups of amendments deal with the powers that the Bills give to authorised officers and police officers to seize goods. Previous private Bills dealing with street trading have granted powers of seizure, but for the first time the Bills as currently drafted allow a power to be exercised not just when there is a reasonable belief that an offence has been committed, but when there is “a reasonable suspicion” that an offence has been committed.

Without going into great detail, a case decided in the House of Lords shows that the meaning of “a reasonable suspicion” effectively means that the person exercising that view has absolute discretion in the matter. A similar

[Mr. Chope]

power under terrorism legislation is now being used to arrest people. Although I am not going to get into that, I am sure that, even in their most concerned moments, my hon. Friends the Members for Bournemouth, East (Mr. Ellwood) and for Bournemouth, West (Sir John Butterfill) would never have wanted to equate unlawful street traders with terrorists.

**Mr. Leigh:** Does my hon. Friend remember the sus laws that obtained when we were young barristers together? There was a great campaign to remove them because it was felt that they gave the police far too much power to arrest people, often from ethnic minorities, simply on suspicion. Can he assure me that we are in no way creating powers parallel to the old-fashioned sus laws that we swept away in the late 1980s?

**Mr. Chope:** My hon. Friend makes an excellent point, which is why I tabled the amendments and why I am delighted that amendments 32, 33, 44, 45, 49, 50, 51, 55, which deals with the related subject of the recovery of storage costs, and 69, which deals with the payment of compensation on acquittal, have been accepted by the Bill's promoters. Those amendments are an important package that mean there will be less reason for pedlars and street traders to think they are an oppressed minority against which prejudiced people can exercise draconian powers. My hon. Friend is quite right to remind us of the old sus laws. If people, on mere grounds of suspicion, arrest others or take away their goods, it creates an unpleasant atmosphere, which is why I am enthusiastic about this group of amendments and why I am delighted that at this late stage Bournemouth and, indeed, Manchester are prepared to accept my proposals.

**Mr. Ellwood:** I do not wish to detain the House any longer than is necessary. I am grateful to my hon. Friend for whittling the 81 amendments he introduced last week down to a mere 14, which he and I are both happy to add to the Bill. For the record, may I confirm that they include amendments 32, 33, 44, 45, 49, 50, 51, 55 and 69? With that, I shall conclude, as I would like to make progress so that we can clear this final hurdle.

**Tony Lloyd (Manchester, Central) (Lab):** The group of amendments on the Bournemouth Borough Council Bill parallels a similar group of amendments to the Manchester City Council Bill, which we shall discuss later. In this common debate, however, it would probably be helpful if I put on the record, as the hon. Member for Bournemouth, East (Mr. Ellwood) has done for the Bournemouth Borough Council Bill, the fact that the amendments the hon. Member for Christchurch (Mr. Chope) has tabled to the Manchester City Council Bill are acceptable to the city of Manchester.

It may be helpful for the hon. Gentleman's future career as the champion—indeed, the general—of the pedlars campaign if I tell him that Manchester is not necessarily happy with the amendments. He has gained concessions from the city of Manchester—and, I think, from the town of Bournemouth—through parliamentary exchanges, because that is how the business of the House is conducted and how the legislation of the nation is made: in the spirit of seeking acceptable compromises. It is not necessarily about allowing anyone

to think they have got what they want, but about allowing us all to think that we can make progress in controlling the activities of non-legitimate pedlars, while making sure, hopefully, that there is space for legitimate pedlars to trade.

The hon. Gentleman can put in his election manifesto the fact that Government Members congratulated him on his campaign. He has certainly achieved something in securing amendments to the Bills. With that, may I, too, say that I am happy to support his amendments to the Manchester City Council Bill?

**Mr. Chope:** I shall respond briefly to the generous comments of hon. Members. It is a pity that we have had to deal with this in such a formal way.

**Mr. Geoffrey Clifton-Brown (Cotswold) (Con):** I am going to ask my hon. Friend a question that I was going to ask the hon. Member for Manchester, Central (Tony Lloyd). Why, considering that so many hours have been spent on debate in the House, does my hon. Friend think it has taken so long to secure basic, sensible concessions? If they had been granted many months, if not years, ago, the Bills would be on the statute book by now. Does he think there are any lessons to be learned for authorities considering similar Bills with similar amendments?

**Mr. Chope:** The lessons that Leeds and Reading learned when they introduced their Bills was that if a reasonable concession could be made to enable them to make progress, it was probably sensible to make it. It is a pity that the two Bills we are considering were introduced in the other place, and were then subject to quite a lot of comment there. They were the subject of petitions in the House, and proceeded to an opposed Bill Committee. That Committee imposed a number of amendments on clause 5 which, although they are far from perfect, we discussed last Thursday. That process cost time and money—leading counsel was engaged. It would have been much better had there been some forum in which we could have tried to find a way through.

“Better late than never” is a good expression. We are where we are, but as I said to a wider audience on the radio programme last week, somebody who is representing a minority opinion in the House has relatively little ability to influence things, other than by appealing for reason and using the weapon of delay. I am grateful to my hon. Friends for facilitating the concentrating of minds by making it clear that we were prepared to deploy the weapon of parliamentary delay.

4 pm

**Mr. Leigh:** My hon. Friend makes an important constitutional point. Better Bills are emerging because it is still possible for private Members to delay Bills and have some influence. That does not happen with Government Bills at all. It happens in the United States Senate, for instance, which I have been reading about—

**Madam Deputy Speaker:** Order. The hon. Gentleman knows he is straying wide of the Bill. I therefore ask Mr. Christopher Chope to conclude his remarks.

**Mr. Chope:** I am grateful to my hon. Friend the Member for Gainsborough (Mr. Leigh) for his contribution, however wide-ranging it might be.

Peace has broken out. Everybody recognises there is no point in being cussed and intransigent. It was with sadness that I read the obituary of our late hon. Friend Robin Maxwell-Hyslop, which made it clear that he took cussedness to an extreme, but as a result of that, he was able to achieve change in the House that would not otherwise have been possible. He knew the procedures of the House inside out. My recommendation to anybody who enters the House after the next general election is that the first thing they should do is concentrate on procedure. Then they will be ably qualified as legislators in due course.

*Amendment 32 agreed to.*

*Amendments made: 33, 44, 45, 49 to 51, 55 and 69.—*  
*(Mr. Chope.)*

**Mr. Chope:** I beg to move amendment 75.

**Madam Deputy Speaker:** With this we may discuss amendments 76 to 78, 71 to 73 and 79 to 81.

**Mr. Chope:** Amendment 75 would remove clause 4. The other amendments relate to clauses 10 to 14. Some would remove all those clauses in toto, and some are more modest, aiming to taking out the most toxic part of those clauses. I am delighted that, in an e-mail sent to me first thing this morning, the promoters of the two Bills expressed their agreement to amendments 75, 77, 78, 80 and 81, which would, in effect, remove clauses 10 to 14 from the Bournemouth Borough Council Bill and the equivalent clauses from the Manchester City Council Bill. Those clauses cover three full pages of the Bill's 10 as printed. To remove three pages at one stroke represents pretty good progress as far as I am concerned, so I am very grateful to the Bills' sponsors, my hon. Friend the Member for Bournemouth, East (Mr. Ellwood) and the hon. Member for Manchester, Central (Tony Lloyd), for conceding those amendments, which will result in a better and fairer Bill.

I am sure that it has not escaped your notice, Madam Deputy Speaker, that the consequence of removing clauses 10 to 14 is that the references to fixed penalties in clauses 7 and 9 will need to be amended in due course with technical and consequential amendments. We do not have such amendments on the amendment paper today, and it is not appropriate to try to move manuscript amendments, but I understand that it will be possible to make those consequential amendments when the Bills are considered in the other place.

The promoters of the Bill have also made it clear to me that, in clarifying the contents of the Bill, those amendments in the other place will include the amendment that I previously sought to make to clause 5 by adding to "another person" the phrase "trading with the authority of a pedlars' certificate", so that the provision is clearer. Everybody agrees that that is the intention of the clause, but it will be better when, in the House of Lords, it is technically amended to make that objective clear.

We have made enormous progress over a short space of time—since the early hours of this morning when my hard-working secretary said at five minutes past 8 that she had been in receipt of an e-mail. Since then I have been in discussions about the implications of the amendments. I have spoken to a significant pedlar, the

agents for the promoters, my hon. Friend the Member for Bournemouth, East and the hon. Member for Manchester, Central, and I must put on the record that, notwithstanding these amendments, the pedlar to whom I spoke still feels that there is a venality in the Bills. However, I am sure that he would be the first to concede that we are making progress by removing these clauses.

**Martin Salter** (Reading, West) (Lab): Will the hon. Gentleman give way?

**Mr. Chope:** I am delighted to see the hon. Gentleman in his place, and I am sorry that he was not here earlier for the Reading Borough Council Bill. However, I understand that a significant funeral service took place today in Reading, and that is why my hon. Friend the Member for Reading, East (Mr. Wilson), from the other half of Reading, could not be present. I do not know whether the hon. Gentleman was at the same event, but I am happy to give way to him.

**Martin Salter:** I can confirm that there was a tragic funeral, which both I and the hon. Member for Reading, East (Mr. Wilson) had to go to. I am delighted that the Reading Borough Council Bill's passage has been eased and that an accommodation has been found, but many of us have spent an inordinate amount of our lives—which we will not get back again—on the objections of the hon. Member for Christchurch (Mr. Chope). He appears to base a lot of what he says on a conversation with a single significant pedlar, so will he confirm the communications that he has had with the pedlar community as a whole? I am confused as to why we have had to spend so much time on these measures.

**Mr. Chope:** The significant pedlar to whom I spoke today is the pedlar who petitioned against these two Bills, so I hope that the hon. Gentleman will recognise that I got my priorities right in speaking to that person first. However, I have actually spoken to quite a lot of pedlars. I shall not embarrass myself or the House by reading out the glowing tributes that I have received from various pedlars for the efforts that I have made on their behalf, but I must assure the hon. Gentleman that I have quite a lot of contacts in the pedlar community.

Indeed, one of the good things that has come out of this whole series of Bills is that pedlars are now much better organised. They have their own website—I think it is called [pedlarsinfo.co.uk](http://pedlarsinfo.co.uk). That means that the pedlar community is now able to keep in contact with what is happening. *[Interruption.]* The hon. Gentleman is complaining that I am taking too long to respond to his intervention, for which I apologise. Of course, he will know that some pedlars have watches all the way up their arm and can offer them for sale.

**Madam Deputy Speaker:** Order. The hon. Gentleman was helped by the fact that I was somewhat distracted; he has therefore been given more leeway than he would otherwise have had. I am sure that he will now wish to concentrate his remarks on the group of amendments under consideration.

**Mr. Chope:** I am most grateful to you, Madam Deputy Speaker, for your customary indulgence. I will say no more than I have already said. I commend this major group of amendments to the House.

*Amendment 75 agreed to.*

*Motion made (Standing Order No.204A),* That the Bill be read the Third time.

4.11 pm

**Mr. Ellwood:** I beg to move, That the Bill be now read the Third time.

I am surprised to be standing here to open this Third Reading debate on the Bournemouth Borough Council Bill, given that it has taken longer than the gestation period of an elephant to get to this point, but I am delighted that we have finally been able to reach a series of compromises with my hon. Friend the Member for Christchurch (Mr. Chope) in ensuring that we can better regulate our town centres.

As we have heard, this is one of a series of Bills that have come through the House. We have already debated the Reading, Nottingham and Canterbury Bills, Manchester is coming up, and ahead of us are Medway, Leicester, London and Liverpool, among others. All those borough and city councils have sought the leave of this place in order to create the legislation that they believe is required better to regulate town centres. Although some amendments have been made, I hope that the Government will recognise that there is a sense of urgency for national legislation. We need to ensure that more time is not wasted, with councils spending huge sums of money to gain the attention of this House in order to create similar legislation. I am afraid that, until that national legislation comes along, I will support any individual council wishing better to regulate its town centre.

**Martin Salter:** Does the hon. Gentleman realise that his council tax payers, like mine in Reading, welcome the legislation but question how much of their money has had to be spent on something that could have been resolved very easily by the Government if they had put a Bill before the House? This is not an ideal way to go about solving a comparatively simple problem, is it?

**Mr. Ellwood:** I firmly agree with the hon. Gentleman. There are questions to be raised on a number of levels about how private Members' Bills of this nature—[HON. MEMBERS: "Private Bills."] Well, it is the private Members' Bill process—

**Madam Deputy Speaker:** Order. This is a private Bill rather than a private Member's Bill. I hope, in any case, that the hon. Gentleman will confine his remarks to its Third Reading.

**Mr. Ellwood:** I am grateful for your guidance, Madam Deputy Speaker. That is certainly the case.

I hope that the Minister will give us a little more detail about where things will go in future, rather than in due course, which is rather woolly terminology. I am pleased that legislation first written in 1871, in the shape of the Pedlars Act, is being brought up to date, and that the people of Bournemouth will be able to benefit from that. A week ago, I was somewhat despondent, faced with 81 amendments that would have significantly changed the Bill to the point where it would have been worthless. They would have introduced a stationary capability for pedlars, carved up Bournemouth and restricted the times when the Bill would be allowed to operate. I am grateful to my hon. Friend for making concessions on those points, and I hope that he understands that there have been concessions on the other side as well, which have allowed us to get to where we are today.

Without further delay, I move that the Third Reading be concluded, and look forward to the Bill's becoming an Act of Parliament.

4.15 pm

**Mr. Clifton-Brown:** I would like to say two or three words. I am not sure who will celebrate the most this evening: my hon. Friend the Member for Christchurch (Mr. Chope) and the peddling community, or my hon. Friend the Member for Bournemouth, East (Mr. Ellwood), his council leader, Councillor Stephen McLoughlin and his council. At long last, in their struggle to get this Bill, they appear to have passed at least one major milestone.

I wish the Bill a fair wind. I hope that the other place will deal with it expeditiously and that we can get it on to the statute book before the general election.

4.16 pm

**John Thurso** (Caithness, Sutherland and Easter Ross) (LD): I suspect that the full extent of my rhetorical exuberance in relation to these Bills was already expressed on previous Third Readings, and my view on them remains unchanged. I wish them Godspeed.

4.16 pm

**Mr. Chope:** I am grateful to my hon. Friend the Member for Bournemouth, East (Mr. Ellwood) for what he said. The Bournemouth and Manchester Bills will get their Third Readings, and will then go to the other place. I hope that those in the other place will find time for the technical consideration of the large number of amendments we have passed today, in addition to the amendment made to clause 5 by the Opposed Private Bill Committee.

I remain concerned about some of the detail in clause 5. I made comments about it, and my hon. Friend the Member for Gainsborough (Mr. Leigh) was supportive of those concerns last Thursday. Those comments remain valid, and I will have to see what happens in practice. Obviously, the amendments reflecting those concerns were voted down, and my amendment 74, which would have incorporated the best parts of the Reading Borough Council Bill and the Leeds City Council Bill, albeit modified slightly, was not acceptable to my hon. Friend the Member for Bournemouth, East, to the hon. Member for Manchester, Central (Tony Lloyd), or to their respective councils. I cannot do anything about that; all I can do is argue from a position of numerical weakness, but I have the arguments on my side. We have reached a compromise.

**Philip Davies:** It is a red letter day for my hon. Friend, given the amendments made. I appreciate that the Bills are not necessarily ideal, as he says, but I hope that he accepts that an honourable compromise has been reached, and that the Bills are now sufficiently amended to be worthy of some support.

**Mr. Chope:** Exactly; my hon. Friend is absolutely right. If I did not think that the compromise were right, I would not have accepted it. Once at the stage of forcing negotiation, it would be a foolish person who turned away from achieving a successful outcome, which is what we have achieved over the past few hours. I hope that the passage of the Bill deals with the consequences about which I was fearful: an adverse impact on the borough of Christchurch caused by a move of the "problem" from Bournemouth. I hope that the assurances

of my hon. Friend the Member for Bournemouth, East that that will not happen prove correct in practice, and that the burghers of Bournemouth think that they have had good value for money in investing in this exercise. I know that the process has been long and probably expensive for them, but I will not comment any further on that. As my hon. Friend rightly said, until we get a national framework there will be a dilemma for councils as to whether they wish to spend scarce council tax payers' resources on such an exercise or whether they believe that the problem is not worth the cost of the remedy. That is the view that a lot of councils are taking. The councils in question have not taken that view, and one must respect them for that.

I support Third Reading and hope that the Bill reaches the statute book before the election, although of course it could have been carried over beyond the election under the private Bill procedure. I am not sure that everybody in Bournemouth understood that. Indeed, there was a bit in the local paper last week suggesting that I had talked out the Bill, but I could not do that under private Bill procedure. There was a three-hour slot and it came to an end. I happened to be on my feet at the end, but I was not talking it out. In that respect it is a very different procedure, as you and my hon. Friend know, Madam Deputy Speaker—

**Madam Deputy Speaker:** Order. I think that the hon. Gentleman has explained to the readers of his local paper what has happened. Is he about to conclude his remarks?

**Mr. Chope:** I am indeed. Let it not be said or thought that I am in any way critical of the *Daily Echo*, which is the most outstanding newspaper in the country. However, sometimes the pressure on space means that there is not room for the full argument to be—

**Madam Deputy Speaker:** Order. There is not only pressure on space but sometimes pressure on time for business. We have more business to continue with. Is the hon. Gentleman concluding?

**Mr. Chope:** I agree with you absolutely, Madam Deputy Speaker, and I think it is almost a miracle that although we have a three-hour slot for this business this afternoon, it looks as though we will finish within one and a half hours.

*Question put and agreed to.*

*Bill accordingly read the Third time and passed, with amendments.*

## **Manchester City Council Bill [Lords]**

*Consideration of Bill, as amended.*

*Amendments made:* 35, 36, 47, 48, 52 to 54, 58, 72, 77, 79, 80, 82 and 83.—[*Mr. Chope*].

*Motion made (Standing Order No. 204A),* That the Bill be read the Third time.

4.23 pm

**Tony Lloyd** (Manchester, Central) (Lab): I beg to move, that the Bill be now read the Third time.

I have been quite restrained about the Bills in recent weeks, even though the hon. Member for Christchurch (Mr. Chope) has occasionally asked me to explain certain positions. However, I would like to get one thing on record, which relates to a discussion that took place last week about whether the boundaries in the Bill should be within a one-mile radius of Albert square. I appreciate that the hon. Gentleman expressed the caveat that he did not know so much about the geography of Manchester. The downside was that such boundaries would take in a considerable chunk of the city of Salford. I therefore hope, even at this late stage, that the hon. Gentleman will understand why I was reluctant to accept the relevant amendment as drafted.

The process has been interesting and important and an example of Parliament doing its job, but I think all hon. Members would accept that it is not the right way to do a job because it does not lead to logical debate. As the hon. Member for Christchurch said earlier, it allows minorities to use the power possibly of reason, and certainly of time, to block progress. That concentrates minds on bringing about compromise, particularly so late in the parliamentary cycle, when we know that we are running out of sitting hours. I do not criticise those who participated—I do not believe that they are right, but I do not criticise them for using the power; I have done the same under different circumstances—but it is not the right way to pass legislation rationally and constructively. It probably serves the interests of neither the citizens of Bournemouth and Manchester, nor pedlars nationally or locally.

I join those who have said to my hon. Friend the Minister, who I think is sympathetic to the plea, that we need a national framework to deal with such measures in future. If such a framework were introduced on a reasonable time scale, it would probably lead to the repeal of the six Bills on which we have spent so many hours in recent months. That would be paradoxical but the right way forward.

A genuine problem needs to be addressed. I assure Conservative Members that I do not mean that pedlars should be suppressed. People have always accepted the role of legitimate pedlars. They add variety, colour and flavour to our national way of life. The legitimate pedlar can appear to our benefit in many different circumstances. However, I hope that Conservative Members accept that there have been problems in my city and other places with the illegitimate abuse of the pedlar's licence, sometimes through unfair competition to legitimate traders, who pay a bigger overhead cost and have a greater sense of responsibility to the local community, and sometimes through those who simply trade at unacceptable levels. The Bill tries to deal with that.

[Tony Lloyd]

Compromises have been reached. As I said to the hon. Member for Christchurch, he has got significant concessions. He can go back and tell those to whom he has spoken that the concessions are real and were not willingly given. They were given to allow the Bill to make progress. We still think that we have a workable Bill; nevertheless, it is not the measure that Manchester wanted. There is, therefore, honour on all sides.

In response to the hon. Member for Cotswold (Mr. Clifton-Brown), I say that we have the Bill and we will make it work, but it is not the Bill that we wanted. However, that's life, and life does not guarantee to give us everything we want.

**Mr. Geoffrey Clifton-Brown (Cotswold) (Con):** The procedure for the Bills has been interesting, but I agree with the hon. Gentleman. I first called for a national review of the subject on 12 June 2008, which the Government conceded and have now announced. Unfortunately, we do not think that such consideration will happen before the general election, and that is a pity. However, does he agree that some matters have not been aired by the procedure—for example, granting a pedlar's certificate and the need for a photographic pass so that people in any area can see that a genuine pedlar's certificate has been granted by another police force? Perhaps those are minor matters, but does he concede the need to examine the whole issue on a national basis?

**Tony Lloyd:** I agree. I think I can probably say on behalf of my hon. Friend the Minister that the incoming Labour Government after the election will want to make genuine progress on the matter. I look forward to the hon. Gentleman's playing his role as loyal Opposition spokesperson in helping us with that process. That is right and proper. In that sense, he has my full support for his continued role and relevance on the Opposition Benches in making national legislation work properly.

However, the hon. Gentleman is right that we need that national framework and to have a debate that lets us look across the board at the fine-tuning that will make it optimal. I must add one note of caution that Opposition Members ought to take on board: circumstances vary between local authority areas, which is why the Manchester City Council Bill is not exactly the same as the other Bills that have been discussed today. It is important to recognise that any national framework will be just that and not a straitjacket, because we need to allow for that variation in local conditions and local needs.

The hon. Member for Christchurch sought commitments from the hon. Member for Bournemouth, East (Mr. Ellwood) that there would not be an influx of pedlars into Christchurch from Bournemouth as a result of the Bournemouth Borough Council Bill. I reassure him that there is almost no possibility that there will be a displacement from Manchester to Christchurch because of the Manchester City Council Bill. I hope that with that reassurance, he will be happy to ensure a speedy Third Reading and that it will be legislation not too far in future.

4.31 pm

**Mr. Christopher Chope (Christchurch) (Con):** I thank the hon. Member for Manchester, Central (Tony Lloyd) for the good-humoured way in which he has dealt with

these proceedings. I visited Manchester during the Conservative party conference and stayed in Salford, within easy walking distance of the conference centre, so I was aware that part of Salford was within one mile of Albert square. On a proper reading of the Bill, the hon. Gentleman would recognise that the provisions apply only to the city of Manchester, so they would not apply to the area outside the city but within the one-mile radius. That is my defence on that point.

The Minister has said a number of times this afternoon that the Government will respond in due course to the consultation. I simply want to place it on the record that paragraph 20 on page 33 of the Government's consultation, which was issued in November, states:

"The results of this consultation exercise, including a summary of the views expressed, and the Government's response will be published no more than three months after the close of the exercise."

The close of the exercise is imminent—the beginning of next month. It continues:

"The results may be viewed on the BIS consultations home page".

Paragraph 121 states:

"Subject to the response to this consultation, it is intended to publish a second consultation outlining the way forward in Spring 2010, including a full impact assessment on the costs and benefits of the Government's preferred options and possibly identifying suitable legislative vehicles."

As a result of these debates and the consideration of these Bills, there is now a momentum for change and for the introduction of a national legislative framework. Those of us who think that that is a major achievement resulting from the passage of the Bills should not allow ourselves to be discouraged by the expression "in due course".

4.33 pm

**The Minister for Further Education, Skills, Apprenticeships and Consumer Affairs (Kevin Brennan):** I rise hesitantly for a number of reasons, not least because when I did not speak last week, I received more congratulations than I ever have on any actual contribution I have made in the House.

The Government have noted carefully the reports of the debates on the Manchester City Council Bill and the other Bills. It is clear from what has been said and what we have learned that local authorities face difficulties because of the unlawful activities of those who seek to trade in restricted areas without street-trader licences. There is little doubt that in some areas, unlawful traders adversely affect the livelihood of licensed street traders and certified pedlars acting in accordance with the Pedlars Act 1881, and other retailers and consumers, so we understand the desire of local authorities to bolster their enforcement powers.

As I mentioned, the House will be aware that as a result, the Government are undertaking research. That will be concluded by 12 February and we will respond in due course. Three months from 12 February would be 12 May, which is well this side of a potential general election, as I am sure the House will acknowledge. We will do as outlined in the consultation document.

**Mr. Tobias Ellwood (Bournemouth, East) (Con):** My hon. Friend the Member for Christchurch (Mr. Chope) mentioned momentum, and there is now a sense of momentum, as well as a degree of expertise. When Her

Majesty the Queen finally signs the Acts, she will note that these Bills started in January 2007, so they have taken almost three years. She might be inclined to wonder what on earth we have been doing all that time. I therefore encourage the Minister not to sit on the phrase “in due course” but to give us a clearer timetable, especially as there is an appetite to see this concluded.

**Kevin Brennan:** I would not dare to speculate on what Her Majesty might think on any subject. The process that we have gone through is the proper process and we have followed the proper procedures of the House for dealing with private legislation—not private Member’s legislation, as one hon. Member mentioned earlier, which is a completely different animal.

Another point that has been raised relates to the services directive and whether it affects street entertainers. I can confirm that the Government do not accept that it does. The Licensing Act 2003 regulates street entertainment that takes place in front of the public once a local authority licence has been obtained. Street entertainers do not rely on pedlar’s certificates and should not be affected by changes linked to the implementation of the services directive. I say that as someone who has engaged in busking on occasion, and who has a next-door neighbour who is a street entertainer and would not forgive us if we allowed anything that infringed on his rights.

In conclusion and with your indulgence, Mr. Deputy Speaker, I wish to pay tribute to my neighbour, Francis Maxey, who has just lost his wife, Kate Hunter, who was a great campaigner on all sorts of issues and I am sure that she would never have allowed us to do something like that either.

*Question put and agreed to.*

*Bill accordingly read the Third time and passed.*

**Andrew Miller** (Ellesmere Port and Neston) (Lab): On a point of order, Mr. Deputy Speaker. Many of us have sat through many hours of debates on these private Bills. Some years ago, I also had the privilege of chairing what was probably the shortest Opposed Bill Committee on record, although I have not noticed an entry to that effect in *Wisden*. In 2010, this process is not well understood by the public, and nor is it fit for purpose. Is it not time that the House considered establishing a Speaker’s conference to consider whether a better way might be found to deal with such business?

**Mr. Deputy Speaker (Sir Alan Haselhurst):** I am not sure that I would make a distinction between private and other legislation in terms of the public’s understanding. We would all hope, as Members of Parliament, that we were able to communicate to our constituents successfully what we do here. However, it is open to the hon. Gentleman to pursue the issue of the ways in which private legislation might be considered in the future. One’s experience of it may vary according to the measure in question, but the House has had a remarkable record of disposing of such Bills, even if sometimes that happens more slowly. It depends on the degree of contention involved. The hon. Gentleman has put his point on the record, but he may wish to write a letter to Mr. Speaker to pursue his suggestion.

## UK Arrest Warrants (Alleged War Crimes)

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

4.39 pm

**Mr. David Winnick** (Walsall, North) (Lab): I am pleased to have this opportunity to raise the subject of initiating private prosecutions. The purpose of my debate is to urge that the right of private individuals, including lawyers, to seek arrest warrants for those suspected of war crimes, including those who are resident abroad but who intend to travel to Britain for various reasons, should be retained. The position now is that if a warrant is agreed to by the court, no prosecution can commence without the assent of the Attorney-General, as my hon. and learned Friend the Solicitor-General knows so well. Presumably the Attorney-General would take into account the advice of the Director of Public Prosecutions, among a number of factors.

Senior Ministers have indicated that the right of private individuals to start a process to deal with alleged war crimes could change, hence the reason for this debate in the first place. As will be seen, I would be strongly opposed to any such change. It would also be fair to say that Ministers have come under a good deal of pressure from those on the Opposition Front Bench to change the existing law. The case of the former Israeli Foreign Minister has been put forward by Ministers and shadow Ministers as a reason why a change in the law on private prosecutions for alleged war crimes should be made. In December last year, Westminster magistrates court issued an arrest warrant for Tzipi Livni, the former Israeli Foreign Minister and currently the leader of the main opposition party in Israel. She cancelled her intended visit; hence the warrant was withdrawn.

In practice, it is the most senior district judges at Westminster magistrates court who hear applications where war crimes are alleged and it is they who have to decide them accordingly. I have mentioned Westminster magistrates court because, without any disrespect to any of the justices of the peace up and down the country, it would be wrong to come to the view that such matters are dealt with by magistrates in local courts in the usual way. Rather, it is decided in the main at Westminster magistrates court, where senior district judges hear applications accordingly. They have to decide whether the high threshold of evidence, liability and jurisdiction has been met. Moreover, they have to be satisfied that no immunity applies. Anyone currently holding ministerial office would not be subject to any such application, so if the person I have mentioned was the current Foreign Minister—or indeed any Minister—in the Israeli Government, the recent case would not have arisen.

It needs to be emphasised that there is no abuse of the procedure in this country. There is no question of arrest warrants being agreed to automatically. However, the impression given, albeit not by Ministers, is that it is relatively easy for someone who might have a grudge against a person coming to this country from abroad, who is alleged to have committed war crimes, to go to a magistrates court and, lo and behold, an arrest warrant is duly issued. That is not the case; indeed, in practice it could not be more different. Strong evidence is required.

[*Mr. David Winnick*]

I have spoken about those intending to come to this country from abroad, but where the suspect is already in Britain, which is the situation in many cases, it is important for the process to start as quickly as possible. If someone is here, illegally or otherwise, and there is a strong suspicion that that person has allegedly been involved in war crimes—this has nothing to do with their formerly holding ministerial office—the danger is that, if there is no private prosecution, that person will flee the country as soon as possible, knowing that they are likely to be arrested. It obviously takes time for the police and the prosecution authorities to gather the evidence if they decide to go ahead with a warrant, but there is a strong protection available to the victims of alleged war crimes in the sense that they can try, through indirect means, to bring about the issue of an arrest warrant for those allegedly responsible for those war crimes.

Under the 1949 Geneva conventions and protocols, British courts have universal jurisdiction over those who are alleged to have been involved, directly or indirectly, in war crimes. Those crimes can involve the extensive destruction and appropriation of property not justified by military necessity, and unlawfully, wantonly and wilfully attacking civilians.

The former Israeli Minister was in office at the time of the Israeli military action against Gaza, and allegations of the most serious nature have been made, because of the manner in which the Israeli action was conducted and the fact that the person in question held such a senior ministerial position. The operation that Israel conducted was known as Operation Cast Lead, and it has been the subject of a good deal of controversy. Indeed, I took part in a debate on these matters in the House last January in which, almost without exception, Members on both sides condemned the way in which Israel had conducted that military operation against Gaza.

It also needs to be said, in relation to the former Israeli Foreign Minister, that the Goldstone report—the result of a fact-finding mission authorised by the United Nations human rights commission—concluded that much of what Israel had done in the military operation in Gaza was disproportionate. The report said that some of the bombings and killings

“could not on any basis be justified on military grounds”,

and that Israel had employed a policy that involved

“the direct targeting and arbitrary killing of Palestinian civilians”.

So it is not surprising, given the allegations and the findings in the Goldstone report, that the judges in Westminster magistrates court decided to issue an arrest warrant.

I hope that the Government—and, for that matter, the Opposition—would hesitate a good deal before taking away the right of private individuals to seek to persuade the courts to issue an arrest warrant for war crimes. It would be unfortunate and retrogressive to do that. Moreover, I understand that primary legislation would be required to change the existing law. I am sure that the Solicitor-General will be able to comment on that. Do we want to send out a message that we do not take seriously the Geneva conventions and our courts’ jurisdiction over war crimes? Time and again, we in the

House of Commons have rightly condemned war crimes, atrocities and the targeting of civilians, all of which are outlawed under international law. It seems strange that we should somehow change the law—I hope that will not be the position—because it has been embarrassing for a former Israeli Minister.

Another argument has been put forward, perhaps as the main reason, for changing the law: that it will undermine the peace process if it is not possible for the person I have mentioned to come to this country. If she came, of course, no prosecution could take place without the consent of the Attorney-General. However, I find it very difficult to accept that the peace process, of which there is not much evidence unfortunately, is largely dependent on a former Israeli Foreign Minister, currently leader of her party, coming to Britain.

**Jeremy Corbyn** (Islington, North) (Lab): I am pleased that my hon. Friend has secured the debate and that it has a reasonable time to run. However, does he accept that there is a problem in that the suggestion of changing the rules on universal jurisdiction arrest warrants moves the matter back into the political arena rather than away from it, which has been the general thrust of the Government legal strategy over the past few years, with the establishment of the Supreme Court and all that goes with it?

**Mr. Winnick**: My hon. Friend makes a strong point. A Government should not intervene in such a way. As he knows, and as I have mentioned more than once, we should also bear in mind that whether a prosecution takes place depends on the Attorney-General. I hope that the Solicitor General’s response will satisfy me and the House that the law will remain as it is, but that it is in the overall interest of Britain, and of other countries, including Israel, not to take any action that could undermine our position in bringing, or trying to bring, to justice, those who might have been involved, directly or indirectly, in war crimes. That is an important matter, and I look forward to her reply.

4.52 pm

**Barry Gardiner** (Brent, North) (Lab): I expected not to make a speech this afternoon, but simply an intervention. I often agree wholeheartedly with many things that my hon. Friend says in the House, and I anticipated doing so on this occasion, but I fear that that is not to be the case. It concerns me greatly that, at many points, his argument relied on the fact that, ultimately, even though an arrest warrant might have been issued, a prosecution would depend on the Attorney-General. That is a dishonest argument, because it suggests that there must be a strong case—I think “strong” was the word he used—with strong evidence, as well as jurisdiction, to secure the agreement of a magistrate to issue the arrest warrant in the first place. My understanding is that there must be a *prima facie* case.

My hon. Friend’s argument relies on a discrepancy between a *prima facie* case being heard by a magistrate and reliance on his confidence—or on the assertion that in the case under discussion one could have been confident—that no prosecution would be continued with. That is an intellectually dishonest argument, because it says that someone should be allowed to apply for a warrant on a *prima facie* case and to abuse the law

simply to embarrass a political figure, without the serious intent of believing that a prosecution could follow. That one should continue to allow that, secure in the knowledge that a prosecution would not follow, is not a straightforward position and my hon. Friend is normally a very straightforward thinker on these matters.

**Mr. Winnick:** I do not want to debate the issues with my hon. Friend because of the time, but the normal procedure is that the Speaker or the Deputy Speaker is asked whether a Member who wants to speak has my permission to intervene in an Adjournment debate. I do not object in any way but I hope that time is not being taken from the Minister.

**Mr. Deputy Speaker (Sir Alan Haselhurst):** Order. The rule or custom to which the hon. Gentleman has just referred applies when the debate is limited to half an hour. If we have more time than that—we have considerably more—the rules do not apply and anyone may take part in the debate.

**Barry Gardiner:** I am grateful, Mr. Deputy Speaker, and that was my understanding in participating in the debate, which I believe can run until 6 pm, although I trust that it will not.

This is a difficult and sensitive issue and I agree with my hon. Friend that we should not do anything to stop war crimes being taken seriously and to stop prosecutions for war crimes being brought within this country. However, the serious issue is this: the law is there to be used, not abused. Unusually, in this case it has been abused, and that has allowed for the possibility of further abuses in the future. That could prejudice the proper workings of the Foreign Office and the Government in carrying out proper debates with those who are not subject to diplomatic immunity, as the member of the Israeli Government might have been on this occasion.

**Jeremy Corbyn:** I am not quite following my hon. Friend's argument. Clearly there must have been some evidence put before the district judge that Ms Livni would be subject to an arrest warrant on the grounds of human rights law; otherwise the district judge would not have given the arrest warrant. He or she must have examined the evidence and felt that there was enough. If it is good enough for a judge to grant an arrest warrant, surely it is up to us to look at a legal process rather than saying that this might upset diplomatic relations, therefore we must change the law.

**Barry Gardiner:** I am grateful for the opportunity to try to further explain the position that I am putting to my hon. Friend. In order to secure an arrest warrant there has to be no more than a prima facie case. That may be something that—

**Mr. Deputy Speaker:** Order. It would help if the hon. Gentleman faced the Chair and, from his point of view, the microphones.

**Barry Gardiner:** I am grateful, Mr. Deputy Speaker.

There has to be a prima facie case presented to secure an arrest warrant. My hon. Friend the Member for Walsall, North made clear that he believed that there was a gap between the prima facie case being presented,

which could secure the arrest warrant, and the security that the Attorney-General would not allow such a prosecution to proceed. It is that intellectual dishonesty that I seek to expose by my remarks.

It is important that we are able to secure prosecutions in this country in a timely fashion, as my hon. Friend the Member for Walsall, North said, for war criminals who happen to be in the country. My concern is the way in which this situation has created the possibility of further abuse in the future, which might interfere with the proper workings of Government in holding quite proper discussions with politicians not simply from Israel, but from many parts of the world; something it is important for the Government to be able to do.

**Mr. Winnick:** I am sorry, because I should, of course, have recognised that more time is available to us. Is my hon. Friend saying that the law, as it stands, is okay—I have never heard him criticise it before—but it should not apply to former Ministers who are alleged to have been involved in actions of a kind that I have described? Or do I take it that his argument is that the whole process should be changed, so that no prosecution can be brought and no arrest warrant issued without the Attorney-General's involvement? Is he in favour of that?

**Barry Gardiner:** I am rapidly losing my affection for my hon. Friend, because I fear that he is trying to traduce my argument. What he describes is not the position that I have outlined. I do not wish to outline my position for a third time, but in response to the point he has just made I should say that I do not think any of us were aware of the possible abuse of the system until this case arose.

**Mr. Winnick:** Where is the abuse?

**Barry Gardiner:** The abuse is precisely in the fact that this was done for publicity purposes, rather than because of any genuine belief that a prosecution had any chance of being successfully brought in this country. That is an abuse of the law, which is why it is important that the Government move to try to stop it. I believe that this is a difficult issue, and I fundamentally agree with my hon. Friend that it is important that cases involving violations of human rights, extra-judicial crimes and war crimes should be able to be entertained within the UK jurisdiction. However, I do not believe that the law should be able to be abused as it was in this case.

5.1 pm

**Jeremy Corbyn (Islington, North) (Lab):** I thank my hon. Friend the Member for Walsall, North (Mr. Winnick) for securing this debate, and for his perceptiveness in obtaining a debate on a Thursday and thus giving us an hour and a half to debate universal jurisdiction. Most of us were expecting a 30-minute debate.

The House will be aware that I have tabled early-day motion 502, which has been signed by 101 Members who support it. It expresses concern about the restriction of the universal jurisdiction of UK courts in matters of human rights law. The background to this case rests, as my hon. Friend explained, on a number of conventions, but more recently it has rested on the case of General Pinochet. He was in this country on an arms-buying spree in 1998 when an extradition warrant was sought

[Jeremy Corbyn]

by Spain. The then Home Secretary—he is now the Secretary of State for Justice—granted the extradition warrant and General Pinochet was duly arrested. He then sought diplomatic immunity as a former Head of State, but that was rejected by the British courts. The House of Lords, in its final judgment, asserted that the British courts had universal jurisdiction in matters of human rights law. It did so on the basis of an arrest warrant that was granted by a divisional court. That is an important step forward in international law.

Those who have read my early-day motion will note that it specifically does not mention any individual case—it does not mention the arrest warrant sought in the case of Tzipi Livni. It is an attempt to defend a very important principle: the right of British courts to arrest people where there is prima facie evidence that they have committed human rights abuses or violated the appropriate United Nations statutes to which this country is also signed up.

The furore about this matter has arisen—it was, doubtless, what provoked my hon. Friend into obtaining this debate—because a universal arrest warrant was sought in the case of Ms Livni. It was obtained in a divisional court on the basis that there was prima facie evidence that she was a party to crimes against humanity during Operation Cast Lead, when Israel bombed Gaza and 1,400 people died. I was in Gaza two weeks ago and witnessed, still, the remnants of that attack. The arguments for changing the law seem to be coming from friends of Ms Livni who say that to prevent her from coming to this country would damage relations between Britain and Israel. They say that the rights and powers of a court to issue an arrest warrant must therefore be removed and that those powers should be placed in the hands of the Attorney-General, who would decide whether to issue the warrant or not.

As I explained in my invention earlier, the trend of legislation has been to separate for all time, as far as possible, the authority of the courts from the interference of politicians. That is something to which we all agree. The Attorney-General is inevitably a politically appointed figure. Let us imagine that the Attorney-General had to consider whether to issue an arrest warrant in the case of Ms Livni and that somebody, or a group of people, put pressure on them to do so. They would be put under a huge amount of pressure, including arguments that it was a diplomatic problem, that the Government of Israel and the US objected to it, that various Arab countries agreed with it and so on. It would no longer be a decision based on prima facie evidence or on the law, but a decision based on the diplomatic niceties of the situation and the political pressures under which the Attorney-General was put. Would the same pressures apply if somebody applied for an arrest warrant on Robert Mugabe? I do not know. All I know is that it is quite important that we should base this on humanitarian law and that the arrest warrant should be awarded, or not, on the basis of evidence put before the judge.

**Barry Gardiner:** My hon. Friend seems to be suggesting that the most important thing is that there should be an arrest. Surely we are all agreed that when there have been war crimes or violations of human rights, there should be a successful prosecution. To simply say that

we must secure the arrest and that we do not want to get the Attorney-General involved at that stage is beside the point—in fact, it misses the point. Ultimately, it will be a matter for the Attorney-General and the Crown Prosecution Service whether that arrest leads to prosecution—

**Mr. Deputy Speaker:** Order. The hon. Gentleman seems determined to miss the microphones. I know he is trying to be courteous to the hon. Friends with whom he is disputing points, but it is very important for the benefit of those who compile the *Official Report* that they should hear what is said.

**Jeremy Corbyn:** It is a fairly obvious argument. There could not be a successful prosecution unless there had been an arrest in the first place. One needs a person to prosecute and the arrest warrant would provide that opportunity. That takes me back to the point: an arrest warrant can be issued only if there is prima facie evidence against an individual. The judge obviously thought that there was in this case. The then Home Secretary obviously thought that there was when he allowed the extradition request on General Pinochet in 1998. There are many other issues. My point is that if we sign up to UN conventions on torture and abductions and to conventions of any sort against humanitarian abuse and war crimes, is it a good idea to fetter our signing up to them by saying, “Oh, by the way, we will take the decision on political grounds because we do not want to upset friendly countries”?

We had the same debate when the Rome statute and the setting up of the International Criminal Court were discussed. We debated what would happen if the British military were accused under that statute of war crimes. The House took the position that we would support the Rome statute and sign up to the ICC. That was a good thing and I support that process. If we are to defeat human rights abuses around the world, we must be prepared to take the difficult decisions to prosecute the people who perpetrate these crimes.

**Barry Gardiner:** I am grateful to my hon. Friend for giving way again. The issue here is not whether the crimes will be prosecuted, but whether the arrest process should be initiated by a private individual. That is where the abuse appears to be taking place.

**Jeremy Corbyn:** My hon. Friend talks about an arrest being initiated by a private individual, but the arrest warrant in this case was sought and obtained by people acting on behalf of, or in sympathy with, those who suffered during Operation Cast Lead. If he is saying that there should be no option to go to court other than when a politically appointed Attorney-General, of whatever political party, decides that that would be a good idea, surely that is to negate the principle of universal jurisdiction. As I said earlier, that would reduce matters to the level of diplomatic considerations, rather than legal and humanitarian considerations.

**Barry Gardiner:** My hon. Friend is seeking to paint the Attorney-General as a political figure but the individuals who initiated the arrest warrant as in some way non-political. That is clearly not the case, particularly in this instance. Again, it is intellectually dishonest to try to represent the one as simply a disinterested individual who wants to ensure that war crimes do not take place, and the other as a politically motivated individual.

The Attorney-General, one assumes, has a mature and responsible attitude to ensuring that war crimes are prosecuted where an effective prosecution can be gained. He would therefore be prone to initiate an arrest warrant to achieve that.

**Jeremy Corbyn:** If my hon. Friend's position is that the Attorney-General would automatically be minded to prosecute, then I am sure they would have no problem whatsoever with there being a universal arrest warrant that could be obtained from a district judge on the basis of prima facie evidence.

My hon. Friend seems to adopt the position that interested parties, be they relatives or sympathisers of a particular group of wronged citizens, have to be removed. However, if we are to deal with human rights abuses, surely we have to be prepared to ensure that the current situation, which I regard as a huge step forward from what existed previously, is maintained, and that we do not change the law in that respect.

When the Minister replies, I hope she will understand that there are many people—in organisations such as Human Rights Watch, Justice, Redress, the International Federation of Human Rights, Global Witness and others—who are very concerned about the political statements made immediately after the non-visit of Ms Livni to this country because of the arrest warrant that had been issued. They urge that Britain stand on the side of universal jurisdiction, and not disappear from it.

A letter signed by a number of people is being sent to the Prime Minister on this matter. It states:

“The UK must not renege on its international treaty obligations, particularly those under the Fourth Geneva Convention...to seek out and prosecute war criminals wherever and whoever they are, whatever their status, rank or influence, against whom good prima facie evidence has been laid.”

After the end of the second world war, many very brave people used whatever law was available to seek out and prosecute Nazi war criminals, in all kinds of jurisdictions all over the world—including this one. Many years later, as my hon. Friend will know because he was here, we eventually passed the International Criminal Court Act 2001, under which such people can be prosecuted.

I realise that my hon. Friend may have difficulties with the idea that a person of the stature and opinions of Tzipi Livni could be arrested for war crimes because of what happened in Operation Cast Lead, but that would be a matter for the courts to decide, if and when she were arraigned and a prosecution took place. However, he seems to be trying to put up a barrier that, as I said before, would allow a diplomatic intervention to prevent that happening.

If we are to be taken seriously on human rights law, we have to be prepared to prosecute people whether they come from countries that we consider to be friends, or from ones we do not. That is the principle at stake here. I hope that when the Minister replies, she will assure us that despite all the huffing and puffing of the past few weeks, she will recognise that 111 MPs from all parties signed my early-day motion, which is a significant number. The legal opinions that she, the Prime Minister, the Foreign Secretary and others have received are strong in this area, and I hope the Government will stand firm and say, “We signed up to all these international conventions. We accept the universal jurisdiction decision

of the Law Lords in the case of Pinochet, from which some of this issue stems, and we are not going to change, just because it is inconvenient to some people at present.”

If we are to prevent people from being bombed and killed, and if we are to prevent unreasonable military actions that result in huge loss of life, surely we have to do so through a legal process of accepting and understanding international humanitarian and human rights law, rather than saying it is all a matter of political judgment at the end of the day. I hope the Minister can placate people who are concerned about this issue, and tell us that there will be no change in this particular law, and that no amendments and no new law will be rushed through the House. If there is an attempt to do so, it will be met with widespread opposition from Members of all parties on both sides of the House and, I suspect, in the House of Lords, too, because this is an issue of the utmost principle and the utmost importance.

5.16 pm

**Mr. Eric Joyce** (Falkirk) (Lab): I will not detain the House, but I think there is an opportunity to raise an issue within the terms of the debate. It relates to a different part of the world: the eastern region of the Democratic Republic of the Congo. A number of people from that country are members of the FDLR, which is a rebel organisation. They live in Europe, having left Rwanda or the DRC. Some of them live in Germany and others live in the UK. Under the existing legislation, and under the proposed Government amendments discussed by my hon. Friends, they could still be apprehended.

The question is a technical one. There is probably sufficient information to arrest some individuals who are resident in the UK, and the UN group of experts investigating the issue has been somewhat hampered by the failure of the UK and French Governments to give it certain information such as telephone numbers, which it could pass on so that those people can be arrested. I understand that that constraint has come about because of privacy laws in the UK.

This is not something on which my hon. and learned Friend the Minister will be able to respond immediately, but she may be able to pass it on to the relevant Minister. I recently had a meeting about the issue in general with the Minister for Africa and the UN, Baroness Kinnock, in the other place, and she said she would look into it in due course. However, it should continue to be raised in debates such as this, because it is not right just to debate it when it comes to matters African. These things have a way of disappearing from the agenda.

The Government have introduced amendments to cover people in the UK accused of war crimes and genocide. Because the legislation is going to be amended, facilitating the arrest of these people—*[Interruption.]* My hon. Friend the Member for Walsall, North (Mr. Winnick) is referring to something different. The legislation to which I am referring will enable those people to be arrested in the UK and, I suspect, in the meantime, they can flee overseas. They may stay in other parts of Europe, which takes us back to the need for co-operation between European Governments and for providing things such as telephone numbers to allow

[Mr. Eric Joyce]

the UN group of experts to conduct investigations and provide information to the Governments, notably in Germany and the UK, so that those people can be arrested. I simply wanted to raise that matter: perhaps my hon. and learned Friend can pass it on to the relevant Ministers.

5.18 pm

**The Solicitor-General (Vera Baird):** I congratulate my hon. Friend the Member for Walsall, North (Mr. Winnick) on obtaining this debate on an issue that has attracted significant attention in recent weeks, and has done so, too, today. I am grateful—and I am sure that he is—for the contributions of my hon. Friends the Members for Brent, North (Barry Gardiner) and for Islington, North (Jeremy Corbyn) on this topic. I admire the way in which my hon. Friend the Member for Falkirk (Mr. Joyce) has taken the opportunity to raise an issue that is close to his heart. If he is not going straight to Falkirk after the debate, and can tell me a little more about the issue, I am happy to do what I can to help him.

My hon. Friends the Members for Falkirk and for Walsall, North were speaking at cross-purposes a moment ago. My hon. Friend the Member for Walsall, North does not want any change in the law, but the change in the law that my hon. Friend the Member for Falkirk was talking about was one, I think, of which my hon. Friend the Member for Walsall, North would approve. We have broadened—I say this in very general terms, not wishing to be specific at all—our ability to prosecute people who appear to be guilty of war crimes and genocide and who are living in this country. That, I think, is where my two hon. Friends got off on the wrong foot with each other.

The criminal law in England and Wales is primarily territorial. That is to say, it applies to acts committed by people of any nationality who are in England and Wales, not ordinarily extending to offences committed outside its borders, even when committed by British citizens. There are exceptions, which are drawn case by case by Parliament. Some such offences cover British nationals outside England and Wales—for instance, in the case of murder. Some such offences extend to UK residents outside the UK—for example, some sex offences, and war crimes, genocide and crimes against humanity in the International Criminal Court Act 2001.

Exceptionally, some offences go further and apply to persons whatever their nationality and wherever the act was committed—for example, grave breaches of the Geneva Conventions Act 1957, torture, and the taking of hostages. As a general principle, that exceptional jurisdiction is the result of international treaty obligations. This is universal jurisdiction. It is a vital part of our law, to which we are 100 per cent. committed.

It is an unusual, though not unique, feature of the criminal law of England and Wales that a private individual may initiate criminal proceedings. That can be done by applying to a magistrate for a summons, which summonses the person to come to court, or by an arrest warrant, which issues forth to arrest and imprison, at least momentarily, the individual in question. The evidence required before a judge is required to issue such process—a summons or an arrest warrant—is very, very limited. The evidence required before a judge is required at law

to issue such process is little more than some prima facie evidence that an offence known to the law has been committed by the person named—not a prima facie case, some prima facie evidence.

Moving on into this process, there is a possible anomaly at present. A warrant for arrest, which is obviously a more draconian process than a summons, can be issued solely on the basis of that level of evidence. As a generality in the case of very serious offences, including war crimes—those that attract universal jurisdiction—the Attorney-General's consent to a prosecution is required. That is as a generality. Without the consent of the Attorney-General, nobody can be required to answer such an allegation. Without the Attorney-General's consent, a summons cannot be issued on the application of a private individual. However, in the case of a request for an arrest warrant, perhaps oddly, but because of a provision in the Prosecution of Offences Act 1985, there is no requirement for the Attorney-General's consent to be given until later in the process.

Let me be clear. The Attorney-General's consent is required to prosecute a war crime, torture or any other similar grave breach, and no prosecution can proceed far without her consent. But whereas consent is a prerequisite for the issue of a summons, it is not a prerequisite for the issue of an arrest warrant. That consent can come after the issue of an arrest warrant.

The net result is that a private individual in the UK can secure the arrest of a non-resident foreign visitor to this country—or of a British person, for that matter, but that is not the topic of this debate—on the basis of prima facie evidence only, which may subsequently prove insufficient to gain the Attorney-General's consent, insufficient for any prosecution to go forward, and insufficient to be taken any further at all by an investigation by the police or the prosecution authorities, let alone insufficient to bring a conviction.

Although I admire immensely the power with which my hon. Friend the Member for Islington, North argues his case, I am aware of no situation in the UK whereby the Attorney-General decides on the issue of proceedings. As I have set out, she can consent to an application and the Director of Public Prosecutions usually brings an application, but its release—the judicial part of it—is always done by a judge. That could not be changed; the separation of the powers is quite clear.

Whatever happens in the issue of process stage, the Attorney-General's consent is needed immediately afterwards. The private prosecution jurisdiction that my hon. Friend is troubled by has nothing to do with the Pinochet case, which was not a private prosecution. The process was issued over here from the Spanish court, and it then became complicated, as my hon. Friend has described, but if the right to a private prosecution were totally taken away, and no one suggests that it should be, the Pinochet event would still happen. The private prosecution is not the foundation of the law upon which we all rely and intend to cleave—namely the law of universal jurisdiction—either. Although some elements arose, the law has moved on extremely strongly to protect more people and to give more universal jurisdiction in the intervening years.

**Jeremy Corbyn:** Will my hon. and learned Friend confirm that in the Pinochet case, the then Home Secretary granted an extradition warrant, and that Pinochet was

therefore detained and, subsequently, there was a legal process? However, the then Attorney-General declined to mount a UK prosecution against Pinochet, and he relied solely on the Spanish and, indeed, Belgian applications for extradition. Thus, the then Attorney-General made a political decision not to prosecute Pinochet within the UK's jurisdiction. There was a reliance on the Spanish prosecution.

**The Solicitor-General:** Truly, I do not know. I cannot remember whether that is right or wrong, but it is a dangerous mistake to call a decision taken by the Attorney-General a “political decision”, because the Attorney-General is obliged to look after the interests of the public and, indeed, the rule of law. When taking procedural decisions in connection with proceedings, they are not acting in any way as a politician; they are obliged to separate all those interests. Having said that—firmly, strongly and clearly, I hope—I do not remember whether the then Attorney-General decided that there should not be a prosecution, whether the matter never arose or whether there was a conflict of jurisdiction and there could not be any prosecution. I could not tell my hon. Friend.

Section 6(2) of the 1985 Act permits the Director of Public Prosecutions to take over any case that has been commenced by a private prosecution. There are conditions, set out on the Crown Prosecution Service website, under which the DPP will take over such a private prosecution, and the DPP may then pursue the case. However, if the full code test within the CPS code cannot be made out, because either the evidence to suggest a 51 per cent. chance of conviction does not exist, or there is insufficient public interest in it, although I imagine that the second would be a rare occurrence in such a case, the DPP may discontinue a case. Thus the power to issue a warrant on prima facie evidence may not necessarily result in the matter being taken very far.

However, the DPP may equally take over and take forward a prosecution, and that would involve a police investigation. The police would investigate and, in due course, seize what opportunity they had to make an arrest, if an arrest became appropriate. A prosecution could therefore follow—again, assuming that the test in the code for Crown prosecutors were made out.

In terms of the processes that I have described, it may become plainer and plainer that if a UK citizen has evidence of war crimes or of another crime that commands universal jurisdiction, the right course to pursue is to take this information to the police so that they can investigate it under the supervision of, or in partnership with, the CPS. There is a specialist unit in the Metropolitan police to deal with those cases. It may become reasonably clear that very little will be lost in doing that instead of seeking to exercise a right to obtain a summons or an arrest warrant, which could have a very short-lived effect and could cause difficulties of another kind to which I shall turn in a moment. Of course, the difference between reporting a matter to the police and leaving it to them to investigate and take further and issuing private process is the private arrest. It may be that some separate purpose is served by that in itself.

The UK has a duty under the Geneva conventions—the torture conventions and other conventions—to do as my hon. Friend the Member for Islington, North said: to seek out in order to extradite or to prosecute within

our own jurisdiction people who are suspected of the grave crimes in question under those conventions. It is very important to make it totally clear that we as a Government are determined to do our duty in fulfilling our obligations under that law, as we did, for instance, in the case of the Afghan warlord, Zardad, who was successfully prosecuted for torture offences here in the UK in 2005. We are absolutely committed to upholding these conventions and to upholding the principles of universal jurisdiction. There can be no impunity for these most grievous of crimes.

There can be a potential impact on our international relations if attempts are made by a private person to arrest one of a foreign state's senior politicians during a visit to the UK. There has been discussion about a particular case. We need to be engaged in the middle east, as in other conflicts and post-conflict situations, if we are to carry out our international role as a member of the UN Security Council and negotiate in the interests of our own security. There are inevitably two sides to a conflict, and we need to engage with those who have been, and are, involved in a conflict if we are to be able to try to bring such a conflict to an end or to ease it. It would not be helpful if the use of such a power of application by a private citizen for a warrant for arrest made a person reluctant to visit the UK, notwithstanding that they may have a leadership role within their country and that we need to talk to them about such a matter.

Before I finish, I want to make two other points. First, I emphasise that nothing that has been said here is at all to undermine the independence of the judiciary, who will consider each and every case of every kind and of every nature, whether privately or publicly brought, on its merits. Secondly, although the issue that brought on this debate concerned an Israeli citizen, the position and the tensions can be equally present with other countries' nationals.

**Mr. Winnick:** I hope that my hon. and learned Friend recognises that I emphasised more than once that the Attorney-General must be involved in the prosecution. I made that clear, and she has confirmed it. However, she just said that the same situation may apply with regard to other countries. Clearly, this is not about Israel as such; no one could accuse me of having some sort of anti-Israeli vendetta, however much I disagree with many aspects of Israeli policy, needless to say. Is it not the case that if there is to be any change, primary legislation will be required? I would be grateful if she could confirm that. It goes without saying that I would be opposed to changes of the sort that she has described.

**The Solicitor-General:** I think that I am right in confirming that primary legislation would be required.

My point was not a suggestion that my hon. Friend had a particular view about the middle east situation, but that the position of an Israeli citizen brought about the debate in this Chamber. None the less, it is important to say that the position that that situation puts us in, and its accompanying tensions, can exist in relation to other country's nationals, and it stands separate from the position of the UK on any particular political issue.

I am glad that we have had the opportunity to discuss the matter and that I have had the chance to set out the current position in the law.

**Jeremy Corbyn:** Can the Solicitor-General confirm a point? As I understand it, there has to be primary legislation. Does she intend to introduce such legislation?

**The Solicitor-General:** All I can say is that I do not believe any change could be brought about if it were the Government's will to make a change without primary legislation.

I am glad to have had the opportunity to set out the current position, and the issues to which it gives rise, and I congratulate my hon. Friend the Member for Walsall, North on obtaining this highly contemporary debate.

*Question put and agreed to.*

5.36 pm

*House adjourned.*

## Westminster Hall

Thursday 28 January 2010

[ROBERT KEY *in the Chair*]

### Carbon Capture and Storage

[*Relevant documents: Ninth Report from the Environmental Audit Committee on Carbon Capture and Storage, HC 654, Session 2007-08, and the Government response, Cm 7605, Session 2008-09.*]

*Motion made, and Question proposed, That the sitting be now adjourned.*—(Mark Tami.)

2.30 pm

**Simon Hughes** (North Southwark and Bermondsey) (LD): On a point of order, Mr. Key. When we had a similar debate not very long ago, I asked the Chair if a more logical sequence for speaking would be acceptable, so that after the Chairman of the Select Committee has introduced the report, the Minister can at that stage speak to the Government's reply, which is, obviously, the other document that is before us. It seems more logical for both the Select Committee Chairman and the Minister to present their case, as colleagues can then intervene and, with the leave of the House, the Minister can wind-up and pick up any other things. That strikes me as a better way of using our time.

**Robert Key (in the Chair):** Minister?

**The Parliamentary Under-Secretary of State for Energy and Climate Change (Mr. David Kidney):** I am entirely in your hands, Mr. Key. I do not mind one way or the other.

**Robert Key (in the Chair):** I believe that a precedent has been set in that respect, so if the Minister is content, that is how we shall proceed. After the Chairman of the Select Committee has spoken, I will ask the Minister to speak. Would the Opposition spokesman like to speak after that?

**Charles Hendry** (Wealden) (Con): Towards the end.

**Robert Key (in the Chair):** Towards the end. Mr. Tim Yeo.

2.31 pm

**Mr. Tim Yeo** (South Suffolk) (Con): I warmly welcome you to the Chair, Mr. Key. You and I are some of the survivors of the 1983 intake but, alas, I think you have made a different decision from me about what to do at the next election. I am very happy with the order of speaking that has been proposed for this afternoon—it seems to have a logic to it. I obviously warmly welcome the Minister, my hon. Friend the Member for Wealden (Charles Hendry) who speaks for the Opposition, and the hon. Member for North Southwark and Bermondsey (Simon Hughes) who speaks for the Liberal Democrats.

I am delighted that the report has been chosen for debate. It was written quite a long time ago and was published in July 2008. For reasons I will explain, we

had to wait quite a long time for a Government response, but the importance and topicality of the report is in no way diminished by the intervening 18 months. I look forward to debating it this afternoon. I hope I may be joined at some point by some members of my Committee. I do not think they are absent because they disagree with the report—it was passed unanimously and without much discussion—but I was hoping that one or two of them might be here this afternoon.

We chose to study carbon capture and storage because the world simply has a great deal of coal—an awful lot of which will get burnt. Coal happens to be one of the cheapest, but one of the most polluting ways in which to generate electricity. Having studied the climate change issue generally very closely as a Committee over the past five years, it is clear that although most of the technology that we need to decarbonise the world's economy—certainly in terms of the built environment and transport—already exists, the one crucial technology breakthrough we must have relates to carbon capture and storage, because of all the coal.

In Britain, coal is and will remain for some time a crucial part of our energy mix—it accounts for about a third of our electricity. Internationally, the use of coal is growing quickly. As they develop their economies, countries such as China and India are using up their coal. Globally, coal fuels about 40 per cent. of electricity generation. The International Energy Association expects demand for coal to grow by more than 70 per cent. in the next 20 years. Coal generates half the electricity in the United States, more than two thirds of the electricity in India and more than three quarters of the electricity in China.

As I said, electricity produced from coal is cheap as long as the industry does not have to take account of its emissions. I contrast the attitude to coal in past generations with, for example—I realise this might be controversial and not generally agreed with—the attitude towards nuclear power. Every opponent of nuclear power always makes, with some justification, great play about the cost of dealing with nuclear waste. However, nobody opposed coal because the costs that would need to be imposed in the future as a result of those emissions would be far greater than anything arising from nuclear waste, which, at least in a physical sense, is a small problem.

**Simon Hughes:** Of course, the hon. Gentleman is right, and the thrust of that argument is accepted. There is obviously a difference in the type and scale of the exercise involved in decommissioning nuclear power stations and ceasing to use coal-fired power stations, which is probably why the historic argument has been in one sector, but not the other. However, his principle is, of course, good.

**Mr. Yeo:** I accept the point about the decommissioning of the physical plant, of course.

The cost of building a coal-fired power station that captures the carbon dioxide it is producing is extremely high: it could be £1 billion for a 400 MW plant. The cost of transporting and storing carbon dioxide that has been captured is additional to those building costs. So electricity generated by plants with carbon capture and storage is, at least, currently much more expensive than the alternatives.

The large combustion plant directive was introduced to reduce sulphur dioxide and nitrogen oxide emissions, which will lead to the closure of about a third of

[Mr. Yeo]

Britain's coal-fired power stations. Any new plants will have to be fitted with scrubbers to remove those problems. If coal-fired power stations are replaced even with gas-fired generation, as happened in the previous dash for gas, it will do little or nothing to meet our longer-term targets for cutting greenhouse gas emissions. Of course, there is a short-term gain, because gas produces less than half the emissions of coal-fired electric generation. That will therefore help to meet short-term targets.

A further big switch to gas away from coal locks Britain into an emissions pathway that will ensure that eventually we fail to meet our longer-term targets. The crucial thing in relation to that is that decisions about what sort of new generating capacity we build in the coming decade will determine our emissions 20, 30 or perhaps even 49 years from now. If the carbon price rises sharply, as it may well do, or if emissions performance standards are adopted internationally, as they may well be, choosing the wrong technology now will cost us dear at a later date.

Carbon capture and storage has become an increasingly attractive policy option. It is clear that the first countries and companies to make it financially viable will have a huge first-mover competitive advantage. When we wrote our report, there was an active debate about the future of the Kingsnorth power station, and about plans for at least three other power stations that were thought to be in the pipeline. At that time, the cornerstone of the Government's policy on carbon capture and storage was a competition for a post-combustion demonstration plant at the 50 to 100 MW scale by 2014, to be scaled up to 300 to 400 MW as soon as possible thereafter.

Up to that point, I regret to say that progress on carbon capture and storage had been appallingly slow. The 2003 White Paper "Our Energy Future—Creating a Low Carbon Economy", which was published when I was shadow Secretary of State for Trade and Industry, promised what was called an urgent, detailed, implementation plan, and that a study to inform decisions would reach its conclusions within six months. Three years later, when my Committee considered carbon capture and storage as part of our report entitled "Keeping the Lights On: Nuclear, Renewables and Climate Change", we concluded that a plethora of reports gave an impression of activity, but that nothing had actually happened. A situation we justifiably described at the time as "scandalous". By 2007, the Committee reported in its annual pre-examination of the pre-Budget report that there was still slow progress on the CCS demonstration project and no progress on devising a financial framework.

Our most recent report expressed our deep frustration with the

"lack of progress on CSS."

We concluded that

"The lack of a clearer signal from Government...has slowed the development of CCS."

We acknowledged that some progress had been made, notably around the regulatory regime for the storage of carbon dioxide, but we called for an end to the indecision that seems to characterise the Government's approach. We pointed out not only that the indecision had been environmentally damaging, but that it was squandering any chance that Britain had to build a commercially valuable competitive advantage.

The Government argued that it was necessary to restrict the competition to focus attention on the technology that was most deserving of development and that would be easiest to retrofit. We supported their decision to focus on post-combustion technology but called for the demonstration programme to be extended. The Government told us that there was significant uncertainty on the costs, technical requirements and risks associated with CCS.

Our report concluded that the resurgence of interest in coal was failing to take account of the damaging environmental impact that would arise from running those power stations unabated, or unabated on most of their output, until CCS was proven. We said that opening the door to a new era of coal-fired generation was potentially very damaging, both environmentally and economically.

We also warned against abusing the arguments about energy mix. Investment in coal, even with the promise of CCS, must be the last resort. The Committee does not accept the Government's claim that new coal-fired generation has no impact on overall emissions because new coal-fired power stations would have to operate with the EU emissions trading scheme cap. We have debated that point at some length. In theory, that sounds all right on one level, but as we have argued in other reports, the Government should not rely on the EU ETS in that way because the emissions from a coal-fired power station do not disappear and have to be accounted for somewhere. It goes right against the intention and spirit of the EU emissions trading system, which was designed to reduce emissions, for the Government to use it as a cover to justify continuing to encourage, or at least allow, investment in the most polluting form of electricity generation. We said they should take more urgent and ambitious steps to develop CCS. They should also make it clear that unabated coal-fired power stations will not be allowed to operate in the longer term. Our view, incidentally, is absolutely consistent with what the Energy and Climate Change Committee has said since our report was published.

The Government have made much of the concept of CCS readiness, meaning the planning consent given when a new plant fulfils certain conditions that would enable CCS to be fitted at some point in the future. That has been included in a handful of gas-fired power stations. However, it was clear from the evidence we heard that, in the absence of a Government requirement that CCS be retrofitted, CCS readiness is pretty meaningless. There is no guarantee that CCS will ever be fitted to those plants, even when that is a condition of granting planning permission.

The price of carbon is currently far too low, and too volatile, to drive the necessary investment in CCS. Given the impact of the economic recession on the EU ETS, particularly on phase 2, the carbon price is likely to remain too low for several years, so we urge the Government to look at feed-in tariffs for CCS or some other funding mechanism.

Britain cannot meet its carbon budgets in the long term if it allows the prolonged operation of unabated coal-fired power stations. The Government should use some kind of emissions performance standard to terminate the most polluting forms of power generation and warn industry that unabated coal-fired power generation has no future. Given the failure of the Copenhagen summit

to reach international agreement about emissions reduction targets, more attention could usefully be paid to the international use of emissions performance standards, perhaps on a nation-wide, average basis, which would allow countries some freedom to decide on their energy mix, but within a gradually reducing emissions performance standard target. I believe that, as we do not have agreement on emissions reduction targets, we should examine how emissions performance standards could be introduced as a much less threatening mechanism for a developing country, because they say to them that we want them to improve the efficiency of their generation industry, reducing its carbon footprint, rather than put an absolute limit on it. At least that would mean that investment in new capacity would tend to take place in low-carbon forms of electricity generation.

**Simon Hughes:** Emissions performance standards have rightly been the subject of debate between all three main parties in the Energy Bill Committee. Does the hon. Gentleman remember—if not, perhaps he could he check later—whether there was any correspondence between the Environmental Audit Committee and the European Commission, either during the Committee's inquiry or subsequently, on the compatibility of a national project for emissions performance standards with EU policy?

**Mr. Yeo:** The hon. Gentleman raises an interesting point. I do not recall any correspondence, but that is certainly a subject we touched on in our conversations with the Commission, and we intend to continue doing so, for the reasons I have already given. I emphasise, although it was not questioned, that I speak here in my capacity as the Committee Chairman, not for the Conservative party—many of my colleagues did not think I spoke for the party even when I was the shadow spokesman, because my views tended to be at the green extreme of the spectrum.

We published our report in July 2008. It took more than a year for the Government's response to appear, and when it eventually did it was published as a Command Paper. In October 2008, after the summer recess, we received a response from the Department for Business, Enterprise and Regulatory Reform, as it was then called, just as the Department of Energy and Climate Change was being created. I must say that members of the Committee from all parties were absolutely dismayed by the contents of DBERR's initial response, so much so that we wrote to the new Secretary of State for Energy and Climate Change and asked whether the Government would like to reconsider their response. We refrained from embarrassing them by publishing what had come from DBERR, which we would have been entitled to do and were happy to give the Secretary of State some time too produce another response.

Meanwhile, it appeared that several policy changes were being made, some of which were announced in the 2009 Budget, and we were pleased to see that many of those changes took on board the Committee's recommendations. There was a further delay to the new response while DECC awaited the outcome of its consultation in June 2009 on the framework for the development of clean coal. By the end of July, a response was ready, but as the House had risen for the recess, DECC published it as a Command Paper in August. A few administrative hiccups in DECC meant that the

Committee was unaware of the response until October 2009, when I was having a private meeting with the Secretary of State and he produced the document, which I had not previously seen.

However, in October last year, when he was giving evidence on carbon budgets to the Committee, he said:

“I think your Committee wrote a very good report on this, which I think the previous Department disagreed with and I agreed with and, indeed, said so in my response.”

We warmly welcomed that, and I congratulate the Secretary of State, with whom I agree on a whole range of issues relating to climate change. He has overseen, and probably led, a significant change in Government policy on that subject, and that is extremely welcome. I note in passing that if DBERR was capable, as late as October 2008, of producing a response of the sort it did for our report, it is dismaying to think how out of touch and backward looking sections of that Department must then have been.

**Simon Hughes:** Where have the civil servants gone?

**Mr. Yeo:** Indeed, where have they gone? No doubt things are very different under Lord Mandelson.

I welcome the fact that the published response to the report accepted many of our recommendations. It confirmed the Government's commitment to expand the CCS demonstration programme and set out what was being done to take forward the competition and support the development of individual CCS components. The Committee had called for a more strategic approach to the development of CCS, and the Government's response on a framework for the development of clean coal and the energy national policy statements provides some detail on its development in the UK.

The response also described the development of a strategy for the international development of CCS. It noted that the EU's ambition was to have 12 CCS plants operational by 2015, and a further €1 billion was made available for CCS project in April 2009. That is welcome, but unless Britain advances its plans there is a risk that it will be other member states that build a competitive advantage in CCS. Other EU countries may position themselves better to make money from selling and installing CCS technologies in parts of the world where they must be fitted if there is to be any hope of getting global emissions to peak. There is therefore a risk that Britain will once again miss out on the chance to build a world-class industry because it has failed to harness UK creativity and innovation. That would be a tragedy in a field where the global market is potentially truly enormous, and I hope that the Minister will comment on that.

In their response, the Government stressed that coal still has a vital role to play, but Britain must be cautious about the investments that it makes in fossil-fuel-powered generating capacity, because there is a real danger that we could lock ourselves into a high-emissions pathway. If it turns out that we have made investments in assets that must be retired before the end of their economic lives, billions of pounds will have been wasted. Having said that, I welcome the Government's acceptance of the Committee's recommendation to step up efforts to drive forward the development of CCS and their recognition of a possible role for emissions performance standards.

[Mr. Yeo]

I also welcome their decision to scale up their financial support for CCS by funding up to four CCS demonstration projects.

Requiring any new coal-fired power station to demonstrate CCS on at least 300 MW of its operating capacity from day one, however, looks inadequate. Although that figure is much higher than the target for the original competition, it still probably represents only a quarter of typical output. At that level, we cannot be sure that we will get enough information to know whether CCS is technically and economically viable. Requiring new coal-fired power stations to retrofit CCS to full capacity within five years of its having been proven is the very minimum expectation that we should place on the industry. Preparing for the possibility that CCS will not be proven by considering emissions performance standards is another urgent matter.

In line with the Committee's recommendation that the demonstration project be extended, the 2009 Budget announced an extension covering up to four sites and including pre-combustion and post-combustion technology. Up to four means two to four, so at least one more site will be built that would have been built under the original arrangements, which covered only post-combustion technology. I understand from the Government's response to the Committee on Climate Change, which was published earlier this month, that they are considering only two bids, but that another round of the competition will be launched towards the end of the year. Perhaps the Minister can clarify that when he replies.

**Mr. Kidney:** Just to be clear, the result of the pre-Budget report is that it is now four projects, not up to four. I will say a little more about the second competition when I speak later.

**Mr. Yeo:** I am grateful to the Minister for that clarification. I hope that that means that the Government are confident that when they respond to the bids, we will be able to gain the information that we need to answer the questions about the technical and economic viability of CCS. I look forward to what the Minister has to say on that.

The Budget also announced extra research funding for companies in the existing competition. The recently published energy national policy statement recognised that CCS is unlikely to be built without financial support. It also recognised that planning consent will be given without reference to the allocation of funding, so more applications may receive planning consent than are able to secure funding. The Government have consulted on how a reliable funding stream can be developed for CCS, and there are proposals in the Energy Bill, which is currently before the House. Ofgem will have a role in relation to CCS and in managing the vehicles for funding and monitoring CCS demonstration projects, and I hope that the Minister can tell us a bit about what Ofgem has done to ensure that it has the right people and skills to fulfil that role. The Committee on Climate Change has made it clear that decisions on financing CCS will need to be taken in 2016 if finance is to be in place to support its roll-out in the early 2020s.

The framework for clean coal, which was published around the same time as the energy national policy statement, makes it clear that the Government's ambition

is for CCS to be ready for widespread deployment from 2020. Once again, that ambition is the minimum that the Government should aim for—2020 is still quite a long way away. The Secretary of State made it clear that the framework's objectives are to advance the development of CCS, improve its affordability, ensure the diversity and security of energy supplies in Britain and create jobs and opportunities for UK businesses. I am sure that we all strongly endorse those aims.

The framework also envisages all new coal-fired power stations fitting CCS by 2025, which implies that some generating capacity may not do that for another 14 years. The energy national policy statement made it clear that the Government plan to report on the status of CCS by 2018 in the light of the progress made by the demonstration projects. That review will consider the framework in which coal-fired power stations would be constructed beyond the demonstration phase. If CCS is not proven, the national policy statement suggests that we will need a regulatory approach to managing emissions—one that is consistent with, and complementary to, the EU ETS and which might, therefore, be an emissions performance standard. Can the Minister reassure us that there will be adequate time to take all the necessary actions between the report on CCS in 2018 and the 2020 target date for CCS to be ready for widespread deployment?

The advice of the Committee on Climate Change makes it clear that power generation must be almost completely decarbonised by 2030, and it has talked about a 90 per cent. cut, which my Committee certainly endorses. If progress is made on CCS in 2018 and it is deployed on all new coal-fired power stations from 2025, that would appear at first glance to be consistent with what needs to be done domestically. However, the advice from the Committee on Climate Change is equally clear that global emissions must peak in the next five or six years, and certainly by 2020, if the world is to have any chance of meeting its climate change objectives. It therefore looks impossible for the UK's work on CCS to make any real contribution to efforts to achieve a global emissions peak by 2020. That is a disappointing outcome and it is the direct result of the neglect of CCS and, I am sorry to say, the scandalously lethargic attitude that the Government showed for quite a number of years, until they woke up a couple of years ago and started to do something.

Britain has not built a new coal-fired power station since 1974, but pressures on energy security, fluctuations in gas prices and the prospect, however distant, of clean coal technology have all increased interest in new coal-fired power stations. The irony is that CCS may have contributed to the resurgence of the prospects of coal.

CCS must play a decisive role in reducing emissions domestically and internationally. If we act too slowly now, the British effort to develop CCS will play no part in the effort to get global emissions to peak by the late 2020s; indeed, it may already be too late. Far more urgent action is needed if Britain is serious about gaining any competitive advantage on CCS. Active efforts are being made elsewhere, and what we are doing may be too little, too late compared with what our competitors are doing abroad. It remains unclear who bears the risk if CCS is not ready and what action will be taken if it is not proven. That uncertainty does not help to generate the investment that the Government are trying to encourage.

The initial delay in responding to my Committee's report was disappointing, but we welcome the fact that so many of our recommendations have been recognised in the reshaped CCS policy. There is some distance still to travel, and the Government must show that they are treating this issue with the urgency with which they promised to treat it way back in the 2003 energy White Paper. I commend my report to hon. Members.

2.58 pm

**The Parliamentary Under-Secretary of State for Energy and Climate Change (Mr. David Kidney):** I thank the hon. Member for South Suffolk (Mr. Yeo) for his very fair presentation of the contents of the report and the events that have occurred since it was published.

The Committee's report on carbon capture and storage highlights the importance of CCS as an option for tackling climate change and ensuring our long-term energy security. It also raises a number of important issues, which the hon. Gentleman has discussed, and I thank him and his Committee for their clear and well-presented report, which has indeed assisted the development of policy in the ways that he described.

As the hon. Gentleman said, the report was published in July 2008. At about the time that there should have been a Government response, the Department of Energy and Climate Change was created, and there was some delay in producing a proper response. I apologise unreservedly for that delay and I hope that the response that was eventually published, as well as what I say today, will satisfy the Committee that its report has been given the consideration that it deserves and has influenced the direction of Government policy. I want to argue that we have made significant progress with our policies for clean coal and carbon capture and storage, much of which takes up the helpful comments made by the Committee in its report.

First, I want to set out why coal matters to the UK and the rest of the world. As the hon. Member for South Suffolk said, fossil fuels are an abundant and relatively cheap fuel, and they are likely to remain an important source of electricity generation. Coal power stations play a vital role in providing the UK with reliable electricity supplies, providing about a third of our electricity. They can be operated flexibly in response to variations in demand, and that flexibility will become increasingly important as we see growth in variable renewables such as wind power. Coal will also continue to power the growth of major economies such as China and India. In 2008 China and India were opening, on average, a new coal power station every week. The recently published "World Energy Outlook 2009" predicts that demand for coal-powered generation will increase by some 70 per cent. over the period to 2030. The hon. Member for South Suffolk quoted that statistic from the International Energy Agency. Coal is, therefore, clearly still an important fuel, and our dependency on it looks set to grow.

However, a coal-fired power station emits about twice the carbon dioxide of an equivalent gas-powered station. If coal is to remain part of the electricity mix and the world is to meet its climate change objectives, it is essential that CCS should become an established technology. We all enjoy, and will want to continue to enjoy, the high level of security of supply delivered by the integrated

national electricity system, but it has to be low carbon, and so we all stand to benefit from the development of CCS. I remind hon. Members that CCS has the potential to reduce emissions from fossil fuel power stations and industrial installations by around 90 per cent., while at the same time enabling fossil fuels to continue to be an important element of a secure and diverse energy mix. CCS can also create economic opportunities for the UK and reduce the cost of tackling climate change.

**Simon Hughes:** The 90 per cent. figure that the Minister has just quoted is a familiar one in Government statements, and we have heard it often. Is it a technically concluded figure? Is it the scientific assessment that the kit would be able to do only that, or is it the best estimate of the likely acceptability to the owners of the plant? I am just trying to probe what evidence has been given for that figure.

**Mr. Kidney:** Clearly, we are talking about a technology that has not yet been proven to work, so I certainly cannot say that I am going by world experience. That figure is what the people who put forward the technology predict will be its efficacy. I take the hon. Gentleman's point that we should be guarded about accepting it. Nevertheless, as he said, it is the accepted figure across the industry.

Those factors explain why any credible strategy for tackling climate change must include the development of CCS technology.

The 2005 G8 summit at Gleneagles introduced a package of measures to combat climate change, one of which was to develop cleaner fuels and accelerate the development and commercialisation of CCS technology. Since then, we have made enormous progress in the UK to achieve that. In 2006 we launched a call under the Environmental Transformation Fund for projects demonstrating carbon abatement technologies, followed by a second call in 2009. There are now such demonstrations in this country. In 2007 we launched the first competition in the world to build a commercial-scale CCS project. Through the Energy Act 2008 we created a comprehensive regulatory regime for the storage of carbon dioxide in geological formations. Again, we were the first country in the world to bring in such regulation. Through the Climate Change Act 2008 we increased our 2050 target for a reduction in greenhouse gas emissions to an 80 per cent. cut on 1990 levels. That legally binding target is an ambitious plan showing that we are wholly committed to creating a low-carbon economy, in which CCS will play an important part.

In summer 2009 the Government published the UK low carbon transition plan, which plots how the UK will meet a 34 per cent. cut in emissions on 1990 levels by 2020. The transition plan takes a cost-effective route to reducing carbon and is the most systematic response to climate change of any major developed economy. Our plan includes the development and eventual wide-scale deployment of CCS.

In April 2009, ahead of our low carbon transition plan, we outlined our proposals for a new regime for new coal-fired power stations, and we launched a consultation on the detail of those proposals in June 2009. In November 2009 we confirmed our policy for a new financial and regulatory framework to drive the development of clean coal. Those policies are the most

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ambitious for clean coal and CCS anywhere in the world. All new large combustion power stations in the UK already have to be constructed in a way that ensures that they are meaningfully carbon capture ready. I take to heart the strictures of the Committee about what carbon capture readiness means, in relation to the advancement of the technology. Nevertheless, the requirements go considerably beyond European requirements, and require the developer to undertake an assessment of the technical feasibility of retrofit, transport and storage options, as well as providing for sufficient space for the capture facility.

Since November 2009 no new coal power stations may be built without the demonstration of CCS. That is backed up by a significant increase in the scale and ambition of our demonstration programme for CCS. We have now committed to support a world-leading programme of four commercial-scale CCS demonstrations. Both pre-combustion and post-combustion technologies will be demonstrated under the programme, and that reflects one of the Committee's recommendations.

**Simon Hughes:** At the top of page 4 of their response to the Select Committee report the Government say:

"Later in 2009, we plan to publish a CCS strategy that will consider"

an agenda of items, the first of which is

"international development of CCS, including in the EU".

Was that document published? Has its publication been delayed, or has it been subsumed in the consultation response to the framework for the development of clean coal? Unless I have missed something, I do not think I have seen it.

**Mr. Kidney:** The hon. Gentleman in a sense steals my thunder and lets out the air in the tyres of my vehicle. That document is due—overdue, because it did not come out in the calendar year 2009—and is about to appear. I shall say more about it in a moment. It will include the list from the Government's response to which the hon. Gentleman has referred.

Our demonstration programme will provide the platform for the necessary long-term transition to clean coal. Our ambition is to have CCS ready for wider deployment from 2020 and for any new coal plant constructed from then to have full CCS from day one.

Many hon. Members, like the hon. Member for South Suffolk today, have referred previously to the Energy Bill and its progress. The Bill was introduced in November and will put in place a new legislative framework, which is needed to deliver our programme for CCS. Specifically, it will create a new financial support mechanism for CCS, funded through a levy on electricity supplies. Such legislation is the first of a kind and will ensure the availability of financial assistance that could be worth up to £9.5 billion over the coming two decades. That is the largest single investment in CCS of any country in the world, including the United States. The Bill also includes provision for funding to retrofit supported CCS projects. That is a significant step towards ensuring that we prove the technological and commercial viability of CCS for current and future power stations. We will expect demonstration project plants to retrofit CCS to their full capacity by 2025, with the CCS financial incentive able to provide support if needed.

One theme that came through strongly in the report and was also mentioned by the hon. Member for South Suffolk is the perception of a lack of progress on CCS over the past decade. I strongly reject such claims. We have made enormous progress in several areas, which have been in line with the Committee's recommendations. As I have already mentioned, the Government's demonstration programme is among the most advanced and ambitious of any in the world. It is tempting, I know, to compare progress in the UK with that in other countries. However, I want to make two points about that. First, this is not a race. The Government welcome and positively encourage other Governments to develop their own demonstration projects. To that extent we have been instrumental in encouraging investment and progress in the demonstration of CCS, both in the G8 and in the European Union.

Secondly, some other countries have been quicker to announce the results of their equivalent competitions than the UK, but those countries promise more with less funding than we have earmarked in the UK.

The UK is leading international efforts on CCS through active engagement in many forums. Shortly after the G8 summit we established the North sea basin task force with Norway, looking at what steps the North sea basin countries might need to take to enable storage under the sea bed.

In 2005 an agreement called the near zero emissions coal initiative was made between China, the EU and the UK to demonstrate CCS technology in China by 2020. Following the first phase, which was to carry out research, this initiative has now moved into its second phase, which will be to select a project before moving onto the construction of the plant some time between 2015 and 2020.

The carbon sequestration leadership forum was established in 2003, bringing together ministerial-level members to develop the technologies involved in CCS. In October 2009, the UK jointly hosted the ministerial-level meeting where agreement was reached that more than 20 industrial-scale CCS demonstrations could be needed by 2020. The UK is a founder member of the recently created Global Carbon Capture and Storage Institute, established in 2009, which brings together more than 20 national Governments and more than 80 leading organisations.

In the UK we need the trinity of low-carbon fuels—renewables, nuclear and clean fossil fuels—to meet our energy needs. Internationally, there can be no solution to the problem of climate change without a solution to the issue of coal emissions. Many of the UK's coal plants are ageing and due to close between the mid 2010s and mid 2020s. New coal power stations are important to maintain the diversity and security of energy supplies, but only if their emissions can be managed. CCS is the only suite of technologies that has the potential to substantially reduce emissions from fossil fuel power stations. But we fully recognise the challenges and know that achieving our ambitions for clean coal will not be easy.

Each step of the CCS chain—capture, transport and storage—has been demonstrated and separately shown to work, but significant technical and cost challenges are to be met before CCS can be widely deployed. The Government's commitment to an extensive demonstration programme is intended to address these challenges.

A rolling review process, which is planned to report by 2018, will consider the appropriate regulatory and financial framework to further drive the move to clean coal. In the event that CCS is not on track to become technically or economically viable, an appropriate regulatory approach for managing emissions from coal power stations will be needed. Again, this puts into effect the Committee's recommendation 11.

I cannot stress enough that the importance of CCS is many sided: it will bring not just environmental and energy benefits, but benefits for our economy. It is also important to recognise that CCS is not only applicable to power stations. Any large static source of emissions could potentially benefit from this technology. Taking all these opportunities together, it has been estimated that the CCS industry could sustain up to 60,000 jobs in Britain by 2030.

I pay tribute to regional development agencies and others who are working on the potential for CCS in their own areas. This is true in Yorkshire and in the north-east. I visited Durham Energy Institute last week and met Professor Jon Gluyas, who occupies what he claims is the first chair in the world for carbon capture and storage, although I think some other UK institutions would challenge his suggestion that that is the best position on carbon capture expertise, even in this country—Edinburgh comes to mind instantly. Nevertheless, that shows the enthusiasm at regional level to make a success of something that is important nationally and internationally.

Looking forward beyond 2010, we plan to release a CCS strategy this year, considering the international development of CCS, our business opportunities and jobs in this country, infrastructure development, the skills that are needed, capacity building and technology development. We have also announced the creation of an office of carbon capture and storage, about which we are currently consulting stakeholders to determine its role and objectives. In the December 2009 pre-Budget report we also confirmed that the UK will fund four demonstration projects, including our current competition that was launched in 2007. We plan to commence the selection process for the further demonstration projects later this year.

**Simon Hughes:** Returning to my previous question, which the Minister mentioned in his last paragraph, he said that a CCS strategy is in the pipeline, which is welcome even though it is slightly delayed. May I ask him the same question that the hon. Member for Wealden (Charles Hendry) and I asked him about another document during the Committee stage of the Energy Bill? Will it be possible, and is it not logical, to have that document in the public domain, as with the document that the Government are preparing on warm homes, in time for us to consider it before Report and Third Reading of the Energy Bill?

**Mr. Kidney:** Because the hon. Gentleman and the hon. Member for Wealden have raised this matter with me in Committee in respect of household energy management strategy—not today's subject—I have experienced the delights of speaking to Whips about the management of business. I am an older man for having done that and I went greyer as I did so. Therefore, I am not going to answer the hon. Gentleman's question

in his terms, but I shall say that we are excited about that document, which is important for future development and, as the hon. Member for South Suffolk said, it is important to capture as many benefits of this process as possible for this country's future well-being, including its economic well-being. I am anxious that we all see that document as soon as possible and we are impatient about introducing it to the world. We will do so when we can.

We are moving swiftly onwards with the progress of CCS and I hope that today's debate helps allay any concerns that hon. Members have raised and gives confidence that the Government are committed to the delivery of an ambitious programme of four commercial-scale CCS projects by 2020, and to ensuring that appropriate technical, regulatory and commercial frameworks are developed with timely, informed decisions taken to put them in place. To take CCS forward we must raise its profile publicly. I am sure that all hon. Members agree that gaining cross-party support on this issue will go a long way towards gaining the public's backing and acceptance.

I am conscious that the hon. Member for South Suffolk has asked several questions to which I am willing to respond, but I have been asked to reply to the whole debate at the end. I propose to save my response to those questions and to those asked by other hon. Members until the end of the debate. I hope that that is a suitable way to conclude.

3.18 pm

**Dr. Alan Whitehead** (Southampton, Test) (Lab): The report that we are discussing is important and good. I was about to say that I was sorry that the Committee Chairman was not supported by Committee members, but the hon. Member for East Dunbartonshire (Jo Swinson) has just arrived, which is good because, as hon. Members have said, we are considering not just an important report, which should be discussed, but the Government response, which was eventually published, and the progress that has been made since the report was published, which has been set out.

Things have moved on since the report's publication, arguably with the substantial assistance of that report's considerations. That is a credit to the report and its contents. I say that things have moved on, but in the next few years, we want to pursue an energy strategy that is coherent; that keeps the lights on; that moves us towards an almost complete decarbonisation of our energy supplies by 2030; that keeps us on track for our 2050 climate change targets; and that keeps us within our carbon budgets as set out by the Climate Change Act 2008. Action is clearly imperative very soon if we are to ensure that our energy supplies decarbonise in that way, but also remain in place. I shall perhaps go into that further in a moment.

Although it is stated that the carbon capture and storage schemes currently being considered by the House in the Energy Bill are pilot schemes, two things are evident to me. Although a number of people say that those are experiments to see whether carbon capture and storage really works, they are essentially schemes of scale. They are about putting together the components that have already been proven in order to demonstrate that the entire system of capture, transport and

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sequestration works on the scale that will be required in the next few years. In that sense, they are not experiments, because we know that the components work. They are about ensuring that overall, the system works as well as it should. Four plants will be fitted with either pre-combustion or post-combustion processes. Ensuring that they open, operate and sequester their carbon is at the heart of what happens with regard to our future energy policy and the use of mineral fuels of any description.

When we talk about mineral fuels, we need to be clear on what carbon capture and storage is about in the first instance. As the Committee on Climate Change says,

“there is a longer term role for unabated gas generation reflecting lower emissions intensity and a potential role as back-up generation. The clear priority is therefore for early application of CCS to coal generation.”

That is the degree to which we should concentrate on carbon capture and storage, as regards coal generation. Should we have any coal-fired power stations in future? If we do—if we build any—in what way will the emissions from them, which clearly would be unacceptable if they were unabated into the 2020s, be addressed? In what way can those new coal-fired power stations be brought on stream? How can we ensure—the hon. Member for South Suffolk (Mr. Yeo) emphasised this point—that they are not assets that are stranded and decommissioned early in their life, and that therefore do not play a role in our future energy supply?

The Committee on Climate Change also states that

“there is no role for unabated coal-fired generation beyond the 2020s on the way to an 80 per cent. emissions reduction in 2050”.

It emphasises that it anticipates that any coal-fired power stations existing at that point would be abated. That gives rise to fairly profound considerations about what happens to our energy supply in the next 10 to 20 years. One consideration relates to the assumption that with carbon capture and storage, not only will there be a number of new coal-fired power stations built but, as importantly, the coal-fired power stations that do not close under the European large plant directive in 2015-16 may continue to operate for some time. What will happen to those particular coal-fired power stations in our energy economy during that latter period? Do they simply close because they cannot abate? Do they continue, with restricted hours? Or do we simply, whatever Government are in power at that stage, collectively throw our hands up and say, “Well, they are essential to the energy economy, so they had better continue,” even though we know that their emissions will be quite disastrous for any of our targets on carbon reduction for 2030 and certainly 2050?

**Jo Swinson** (East Dunbartonshire) (LD): I am listening to what the hon. Gentleman says with great interest. Does he not think that that perfectly illustrates the dilemma faced not only in the UK, but in the international context? If we do not manage successfully to get retrofitting technology that can be applied to all manner of coal plants, it is not just a few coal plants in the UK that might be disastrous for meeting our targets; if we consider all the coal-fired power stations in China and all the other parts of the world, we are on a path of certain destruction.

**Dr. Whitehead:** The hon. Lady is absolutely right. I am referring in the first instance to 10 coal-fired power stations that will continue to operate after 2015-16 in the UK; they are currently operating. Most of those are pretty old coal-fired power stations, and a number of those will expire of their own accord in the years not too far after 2015-16, but some, such as Drax, will, it is supposed, have a life well beyond, say, 2020. Alongside the coal-fired power stations closing in 2015-16, a number of oil-fired power stations will close under the large plant directive. Six are currently operating; they will all close.

That is significant not just in the UK, but for coal plants across the world. The hon. Lady is right: it is bad enough if we have unabated coal continuing into the 2020s in this country, but if that continues across the world, the chances of world energy supplies decarbonising as a whole will be zero. As far as the plants' continuing emissions are concerned, if the plants continue, it is essential that they are effectively decarbonised by wholesale retrofitting and/or have limits placed on the total amount of power that they can generate in any one year. That is very important because unless we fundamentally change the way we operate the UK energy market, we will continue to have a system whereby calls for power are made to energy suppliers via a central balancing mechanism, which will involve a combination of very long-term contracts, shorter-term contracts and what one might call panic contracts, the contracts that deal with the peak of power use—metaphorically, at half-time in the cup final. Smart grids and various other devices will do a great deal to smooth those peaks. Nevertheless, the idea that there will be very long-term contracts, medium-term contracts and very short-term contracts will probably continue in the UK energy market.

One of the so-called benefits of the BETTA—British electricity trading and transmission arrangements—system with regard to energy market balancing and contract offers and acceptance is that power stations that would not normally provide major input into the load of energy on the British energy markets do not become stranded assets and do not close immediately. They play an increasingly peripheral role in the energy market, but some of their energy can be called on at peak periods if necessary. We find already that the oil-fired power stations that will close in 2015-16 have a very small run-time per year; they come on only at peak periods. A number of the older coal-fired power stations do the same. However, if those power stations simply disappear over the next 10 years, we will probably have to invent new back-up plants to ensure that our margins are large enough to give security of energy supply, enabling us to call off power at peak times.

Of course, we cannot do that with nuclear power because it cannot be turned off. It continues to provide power; it has to provide long-term contract base-load power, and cannot do otherwise. We can do that to do a considerable extent with shorter-term contracts for renewables, but we are facing an energy economy. There could be a penetration of wind into the energy economy of some 30 per cent.—a large amount of clean, good power, but not necessarily there when we want it. Whether we move to a storage energy economy, with call-off from storage, or have those plants operating as a continuing back-up is a big question for future energy policy.

However, if we use some of these plants as back-up, we return to the question raised by the hon. Member for South Suffolk of whether plants should be regarded as stranded assets, disappearing before the end of their time, or whether they should live out their natural lives as amortised assets that can provide an input into the energy economy.

If we do not have methods whereby those plants can retain a role in the energy economy over time, the Government, or private energy suppliers, will inevitably have to build a generation of plants to provide a marginal input into the energy economy. Curiously, they would never earn their keep. We would have to mothball them before they came to the end of their natural lives. We would positively have to build new back-up. That, it seems to me, is a difficult prospect to contemplate, given how the energy economy is likely to change over the next 20 years.

Keeping those plants in some form of operation is important in terms of balancing the energy economy, but the dilemma is that if those plants continue unabated, it will be inimical to our climate change targets. We need schemes to ensure that new plants are fully abated by a certain time. If new plants are to be commissioned, whether or not there is initial substantial underwriting with respect to carbon capture and storage, money will still need to be put into commissioning, investing in and developing those plants.

We need to be clear that new plants will be fully abated after a certain period. My hon. Friend the Minister underlined that after a certain time, new coal-fired plants will have to be fully abated. We should also make it clear that, should existing plants stay in our system, they, too, should be progressively abated. That, it seems to me, should be an important part of our carbon capture and storage policy.

If that is our aim, we must ask whether we can ensure that, over time, plants are made reasonably financially secure and have carbon capture and storage attached, and whether they can do that in the time available. There are two problems related to that. First, I doubt whether those plants can simply rely on the carbon price to make carbon capture and storage, and particularly retrofitting, part of their operation. Over time, we therefore need to be prepared to ensure that, in one way or another, the underwriting is there.

We trust and hope that phase 3 of the European Union emissions trading system will produce a significant and sustainable rise in the price of carbon, perhaps through a carbon price floor. It is difficult to envisage only one country having some form of carbon price floor, because it will be exporting money to those countries that take advantage of it, at least under a European system. A carbon price floor, or some other method of ensuring that carbon capture and storage can be retrofitted, and ensuring that those plants can operate over time, is an essential aim over the next few years.

Secondly, we need to ensure security at the storage end of CCS. That is not mentioned as being part of the process; it is assumed—indeed, it has been stated on occasions—that we are extremely fortunate compared to other countries. Provided one builds new power stations reasonably near the coast, particularly the North

sea coast, getting the captured carbon piped and sequestered is easier, given the number of redundant oil fields that we have in the North sea.

That is partly true, but the analysis done for the Committee on Climate Change by Pöyry Energy Consulting demonstrated that in general terms there will be enough depleted gas and oil fields, stretching out to 2030, for 10 GW capacity of coal CCS. That will give sufficient space for storage from all pilot plants, and will allow for full sequestration from the new energy plants.

I turn to the serious retrofitting of existing coal-fired plants. As I said, more than 20 GW of plant will continue after 2015-16, although Pöyry suggests that that may not be the case; it depends on when the plants go out of commission and at what rate carbon dioxide is sequestered. However, the sink size of the depleted oil and gas fields available by 2030 may not be sufficient to take all of that sequestration.

At that point, it will be necessary seriously to consider aquifer storage—that is, depleted aquifers and saline aquifers underground. That is a slightly different picture, in as much as the science on such storage is by no means as clear. The geological surveying of aquifers is not as good as that of depleted oil and gas fields. In the not-too-distant future we must move ahead on that front, in addition to the rapid progress that we are making on CCS technology for retrofitting, pre-combustion and post-combustion.

We must ensure that we are able to store in both depleted oil and gas fields and in aquifers; again, we are fortunate to have a plentiful supply of the latter in many parts of the UK. We must get the science right for that, too, so that we can not only store in the immediate future, but can deal with the long-term storage capacity for full retrofitting for coal—and, in the longer-term, the retrofitting of gas-fired power stations, which will eventually be necessary to balance our energy economy. By then, it will be very decarbonised indeed.

I commend this report, the Government's response to it and the tremendous progress that has been made in carbon capture and storage. None the less, I do not underestimate the work that has to be done. The prize of ensuring that we in this country can use a mix of energy that is secure and substantially decarbonised, and that reaches our targets in the years to come, is one that we should acknowledge and reach out for. Hopefully, we will be successful in decarbonising our energy economy in the years to come.

3.40 pm

**Mr. David Anderson** (Blaydon) (Lab): Let me start where my hon. Friend the Member for Southampton, Test (Dr. Whitehead) left off, and let me say that I welcome the report. The hon. Member for South Suffolk (Mr. Yeo) was quite right to be critical of the delay in the report. It is not just his Committee that has been affected; as the chairman of the all-party group on coalfield communities and as co-chair, along with the hon. Member for Northampton, South (Mr. Binley), of the all-party group on clean coal, I have been very concerned about the delays in the report. For both all-party groups, this is not just a theoretical matter—it is real life. The APG on clean coal deals not only with the industry but with people who will, hopefully, take the process forward. As for the coalfield communities, a

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lot of the work that results from that process will be work that people in those communities will get involved in. Over the past year, the setting up of the Department of Energy and Climate Change has been a key feature, and it has moved things rapidly forward. We must welcome the work done by the Secretary of State, and by the Minister who is with us today.

The reality is that we live in a world where people demand not only more and more clean energy, but more and more energy. It is a very tough circle to square, but we must do it. I am talking about not just us in this country, but people across the world. At present, 81 per cent. of the energy that is produced across the world is directly provided by fossil fuels. The truth is that coal is not going to go away; it will continue to be used across the world and, more than likely—in fact, certainly—in this country. If we consider the sobering fact that a 1,000 MW coal plant generates something in the region of 6 million tonnes of carbon dioxide a year and will probably last for about 40 years, we can see the size of the problem.

As for resolving the problem, the Minister spoke about some of the avenues that are available. Nuclear energy is a possibility, as is the development of additional renewables. He missed out the key option, however, but I know that that is not because he does not believe in it. The key option is making what we do—in our homes, as regards transport and so on—more efficient. Key to that is the work being done in north-east England on the development of electric cars, of which the Department of Energy and Climate Change and the Department for Business, Innovation and Skills are very supportive. We cannot ignore the fact that fossil fuels will be needed and, to some extent, they should be welcomed in this country, but only if we get CCS right. My hon. Friend the Member for Southampton, Test, talked about the unabated nature of power plants; we cannot accept anything other than the full abatement of power plants going forward. We really need to know what we are talking about.

The reality, as is mentioned quite often, is that different parts of the CCS jigsaw are already in place. Earlier this week, a group of us visited BP in Sunbury, and we were given some really strong examples of where BP is working, across the world, to store carbon dioxide. A million tonnes a year are being stored in Salah, Algeria. The Sleipner field in the North sea off Norway has been successful. BP is piping carbon dioxide 200 miles overland from North Dakota and storing it underground in Westbury in Canada. There are also successful projects in Germany and other parts of the world. The Carbon Capture and Storage Association says that there are 50 sites in the world that are successfully storing carbon dioxide, so things are up and running as regards one part of the circle.

One of the things that is missing, which we do not talk about and which is never mentioned in the CCS debate, is the “T” word—the transport or transmission of the waste product. We have to get the carbon dioxide emissions from the power plant to where they are to be stored. Earlier this week, the Energy and Climate Change Committee said that that was one area that was not covered fully in the national policy statement. I believe that the matter will come back from the Select Committee for the Minister to consider.

If we are really serious about ensuring that the process is accurate and supported, we should seriously consider putting transmission of carbon into a national policy statement, so that it clearly forms part and parcel of the planning regime. There is no doubt about it: we might successfully go through local planning procedures; use the national policy statements so that the Independent Planning Commission can come to a view on whether a power plant should be built in a particular area; and tick all the boxes, but we must apply the same rigour to the transmission system. We need closer scrutiny of how it is being transmitted, whether it goes directly out to sea, goes underground through pipes, or is transported into ships and taken further out. I hope that we look seriously at the issue when we and the Minister come back to it following a report from the Energy and Climate Change Committee.

Another issue raised by the Select Committee is the potential problems to do with the phrase “carbon capture readiness” in the national policy statement. There is a real fear within the industry that its ability to build any plants—apart from the demonstration plants—will be restricted. That will lead to a situation where we will have the four demonstration plants working successfully within the next 10 years or so, but no others will have been built. Only when the demonstration plants are proven to work successfully, people will say, “Now we will start building.”

The industry believes that the wording in the NPS makes it difficult for it to show to the IPC’s satisfaction that a plant is viable. The truth is that, at this moment, the industry does not know whether a plant would be commercially or technically viable. I refer the Minister to the submissions put forward by the Scottish and Southern Energy group on that matter; again, that will be part and parcel of the Select Committee report.

One of the real benefits that will emerge from the CCS debate, and one of the reasons why we should go for CCS big time in this country, has to do with security of supply. The UK has huge reserves of coal. Since 1853, somewhere in the region of 23 billion tonnes of coal have been extracted from this country. It is a huge amount of coal, but it is less than 10 per cent. of the estimated total. The Coal Authority estimates that there are still 190 billion tonnes of coal beneath the UK. Clearly, much of that would not be accessible using traditional methods. Later on, I will discuss how it can be accessed.

One of my real concerns is what is happening in this country. In 2007, we were burning 43 million tonnes of imported coal, two thirds of the total. We were burning around 65 million tonnes, but 43 million tonnes of it came from abroad. Some 22 million tonnes of that came from Russia, at a cost of more than £2 billion. I raise the issue because Russian coal is cheap. Life is cheap in Russia. Seven people die for every million tonnes of coal mined in Ukraine. We would have to go back to the 1880s in this country to see death rates per million tonnes that high. In China, the rates are slightly better: only four people are killed for every million tonnes of coal mined. The official figures show that 6,000 people die in the coal mines every year in China, but most people accept that the official figures are a million miles away from the truth. The equivalent in this country was back in the 1920s.

As well as having a discussion about security of supply, this country should have a discussion about morality of supply. If we were talking about slave labour, children sewing footballs in Pakistan or sweat-shops, we would ban the relevant imports, but no one is talking about banning the import of coal from regimes that are politically unstable and that use methods that are out of this world.

There are a number of huge issues to be considered. There is the cost-versus-value debate. What is the value of a miner's life in China or Russia? The figures suggest that it is not very high. In a recent debate in the House, I asked the hon. Member for Wealden (Charles Hendry) what he thought about the implications of the run-down of the coal industry in this country. His response was that we have had 20 years of the cheapest energy in Europe. Yes we have, because we have been burning coal on the back of the fact that thousands of people are being killed. That is not a cost that we should be happy to pay. The fact is that cheap coal has come to this country because other people abroad are working in desperate and unsafe conditions, and they are dying unnecessarily.

I want to ask the Minister whether he can fill us in on what is happening to the demonstration projects. Four demonstration projects are being put forward. We are led to believe that the market does not think that it should pay for them. One of the arguments that is always used when public bodies are transferred to the private sector is that when they transfer out, the risk is transferred out, too. I imagine that the private sector does not want to take the risk at the moment, so it is asking us to bear it.

When the Minister replies, will he give us some idea of what he expects the public commitment to the promotion of the demonstration projects to be, and what he expects the contribution of private companies to be? It seems quite clear that the private companies have us over a barrel; we have no choice but to go ahead with the projects. However, it leaves a somewhat bitter taste in my mouth, having spent 20 years of my life working for the National Coal Board.

It is quite clear that we need to drive forward carbon capture and storage, but we also need to look at the benefits of other projects. One of the projects that is being promoted in the north-east, through Newcastle university, One NorthEast—the regional development agency—and the Association of North East Councils, is the development of underground coal gasification. There is huge potential in the north-east for UCG. It has already been established that, off the north-east coast, there is the equivalent of the annual world production of coal, which could be accessed if UCG proves to be successful.

On a number of occasions, I have had discussions with the Secretary of State for Energy and Climate Change on the issue, and I have asked questions on the Floor of the House, and the Secretary of State has told me that his Department is seriously considering supporting a strategic environmental assessment for the area off the north-east coast. This week, I spoke to Newcastle university to find out to what extent that assessment has happened. The university's response was that it had recent meetings with civil servants from the Department of Energy and Climate Change, but it has still not got the agreement to go ahead with the commissioning of a

strategic environmental assessment. The Department has not said no, but quite clearly it has not said yes, and the longer it does not say yes, the longer there will be concerns about whether the assessment will happen.

The key thing about the work being done in the north-east on UCG is that it is supported by business and, as I have said, by the RDA, which has done a tremendous job in the north-east, just as the Yorkshire Forward RDA has done in the Yorkshire area, particularly with its superb work around the Humber estuary. The Association of North East Councils is another key supporter of UCG, which could be a huge success. If we can prove that UCG works, it will allow us to access coal seams that we would never have been able to access through traditional mining methods. It would also be much less labour-intensive and much less costly than traditional deep coal mining.

The Minister referred to a meeting that he had with Jon Gluyas of Durham university. I just want to read out a few lines from a note that Jon sent me this morning about another potential energy source, namely the chance of extracting more oil from the oil wells in the North sea by pumping out the CO<sub>2</sub>:

"I come from the oil and gas sector, having been responsible for rehabilitating a number of old fields in the past decade and it is very clear that a significant opportunity exists to dramatically improve recovery from North Sea fields by using CO<sub>2</sub> to enhance oil recovery. The prize could be in excess of 3 billion barrels over a 20 year period. This could consume every molecule of industrially produced CO<sub>2</sub> from Scotland to Humberside in the same period"—that is, if we combine UCG with CCS. He says that the project would also

"deliver an infrastructure and a skill base which would prepare us for true carbon storage, and prepare a workforce to export the technology to other parts of the globe."

He is very clear that we have the right person with us in the ship—that is, the Minister who is here today—as he says in closing:

"Last week David Kidney visited us in Durham. He has the full story."

I hope that when the Minister responds, he can give us that full story. I hope that he will say yes to conducting a strategic environmental assessment of the area off the north-east coast, and yes to giving us a chance to rediscover a coal industry in the north-east for the 21st century and beyond.

There is a positive story emerging from what is a huge challenge. There are big job opportunities across this country, particularly in areas of real need—areas that have been hit very hard in the past 25 years and that have never really kept pace with the rest of the country. The reality is that we can access huge amounts of our own resources, so that we are not reliant on unstable and immoral sources of energy. That could have a huge impact on the climate change issue, and it will negate the need for any more open-cast mining. There is huge potential for the export of technology and expertise, but that export will happen only if we get on with things.

I want to raise a final issue. We are all aware in this House of how close we are to a general election. The truth is that this debate is, to some extent, above party politics, because it is genuinely about the national interest, and even the international interest. So I will listen with great interest to what both Opposition spokespersons—the hon. Members for North Southwark and Bermondsey

[Mr. David Anderson]

(Simon Hughes), and for Wealden—have to say today. I am very pleased with what I have heard from Conservatives about their conversion, once again, to coal; the reality is that they see coal as a resource that we should use much more, and they think that we need to put the matter right.

I am also happy that the hon. Member for North Southwark and Bermondsey, the Liberal Democrat spokesperson, is here today, because in discussions that we have had in the past about coal, I have always found his contributions to be both sensible and balanced.

However, I must say that that is in stark contrast to some of the discussions that I have had locally in the north-east with the Liberal Democrats. Their attitude is that anybody who says anything positive about coal is waving the bogey flag and is very much in favour of open-cast coal mining. I refer to a discussion that took place in my constituency about an open-cast site at Skons Park. For the benefit of *Hansard*, that is spelled Skons, not Scones, as the Liberal Democrat parliamentary candidate in Blaydon thought. Perhaps if he lived there, he would know that. However, he will have plenty of time to find out the correct spelling next year, when he can walk around doing nothing.

The reality is that carbon capture and storage is a very important subject and we need to get it right. It is potentially hugely important for this country, and the key thing is to get on with it.

3.57 pm

**Simon Hughes** (North Southwark and Bermondsey) (LD): First, I thank the hon. Member for South Suffolk (Mr. Yeo), not only for his Committee's report—I ask him to pass on our thanks to his colleagues on the Committee for it—but for his enthusiastic advocacy of the case that is made in his report and his enthusiasm for the issues in the brief covered by his Committee. He knows that that enthusiasm is widely appreciated. Furthermore, he was his traditional robust and independently-minded self today.

Although the hon. Gentleman would no doubt have wished for whole armies of people from his Committee to come and support him today, it is good that at least one member of the Committee—my hon. Friend the Member for East Dunbartonshire (Jo Swinson)—was here. She apologises for the fact that she has had to leave. I know that she had expressed a desire to be here for the whole debate and I know that she and my hon. Friend the Member for Cheltenham (Martin Horwood) are both wedded to working with the hon. Gentleman and his Committee in their work.

Just because I think that it would work best, I next want to address the points made by the hon. Member for Blaydon (Mr. Anderson), whose views and experience I respect. He has heard me talk in Westminster Hall and elsewhere. I hope that I have been very clear before, and I hope to be very clear again today, on these matters.

I do not think that it is accidental that if someone comes, in part, from a Welsh family and they are brought up, in part, in south Wales, and they lived near communities such as Aberfan, and they went down coal mines when they were at secondary school, they have some emotional and historic political commitment to

the coal industry. I do, personally; I always have, and I have always made sure, when I have done this job, that my party has as clear a message as is possible that the coal industry has played, should continue to play and will play in the future an important part in providing the energy that this country needs.

It is a testimony to the work done by people in the coal industry that on the occasions when there have been tragedies—there have been tragedies and not only in south Wales, but in other parts of the United Kingdom—people have learned from those tragedies and safety has been improved and, as a result, people will hopefully be prevented in the future from suffering injury or worse.

I was entirely opposed to the strategy of Lord Heseltine when he was Secretary of State for Energy and of Mrs. Thatcher when she Prime Minister because of the way in which they effectively went about undermining the whole of the coal industry in the 1980s and 1990s. I had not long been elected to the House and was certain about the position then, so I hope that my record is clear. I will say such things as strongly in Blaydon and the north-east as in any other part of the United Kingdom.

The hon. Gentleman was wise enough to say that if we want to have the coal industry that we wish for, it must, as the Government—and, it is fair to say, the Conservatives—have made clear, include the new protection for our climate and environment that is now on the horizon. That is what carbon capture and storage debates are about. That is the way to proceed, and the good news is that everybody has now signed up to it. Although there was some delay and we were slow off the mark, it is to the credit of the present Secretary of State and his team, as I have said publicly, that things have moved much more quickly since the new Department was formed.

So that that statement is not misinterpreted—although I do not resile from it at all—my party, if we are in a position to influence the issue after the next election, would wish for a reconstituted Government to bring back together the Department for Environment, Food and Rural Affairs, the Department of Energy and Climate Change and the Department for Transport. To be clear, that does not undermine my view of the importance of the energy and climate change agenda, but if we want less top-heavy government, those Departments should be brought back together.

The hon. Gentleman spoke about how coal is produced around the world. I absolutely understand his view and the passion with which he speaks. Coming as I do from the Liberal Democrat party and the liberal tradition, I do not think that tariff barriers or protectionism are the right answer, but we as a world absolutely need to ensure that we manage industrial practices in coal production safely, not only on this continent, which produces large amounts of coal in places such as Poland, but in other places. East of the European Union, coal is produced in Ukraine, which I support as a country—not least at the moment, as it is the middle of its crucial presidential election campaign—and in China and elsewhere.

There has been a failure of international responsibility, not just in China and Europe but in Latin America and other places. People have lost their lives as a result of industry practices. The International Energy Agency and other international authorities, such as the World

Health Organisation and other UN institutions in Geneva, must take a much more proactive view of such issues. It is not acceptable that other countries should be able to increase their competitiveness and reduce prices by cutting corners and bypassing basic safety requirements.

I hope that we as a Government and the European Union are as strong as we can be on such issues. We need to ensure production at a fair price. There may be competition, and we may not always be able to produce the cheapest coal, but we have a duty internationally to ensure that people do not lose their lives and livelihoods as a result of exploitation by coal industries elsewhere, whether state run or privately run.

**Dr. Whitehead:** Will the hon. Gentleman add to his remarks on the necessary international regulation of good practice in coal mining his thoughts on coal fires in many parts of the world? Coal fires are closely related to bad practice in coal mining, add substantially to CO<sub>2</sub> emissions in their own right and often continue uncontrolled for many years underground while coal mining is taking place alongside them.

**Simon Hughes:** I do not know whether you have ever been down a mine, Mr. Key—this is not meant as a challenge—but if you have, as I have done on more than one occasion, you will have seen the circumstances in which people do underground mining: the proximity, discomfort and danger, and the bravery and skill required. Practices such as the hon. Gentleman describes are completely unacceptable, and we need to add that to the agenda.

The hon. Gentleman's comments always take our debates to a new tier. Those of us who are laypeople in debates such as this go around the circuit, and then when he speaks, we must all raise our game and our attentiveness, because he rightfully puts things in a more scientific context. We are grateful for that. I am sure that the Minister, for whom I will have questions in a moment, is focused on exactly what storage capacity we as a country will have, where it will be and what storage will be safe and appropriate. The comments of the hon. Member for Southampton, Test were extremely wise in that context.

I do not want to make either a long speech or a greatly partisan one. All of us—the Minister, the hon. Member for Wealden (Charles Hendry) and the other hon. Members in this debate—have been around the circuit before, recently and often, so I hope that our positions are clear. I will make a couple of general propositions, and then I have a set of questions for the Minister, arising from what he has said and from this debate. I will not repeat questions that I have asked him in Committee, with one exception.

Somebody said to me today—I do not mean this to be unnecessarily fawning—"I have never understood why the hon. Member for Stafford (Mr. Kidney) wasn't promoted to ministerial office much earlier. He's clearly capable of it and has done very well." We are grateful for his engagement with his brief. We are sorry that his hair is going grey as a result of his dealing with business managers, but we do not mind so much as long as he delivers the goods and we get the secrets.

We were encouraged by the mysterious statement this morning by the Leader of the House, which announced the business for next week and the provisional business for Monday the following week, but was noticeably

silent about the two remaining days. We hope that that means that there is still an opportunity for the documents that we in the Opposition—and, I think, the Minister's Back Benchers—would like to see before the Report stage of the Energy Bill. I ask not least so that we can formulate intelligent new clauses and amendments and make maximum progress on the Bill.

I want to address a few points in sequence, as that will be easiest. It will not take long. On page 3 of the Government response, published last August, the Government reply to the first recommendation, concerning competition. The reply states:

"In addition to our support for commercial-scale CCS demonstration, we continue to support the development of a wide variety of CCS components through our support for research, development and demonstration via the Technology Strategy Board (TSB), the Energy Technologies Institute (ETI) and the Environmental Transformation Fund (ETF). For example...DECC's Environmental Transformation Fund (ETF) includes support for CCS through the Carbon Abatement Technologies Demonstration Programme. To date some £2.2 million has been committed to one project for the demonstration of a 40MWt Oxyfuel combustion system."

When the Minister winds up, will he put on record what has been done in relation to that programme and whether any further developments in that programme are planned?

I have prompted the Minister about the CCS strategy document. I am encouraged to hear that it is imminent. To pick up on part of the speech made by the hon. Member for Southampton, Test, what storage capacity do we think is in the UK and around the British isles? The Committee's fourth recommendation says:

"Unless the Government is able to show there is sufficient storage capacity there must be some question about the long-term viability of CCS."

The Government's response was:

"Previous work funded by Government and undertaken by the British Geological Survey (BGS) gives a good level of confidence about the storage capacity of the British Isles. This study estimated that the total quantified storage capacity exceeds 7.5 Gt and may exceed 22Gt (this range is due to uncertainty on saline aquifer capacity). The lower end of the range relates to already well-characterised storage sites and should be sufficient to meet UK needs for many decades to come. Additionally, we might expect closer geological analysis of aquifers to validate further viable storage capacity of the UK within the range cited above. Importantly, some saline aquifers have already been proven suitable for storage of carbon dioxide."

From what I understand, the saline aquifer element of the storage capacity is very important. Obviously, it is important that we do not lose it: that when the site is finished with it is blocked and made safe. It would be helpful to hear the Minister's estimate of our current capacity and what work is being done. What is the process? Is there an annual assessment of what the score is and what is coming on line? What are the consultations and considerations about whether we might ever need to use, for example, storage that the Dutch or our other neighbours, such as the Irish, might have, to be part of a grid working with them?

I want to say in passing that I was amused to see the response to recommendation 9 about the need for a "dramatic technological development":

"The Government agrees that we cannot continue with business as usual".

That seems to be a theme picked up by all parties, and Amen say all of us.

[Simon Hughes]

Lastly, recommendation 14 states:

“In our Report on the 2007 Pre-Budget Report we recommended that the Government ‘introduce some form of financial mechanism for incentivising CCS power plants over conventional power stations’, such as a feed-in tariff for CCS plants, or contracts which guarantee funding for the difference in costs between CCS and conventional plants.”

We have talked about the competition; we have talked about an emissions performance standard in other contexts. The Committee on Climate Change is clear that the carbon markets—the EU emissions trading system—may not be sufficient as a mechanism for dealing with that. Will the Minister tell us the Government’s present thinking about the role of feed-in tariffs? Will they consult further on them? I am not aware of having heard the Government speak about that since they gave their response. Might there be other ways to use financial mechanisms? I do not mean for the competition; I am talking about what happens post-competition for the development of carbon capture and storage.

Those are the issues that come directly from the Government’s response. My party is clear: the country will need oil and gas for as long as we have them. We shall need to use our coal, but there should be CCS. We have debated how hard-line the requirements should be in advance. We should like them to be as tough as possible. I accept the points that were made in Committee by the hon. Member for Wealden that there are technical limits to how near to 100 per cent. it is possible to get. One cannot be naive about that. We started from an absolutist position, but there must be compromise, and I remember the hon. Gentleman’s perfectly valid points about the fact that when a plant is powered up it may not be possible to prevent the escape of some emissions. Also, occasionally—I buy that qualification, too—there will be a need to allow coal-powered stations to be used, even if they do not fully comply, if the nation needs them. Those were three good and reasonable qualifications. Some collaborative work is being done on trying to agree some common wording on Report that will be acceptable to many in the three major parties—and, I anticipate, the Scottish National party—which we hope the Government will accept. That will be an important part of the debate.

The Liberal Democrats think that renewables are a fantastic possibility for this country, and not just as onshore and offshore wind power. In urban areas such as that of the hon. Member for Blaydon in the north-east, there are fantastic sites along the coast in the old ports. Those are good sites that do not give offence to people and are obvious places for the industry, and for job creation. Liverpool is another good place for that. We must consider our old industrial cities and towns, on the east coast in particular, in Scotland and England along the major rivers, to make sure that we take that capacity. In addition, we have a fantastic opportunity for tidal power. Hon. Members have heard me say before that we do not believe nuclear should play a part; we are opposed to the development of the nuclear industry, which is expensive, always late, dangerous, and environmentally far less susceptible of control or influence by the public. We can meet our energy needs, provided that we are energy-efficient, with the other mix. Although in faith terms I am a Trinitarian, I am not a Trinitarian with the same trinity that the Minister promotes in terms of the

fuel mix for the future. Nuclear should not be part of that trinity—indeed, it makes it an unholy trinity of energy, not a holy one.

A fantastic piece of work has helpfully been done by the Committee on Climate Change, which we all value greatly. Would the Minister be kind enough—we went into this subject a bit—to touch on the closeness of the Government position, because I am still slightly confused about the proposal in chapter 4 of their October report on the framework for investment in conventional coal generation. On page 134 of that report, they make four recommendations. I would be interested to hear whether the Minister agrees with each of those four recommendations. His answers on that have not been as clear as I would have liked.

I shall make my last two points. In relation to “A Framework for the Development of Clean Coal”, which is obviously the latest Government document we have, I have some questions principally about timetable. However, in passing, I note—the hon. Member for South Suffolk who opened the debate referred to this—that the figures the International Energy Agency produce are outstanding. He was clear about how important they are. We need to pause for a second to reflect on how significant they are. In 2008, the IEA predicted that the amount of electricity generated from coal could increase by around 23 per cent. in the US, around 172 per cent. in China and around 258 per cent. in India between 2006 and 2030. That is phenomenal.

Given the context that the hon. Member for Blaydon reminded us about, it is vital that we deal with the way of production, as well as with the volume of production and the technology for dealing with the carbon capture. The Government reminded us that the IEA estimates we will need 100 CCS projects globally by 2020, although I accept that that includes gas. My other questions are as follows. In paragraph 1.14 of “A Framework for the Development of Clean Coal”—I am conscious that there is also the energy policy, which includes coal—the Government state:

“We are currently working with industry and stakeholders on development of a 2050 roadmap setting out possible pathways to a low carbon UK, which will be published in Spring 2010.”

My question is predictable: will the Minister please tell us whether that is still on target and if it will be published before the general election?

Importantly, on a matter of great concern to all of us, in paragraph 1.19, the Government make the point that one of the objectives of the transition to clean coal is to

“Help create jobs and economic opportunities for UK-based businesses in a new industrial sector.”

I agree, but what is the number of jobs that the Minister believes, looking forward, are likely to come from this sector? I think all of us have a regional and a national interest in the answer to that, because it is important technology. Just to clarify—there are lots of people with an interest in this—paragraph 1.25 states:

“On 6 November 2009, we received two bids to proceed to this next stage of the competition,”

to which the Minister has already referred. It goes on to state:

“We have the option to fund up to two FEED studies and the successful bidder(s) will be announced early next year, when we have evaluated the bids.”

Will the Minister say when that will be? In paragraph 1.28—

**Robert Key (in the Chair):** Order. Will the hon. Gentleman tell me where he is referring to in the document we are debating this afternoon?

**Simon Hughes:** The document I am drawing from, Mr. Key, is the Government's document, to which the Minister alluded, called "A Framework for the Development of Clean Coal". The document is their response to the Committee and to its recommendation.

**Robert Key (in the Chair):** With the greatest of respect, it is not. I have the Government response to the Committee's report in front of me. The hon. Gentleman is referring to something completely different that we are not debating this afternoon. Will he kindly return to order?

**Simon Hughes:** Mr. Key, I was not aware I was not in order. I had dealt with the Government's response to the Committee report and was seeking to deal with the other report that the Minister mentioned earlier. I will ensure that I generalise rather than deal specifically with the other matters. Some other dates were mentioned. Let me summarise. The Minister mentioned a Government report for the implementation of carbon capture and storage. It would be helpful if he said when he thinks those announcements will be made.

Finally, I should like to mention the future of CCS and its compatibility with the European Union, which we touched on when we last debated this matter. The Minister of State, Department of Energy and Climate Change, the hon. Member for Lewisham, Deptford (Joan Ruddock) said in her reply last week that there was further correspondence between her Department and the EU. A request was made that that correspondence should be made public so that we could see the latest position. It would help if the Minister said whether that is now possible, whether that confirms or changes the Government's position on how acceptable the various CCS options are as technologies and whether they will still regard the emissions performance standard as a key component part of their policy for dealing with a new generation of coal-fired power stations.

This debate is of interest both strategically and technically. It is good that we have an Environmental Audit Committee to bring these matters to us. This debate, though much delayed because of the reasons given by the hon. Member for South Suffolk, will allow people to see the commitment to the project. Everybody, including this Government before the election or whoever is in Government after it, will now want things to move forward as quickly as possible.

4.21 pm

**Charles Hendry (Wealden) (Con):** May I echo the words of my hon. Friend the Member for South Suffolk (Mr. Yeo), who spoke of his sadness at the fact that you, Mr. Key, will be leaving the House at the election? You bring tremendous knowledge and expertise to debates and Parliament will be poorer for not having your wisdom after the election.

I commend my hon. Friend for the way in which he introduced an excellent, robust report that has given us tremendous food for thought and a great deal to think about. I commend his Committee for producing that detailed report.

We have had to wait rather a long time for a debate on this subject. The report was about 13 pages long, but we have waited 13 months for a response from the Minister. The Government clearly work at the rate of a page a month, but perhaps they could work faster in future.

Although we have not been overwhelmed by the number of colleagues during this debate, we have had a significant amount of quality. The contribution of the hon. Member for Southampton, Test (Dr. Whitehead) showed the expertise that he brings to the subject, which he has brought to so many energy issues, and the contribution of the hon. Member for Blaydon (Mr. Anderson) showed the passion that he brings to such debates. I should, however, like to correct him in respect of our exchange in the Chamber in a previous debate. I said, in response to an intervention from him:

"In the 1980s, we set the market framework that delivered the cheapest energy prices in Europe for the next 20 years. The model has worked, and it has been pretty robust up to now."—[*Official Report*, 13 January 2010; Vol. 503, c. 795.]

That was a reference to the move towards cheap domestic gas. I was not in any way suggesting that I wish to have cheap prices based on miners dying because they are working in unsafe mines elsewhere around the world. I hope that he will accept that there will always be a need for imports, sometimes because of the qualities of different types of coal needed for certain operations. British coal mining enjoys some of the highest standards in the world, which we want to see in force in countries from which we import coal.

**Mr. David Anderson:** The hon. Gentleman's answer may have related to gas, but the question was specifically about coal.

**Charles Hendry:** The question was not specifically about coal. The hon. Gentleman talked about the Conservative party devastating the coal industry and privatising the utilities and, more generally, about energy policy. Perhaps we were talking about different issues, in which case I hope this exchange has been useful in clarifying that.

I hope that one of the issues that come through clearly is that coal is now uniting political parties and politicians. It has been one of the most divisive energy issues over recent decades, but now there is an overwhelming desire among politicians of all parties to see a revived coal industry in Britain, based on a bright future for coal in the energy mix with carbon capture and storage. The report we are debating is an important contribution towards that.

My hon. Friend the Member for South Suffolk rightly mentioned the urgency with which the issues must be addressed. In the recent coal period, coal generated more than 40 per cent. of the electricity used in this country, so it is still a significant player. However, we can already see that by 2016, as a result of the large combustion plant directive, a third of our coal plant will be out of commission. If the industrial emissions directive goes through, most of the rest of our coal plant will be closing by the early 2020s, so there is a significant need for new investment in plant, and from our perspective that must be genuinely clean coal with CCS.

I am pleased that the Minister was given the chance to give an initial reaction to the debate. I noticed a slight change in his tone: he moved from saying, "We are

[Charles Hendry]

leading the world” to, “This is not a race.” That is the argument my children tend to use: the one who wins the race says, “I am the winner”, and the one who comes second says, “Well, I wasn’t actually racing anyway.” We must recognise that there is a race. There is a race against time, because we do not have time on our side if we are to get the new capacity built and implement the measures necessary to reduce our carbon emissions, and there is also a global race to develop the technology, so I really do see this as a race.

There are, of course, areas for competition, but it is our view, and that of many others, that Britain is in a unique position to lead the world on that. We have the skill-sets from the North sea oil and gas industry, which can be used for the sequestration technologies that will be necessary. We have a need, we have the many years of coal supply left and we have some of the best scientists in the world operating in places such as Imperial college, Edinburgh and elsewhere. It would be an absolute tragedy if in 20 years’ time we found that CCS was a global technology, but a technology that other countries had mastered. We think that we should have a real vision of Britain leading the world in the commercial development of those technologies.

The report refers to a disappointment at the lack of progress. I think that we all accept that things have improved, but the words my hon. Friend used—“appallingly slow” and “scandalously lethargic”—summed up the earlier approach that was taken on the development of that technology. That has had a significant impact on the UK. The initial decision to go purely for post-combustion technology meant that work being done on pre-combustion technology, notably in Peterhead and some other projects, was lost. In the evidence given to the Energy Bill Committee, people made it clear that those projects were lost for good for Britain, now that Abu Dhabi has the project from Peterhead, and that we will have to struggle to catch up.

Jeff Chapman, chief executive of the Carbon Capture and Storage Association, told the Committee in evidence that it was now likely that China would be the first country to get a commercial-scale CCS coal plant operating and that Abu Dhabi would be the second country to do that. Therefore, we have lost out, and in international terms that is a matter of significant concern. The Chairman of the Environment and Climate Change Committee, the hon. Member for Sherwood (Paddy Tipping), said that it appeared to be a competition without end. In the three years that that competition has been running in the UK, Canada has had a competition that was over in one year, so there needs to be greater urgency if we are to see people really looking at investing in Britain in that technology.

The report states that there is an urgent need for a strategy for the development of CCS to give a strong signal to industry, and I absolutely agree. That is one of the reasons we tabled an amendment to the Energy Bill on the need for the Government to publish a road map within the six months after the Bill becomes an Act, should it do so. The Minister talked about a CCS strategy coming out in the next few months, but that is not far removed from a road map.

It is important to contrast what is happening in that regard with what is happening in other areas of energy policy, particularly nuclear. The road map put in place

for nuclear energy means that anyone looking at that sector from outside can see whose responsibility it is to do what and by when if the first new nuclear plant is to open by 2017-18. It is exactly that road map that is missing in areas such as carbon capture and storage, and even the roll-out of renewables. I hope that the Minister will reconsider that, and that on Report the Government will indeed decide that a road map would be appropriate.

The Minister referred to the office of carbon capture and storage, and said that the Government are consulting. In the same time that the Government have taken in consulting on that office, they managed to get the Office for Nuclear Development up and running. We need a real sense of leadership. The office has an expert chief executive—one of the finest people in the department—and I hope that he will be able to give things a sense of impetus and movement. We need to move forward with greater urgency.

If we do not have an overall strategy, we will find that we are without a national interest perspective. We will find a plant being developed in the Thames estuary, with its own pipeline to the North sea; we will see another plant being developed somewhere else, again with its own pipeline. It is critical to the success of the scheme that we have oversized pipelines, so that clusters can be developed in certain areas. There will not be many in the United Kingdom. The Thames is probably one, as is the Forth, along with Teesside and Humberside. Those will be the natural clusters, but it needs Government drive and a real sense of strategy to make it happen. I hope that the Minister will review the Government’s position, and that they will accept its importance.

I would be grateful if the Minister said how we should move forward. The Energy Bill would put in place a levy, a funding system, but that still will not give an overall structure for the development of CCS. That was another issue at the heart of the report. We advocate that a body, perhaps an authority, should be set up to be responsible for the purchasing of the CO<sub>2</sub> emissions, and for letting the contracts for the pipelines and the sequestration facilities. That would be unique in the world, and it would say to businesses large and small that the United Kingdom was determined to lead. I hope that the Minister will reflect on such initiatives and differences.

The hon. Member for North Southwark and Bermondsey (Simon Hughes) spoke of the need for gas to be incorporated. There is a tendency to focus on the coal side of the debate, but at some time gas will have to be incorporated. The Bill gives the Government the opportunity to do that. They can broaden its provisions from being related only to coal to include other technologies. I hope that the Minister will show that the Government’s responses to the report are not hollow, and that they will use the opportunities that they have to drive change forward.

The Government say that 20 GW of new power plant has been consented; 12 GW of that, or 60 per cent., is gas. Gas will play an extremely important part in our energy mix for many years to come. The people building those plants are not building them for the next few years, to see us over the shortfall before the new plants come into use; they are building them with the expectation that they will be in use for 20, 30 or 40 years. For that reason, CCS on gas becomes particularly important.

That brings me to the question of the emissions performance standard. The Select Committee report contains 15 recommendations. The Government responded to 14; the 15th did not get a mention. I hope that the Minister will explain why. That last recommendation was about the importance of an emissions performance standard. There is broad support in Parliament for that. The Conservative party has been committed to it for some time; we believe that it will be a key element in driving investment.

An emissions performance standard that was set unrealistically high would drive away investment, but investors who are looking to invest hundreds of millions of pounds in new plant should know the framework to which they will be expected to adhere. That applies to coal and, in time, to gas. I hope that the Minister understands the strength of feeling across the House that an EPS would help secure investment by giving people certainty about the investment framework. It will help them to decide positively. It would also be useful to know why the Government did not address that question in their response.

The final issue is carbon price. The Select Committee report says that we cannot rely on the price of carbon through the EU emissions trading scheme alone to drive forward. That is absolutely true; we need only look at the fluctuations within the ETS to realise that. At times, the price has been about €30 a tonne; at other times, it has fallen to 8 cents a tonne. It is hard to make investment decisions based on something that fluctuates so wildly.

The Select Committee discusses a feed-in tariff or other method of support. I hope that the Minister will consider the alternative approach of putting a floor on the price of carbon, which would help secure investment across the board in low and zero-carbon technologies. That would be helpful for investors in nuclear, CCS and renewables. I hope that he will be able to indicate the Government's position. When he appeared before the Energy and Climate Change Committee a few weeks ago, he said that if the deal that the Government hoped for was not reached in Copenhagen, they would announce their way forward shortly afterwards. In the course of this week, we must declare our response to the Copenhagen agreement. If a carbon price announcement will be part of that, maybe he could share it with us now.

The report is thorough and is enhanced by its brevity and the clarity of its thinking and recommendations. I think that we are all united in wanting coal to play a vibrant part in the United Kingdom's future energy mix, but it must be genuinely clean and involve carbon capture from the outset. We share the Government's goal of having a significant number of plants. We have said 5 GW, with some degree of CCS in place, by 2020; the Government have mentioned 4 GW. We are in the same area on that issue, but if we do not have a road map or a strategy in place for delivery, it simply will not happen. I hope that the Minister can reassure us in his closing remarks and respond again to the important recommendations made in the report.

4.37 pm

**Mr. Kidney:** With the leave of the House, may I say that this has been a serious debate about a serious subject? It is not just for the benefit of this country that

we must make carbon capture and storage work, as I said in my opening speech; it is for the benefit of the entire world.

I will respond directly to the points made by hon. Members before I end. I was grateful to the hon. Member for South Suffolk (Mr. Yeo) for acknowledging, among all the delays to which he referred, that the Government had introduced a regulatory regime for the storage of carbon dioxide. As I said in my speech, it was a world-leading step at the time. The European Union has caught up since then with a directive based on our legislation, although we now need to make some amendments to our scheme to comply fully with the directive.

On European funding that might assist the development of carbon capture and storage demonstration plants, the European Union has taken not one but two relevant initiatives. The first was the economic recovery package, through which the European Commission has effectively announced a number of projects that it intends to support. We read in the newspapers that one is Hatfield in the United Kingdom. I understand that the process is not yet concluded and that the European Parliament has not yet given those decisions its approval. Nevertheless, that is one route on which the European Union has made a decision. It is in hand and could benefit a United Kingdom project.

The second, which might have been the one that the hon. Gentleman had in mind, is that we in this country persuaded the European Commission and other Governments that from 2013 onwards we should set aside from the new entrant reserve of phase 3 of the EU ETS 300 million allowances for auction to raise funds for carbon capture and storage and renewables projects. That is a potentially large sum and could become available in several years' time. We are confident that we will make a good case to the European Union for a share of that money for projects in the United Kingdom in the time scale necessary to secure them successfully. The huge levy that we propose on the electricity bill of everyone in this country to help the private sector to make a success of carbon capture and storage could be diminished by the contribution that we secure from the European Union.

Another funding point that the hon. Gentleman mentioned was that in Budget 2009, there was an announcement of a £90 million fund to enable the participants in the first competition—the two that are still proceeding with competition No. 1—to proceed to the front-end engineering and design stage after the first stage of the competition. That money is indeed available and we hope to make an announcement shortly about the participant or participants being able to spend it.

The hon. Gentleman asked about Ofgem's expertise. We are confident that Ofgem has sufficient expertise. It deals with similar arrangements now in respect of the renewables obligation, for example, and we intend to give it a role in relation to the feed-in tariffs that begin in April. Again, we think that that role is within its expertise.

The hon. Gentleman asked about the review in 2018 and whether that would allow time to act by 2020 on the decisions that are made. 2018 is a tricky judgment call because there has to have been by then some demonstration of carbon capture and storage in order to make a judgment at all, so there is something that we have to

[Mr. Kidney]

learn from, and then, as he rightly says, the case is urgent for rolling that out as far and as fast as possible if it is successful, and we want to do that by 2020. We happened on 2018 on the basis that with our own ambitions and now the European Union's ambitions, a number of demonstration projects will be starting by around 2015 and there should be time to learn and then time to act on the decisions that we make. I agree that it is a tight time scale, but equally I agree about the urgency of the issue.

The hon. Member for North Southwark and Bermondsey (Simon Hughes), in an intervention on me, asked about the 90 per cent. reduction in carbon emissions if CCS is successful with coal. I shall add to what I said then that the International Energy Agency cites that figure as its assessment. We can do better than 90 per cent. if we are prepared to spend more money, assuming that the technology is capable of being pushed that much further forward. For the sake of completeness, I should point out that today, some coal generators seek to reduce their emissions by co-firing coal with biomass and there is no reason why that would not continue in the future.

I thought that my hon. Friend the Member for Southampton, Test (Dr. Whitehead) did much better than I did in persuading the members of the Select Committee about the importance today of fossil fuels as part of the flexible base load in this country. As we develop, for example, much more wind power, with its variability, that flexible base load will be more not less important to the country. As we make the transition to the low-carbon future, we should not overlook the contribution that that base load will make. My hon. Friend made that point extremely well. Equally, because of that, he made the point that we have to make a judgment about the control of emissions on one hand and the times of need on the other. A good example that we can all remember is that this winter, when there was a shortage of energy to meet a huge demand in this country, it was the flexible fossil fuel base load, including coal, that came to our aid to ensure that we met that record demand.

On my hon. Friend's point that eventually we must get round to the retrofitting of existing power stations as well as the new ones that we are talking about, I am sure that that is a forceful argument, but in terms of the Government's position, we have focused our new interventions on new coal, because of the reason that the hon. Member for North Southwark and Bermondsey gave, which is that when those power stations are built, they have a 40-year lifetime. Therefore, we think that that is the right priority, but I take the point about having to come back to the issue of retrofitting. That is why we have made the decision and announced that the levy could pay for retrofitting as well as for the first demonstration, and why we have said that we will review the situation in 2018.

My hon. Friend made the important point about sufficiency of storage for carbon dioxide. It is intended in this country that there will not be storage on land, so the surveys that have been done under the seas around this country are very important. He mentioned one survey; there have been several others, and certainly the British Geological Survey in 2006 is the one on which

we rely in thinking that there are 100 years-worth of storage of our carbon dioxide emissions in safe places under the sea. However, I take the point that, although some of that capacity might consist of oil and gas fields as they are exhausted of gas and oil, some of it might be aquifers and he is right that our knowledge of those aquifers and their security, in terms of their being a safe storage place, is not complete. So, to answer a question that the hon. Member for North Southwark and Bermondsey asked me, there is ongoing surveying work, to ensure that we have sufficient information.

To conclude that point, I met with representatives of the Crown Estate earlier this week—after all, the Crown Estate is our landlord of the seas—and they are very aware of the need for this transition from oil and gas fields being producers of oil and gas to being, in the future, the storage places for carbon dioxide emissions. They are very attuned to the need to help the industries—both the current oil and gas industries and the future carbon dioxide storage industry—to make that transition a smooth one.

I think that it was my hon. Friend the Member for Blaydon (Mr. Anderson) who mentioned enhanced oil recovery. Of course, carbon dioxide might be the injectant that would be readily available at a reasonable price to help with enhanced oil recovery. Again, in my discussions with the representatives of the Crown Estate, they were alert to that point. I would also just point out to Members that, under the world-leading regulatory regime that we have established as part of the Crown Estate, we conducted a consultation in the autumn of last year about the licensing system for carbon dioxide storage. In that consultation, we proposed that the licensees of existing oil and gas fields ought to have a limited window of opportunity when they could have first call on permits for their fields as stores for carbon dioxide.

That consultation has recently closed and I do not yet know how the market has responded. Furthermore, we certainly have not made a final decision. However, I just wanted to draw attention to that consultation to show that we are alert to the link between the two sectors and the importance of securing the assets that we have now as safe storage for the future.

I thank my hon. Friend for reminding me that energy efficiency comes first, before the trinity of fuel supplies that I mentioned to him. Of course, if we can avoid using energy in the first place, we will contribute both to fighting climate change and to our security of energy supply, and we will help those people who find it difficult to afford to pay their bills to reduce their bills. Also, for businesses it is a good thing to reduce their overheads if they can. So energy efficiency—every day—should come first, and I thank him for reminding me to say that.

My hon. Friend is right about the need for further work to be done on the transportation of carbon dioxide. However, as I said to everyone in my speech, the components of carbon capture and storage have each been tested and there is transportation today, just as there is storage today, that has been proved to be successful. It is putting all those components together that is the challenge for us.

I totally agree with my hon. Friend about the UK coal industry having a place today—with 6,000 jobs—and hopefully it will have a bright future because we make a success of carbon capture and storage. Furthermore, I

certainly take to heart the point that he made about the cost of our use of coal in this country that is supplied from other parts of the world, in terms of the lives that are lost producing that coal for our benefit. As I say, I take that point to heart.

My hon. Friend asked me what would be the public contribution, as opposed to the private sector contribution, to the demonstration projects. I think that that is a good point for us to pause and consider, because we have established the regulatory regime and people can deliver carbon capture and storage on power stations in this country today, if they want to. But nobody wants to take the risk, in terms of spending only their own money on such projects.

Without doubt, the cost of each individual project would be enormous; it would cost billions of pounds to make a project a success. So we are talking about sharing the risk. In the first competition, we were directly proposing the use of taxpayers' money, but now we are up to the level of the four demonstration projects we are talking about a levy on everybody's electricity bill, to make a contribution from the public sector to the private sector, in order to make a success of those four demonstration projects. Of course, when we agree about who has got the demonstration projects and therefore who will enjoy the benefits of this money, I would want to ensure that the contracts are sufficient to guarantee that, if there are any rewards to be had at the other end of the process, the taxpayer is involved in enjoying those benefits, just as the private sector will be.

My hon. Friend also wanted me to concentrate on the underground gasification of coal. As he pointed out, that was a subject covered in my discussion at the Durham Energy Institute last week. Last year, when I visited the coal authority at Mansfield, I had the same discussion with the people there, because they will give the licences for the underground coal gasification projects. I certainly urge them to be flexible and supportive of a possible new technology that would be advantageous. That is something I will continue to pursue, as he asks.

My hon. Friend also asked me a specific question about the need for a strategic environmental assessment for underground coal gasification. I am told that the discussions between officials, to which he referred, have led to the conclusion that there is no need for a strategic environmental assessment for an individual project. Perhaps that is good news for him. There is certainly no obstacle in relation to that.

The hon. Member for North Southwark and Bermondsey asked about the latest environmental transformation fund call for bids. There is a news release about the results of that dated 7 January, and he is welcome to have a look at my copy of that when we have finished the debate. He also asked me about storage capacity. I hope that the answer I gave to my hon. Friend the Member for Southampton, Test deals with that point.

The hon. Gentleman asked if the ETS is insufficient to drive a reasonable price for carbon, what more can be done. That is the point the hon. Member for Wealden (Charles Hendry) came back to at the end of his speech. That is, of course, the big question of the day. As the hon. Gentleman said: it is not just about carbon capture and storage; a reasonable carbon price drives the developments in nuclear, renewables and even in energy efficiency. That matter is therefore crucial.

I still have a little bit of life left in the explanation I gave to the hon. Gentleman's Select Committee on Energy and Climate Change. We are waiting to see about Copenhagen because, as he says, the accord has led to the opening of a register for which people will put in their commitments by the end of January. We are not quite at the end of January, but I agree that there will be a need to address the issue of carbon price. However, I still say that it remains the Government's ambition that the EU ETS will be the main lever by which that is driven. I have been asked about feed-in tariffs, tax incentives, taxation and a new form of obligation. All of those are within the Government's contemplation to assess before they make a decision on further actions.

The hon. Members for North Southwark and Bermondsey, and for Wealden, asked about the emissions performance standard. I shall come back to that in a moment. The hon. Member for North Southwark and Bermondsey asked me about page 134 of the Committee on Climate Change report. Of course, the Government published their response to that report in January 2010. However, just to take him through the four points that he raised, the committee urged us not to judge the success or otherwise of CCS simply by carbon price, but to consider the wider context of power-sector decarbonisation, and to assess CCS on the basis of UK and international evidence. In our response, we agreed that when we undertake that report in 2018, we will move away from a narrow assessment and take into account the broader points, as the committee recommended.

The committee's report says:

"To the extent that retrofit might be considered desirable."

There would need to be additional support for that, and we have announced that we will provide that. The report says:

"Such a mechanism should be introduced no later than 2016."

As the hon. Member for North Southwark and Bermondsey knows, if his party and the Conservative party agree that the Energy Bill should reach the statute book before the election, the levy can be in place by 2011. We will certainly meet that requirement from the committee.

Finally, the report states:

"The Government should make it absolutely clear now that whether or not CCS can be deemed economically viable any conventional coal plant still operating unabated beyond the early 2020s would only generate for a very limited number of hours."

We have made that clear. It goes on:

"Such a statement should be complemented by a review (e.g. in 2020) to determine the precise level and timing of such a limit."

I totally agree. The Government will therefore conduct a rolling review and make a report in 2018. We are not proposing an emissions performance strategy today. We will conduct our business as recommended by the independent Committee on Climate Change and give our decision in 2018. That is my answer to the hon. Gentleman and the hon. Member for Wealden on emissions performance standards.

The hon. Member for North Southwark and Bermondsey also asked me about the 2050 road map. I am happy to confirm that the work is well on its way, and that we intend to produce the road map for public consumption as soon as possible. He asked me whether that would be before the general election. I suppose that I have to answer him with the question, "When is the general election?" We intend to publish the road map in the spring.

[Mr. Kidney]

The hon. Gentleman asked me about the number of jobs and asked when the announcements about the demonstrations would be made. I thought that that undermined the argument that he made in his point of order; he said that I should speak first so that people could listen to what I said. I said that there would be 60,000 jobs by 2030, and that we hoped to call for further bids on the demonstrations before the end of this year, so that all four will be in the mix by the end of this year, with decisions by 2011.

The hon. Gentleman asked me about making public the EU correspondence. I am not in a position to say that I will do that, but I can confirm to him, as the Minister of State, Department of Energy and Climate Change, my hon. Friend the Member for Lewisham, Deptford (Joan Ruddock) has already done, that we did reply to the European Union letter—the one that he said had been leaked to him, and which he read to the Committee. We said that we did not agree with it. We have not had a substantial response to that letter yet.

Finally, I come to the speech made by the hon. Member for Wealden. He asked whether there was a race. I thought that I said “world-leading” lots of time in my opening speech. I agree with him that we would like to be at the front of the development of carbon capture and storage. Moreover, I agree with him in the sense that there is a race against time, and we must make a success of carbon capture and storage. Nevertheless, we are co-operative, and we understand the hugely important global challenge involved. We want others to be successful, too. That is why, when the European Union and China settled on the near zero emissions programme for coal, they turned to the United Kingdom to take the lead. We are the scientific, administrative and civil service lead for that project because of our recognised expertise.

The hon. Gentleman said that Dr. Jeff Chapman thinks that China and Abu Dhabi will be the first places to produce commercial CCS. I respond by saying that Ernst and Young think that the US and the UK will be first, and I am with it on that. He says that we need to publish a road map. I refer him to the response that we have made to the first annual report of the Energy and Climate Change Committee, and show him the road map on page 27. There is a timeline there, and text that goes with it. It demonstrates that we are in command of our subject, and that we have a coherent plan and a time scale that goes with it.

**Charles Hendry:** Will the Minister accept that there is a world of difference between the road map he has shown us and the much more comprehensive road map that has been produced for the development of nuclear?

**Mr. Kidney:** I always enjoy it when the hon. Gentleman praises our work on nuclear development. I agree with him that we have an excellent plan. When our office for carbon capture and storage is up and running, we will need to do more work to produce the same kind of detailed work that he describes. I think that he will find that the strategy for industry, which we hope to publish shortly, will contain much of the detail that he has pressed me about today.

I just want to say to the hon. Gentleman that we have not made any decision about setting up a new quango with responsibility for pipelines, but we understand the strategy that is needed to drive the provision of sufficient clusters and sizes of pipes to make a success of the industry, and that will be within our work.

I want to finish by agreeing with my hon. Friend the Member for Blaydon, who said that there are exciting prospects for the world, and specifically for this country, in making a success of carbon capture and storage. It is exciting because of the jobs and the energy supplies that we can secure, because of the contribution that we can make to the global challenge of tackling climate change, and because of the exports and manufacturing opportunities that we can obtain from this development. The Government are fully committed to doing their utmost to get all those benefits for this country and for the world.

4.59 pm

**Mr. Yeo:** By leave of the House, may I thank colleagues who have praised the work of my Committee and, in particular, the report and its conclusions? That is much appreciated, and I will draw the comments to the attention of the Committee members and staff. I welcome nearly all the points made, many of which were very constructive. I should like to mention a couple of specifics.

First, on the race, it is true that the world has an interest in getting the technology viable. In that sense, it does not really matter who develops it first. But at a time when the appetite for addressing climate change in this country and many others is faltering a bit for various reasons, it is important to identify the economic opportunities presented by the potential solutions. It would be a tragedy if Britain, with its tremendous record of creativity, innovation, scientific expertise, and so on—and a distinguished, long history of mining—were not in the vanguard of devising the technology. That is why, although I welcome what the Minister says about the exciting opportunity, which is undoubtedly true for the reasons he gave, I very much regret that we have lost a bit of time already in the past six years. We are now much more focused on the potential. It will be of enormous potential commercial advantage to Britain—our economy will benefit—if we are one of the winners in this race, just as it will benefit the whole world.

Secondly, I should like to mention underground coal gasification. I am careful to draw attention to my entry in the Register of Members' Financial Interests, because I may have an indirect commercial interest in this matter. The hon. Member for Blaydon (Mr. Anderson) made an important point about the way that underground coal gasification can open up the potential for using a lot more of our coal reserves than would otherwise be possible, and for achieving electricity generation at much lower emissions levels. I welcome what the Minister said, but my impression is that DECC is not as enthusiastic as he is. I hope that what he says is reflected in the work that his officials do, now and in future.

I thank hon. Members for the debate.

**Mr. Kidney:** On reflection, I ought to make it clear that when I said that the levy will pay for retrofit, I was referring, of course, to a retrofit of the demonstration

plants—a move from a share of the plant to the whole of the plant. I say that just in case there was any confusion caused by my straying into the territory of my hon. Friend the Member for Southampton, Test (Dr. Whitehead), who wants the retrofit to be considered more widely.

**Mr. Yeo:** I am sure that that clarification will be noted.

I am certain that we will all want to return to this subject soon and regularly in future because of its enormous potential importance for Britain economically and for the world, environmentally.

*Question put and agreed to.*

5.2 pm

*Sitting adjourned.*



# Written Ministerial Statements

Thursday 28 January 2010

## TREASURY

### 2009 UK Convergence Programme

**The Economic Secretary to the Treasury (Ian Pearson):** The “UK Convergence Programme” has been deposited in the Libraries of both Houses.

### ECOFIN (19 January 2010)

**The Financial Secretary to the Treasury (Mr. Stephen Timms):** The Economic and Financial Affairs Council was held in Brussels on 19 January 2010. The following items were discussed:

#### *Legislative deliberations*

#### RECOVERY DIRECTIVE

Ministers discussed and agreed a general approach on the recovery directive, aimed at strengthening mutual assistance between member states in the recovery of taxes. The Government support the directive, which provides an overhaul of existing provisions aimed at clamping down on tax evasion. The directive will be adopted at a forthcoming Council meeting, following consultation with the European Parliament.

#### *Non-legislative activities*

#### PRESENTATION OF THE PRESIDENCY WORK PROGRAMME

The Spanish presidency presented its ECOFIN work programme for the first half of 2010.

#### STATISTICS: EUROSTAT REPORT

ECOFIN agreed a set of conclusions on a report by the Commission’s statistics agency into the quality of official statistics in Greece. The Government support the conclusions, which urge Greece to ensure that outstanding issues are dealt with as a matter of priority and calls on the Commission to propose measures to bring the Greek statistical system in line with EU standards. ECOFIN will continue to monitor progress and return to the issue in February.

## ENERGY AND CLIMATE CHANGE

### Parliamentary Answer (Correction)

**The Minister of State, Department of Energy and Climate Change (Joan Ruddock):** The answer provided by the Department to PQ 311361 answered on 18 January was incorrect. It referred the hon. Member to an answer given to the hon. Member for Welwyn Hatfield (Grant Shapps) on 11 January 2010, *Official Report*,

column 737W, which stated that Ministers had not received any media training since the creation of the Department in October 2008.

Between answering the two questions, my hon. Friend the Parliamentary Under-Secretary of State for Energy and Climate Change received media training on Monday 11 January 2010.

## HOME DEPARTMENT

### Justice and Home Affairs (Post-Council Statement)

**The Secretary of State for the Home Department (Alan Johnson):** My noble Friend the Parliamentary Under Secretary of State for Justice, Lord Bach and I attended the Justice and Home Affairs Informal Council in Spain on 21 and 22 January.

Discussions on the interior day centred on three themes: an EU internal security strategy, counter-terrorism following the attempted bombing on Christmas day over Detroit, and legal migration following the entry into force of the Lisbon treaty.

During the first session all member states supported the presidency’s proposal for an internal security strategy, which the presidency said was intended to carry a simple message on shared threats and shared response. I welcomed the draft strategy but additionally called for an organised crime strategy which would identify priority issues and enhance co-operation at EU level. The Commission undertook to present a political communication which we will share with Parliament when received. The presidency concluded that the internal security strategy would be submitted to COREPER.

In the second session on counter-terrorism the presidency welcomed the US Secretary of Homeland Security Janet Napolitano to the informal Council. She gave a brief summary of the Detroit incident, stressed the importance of information exchange and in particular passenger name record data for collective security, and called for the work of the EU-US high level group on data protection to be formalised into a binding agreement. I said that the Detroit incident should serve as a wake-up call. Al-Qaeda’s capacity to carry out unimaginable acts was now known and we had a responsibility to close identified security gaps speedily. I identified a number of areas for EU action, including: the need to collect advanced passenger information on intra-EU flights; expedite an EU PNR agreement where we needed a clear legal framework that included intra-EU flights; proposals on allowing scanners as primary screening tools; targeted capacity-building to countries where there was an al-Qaeda threat and we should not forget the work currently being done to reduce radicalisation and recruitment. Other delegations also called for an EU PNR instrument, stressed the importance of work with third countries, and highlighted the need for research and analysis of information.

The presidency opened the final session on legal migration noting the opportunities offered by the Lisbon treaty in this area and their proposals for work on unaccompanied minors. The Commission said that new directives on intra-company transferees and seasonal

workers would also be proposed, along with a Green Paper and change to family reunification rules. Other delegations said there was a need to take action to account for demographics, labour market needs and impact on social security systems. Some argued that it was not possible to separate illegal immigration from legal migration and integration and therefore stressed the importance of action on border management and the establishment of the EU entry/exit system in 2010. The presidency concluded by looking forward to the Stockholm action plan and the fourth Ministerial meeting on integration which was planned for 15-16 April.

Discussions on the justice day centred around three themes: looking at a common policy for justice after the Lisbon treaty, a Europe for the family, and property rights and thinking on victims.

Opening the first session, the presidency invited discussion on a range of issues concerning co-operation in the justice area after the Lisbon treaty. All delegations highlighted the importance of effective working with the European Parliament, given its enhanced role in relation to legislation in criminal justice matters. Many delegations highlighted the importance of proper evaluation of existing and new legislation, and saw no reason to assume this should be an obstacle to progress (the UK saw synergies between evaluation and progress). There was a discussion about member state initiatives under the former third pillar. The Commission argued that these should be prepared with as much care as their own proposals. Other delegations spoke up in favour of appropriate consultation and preparation of impact assessments. As to third-country agreements, many delegations highlighted the need for careful co-ordination and information, notably in areas where external competence was shared.

During a discussion on the use of enhanced co-operation, most member states, including the UK, urged caution and emphasised that such measures should be used only as a last resort. Provided that proper procedures were followed, most accepted that at the moment, the most likely area for enhanced co-operation was choice of law in divorce.

During the session on a Europe for the family and property rights, the presidency invited discussion on three areas: succession and wills, matrimonial property regimes and Brussels I. On succession and wills they asked whether work in this area should focus on cross-border matters without affecting member states substantive law. Nearly all those member states who spoke agreed that the proposal should not affect substantive law, many of those arguing that there was no competence to deal with substantive succession law. The UK expressed regret that it had been unable to opt in to this proposal, agreed that substantive law should not be affected and said that national procedural law should also be respected.

The presidency then asked whether there was an urgent need for an instrument that clarified the law applicable to matrimonial property regimes. Five member states agreed an instrument was needed soon but others were more cautious. Some thought there was no urgent need; others thought it would be best first to see how the negotiations on succession and wills progressed. The UK thought the emphasis should be less on the urgency of the proposal but instead on a thorough analysis of the evidence base.

With regard to Brussels I, the presidency asked whether it was necessary to present a proposal as soon as possible on the revision of Brussels I that, with adequate guarantees, abolished *exequatur*. All who intervened and saw the revision of Brussels I as a priority, including the UK, agreed that the abolition of *exequatur* needed to proceed with sufficient protection, especially to debtors.

There was a discussion over lunch focusing on what more the EU could do to support victims. Lord Bach noted that we had significant recent experience in the field and were content to exchange best practice. The Spanish presidency said that they wanted to make progress on the draft proposal on a European protection order.

## JUSTICE

### Contingencies Fund: Northern Ireland Court Service

**The Secretary of State for Justice and Lord Chancellor (Mr. Jack Straw):** The Northern Ireland Court Service winter supplementary estimate for 2009-10 includes £84.5 million cash (£85.0 million resource) in respect of legal aid, intended to enable the Northern Ireland Legal Services Commission (NILSC) to discharge legal costs and meet its administration costs during 2009-10. Expenditure on legal aid in 2009-10 is forecast to exceed existing provision significantly because the NILSC is not only dealing with a high volume of very high-cost criminal cases but also a higher level of civil and criminal business.

Accordingly, parliamentary approval for additional resources of £17 million will be sought in a spring supplementary estimate for the Northern Ireland Court Service. Pending that approval, urgent expenditure estimated at £17 million is being met by a repayable cash advance from the Contingencies Fund. The additional resources will enable the NILSC to discharge its statutory obligation to meet bills within the provision available to it.

Arrangements have been put in place to ensure that very high-cost cases are assessed and paid in a timely manner. There is a program of reform aimed at reducing the cost of criminal legal aid and delivering reform to civil legal aid which will control cost and target funding on priority cases.

## PRIME MINISTER

### Northern Ireland Devolution

**The Prime Minister (Mr. Gordon Brown):** The Taoiseach and I met the political parties—both individually and together—and joined the plenary sessions of their negotiations at Hillsborough this week. I want to pay tribute to Brian Cowen for his patience and hard work.

We worked to establish common ground, to build dialogue between the parties and to re-establish the trust necessary to complete the devolution of policing and justice in Northern Ireland. This follows the agreement of an £800 million financial package in October 2009 that would be available for use upon successful completion of devolution.

As a result of these intensive discussions we believe that there is a clear pathway to an agreement that would achieve a settlement of all the outstanding issues.

First, we believe it is now possible for the parties to set an early date for the completion of the final stage of devolution. And we believe it is feasible for a cross-community vote in early March with the transfer of policing and justice powers around the beginning of May.

Secondly, we believe the parties have a sound basis for how the devolution of policing and justice will work in practice: in particular, that a solution is available for the creation of a new Justice Department and for the definition of the relationship between the Justice Minister and the Executive.

Thirdly, on the issue of parades there is a reasonable basis for agreement, including dealing more effectively with contentious parades, learning lessons from successful local models, and for enhancing the framework governing parades and related public assemblies in a way that guarantees respect, dialogue, transparency and independence.

In addition we have also put forward proposals for the Executive to move ahead on other outstanding St. Andrew's issues.

It is right that the parties themselves now focus on working together, in a spirit of trust and mutual understanding, to agree and take ownership of the solutions.

The Taoiseach and I look forward to receiving an update on progress from the First and Deputy First Ministers on 29 January. If it proves impossible for the parties to resolve the outstanding issues, we are prepared to publish our specific proposals for wider debate and discussion. We have listened to the views of Northern Ireland's political leaders—we have asked them to reach agreement on outstanding issues and move quickly to the cross-community vote in the Assembly necessary to achieve the completion of devolution.

## TRANSPORT

### Dartford - Thurrock Crossing Charging Scheme

**The Parliamentary Under-Secretary of State for Transport (Chris Mole):** The "Dartford—Thurrock Crossing Charging Scheme Account for 2008-09" is published today under section 3 (1) (d) of the Trunk Road Charging Schemes (Bridges and Tunnels) (Keeping of Accounts) (England) Regulations 2003. A copy of the accounts will be placed in the House Library.

## WORK AND PENSIONS

### Pension Schemes and Equality

**The Minister for Pensions and the Ageing Society (Angela Eagle):** In the Barber judgment of May 1990 the European Court of Justice ruled that, as occupational pensions are a form of deferred pay, scheme rules must treat men and women equally. The UK Government incorporated this obligation into domestic law in the Pensions Act 1995. A similar obligation was placed on the Pension Protection Fund in the Pensions Act 2004 in relation to PPF compensation. In line with the understanding of the ECJ judgment at the time, these provisions apply only where there is a comparator—

that is, where more favourable treatment has been afforded to an individual of the opposite sex engaged in comparable work.

As part of the work relating to the draft Financial Assistance Scheme (Miscellaneous Amendment) Regulations recently laid before the House, the Government have been preparing guidance for trustees who are preparing to transfer their scheme assets to Government. As part of that work, the Government have considered whether further practical guidance on equalisation for these transferring schemes is desirable, to ensure that payments of assistance do not discriminate between men and women.

The examination of the relevant legislation and case law has led the Government to conclude that where a scheme member has accrued entitlement to a guaranteed minimum pension after May 1990, European law requires that any inequality in scheme rules which results from the legislative provisions governing GMPs should be removed, whether or not a person can show that a comparator exists.

The Government intend to bring forward amending legislation when Parliamentary time allows. However, in the meantime, it is the Government's opinion that, in order to ensure full compliance with European law, trustees and others should act as if existing domestic legislation requires equalisation in respect of differences resulting from GMPs whether or not real comparators exist.

### Workers Memorial Day

**The Secretary of State for Work and Pensions (Yvette Cooper):** I am pleased to announce the publication of the Government's response to the consultation exercise proposing the official recognition of Workers Memorial Day.

The Government's response (Cm 7789) has been laid before Parliament and will be published later today.

The consultation exercise attracted a large number of responses, the overwhelming majority of which were strongly supportive of the proposal. I am therefore delighted to announce that the UK will officially recognise Workers Memorial Day, and that this recognition will take formal effect this year on 28 April, the international day of action for safety and health at work. The day is already widely commemorated in the UK and official recognition will reinforce its significance and raise awareness of the workers who are killed, disabled, injured or made unwell each year by their work.

Commemorations will continue to be led by individuals, employers, trade unions and community organisations. In keeping with the outcome of the consultation, the Government will encourage commemorations to be held on the day itself throughout the UK. The Government and Ministers will help support and promote these commemorations.

Official recognition is a tribute to all those who have campaigned long and hard for such recognition, including bereaved families, trade unions, campaign groups, and many other organisations and individuals. It is also recognition of the importance of work to improve health and safety among the working population.

Copies of the response are available in the Vote Office and the Printed Paper Office. It is also available on the DWP website at: [www.dwp.gov.uk/publications/policy-publications/fatal-accidents-inquiry.shtml](http://www.dwp.gov.uk/publications/policy-publications/fatal-accidents-inquiry.shtml).



# Petitions

*Thursday 28 January 2010*

## OBSERVATIONS

### ENERGY AND CLIMATE CHANGE

#### Climate Change

*The Petition of persons concerned about climate change,*

Declares that, from a historical point of view, the UN Climate Change Conference in Copenhagen is one of the most significant gatherings ever; that the world has precious little time to reach an agreement which will secure the future habitability of the planet; that climate change hits poor people first and worst as they face increasingly unpredictable weather, hunger and disease; further declares that this is a massive injustice because the poorest people are the least responsible for causing climate change and have the least resources to cope; further declares that at the Copenhagen Climate Change Conference the world community will try to agree a solution to the gravest threat it has ever faced, that of global warming; further declares that the petitioners are doing what they can to reduce their personal contribution to global warming, but know that the world needs a fair and strong international climate change agreement.

The Petitioners therefore request that the House of Commons urges the Government to work with other countries in the United Nations to ensure: that the needs of the world's poorest people are at the heart of a new global climate change deal; that rich countries cut their emissions first; that rich countries provide the money and technology needed for developing countries to adapt to changing climates; and that less developed countries also invest in their most vulnerable communities to help them adapt to climate change.

And the Petitioners remain, etc.—[Presented by Dr. Roberta Blackman-Woods, *Official Report*, 15 December 2009; Vol. 502, c. 934.]

[P000639]

*Observations from the Secretary of State for Energy and Climate Change:*

The UK Government recognise that any international climate agreement must support poor and vulnerable countries to respond to the challenges of climate change.

At the Copenhagen Conference in December 2009, representatives of 49 countries reached agreement on the Copenhagen Accord. Under the Accord, countries agreed to work to limit the increase in global temperatures to below 2°C.

Under the Accord, developing as well as developed countries have agreed for the first time to make specific commitments to tackling emissions, to be lodged in an appendix to the agreement by 31 January 2010. The Accord includes significant commitments on climate finance to help developing countries tackle and adapt to climate change. Developed countries have agreed to provide fast start finance approaching \$30 billion for the period 2010 to 2012. This will be allocated in a balanced fashion between adaptation and mitigation, with adaptation funding prioritised for the most vulnerable developing countries such as the least developed countries, small island developing states and Africa. It will include

up to £1.5 billion from the UK. In the longer-term the Accord supports the goal of \$100 billion a year of public and private finance for developing countries by 2020.

The Accord highlights the challenge faced by all countries in adapting to climate change, and agrees that developed countries will provide adequate, predictable and sustainable financial resources, technology and capacity building to support the implementation of adaptation action in developing countries. A Technology Mechanism will be established to accelerate technology development and transfer in support of action on mitigation and adaptation. The Accord also calls for the establishment of a Copenhagen Green Climate Fund, which will support projects, programme, policies and other activities in developing countries related to mitigation (including REDD-plus), adaptation, capacity building, technology development and transfer.

These are important steps forward but we know the world needs to go further. We must ensure that countries deliver on their commitments to provide immediate fast start financing for developing countries. The UK Government are committed to providing early financing to support the poorest and most vulnerable countries tackle climate change. We are working with other developed and developing countries to ensure they put forward the most ambitious targets and mitigation actions possible for inclusion in the Accord at the end of January. Building on this, the UK will be working in partnership with a wide range of developed and developing countries to work towards a legally binding international agreement.

#### Climate Change (Copenhagen Talks)

*The Petition of residents of the constituency of Tiverton and Honiton in Devon and others, regarding the Climate Change Talks in Copenhagen in December 2009,*

Declares that the following should result from the Copenhagen Talks: all countries should agree to take urgent action to reduce carbon dioxide (CO<sub>2</sub>) levels in the atmosphere to 350 parts per million; developed countries should take the lead, given our major responsibility for past emissions; and developed countries should give financial help to the developing world to help them adapt to climate change and invest in renewable energies.

The Petitioners therefore request that the House of Commons urges the Government to do all it can at Copenhagen to achieve these goals.

And the Petitioners remain, etc.—[Presented by Angela Browning, *Official Report*, 9 December 2009; Vol. 502, c. 934.]

[P000530]

*Observations from the Secretary of State for Energy and Climate Change:*

At the Copenhagen Conference in December 2009, representatives of 49 countries reached agreement on the Copenhagen Accord. Under the Accord, countries agreed to work to limit the increase in global temperatures to below 2°C. Climate models show that above 2°C the risks of damaging impacts and associated costs rise sharply, as food production declines, water stress increases markedly, sea level rises and species loss accelerates. Carbon dioxide levels in the atmosphere are already at 320ppm. If we wanted to limit levels to 350ppm all

countries would need to stop emitting immediately. This would severely constrain developing country growth. Limiting emissions levels to 450ppm is an ambitious, yet realistic goal which is still consistent with the 2 degree pathway.

Under the Accord developing, as well as developed countries have agreed for the first time to make specific commitments to tackling emissions, to be lodged in an appendix to the agreement by 31 January 2010. The Accord includes significant commitments on climate finance to help developing countries tackle and adapt to climate change. Developed countries have agreed to provide fast start finance approaching \$30 billion for the period 2010 to 2012. This will be allocated in a balanced fashion between adaptation and mitigation, with adaptation funding prioritised for the most vulnerable developing countries such as the least developed countries, small island developing states and Africa. It will include up to £1.5 billion from the UK. In the longer term the Accord supports the goal of \$100 billion a year of public and private finance for developing countries by 2020.

The Accord highlights the challenge faced by all countries in adapting to climate change, and agrees that developed countries will provide adequate, predictable and sustainable financial resources, technology and capacity building to support the implementation of adaptation

action in developing countries. A Technology Mechanism will be established to accelerate technology development and transfer in support of action on mitigation and adaptation. The Accord also calls for the establishment of a Copenhagen Green Climate Fund, which will support projects, programme, policies and other activities in developing countries related to mitigation (including REDD-plus), adaptation, capacity building, technology development and transfer.

These are important steps forward but we know the world needs to go further. We must ensure that countries deliver on their commitments to provide immediate fast start financing for developing countries. The UK Government are committed to providing early financing to support the poorest and most vulnerable countries tackle climate change. We are working with other developed and developing countries to ensure they put forward the most ambitious targets and mitigation actions possible for inclusion in the Accord at the end of January. Lord Stern's analysis has shown that if countries opt for the most ambitious emissions reductions in the ranges that they have put forward, we will be within striking distance of a 2°C pathway, including peaking of global emissions by 2020. Copenhagen signals the start of a truly global effort to tackle climate change, but also a warning that we must keep up momentum if we are to tackle the scale and urgency of the problem.

# Written Answers to Questions

Thursday 28 January 2010

## TRANSPORT

### High-Speed Rail

13. **Mr. Hepburn:** To ask the Minister of State, Department for Transport what recent assessment he has made of progress on the development of a North-South high-speed rail link. [313723]

**Mr. Khan:** The Department for Transport is continuing its assessment of the detailed report from High Speed Two which was received at the end of last year. If the Government decide to pursue proposals for high speed rail, we will publish a White Paper setting out plans by the end of March 2010.

### Rail Fares

14. **Greg Mulholland:** To ask the Minister of State, Department for Transport what the average change has been in the level of regulated rail fares since 1997. [313725]

**Chris Mole:** Figures derived from the Office of Rail Regulation's National Rail Trends show that, between January 1997 and January 2009, regulated fares rose by 5.1 per cent. in real terms. The figures for 2010 have not yet been published.

### Speed Cameras

15. **Mr. Gordon Prentice:** To ask the Minister of State, Department for Transport what proposals he has to install further speed cameras on the motorway network. [313726]

**Paul Clark:** Speed cameras are used on the motorway network to improve the safety of the travelling public and road workers.

The Highways Agency are planning to deliver 19 Managed and Controlled Motorway schemes by March 2015.

### Southend Airport

16. **Mr. Amess:** To ask the Minister of State, Department for Transport what recent representations he has received on the expansion of Southend Airport. [313727]

**Paul Clark:** Between late 2008 and January this year my Department received five representations on Southend airport from the Member for Southend, West and one from the Member for Rochford and Southend, East, as well as 13 letters and e-mails from members of the public.

## East Midlands Trains

17. **Mr. Hollobone:** To ask the Minister of State, Department for Transport if he will discuss with East Midlands Trains the merits of reinstating non-stop passenger rail services between London St. Pancras and Kettering; and if he will make a statement. [313728]

**Chris Mole:** The East Midlands timetable was designed to ensure that there is sufficient capacity for the increasing demand at Kettering and other stations on the route. Having long-distance services call at Kettering would increase the likelihood of there being insufficient seats for all passengers.

### Rail Franchise System

18. **Andrew Selous:** To ask the Minister of State, Department for Transport what plans he has for the future of the rail franchise system. [313729]

**Chris Mole:** "The Future of Rail Franchising", which was published on 20 January, discusses potential changes to franchise competitions and contract design. Consultation papers for the Essex Thameside, East Coast and Greater Anglia were published on 21 January. Final decisions on these franchises will be taken before the invitations to tender are issued.

### A14

**Norman Baker:** To ask the Minister of State, Department for Transport whether any air pollution mitigation measures are planned as part of the A14 improvement work; and what estimate he has made of the cost of such measures. [311189]

**Chris Mole:** No specific air pollution mitigation measures are planned as part of the A14 Ellington to Fen Ditton improvement as no exceedences of air quality limit values are predicted at any property in the assessment of the scheme. Overall, an improvement in air quality is expected.

### Airports: Security

**Mark Pritchard:** To ask the Minister of State, Department for Transport what recent measures he has put in place to increase security at UK airports. [313724]

**Paul Clark:** Following the incident on Christmas day, the Government have directed airports to increase the proportion of passengers' baggage tested for traces of explosives, and to introduce explosive trace detection equipment at all UK airports by the end of the year. We have also brought into force new restrictions which tighten up security screening for transit passengers. Alongside this we intend to introduce more body scanners, the first to be deployed at Heathrow.

### Aviation: Dual Nationality

**Mr. Blunt:** To ask the Minister of State, Department for Transport what arrangements are in place for the advance registration of air passenger details for holders of dual citizenship who book flights and leave a country on the passport of that country and arrive in the UK using a UK passport. [313024]

**Paul Clark:** Passengers' passport data is collected by airlines at or before the point of departure and transmitted to the UK Border Agency (UKBA) under the e-Borders programme. Discrepancies, such as different passport details, will be picked up by UKBA staff at the border and investigated as necessary.

#### Aviation: Security

**Mr. Greg Knight:** To ask the Minister of State, Department for Transport what provision his Department plans to make as an alternative to full body scanners for passengers with pacemakers or other implanted electronic medical devices. [313420]

**Paul Clark:** There are currently no plans to provide an alternative to body scanners for passengers with pacemakers or other implanted electronic medical devices. Our advice is that they are safe for passengers with such devices to use.

#### Dartford Railway Station

**Dr. Stoate:** To ask the Minister of State, Department for Transport what funding his Department expects to provide in respect of the refurbishment of Dartford rail station. [313431]

**Chris Mole:** Dartford station will be receiving £1 million under the National Stations Improvement Programme: a £150 million scheme to enhance around 150 medium sized stations up to 2014. It is anticipated that this will be supplemented by some £6 million third party funding.

The Department for Transport has also received an application from Dartford station for £6,000 towards a £12,000 Access for All scheme, although the outcome will not be announced until later this year.

#### Departmental Buildings

**Mr. Stewart Jackson:** To ask the Minister of State, Department for Transport pursuant to the answer to the hon. Member for Meriden of 5 January 2010, *Official Report*, column 90W, on departmental buildings, what the addresses of the 13 properties which are beyond economic repair are; for how long each has been empty;

how much his Department paid in empty property council tax in respect of such buildings in 2008-09; and what plans there are to sell such properties for redevelopment. [312050]

**Chris Mole:** The Highways Agency uses statutory powers to acquire property in connection with the operation, construction and maintenance of the Trunk Road and Motorway network. The Agency receives Blight Notices under the Town and Country Planning Acts which provide protection for property owners who cannot sell their properties because of planned road improvement schemes. When these notices are accepted, they require the Agency to purchase property in advance of its operational requirements. These properties are held while the scheme is in the programme and the route is protected from development. In some cases this can be for a number of years.

Where possible, properties are let until they are required for operational purposes or can be sold and their management is contracted out to a private letting and management agent.

Properties which are not cost effective to repair, but which are repairable, are maintained in their present condition because a future sale may take place. These properties are described as being beyond economic repair. Derelict properties that present a safety risk or will have an enhanced value by having planning permission for rebuild/development may be demolished if it is cost effective to do so.

The 13 properties beyond economic repair being held by the Highways Agency are detailed in the table. This shows their addresses, how long they have been vacant, and how much council tax has been paid in respect of each property for the financial year 2008-09.

The road schemes that affected Woodview and Park Hill Lodge are now complete. These properties did not need to be demolished and are now at the beginning of the Agency's disposal process. The other 11 properties are not available for sale.

The Agency obtains appropriate professional advice about valuation, method of sale and planning potential in respect of all its surplus properties. The Agency has not yet obtained that advice in respect of Woodview and Park Hill Lodge.

<i>Property address</i>	<i>Vacant period</i>	<i>Council tax 2008-09 (£)</i>	<i>Comments</i>
The Old Farmhouse, Ashflats Lane, Stafford	15 years 240 days	1,060.49	Highways Agency's managing agents have been instructed to seek planning permission for it to be demolished and rebuilt once it is sold.
4 Grange Farm Cottages, Huntingdon Road, Cambridge	9 years 233 days	737.39	Required to be demolished for the road scheme.
Darlaston County Kennels, Yarnfield Lane, Stone, Staffordshire	7 years 241 days	1,301.41	Highways Agency's managing agents have been instructed to seek planning permission for it to be demolished and rebuilt once it is sold.
Farm Manager's Cottage, Iridge Place, Hurst Green, East Sussex	2 years 274 days	0	Was to be let in current condition to the buyer of an adjoining Highways Agency property, this sale has just fallen through. Options currently being considered.
Bantony Manor House, Silverhill, East Sussex	6 years 108 days	0	Listed building—currently reviewing options and bidding for funds to bring back into use in next financial year.
May Day Farm, Pembury Road, Tonbridge, Kent	284 days	0	Listed building required to be demolished for the road scheme, demolition consent currently being applied for as part of scheme design.
Firholme Farm, Great North Road, Richmond	12 years 60 days	0	Required to be demolished for the road scheme but early demolition is currently being considered. Demolition for the scheme was imminent but this section of the scheme has been re-programmed.

<i>Property address</i>	<i>Vacant period</i>	<i>Council tax 2008-09 (£)</i>	<i>Comments</i>
South Lodge, Great North Road, Brompton-On-Swale, Richmond	6 years 240 days	0	Required to be demolished for the road scheme but early demolition is currently being considered. Demolition for the scheme was imminent but this section of the scheme has been re-programmed.
Woodview, Todhills, Carlisle, Cumbria	4 years 212 days	1,338.49	Currently being declared surplus and will be sold in its current condition.
382 Stockport Road West, Stockport	8 years 304 days	1,309.56	Not cost effective to repair, likely to be sold to local authority for their road scheme.
The Cottage, Lostock Hall Farm, Lostock Hall Road, Poynton, Stockport, Cheshire	7 years 243 days	1,034	Not cost effective to repair, likely to be sold to local authority for their road scheme.
Canberra Farm Bean Leach Road, Stockport	2 years 62 days	1,410.11	Highways Agency's managing agents have been instructed to seek planning permission for it to be demolished and rebuilt once it is sold.
Park Hill Lodge Walton Road, Wetherby	12 years 152 days	0	Currently being declared surplus and will be sold in its current condition.

**Mr. Stewart Jackson:** To ask the Minister of State, Department for Transport pursuant to the answer to the hon. Member for Meriden of 5 January 2010, *Official Report*, column 90W, on departmental buildings, for what reasons there are 34 properties vacant in the disposal process. [312051]

**Chris Mole:** To ensure best value for the taxpayer the Highways Agency sells properties that are surplus to operational requirements with vacant possession whenever possible.

One property has just been sold. The remaining 33 properties that are currently vacant and in the disposal process are:

in the process of being formally declared surplus by the Agency, this includes obtaining and acting on planning/valuation and sales advice;

being offered to former owners under the Crichton Down Rules;

being offered for sale on the open market;

under offer awaiting legal completion of the sale.

### Departmental Carbon Emissions

**Mr. Gerrard:** To ask the Minister of State, Department for Transport whether (a) his Department, (b) its agencies and (c) associated non-departmental public bodies plan to sign up to the 10:10 campaign for cutting carbon usage in 2010; and if he will publish the (i) criteria and (ii) research upon which such a decision will be taken. [313433]

**Chris Mole:** The Department for Transport is committed to delivering its share of the challenging targets which the Government have set for long term reductions in

carbon usage on the Government Estate, but does not intend to sign up to the 10:10 campaign which is focussed on reductions this year.

The Department is involved in a number of initiatives and has several activities underway targeted at reducing carbon emissions.

Those activities include:

Carbon Reduction Commitment—due to start in April 2010;

The Carbon Trust Standard—attainment in the next financial year.

Carbon Budgets—the Department has worked closely with DECC, DEFRA and OGC to set the scope of transport emissions;

Sustainable Operations on the Government Estate (SOGE) Framework—the Department continues to work with OGC, and DEFRA, looking to extend the SOGE travel targets to include commuter travel and freight supply emissions;

Low Carbon Vehicles—the Department is supporting the trial of electric and plug-in hybrid vehicles and the Government Car and Despatch Agency will trial a plug-in hybrid later this year;

Biomass and Combined Heat & Power Plant—these technologies are being considered as part of boiler replacement programmes in the Driver and Vehicle Licensing Agency;

Motorway Lighting—the Highways Agency is running a number of pilots where motorway lighting is switched off during certain off-peak, low usage periods.

### Departmental Mobile Phones

**Mr. Graham Stuart:** To ask the Minister of State, Department for Transport how many (a) mobile telephones and (b) BlackBerrys were provided to (i) Ministers and (ii) special advisers in each year since 2007-08; and at what cost to the public purse. [313170]

**Chris Mole:** The details are as follows:

	2007-08		2008-09		2009-10 to date	
	<i>Number</i>	<i>Cost (£)</i>	<i>Number</i>	<i>Cost (£)</i>	<i>Number</i>	<i>Cost (£)</i>
<i>Mobiles</i>						
Ministers	2	144	1	72	0	0
Special advisers	1	68	0	0	0	0
<i>BlackBerrys</i>						
Ministers	1	200	0	0	2	435
Special advisers	0	0	2	600	0	0

### Departmental Pay

**Grant Shapps:** To ask the Minister of State, Department for Transport how much funding his Department has allocated for (a) year-end and (b) in-year bonuses for its staff in 2009-10. [307029]

**Chris Mole:** An element of the Department for Transport's overall pay award is allocated to non-consolidated variable pay related to performance. These payments are used to drive high performance and form part of the pay award for members of staff who demonstrate exceptional performance, for example by exceeding targets set or meeting challenging objectives.

Non-consolidated variable pay awards are funded from within existing pay bill controls, and have to be re-earned each year against pre-determined targets and,

as such, do not add to future pay bill costs. The percentage of the pay bill set aside for performance-related awards for the SCS is based on recommendations from the independent Senior Salaries Review Body.

The wages and salary budget for 2009-10 is £546,266,100, of which non-consolidated performance payments represents an estimated range of 1.7 to 2 per cent.

### Departmental Public Expenditure

**David Simpson:** To ask the Minister of State, Department for Transport how much his Department spent on (a) new furnishings, (b) works of art and (c) new vehicles in each of the last two years. [312522]

**Chris Mole:** The information requested for the Department for Transport and its seven executive agencies is provided in the following table.

Organisational unit	(a) New furnishings		(b) Art		(c) New vehicles		£
	2008-09	2007-08	2008-09	2007-08	2008-09	2007-08	
<i>Central Department</i>							
London Headquarters	287,683	504,646	1,162	0	0	0	0
Air Accident Investigation Branch	18,374	26,529	0	0	0	0	0
Rail Accident Investigation Branch	962	11,543	0	0	0	0	0
Marine Accident Investigation Branch	823	103,878	0	0	0	0	0
Driving Standards Agency	<sup>1</sup> —	<sup>1</sup> —	0	0	150,860	103,000	
Driver and Vehicle Licensing Agency	<sup>2</sup> —	<sup>2</sup> —	0	0	0	0	
Government Car and Despatch Agency	<sup>1</sup> —	<sup>1</sup> —	0	0	1,315,000	1,004,000	
Highways Agency	259,820	1,799,366	0	0	<sup>3</sup> 18,983,687 <sup>4</sup> 3,117,871	<sup>3</sup> 624,832 <sup>4</sup> 2,382,303	
Maritime and Coastguard Agency	<sup>1</sup> —	<sup>1</sup> —	0	0	837,619	1,197,629	
Vehicle Certification Agency	8,599	6,329	0	0	0	13,915	
Vehicle and Operator Services Agency	98,920	164,179	0	0	1,273,850	676,490	

<sup>1</sup> Data not recorded as a specific cost category within the accounting system in use and only available at disproportionate cost.

<sup>2</sup> During 2007 to 2009 DVLA was in the process of refurbishing its Morrision site under a PFI contract. DVLA are unable to accurately provide a breakdown of the furnishing costs.

<sup>3</sup> Purchased.

<sup>4</sup> Leased.

Note:

The Highways Agency: Data at (a) include furniture, office refurbishments and fit-out costs for offices and regional control centres. The increase in the 2008-09 vehicle purchase costs is due to the Highways Agency entering into a four-year framework contract on 2 January 2008 with two suppliers; Romaquip and Schmidt UK, for the purchase of over 430 salt spreaders and snow ploughs to replace its current fleet. The costs for 2008-09 relate to the first-year order comprising of a total of 159 salt spreaders, all equipped with snow ploughs, and a further 40 additional snow ploughs. The vehicles used by Highways Agency Traffic Officers are leased. The figures quoted are the total cost of the vehicle leasing contracts for each of the two years. Leasing payments cover the cost of the vehicles, servicing, maintenance, tyres and windscreens, etc. Most vehicles are leased for 18 months, or 150,000 miles. There are now 207 Traffic Officer Vehicles in the fleet.

**Norman Baker:** To ask the Minister of State, Department for Transport how much his Department (a) budgeted to spend and (b) spent from (i) the Total Annual Managed Expenditure budget and (ii) the Departmental Expenditure Limit budget for 2008-09. [312553]

	2008-09	
	Budget	£ million Outturn
Annual managed expenditure	3,988	3,729
Departmental expenditure limit	14,105	12,701

**Chris Mole:** The information requested is set out in the following table:

**Norman Baker:** To ask the Minister of State, Department for Transport how much his Department

(a) budgeted to spend and (b) spent from (i) the Annually Managed Expenditure budget and (ii) the Departmental Expenditure Limit budget for 2009-10.

[312555]

**Chris Mole:** The information requested is set out in the following table:

2009-10		£ million
	Budget	Spend to date (end December 2009)
Annually managed expenditure	4,092	2,778
Departmental expenditure limit	15,422	11,121

**Norman Baker:** To ask the Minister of State, Department for Transport how much his Department (a) budgeted to spend and (b) spent from the Annually Managed Expenditure budget on (i) Departmental Strategic Objective (DSO) 1, (ii) DSO 2, (iii) DSO 3, (iv) DSO 4 and (v) DSO 5 for 2008-09.

[312556]

**Chris Mole:** The in year budget for 2008-09 was not set against departmental strategic objectives. The outturn is set out in the following table:

Annually managed expenditure, 2008-09		Outturn (£ million)
DSO 1		1,892
DSO 2		110
DSO 3		1,655
DSO 4		72
DSO 5		0
Total		3,729

**Norman Baker:** To ask the Minister of State, Department for Transport how much his Department (a) budgeted to spend and (b) spent from the Departmental Expenditure Limit budget on (i) Departmental Strategic Objective (DSO) 1, (ii) DSO 2, (iii) DSO 3, (iv) DSO 4 and (v) DSO 5 for 2008-09.

[312557]

**Chris Mole:** The in year budget for 2008-09 is not set against departmental strategic objectives. The spend to date is set out in the following table:

Departmental expenditure limit, 2008-09		Outturn (£ million)
DSO 1		7,366
DSO 2		966
DSO 3		2,187
DSO 4		2,067
DSO 5		115
Total		12,701

**Norman Baker:** To ask the Minister of State, Department for Transport how much his Department (a) budgeted to spend and (b) spent to date from the Annually Managed Expenditure Budget on (i) Departmental Strategic Objective (DSO) 1, (ii) DSO 2, (iii) DSO 3, (iv) DSO 4 and (v) DSO 5 for 2009-10.

[312558]

**Chris Mole:** The in year budget is not set against Departmental Strategic Objectives. The spend to date is set out as follows:

Annually managed expenditure 2009-10		Spend to date <sup>1</sup> (£ million)
DSO 1		1,423
DSO 2		85
DSO 3		1,274
DSO 4		-4
DSO 5		—
Total		2,778

<sup>1</sup> End December 2009.

**Norman Baker:** To ask the Minister of State, Department for Transport how much his Department (a) budgeted to spend and (b) has spent to date from the Departmental Expenditure Limit Budget on (i) Departmental Strategic Objective (DSO) 1, (ii) DSO 2, (iii) DSO 3, (iv) DSO 4 and (v) DSO 5 for 2009-10.

[312559]

**Chris Mole:** The in year budget is not set against Departmental Strategic Objectives. The spend to date is set out as follows:

Departmental expenditure limit 2009-10		Spend to date <sup>1</sup> (£ million)
DSO 1		6,373
DSO 2		762
DSO 3		2,445
DSO 4		1,518
DSO 5		23
Total		11,121

<sup>1</sup> End December 2009.

### East Coast Main Line

**Mike Wood:** To ask the Minister of State, Department for Transport which organisation will undertake the consultation for the new East Coast Mainline timetable; when that consultation will start and end; and where consultation responses should be sent to.

[313629]

**Chris Mole:** Public consultation on proposals for a new East Coast Main Line timetable is being carried out by East Coast—the current operator of those services. I understand that consultation has already commenced and will run until the end of February. Details of the proposals and the address for responses are available on East Coast's website at:

<http://www.eastcoast.co.uk/>

**Jim Cousins:** To ask the Minister of State, Department for Transport when the tendering process for East Coast rail services is likely to begin; and whether an option to continue Kings Cross to Glasgow via Newcastle services will be included in the tender.

[313697]

**Chris Mole:** The Invitation to Tender for the new Intercity East Coast franchise will be issued in autumn 2010.

The Department for Transport is consulting stakeholders on the specification for the new ICEC franchise. The service specification will be based on the timetable

implemented in May 2011, which as currently proposed does include one service each way between Glasgow and King's Cross.

Under the proposed May 2011 timetable, most East Coast services to/from Scotland will operate to/from Edinburgh and Cross-country services between Penzance/Plymouth and Edinburgh will be extended to/from Glasgow, providing a two-hourly through service between Glasgow, Edinburgh, stations on the East Coast Main Line as far south as York, Leeds, Sheffield, the Midlands and south-west England.

**Norman Baker:** To ask the Minister of State, Department for Transport what estimate his Department has made of the financial savings that would result from cancelling (a) the East Coast pilot fleet of the Inter-city Express Programme and (b) the Inter-city Express Programme East Coast depot. [314076]

**Chris Mole:** The 'pilot fleet' or Pre-Series Trains concept no longer applies.

The Department for Transport has appraised costs of East Coast Main Line depot provision. It is not appropriate to comment further as confidential commercial negotiations with Agility Trains are ongoing.

#### Green Bus Fund

**Norman Baker:** To ask the Minister of State, Department for Transport how much funding from the £30 million of the Green Bus Fund announced in December 2009 has been provided to each recipient bus company; and what estimate his Department has made of the number of jobs (a) created and (b) safeguarded (i) directly and (ii) indirectly through this expenditure. [314078]

**Mr. Khan:** The following table shows the Green Bus Fund's winning bidder organisations, the number of buses each organisation intends to purchase with fund grant and the amount of grant offered to each organisation, which includes both bus operators and local authorities, by the Department for Transport.

*Bidding organisations, number of buses to be funded and grant offered under the Green Bus Fund*

<i>Bidding organisation</i>	<i>Number of buses to be funded</i>	<i>Grant offered (£)</i>
Greater Manchester Passenger Transport Executive	66	3,157,740
Transport for London	46	4,968,000
Stagecoach in Manchester	30	2,786,886.90
Stagecoach in Oxfordshire	26	2,351,506.30
Rotala plc	23	2,880,258
First West and North Yorkshire	22	1,705,322.40
Reading Transport Ltd.	20	2,166,500
West Midlands Travel Ltd.	20	1,271,450
First Manchester	14	1,013,109.02
Cumfybus Ltd.	13	1,385,163
Mike de Courcey Travel Ltd.	13	750,000
Hatch Green Coaches	9	882,000
Holsworthy Ltd. (trading as Beacon Coaches)	9	855,720
Nexus (Tyne and Wear PTE)	8	784,800

*Bidding organisations, number of buses to be funded and grant offered under the Green Bus Fund*

<i>Bidding organisation</i>	<i>Number of buses to be funded</i>	<i>Grant offered (£)</i>
On a Mission Coaches	6	600,000
Johnsons (Henley) Ltd.	4	282,196
Nottingham City Council	4	392,400
R. Bullock & Co. (Transport) Ltd. (trading as Bullocks Coaches)	4	448,000
Durham County Council	3	294,300
Milton Keynes Council	3	300,000
Blueworks Taxis Ltd.	2	265,740
Ipswich Buses Ltd.	2	222,276
Bath and North East Somerset Council	1	126,990
Thames Travel (Wallingford) Ltd.	1	120,828
Total	349	30,011,185.62

The Department estimates that around 1,000 jobs will be safeguarded in the bus manufacturing industries as a result of the Green Bus Fund investment. The Department does not have an estimate of the number of jobs which will be created by the fund.

#### London and South Eastern Railway: Standards

**Mr. Evennett:** To ask the Minister of State, Department for Transport which recent assessment he has made of the performance of Southeastern Railway in discharging its obligations under its franchise agreement. [312668]

**Chris Mole:** The franchise agreement specifies performance standards in respect of:

The number of trains arriving at final destination within four minutes and 59 seconds of advertised time;

The number of delay minutes caused by Southeastern;

The number of train cancellations caused by Southeastern; and

Provision of specified train capacity.

Department for Transport officials review Southeastern's performance against the standards set out in the franchise agreement periodically. At the end of Rail Industry Period 9, Southeastern was performing within the target levels for each of these performance standards. The PPM Moving Annual Average figure of 91.1 per cent. for the end of the period was the best ever achieved on the Southeastern network. Officials are currently reviewing performance against Rail Industry Period 10, which was severely affected by the recent adverse weather.

#### M25: Tolls

**Bob Russell:** To ask the Minister of State, Department for Transport (1) how many bids have been received to purchase the M25 tunnels and bridge crossings of the Thames; [314092]

(2) on what date his Department sought expressions of interest for the purchase of the M25 tunnel and bridge crossings of the Thames; by what means it did this; by what date firm bids are required to be received; and if he will make a statement; [314094]

(3) how many expressions of interest have been received for the purchase of the M25 tunnel and bridge crossings of the Thames. [314095]

**Chris Mole:** The Department for Transport has not invited or received any expressions of interest or bids for the purchase of the Dartford Crossing.

As discussed in the Operational Efficiency Programme: Asset Portfolio published in December 2009, work to assess future capacity requirements and commercialisation options is ongoing.

**Bob Russell:** To ask the Minister of State, Department for Transport what discussions he has had with (a) Essex county council and (b) Kent county council over the proposed sale of the M25 tunnels and bridge crossing of the Thames; if he will ensure that a proportion of the proceeds of any sale will be given to (a) Essex county council and the unitary authorities of Thurrock and Southend-on-Sea and (b) Kent county council; and if he will make a statement. [314093]

**Chris Mole:** At this early stage no formal discussions have been held with Essex county council and Kent county council on this specific issue.

#### Network Rail: Manpower

**Mr. David Anderson:** To ask the Minister of State, Department for Transport if he will take steps to ensure that Network Rail maintains staffing levels adequate to maintain the railway system. [314083]

**Chris Mole:** Staffing is an operational matter for Network Rail. Network Rail is required to deliver substantial efficiency savings for the operation, maintenance and renewal of the network over the next five years, set by the independent Office of Rail Regulation.

The independent Office of Rail Regulation has ultimate responsibility for assessing that Network Rail's activities do not put at risk the safety of passengers and the work force.

#### Rail Safety and Standards Board: Research

**Norman Baker:** To ask the Minister of State, Department for Transport what research the Rail Safety and Standards Board is undertaking; and how much that research (a) has cost to date and (b) is estimated to cost in total on completion. [314077]

**Chris Mole:** The strategic research programme was launched by the Department for Transport in September 2008. Details of the research being undertaken are published on the Rail Safety and Standards Board (RSSB) website at:

[www.rssb.co.uk](http://www.rssb.co.uk)

The specific costs of research are a matter for the RSSB and the hon. Member should contact:

Len Porter  
Chief Executive  
Rail Safety and Standards Board  
Block 2  
Angel Square  
1 Torrens Street  
London  
EC1V 1NY

The Minister announced that the cost to complete the strategic research programme is £15 million from spring 2009 and will run for five and a half years.

#### Railways: Franchises

**Mr. Stewart Jackson:** To ask the Minister of State, Department for Transport pursuant to the written ministerial statement of 21 January 2010, *Official Report*, column 35WS, on rail franchises, whether the consultation with key stakeholders in respect of the proposed rail franchise for InterCity East Coast will include (a) Peterborough City Council, (b) Opportunity Peterborough Urban Regeneration Company, (c) Cambridgeshire Chamber of Commerce, (d) Peterborough Environment City Trust and (e) Members of Parliament; and if he will make a statement. [314030]

**Chris Mole:** The InterCity East Coast Franchise consultation document has been published on the Department for Transport's website at:

[www.dft.gov.uk](http://www.dft.gov.uk)

We welcome responses from all interested parties. Peterborough city council and Members of Parliament with constituencies in the InterCity East Coast franchise area are formal consultees and have been notified that the consultation is taking place, but it is also open to any other interested party to request a copy of the consultation document and respond to the consultation.

**Norman Baker:** To ask the Minister of State, Department for Transport how many rail franchises he expects to re-tender in each of the next four years. [314277]

**Chris Mole:** Three new franchises are expected to start in 2011, two in 2012, one in 2013 and one in 2014.

This assumes that the operators of franchises containing break points meet the continuation review criteria related to performance in the cases where these reviews have not yet taken place.

#### Railways: Glasgow

**Jim Cousins:** To ask the Minister of State, Department for Transport what the timetable is for the public consultation on the future of direct London Kings Cross to Glasgow via Newcastle rail services will be; and when he expects a final decision to be (a) made and (b) implemented. [313698]

**Chris Mole:** Public consultation on proposals for a new East Coast Main Line timetable, including services between King's Cross and Glasgow via Newcastle, is being carried out by East Coast—the current operator of those services. Consultation has already commenced and will run until the end of February. Details of the new timetable will be finalised during spring and summer 2010 for implementation in May 2011.

#### Railways: Olympic Games 2012

**Bill Etherington:** To ask the Minister of State, Department for Transport what discussions he has had with the Olympic Delivery Authority on the likely effects of any removal of the through East Coast Main Line rail service to Glasgow on the level of spectator

access to Olympic football tournament matches at Hampden Park from the North East; and if he will make a statement. [313340]

**Chris Mole:** As part of a recasting of the East Coast Main Line timetable there is a change to the rail services between Edinburgh and Glasgow currently provided by East Coast. The number of services will remain the same as at present; however, from May 2011 they will be provided by Arriva Cross County.

While Department for Transport Officials are in regular contact with the Olympic Delivery Authority about public transport for the games, there have been no detailed discussions about this specific service.

Transport planning for the games, both in terms of infrastructure and services, is the responsibility of the Olympic Delivery Authority.

They consider both the likely demand for all Olympic events and the travel patterns of spectators. Where they believe additional capacity is required the Olympic Delivery authority are in discussions with the train operating companies to provide enhanced services during the games.

#### Railways: Public Sector

**John Austin:** To ask the Minister of State, Department for Transport what assessment he has made of the value for money of operating rail passenger services under public ownership; and if he will make a statement. [313112]

**Chris Mole:** I refer my hon. Friend to my answer of 7 January 2010, *Official Report*, column 501W.

#### Railways: Tickets

**Norman Baker:** To ask the Minister of State, Department for Transport what assessment he has made of the financial consequences arising from the introduction of main line station gating. [314280]

**Chris Mole:** The financial consequences of station gating schemes will be dependent on the level of fare evasion on a particular route, the yield per passenger from that station, and effectiveness of other revenue protection measures.

Gating schemes can also help reduce crime and increase the attractiveness of the service by increasing the visible presence of staff at a station, further increasing revenue.

Recent gating schemes have shown significant revenue increases, even when considering the capital costs of installation and increased staff costs.

#### Shipping: Yemen

**Mr. Crabb:** To ask the Minister of State, Department for Transport (1) how many vessels carrying (a) crude oil or refined products and (b) liquefied gas which berthed at UK ports in each of the last six months had berthed in Yemen en route to the UK; [313034]

(2) what recent assessment he has made of the risks to UK security from vessels which have travelled from Yemen berthing at UK ports; and what recent steps he has taken to minimise such risks. [313040]

**Paul Clark:** According to statistics reported to the Department for Transport no oil or liquid gas was shipped direct to the UK from Yemen in 2008, the latest period for which statistics have been published. The Department does not hold statistics on whether ships carrying such cargo from other sources might have called in the Yemen.

Both transport and other security procedures are in place as appropriate for all vessels berthing at UK ports.

#### Southend Airport: Carbon Emissions

**Mr. Amess:** To ask the Minister of State, Department for Transport what recent assessment he has made of the effect on the level of greenhouse gas emissions of (a) passenger and (b) cargo aircraft using Southend Airport in the last 12 months; what representations he has received on this matter since January 2009; and if he will make a statement. [313150]

**Paul Clark:** The Department for Transport's latest assessment of carbon dioxide (CO<sub>2</sub>) emissions from passenger and freight aircraft using the UK's main airports is published in Annex G of "UK Air Passenger Demand and CO<sub>2</sub> Forecasts 2009". This is available at:

<http://www.dft.gov.uk/pgr/aviation/atf/co2forecasts09/>

However airport-level assessments are only produced for the UK's 31 largest airports and therefore no assessment of greenhouse gas emissions from passenger and freight aircraft using Southend Airport is available. We have not received any representations on the issue since January 2009.

#### Southend Airport: Noise Pollution

**Mr. Amess:** To ask the Minister of State, Department for Transport what recent representations he has received on aircraft noise at Southend Airport; what response he gave; and if he will make a statement. [313152]

**Paul Clark:** No recent representations have been received. However in compliance with EU requirements, Southend airport—in common with other major airports—is preparing a noise action plan in consultation with local communities. The development of the action plans provides a key opportunity for local consultation on noise issues.

The airport is currently conducting a public consultation on the draft plan. This consultation closes on 9 February. The airport will then consider consultation responses before submitting a final draft plan to the Secretaries of State for Transport and for the Environment, Food and Rural Affairs for consideration for formal adoption.

**Mr. Amess:** To ask the Minister of State, Department for Transport what research his Department has commissioned on levels of noise pollution in the area surrounding Southend airport in the last three years. [313153]

**Paul Clark:** No research relating to noise pollution and Southend airport has been commissioned by the Department for Transport in the last three years.

### Speed Limits: Cameras

**Mr. Greg Knight:** To ask the Minister of State, Department for Transport for what reasons the Highways Agency has installed a speed camera on the A46 southbound near the Carholme roundabout at Lincoln; and what criteria were used to determine the location of such a camera. [313421]

**Chris Mole:** The safety camera was installed in 1998 by Lincolnshire police following a number of accidents at the location. This was prior to the introduction of national guidance about the installation of safety cameras. The camera is now managed by the Lincolnshire Road Safety Partnership and its operation is reviewed at six monthly intervals.

### Transport: Disabled

**Mr. Harper:** To ask the Minister of State, Department for Transport what recent discussions officials in his Department have had with the Joint Committee on Mobility for Disabled People; and what steps his Department takes in order to meet its disability equality duty through its relationship with the Committee. [314062]

**Mr. Khan:** Department for Transport officials attended two of the regular meetings in December 2008 and June 2009 arranged by the Joint Committee on Mobility for Disabled People. The Chair of the Committee was also invited to, and attended, a meeting about enforcement of the Blue Badge scheme that was convened by the DFT in March 2009. Members of the Committee have been invited to a seminar on Blue Badge reform in June 2010.

The Department is meeting its disability equality duty by ensuring that disabled people are actively involved in and consulted on aspects of the Blue Badge reform programme. As well as the seminar that is being arranged for June 2010, members from some representative groups, for example, Mobilise, are participating in steering groups. Regular newsletters are issued to all stakeholders and officials continue to meet regularly with other representative groups, for example, the Disabled Persons Transport Advisory Committee, as well as with the Joint Committee on Mobility for Disabled People.

## ENVIRONMENT, FOOD AND RURAL AFFAIRS

### Dangerous Dogs: Kent

**Damian Green:** To ask the Secretary of State for Environment, Food and Rural Affairs how many dogs have been seized and put down in (a) Ashford constituency and (b) Kent in the last 12 months. [313522]

**Jim Fitzpatrick:** Figures relating to the numbers of dogs seized and put down are not held centrally. Such information may be held by Kent police and the various local authorities.

### Departmental Location

**Mr. Paice:** To ask the Secretary of State for Environment, Food and Rural Affairs for what reasons his Department decided not to complete a sustainability appraisal prior to relocating offices in 2007-08. [310826]

**Dan Norris:** The office move in 2007-08 saw DEFRA staff situated in 1a Page Street relocated to our principal offices at Nobel House and Ergon House. This move was facilitated by restructuring of the DEFRA business, including a reduction in staff numbers, and provided an opportunity to reduce property costs.

The Department did not complete a sustainability appraisal because it was satisfied that the reduction in the estate DEFRA occupied, together with better use of the space in the remaining offices would contribute positively over time to DEFRA's overall environmental performance.

DEFRA has now explicitly incorporated the sustainability appraisal into our criteria for location decisions, which also include business and financial considerations.

### Departmental Pay

**Dr. Cable:** To ask the Secretary of State for Environment, Food and Rural Affairs how many staff in his Department received bonus payments in 2008-09; what proportion of the total work force they represented; what the total amount of bonuses paid was; what the largest single payment was; and if he will make a statement. [300896]

**Dan Norris:** An element of DEFRA's overall pay award is allocated to non-consolidated variable pay related to performance. These payments are used to drive high performance and form part of the pay award for members of staff who demonstrate exceptional performance, for example by exceeding targets set or meeting challenging objectives.

Non-consolidated variable pay awards are funded from within existing pay bill controls, and have to be re-earned each year against predetermined targets and, as such, do not add to future pay bill costs. The percentage of the pay bill set aside for performance-related awards for the SCS is based on recommendations from the independent Senior Salaries Review Body.

The following tables provide details of the number of staff who received non-consolidated performance pay, the proportion of the total work force they represented, the total amount paid on non-consolidated performance payments paid and the largest single payment in 2008-09, reflecting performance in the 2007-08 performance year.

Table 1 covers staff at Grade 6 and below in core-DEFRA and those executive agencies covered by the core-Department's terms and conditions, i.e. Animal Health, Veterinary Medicines Directorate and the Marine and Fisheries Agency.

Table 1 also includes senior civil servants in core DEFRA and its executive agencies (Animal Health, Veterinary Medicines Directorate, Marine and Fisheries Agency, Rural Payments Agency, Veterinary Laboratories Agency, Centre for the Environment, Fisheries and Aquaculture Science and the Central Science Laboratory—which is now part of the Food and Environment Research Agency, which was created on 1 April 2009.)

Tables 2 to 5 cover staff at Grade 6 and below, employed in those executive agencies who operate delegated pay arrangements (Rural Payments Agency, Veterinary Laboratories Agency, Centre for the Environment, Fisheries and Aquaculture Science and the Central Science Laboratory—which is now part of the Food and Environment Research Agency, which was created on 1 April 2009).

Table 1: core DEFRA

	Number, percentage, amount (£)
Number of staff who received non-consolidated performance pay	1,914
Proportion of work force (percentage)	40
Total amount of non-consolidated performance payments	3,072,554
Largest single non-consolidated payment	17,250

Table 2: Rural Payments Agency

	Number, percentage, amount (£)
Number of staff who received non-consolidated performance pay	958
Proportion of work force (percentage)	26
Total amount of non-consolidated performance payments	507,572
Largest single non-consolidated payment	800

Table 3: Veterinary Laboratories Agency

	Number, percentage, amount (£)
Number of staff who received non-consolidated performance pay	195
Proportion of work force (percentage)	15
Total amount of non-consolidated performance payments	47,409
Largest single non-consolidated payment	605

Table 4: Centre for the Environment, Fisheries and Aquaculture Science

	Number, percentage, amount (£)
Number of staff who received non-consolidated performance pay	501
Proportion of work force (percentage)	191
Total amount of non-consolidated performance payments	773,747
Largest single non-consolidated payment	5,405

<sup>1</sup> The agency operates a performance related pay scheme that links corporate and individual performance objectives to non-consolidated performance payments. It comprises a CEFAS corporate performance-related payment to all eligible staff, as well as an individual performance related payment element for a smaller proportion of staff, around 40 per cent. The figure quoted represents the percentage of staff who received a corporate non-consolidated performance award.

Table 5: Central Science Laboratory (which is now part of the Food Research Agency, created on 1 April 2009)

	Number, percentage, amount (£)
Number of staff who received non-consolidated performance pay	333
Proportion of work force (percentage)	48
Total amount of non-consolidated performance payments	264,280
Largest single non-consolidated payment	3,806

**John McDonnell:** To ask the Secretary of State for Environment, Food and Rural Affairs what the (a) average and (b) highest non-consolidated performance related payment for senior civil servants in his Department was in cash terms in each of the last five years. [303071]

**Dan Norris:** An element of DEFRA's overall pay award is allocated to non-consolidated variable pay related to performance. These payments are used to drive high performance and form part of the pay award for members of staff who demonstrate exceptional performance, for example by exceeding targets set or meeting challenging objectives.

Non-consolidated variable pay awards are funded from within existing pay bill controls, and have to be re-earned each year against predetermined targets and, as such, do not add to future pay bill costs. The percentage of the pay bill set aside for performance-related awards for the SCS is based on recommendations from the independent Senior Salaries Review Body.

The following table details the average and the maximum payment for a non-consolidated variable pay award, to senior civil servants, awarded under the DEFRA standard pay and performance management process for the five most recent performance years for which the relevant payments have been published in the Department's accounts. The data cover senior civil servants in core-DEFRA and its executive agencies (Animal Health, Veterinary Medicines Directorate, Marine and Fisheries Agency, Rural Payments Agency, Veterinary Laboratories Agency, Centre for the Environment, Fisheries and Aquaculture Science and the Food and Environment Research Agency.

	Performance year				
	2004-05	2005-06	2006-07	2007-08	2008-09
Average value of non-consolidated performance payment (£)	4,000	6,000	7,500	8,500	9,000
The value of maximum non-consolidated payment (£)	20,350	15,147	15,640	17,250	15,000
Percentage of SCS paybill set aside for non-consolidated performance payments	5	6.5	7.6	8.6	8.6

**Mr. Scott:** To ask the Secretary of State for Environment, Food and Rural Affairs how much has been paid in bonuses to civil servants in his Department in each year since 2006. [306430]

**Dan Norris:** I would refer my hon. Friend to the reply given to the hon. Member for Welwyn Hatfield (Grant Shapps) on 27 January 2010, *Official Report*, columns 871-872W.

## EU Law

**Gregory Barker:** To ask the Secretary of State for Environment, Food and Rural Affairs what (a) statutory instruments and (b) other regulations his Department has brought forward in the 2005 Parliament to meet obligations arising from EU law.

[304176]

**Dan Norris:** Central records of statutory instruments made under specific powers have only been maintained by the Statutory Instruments Registrar since 2001. There are no central records maintained of "other regulations". Since that time my Department has made 445 statutory instruments to meet obligations arising from EU Law, under powers contained in the European Communities Act 1972

DEFRA has maintained internal statistics on statutory instruments for the years 2007, 2008 and 2009, but not "other regulations", made in connection with obligations arising from EU law. These statistics do not distinguish between those made under the European Communities Act 1972 and other powers, or between those that implement EU Law and those otherwise connected with it (e.g. fees).

	Number
2007	100
2008	51
2009	58

## Flood Control: Finance

**Mr. Drew:** To ask the Secretary of State for Environment, Food and Rural Affairs what criteria Natural England has put in place in order to enable landowners to be paid through the single payment scheme to permit the introduction of flood alleviation schemes.

[312983]

**Huw Irranca-Davies:** There is no scope under the EU rules governing the single payment scheme for making payments for the introduction of flood alleviation schemes.

## Nitrogen Oxide: Heathrow Airport

**Mr. Swayne:** To ask the Secretary of State for Environment, Food and Rural Affairs what the outcome was of the Government's application to the European Commission for a derogation from the nitrogen oxide limits around Heathrow Airport.

[313720]

**Jim Fitzpatrick:** The UK Government, like most other EU member states, is working to develop its application to the European Commission to secure the additional time available to meet the limit values for nitrogen dioxide as provided for in the Directive on Ambient Air Quality (2008/50/EC). The application will need to set out, for those parts of the country not yet in compliance, including around Heathrow airport, how the limit values for nitrogen dioxide will be achieved by 2015.

The latest date for submitting applications to secure the additional time available under the Directive on Ambient Air Quality (2008/50/EC) is September 2011.

## WALES

## Bosch

**Mr. Dai Davies:** To ask the Secretary of State for Wales what meetings he (a) has had and (b) plans to have with Welsh Assembly Government Ministers on (i) the effects on employment in companies supplying the Bosch factory in Cardiff on the relocation of the factory outside of the UK and (ii) the effect of the possible closure of other Bosch factories in Wales.

[313329]

**Mr. Hain:** I have had various discussions including with the First Minister and Unite and will continue to do so.

The Welsh Assembly Government are already working with Bosch to identify their Welsh suppliers and are offering support to those affected.

## Departmental Manpower

**Mr. Philip Hammond:** To ask the Secretary of State for Wales how many layers of management reporting from the most senior to the most junior there are in his Department; how many officials are employed in each such layer; and how much was spent on salaries and associated employment costs of staff at each such layer in the latest year for which information is available.

[312830]

**Mr. Hain:** The Wales Office has six layers of management reporting from the most senior to the most junior.

Collective salaries for officials employed in each layer are not given, due to disproportionate costs.

However, salary ranges for each grade stipulated by the Ministry of Justice, of which the Wales Office is a part; and the senior civil service pay structure for the latest year—are provided as follows by way of estimate.

Grade	Staff number	Pay range
Pay band 2 (SCS)	1	£82,900-£162,500
Pay band 1 (SCS)	3	£58,200-£117,750
Grades 6/7 (band A)	11	£47,228-£66,695
SEO	8	£33,835-£44,300
HEO	12	£27,825-£35,704
EO	14	£22,755-£28,000

## Departmental Pay

**Dr. Cable:** To ask the Secretary of State for Wales pursuant to the answer of 26 November 2009, *Official Report*, columns 282-83W, on departmental pay, how many and what proportion of staff of his Department received (a) an annual performance bonus and (b) an in-year bonus in 2008-09; and who was responsible for awarding such bonuses.

[313132]

**Mr. Hain:** In 2008-09:

(a) Five members comprising 9 per cent. of the total Wales Office staff total, each received an annual performance bonus. They were awarded by the Ministry of Justice in recognition of outstanding performance in compliance with the MOJ pay related performance system.

(b) Nil staff received in-year bonuses during that period.

### Departmental Written Questions

**David Simpson:** To ask the Secretary of State for Wales what average time his Department took to answer questions for (a) ordinary written answer and (b) named day questions in the last 12 months. [313650]

**Mr. Hain:** The information is as follows:

(a) Ordinary written questions: Total of 263 received, 242 answered within five sitting days (92 per cent.)

(b) Named day questions: Total of 38 received, 35 answered on the specified date (92 per cent.)

With effect from the current Session of Parliament, each Department will provide the Procedure Committee with sessional statistics on the time taken to answer written questions. This implements recommendation 24 of the third report from the Procedure Committee, Session 2008-09.

### HOUSE OF COMMONS COMMISSION

#### House of Commons: Access

**Andrew Mackinlay:** To ask the hon. Member for North Devon, representing the House of Commons Commission if he will take steps to ensure that the number of people attending the Parliament Choir concert on 17 March does not affect the ability of constituents and other members of the public to obtain access to the House for meetings with hon. Members; and if he will make a statement. [313919]

**Nick Harvey:** Access to the Palace of Westminster will be maintained throughout the Parliament Choir concert on 17 March 2010.

### NORTHERN IRELAND

#### Police Service of Northern Ireland

**Mr. Laurence Robertson:** To ask the Secretary of State for Northern Ireland what percentage of Police Service of Northern Ireland police officers are Catholic. [313464]

**Paul Goggins:** As of 1 January 2010, the percentage of Catholic police officers in the Police Service of Northern Ireland was 27.68 per cent.

**Mr. Laurence Robertson:** To ask the Secretary of State for Northern Ireland what percentage of those who apply to join the Police Service of Northern Ireland as police officers are Catholic. [313465]

**Paul Goggins:** Since the inception of the PSNI there have been 15 recruitment campaigns. 37.33 per cent. of applicants for these competitions indicated their religious background as Catholic.

**Mr. Laurence Robertson:** To ask the Secretary of State for Northern Ireland how many (a) Catholics and (b) non-Catholics were recruited as police officers by the Police Service of Northern Ireland in the most recent year for which figures are available. [313466]

**Paul Goggins:** During the course of the 2009 calendar year, 201 Catholics and 209 non-Catholics were recruited to the PSNI.

### SCOTLAND

#### Departmental Housing

**Sarah Teather:** To ask the Secretary of State for Scotland how many (a) empty and (b) occupied residential properties his Department owns; and what recent estimate he has made of the (i) potential annual rental and (ii) total book value of those (A) empty and (B) occupied residential properties. [313798]

**Ann McKechin:** The Scotland Office does not own any residential properties.

#### Departmental Written Questions

**David Simpson:** To ask the Secretary of State for Scotland what average time his Department took to answer questions for (a) ordinary written answer and (b) written answer on a named day in the last 12 months. [313654]

**Ann McKechin:** Between January to December 2009 the Scotland Office:

(a) answered 61 per cent. of 274 ordinary written questions within five sitting days,

(b) answered 93 per cent. of 29 named day questions on the day specified.

With effect from the current Session of Parliament, each Department will provide the Procedure Committee with sessional statistics on the time taken to answer written questions. This implements recommendation 24 of the 3rd report from the Procedure Committee, Session 2008-09.

### CULTURE, MEDIA AND SPORT

#### Arts Council of England

**Mr. Watson:** To ask the Secretary of State for Culture, Media and Sport pursuant to the answer of 13 January, *Official Report*, column 1039W, on Arts Council England: finance, whether the methodology used to calculate the annual efficiency savings Arts Council England expects to make as part of its reorganisation process was approved by Ministers. [314065]

**Margaret Hodge:** Arts Council England contribute to the Department's value for money (VFM) programme, reported to Parliament in the DCMS autumn performance report and annual report. The methodology for the Government VFM programme is agreed by the Treasury and subject to review by the National Audit Office.

Arts Council England continually seek and deliver additional efficiency savings which are reported to the Department on a regular basis.

**Mr. Watson:** To ask the Secretary of State for Culture, Media and Sport pursuant to the answer of 13 January, *Official Report*, column 1038W, on Arts Council England, what recent representations he has received on the restructuring of Arts Council England since 1993. [314066]

**Margaret Hodge:** Ministers and officials meet regularly with Arts Council England and other stakeholders. Issues such as organisational restructuring are often discussed in these meetings

### Departmental NDPBs

**Bob Spink:** To ask the Secretary of State for Culture, Media and Sport for how many non-departmental public bodies his Department is responsible. [314251]

**Mr. Simon:** DCMS is responsible for 56 public bodies. These comprise: four public corporations, two public broadcasting authorities, one Executive agency, 47 non-departmental public bodies (36 Executive NDPBs, 10 advisory NDPBs and one tribunal NDPB), plus two unclassified bodies who receive Exchequer funding.

Information and statistical data on the DCMS bodies is contained in the DCMS Public Bodies Directory, which can be found on the DCMS website:

<http://www.culture.gov.uk/images/publications/2009DCMSPublicBodiesDirectory.pdf>

Since publication UK Anti Doping (an Executive NDPB) has been created.

### Licensed Premises: Alcoholic Drinks

**Mr. Ellwood:** To ask the Secretary of State for Culture, Media and Sport how many premises had a 24 hour alcohol licence in each year since 2005. [313017]

**Mr. Sutcliffe:** My Department estimates the following number of premises licensed for the sale or supply of alcohol for 24 hours in their standard timings, in force on 31 March in each of the last three years in England and Wales (rounded to the nearest hundred):

<i>Premises with 24-hour alcohol licences</i>	<i>Number</i>
2007	6,000
2008	7,100
2009	7,400

*Source:*

The Alcohol, Entertainment and Late Night Refreshment Licensing Bulletin 2008-09.

On 31 March 2009, this made up 4 per cent. of all premises licences and club premises certificates authorised to sell alcohol. The possession of a 24-hour licence does not necessarily mean that the premises will choose to open for 24 hours.

Prior to the 2003 Act, hotels were authorised to sell alcohol to residents and their private guests only, outside of permitted licensing hours and were able to apply to keep this provision under 'grandfather rights'.

### Local Press

**Mr. Stewart Jackson:** To ask the Secretary of State for Culture, Media and Sport what assessment his Department has made of the effect on local newspapers of local authority publications. [313892]

**Mr. Simon:** The Audit Commission published its report on 22 January and we are currently studying the findings.

### Olympic Games: Canada

**Mr. Don Foster:** To ask the Secretary of State for Culture, Media and Sport how many members of staff of (a) Sport England, (b) UK Sport and (c) the Olympic Delivery Authority plan to attend the Winter Olympics in Vancouver in February 2010; and at what cost in each case. [312707]

**Mr. Sutcliffe:** Sport England advise that they will not be sending representatives to the Winter Olympics.

UK Sport advise that three members of their organisation will be attending the Winter Olympics, at a cost of £21,824.84.

The Olympic Delivery Authority advise that two members of staff will be attending the observer programme for the games. The cost for accommodation and travel totals £7,726.90.

### Swimming: Concessions

**Hugh Robertson:** To ask the Secretary of State for Culture, Media and Sport what the budget is for the PricewaterhouseCoopers evaluation of his Department's free swimming programmes; and when he expects the report to be published. [312802]

**Mr. Sutcliffe** [*holding answer 25 January 2010*]: As set out in the HM Treasury guidance 'The Green Book—Appraisal and Evaluation in Central Government', the ability to judge how effectively Government resources have been expended is essential to their strategic long-term management. We have therefore commissioned a full, robust and independent evaluation of the £140 million Free Swimming Programme. This includes a detailed online survey of swimmers and non-swimmers to supplement questions placed on the Active People Survey, as well as case studies of participating and non-participating local authorities. The cost of the PricewaterhouseCoopers contract for the evaluation of the Free Swimming Programme is £379,000, less than 0.3 per cent. of the total cost of the programme. The contract is managed by Sport England on behalf of the Department for Culture, Media and Sport.

We expect two reports to be published—a 'year one' report in early summer 2010, and a final report in early summer 2011.

This analysis will provide useful information about the overall impact of the free swimming programme on swimming participation, as well as evidence about 'what works' in different contexts to drive increased swimming participation, enabling better targeting of future investment.

### Tickets: Sales

**Dr. Cable:** To ask the Secretary of State for Culture, Media and Sport what steps his Department is taking to regulate the sale of event tickets by third parties. [313749]

**Mr. Simon:** In addition to existing legislation governing the sale of tickets for football matches, the Olympic games and Commonwealth Games, the Department issued a Consultation on Ticketing and Ticket Touting running from 19 February 2009 to 15 May 2009.

We intend to publish our conclusions shortly.

### Tourism

**Mr. Ellwood:** To ask the Secretary of State for Culture, Media and Sport on what occasions the (a) Tourism Advisory Council, (b) inter-Ministerial Group on Tourism and (c) Tourism 2012 Ministerial Advisory Group have met since April 2009. [313020]

**Margaret Hodge:** The Tourism Advisory Council was established in April 2009 and to date has met four times, on 30 April, 1 July, 19 October and 18 January 2010.

The inter-Ministerial Group on Tourism has met twice since April 2009, on 5 May and 17 November.

Since April 2009 the work of the Ministerial Advisory Group was absorbed into the Tourism Advisory Council to ensure a strong link between the work to address recessionary conditions and Tourism 2012.

### Tourism: Marketing

**Geraldine Smith:** To ask the Secretary of State for Culture, Media and Sport what recent steps his Department has taken to promote tourism in Britain. [311298]

**Margaret Hodge:** VisitBritain are responsible for marketing Britain overseas as a tourist destination, and VisitEngland are responsible for marketing England to British residents. Some of the recent initiatives that have been undertaken to attract tourists to Britain include the 'Value for Money' campaign for which VisitBritain and VisitEngland invested £6.5 million over the spring and summer 2009.

The overseas 'Value for Money' campaign involved an investment of £3.5 million and reached 18 markets in 21 languages and was undertaken in close co-operation with the airlines Easyjet and British Airways. VisitBritain's office in the USA also launched a campaign with Virgin Atlantic to stimulate travel to the UK which involved an investment of US\$1 million.

The domestic 'Value for Money' campaign involved an investment of £3million in VisitEngland's 'Enjoy Every Minute, Enjoy England' campaign, which was designed to stimulate more day visits, short breaks and holidays in England. In the first nine months of 2009 visits by UK residents in England increased by 6 per cent.

In July 2009 England secured the Rugby League World Cup in 2013 and the Rugby Union World Cup in 2015. These sporting events will present many tourism opportunities, as will the recent announcement that there will be an additional Bank holiday during the Queen's Diamond Jubilee celebrations in 2012. British tourism will also benefit from the launch last July of a competition to find the nation's first 'City of Culture'. 14 bids are now being considered. Becoming Britain's 'City of Culture' in 2013 will stimulate the city's visitor economy.

2012 also provides a powerful opportunity to promote tourism and we are working to ensure that we use the 2012 games to maximise the economic benefits for the British tourism industry.

In addition, the overall level of public sector investment in tourism from local, regional and national sources is likely to exceed £2 billion in the current spending review period. The Government believe this public investment is a good and reasonable investment in support for the tourism and hospitality industry.

### SOLICITOR-GENERAL

#### Departmental Pay

**Dr. Cable:** To ask the Solicitor-General how many staff in the Law Officers' Departments received bonus payments in each of the last five years for which information is available; what proportion of the total workforce they represented; what the total amount of bonuses paid was; what the largest single payment was; and if she will make a statement. [300379]

**The Solicitor-General:** Non-consolidated performance payments are an integral element of the reward package for staff. These payments are used to drive high performance and form part of the pay award for members of staff who demonstrate exceptional performance, for example by exceeding targets set or meeting challenging objectives. They have to be re-earned each year and do not add to future pay bill costs, e.g. pensions. A close and effective link between pay and performance and increased use of variable pay is a key element of the reward arrangements for the civil service and the senior civil service (SCS) in particular.

Reward arrangements, including the criteria for non-consolidated performance pay, below the SCS, are delegated to individual Departments and agencies. For the SCS, Departments and agencies are responsible for their own reward arrangements within a framework set by Cabinet Office. The percentage of the pay bill set aside for performance-related awards for the SCS is based on recommendations from the independent Senior Salaries Review Body.

Tables covering the specific information requested have been deposited in the Library of the House. These tables detail as far as we are able to ascertain from our records the number of people who were eligible for and received a non-consolidated variable pay award, the average and maximum payment for a non-consolidated variable pay award, by civil service band, and the total amount of non-consolidated variable pay awards paid in each of the five most recent performance years for which the relevant payments have been published in the Department's accounts.

#### Departmental Written Questions

**David Simpson:** To ask the Solicitor-General what average time the Law Officers' Departments took to answer questions for (a) ordinary written answer and (b) written answer on a named day in the last 12 months. [313653]

**The Solicitor-General:** Data on the average length of time taken to answer written parliamentary questions are not routinely recorded by my Office, and it is not possible to provide a reliable estimate based on existing records.

Measures are currently being put in place to begin recording more detailed information on parliamentary questions for the current and future parliamentary sessions.

#### Written Questions: Government Responses

**Dr. Cable:** To ask the Solicitor-General when she plans to answer question 300379, on departmental pay, tabled on 18 November 2009. [313138]

**The Solicitor-General:** I have done so today.

## DEFENCE

## Animal Experiments

**Willie Rennie:** To ask the Secretary of State for Defence what equipment tests using animals were conducted by his Department in each of the last five years. [310652]

**Mr. Quentin Davies** [*holding answer 14 January 2010*]: The MOD does not use animals as part of its equipment testing programme. The MOD conducts research involving the use of animals only where absolutely necessary and where there is currently no alternative. The research supports the welfare of the armed forces; it includes medical countermeasures, combat casualty care and environmental safety. All research involving the use of animals is subject to regular review and is carried out in strict accordance with the requirements of the Animals (Scientific Procedures) Act 1986.

## AWE Aldermaston

**Dr. Cable:** To ask the Secretary of State for Defence what plans his Department has for the development of new nuclear weapons at Aldermaston. [313385]

**Mr. Quentin Davies:** As the 2006 White Paper 'The Future of the United Kingdom's Nuclear Deterrent' (Cm 6994) makes clear, the current warhead design is likely to last into the 2020s. Decisions on how and whether we may need to refurbish or replace this warhead are likely to be necessary in the next Parliament.

## Capenhurst Power Station

**Mr. Dai Davies:** To ask the Secretary of State for Defence pursuant to the answer of 18 January 2010, *Official Report*, columns 17-18W, on radioactive materials: imports, from which countries of origin the uranium which was enriched to military grade at the gaseous diffusion plant at BNFL Capenhurst was obtained; and what materials have been enriched at that plant since 31 March 2002. [313540]

**Mr. Bob Ainsworth:** Our records indicate that all uranium used in the production of highly enriched uranium (HEU) for military purposes at the Capenhurst Gas Diffusion Plant was supplied prior to the 1960s and came mainly from the Congo. No HEU for military purposes has been produced at Capenhurst since 1962.

## Departmental ICT

**Mrs. Curtis-Thomas:** To ask the Secretary of State for Defence which departmental information technology projects have been outsourced to companies based overseas in the last three years; and what the monetary value was of each such contract. [313555]

**Mr. Quentin Davies:** Information on projects that have been outsourced is not held centrally and could be provided only at disproportionate cost.

Information on the MOD's PFI commitments is published in our Annual Report and Accounts, copies of which are available on the MOD internet site:

<http://www.mod.uk/DefenceInternet/AboutDefence/CorporatePublications/AnnualReports/>

## Departmental Written Questions

**David Simpson:** To ask the Secretary of State for Defence what average time his Department took to answer questions for (a) ordinary written answer and (b) written answer on a named day in the last 12 months. [313664]

**Mr. Quentin Davies:** The information is not held in the format requested. However, during the 12 months up to 31 December 2009, 67 per cent. of ordinary written questions and 74 per cent. of named day written questions were answered on time.

## European Defence Agency

**Dr. Fox:** To ask the Secretary of State for Defence in which (a) initiatives and (b) programmes of the European Defence Agency the UK is participating; and what the cost to the UK is of each in 2009-10. [312652]

**Bill Rammell:** UK support of the EU military capability helps strengthen the Common Security and Defence Policy and Europe's contribution to NATO, both of which are in our national interest. The Ministry of Defence participates in the development of military capability through the European Defence Agency in the following areas:

- Capability Development Plan and capability improvement strategy;
- Collaborative Database strategy;
- Computer Information Systems (CIS) Information Exchange Requirements (IERS);
- Computer Network Operations;
- Counter Improvised Explosive Devices (C-IED);
- Counter Portable Air Defence Systems (C-MANPADS);
- Defence Data;
- European Armaments Co-operation strategy;
- European Defence Exports Market;
- European Defence Research and Technology (EDRT) strategy;
- European Defence Technological and Industrial Base (EDTIB) strategy;
- Ammunitions
- Depth and Diversity of Small/Medium Enterprises
- Future Air Systems
- Security of Supply, Offsets and the Level Playing Field;
- Helicopters availability;
- Intelligence Surveillance and Reconnaissance (ISR) architecture;
- Maritime Mine Countermeasures (MMCM);
- Maritime Surveillance Networking;
- Medical Support;
- Military Airworthiness and Certification Authorities (MAWA);
- Military aspects of a Comprehensive Approach;
- Networked Enabled Capabilities (NEC);
- Satellite Communications;
- Secure Management Infrastructure;
- Space Situational Awareness;
- Third Party Logistics Support;

The UK contributes to capability development in a variety of forms, including financial, equipment and systems testing and the sharing of knowledge, expertise and experience. As the costs of these capability development areas are shared among participating nations, including through national financial contributions to the European

Defence Agency's budget, we are unable to accurately apportion specific individual costs to the UK. Our financial contribution to the Agency's budget for calendar year 2009 was £3.03 million.

#### European Defence Agency: Finance

**Dr. Fox:** To ask the Secretary of State for Defence what (a) financial and (b) other contribution his Department has allocated to the (i) European Defence Agency and (ii) EU military staff in (A) 2008-09, (B) 2009-10 and (C) 2010-11. [312656]

**Bill Rammell:** The Ministry of Defence's financial and personnel contribution to the European Defence Agency (EDA) and European Union Military Staff (EUMS) are provided in the following table. The Department's wider contributions to these organisations has included the loan or use of equipment and systems in support of testing and trials, and the provision of expert knowledge and advice through the UK's military operational experience. UK support of the EU military capability helps strengthen the Common Security and Defence Policy and Europe's contribution to NATO, both of which are in our national interest.

Calendar year <sup>1</sup>	European Defence Agency		European Union Military Staff	
	£ million	Personnel <sup>2</sup>	£ million	Personnel <sup>2</sup>
2008	3.11	7	0	18
2009	3.03	7	0	20
2010 <sup>3</sup>	4.01	7	0	20

<sup>1</sup> EDA uses the calendar year as its financial year.

<sup>2</sup> Up to.

<sup>3</sup> Estimated figures for 2010.

#### Members: Correspondence

**Mr. Arbuthnot:** To ask the Secretary of State for Defence when he will reply to the letters from the hon. Member for North East Hampshire of 26 June and 14 August 2009 on Calthorpe Park Secondary School. [310921]

**Mr. Bob Ainsworth:** I apologise for the delay in the response. This was due to the large volume of letters this Department received on Afghanistan issues. A letter was sent on 26 January.

#### Military Aircraft: Helicopters

**Dr. Fox:** To ask the Secretary of State for Defence what recent discussions he has had with the European Commission on its Green Helicopter initiative; and if he will make a statement. [313545]

**Bill Rammell:** There have been no recent discussions between UK Defence Ministers and the European Commission on its Green Helicopter initiative. We remain committed to minimising the environmental impact of our equipment wherever possible.

#### Somalia: Piracy

**Andrew Mackinlay:** To ask the Secretary of State for Defence who was authorised to inform the BBC's security correspondent Frank Gardner about the attempt by

special forces to rescue Paul and Rachel Chandler; for what reasons that authorisation was given; what account was taken of the effects of the disclosure on the safety of the Chandlers; and if he will make a statement. [314090]

**Mr. Bob Ainsworth:** It is long-standing policy not to comment on matters relating to UK special forces, as their disclosure would, or would be likely to prejudice the capability, effectiveness or security of the armed forces.

#### Special Forces: Disclosure of Information

**Andrew Mackinlay:** To ask the Secretary of State for Defence what his policy is on authorising public disclosure of information on operations by special forces; and if he will make a statement. [314091]

**Mr. Bob Ainsworth:** It is the policy of the Ministry of Defence not ordinarily to comment on UK special forces. The UK's special forces are bound by a confidentiality contract that requires express prior authority in writing from the Ministry of Defence to be given before any disclosure can be made.

## WORK AND PENSIONS

### Carer's Premium: Tyne and Wear

**Jim Cousins:** To ask the Secretary of State for Work and Pensions how many pensioners received a carer premium with their pension credit, housing benefit or council tax benefit in each social service authority area in Tyne and Wear in (a) 2005 and (b) 2009. [313795]

**Angela Eagle:** The information is not available for housing benefit or council tax benefit. The available information for pension credit is in the following table.

Pension credit claimants in Tyne and Wear with carer's premium	
	Number
May 2005	5,100
May 2009	7,120

Notes:

1. Caseload figures are rounded to the nearest 10.

2. Pension credit is claimed on a household basis and therefore the number of people that pension credit helps is the number of claimants in addition to the number of partners for whom they are also claiming.

Source:

DWP Information Directorate: Work and Pensions Longitudinal Study

### Child Benefit

**Jim Cousins:** To ask the Secretary of State for Work and Pensions whether the child benefit disregard in respect of housing benefit and council tax benefit introduced on 2 November 2009 is (a) awarded without claim or (b) claimed for; and if she will estimate the number of residents of Newcastle upon Tyne to whom this disregard applies. [313279]

**Helen Goodman:** Approximately 200,000 current customers benefited from the full introduction of the disregard of child benefit in the assessment of housing benefit and council tax benefit when the local authorities

reviewed their entitlement in November 2009. We estimate that a further 200,000 working families would be entitled to housing benefit and council benefit if they made a claim following the change in November 2009.

We are unable to provide an estimate of the number of residents in Newcastle upon Tyne to whom this disregard applies.

### Cold Weather Payments

**Mr. Cash:** To ask the Secretary of State for Work and Pensions what recent estimate she has made of the number of older people who do not claim the cold weather payment to which they are entitled. [313389]

**Helen Goodman:** Cold weather payments are paid automatically to all those who qualify for them and no one needs to make an application.

**Mr. Hepburn:** To ask the Secretary of State for Work and Pensions how many people have claimed the cold weather payment in (a) Jarrow constituency, (b) South Tyneside, (c) the North East and (d) the UK in each year since its inception. [313497]

**Helen Goodman:** Cold weather payment information is available only by weather station, not by constituency, local authority or region. Information for Great Britain is provided in the following table. Information on cold weather payments in Northern Ireland is a matter for my right hon. Friend the Secretary of State for Northern Ireland.

The available information is provided in the following table.

*Cold weather payments for Great Britain*

	<i>Number of payments made</i>
1991-92	3,827,000
1992-93	2,503,000
1993-94	2,064,000
1994-95	11,000
1995-96	7,252,000
1996-97	4,964,000
1997-98	55,000
1998-99	26,000
1999-2000	114,000
2000-01	3,535,000
2001-02	1,804,000
2002-03	1,675,000
2003-04	418,000
2004-05	213,000
2005-06	988,000
2006-07	402,000
2007-08	472,000
2008-09	8,416,000

*Notes:*

1. Since 1991-92 people have not had to claim to receive their entitlement to cold weather payments, as payments have been made automatically following a trigger.
2. The information provided is for the number of payments made. As some people may have received more than one payment in a winter, the number of payments made is generally greater than the number of people who received a payment.
3. The cold weather payment period runs from 1 November to 31 March for each year.
4. The number of payments has been rounded to the nearest 1,000.

*Source:*

Annual reports by the Secretary of State for Social Security / Work and Pensions on the Social Fund.

### Crisis Loans

**Jim Cousins:** To ask the Secretary of State for Work and Pensions what restrictions on the granting of crisis loans were introduced in 2009-10; what assessment has been made of the effects of those restrictions; and whether further restrictions are being considered. [313745]

**Helen Goodman:** Measures introduced during 2009 to ensure that Crisis Loans are targeted at those most in need of support from the cash-limited social fund budget have been to:

Prohibit a second Crisis Loan for living expenses for the same period, (not applied if a disaster or emergency not of customer's own making has arisen since the first award).

Require customers to attend a face to face interview when making their third or subsequent application for a Crisis Loan for living expenses in a rolling 12 month period (excluding those awaiting a decision on their benefit claim). In exceptional circumstances Crisis Loan Decision Makers can waive the need for the customer to attend an interview.

Limit the number of Crisis Loans for living expenses a customer can receive to three in a rolling 12 month period (not applied if a disaster or emergency not of customer's own making has arisen). This measure has been tested in the South West and East Midlands. There are no plans to roll it out nationally.

Following the national introduction of the measure to interview customers on their third and subsequent application on 30 October 2009, a formal evaluation into the effectiveness of this measure will be undertaken shortly.

No further changes are planned for this financial year.

### Maternity and Paternity Pay

**Mrs. Maria Miller:** To ask the Secretary of State for Work and Pensions how much her Department has spent on statutory (a) maternity and (b) paternity pay in each relevant year since 1997. [313569]

**Helen Goodman [holding answer 26 January 2010]:** The Department for Work and Pensions is responsible for Statutory Maternity Pay and the Department for Business, Innovation and Skills is responsible for Statutory Paternity Pay and Statutory Adoption Pay.

The available information on spending on Statutory Maternity Pay is in the following table. Information on a longer time series of spending figures can be found at the following web link:

[http://research.dwp.gov.uk/asd/asd4/Alltables\\_Budget2009\\_Values.xls](http://research.dwp.gov.uk/asd/asd4/Alltables_Budget2009_Values.xls)

*Department for Work and Pensions expenditure on statutory maternity pay*

	<i>Statutory maternity pay (outturn) (£ million)</i>
1997-98	502
1998-99	553
1999-2000	635
2000-01	648
2001-02	636
2002-03	724
2003-04	1,035
2004-05	1,291
2005-06	1,184

Department for Work and Pensions expenditure on statutory maternity pay

	Statutory maternity pay (outturn) (£ million)
2006-07 <sup>1</sup>	1,287
2007-08 <sup>1</sup>	1,469
2008-09 <sup>1</sup>	1,751

<sup>1</sup> Figures are estimated outturn for the years in question. The figures relate to Great Britain, and are for Government expenditure to balance employer recoveries from the national insurance fund.

Source:

<http://research.dwp.gov.uk/asd/asd4/>

Alltables\_Budget2009\_Values.xls

The Department for Business, Innovation and Skills publishes its expenditure on Statutory Paternity Pay as part of its Annual Report which can be found here:

[www.berr.gov.uk/aboutus/corporate/performance/annual-spending/page251111.html](http://www.berr.gov.uk/aboutus/corporate/performance/annual-spending/page251111.html)

Department for Business, Innovation and Skills expenditure on Statutory Paternity Pay

	Statutory paternity pay (£ million)
2003-04	20.0
2004-05	37.8
2005-06	50.0
2006-07	6.7
2007-08	42.8

Note:

Figures also includes the Department's spend on Statutory Adoption Pay.

Source:

Department for Business Innovation and Skills Annual Reports

### Pensions: Financial Assistance Scheme

**Mr. Cash:** To ask the Secretary of State for Work and Pensions if she will take steps to ensure that pensioners who have lost all or a greater part of their pension due to failed occupational pension schemes are fully compensated under the new Financial Assistance Scheme regulations, with particular reference to (a) indexation reflecting that provided by their original schemes and (b) backdating to cover normal retirement age. [313442]

**Angela Eagle:** On 17 December 2007, the Government announced a major extension to the Financial Assistance Scheme (FAS). This provided for people to be paid 90 per cent. of their accrued pension, revalued to the date of entitlement, subject to a maximum limit, which is currently £29,386. Payments are made from the member's normal retirement age (subject to a lower age limit of 60 and an upper limit of 65).

Payments based on rights accrued since April 1997 are increased in line with inflation, subject to a 2.5 per cent. cap. This is the same as occupational pension schemes are required to provide by legislation and is also in line with what the Pension Protection Fund provides.

No payments are made for any period before 14 May 2004, when the Financial Assistance Scheme was announced.

The Government believe this is a generous and appropriate final settlement.

### Post Office Card Account

**Lorely Burt:** To ask the Secretary of State for Work and Pensions what proportion of benefit payments of each type were paid into post office card accounts in (a) the UK, (b) England, (c) Wales, (d) Scotland, (e) each English region and (f) each parliamentary constituency in the latest period for which figures are available. [313571]

**Helen Goodman** [holding answer 26 January 2010]: The information has been placed in the Library.

### Poverty: Children

**Mr. Jenkins:** To ask the Secretary of State for Work and Pensions if she will estimate the number of children in relative poverty who will not be in relative poverty in January 2012. [311770]

**Helen Goodman:** Many of the policy initiatives announced since Budget 2007 have not yet shown up in the child poverty figures. Although we do not have an estimate for January 2012, measures announced since Budget 2007, including the pre-Budget report 2009, are estimated to reduce the number of children in poverty by around 550,000.

### Winter Fuel Payments

**Mr. Hepburn:** To ask the Secretary of State for Work and Pensions how many pensioners (a) aged 80 years and over have claimed the £400 winter fuel payment and (b) aged 60 years and over have claimed the £250 winter fuel payment in (i) Jarrow constituency, (ii) South Tyneside, (iii) the North East and (iv) the United Kingdom in each winter since 2007-08. [313486]

**Angela Eagle:** The information requested on the number of claims is not available. Most customers do not need to claim the winter fuel payment as the majority of payments are sent out automatically by the Department.

The number of payments made for winters 2007-08 and 2008-09 (the last winter for which information is available) is in the following table:

	2007-08		2008-09	
	Number of customers aged:		Number of customers aged:	
	60-79 years	80 and over	60-79 years	80 and over
Jarrow	13,990	3,420	14,170	3,550
South Tyneside	25,490	6,580	25,880	6,720
North East	434,660	99,800	443,830	101,770
Great Britain <sup>1</sup>	9,664,550	2,424,190	9,886,690	2,470,690

<sup>1</sup> Information regarding Northern Ireland is a matter for the Northern Ireland Office.

Notes:

1. Households with those aged 60-79 received £250 and those aged 80 and over received £400. These payments were shared between qualifying individuals in each household.
2. Payment figures are rounded to the nearest 10.
3. Expenditure figures are rounded to the nearest £0.1 million.
4. Parliamentary constituencies are assigned by matching postcodes against the relevant ONS postcode directory.

### Winter Fuel Payments: Ashford Kent

**Damian Green:** To ask the Secretary of State for Work and Pensions how many pensioners resident in Ashford constituency are in receipt of the winter fuel allowance; and how much her Department paid to such pensioners in winter fuel allowance in 2009. [313520]

**Angela Eagle:** For winter 2008-09 (the last winter for which information is available), 24,310 people received a winter fuel payment in Ashford at a cost of £5.1 million.

Notes:

1. Payment figures are rounded to the nearest 10.
2. Expenditure figures are rounded to the nearest £0.1 million.
3. Parliamentary constituencies are assigned by matching postcodes against the relevant ONS postcode directory.

## JUSTICE

### Industrial Health and Safety

**Grant Shapps:** To ask the Secretary of State for Justice if he will place in the Library a copy of the advice issued to departmental staff on stress recognition and management. [313982]

**Mr. Wills:** Advice and guidance on stress recognition and management is available to all staff on the Ministry of Justice intranets. I will make arrangements for the guidance material to be placed in the Library.

### Bail and Accommodation Support Service

**Mr. Grieve:** To ask the Secretary of State for Justice (1) how many residents of ClearSprings properties have had their residency terminated following a breach of terms of residency in each month since June 2007; [308787]

(2) how many residents have been received into ClearSprings properties in each month since June 2007. [308788]

**Maria Eagle:** The number of residents, to 30 November 2009, who have breached their terms while accommodated by ClearSprings for the period of their bail or Home Detention Curfew (HDC) licence and the number accommodated is shown in the following table. Residents accommodated through this service are subject to a level of surveillance and reporting to a support officer which does not apply to others on bail and HDC living privately in the community.

	Number	
	Breached	Total accommodated
<i>2007</i>		
June	1	1
July	3	10
August	13	31
September	13	38
October	20	59
November	38	114
December	42	108
<i>2008</i>		
January	41	125

	Number	
	Breached	Total accommodated
February	53	128
March	42	127
April	50	157
May	53	156
June	56	146
July	49	164
August	42	161
September	47	157
October	50	198
November	56	166
December	49	169
<i>2009</i>		
January	59	153
February	59	163
March	48	190
April	39	175
May	51	152
June	57	178
July	60	186
August	41	159
September	63	182
October	64	202
November	66	181

### Departmental Drinking Water

**Bob Spink:** To ask the Secretary of State for Justice how much his Department has spent on bottled drinking water in each of the last five years; and if he will make a statement. [313186]

**Mr. Wills:** The Ministry's accounting records do not specifically record expenditure on bottled water. To identify relevant expenditure would require examination of thousands of individual invoices, many held locally within the courts, prison and probation systems, and would incur disproportionate cost.

It has, however, been possible to identify expenditure on bottled water for Ministry of Justice headquarters for the first two full financial years since it was established which is as follows:

	£
2008-09	1,382
2007-08	1,364

The expenditure relates to bottled water used for water coolers and dispensers. The cost includes sanitisation and maintenance of these devices. Bottle fed water dispensers are usually found in small local offices or old premises that are due to be vacated. Water dispensers are gradually being replaced by mains-fed water filtration systems across the Ministry's estate. This process is aligned with the Ministry's strategy to rationalise and modernise its national and regional estate to provide more economical, fit for purpose accommodation which is environmentally sustainable.

The Ministry no longer provides bottled water when catering for meetings or events within its headquarters buildings.

### Departmental Internet

**Grant Shapps:** To ask the Secretary of State for Justice how much has been spent on (a) strategy and planning, (b) design and build, (c) hosting and infrastructure, (d) content provision and (e) testing and evaluation for his Department's websites in each of the last three years; and what budget has been allocated for such activities in 2009-10. [309906]

**Mr. Wills:** The Ministry of Justice costs for hosting the Department's websites across the years 2007-08 and 2008-09 and the budget allocation for 2009-10 are as follows:

	£
2007-08	1,625,160
2008-09	1,410,000
2009-10 (forecast)	1,410,000

These figures include the cost of website hosting and infrastructure for www.justice.gov.uk and a number of other internal and external web sites, services and applications. Costs cannot be separated out for the departmental website (justice.gov.uk) as the contract covers parts of the wider web estate of the Ministry. External expenditure on other aspects of non-ICT website support for www.justice.gov.uk including strategy and planning, design and build, content provision and testing and evaluation is included in the following figures.

	£
2008-09	111,773
2009-10 (forecast)	150,000

Comparable figures are not available for 2007-08 because of organisational and accounting changes.

The expenditure year to date (to end of December 2009) is £71,728 and the Ministry does not expect to spend the full budget allocation.

As there is more use of the internet for Government services, we need to make information about the work of the Department more readily available to citizens and the media, enhancing transparency and accountability for what we do. All our internet users—who include legal practitioners, academics and researchers—are able to use the range of resources published on our website either to work more efficiently within the justice system or to engage with the Department's day-to-day work and to contribute to our published consultations on proposals for change. Investment in web services aims to enhance the user experience, providing easier access to MOJ information and services and delivering in a way that meets audience needs.

### Departmental Mobile Phones

**Mr. Graham Stuart:** To ask the Secretary of State for Justice how many (a) mobile telephones and (b) BlackBerrys have been provided to (i) Ministers and (ii) special advisers in his Department since the financial year 2008-09; and at what cost to the public purse. [313177]

**Mr. Wills:** The number of BlackBerry devices and mobile telephones currently in use by Ministers and special advisers is as follows:

	Ministers	Special advisers
BlackBerrys	5	2
Mobile Telephones	2	—

Included in the above figures is one BlackBerry that was allocated to a Minister in June 2009, and one replacement BlackBerry that was provided to a special adviser since April 2009. Both devices were reallocated from a central pool so there was no additional purchase cost. There have been no new mobile telephones provided to Ministers or special advisers since April 2009.

The cost of using these BlackBerry devices and mobile telephones has been identified from available records, for the period April to November 2009, which is the latest period for which figures are available. The cost includes call charges, line rental, equipment hire, and telecom support costs. Details are as follows:

Ministers: £2,219.00

Special advisers: £794.00.

These figures do not include the support costs for the Department's BlackBerry service as it would not be possible to identify the costs on an individual basis without incurring disproportionate cost.

### Family Justice Review

**Mr. Dai Davies:** To ask the Secretary of State for Justice what opportunities he expects there to be for members of the public to contribute to the review of the family justice system in England and Wales announced on 20 January; when the review panel will be appointed; whether it will hold public hearings; and whether its proceedings will be (a) published and (b) subject to the provisions of the Freedom of Information Act 2000. [313542]

**Bridget Prentice:** Hearing the public's views will be an essential part of the Family Justice Review. The decision on how the public will contribute, whether there will be any public hearings and whether their proceedings will be published, will be taken by the review panel. The review panel will be named shortly. All information relating to the review will be subject to the Freedom of Information Act.

### Filing Store Operations: Coventry

**Mr. Jim Cunningham:** To ask the Secretary of State for Justice what assessment he has made of the merits of (a) proposals to outsource the filing store operations at Coventry and (b) alternative proposals for the future of those operations. [313417]

**Mr. Wills:** Land Registry currently holds its archived year files in 10 file stores across the country, of which Coventry is one. Outsourcing of this activity is one of the proposals currently subject to consultation within Land Registry. All responses to the consultation, including alternative options for achieving efficiencies, will be considered. It is too early to say what the impact would be on any particular file store if the outsourcing goes ahead, but final decisions to outsource will only be taken where it is clear that this will deliver value for money.

### Hotels

**Anne Main:** To ask the Secretary of State for Justice how much his Department spent on hotel accommodation for (a) Ministers, (b) special advisers and (c) civil servants in each of the last five years. [305666]

**Mr. Straw:** The Ministry of Justice accounting systems do not separately identify expenditure on hotel accommodation.

To provide the relevant information at the level of detail requested for the entire Ministry would involve the disproportionate cost of collating data from our designated travel management companies as well as manual examination of large volumes of records held locally by the Ministry of Justice headquarters and its four executive agencies (the National Offender Management Service (incorporating the National Probation Service), Her Majesty's Court Service, Tribunals Service and Office of the Public Guardian).

The majority of hotel bookings are arranged through travel management companies employed by the Ministry to obtain best value for money options. All other expenditure is incurred only on production of valid receipts.

All hotel bookings by Ministers and civil servants are undertaken in accordance with the Ministerial Code and the Civil Service Management Code respectively.

The annual departmental resource accounts disclose expenditure on "travel, subsistence and hospitality" in notes 10 (administration expenditure) and 11 (programme expenditure). Resource accounts were published by the Ministry of Justice for 2007-08 and 2008-09 and prior to that by the Ministry's predecessor, the Department for Constitutional Affairs. All published accounts can be found at:

<http://www.official-documents.gov.uk/>

Analysis of published totals to identify amounts relating specifically to hotels would incur disproportionate cost.

### Land Registry

**Mr. Jim Cunningham:** To ask the Secretary of State for Justice what recent representations his Department has received on the Land Registry accelerated transformation programme. [313418]

**Mr. Wills:** Since the publication of its consultation document on 22 October 2009, Land Registry has received responses from many interested parties including customers, MPs and members of staff. I have also met some MPs and staff representatives to discuss the proposals. Following the closure of the consultation on 29 January 2010 all of the responses will be carefully considered.

**Mr. Jim Cunningham:** To ask the Secretary of State for Justice what recent estimate he has made of the percentage of land not registered with the Land Registry; and what assessment he has made of the likely effects of the Land Registry accelerated transformation programme on the prospects for registration of such land. [313419]

**Mr. Wills:** Over 70 per cent. of land in England and Wales, including most urban land, is now registered with Land Registry in about 21 million registered titles. The registered area has increased from 45 per cent. in 2004, when data on geographic coverage first became available. This growth is principally attributable to Land Registry's strategy of persuading landowners of the benefits of voluntary first registration. A large percentage of the land that remains unregistered is in rural areas or includes large estates or public landholdings.

One of Land Registry's strategic objectives is to "Extend the benefits of Land Registration by creating a comprehensive land register". The accelerated transformation programme proposals assume that Land Registry will continue to dedicate resources to voluntary registration and set challenging targets annually to drive the achievement of the comprehensive register.

### Land Registry: Coventry

**Mr. Jim Cunningham:** To ask the Secretary of State for Justice what plans he has for the future of the Land Registry office in Coventry. [313416]

**Mr. Wills:** Land Registry published their Accelerated Transformation Proposals on 22 October 2009. These proposals are subject to a period of public consultation which ends on 29 January 2010. Under the current proposals, Land Registry would retain an office in Coventry. The proposals assume a further review of estates requirements in 2011. The future of the Coventry office would be considered as part of that review.

### Legal Complaints Service

**Mr. Djanogly:** To ask the Secretary of State for Justice what the average cost to the public purse was of the consideration of a complaint by the Legal Complaints Service in each of the last five years. [313372]

**Bridget Prentice:** The Legal Complaints Service (LCS) is wholly funded by the Law Society and not the public purse.

The Legal Services Act 2007 introduces a new way of handling complaints and establishes the Office for Legal Complaints to provide a single point of entry for all service complaints about providers of regulated legal services. Under current plans, the OLC will become fully operational by the end of 2010. The set-up costs and running costs will be funded initially by the Government through grant in aid and recovered through a levy on the legal sector, so that there will be no cost to the public purse.

**Mr. Djanogly:** To ask the Secretary of State for Justice how long on average the Legal Complaints Service took to consider a complaint in each of the last five years. [313376]

**Bridget Prentice:** The Legal Complaints Service (LCS) has provided the following information:

	<i>Average time for consideration of a complaint (days)</i>
2009	93
2008	97

	<i>Average time for consideration of a complaint (days)</i>
2007	106
2006	131
2005	147

### Monarchy: Succession

**Norman Baker:** To ask the Secretary of State for Justice if he will place in the Library a copy of the legal advice upon which the Government rely in asserting that the provisions of Section 1 of the Act of Settlement 1700 do not give illegitimate children the right of succession to the Crown. [313283]

**Claire Ward:** I refer the hon. Member to the answer my right hon. Friend the Minister of State for Justice (Mr. Wills) gave on 25 January 2010, *Official Report*, column 704W and the answer I gave on 26 January 2010, *Official Report*, column 729W.

### Offenders: Social Security Benefits

**Chris Huhne:** To ask the Secretary of State for Justice how many adults aged between 18 and 24 years old who entered custody in (a) 2007, (b) 2008 and (c) 2009 were receiving state benefits at the time of entering custody. [313535]

**Maria Eagle:** Of those 18-24 year old offenders sentenced to custody during 2007, 3,426 were subsequently recorded as having 'state benefits' as their sole or most significant source of income before sentencing. The corresponding figure for those sentenced during 2008 was 3,255. The information was recorded within the Offender Assessment System which is used with 18-20 year old prisoners and with older prisoners serving sentences of more than 12 months. The numbers of assessments used to produce the 2007 and 2008 figures were 7,345 and 7,132 respectively. As the figures are drawn from administrative IT systems, they are subject to the inaccuracies inherent in any large-scale assessment and recording system.

No figure is provided for 2009 as the data has not been fully collated.

### Prisoners: Compensation

**Alan Duncan:** To ask the Secretary of State for Justice what the monetary value was of each of the 10 largest (a) court-ordered payments and (b) out of court settlements made to prisoners by (i) the National Offender Management Service and (ii) Her Majesty's Prison Service in the last five years; and what the nature of the claim was in each such case. [313117]

**Claire Ward:** The 10 largest court awards and out of court settlements made as a result of civil litigation brought by prisoners or former prisoners against the Prison Service/custodial side of the National Offender Management Service for the period 1 April 2004 to 25 January 2010 are detailed in the following table. Such claims are only settled on the basis of strong legal advice from Prison Service's appointed solicitors and/or barristers. Taking indefensible cases through to court only results in more expense to the public purse. Therefore, NOMS loses very few prisoner cases at court and this

accounts for the difference in the figures between court awards and out of court settlements. Details of claims against individual probation boards/trusts are not recorded centrally and to provide the information would require looking through the records of each individual board or trust which would entail disproportionate costs.

<i>Type of claim</i>	<i>Out of court settlement (£)</i>
Personal Injury	2.8 million
Medical Negligence	1.14 million
Personal Injury	575,000
Personal Injury	472,000
Medical Negligence	375,000
Medical Negligence	270,000
Medical Negligence	255,000
Medical Negligence	163,000
Medical Negligence	150,000
Personal Injury	150,000
Personal Injury	21,778
Claim by Estate	20,000
Breach of Human Rights	17,729
Breach of Human Rights	15,314
Damage/loss of Property	9,050
Personal Injury	9,000
Damage/loss to Property	7,000
Damage/loss to Property	4,367
Personal Injury	3,500
Personal Injury	3,210

### Prisoners: Death

**Alan Duncan:** To ask the Secretary of State for Justice how many (a) male and (b) female prisoners have died subsequent to a recommendation for parole and before their release in the last five years. [313210]

**Maria Eagle:** This information is not held centrally. To quantify the number of prisoners who may have died following a recommendation for parole but before their release would require a manual check of individual prisoner records. This would incur disproportionate cost.

### Prisons: Drugs

**Mr. Vara:** To ask the Secretary of State for Justice how many (a) visitors, (b) staff and (c) prisoners were caught attempting to smuggle illegal drugs into each prison in England in each of the last five years; and what steps have been taken in respect of those so caught. [303548]

**Maria Eagle:** The data are not available in the form requested.

It is the National Offender Management Services' policy to report to the police all incidents where drugs are found in the possession of visitors. National data for the number of visitors arrested is given in the following table.

	<i>Number of visitors arrested<sup>1</sup></i>
2004-05	439
2005-06	429
2006-07	374
2007-08	424

	<i>Number of visitors arrested<sup>1</sup></i>
2008-09	460

<sup>1</sup> These figures include all incidents, the majority will be drug related.

*Note:*

These figures have been drawn from administrative data systems. Although care is taken when processing and analysing the returns, the detail collected is subject to the inaccuracies inherent in any large scale recording system. The data are not subject to audit. To disaggregate into individual prison data would require an investigation into each regional return for the past five years and would be at disproportionate cost.

Prisons often take action against visitors based on suspicion, and before they are caught in possession of drugs, including visit bans, closed visits or closely supervised visits.

Data on the number of prison officers caught attempting to smuggle illegal drugs into an establishment are held locally and could, only be obtained by consulting all prisons across England and Wales. This would incur disproportionate cost.

Prisoners caught attempting to smuggle illegal drugs into prison are referred, to the police. Data, on the number of prisoners caught attempting to smuggle illegal drugs into an, establishment are held locally and could be obtained only by consulting all prisons across England and Wales. This would incur disproportionate cost.

#### Prisons: Mother and Baby Units

**Alan Duncan:** To ask the Secretary of State for Justice how many children have been admitted to a mother and baby unit in (a) a prison and (b) Rainsbrook Secure Training Centre in each of the last 10 years. [313208]

**Maria Eagle:** Historic information on the number of young women under 18 admitted to mother and baby units in prisons and young offender institutions (YOIs) is not held centrally and could be provided only at disproportionate cost.

The Rainsbrook Mother and Baby Unit for young women under 18 opened in 2006. The following table shows the number of young mothers and pregnant young women who have been accommodated in the unit:

	<i>Number</i>
2006	5
2007	6
2008	3
2009	4
Total	18

The data have been supplied by the Youth Justice Board and have been drawn from administrative IT systems, which, as with any large-scale recording system, are subject to possible errors with data entry and processing and may be subject to change over time.

The Youth Justice Board reports that since the opening of the Rainsbrook Mother and Baby Unit, there has been only one occasion on which a young mother or pregnant young woman has been placed in an over-18 young offender institution. In 2007, a young mother was placed in Askham Grange YOI just prior to her 18th birthday, to enable her to have both her children with her.

**Alan Duncan:** To ask the Secretary of State for Justice how many women prisoners in mother and baby units are being held at locations more than 50 miles from their home address. [313209]

**Maria Eagle:** As at 22 January 2010, the latest date for which figures are available, 22 women in mother and baby units were held more than 50 miles from their home area.

All prisoners are asked for details of their home address on first reception to prison and on discharge from prison. About 60 per cent. of prisoners (both male and female) are shown to have given a recognised address. If no address is given, various proxies are used to determine distance from home, including next-of-kin address and committal court address.

#### Prisons: Security

**Alan Duncan:** To ask the Secretary of State for Justice what steps his Department has taken to identify potential ligature points in cellular accommodation in (a) HM Prison New Hall and (b) other prisons. [313197]

**Maria Eagle:** The National Offender Management Service has a broad based prisoner suicide prevention and self-harm management strategy that seeks to reduce the distress of all those in prison. This requires identifying prisoners at risk of suicide and self-harm. Reducing access to potential means of suicide or self-harm at all prisons, including New Hall, forms part of the care of people considered to be at risk. This includes, where necessary, the removal of any personal possessions and furniture in cells which may be used in an act of self-harm.

In addition, most prisons contain safer cells, which are designed to make the act of suicide or self-harm by use of ligature difficult. This is achieved primarily by reducing ligature points as far as possible. Anti-ligature furniture and fittings are installed as an integral part of the cell fabric.

However, there are a wide range of objects in cell which may be used as ligature points (such as clothing, essential furniture, washing facilities, etc.) which it is not possible to remove for decency reasons.

**Alan Duncan:** To ask the Secretary of State for Justice what steps his Department is taking to replace rigid bars in shower doors and frames in cells in (a) HM Prison The Mount and (b) other prisons. [313198]

**Maria Eagle:** The National Offender Management Service has a broad based prisoner suicide prevention and self-harm management strategy that seeks to reduce the distress of all those in prison. This requires identifying prisoners at risk of suicide and self-harm. Reducing access to potential means of suicide or self-harm at all prisons, including HMP The Mount, forms part of the care of people considered to be at risk.

Potential ligature points in the shower units in cells at HMP The Mount have been negated by the installation of UPVC panels. In more recent accommodation of a similar type in other prisons, velcro curtains have been fitted to a collapsible rail in shower units.

Decisions whether or not to redesign shower cubicles, are taken locally by individual governors. A central record is not held of prisons which have had this type of modification and these details can be obtained only by contacting each individual establishment at disproportionate cost.

### Prisons: Standards

**Alan Duncan:** To ask the Secretary of State for Justice if he will place in the Library a copy of the high level evaluation of the introduction of the standardised core day in prisons in England and Wales. [313200]

**Maria Eagle:** I have placed the high level evaluation of the introduction of the standardised core day in prisons in England and Wales in the Library of the House.

### Probation

**Mr. David Anderson:** To ask the Secretary of State for Justice what recent estimate he has made of the proportion of time probation staff spend in face to face contact with offenders; and if he will make a statement. [313069]

**Maria Eagle:** Ministers are committed to increasing the amount of time probation staff spend in contact with offenders through reducing the bureaucratic demands on front line staff and tailoring the level of intervention to the risk which the offender presents.

The National Offender Management Service (NOMS) does not routinely report on the proportion of working time spent in face to face contact with offenders. In December 2008, NOMS undertook a survey, over a one week period, of a small sample of Offenders Managers. It indicated that staff undertaking this role spent 24 per cent. of their time in direct contact with offenders.

The survey did not cover probation staff responsible for delivery of Community Payback, Accredited Programmes or working within Approved Premises. The proportion of time spent in face to face contact with offenders in these areas of work is considerably higher.

### Slough

**Fiona Mactaggart:** To ask the Secretary of State for Justice if he will set out, with statistical information related as directly as possible to the Slough constituency, the effects on Slough of the policies and actions of his Department and its predecessors since 2000. [311981]

**Mr. Wills:** The Ministry of Justice's work spans criminal, civil and family justice, democracy, rights and the constitution. Every year around 9 million people use our services in 900 locations across the United Kingdom, including 650 courts and tribunals and 139 prisons in England and Wales.

The range of the Department's policies and actions is wide and the statistical information relating to it is not normally collected on a constituency basis. Consequently, some of the information requested in the question cannot be provided in the form requested except at a disproportionate cost.

Although data on sentencing for the period is not available for the constituency of Slough, it is available for the Thames Valley. This shows that the total number of offenders sentenced annually, was 44,691 in 2000 and 42,353 in 2007, the latest period for which such information is available.

Likewise, the number of offences brought to justice for the Thames Valley area increased from 31,000 in 2001-02 (the earliest period since which such data has been compiled) to 51,400 in 2007-08.

With regard to prosecutions, data is not available for the constituency of Slough. However, the total number of defendants proceeded against at magistrates courts in the Thames Valley decreased from 62,880 in 2000 to 54,090 in 2007.

The latest data, which covers reoffending in the period 1 July 2008 to 30 June 2009, showed that the three-month reoffending rate for offenders on the probation caseload in Slough was 8.16 per cent. After controlling for changes in the characteristics of offenders on the probation caseload, there was a reduction in reoffending of 1.99 per cent. compared to the 2007-08 baseline. Data is not available prior to 2007 on this basis.

The number of persons commencing supervision by the Probation Service in Thames Valley, was 3,853 in 2000 and 4,783 in 2008.

44,212 civil non-family proceedings were started in the county courts of Thames Valley HM Courts Service (HMCS) area in 2008, compared to 49,696 in 2000. In respect of family law, there were also 3,573 private law applications and 218 public law applications made in the county or High Courts of this HMCS area in 2008-09, compared to 3,422 and 282 respectively in 2003-04, the first annual period for which these figures are available.

In addition, at a national level:

Local communities are being better engaged in criminal justice—by giving them a say in the types of Community Payback projects offenders carry out and allowing them to see justice being done, for example through the use of high visibility jackets. Offenders have now worked more than 14 million hours, with an estimated value to the taxpayer of over £80 million.

Major constitutional reforms have been delivered, including devolution, the Human Rights Act, Freedom of Information, Lords Reform, and a new Supreme Court for the UK.

### Vauxhall

**Kate Hoey:** To ask the Secretary of State for Justice if he will set out, with statistical evidence relating as closely as possible to Vauxhall constituency, the effects on the constituency of changes to his Department's policies since 1997. [310329]

**Mr. Wills:** The Ministry of Justice's work spans criminal, civil and family justice, democracy, rights and the constitution. Every year around nine million people use our services in 900 locations across the United Kingdom, including 650 courts and tribunals and 139 prisons in England and Wales.

The range of the Department's policies and actions is wide and the statistical information relating to it is not normally collected on a constituency basis. Consequently, some of the information requested in the question cannot be provided in the form requested except at a disproportionate cost.

Although data on sentencing for the period is not available for the constituency of Vauxhall, it is available for London. This shows an increase in the total number of offenders sentenced annually from 202,478 in 1997 to 226,891 in 2007, the latest period for which such information is available.

Likewise, the number of offences brought to justice for the London area increased from 122,500 in 2001-02 (the earliest period since which such data have been compiled) to 230,000 in 2007-08.

With regard to prosecutions, data are not available for the constituency of Vauxhall. However, the total number of defendants proceeded against at magistrates courts by the Metropolitan police increased from 260,328 in 1997 to 265,709 in 2007.

The latest data, which cover reoffending in the period 1 July 2008 to 30 June 2009, showed that the three month reoffending rate for offenders on the probation caseload in Lambeth was 8.05 per cent. After controlling for changes in the characteristics of offenders on the probation caseload, there was a reduction in reoffending of 6.88 per cent. compared to the 2007-08 baseline. Data are not available prior to 2007 on this basis.

The number of persons commencing supervision by the Probation Service in London was 16,019 in 1997 and 22,233 in 2008.

158,440 civil non-family proceedings were started in the county courts of London Civil and Family HM Courts Service (HMCS) area in 2008, compared to 263,305 in 1998, the first year for which these figures are available. In respect of family law, there were also 15,512 private law applications and 870 public law applications made in the county or High Courts of this HMCS area in 2008-09, compared to 11,684 and 1,095 respectively in 2003-04, the first annual period for which these figures are available.

In addition, at a national level:

Local communities are being better engaged in criminal justice by giving them a say in the types of Community Payback projects offenders carry out and allowing them to see justice being done, for example through the use of high visibility jackets. Offenders have now worked more than 14 million hours, with an estimated value to the taxpayer of over £80 million.

Major constitutional reforms have been delivered, including devolution, the Human Rights Act, Freedom of Information, Lords Reform, and a new Supreme Court for the UK.

#### Written Questions: Government Responses

**Mr. Vara:** To ask the Secretary of State for Justice when he expects to reply to Question 303548, on drugs in prisons, tabled on 26 November 2009. [313115]

**Maria Eagle:** I replied to the hon. Member's question today. I apologise for the delay.

#### Youth Custody: Meals

**Alan Duncan:** To ask the Secretary of State for Justice in which (a) young offender institutions, (b) secure training centres and (c) other units juveniles are accommodated securely and meals are taken communally. [313204]

**Maria Eagle:** Young people eat in groups in all secure training centres and in those secure children's homes in which the Youth Justice Board places young people. In under-18 young offender institutions, practice varies between establishments. Only one establishment, the Josephine Butler Unit at Downview, reports that no meals are eaten communally.

**Alan Duncan:** To ask the Secretary of State for Justice how many (a) prisons, (b) young offender institutions, (c) secure training centres and (d) other units in which juveniles are accommodated securely employ a nutritionist. [313205]

**Maria Eagle:** A nutritionist is employed at Huntercombe young offender institution. Secure training centres and secure children's homes do not directly employ nutritionists. However, nutritionists' services are accessed, via establishments' healthcare provision, to assist the needs of individual trainees and to obtain general advice and guidance.

## HOME DEPARTMENT

### Alcoholic Drinks: Prosecutions

**Mr. Hunt:** To ask the Secretary of State for the Home Department how many prosecutions for sale of alcohol to a person who is drunk have been brought in each criminal justice area since 2004; and how many resulted in a conviction in each year. [313622]

**Mr. Alan Campbell [holding answer 27 January 2010]:** Available information on the number of persons proceeded against at magistrates courts and found guilty at all courts for the sale of alcohol to a drunk person, under section 141 of the Licensing Act 2003, by police force area, for 2006 and 2007 (latest available) is given in table 1.

The statistics relate to persons for whom these offences were the principal offence for which they were dealt with. For example, when a defendant has been found guilty of two or more offences the principal offence is the offence for which the heaviest penalty is imposed. Where the same disposal is imposed for two or more offences, the offence selected is the offence for which the statutory maximum penalty is the most severe.

A penalty notice for disorder (PND) of £80 may also be issued by the police for certain alcohol related offences such as the sale of alcohol to a person who is drunk. The numbers of persons issued with a PND for this offence, which was added to the scheme in April 2005, by police force area, from 2005 to 2007 are shown in table 2.

Data for 2008 will be available very soon.

Table 1: The number of defendants proceeded against at magistrates courts and found guilty at all courts for the offence of sale of alcohol to a drunk person<sup>1</sup>, by police force area, England and Wales, 2006-07<sup>2,3,4</sup>

Police force area	Proceeded against		Found guilty	
	2006	2007	2006	2007
Cheshire	—	1	—	—
Cleveland	—	1	—	—
Devon and Cornwall	—	2	—	—
Durham	—	1	1	—
Lancashire	1	—	—	—
South Yorkshire	—	2	—	—
Thames Valley	1	—	1	—
Total	2	7	1	1

<sup>1</sup> Under the Licensing Act 2003—section 141.

<sup>2</sup> Only those areas for which data have been recorded are included in the table.

<sup>3</sup> Figures given are on the principal offence basis.

<sup>4</sup> Every effort is made to ensure that the figures presented are accurate and complete. However, it is important to note that these data have been extracted from large administrative data systems generated by the courts and police forces. As a consequence, care should be taken to ensure data collection processes and their inevitable limitations are taken into account when those data are used.

Source:

Office for Criminal Justice Reform—Evidence and Analysis Unit.

[Ref: 258-09]

Table 2: The number of penalty notices for disorder (PNDs) issued for sale of alcohol to a drunk person<sup>1</sup> under section 141 of the Licensing Act 2003, by police force area, England and Wales, 2005-07<sup>1,2</sup>

Police force area	2005	2006	2007
Avon and Somerset	—	—	1
Bedfordshire	—	—	—
Cambridgeshire	—	1	2

Table 2: The number of penalty notices for disorder (PNDs) issued for sale of alcohol to a drunk person<sup>1</sup> under section 141 of the Licensing Act 2003, by police force area, England and Wales, 2005-07<sup>1,2</sup>

Police force area	2005	2006	2007
Cheshire	—	—	—
City of London	—	—	—
Cleveland	1	—	4
Cumbria	—	6	1
Derbyshire	—	1	1
Devon and Cornwall	1	1	2
Dorset	—	1	—
Durham	—	—	—
Essex	—	—	1
Gloucestershire	—	—	—
Greater Manchester	—	3	7
Hampshire	1	1	3
Hertfordshire	—	—	—
Humberside	—	—	1
Kent	2	1	4
Lancashire	4	4	6
Leicestershire	8	2	4
Lincolnshire	1	—	—
Merseyside	—	—	8
Metropolitan Police	3	7	18
Norfolk	—	—	1
Northamptonshire	—	—	—
Northumbria	—	—	2
North Yorkshire	—	1	—
Nottinghamshire	—	1	1
South Yorkshire	1	—	—
Staffordshire	—	4	2
Suffolk	—	—	2
Surrey	—	1	—
Sussex	7	1	2
Thames Valley	—	—	2
Warwickshire	—	—	—
West Mercia	2	—	3
West Midlands	—	1	—
West Yorkshire	1	1	1
Wiltshire	—	3	—
Dyfed Powys	—	—	—
Gwent	—	—	—
North Wales	—	5	1
South Wales	—	—	1
British Transport Police	—	1	—
Total	32	47	81

<sup>1</sup> Sale of alcohol to a drunk person was added to the PND Scheme with effect from 4 April 2005.

<sup>2</sup> Every effort is made to ensure that the figures presented are accurate and complete. However, it is important to note that these data have been extracted from large administrative data systems generated by the courts and police forces. As a consequence, care should be taken to ensure data collection processes and their inevitable limitations are taken into account when those data are used.

Source:

Office for Criminal Justice Reform—Evidence and Analysis Unit  
[IOS 258-09]

### Antisocial Behaviour

**Chris Grayling:** To ask the Secretary of State for the Home Department with reference to the answer of 27 October 2009, *Official Report*, column 284W, on antisocial behaviour, (1) which 62 areas have been identified as Crime and Disorder Reduction Partnership priorities;

[303781]

(2) how much additional funding his Department is providing to the 62 priority areas to tackle antisocial behaviour.

[303783]

**Alan Johnson:** The 62 priority areas are those where perceptions of antisocial behaviour are above 25 per cent. They are:

Ashfield  
Barking and Dagenham  
Barnsley  
Basildon  
Bassetlaw  
Beckley  
Birmingham  
Blackburn with Darwen  
Bolsover  
Bradford  
Brent  
Broxbourne  
Burnley  
Camden  
Cannock Chase  
Doncaster  
Ealing  
Enfield  
Greenwich  
Hackney  
Hammersmith and Fulham  
Haringey  
Hillingdon  
Hounslow  
Islington  
Knowsley  
Lambeth  
Liverpool  
Luton  
Manchester  
Mansfield  
Medway  
Middlesbrough  
Newham  
North East Lincolnshire  
Nottingham  
Nuneaton and Bedworth  
Oldham  
Pendle  
Portsmouth  
Reading  
Redbridge  
Rochdale  
Rotherham  
Salford  
Sandwell  
Slough  
Southampton  
Southwark  
St. Helens  
Stoke-on-Trent  
Swale  
Tameside  
Tamworth  
Thanet  
Thurrock

Tower Hamlets  
Wakefield  
Walsall  
Waltham Forest  
Wellingborough  
Wigan

Home Office Delivery Managers will be visiting every priority area to work with them to assess problems and direct local action plans. These will be monitored on a regular basis and improvements are expected by March 2010. These improvements will be expected to be made within the existing resources allocated to every area under the area-based grant.

### Antisocial Behaviour Orders

**Mr. Hepburn:** To ask the Secretary of State for the Home Department how many antisocial behaviour

orders were issued in (a) Jarrow constituency, (b) South Tyneside, (c) the North East and (d) UK in each year since their inception. [313098]

**Mr. Alan Campbell:** Antisocial behaviour orders (ASBOs) issued on application to magistrates courts and county courts became available on 1 April 1999. ASBOs made following conviction for a relevant criminal offence at the Crown court and at magistrates courts became available on 2 December 2002. The available information is shown in the table.

Information collected centrally by the Ministry of Justice on the number of ASBOs issued only counts those ASBOs issued by courts in England and Wales and are not compiled below Criminal Justice System (CJS) area level.

*The number of Anti-Social Behaviour Orders (ASBOs) issued all courts<sup>1</sup> in the North East Government Office Region<sup>2</sup> (GOR) and England and Wales, 1 April 1999 to 31 December 2007*

Area	Apr 1999 <sup>3</sup> Dec. 2000	2001	2002	2003	2004	2005	2006	2007
North East	22	22	29	55	134	268	176	122
England and Wales	241	350	427	1,349	3,479	4,122	2,705	2,299

<sup>1</sup> Includes ASBOs issued on application by magistrates' courts acting in their civil capacity and county courts, which became available on 1 April 1999 and ASBOs made following conviction for a relevant criminal offence at the Crown Court and at magistrates' courts (acting in their criminal capacity), which became available on 2 December 2002.

<sup>2</sup> The North East Government Office Region consists of the Cleveland, Durham and Northumbria Criminal Justice System (CJS) areas.

<sup>3</sup> From 1 April 1999.

#### Notes:

1: Every effort is made to ensure that the figures presented are accurate and complete. However, it is important to note that these data have been extracted from large administrative data systems generated by the courts and police forces. As a consequence, care should be taken to ensure data collection processes and their inevitable limitations are taken into account when those data are used.

2: Previously issued data have been revised.

Prepared by Justice Statistics Analytical Services.

### Crime: Alcoholic Drinks

**Mr. Andrew Turner:** To ask the Secretary of State for the Home Department how many alcohol-related incidents were recorded by each basic command unit of Hampshire Constabulary in each of the last five years. [312725]

**Mr. Alan Campbell** [holding answer 25 January 2010]: The data requested on incidents are not collected centrally. However, the British Crime Survey provides figures for violent incidents where the victim believes the offender was under the influence of alcohol or drugs. This information is provided in the following table:

*Violent incidents where the victim believed the offender(s) to be under the influence of alcohol or drugs, BCS, 1995 to 2008-09*

	1995	1997	2001-02	2002-03	2003-04	2004-05	2005-06	2006-07	2007-08	2008-09	Percentages and numbers (Thousand)	
											1995 to 2008-09	2007-08 to 2008-09
<i>Proportion of all violent incidents<sup>1</sup></i>												
<i>Offender(s) perceived to be under the influence of:<sup>2</sup></i>												
Alcohol	41	43	48	45	51	49	45	46	46	47	*	—
Drugs	16	18	21	20	20	18	23	17	19	17	—	—
Unweighted	1,078	915	1,285	1,397	1,398	1,455	1,512	1,658	1,477	1,449	—	—
<i>Number of violent incidents (Thousand)</i>												
<i>Offender(s) perceived to be under the influence of:<sup>2</sup></i>												
Alcohol	1,656	1,457	1,244	1,177	1,299	1,105	1,023	1,087	971	973	*	—
Drugs	655	603	549	544	474	390	531	398	390	334	*	—

Violent incidents where the victim believed the offender(s) to be under the influence of alcohol or drugs, BCS, 1995 to 2008-09

Percentages and numbers (Thousand)

Statistically significant

2007-08

	1995	1997	2001-02	2002-03	2003-04	2004-05	2005-06	2006-07	2007-08	2008-09	1995 to 2008-09	2007-08 to 2008-09
Unweighted	16,348	14,947	32,824	36,479	37,931	45,120	47,729	47,138	46,903	46,220	—	—

<sup>1</sup> 'All violence' includes wounding, assault with minor injury, assault without injury and robbery. See Section 5 of Volume 2 for more information.

<sup>2</sup> Questions asked only if the victim was able to say something about the offender(s), and if there was more than one offender, victims were asked if any of the offenders were perceived to be under the influence. Questions were not asked if any offenders were perceived to be under school age.

<sup>3</sup> For an explanation of year-labels see 'Conventions used in figures and tables' at the start of this volume.

Taken from table 3.16 at the following link:

<http://www.homeoffice.gov.uk/rds/pdfs09/hosb1109chap3.xls>

### Crime: Urban Areas

**Bob Russell:** To ask the Secretary of State for the Home Department what his policy is on the provision of SOS night-time emergency buses in urban centres; and how much he plans to allocate to (a) revenue expenditure and (b) capital expenditure on vehicles for such services in 2010-11. [313191]

**Mr. Alan Campbell:** The Home Office does not have a policy for providing night-time emergency busses in urban areas and does not have plans for directly funding them. However we are aware that a small number of local areas (including Bournemouth, Torbay, Brighton and Hove and Thanet) have used part of their 2009-10 Home Office alcohol partnership funding for safebus/safe space initiatives. This £1.5million programme is targeted at our 50 alcohol priority areas. These local areas can bid for funding for initiatives after identifying how to tackle alcohol related harm in the means most appropriate to the area and the problem.

### Departmental Internet

**Chris Grayling:** To ask the Secretary of State for the Home Department whether his Department has a YouTube channel. [313524]

**Alan Johnson:** The Home Office has a channel on the YouTube video sharing website:

<http://www.youtube.com/user/ukhomeoffice>

### Drugs: Rehabilitation

**Philip Davies:** To ask the Secretary of State for the Home Department how many people on the drug rehabilitation requirements scheme have been imprisoned for breaching the conditions of the scheme; and how many people have remained addicted to drugs after participating in the scheme. [311950]

**Mr. Alan Campbell:** Offender Management Caseload Statistics 2008 records that 4,429 offenders were received into prison in 2008 following breach of a community order and 5,769 following breach of a suspended sentence order. However, these data cannot be broken down by type of requirement to identify the number of offenders imprisoned following breach of a drug rehabilitation requirement (DRR).<sup>1</sup>

The imposition of a custodial sentence is one of a range of options available to the courts if they are satisfied that an offender has failed to comply with any

requirements of a community order or a suspended sentence order without a reasonable excuse. The Criminal Justice Act 2003 specifies that a court may only impose a custodial sentence following breach of a community order with a DRR where the offender has wilfully and persistently failed to comply with the requirements of the order.

The National Offender Management Service does not collect data on the offenders who have been imprisoned following breach of a DRR. However, the proportion of offenders successfully completing these orders has risen significantly from 28 per cent. in 2003 to 47 per cent. in 2008-09.

While all drug treatment delivered through the criminal justice system aims ultimately for abstinence, drug misuse can lead to chronic relapsing behaviour which may take years to address successfully and often beyond the duration of a sentence or order. No central record is kept of the number of those completing DRRs free from drug misuse. A recent research study<sup>2</sup> carried out in the community showed that sustaining heroin and crack cocaine users in treatment is effective at reducing misuse and in a significant proportion of cases leads to abstinence.

Figures from 2007-08 show 85 per cent. of offenders on a DRR being retained in treatment for more than 12 weeks, which is the minimum treatment period reported by the National Treatment Agency and the Drug Interventions Programme as having some impact on drug use and offending.

<sup>1</sup> These figures have been drawn from administrative data systems. Although care is taken when processing and analysing the returns, the detail collected is subject to the inaccuracies inherent in any large scale recording system.

<sup>2</sup> Marsden, J., et al. (2009) Effectiveness of community treatments for heroin and crack cocaine addiction in England: a prospective, in-treatment cohort study. The Lancet, Volume 374, Issue 9697, Pages 1262-1270.

### Firearms

**Andrew Rosindell:** To ask the Secretary of State for the Home Department how many guns were seized by the police in each year since 1997. [312762]

**Mr. Alan Campbell:** This data is not collected centrally.

**Andrew Rosindell:** To ask the Secretary of State for the Home Department what steps his Department is taking to reduce the availability of guns. [312763]

**Mr. Alan Campbell:** The Home Office and ACPO have jointly funded the establishment of the National Ballistics Intelligence Service (NABIS) with an investment of £5.5 million. NABIS has made significant contributions

to police and UKBA operations disrupting firearms supply, linking over 350 incidents in which firearms have been discharged and receiving over 1,000 items for analysis.

Through the Tackling Knives Action Programme the Home Office is also working with local partners to tackle gun and gang crime. This programme has included a consultation on strengthening controls on deactivated firearms in order to reduce their availability to criminals for use in crime. We are now analysing responses.

The Home Office has implemented a range of strict controls on the lawful possession of firearms, including a ban on handguns. Chief officers of police must be satisfied that an applicant has a good reason for wanting a particular firearm and is fit to be entrusted with it before issuing a certificate.

### Human Trafficking

**Mr. Steen:** To ask the Secretary of State for the Home Department in how many cases in respect of potential victims of trafficking who have been referred to the National Referral Mechanism since 1 April 2009 no decision on (a) reasonable and (b) conclusive grounds has been made. [309668]

**Mr. Alan Campbell:** From the cases referred into the National Referral Mechanism between 1 April 2009 and 31 December 2009, as of the latter date 70 were awaiting the Reasonable Grounds Decision and 245 were awaiting the Conclusive Grounds Decision.

### Human Trafficking: Children

**Mr. Steen:** To ask the Secretary of State for the Home Department how many children have been referred to the human trafficking national referral mechanism by (a) police and (b) the UK Border Agency since 1 April 2009. [313009]

**Mr. Alan Campbell** [holding answer 25 January 2010]: The police have referred 49 children and the UK Border Agency referred 39 children in the period, 1 April to 31 December 2009.

**Mr. Steen:** To ask the Secretary of State for the Home Department which local authorities have referred children to the human trafficking national referral mechanism since its inception. [313010]

**Mr. Alan Campbell** [holding answer 25 January 2010]: The names of local authorities who have made referrals of children to the UK Human Trafficking Centre from the period 1 April to 31 December 2009 are listed as follows.

*Local authorities referring children to the competent authority from 1 April 2009 to 31 December 2009*

Birmingham City Council  
Brent Council  
Cardiff Council  
Conwy Social Services  
Doncaster Council  
Glasgow City Council  
Hampshire County Council  
Haringey Social Services

Harrow Children Services  
Hertfordshire County Council  
Hillingdon Local Authority  
Islington Social Services  
Kent Social Services  
Leicester City Council  
London Borough of Camden  
Manchester City Council  
Moray Council  
Newham Youth Offending Team  
Newport Local Authority  
Norfolk County Council  
Nottingham City Council  
Portsmouth City Council  
Sheffield City Council  
Solihull Metropolitan Borough Council  
Stockport Metropolitan Borough Council  
Suffolk County Council  
Surrey County Council  
Wakefield Council  
West Sussex County Council

### Knives: Crime

**Andrew Rosindell:** To ask the Secretary of State for the Home Department what steps are being taken to reduce the numbers of knives used in street crime. [312766]

**Mr. Alan Campbell:** Since June 2008, the Government have committed over £12 million to the Tackling Knives Action Programme, initially to tackle teenage knife crime, and since, March 2009, to tackle knife crime and tackle the minority of young people who commit serious violence, regardless of the weapon involved. Our comprehensive approach to tackling serious youth violence ranges from enforcement action, which shows young people that there are clear consequences to violent behaviour, through to prevention work, which brings about long-term change. One aspect of this has been to provide police forces with additional search equipment. We have provided 1,150 extra search arches and wands to police forces to take knives off the streets and reassure the public. As a result of on-going activity, police forces tell us that there are encouraging signs that knife carrying is reducing among young people.

### Knives: Retail Trade

**Andrew Rosindell:** To ask the Secretary of State for the Home Department what recent discussions he has had with representatives of retail businesses on the sale of knives. [312771]

**Mr. Alan Campbell:** On 17 November 2008, I chaired a roundtable with retailers (Sainsbury's, Tesco, Asda, Lidl, Aldi, Morrisons, Co-op, Woolworths, Marks & Spencer, Argos/Homebase, TK Maxx, Next, Poundstretcher, Wilkinsons, Matalan, House of Fraser, John Lewis, Debenhams, BHS, B&Q and Ikea) to agree a six point commitment to limit the sale of knives to under 18s.

This included the following commitments:

1. To provide training and support to staff on the sale of knives, and keep a register of completion of training;
2. To clearly display to the public signs stating that knives are not for sale to under-18's;
3. To ensure that display and storage of knives minimises the risk of theft;
4. To ensure till prompts are in place to remind staff at point of sale;
5. To enhance safeguards on internet sales to address attempted underage sale of knives;
6. To monitor attempted underage sales and share information with local police and other partners.

The six point commitment, agreed with 21 retailers, was launched by the previous Home Secretary, my right hon. Friend the Member for Redditch (Jacqui Smith), on 5 February 2009. We continue to monitor the impact of this agreement as part of the broader TKAP programme.

### National Identity Register

**Mr. Maude:** To ask the Secretary of State for the Home Department with reference to the answer to Lord Stoddart of Swindon of 14 October 2009, *Official Report, House of Lords*, columns 26-27WA, on the National Identity Register, what estimate has been made of the number of citizens who will have their fingerprints stored on the National Identity Register by 2022. [312441]

**Meg Hillier:** I refer the right hon. Member to the answer given on 25 January 2010, *Official Report*, column 648W.

### Nosratollah Tajik

**Andrew Mackinlay:** To ask the Secretary of State for the Home Department what discussions his Department has had with representatives of banking and financial institutions in respect of the request from the United

States for the extradition of Nosratollah Tajik; and if he will make a statement. [308281]

**Meg Hillier:** There have been no such discussions.

**Andrew Mackinlay:** To ask the Secretary of State for the Home Department on what occasions there have been discussions with representatives of other Government departments on the request from the United States for the extradition of Nosratollah Tajik; and if he will make a statement. [308282]

**Meg Hillier:** Officials have discussed this case on a number of occasions with representatives of other Government Departments.

Mr. Tajik has exhausted all avenues of appeal against extradition under the Extradition Act 2003. He has made further representations in relation to his health; the Home Secretary has no general discretion in relation to the case and accordingly the sole issue which falls to be considered is whether it would be a breach of the European Convention on Human Rights to extradite.

### Powers of Entry

**Mr. Stewart Jackson:** To ask the Secretary of State for the Home Department (1) for what reason the Government have not introduced a new liberty test on powers of entry; [308373]

(2) how many (a) new and (b) amended powers of entry have been created by legislation sponsored by his Department since 1997. [308736]

**Mr. Hanson:** All powers of entry are enacted through legislation and subject to parliamentary scrutiny. The following table sets out new or amended powers of entry introduced by the Home Department and enacted by Parliament since 1997. We will be publishing proposals later this year on raising public awareness and accountability on the exercise of entry powers by those other than the police or security services.

*Home Department: Enactments by Parliament since 1997 containing a power of entry*

<i>Number</i>	<i>Year</i>	<i>Legislation</i>	<i>Number of entry powers</i>	<i>New/amendment to existing power</i>
1	1997	Police Act 1997	1	New
2	2006/750	Police Act 1997—Police Act 1997 (Criminal Records) (Registration) Regulations 2006	1	New
3	1998/472	The Secure Training Centre Rules 1998 (1998/472)	1	New
4	1999	Immigration and Asylum Act 1999	2	Amendment
5	2000	Terrorism Act 2000	8	New
6	2001	Anti-terrorism, Crime and Security Act 2001	3	New
7	2001	Criminal Justice and Police Act 2001	1	New
8	2001	Private Security Industry Act 2001	1	New
9	2001	Vehicles (Crime) Act 2001	4	New
10	2002	Immigration, Asylum and Nationality Act 2002	4	Amendment
11	2002	Police Reform Act 2002	1	Amendment
12	2002	Proceeds of Crime Act 2002	5	Amendment
13	2003	Crime (International Co-operation) Act 2003	2	Amendment
14	2003	Extradition Act 2003	5	New
15	2005	Prevention of Terrorism Act 2005	1	New
16	2005	Serious Organised Crime and Police Act 2005	1	New
17	2006	Terrorism Act 2006	1	New
18	2007	UK Borders Act	1	New
19	2007/200	Police and Criminal Evidence Act 1984 (Application to Revenue & Customs) Order 200	1	Amendment
20	2008	Counter-Terrorism Act 2008	3	New

## Home Department: Enactments by Parliament since 1997 containing a power of entry

Number	Year	Legislation	Number of entry powers	New/amendment to existing power
21	2008/296	European Communities Act 1972—Controlled Drugs (Drug Precursors)(Community External Trade) Regulations 2008	1	New
22	2009	Policing and Crime Act 2009	1	Amendment
23	2009	Borders, Citizenship and Immigration Act 2009	4	New

**Religious Buildings: Registration**

**Mr. Stewart Jackson:** To ask the Secretary of State for the Home Department pursuant to the answer to the hon. Member for Bromley and Chislehurst of 7 January 2010, *Official Report*, column 524W, on religious buildings: registration, if he will make an assessment of the likely effect on the Registrar General's power to refuse applications for registration as a place of worship of the provisions proposed in the Equality Bill. [313088]

**Meg Hillier:** The Secretary of State does not believe that the Equality Bill will affect the way in which the Registrar General considers the certification of a building as a place of meeting for religious worship under The Places of Religious Worship Act 1855. As detailed in the answer to the hon. Member for Bromley and Chislehurst (Robert Neill) of 7 January 2010, *Official Report*, column 524W, in his assessment of such certifications, the Registrar General considers the judgment in the 1970 Segerdal case which defines a place of which the principal use is a place where people come together as a congregation or assembly to worship God or do reverence to a deity. The Secretary of State does not believe that the definition of religion or belief in the Equality Bill (which replicates the existing definition) will impact on existing case-law such as Segerdal.

**Surveillance**

**Chris Huhne:** To ask the Secretary of State for the Home Department what assessment he has made of the compatibility of (a) his Department's programme of intercepting communications data and (b) the proposed Interception Modernisation Programme with the requirements of the Data Retention (EC Directive) Regulations 2009. [313534]

**Alan Johnson:** The Data Retention (EC Directive) Regulations 2009 completed the transposition of Directive 2006/24/EC on the retention of communications data. Since 2005, when the directive was negotiated, there has been continuous and innovative development of communications services and applications, many of which are not covered by current data retention legislation. This has already started to undermine the capabilities of our law enforcement and national security agencies to protect the public.

Last year a public consultation, "Protecting the public in a changing communications environment", sought views on proposals to maintain investigative capabilities in the face of these challenges. In response to that consultation the Government are developing its proposed approach, continuing to work closely with communications service providers to minimise as far as possible any impact on them, and ensuring that any new proposals include strong safeguards to minimise the potential for abuse, and to maintain the security and integrity of the data.

**Terrorism: Internet**

**Chris Grayling:** To ask the Secretary of State for the Home Department how many people have been (a) arrested and (b) convicted for offences relating to comments posted on social networking websites under counter-terrorism legislation. [313338]

**Alan Johnson:** The Home Office does not hold statistics which are recorded in this way. However, the Home Office does collate statistics on the number of terrorism arrests and convictions and these are included in a bulletin published for the first time on 13 May 2009 (Statistics on Terrorism Arrests and Outcomes Great Britain 11 September 2001 to 31 March 2008). The first edition of the bulletin is available at:

<http://www.homeoffice.gov.uk/rds/pdfs09/hosb0409.pdf>

The second issue of the bulletin was published on 26 November 2009 and is available via the following link:

<http://www.homeoffice.gov.uk/rds/pdfs09/hosb1809.pdf>

**COMMUNITIES AND LOCAL GOVERNMENT****Affordable Housing**

**Jim Cousins:** To ask the Secretary of State for Communities and Local Government with reference to the answer of 20 July 2009, *Official Report*, columns 816-18W, on housing: low incomes, if he will publish the figures for takeup of Open Market Homebuy from the second quarter of 2009-10 to the date of closure of the scheme to new applicants. [313284]

**John Healey:** Open Market HomeBuy was a scheme with two separate products, MyChoice HomeBuy and Ownhome. The latest dates for which new applications were taken for MyChoice HomeBuy were in mid May 2009, and in early July 2009 for Ownhome.

Provisional data from April to September 2009 for Open Market HomeBuy published by the Homes and Communities Agency shows 3,194 completions in that period.

**Affordable Housing: Construction**

**Jim Cousins:** To ask the Secretary of State for Communities and Local Government how many affordable homes had been built as a result of each Housing Market Renewal Pathfinder at 1 April 2009; how many were planned to be built in each Pathfinder area in 2009-10; and how many additional affordable homes he now expects to be built as a result of the release of additional resources in July 2009. [313696]

**Mr. Ian Austin:** I refer my hon. Friend to the answer given to him on 21 October 2009, *Official Report*, column 1503-1504W. Data differentiating affordable and private new build as a result of HMR funding are not yet held in a readily available format. The HMR programme particularly focuses on the refurbishment and renewal of existing stock and attracting developer interest to their areas, and it is for individual Pathfinders to decide on which activities to focus taking into account the stage of the regeneration process in their areas.

### Construction: Company Liquidations

**Julia Goldsworthy:** To ask the Secretary of State for Communities and Local Government how many construction firms have gone into liquidation or ceased trading for other reasons in each of the last 10 years, broken down by local authority area or the lowest geographical area for which data is available. [313978]

**Ian Lucas:** I have been asked to reply.

The available statistics for insolvencies in the “construction” industry are shown in Table 1. The smallest geographical area for which these statistics are available is England and Wales as a whole. We do not have information relating to firms which have ceased trading for other reasons.

Responsibility for statistics relating to business start-ups and closures (“births” and “deaths”) giving numbers of companies that have ceased trading (liquidations form part of these) has moved from the Department for Business to the Office for National Statistics (ONS).

Table 1: Company liquidations in England and Wales in the construction sector 1999-2008<sup>1,2</sup>

	Liquidations
1999	1,529
2000	1,474
2001	1,509
2002	1,840
2003	1,728
2004	1,653
2005	1,775
2006 <sup>3</sup>	1,409
2007 <sup>4</sup>	972
2008	2,702

<sup>1</sup> Including compulsory liquidations and creditors’ voluntary liquidations.

<sup>2</sup> From July 2007, construction is defined within the SIC2003; up to September 2006 it is defined within the Insolvency Trade Classification. No statistics by sector are available from Q4 2006 to Q2 2007 inclusive due to the change in industry classification.

<sup>3</sup> January to September only.

<sup>4</sup> July to December only.

### Council Housing: Finance

**Jim Cousins:** To ask the Secretary of State for Communities and Local Government with reference to the written ministerial statement of 30 June 2009, *Official Report*, columns 7-10WS, on housing, what the (a) housing debt and (b) servicing costs were in each of the 202 local authorities referred to in each of the last three years; and when he expects to conclude his review of council housing finance and the future of local council housing. [313118]

**John Healey:** I have arranged for a table showing the level of notional housing debt, and associated assumed interest costs, for each local authority with housing stock for each of the three years 2007-08 to 2009-10, to be placed in the Library.

On 16 December 2009, I announced that the responses to the consultation on proposals for the reform of council housing finance showed overwhelming support for the principle of self-financing. I intend to make a further announcement in February which will confirm the progress we have made on self-financing and set-out more details of the proposals. I also intend to publish a summary of responses to the consultation in due course.

### Homes and Communities Agency: Finance

**Mr. Todd:** To ask the Secretary of State for Communities and Local Government what assessment he has made of the reason for the cost of the finance function of the Homes and Communities Agency referred to in the publication *Benchmarking the Back Office: Central Government*; and if he will make a statement. [312685]

**John Healey:** The Homes and Communities Agency (HCA) is the Department’s largest delivery agency, responsible for a range of investment activity which requires professional financial input to appraisal and decision making. As such, HCA’s corporate services are designed to support delivery of capital programme spend, which was excluded from the calculation of total operating costs for this exercise. It should be noted that the cost of finance function data published includes data from HCA’s predecessor bodies.

### Housing: Construction

**Mr. Cash:** To ask the Secretary of State for Communities and Local Government what assessment he has made of progress towards his Department’s target of three million new homes by 2026; and what estimate he has made of the sum to be contributed by the Government towards such building. [313446]

**John Healey:** The Department does not publish estimates of future levels of house building.

### Shared Ownership Schemes: Staffordshire

**Mr. Cash:** To ask the Secretary of State for Communities and Local Government how many people resident in Staffordshire have successfully applied for each of his Department’s shared equity housing schemes. [313445]

**John Healey:** The Department does not itself directly take steps to match demand for shared ownership products with prospective clients. CLG works in partnership with the Homes and Communities Agency (HCA) to deliver its “HomeBuy” products.

The following list gives details of the number of households in Staffordshire who have applied for HCA’s “HomeBuy” products.

	Number
HomeBuy Direct	83
HomeBuy Newbuild	46
HomeBuy Open Market	28

	Number
Home Ownership for people with Long Term Disabilities	3
Rent to Intermediate	7
Rent to HomeBuy	9
Total	176

### Stress

**Grant Shapps:** To ask the Secretary of State for Communities and Local Government if he will place in the Library a copy of the advice issued to departmental staff on stress recognition and management. [313984]

**Barbara Follett:** A copy of the advice issued to departmental staff on stress recognition and management has been placed in the Library.

### Tenancy Deposit Schemes

**Grant Shapps:** To ask the Secretary of State for Communities and Local Government how many (a) representations and (b) complaints his Department has received in relation to tenancy deposit schemes in each of the last three years; and how many have been received in 2009-10 to date. [313981]

**Mr. Ian Austin:** We do not hold this information.

Table 1. Registrations of newly diagnosed cases of breast cancer,<sup>1</sup> persons,<sup>2</sup> (a) Torbay parliamentary constituency, (b) Torbay unitary authority, (c) South West government office region and (d) England,<sup>3</sup> 1997 to 2007<sup>4</sup>

	Torbay constituency	Torbay local authority	South West	Persons England
1997	87	122	3,875	33,659
1998	92	122	4,059	34,117
1999	127	173	4,751	35,778
2000	86	128	4,192	35,050
2001	93	119	4,439	35,787
2002	84	113	4,251	35,631
2003	84	103	4,655	37,874
2004	102	140	4,646	38,120
2005	106	142	4,728	38,970
2006	89	117	4,769	38,816
2007	100	137	4,789	38,291

<sup>1</sup> Breast cancer is coded as C50 in the International Classification of Diseases, Tenth Revision (ICD-10).

<sup>2</sup> Around 99 per cent. of breast cancers cases are in women.

<sup>3</sup> Based on boundaries as of 2009.

<sup>4</sup> Newly diagnosed cases registered in each calendar year.

**Mr. Hoyle:** To ask the Minister for the Cabinet Office how many people resident in (a) Chorley constituency and (b) Lancashire county council area have been diagnosed with breast cancer in each year since 1997. [314226]

**Angela E. Smith:** The information requested falls within the responsibility of the UK Statistics Authority. I have asked the authority to reply.

*Letter from Stephen Penneck, dated January 2010:*

As Director General for the Office for National Statistics, I have been asked to reply to your recent question asking how many people resident in (a) Chorley constituency and (b) Lancashire county authority area have been diagnosed with breast cancer in each year since 1997. [314226]

The latest available figures for newly diagnosed cases of breast cancer (incidence) are for the year 2007. Please note that these

## CABINET OFFICE

### Breast Cancer

**Mr. Sanders:** To ask the Minister for the Cabinet Office how many people were diagnosed with breast cancer in (a) Torbay constituency, (b) Torbay local authority area, (c) the South West and (d) England in each year since 1997. [313884]

**Angela E. Smith:** The information requested falls within the responsibility of the UK Statistics Authority. I have asked the authority to reply.

*Letter from Stephen Penneck, dated January 2010:*

As Director General for Office for National Statistics, I have been asked to reply to your recent question asking how many people were diagnosed with breast cancer in (a) Torbay constituency, (b) Torbay local authority area, (c) the South West and (d) England in each year since 1997. [313884]

The latest available figures for newly diagnosed cases of breast cancer (incidence) are for the year 2007. Please note that these numbers may not be the same as the number of people diagnosed with cancer, because one person may be diagnosed with more than one cancer.

Table 1 provides the numbers of newly diagnosed cases of breast cancer for (a) Torbay parliamentary constituency, (b) Torbay unitary authority, (c) South West government office region and (d) England, for each year from 1997 to 2007.

numbers may not be the same as the number of people diagnosed with cancer, because one person may be diagnosed with more than one cancer.

The table attached provides the numbers of newly diagnosed cases of breast cancer for (a) Chorley parliamentary constituency and (b) Lancashire county, for each year from 1997 to 2007.

Table 1. Registrations of newly diagnosed cases of breast cancer<sup>1</sup>, persons<sup>2</sup>, (a) Chorley parliamentary constituency and (b) Lancashire county<sup>3</sup>, 1997 to 2007<sup>4</sup>

	Number of persons	
	Chorley	Lancashire
1997	60	726
1998	62	769
1999	75	811
2000	81	822
2001	62	846

Table 1. Registrations of newly diagnosed cases of breast cancer<sup>1</sup>, persons<sup>2</sup>, (a) Chorley parliamentary constituency and (b) Lancashire county<sup>3</sup>, 1997 to 2007<sup>4</sup>

	Number of persons	
	Chorley	Lancashire
2002	78	820
2003	77	837
2004	86	898
2005	86	896
2006	78	931
2007	87	960

<sup>1</sup> Breast cancer is coded as C50 in the International Classification of Diseases, Tenth Revision (ICD-10)

<sup>2</sup> Around 99 per cent of breast cancers cases are in women

<sup>3</sup> Based on boundaries as of 2009

<sup>4</sup> Newly diagnosed cases registered in each calendar year

### Construction

**Julia Goldworthy:** To ask the Minister for the Cabinet Office how many construction firm start ups there have been in each of the last 10 years, broken down by local authority area or the lowest geographical area for which data are available. [313979]

**Angela E. Smith:** The information requested falls within the responsibility of the UK Statistics Authority. I have asked the authority to reply.

*Letter from Stephen Penneck, dated 27 January 2010:*

As Director General for the Office for National Statistics, I have been asked to reply to your recent Parliamentary Question concerning how many construction firm start ups there have been in each of the last 10 years, broken down by local authority area or the lowest geographical area for which data are available. [313979].

Annual statistics on business births, deaths and survival are available for 2002 onwards from the ONS release on Business Demography at:

[www.statistics.gov.uk](http://www.statistics.gov.uk)

The attached table contains the latest statistics available on business births for the construction industry by district, counties and unitary authorities within region and country. A copy has been placed in the Library of the House.

**Julia Goldworthy:** To ask the Minister for the Cabinet Office what estimate her Department has made of the number of people seeking jobs in the construction industry. [313980]

**Angela E. Smith:** The information requested falls within the responsibility of the UK Statistics Authority. I have asked the authority to reply.

*Letter from Stephen Penneck, dated 27 January 2010:*

As Director General for the Office for National Statistics, I have been asked to reply to your Parliamentary Question asking what estimate has been made of the number of people seeking jobs in the construction industry. (313980).

The Office for National Statistics (ONS) compiles statistics on the number of people seeking jobs based on claims for Jobseeker's Allowance (JSA). The JSA system collects information on the occupation sought by claimants, rather than the industry that they are seeking a job in.

For this question we have defined occupations in the construction industry using the Standard Occupational Classification 2000 as: skilled construction and building trades; construction plant operatives; and elementary construction occupations. Other occupations that may have some association with the construction industry have not been included. Individuals who are not claiming JSA but are seeking jobs in the construction industry are also not included.

In December 2009 the number of JSA claimants who were seeking jobs in the occupations listed above was 210,260.

National and local area estimates for many labour market statistics, including employment, unemployment and claimant count are available on the NOMIS website at:

<http://www.nomisweb.co.uk>

### Death: Birmingham

**Mr. Godsiff:** To ask the Minister for the Cabinet Office what the 10 most frequently recorded causes of death for (a) men, (b) women, (c) boys under the age of 18 years and (d) girls under the age of 18 years were in Birmingham, Sparkbrook and Small Heath constituency in each of the last five years. [312783]

**Angela E. Smith:** The information requested falls within the responsibility of the UK Statistics Authority. I have asked the authority to reply.

*Letter from Stephen Penneck, dated 27 January 2010:*

As Director General for the Office for National Statistics (ONS), I have been asked to reply to your recent question asking what the 10 most frequently recorded causes of death for (a) men, (b) women, (c) boys under the age of 18 years and (d) girls under the age of 18 years were in Birmingham, Sparkbrook and Small Heath constituency in each of the last five years. (312783)

The tables attached present the ten most frequently recorded causes of death<sup>1</sup>, for (a) males aged 18 years and over (Table 1) and (b) females aged 18 years and over (Table 2), in Birmingham, Sparkbrook and Small Heath parliamentary constituency, for the years 2004 to 2008 (the latest year available).

Due to the small numbers of deaths of (c) boys under the age of 18 years and (d) girls under the age of 18 years, equivalent information for frequently recorded causes of death could not be produced.

Individual causes of death are coded by ONS using the International Classification of Diseases, Tenth Revision (ICD-10). The causes of death shown in the tables are groups of codes designed for the tabulation of deaths according to 'main' causes.<sup>2</sup>

<sup>1</sup> In some years, more than ten causes of death are presented where the numbers of deaths were the same as those for the tenth most frequent cause.

<sup>2</sup> Griffiths, C, Rooney, C, and Brock, A. (2005) 'Leading causes of death in England and Wales—how should we group causes?' Health Statistics Quarterly 28, 6-17.

Table 1. Most frequent causes of death classified according to the International Classification of Diseases, Tenth Revision (ICD-10), males aged 18 years and over, Birmingham, Sparkbrook and Small Heath parliamentary constituency, 2004 to 2008<sup>1,2,3</sup>

Cause of death <sup>4</sup>	Years when this was a main cause of death for males					ICD-10 Codes
	2004	2005	2006	2007	2008	
Aortic aneurysm and dissection	*	—	—	—	—	I71
Cerebrovascular diseases	*	*	*	*	*	I60-I69
Chronic lower respiratory diseases	*	*	*	*	*	J40-J47
Cirrhosis and other diseases of liver	—	*	—	*	—	K70-K76
Dementia and Alzheimer's disease	*	*	*	*	*	F01, F03, G30

Table 1. Most frequent causes of death classified according to the International Classification of Diseases, Tenth Revision (ICD-10), males aged 18 years and over, Birmingham, Sparkbrook and Small Heath parliamentary constituency, 2004 to 2008<sup>1,2,3</sup>

Cause of death <sup>4</sup>	Years when this was a main cause of death for males					ICD-10 Codes
	2004	2005	2006	2007	2008	
Diabetes	*	*	*	*	*	E10-E14
Diseases of the urinary system	—	—	—	—	*	N00-N39
Heart failure and complications and ill-defined heart disease	—	—	*	—	—	I50-I51
Hypertensive diseases	—	*	—	—	—	I10-I15
Influenza and pneumonia	*	*	*	*	*	J10-J18
Ischaemic heart diseases	*	*	*	*	*	I20-I25
Malignant neoplasm (cancer) of colon, sigmoid, rectum and anus	*	*	—	*	*	C18-C21
Malignant (cancer) neoplasm of oesophagus	—	—	—	—	*	C15
Malignant neoplasm (cancer) of pancreas	*	—	*	—	—	C25
Malignant neoplasm (cancer) of prostate	*	*	*	*	—	C61
Malignant neoplasm (cancer) of stomach	—	*	—	*	—	C16
Malignant neoplasm (cancer) of trachea, bronchus and lung	*	*	*	*	*	C33-C34
Malignant neoplasms (cancer) of lymphoid, haematopoietic and related tissue	—	—	—	*	—	C81-C96
Mental and behavioural disorders due to psychoactive substance use	—	*	—	—	—	F10-F19

<sup>1</sup> Most frequent causes of death recorded as the underlying cause in male deaths registered in the year in question. These causes accounted for 64 per cent. of all male deaths in Birmingham, Sparkbrook and Small Heath parliamentary constituency between 2004 and 2008.

<sup>2</sup> Cause of death in England and Wales is defined using the International Classification of Diseases, Tenth Revision (ICD-10).

<sup>3</sup> Based on boundaries as of 2009.

<sup>4</sup> The words in brackets have been added for clarity and are not part of the International Classification of Diseases.

Table 2. Most frequent causes of death classified according to the International Classification of Diseases, Tenth Revision (ICD-10), females aged 18 years and over, Birmingham, Sparkbrook and Small Heath parliamentary constituency, 2004 to 2008<sup>1,2,3</sup>

Cause of death <sup>4</sup>	Years when this was a main cause of death for females					ICD-10 Codes
	2004	2005	2006	2007	2008	
Accidental falls	*	—	—	—	—	W00-W19
Cerebrovascular diseases	*	*	*	*	*	I60-I69
Chronic lower respiratory diseases	*	*	*	*	*	J40-J47
Dementia and Alzheimer's disease	*	*	*	*	*	F01, F03, G30
Diabetes	*	—	*	*	*	E10-E14
Diseases of the urinary system	*	*	*	*	*	N00-N39
Heart failure and complications and ill-defined heart disease	*	*	—	*	—	I50-I51
Influenza and pneumonia	*	*	*	*	*	J10-J18
Ischaemic heart diseases	*	*	*	*	*	I20-I25
Malignant neoplasm (cancer) of colon, sigmoid, rectum and anus	—	—	*	*	*	C18-C21
Malignant neoplasm (cancer) of ovary	—	*	—	—	—	C56
Malignant neoplasm (cancer) of pancreas	—	—	—	*	—	C25
Malignant neoplasm (cancer) of stomach	*	—	—	—	—	C16
Malignant neoplasm (cancer) of trachea, bronchus and lung	*	*	*	*	*	C33-C34
Malignant neoplasms (cancer) of breast	*	*	*	*	*	C50
Malignant neoplasms (cancer) of lymphoid, haematopoietic and related tissue	—	—	—	*	—	C81-C96

<sup>1</sup> Most frequent causes of death recorded as the underlying cause in female deaths registered in the year in question. These causes accounted for 63 per cent. of all female deaths in Birmingham, Sparkbrook and Small Heath parliamentary constituency between 2004 and 2008.

<sup>2</sup> Cause of death in England and Wales is defined using the International Classification of Diseases, Tenth Revision (ICD-10).

<sup>3</sup> Based on boundaries as of 2009.

<sup>4</sup> The words in brackets have been added for clarity and are not part of the International Classification of Diseases.

### Departmental Manpower

**Mr. Philip Hammond:** To ask the Minister for the Cabinet Office how many layers of management reporting from the most senior to the most junior there are in her Department and its agency; how many officials are employed in each such layer; and how much was spent on salaries and associated employment costs of staff at each such layer in the latest year for which information is available. [312824]

**Angela E. Smith:** For information concerning how many officials are employed in each layer of management reporting in the latest year for which information is available and the number of management layers, I refer the hon. Member to the answer given by my right hon. Friend the Minister for the Cabinet Office (Tessa Jowell) to the right hon. Member for Horsham (Mr. Maude) on 25 January 2010, *Official Report*, column 661W.

Information on how much was spent on salaries and associated employment costs of staff at each such layer of management reporting in the latest year for which information is available is detailed in the following table.

Grade	Total employment cost in 2008-09 (£)
Senior civil service	26,130,033
<i>Other management</i>	
Band A (Grades 6 and 7)	20,179,844
B2 (senior/higher executive officer)	14,742,107
B1 (executive officer)	8,589,414
Administrative grades	5,064,377

### Disadvantaged

**Mr. Maude:** To ask the Minister for the Cabinet Office which of the 20 recommendations of the Better Information report from the Social Exclusion Policy Action Team 18 have (a) been implemented and (b) not been implemented. [312264]

**Barbara Follett:** I have been asked to reply.

Progress against the PAT 18 recommendations can be found in Annex A of the Neighbourhood Statistics Service Annual Report to Ministers 2005-06. All 20 of the recommendations made by PAT 18 have been met.

[http://www.neighbourhood.statistics.gov.uk/HTMLDocs/images/NeSS-Report\\_2005-06\\_tcm97-51089.pdf](http://www.neighbourhood.statistics.gov.uk/HTMLDocs/images/NeSS-Report_2005-06_tcm97-51089.pdf)

### Electorate: Clwyd

**Chris Ruane:** To ask the Minister for the Cabinet Office how many electors there were in each ward in (a) Vale of Clwyd and (b) Bristol South constituency in each year since 1980. [312893]

**Angela E. Smith:** The information requested falls within the responsibility of the UK Statistics Authority. I have asked the authority to reply.

*Letter from Dennis Roberts, January 2010:*

The Director General for the Office for National Statistics has been asked to reply to your question asking how many electors there were in each ward in (a) Vale of Clwyd and (b) Bristol South constituency in each year since 1980. I am replying in his absence. (312893)

Table 1 shows the number of people who were registered to vote in parliamentary elections for each ward in the Vale of Clwyd constituency from 1997 to 2006. Table 2 shows the number of people who were registered to vote in parliamentary elections for each ward in the Bristol South constituency from 1988 to 2008.

ONS does not publish ward level figures on parliamentary electors. Data have been provided by the Boundary Commissions for England and for Wales, who collate this information for their own purposes. The Vale of Clwyd constituency did not exist prior to 1997. It was proposed by the Boundary Commission for Wales's Fourth Periodic Review in 1995 and came into effect with the General Election of May 1997. The number of people registered to vote in parliamentary elections for each ward is not collated prior to 1988 for wards in England. The latest available figures are for 2006 for wards in Wales and 2008 for wards in England.

Table 1: Number of parliamentary electors registered to vote in each ward in Vale of Clwyd, 1997 to 2006<sup>1</sup>

	1997	1998	1999	2000	2001	2002	2003	2004	2005	2006
Vale of Clwyd <sup>2</sup>	52,348	51,326	50,612	51,153	51,320	49,111	50,535	52,232	53,091	54,706
Bodelwyddan	1,402	1,397	1,335	1,410	1,417	1,387	1,391	1,415	1,523	1,540
Denbigh Central	1,329	1,309	1,275	1,299	1,262	1,164	1,301	1,310	1,310	1,348
Denbigh Lower	3,187	3,140	3,162	3,108	3,201	3,211	3,231	3,325	3,373	3,407
Denbigh Upper/Henllan	2,467	2,489	2,431	2,420	2,385	2,275	2,368	2,376	2,416	2,499
Dyserth	1,846	1,848	1,809	1,894	1,902	1,741	1,766	1,815	1,867	1,931
Llandyrnog	976	1,013	991	1,019	1,010	1,034	1,049	1,064	1,066	1,082
Meliden	1,553	2,685	2,635	2,670	2,659	2,550	2,598	2,664	2,666	2,759
Prestatyn Central	2,681	2,983	2,937	3,001	3,013	2,883	2,881	3,006	3,073	3,173
Prestatyn East	3,010	1,544	1,451	1,498	1,507	1,444	1,481	1,518	1,538	1,560
Prestatyn North	4,114	3,955	3,980	3,988	4,004	3,896	4,141	4,408	4,495	4,655
Prestatyn South West	2,551	2,489	2,493	2,518	2,481	2,502	2,556	2,638	2,625	2,735
Rhuddlan	3,210	3,130	3,127	3,156	3,202	2,679	2,724	2,760	2,808	2,916
Rhyl East	3,677	3,578	3,502	3,590	3,595	3,486	3,552	3,620	3,735	3,737
Rhyl South	3,002	3,013	3,030	2,996	2,995	2,895	2,943	3,005	3,013	3,082
Rhyl South East	4,989	4,963	4,880	5,094	5,192	5,208	5,511	5,672	5,707	5,915
Rhyl South West	3,699	3,708	3,662	3,664	3,607	3,205	3,433	3,534	3,567	3,573
Rhyl West	3,428	3,078	3,000	2,750	2,761	2,464	2,457	2,777	2,960	3,317
St. Asaph East	1,307	1,301	1,295	1,320	1,329	1,313	1,319	1,320	1,323	1,369
St. Asaph West	1,248	1,153	1,116	1,201	1,178	1,155	1,179	1,282	1,288	1,322
Trefnant	1,489	1,402	1,375	1,409	1,444	1,420	1,440	1,486	1,502	1,524
Tremeirchion	1,183	1,148	1,126	1,148	1,176	1,199	1,214	1,237	1,236	1,262

<sup>1</sup> These figures refer to the number of people who would have been entitled to vote if an election had been held on 1 December.

<sup>2</sup> The Vale of Clwyd constituency was proposed by the Boundary Commission for Wales's Fourth Periodic Review in 1995 and came into effect with the General Election of May 1997. Prior to that date the wards were divided between the then existing parliamentary constituencies of Clwyd North West constituency, Clwyd South West constituency and Delyn constituency.

Sources:

Office for National Statistics  
Boundary Commission for Wales

Table 2: Number of parliamentary electors registered to vote in each ward in Bristol South, 1988 to 2008<sup>1</sup>

	1988	1989	1990	1991	1992	1993	1994	1995	1996	1997	1998
Bristol South	67,872	65,981	65,026	65,387	64,810	63,790	63,517	63,017	63,028	72,834	72,812
Bedminster	9,036	8,941	8,841	8,782	8,670	8,530	8,529	8,481	8,481	8,517	8,584
Bishopsworth	7,937	7,700	7,578	7,519	7,474	7,439	7,325	7,186	7,138	7,108	7,072
Filwood	7,505	7,078	6,958	7,134	7,076	6,829	6,884	6,787	6,756	6,593	6,568
Hartcliffe	8,697	8,473	8,350	8,282	8,277	8,236	8,125	7,929	7,756	7,608	7,544
Hengrove <sup>3</sup>	—	—	—	—	—	—	—	—	—	9,909	9,969
Knowle	7,899	7,671	7,565	7,667	7,541	7,495	7,362	7,281	7,291	7,301	7,347
Southville	8,135	7,951	7,745	7,896	7,720	7,445	7,600	7,719	7,920	8,170	8,094
Whitchurch Park	8,573	8,317	8,224	8,237	8,266	8,196	7,967	7,945	7,870	7,771	7,760
Windmill Hill	10,090	9,850	9,765	9,870	9,786	9,620	9,725	9,689	9,816	9,857	9,874
	1999	2000	2001 <sup>2</sup>	2001 <sup>2</sup>	2002	2003	2004	2005	2006	2007	2008
Bristol South	73,189	72,934	72,960	72,992	71,048	71,055	71,458	71,885	73,548	74,127	74,725
Bedminster	8,641	8,581	8,608	8,632	8,479	8,442	8,530	8,520	8,703	9,038	9,390
Bishopsworth	8,574	8,473	8,500	8,431	8,372	8,398	8,418	8,437	8,621	8,583	8,693
Filwood	7,984	8,013	7,950	7,931	7,657	7,660	7,663	7,627	7,992	7,990	7,978
Hartcliffe	8,169	8,164	8,219	8,243	8,020	7,993	8,027	8,150	8,255	8,371	8,379
Hengrove <sup>3</sup>	8,830	8,840	8,794	8,852	8,750	8,763	8,837	8,821	8,837	8,805	8,841
Knowle	5,777	5,783	5,757	5,744	5,717	5,681	5,694	5,652	5,721	5,693	5,644
Southville	8,181	8,031	8,074	8,076	7,790	7,837	7,858	8,123	8,509	8,591	8,720
Whitchurch Park	8,201	8,138	8,151	8,110	7,781	7,797	7,911	7,891	8,086	8,119	8,114
Windmill Hill	8,832	8,911	8,907	8,973	8,482	8,484	8,520	8,664	8,824	8,937	8,966

<sup>1</sup> Figures from 1988 to 2001 refer to the number of parliamentary electors registered to vote on 16 February and from 2001 onwards, those registered to vote on 1 December.

<sup>2</sup> Two sets of figures were produced in 2001, the first refer to 16 February, and the second to 1 December.

<sup>3</sup> Hengrove ward forms part of Bristol South constituency from 1996 onwards.

Sources:

Office for National Statistics

Boundary Commission for England

### Equal Pay

**Mrs. May:** To ask the Minister for the Cabinet Office what recent estimate she has made of the gender pay gap in each (a) local authority area, (b) Government Office region and (c) parliamentary constituency.

[313266]

**Angela E. Smith:** The information requested falls within the responsibility of the UK Statistics Authority. I have asked the authority to reply.

*Letter from Stephen Penneck, dated 27 January 2010:*

As Director General for the Office for National Statistics, I have been asked to reply to your recent Parliamentary Question requesting the gender pay gap in each (a) local authority area, (b)

Government Office region and (c) parliamentary constituency for which information is available. (313266)

Levels of earnings are estimated from the Annual Survey of Hours and Earnings (ASHE), and are provided for all employees on adult rates of pay, whose pay for the survey period was not affected by absence. The ASHE, carried out in April each year, is the most comprehensive source of earnings information in the United Kingdom. Estimates of the gender pay gap below Government Office Region are not reliable because of small sample sizes and are not provided. Estimates of the gender pay gap for part-time employees at Government Office Region are also not provided for this reason.

I attach a table showing the gender pay gap in 2009 for median hourly earnings excluding overtime for all and full-time employees on adult rates of pay, whose pay for the survey period was not affected by absence, in each Government Office Region.

Gender pay gap for employee jobs<sup>1</sup>: Government office regions 2009

	Median hourly earnings excluding overtime (£)							Gender pay gap (%)	
	All	Men		All	Women		All	Full-time	
		Full-time	Part-time		Full-time	Part-time			
North East	11.27	11.75	*7.71	9.00	10.26	7.49	20.1	12.6	
North West	11.58	12.14	7.47	9.14	10.90	7.46	21.0	10.2	
Yorkshire and the Humber	11.28	11.81	7.46	8.97	10.59	7.41	20.4	10.3	
East Midlands	11.49	12.00	7.38	8.79	10.27	7.40	23.5	14.4	
West Midlands	11.61	12.11	7.23	9.03	10.50	7.60	22.2	13.3	
East	12.00	12.50	8.00	9.28	10.73	7.78	22.7	14.2	
London	16.77	17.56	8.99	13.83	15.23	9.74	17.6	13.3	

Gender pay gap for employee jobs<sup>1</sup>: Government office regions 2009

	Median hourly earnings excluding overtime (£)						Gender pay gap (%)	
	Men			Women			All	Full-time
	All	Full-time	Part-time	All	Full-time	Part-time		
South East	13.22	13.89	7.42	9.93	11.65	8.16	24.9	16.1
South West	11.62	12.06	8.00	9.13	10.25	7.92	21.5	15.0
Wales/Cymru	11.16	11.75	7.26	8.94	10.26	7.39	19.9	12.6
Scotland	11.90	12.39	7.62	9.75	11.33	8.04	18.0	8.5
Northern Ireland	10.63	11.00	*7.72	9.29	10.61	8.06	12.7	3.5

<sup>1</sup> Employees on adult rates whose pay for the survey period was not affected by absence. As at April 2009.

## Guide to quality:

The Coefficient of Variation (CV) indicates the quality of a figure, the smaller the CV value the higher the quality. The true value is likely to lie within +/- twice the CV—for example, for an average of 200 with a CV of 5 per cent., we would expect the population average to be within the range 180 to 220.

## Key:

CV ≤ 5 per cent.

\* CV > 5 per cent. and ≤ 10 per cent.

## Source:

Annual Survey of Hours and Earnings, Office for National Statistics

**Ministers: Training**

**Mr. Maude:** To ask the Minister for the Cabinet Office if she will place in the Library a copy of the Handbook for Ministers prepared by the National School of Government. [312284]

**Tessa Jowell:** This is a matter for the National School of Government. I have asked the principal and chief executive to assist by writing to the right hon. Member.

*Letter from Rod Clark, dated January 2010:*

In the Written Ministerial Statement to the House on 9 January 2007 (Official Report Col 5WS), the then Parliamentary Secretary for the Cabinet Office (Pat McFadden MP) announced that the National School of Government was now a Non Ministerial Department. Consequently, the Minister for the Cabinet Office has asked me to reply to your Parliamentary Questions about the National School of Government.

The National School operates in a commercial environment with a business model which requires the full operating costs of the department to be recovered from the products and services provided to clients and customers. The “Handbook for Ministers” will be published in due course with a cover price. At the moment it is still in draft form, and subject to revision; so I have concluded that it would not be appropriate at this stage to place a copy in the Library of the House.

I am sending you, however, the current draft of the Handbook, and will send you the final version when it is published.

**Pay**

**Hugh Bayley:** To ask the Minister for the Cabinet Office what the average annual salary was of full-time (a) members of the academic staff in further education colleges, (b) teachers in secondary schools, (c) public sector employees and (d) private sector employees in (i) cash and (ii) real terms in (A) 1997 and (B) the latest period for which figures are available. [312885]

**Angela E. Smith:** The information requested falls within the responsibility of the UK Statistics Authority. I have asked the authority to reply.

*Letter from Stephen Penneck, dated January 2010:*

As Director General for the Office for National Statistics, I have been asked to reply to your recent Parliamentary Question asking what the average annual salary was of full-time (a) members of the academic staff in further education colleges, (b) teachers in secondary schools, (c) public sector employees and (d) private sector employees in (i) cash and (ii) real terms in (A) 1997 and (B) the latest period for which figures are available. (312885)

The Annual Survey of Hours and Earnings (ASHE), carried out in April each year, is the most comprehensive source of earnings information in the United Kingdom. Annual levels of earnings are estimated from the ASHE, and are provided for employees on adult rates of pay, who have been in the same job for more than a year. ASHE estimates by occupation are based on the Standard Occupation Classification. The public and private sector breakdown is based on the Inter-Departmental Business Register legal status.

We have attached a table showing the median gross annual earnings for all full-time employees for each of the above occupations and sectors for 1999 and 2009, the earliest and latest periods for which figures are available. For the purposes of calculating real terms estimates we have used the all items Retail Price Index for April of each year.

*Median gross annual earnings for full-time employee jobs<sup>1</sup>: United Kingdom 1999 and 2009*

	1999		2009
	at 1999 prices	at 2009 prices <sup>2</sup>	
Higher and further education teaching professionals <sup>3</sup>	23,400	30,000	—
Secondary (and middle school deemed secondary) education teaching professionals <sup>3</sup>	24,600	31,500	—
Further education teaching professionals <sup>4</sup>	—	—	32,600
Secondary education teaching professionals <sup>4</sup>	—	—	36,200
Public sector	19,300	24,700	27,700
Private sector	17,200	22,000	25,000

<sup>1</sup> Full-time employees on adult rates who have been in the same job for more than a year. As at April of each year.

<sup>2</sup> Delated using all items RPI for April of each year.

<sup>3</sup> Standard Occupation Classification 1990.

<sup>4</sup> Standard Occupation Classification 2000.

## Source:

Annual Survey of Hours and Earnings, Office for National Statistics.

**Senior Civil Servants: Pay**

**Mr. Maude:** To ask the Minister for the Cabinet Office how many civil servants in (a) Government Departments, (b) executive agencies and (c) non-departmental public bodies are in receipt of a salary of over (i) £100,000, (ii) £150,000 and (iii) £200,000. [312299]

**Angela E. Smith:** The information requested falls within the responsibility of the UK Statistics Authority. I have asked the authority to reply.

*Letter from Stephen Penneck, dated 27 January 2010:*

As Director General for the Office for National Statistics, I have been asked to reply to your recent Parliamentary Question concerning, how many civil servants in (a) Government departments, (b) executive agencies and (c) non-departmental public bodies are in receipt of a salary of over (i) £100,000, (ii) £150,000 and (iii) £200,000. (312299).

The requested data are attached at Annex A. The estimates for non-departmental public bodies (NDPBs) only include crown NDPBs. Employees of crown NDPBs are civil servants and are counted as being in the Civil Service for the purpose of ONS sector employee headcounts.

#### Annex A

*Number of civil servants in (a) Government Departments, (b) executive agencies and (c) non-departmental public bodies in receipt of a salary of over (i) £100,000, (ii) £150,000 and (iii) £200,000<sup>1,2,3</sup> All employees, 31 March 2009*

	Headcount		
	Over £100,000	Over £150,000	Over £200,000
Government Departments	660	110	10
Executive agencies	140	20	4—
Non-departmental public bodies	20	4—	0

<sup>1</sup> Numbers are rounded to the nearest ten.

<sup>2</sup> Salaries represent actual annual gross salaries.

<sup>3</sup> Includes ministerial and non-ministerial Government Departments.

<sup>4</sup> Less than five.

Source:

Annual Civil Service Employment Survey.

## CHILDREN, SCHOOLS AND FAMILIES

### Higher Education: Admissions

**Mr. Hepburn:** To ask the Secretary of State for Children, Schools and Families which constituency had the highest number of its residents attending a university in each year since 1997. [313491]

**Mr. Lammy:** I have been asked to reply.

Using data from the Higher Education Statistics Agency (HESA), it is possible to identify how many students entered HE from each parliamentary constituency. In each year from 1997/98, with the exception of 2007/08, Bristol West had the highest number of entrants to UK Higher Education Institutions. In 2007/08, Hornsey and Wood Green had the highest number of entrants.

Care should be exercised when interpreting this analysis as the number of entrants is not matched against the underlying population in these constituencies, and there are cases in which the constituency of the student cannot be established due to missing or invalid postcode information.

## ENERGY AND CLIMATE CHANGE

### Combined Heat and Power: Finance

**Mr. David Anderson:** To ask the Secretary of State for Energy and Climate Change what his estimate is of the likely change in the number of jobs in the micro-combined heat and power industry if a feed-in tariff for the sector were to be introduced. [310717]

**Mr. Kidney:** The Government have not produced estimates of job creation in the microCHP industry. Any such estimates would depend on market size, which would depend in part on the nature and level of the support the technology was offered, as well as a range of commercial factors, and the nature of the manufacturing process for the different technologies relative to conventional boilers.

**Mr. David Anderson:** To ask the Secretary of State for Energy and Climate Change when he expects to make an announcement on the introduction of a feed-in tariff for micro-combined heat and power. [310718]

**Mr. Kidney:** Treatment of microCHP under the feed-in tariff will be announced as part of the Government's response to the feed-in tariffs consultation. This will be made shortly.

### Fuel Poverty: Torbay

**Mr. Sanders:** To ask the Secretary of State for Energy and Climate Change how many households in (a) Torbay constituency and (b) the UK were in fuel poverty in (i) 2003 and (ii) 2009. [314216]

**Mr. Kidney:** The estimated number of households in fuel poverty in the UK was around 2 million in 2003. The latest figures available show that there were around 4 million fuel poor households in the UK in 2007.

The most recently available sub-regional split of fuel poverty relates to 2006, and shows that there were around 7,600 fuel poor households in the Torbay constituency. In 2003 there were around 2,800 fuel poor households in the Torbay constituency. The methodology used for the 2006 work differs from that previously used, so care should be taken in comparing the fuel poverty levels in one area between 2003 and 2006.

### Microgeneration

**Dr. Pugh:** To ask the Secretary of State for Energy and Climate Change what products have received certification under the Microgeneration Certification Scheme. [314336]

**Joan Ruddock:** All MCS certified products are listed online at:

<http://www.microgenerationcertification.org/Home+and+Business+Owners/Microgeneration+Products>

Fully MCS certified products are clearly distinguished by MCS serial numbers.

On these lists, a number of "MCS transition products" also appear which do not yet have MCS serial numbers. These transition products have access to grants and incentives, having met some of the necessary test criteria and are still undergoing MCS assessment.

Arrangements relating to these transition products will remain in place until the end of June 2010.

### Warm Front Scheme: Birmingham

**Mr. Godsiff:** To ask the Secretary of State for Energy and Climate Change how many applications from residents of Birmingham to the Warm Front Scheme for (a) heating, (b) insulation and (c) heating and insulation were approved in each of the last three years. [312784]

**Mr. Kidney:** The following table indicates the number of successful applications from residents of Birmingham to the warm front scheme for (a) heating, (b) insulation and (c) heating and insulation in each of the previous years.

	2006-07	2007-08	2008-09	Number 2009-10 <sup>1</sup>
Insulation only	4,333	3,937	3,025	2,472
Heating only	3,826	4,255	3,530	2,268
Both	1,988	2,170	2,307	2,081

<sup>1</sup> Up to and including the 17 January 2010.

## TREASURY

### Arm's Length Bodies

**Mr. Maude:** To ask the Chancellor of the Exchequer with reference to page 53 of Putting the Frontline First, Cm 7753, what the name is of each of the 750 arm's length bodies sponsored by the Government. [312300]

**Mr. Byrne:** Details of arm's length bodies sponsored by central Government are set out in the Cabinet Office publication, "Public Bodies". The 752 bodies referred to on page 53 of "Putting the Frontline First", CM 7753, includes all bodies named in this publication ("Public Bodies 2008") plus executive agencies, non-ministerial Departments and other relevant bodies (e.g. charities and independent bodies) outside the standard Cabinet Office classification. A list of executive agencies and non-ministerial departments can be found on the Cabinet Office website.<sup>1</sup> The 752 bodies referred to in "Putting the Frontline First", CM 7753 also excludes independent monitoring boards on the basis that these are multiple bodies, but are of a single type, locally constituted, and staffed by volunteers. Finally, the above lists of bodies will be subject to change as in-year fluctuations occur, which will include the abolition of bodies announced in "Putting the Frontline First" taking effect once the necessary consultation and legislation has been completed.

<sup>1</sup> These can be found at:

[http://www.cabinetoffice.gov.uk/ministerial\\_responsibilities/executive\\_agencies.aspx](http://www.cabinetoffice.gov.uk/ministerial_responsibilities/executive_agencies.aspx)

and

[http://www.cabinetoffice.gov.uk/ministerial\\_responsibilities/non\\_ministerial\\_dept.aspx](http://www.cabinetoffice.gov.uk/ministerial_responsibilities/non_ministerial_dept.aspx)

### Bank Services

**Mr. Cash:** To ask the Chancellor of the Exchequer how many retail bank branches there are per head of population. [313443]

**Sarah McCarthy-Fry:** The Treasury does not collect this data.

### Civil Servants: Location

**Mr. Maude:** To ask the Chancellor of the Exchequer which recommendations of the 2004 review of public sector relocation undertaken by Sir Michael Lyons have been implemented. [312272]

**Mr. Byrne:** Over the last six years the Government have used Sir Michael Lyons' 2004 review to deliver significant relocation of civil service posts out of London and the south-east.

The Government have made strong progress in implementing the Lyons review's recommendations. At pre-Budget report 2009, it was announced that the relocations programme has moved nearly 21,000 civil service posts out of London and the south-east—nearly a year ahead of schedule. At Budget 2009, the Government illustrated their commitment to the relocations agenda by agreeing to relocate a further 4,000 posts by March 2010.

These relocations would not have been possible without the Government's willingness to implement the review's recommendations and to make the necessary investment.

To ensure that Departments engaged in the relocations programme, the Office of Government Commerce (OGC) published mandatory guidance. The guidance (DAO 05/05) ensures that Government Departments, their executive agencies and sponsored bodies, at appropriate property events, provide evidence that illustrates their business need to stay in London.

To take things further 'Putting the Front Line First: Smarter Government' announced that Ian Smith would lead an independent review on relocations. The review will report in time for Budget and will outline how at least 10 per cent. of all civil service posts currently based in London and the south-east can be relocated in the medium term.

### Departmental Training

**Mr. Maude:** To ask the Chancellor of the Exchequer with reference to the ministerial correction of 9 November 2009, *Official Report*, column 1MC, on the National School of Government, what courses representatives of the Prime Minister's Delivery Unit attended at the National School of Government in each of the three listed years. [312434]

**Mr. Byrne:** With reference to the ministerial correction of 9 November 2009, the names of the courses that PMDU staff attended at the National School of Government in years 2006-07, 2007-08 and 2008-09 were:

	Name of training course
2006-07	Executive Coaching Programme
2007-08	No programmes
2008-09	Foundation Course for Senior Entrants

### Non-domestic Rates: Garages and Petrol Stations

**Mr. Hoyle:** To ask the Chancellor of the Exchequer if he will meet representatives of the petrol retail industry to discuss the 2010 rating revaluation. [312724]

**Ian Pearson** [*holding answer 25 January 2010*]: Treasury and Communities and Local Government Ministers have corresponded with petrol stations' representatives over the 2010 business rates revaluation. Officials in the Valuation Office Agency (VOA) are continuing to meet with the industry to discuss the detail of the scheme

used to value petrol forecourts. I do not therefore intend to pursue a meeting at this stage, but remain open to doing so in the future.

#### Provident Societies: Northern Ireland

**Mark Durkan:** To ask the Chancellor of the Exchequer what directives the Financial Services Authority (FSA) has issued to non-FSA regulated industrial and provident societies in Northern Ireland on the undertaking of regulated activities by such societies. [313914]

**Sarah McCarthy-Fry:** Under the Financial Services and Markets Act 2000, organisations of any kind which carry on regulated activities, as defined in the Act, anywhere in the UK, are required to seek formal permission from the Financial Services Authority (FSA) unless otherwise legally exempt. The FSA issues advice and guidance to organisations through its website and other means.

#### Public Sector: Pay

**Mr. Maude:** To ask the Chancellor of the Exchequer by what mechanism the Government plans to vet public sector employment contracts paying more than £150,000; and whether that mechanism will apply to existing contracts. [312165]

**Mr. Byrne:** As announced in the 2009 pre-Budget report (CM 7747) at paragraph 6.50, I shall approve pay levels in excess of £150,000 for appointments subject to ministerial approval (including those within the civil service). Where ministerial approval is not required the Government expect all organisations making appointments on salaries in excess of £150,000 to publicly justify this to the relevant Secretary of State.

This will apply to new contracts, including cases of reappointment or appointment to a new post.

#### Public Sector: Pensions

**Mr. Maude:** To ask the Chancellor of the Exchequer what timetable has been set for the publication of the Long Term Public Finance Report's estimate of the liability of Pay-As-You-Go public service occupational pension schemes. [312274]

**Mr. Byrne:** The Long Term Public Finance Report published alongside the pre-Budget report on 9 December 2009 estimates the liability of pay-as-you-go public service pension schemes as at 31 March 2008 to be £770 billion.

#### Snow and Ice

**Bob Spink:** To ask the Chancellor of the Exchequer what estimate he has made of the costs to his Department arising from the severe weather conditions in the period 4 January to 18 January 2010; and if he will make a statement. [313593]

**Sarah McCarthy-Fry:** No estimate has been made of any costs arising from the recent severe weather conditions.

#### Stress

**Grant Shapps:** To ask the Chancellor of the Exchequer pursuant to the answer of 21 January 2010, *Official Report*, column 497W, on industrial health and safety, when his Department produced the document *Introduction to stress awareness and management*; and what the cost was of producing that document. [314032]

**Sarah McCarthy-Fry:** HMT produced the document entitled 'Introduction to Stress Awareness and Management' in 2009 as part of a package of measures in response to an identified need to manage increased risk to employees from stress and related illnesses. The document cost £0.96p per copy to print, based on a single print run of 2,500 copies. The volume printed was to cover the Treasury Group with sufficient extra to cover new staff for the foreseeable future. The preparation of the content was part of the normal work of the welfare officer and preparation for printing was done in-house by the Department's publishing team. The document is also available to staff in electronic format on the Department's intranet.

#### VAT: Fuel Oil

**Mr. Donaldson:** To ask the Chancellor of the Exchequer if he will take steps to regulate the price of domestic heating oil following the return in the rate of value added tax to 17.5 per cent. [313193]

**Mr. Kidney** [*holding answer 25 January 2010*]: I have been asked to reply.

There is a reduced VAT rate on heating oil for domestic or residential use, relative to the standard rate of 17.5 per cent. of 5 per cent.

#### OLYMPICS

##### Olympic Games 2012: Apprentices

**Mr. Don Foster:** To ask the Minister for the Olympics how many people have completed apprenticeships on the Olympic site since construction began; and how many are in full-time employment. [310360]

**Kevin Brennan:** I have been asked to reply.

The Department and the Department for Children, Schools and Families expect to spend over £1 billion on Apprenticeships this year. The total cost of delivering Apprenticeships associated with the London 2012 Olympics is not available. Training costs of Apprenticeship frameworks funded through the National Apprenticeship Service and associated with the Olympics are not separately identifiable from those not connected with the Olympics.

Olympic Development Apprenticeships are also being supported by a number of other partners including the Olympic Delivery Authority (ODA), ConstructionSkills and individual colleges and training providers. The ODA has contributed £275,000 towards the apprenticeship programme, while ConstructionSkills will be providing an employer support contribution of £319,000 over a two year programme through the National Construction College.

## WOMEN AND EQUALITY

### Human Trafficking

6. **Mr. Pelling:** To ask the Minister for Women and Equality what recent discussions she has had with ministerial colleagues on policies to reduce levels of human trafficking for sexual exploitation. [313706]

**Maria Eagle:** I have regular discussions with ministerial colleagues across Government, through an inter-departmental ministerial group on human trafficking. Measures to tackle trafficking for sexual exploitation include:

a new offence for buying sex with someone who is subject to exploitative conduct

work with the Newspaper Society to tackle small ads, resulting in an 80 per cent. decline in advertisements offering sexual services from foreign women since 2007

a national referral mechanism to improve identification and protection of victims.

### Equality Bill: Religious Groups

7. **Miss McIntosh:** To ask the Minister for Women and Equality what recent representations she has received on the provisions of the Equality Bill relating to religion or belief; and if she will make a statement. [313707]

**Michael Jabez Foster:** I refer the hon. Member to the answer given to the hon. Member for Romford (Andrew Rosindell) earlier today by the Minister for Women and Equality.

### National Minimum Wage

8. **Hugh Bayley:** To ask the Minister for Women and Equality what recent discussions she has had with the Secretary of State for Business, Innovation and Skills on the effect of the national minimum wage on the gender pay gap. [313708]

**Maria Eagle:** The Minister for Women and Equality regularly meets with her colleagues to discuss how to improve women's position in the labour market, including by tackling the gender pay gap. Between 950,000 and 1 million employees stand to benefit from the latest increases in the national minimum wage (in October 2009), two thirds of whom are estimated to be women.

### Discrimination: Older Workers

9. **Gordon Banks:** To ask the Minister for Women and Equality what steps the Government Equalities Office is taking to tackle discrimination against older workers. [313709]

**Lindsay Roy:** To ask the Minister for Women and Equality what steps the Government Equalities Office is taking to tackle discrimination against older workers. [313701]

**Michael Jabez Foster:** We know that just because we are past 65 you are not past it.

Through the Employment Equality (Age) Regulations 2006 the Government have ensured that older people have a legal right not to be discriminated against at work, or harassed because of their age. The legislation removed the compulsory retirement beyond the age of 65. The employer must consider this request.

Research published by the Equality and Human Rights Commission on Monday found that the majority of workers over 50 want to continue working beyond the state pension age. We want to give older people flexible options and this is one reason why we have brought forward our review of default retirement age to this year.

## PRIME MINISTER

### Official Residences

**Mr. Maude:** To ask the Prime Minister what steps are being taken to remove persons occupying the former ministerial residence at South Eaton Place. [312445]

**The Prime Minister:** South Eaton Place is unoccupied. The property is for sale.

## HEALTH

### Asthma: Drugs

**Mark Hunter:** To ask the Secretary of State for Health what estimate his Department has made of the potential cost savings consequent on full implementation of the 2008 National Institute for Health and Clinical Excellence guidance on inhaled corticosteroids for the treatment of chronic asthma. [313528]

**Ann Keen:** The Department has made no such estimate. The National Institute for Health and Clinical Excellence (NICE) has published costing reports alongside its two technology appraisals relating to the use of corticosteroids in the treatment of chronic asthma in adults and children. The costing reports are published on NICE'S website at:

<http://guidance.nice.org.uk/TA138>

**Mark Hunter:** To ask the Secretary of State for Health how much he spent on metered dose inhalers in (a) 2007-08 and (b) 2008-09. [313529]

**Mr. Mike O'Brien:** The net ingredient cost of metered dose inhalers (including pressurised metered dose inhalers and dry powder inhalers) together with refills was £773.7 million in 2007-08 and £833.6 million in 2008-09. Figures taken from the Prescription Cost Analysis system, supplied by the Prescription Services Division of the NHS Business Services Authority.

Metered dose inhalers are defined by those listed within British National Formulary sections 3.1 Bronchodilators, 3.2 Corticosteroids and 3.3 Cromoglicate and related therapy and leukotriene receptor antagonists.

### Chronic Fatigue Syndrome

**Mr. Drew:** To ask the Secretary of State for Health whether his Department plans to provide funding for biomedical research into the causes, transmission and treatment of (a) myalgic encephalomyelitis and (b) other xenotropic murine leukaemia virus-related illnesses. [313597]

**Mr. Lammy:** I have been asked to reply

The Medical Research Council (MRC) is one of the main agencies through which the Government support medical and clinical research. The MRC is a non-departmental public body which receives its grant in aid from the Department for Business, Innovation and Skills.

The MRC does not normally allocate funds to particular topics: research proposals in all areas compete for the funding available. When appropriate, high quality research in particularly areas of strategic importance maybe given priority in competition for funds, but research excellence and importance to health continues to be the primary considerations in funding decisions. The MRC always welcomes high quality applications for support into any aspect of human health and these are judged in open competition with other demands on funding.

Chronic fatigue syndrome/myalgic encephalomyelitis (CFS/ME) continues to be a strategic priority area for funding and the MRC remains committed to supporting scientific research into all aspects of CFS/ME including evaluations of treatments and studies into the biological basis of the condition.

The MRC recently held a CFS/ME research workshop where the recent findings on xenotropic murine leukaemia virus-related virus (XMRV) were among the items discussed. A note of the discussions will be published on the MRC website in due course.

The MRC's National Institute for Medical Research is leading a programme on infection and replication of retroviruses (including XMRV)- One study within the programme is looking at how XMRV reproduces in the cell, its interaction with host cell factors and how it subverts the host immune systems.

## CJD

**Bob Russell:** To ask the Secretary of State for Health what procedures are in place to protect against the transmission of vCJD through contaminated blood; which of these procedures was recommended by the Advisory Committee on Safety of Blood, Tissues and Organs; what assessment he has made of the effectiveness of such measures; and if he will make a statement.

[314085]

**Gillian Merron:** Since the theoretical risk of variant Creutzfeldt-Jakob Disease (vCJD) transmission through blood was first identified as a possibility in 1996, a series of precautionary measures have been implemented to protect the blood supply and products made by fractionating plasma, including:

### *Applicable to all blood/blood products*

From December 1997, blood components, plasma products or tissues obtained from any individual who later develops vCJD, have been withdrawn/recalled to prevent their use;

From October 1999, white blood cells (which may carry a risk of transmitting vCJD) have been reduced in all blood used for transfusion, a process known as leucodepletion or leucoreduction;

Following the report of the first possible case of transmission of vCJD by blood transfusion in December 2003, individuals who had themselves received a transfusion of blood components since January 1980 were excluded from donating blood. This took effect from April 2004;

In July 2004, this exclusion criterion for blood donation was extended to include two new groups, who had received transfusions of blood components since 1980:

Previously transfused platelet donors,

Donors who were unsure if they had previously had a blood transfusion. This now applies to donors who have been transfused anywhere in the world;

In July 2005, the Department announced further precautionary measures for around 100 individuals who donated blood to three people who later developed vCJD. The notified people have been asked not to donate blood, tissues or organs and to inform health care professionals so extra precautions can be taken when they have surgery or other invasive procedures; and

In November 2005, the Department announced an extension of the July 2005 notification exercise. A further 50 people who had received blood from some of the 100 or so donors notified since July 2005 were traced and notified of their potential exposure to vCJD, and asked to take similar precautions.

### *Plasma*

Since 1999, plasma for the manufacture of fractionated plasma products, such as clotting factors, has been obtained from non-UK sources;

Since 2004, fresh frozen plasma for treating babies and young children born on or after 1 January 1996 has been obtained from the USA;

Fresh frozen plasma for treating babies and young children born on or after 1 January 1996 has been obtained from the USA, and from July 2005 its use was extended to all children up to the age of 16;

The national health service has been instructed to purchase imported solvent detergent-treated pooled plasma for adult patients with thrombotic thrombocytopenic purpura; and

Synthetic (recombinant) clotting factor for treatment of haemophilia has been provided to the under-16s since 1998 and for all patients for whom it is suitable since 2005.

### *Platelets*

To reduce donor exposure, the Advisory Committee on the Safety of Blood, Tissues and Organs in 2009 reiterated its predecessor committee's advice on increasing the percentage of platelets collected by apheresis to at least 80 per cent.

### *Cryoprecipitate (a special cold-treated plasma preparation)*

Cryoprecipitate produced from methylene blue treated-plasma imported from the USA is being implemented for children up to the age of 16. The Advisory Committee on the Safety of Blood, Tissues and Organs is reviewing use of cryoprecipitate in older patients.

All of these recommendations were recommended or endorsed by the Advisory Committee on the Safety of Blood, Tissues and Organs (which first met in January 2008), or its predecessor committees.

Because of the apparently lengthy incubation period of vCJD and the small number of clinical cases observed to date, it is not possible to make a definitive assessment of the contribution each measure makes to the overall risk reduction.

## Contraceptives: Health Education

**Anne Milton:** To ask the Secretary of State for Health pursuant to the answer of 6 January 2010, *Official Report*, column 471W, on contraceptives: health education, through what metrics the effectiveness of the campaign is being measured; for what reasons his Department is using econometric modelling to determine the effectiveness of the campaign; and if he will make a statement.

[313632]

**Gillian Merron:** The metrics that will be used to measure the effectiveness of the “Contraception. Worth Talking About” campaign include levels of awareness and understanding, personal relevance, willingness to discuss contraception with friends, family and partner and discussion of contraception with a health care professional. In the short term these metrics will be measured predominantly by tracking research.

Evaluating the overall success of the campaign more thoroughly requires complex multivariate analysis based on attitudinal and behavioural data and assumptions on how people react as a result of campaign activity. In the medium to long term we are considering using econometric modelling as this uses statistical techniques to strip out irrelevant factors affecting the results of the campaign.

#### Departmental Drinking Water

**Bob Spink:** To ask the Secretary of State for Health how much his Department spent on bottled drinking water in 2009; and if he will make a statement. [313287]

**Phil Hope:** The Department does not purchase bottled water.

For meeting or hospitality purposes the Department utilises its own water supply which is filtered and bottled on site.

In 2009 the cost of this was £39,925.08.

#### Departmental Management Consultants

**Julia Goldsworthy:** To ask the Secretary of State for Health how much consultants employed by his Department and its agencies have been paid (a) in total and (b) in reimbursable expenses in each of the last 10 years. [313990]

**Phil Hope:** Specific information detailing spend on management consultancy has been routinely collected by the Department since April 2005. Information on management consultancy expenditure before April 2005 is not held by the Department.

Information is collected on total payments to management consultancy organisations and does not reflect the payment to individual employees. The figures from April 2005 until March 2009 are as follows:

	£ million
2005-06	133
2006-07	205
2007-08	132
2008-09	127

*National health service hospital and community health services (HCHS): Qualified nursing, midwifery and health visiting staff in the South West strategic health authority area and the South Devon healthcare NHS trust, as at 30 September each year*

	Headcount											
	1997	1998	1999	2000	2001	2002	2003	2004	2005	2006	2007	2008
South West strategic health authority area medical and dental staff	5,092	5,376	5,484	5,826	6,115	6,575	6,975	7,550	8,031	8,395	8,578	8,944

Information on expenditure on reimbursable expenses is not collected centrally. It is the Department’s preference to commission management consultancy based on fixed prices for entire pieces of work and to include expenses as part of this.

Where expenses are paid, the Department reimburses costs at the same rates and policies as for its own employees.

#### Departmental Pay

**Grant Shapps:** To ask the Secretary of State for Health how much funding his Department has allocated for (a) year-end and (b) in-year bonuses for its staff in 2009-10. [307030]

**Phil Hope:** The wages/salaries outturn for the Department for 2009-10 is not yet known. Based on projections, it is estimated that non-consolidated performance payments will represent a maximum of 1.7 per cent. of the pay bill for 2009-10.

Non-consolidated performance payments are an integral part of the Department’s reward strategy for staff at all levels. These payments have to be re-earned each year and do not add to future pay bill costs.

#### Health Education: Internet

**Mr. Greg Knight:** To ask the Secretary of State for Health pursuant to the answer of 16 December 2009, *Official Report*, column 1317W, on health education: internet, what the name was of the company paid £10,000 to develop the iPhone application. [313422]

**Gillian Merron:** The Department paid Capita Health Services £10,000 to develop the iPhone application. Capita then paid £9,000 of this to Brain Bakery and the remaining £1,000 to Antbits Interactive for the design and delivery of the application.

#### Health Services: South West

**Mr. Sanders:** To ask the Secretary of State for Health how many (a) nurses and (b) doctors were employed in (i) the South West and (ii) the South Devon Healthcare Trust in each year since 1997. [313331]

**Ann Keen:** Figures on how many nurses and doctors were employed in the South West strategic health authority area and the South Devon healthcare trust in each year since 1997 are given in the following table:

National health service hospital and community health services (HCHS): Qualified nursing, midwifery and health visiting staff in the South West strategic health authority area and the South Devon healthcare NHS trust, as at 30 September each year

	1997	1998	1999	2000	2001	2002	2003	2004	2005	2006	2007	Headcount 2008
General practitioners (excluding retainers)	3,185	3,257	3,307	3,363	3,430	3,467	3,587	3,879	4,065	3,955	3,956	4,196
Qualified HCHS nursing staff	29,927	29,966	30,286	31,105	32,671	34,106	35,739	35,342	36,542	36,539	36,754	38,093
GP practice nurses	1,940	1,911	1,930	2,002	2,197	2,355	2,283	2,363	2,449	2,632	2,563	2,504
<i>Of which:</i>												
South Devon healthcare NHS trust medical and dental staff	283	284	309	309	332	309	322	354	365	374	390	400
Qualified HCHS nursing staff	1,430	1,459	1,492	1,542	1,525	924	927	980	980	950	998	948

*Notes:*

1. It is highly likely that the drop in numbers of staff at South Devon healthcare NHS trust in 2002 is due to the migration of community-based services during the formation of primary care trusts that cover the South Devon area.
2. GP retainers are part-time GPs who work a small number of sessions per week. They were first collected in 1999 and have been omitted for comparability purposes.
3. Medical and dental staff are doctors that work in the HCHS setting. The title medical and dental refers to the distinction between doctors in medical specialties and dental specialties and is used to differentiate between high street GPs.

*Source:*

The NHS Information Centre for health and social care Non-Medical Workforce Census.

### Health: Unemployment

**Jim Cousins:** To ask the Secretary of State for Health what advice he has received from the Chief Medical Officer on the effects on public health of present trends in the level of unemployment. [313291]

**Gillian Merron:** We have not had any specific advice on the effects on public health of the present trend in the level of employment from the Chief Medical Officer.

### Hospitals: Admissions

**Derek Twigg:** To ask the Secretary of State for Health how many attendances there were at (a) accident and emergency departments and (b) minor injury units in (i) December 2008 and (ii) December 2009. [312941]

**Mr. Mike O'Brien:** Information is not collected in the format requested. Information is collected weekly, not monthly. Depending on how the days of the week fall in any given year there can be four or five weekly collections in each month. In December 2008 there were four weekly collections, and in December 2009 five. The following table shows the number of attendances at all types of accident and emergency (A&E) departments in England in December 2008 and December 2009, collected through the weekly collections. However, the figures are not directly comparable due to the difference in the number of data collections within each month. We have provided data for all attendances at A&E departments as we do not collect separate figures for minor injuries units weekly. The data provided is from the Department's weekly SitRep management data which are not validated.

### Number of attendances at all types of A&E departments, England

	A&E attendances (thousand)	Number of weeks of data collected
December 2008	1,462.9	4
December 2009	1,819.2	5

*Source:*

Department of Health Weekly SitReps.

**Damian Green:** To ask the Secretary of State for Health how many patients have been admitted to hospital in (a) Ashford constituency and (b) Kent after being attacked by a dog in the last five years. [313509]

**Mr. Mike O'Brien:** The Department is unable to provide data specifically for the Ashford constituency due to low numbers, as numbers between one and five would need suppressing due to the Hospital Episode Statistics protocol. The numbers of finished admission episodes for people bitten or struck by a dog by Kent Primary Care Trust (PCT) for the years 2004-05 to 2008-09 are provided in the following table.

Number of finished admission episodes (FAEs) for bitten or struck by dog by Kent PCT, 2004-05 to 2008-09: Activity in English NHS Hospital and English NHS commissioned activity in the independent sector

	West Kent PCT	Eastern and Coastal Kent PCT	Medway PCT	Total
2008-09	60	61	39	160
2007-08	70	55	23	148
2006-07	54	40	27	121
2005-06	51	34	25	110

Number of finished admission episodes (FAEs) for bitten or struck by dog by Kent PCT, 2004-05 to 2008-09: Activity in English NHS Hospital and English NHS commissioned activity in the independent sector

	West Kent PCT	Eastern and Coastal Kent PCT	Medway PCT	Total
2004-05	52	38	18	108

**Notes:**

Kent has been made up of the following PCTs:

In 2006-07 to 2008-09:

West Kent

Eastern and coastal Kent

Medway Teaching

Prior to 2006-07 West Kent was formerly made up of:

Maidstone Weald PCT

South West Kent PCT

Dartford, Gravesham and Swanley PCT

Prior to 2006-07 Eastern and coastal Kent: was formerly made up of:

Swale PCT

Ashford PCT

Canterbury and Coastal PCT

East Kent Coastal PCT

Shepway PCT

Prior to 2006-07 Medway Teaching PCT was formerly made up of:

Medway PCT

It should be noted that the number of FAEs does not represent the number of patients as a patient may have been admitted more than once within a year.

**Source:**

Hospital Episode Statistics, The NHS Information Centre for health and social care.

### Human Tissue Act

**Dr. Richard Taylor:** To ask the Secretary of State for Health if he will bring forward proposals to amend the Human Tissue Act 2004 to ensure that the rules for informal consent apply equally to imported and exported body tissue; and if he will make a statement.

[314080]

**Gillian Merron:** The Human Tissue Act 2004 requires that these matters be dealt with through the preparation and issue of a code of practice by the Human Tissue Authority. It remains the Government's view that this is the right approach. The Human Tissue Authority published a code of practice on the import and export of human bodies, body parts and tissue in May 2007.

In relation to imports, the code says:

"Good practice requires that effective and reliable processes should be in place for acquiring evidence of informed consent from the prospective donor. This means that the importer should have in place policies and/or Standard Operating Procedures (SOPs) which clearly set out the evidence indicating how informed consent was obtained, including safeguarding the confidentiality of all information relating to consent".

In relation to exports, the code says:

"SLAs (service level agreements) should be in place to ensure that human bodies, body parts and tissue to be exported from England, Wales and Northern Ireland are used in accordance with the consent that has been obtained."

### Mental Health Services: Ex-servicemen

**Mr. Lansley:** To ask the Secretary of State for Health pursuant to the written ministerial statement of 11 January 2009, *Official Report*, columns 15-16WS, on medical care (veterans), what special provisions he expects mental health services to make for veterans during 2011-12.

[313971]

**Mr. Mike O'Brien:** The Operating framework for the national health service in England 2010-11 makes it clear that meeting the needs of military and ex-military personnel is a reputational issue for the NHS as a whole. This includes mental health.

The NHS will be helped in this task by the results of six United Kingdom pilots that aimed to test different approaches to encouraging uptake of NHS mental health services by veterans. This will report in the next few weeks.

In addition, we are currently launching a project which will embed personnel from the Combat Stress charity into another six or seven mental health trusts to build on benefits of collaborative working between the NHS and the voluntary sector.

Commissioning responsibility for mental health care services, including any special provisions for veterans, now rests with individual primary care trusts. We do not propose to change this.

### Mentally Ill: Armed Forces

**Dr. Ladyman:** To ask the Secretary of State for Health what estimate has he made of the number of former service personnel who have received treatment for mental illness in each year since 1992.

[314383]

**Mr. Mike O'Brien:** The fact that someone has served in the armed forces is not recorded within national health service information systems, so these figures are not available.

The Defence Medical Services and Department of Health will shortly introduce a new process to help service leavers register with an NHS general practitioner, including direct transfer of medical records and this will allow the individuals status as a veteran to be passed to other health workers, including within mental health services.

### Multiple Sclerosis

**Patrick Hall:** To ask the Secretary of State for Health what assessment his Department has made of research carried out by Professor Paolo Zamboni of Ferrara University into the relationship between chronic cerebrospinal venous insufficiency and multiple sclerosis.

[313624]

**Ann Keen:** We have made no assessment of this research.

### NHS: Finance

**Mr. Lansley:** To ask the Secretary of State for Health how much of the £161 million allocated by his Department each primary care trust spent on commissioning extended hours services.

[313881]

**Mr. Mike O'Brien:** Final data to inform spend of the £161 million allocation by primary care trust will not be available until later in the year.

### NHS: Parking

**Mr. Stewart Jackson:** To ask the Secretary of State for Health what discussions he has had with (a) strategic health authorities, (b) acute hospital trusts

and (c) foundation hospital trusts on the potential effects on (i) income and (ii) service provision of ending the system of car park charges at NHS facilities; and if he will make a statement. [314096]

**Mr. Mike O'Brien:** On 29 December 2009, a consultation exercise was launched by the Department on car parking for patients and their families at national health service hospitals. The consultation allows everybody, including strategic health authorities, acute hospitals and foundation trusts, to give their opinion of the potential effects of changing the system of car park charges at NHS facilities.

The NHS Car Parking: Consultation on Improving Access for Patients is available on the Department's website at:

[www.dh.gov.uk/en/consultations/liveconsultations/dh\\_110557](http://www.dh.gov.uk/en/consultations/liveconsultations/dh_110557)

A copy has been placed in the Library.

### NHS: Per Capita Costs

**Mr. Hepburn:** To ask the Secretary of State for Health how much was spent per capita by the NHS in (a) South Tyneside, (b) the North East and (c) England in each year since 1997. [313382]

**Mr. Mike O'Brien:** The information requested is shown in the following table for the financial years 2002-03 to 2008-09, which are the only years figures are available by individual organisation.

Table 1: Spend per capita in South Tyneside, the North East and England, 2002-03 to 2008-09

	South Tyneside	North East	England
2008-09	1,784	1,700	1,499
2007-08	1,691	1,612	1,428
2006-07	1,532	1,475	1,315
2005-06	1,446	1,394	1,286
2004-05	1,316	1,272	1,183
2003-04	1,124	1,127	1,045
2002-03	<sup>1</sup> n/a	1,086	917

<sup>1</sup> A spend per capita figure for South Tyneside in 2002-03 is not available centrally, as the spend in this particular area cannot be disaggregated from the data held in respect of Northumberland, Tyne and Wear Strategic Health Authority.

Note:

Expenditure data used in the calculation of spend per capita values is taken from the audited summarisation schedules of national health service bodies, 2002-03 to 2008-09.

The amount spent by the NHS in England per capita for 1997-98 to 2001-02 is separately shown in the following table. Expenditure figures for these years are only available at a consolidated national level, from the published NHS summarised accounts. It is not possible to disaggregate spend in specific constituencies or regions from these figures.

Table 2: Spend per capita in England, 1997-98 to 2001-02

	England
2001-02	915
2000-01	842
1999-2000	773
1998-99	718
1997-98	663

### Nurses: Schools

**Dan Rogerson:** To ask the Secretary of State for Health when he expects his Department's target for one qualified school nurse to be allocated to each secondary school and its cluster of primary schools to be met. [313915]

**Ann Keen:** Working in partnership across health and education we have made good progress in expanding the qualified school nursing workforce.

Linking primary schools to their nearest secondary school gives about 3,000 clusters in England. The 2008 workforce census showed there were 3,643 (headcount) qualified nurses working in school health services, an increase of 1,234 or 51 per cent. since 2004. Of these, there were 1,447 (headcount) nurses with the post registration school nurse qualification. This is an increase of 591 or 69 per cent. since 2004.

Workforce data for 2009 will be available on 25 March when the NHS Information Centre publishes the 2009 Workforce Census.

**Dan Rogerson:** To ask the Secretary of State for Health what the ratio of full-time equivalent school nurses to pupils was in (a) North Cornwall constituency and (b) Cornwall in each year since 2004. [313916]

**Ann Keen:** The information requested is not held centrally.

The Department does not hold data on the ratio of school nurses to pupils. However, in the Cornwall and Isles of Scilly Primary Care Trust (PCT), the number of full time equivalent qualified nursing staff in the school nursing area of work as at 30 September for each specified year, are given in the following table.

National health service hospital and community health services—  
Cornwall and Isles of Scilly PCT: qualified nursing staff in the school nursing area of work in each specified organisation as at 30 September each year

	Full time equivalent
2004	3
2005	9
2006	13
2007	15
2008	18

Note:

Cornwall and Isles of Scilly PCT was formed in 2006 from a complete merger of West of Cornwall PCT, North and East Cornwall PCT and Central Cornwall PCT. Figures for earlier years are on aggregate of these predecessor organisation.

Source:

The NHS Information Centre for health and social care Non-Medical Workforce Census.

**Dan Rogerson:** To ask the Secretary of State for Health how many qualified school nurses there were in (a) North Cornwall constituency and (b) Cornwall in each year since 2004. [313917]

**Ann Keen:** The information is not held in the format requested.

In the Cornwall and Isles of Scilly Primary Care Trust (PCT), the number of qualified nursing staff in the school nursing area of work, as at 30 September for each specified year, are given in the following table.

*National health service hospital and community health services—  
Cornwall and Isles of Scilly PCT: qualified nursing staff in the school  
nursing area of work in each specified organisation as at 30 September  
each year*

	<i>Headcount</i>
2004	5
2005	5
2006	17
2007	19
2008	24

*Note:*

Cornwall and Isles of Scilly PCT was formed in 2006 from a completer merger of West of Cornwall PCT, North and East Cornwall PCT and Central Cornwall PCT. Figures for *earlier years are an aggregate of these predecessor organisations.*

*Source:*

The NHS Information Centre for health and social care Non-Medical Workforce Census.

### Prescriptions: Fees and Charges

**John Howell:** To ask the Secretary of State for Health whether Professor Ian Gilmore has reported to his Department the conclusions of the review of prescription charges for patients with long-term conditions; and when he expects the review to be published. [313913]

**Mr. Mike O'Brien:** Professor Gilmore has now submitted his report to the Department of Health. The recommendations are currently being considered. We will publish our response shortly.

### Spina Bifida

**David Simpson:** To ask the Secretary of State for Health how much his Department spent on research into spina bifida in each of the last three years. [313641]

**Gillian Merron:** The available information is shown in the following table.

<i>Expenditure on spina bifida research</i>		
	<i>Department of Health</i>	<i>Medical Research Council</i>
	<i>£ million</i>	
2006-07	n/a	0.2
2007-08	0.2	0.1
2008-09	0.4	0.2

n/a = not available

The Department funds the National Perinatal Epidemiology Unit. One of the unit's five work streams includes research on spina bifida. It is not possible separately to identify its cost.

In addition, the National Institute for Health Research Clinical Research Network is providing NHS research infrastructure support to one study of relevance to the question.

**David Simpson:** To ask the Secretary of State for Health what percentage of people with spina bifida has lived to adulthood in each of the last 10 years. [313642]

**Ann Keen:** Information on the survival rates for people with spina bifida is not collected centrally.

### Streatham

**Keith Hill:** To ask the Secretary of State for Health if he will set out, with statistical evidence relating as closely as possible to Streatham constituency, the effects on that constituency of changes to his Department's policies since 1997. [313395]

**Mr. Mike O'Brien:** The Government have put in place a programme of national health service investment and reform since 1997 to improve service delivery in all parts of the United Kingdom. 93 per cent. of people nationally now rate the NHS as good or excellent. The NHS Constitution contains 25 rights and 14 pledges for patients and the public including new rights to be treated within 18 weeks, or be seen by a cancer specialist within two weeks and a NHS Health Check every five years for those aged 40-74 years.

There is significant evidence that these policies have yielded considerable benefits for the Streatham constituency. For example:

*Figures for November 2009 show that in Lambeth primary care trust (PCT):*

91 per cent. of patients whose treatment involved admission to hospital started their treatment within 18 weeks.

97 per cent. of patients whose treatment did not involve admission to hospital started their treatment within 18 weeks.

Between September 2001 and September 2008 the number of general practitioners (GPs) per 100,000 within Lambeth PCT has increased from 67.9 to 91.9.

Lambeth PCT opened one of London's first polyclinics—Gracefield Gardens Health and Social Care Centre in Streatham—in June 2008. From April 1 2009, Gracefield Gardens has offered extended opening hours, meaning that any member of the public will be able to see a GP or nurse between 8 am and 8 pm, seven days a week, 365 days a year.

*Guy's and St. Thomas' NHS Foundation Trust:*

In September 2009, at Guy's and St. Thomas' NHS Foundation Trust, 98.3 per cent. of patients spent less than four hours in accident and emergency (A&E) from arrival to admission, transfer or discharge.

Between September 1997 and September 2008 the number of consultants at Guy's and St. Thomas' NHS Foundation Trust has increased from 339 to 432. Between September 1997 and September 2008 the estimated number of nurses has increased from 2,158 to 3,597.

95.9 per cent. of urgent GP referrals to Guy's and St. Thomas' NHS Foundation Trust with suspected cancer are seen by a specialist within two weeks of the referral.

*King's College Hospital NHS Foundation Trust:*

In September 2009, at King's College Hospital NHS Foundation Trust, 98.4 per cent. of patients spent less than four hours in A&E from arrival to admission, transfer or discharge.

Between September 1997 and September 2008 the number of consultants at King's College Hospital NHS Foundation Trust has increased from 140 to 408. Between September 1997 and September 2008 the estimated number of nurses has increased from 1,595 to 2,507.

92.7 per cent. of urgent GP referrals to King's College Hospital NHS Foundation Trust with suspected cancer are seen by a specialist within two weeks of the referral.

*The Lewisham Hospital NHS Trust:*

In September 2009, at King's The Lewisham Hospital NHS Trust, 98.9 per cent. of patients spent less than four hours in A&E from arrival to admission, transfer or discharge.

Between September 1997 and September 2008 the number of consultants at The Lewisham Hospital NHS Trust has increased from 68 to 103. Between September 1997 and September 2008 the estimated number of nurses has increased from 848 to 1,320.

91.4 per cent. of urgent GP referrals to The Lewisham Hospital NHS Trust with suspected cancer are seen by a specialist within two weeks of the referral.

Although statistical information is not available at a local level, Streatham will have also benefited from national policies in other areas. For example:

Since 1997, gross current expenditure on personal social services has increased by around 70 per cent. in real terms with around 105,000 households now receiving intensive home care and 3,076 new extra care housing units—exceeding the original target of 1,500 new extra care units.

Other strategies currently being implemented are:

Subject to Parliamentary approval, the Personal Care at Home Bill will guarantee free personal care for 280,000 people with the highest needs and help around 130,000 people who need home care for the first time to regain their independence;

“Shaping the Future of Care Together” Green Paper, published in July 2009, sets out a vision for a National Care Service for all adults in England which is fair, simple and affordable. The Department has consulted widely on this reform and is currently analysing the responses, which will feed into a White Paper later this year;

The National Carer's Strategy—(“Carers at the heart of 21<sup>st</sup> century families and communities”)—launched in 2008;

The first National Dementia Strategy was published in February 2009;

“Valuing People Now”—a three year strategy for people with learning disabilities published in January 2009; and

“New Horizons: A Shared Vision for Mental Health”—launched in December 2009—to maintain improvements in mental health services combined with a new cross-Government approach to promoting public mental health.

Since 1998, there are now 2.4 million fewer smokers in England as a result of the Government's comprehensive tobacco control strategy which has a measurable impact on reducing smoking prevalence.

Child obesity levels are reducing due to the efforts of families across England, supported by the Government's obesity strategy. In 2008, 13.9 per cent. of children (aged two to 10) in England were classified as obese, compared with 17.3 per cent. in 2005.

Overall, life expectancy at birth for men has increased from 74.5 years (1995-1997 data) to 77.7 years (2006-08 data) while for women, life expectancy at birth has increased from 79.6 years (1995-97 data) to 81.9 years (2006-08 data). (Source: Mortality target monitoring (life expectancy and all-age all cause mortality, overall and inequalities): update to include data from 2008.

[www.dh.gov.uk/en/Publicationsandstatistics/Publications/PublicationsStatistics/DH\\_107609](http://www.dh.gov.uk/en/Publicationsandstatistics/Publications/PublicationsStatistics/DH_107609)

## Stress

**Grant Shapps:** To ask the Secretary of State for Health if he will place in the Library a copy of the advice issued to his Department's staff on stress recognition and management. [313983]

**Phil Hope:** The Department provides guidance to all staff and managers on stress recognition and stress management on the Departmental intranet. A text version of this guidance has been placed in the Library.

In addition the Department offers a free counselling service as part of its employee assistance programme that gives free and confidential support to any member of staff who feels they need it.

## Tamiflu

**Mr. Greg Knight:** To ask the Secretary of State for Health for how long he expects his Department to continue to issue free Tamiflu medication. [313423]

**Gillian Merron:** We intend to continue to distribute antivirals to patients with swine flu symptoms free of charge until the end of the seasonal flu period in 2010, i.e. the end of March 2010. The current working assumption is that antiviral policy will revert to normal from 1 April 2010 onwards, although we will keep the situation under close review.

## Urinary System: Screening

**Mr. Greg Knight:** To ask the Secretary of State for Health what estimate he has made of the (a) number of tests for urinary tract infection carried out in each of the last three years for which figures are available and (b) cost of those tests. [313415]

**Ann Keen:** Information on the number or cost of such tests is not collected centrally.

## Weather: Death

**Mr. Evans:** To ask the Secretary of State for Health what estimate he has made of the likely number of excess deaths attributable to cold weather in January 2010. [313159]

**Gillian Merron:** The Office for National Statistics (ONS) releases provisional mortality statistics for the previous winter every following autumn. These figures are placed on the ONS website once published. It is not possible to get exact figures earlier than this due to time delays from death certification.

## INTERNATIONAL DEVELOPMENT

### Departmental Housing

**Sarah Teather:** To ask the Secretary of State for International Development how many (a) empty and (b) occupied residential properties his Department owns; and what the (i) potential annual rental and (ii) total book value is of those (A) empty and (B) occupied residential properties. [313792]

**Mr. Michael Foster:** The Department for International Development (DFID) owns eight residential properties, all of which are occupied.

DFID does not keep information on potential annual rental of its properties. To obtain this information would incur disproportionate costs.

The Total Book Value of occupied residential properties when our Resource Accounts were last published on 31 March 2009 was £9.2 million.

#### Departmental Manpower

**Mr. Philip Hammond:** To ask the Secretary of State for International Development how many employees in his Department are in transition prior to being managed out; how long on average the transition window between notification and exit has been in each of the last five years; what estimate he has made of the salary costs of staff in transition in each such year; and what proportion of employees in transition were classed as being so for more than six months in each year. [313238]

**Mr. Michael Foster:** The Department for International Development (DFID) currently has two members of staff in transition.

They have both been in transition since November 2009 and we anticipate redeployment to a new DFID post within the next few days.

DFID formalised its policies on the management of surplus staff in the summer of 2009. DFID has not exited staff in transition in the past five years and it has not been necessary to estimate salary costs for staff in transition during this period.

#### Departmental Written Questions

**David Simpson:** To ask the Secretary of State for International Development what average time his Department took to answer questions for (a) ordinary written answer and (b) written answer on a named day in the last 12 months. [313670]

**Mr. Michael Foster:** The requested information cannot be provided without incurring disproportionate costs.

The Department for International Development (DFID) endeavours to answer all parliamentary questions on time. We record and regularly report to the Leader of the House on the number of ordinary written and named day questions received and the number of such questions answered on time and late.

#### Haiti: Humanitarian Aid

**Mr. Clifton-Brown:** To ask the Secretary of State for International Development what assessment he has made of the effects of the earthquake in Haiti on the capacity for the transfer of remittance payments from the UK to that country. [313556]

**Mr. Michael Foster:** We have received reports that remittance agencies and banks in the Port-au-Prince area began opening again on 22 January. However, we are still in the emergency relief phase of the operation and it is still too early to estimate when payments systems will be fully operational in Haiti.

The United States, in contrast to the United Kingdom, is a large source of remittances for Haiti and is looking closely at how best to facilitate cost effective wire transfers from the United States. We will do all we can to support the UN and Government of Haiti in drawing attention to this important issue, as well as supporting the re-establishment of communications and remittance networks.

#### Israel

**Mr. Soames:** To ask the Secretary of State for International Development on how many occasions since the end of Operation Cast Lead Ministers from his Department have visited Israel; and if he will make a statement. [314073]

**Mr. Michael Foster:** I visited Israel in January 2009 and the Secretary of State for International Development visited in March 2009.

#### Palestinians: Humanitarian Aid

**Mr. Soames:** To ask the Secretary of State for International Development if he will send a Minister from his Department to Gaza to assess the humanitarian situation there; and if he will make a statement. [314072]

**Mr. Michael Foster:** There are no immediate plans for a Minister from the Department for International Development (DFID) to visit Gaza. Officials from DFID regularly visit Gaza to assess the humanitarian situation. We also maintain close and regular contact with UN agencies and NGOs who are active in Gaza in order to contribute to our assessment of the situation.

**Mr. Soames:** To ask the Secretary of State for International Development pursuant to the answer of 21 January 2010, *Official Report*, column 467W, on Palestinians: overseas aid, for how long he was in Gaza on 1 March 2009; and if he will make a statement. [314075]

**Mr. Michael Foster:** The Secretary of State for International Development spent around three hours in Gaza, where he visited a number of locations which had been damaged during the conflict.

**Mr. Laurence Robertson:** To ask the Secretary of State for International Development what recent discussions he has had with the (a) Government of Egypt and (b) Palestinian authorities on the delivery of humanitarian aid to Gaza; and if he will make a statement. [313435]

**Mr. Michael Foster:** The Department of International Development (DFID) has not had any recent discussions with the Government of Egypt regarding the delivery of humanitarian aid to Gaza. We believe Israel continues to have obligations as an occupying power with respect to Gaza, and that the main responsibility for ensuring humanitarian access to Gaza therefore lies with Israel rather than Egypt.

In mid-January, DFID's director responsible for the Middle East discussed the issue of support for Gaza with Palestinian Authority (PA) Prime Minister Fayyad and with the PA Minister for Planning and Development. DFID's office in Jerusalem also participates in regular

meetings of the Humanitarian Task Force, in which the delivery of humanitarian aid to both Gaza and the West Bank is discussed between the UN, donors and the PA.

### Somalia: Politics and Government

**Mr. Laurence Robertson:** To ask the Secretary of State for International Development what recent discussions he has had with the authorities in Somalia on the humanitarian situation in that country; and if he will make a statement. [313436]

**Mr. Thomas:** The UK Government are very concerned about the deteriorating humanitarian situation in Somalia. The United Nations estimate that 3.7 million people are in need of humanitarian assistance. I met a delegation of Ministers, led by the Somali Prime Minister Omar Abdurashid Ali Sharmarke, in October 2009 and discussed the humanitarian situation in the country. Officials from the Department of International Development (DFID) also discuss these issues with the Somali authorities and international partners in Nairobi on a regular basis.

## FOREIGN AND COMMONWEALTH OFFICE

### Democratic Republic of Congo: Foreign Relations

**Sarah Teather:** To ask the Secretary of State for Foreign and Commonwealth Affairs what discussions he has had with the Government of Democratic Republic of Congo on Joshua French; and if he will make a statement. [313763]

**Mr. Ivan Lewis:** There have been no discussions between the Secretary of State for Foreign and Commonwealth Affairs and the Government of the Democratic Republic of Congo (DRC) on this matter.

My right hon. Friend Gareth Thomas, Minister of State for International Development, raised our opposition to the death penalty with the President of the DRC during his visit to the DRC in September 2009. Our ambassador to the DRC and other British officials have also raised our concerns with the Government of the DRC regarding the death penalty. They have also raised concerns over alleged mistreatment and over aspects of the trial process.

We are opposed to the death penalty in all circumstances. Where a British national faces the death penalty, we will make representations at whatever stage and level is deemed appropriate. We understand that the DRC has imposed a moratorium on the death penalty and hope that this will remain the case.

We are cooperating with the Norwegian authorities on this case. The welfare of Joshua French remains our priority.

### Departmental Written Questions

**David Simpson:** To ask the Secretary of State for Foreign and Commonwealth Affairs what average time his Department took to answer questions for (a) ordinary written answer and (b) written answer on a named day in the last 12 months. [313667]

**Chris Bryant:** In the calendar year 2009, the figures were six sitting days and five sitting days respectively.

Foreign and Commonwealth Office Ministers and officials take very seriously their responsibility to reply to parliamentary questions on time, and we have introduced new management and procedures which have improved our performance.

In December 2009, 90 per cent. of written answers were cleared for reply within five sitting days, and 75 per cent. of named day questions were cleared for reply on the specified date.

### EC Law

**Philip Davies:** To ask the Secretary of State for Foreign and Commonwealth Affairs whether any competences have been returned from EU to national level as a result of the application of the principle of subsidiarity since the Treaty on European Union came into effect. [313750]

**Chris Bryant:** The principle of subsidiarity is not a mechanism for "returning powers" to the member states, but for determining whether or not Community action should be set in motion.

The member states, through the EU treaties, set the EU certain tasks and give it the powers to achieve those tasks. Article 5 of the treaty establishing the European Community states that, in areas which do not fall within its exclusive competence, the Community shall take action, in accordance with the principle of subsidiarity, only if and in so far as the objectives of the proposed action cannot be sufficiently achieved by the member states and can therefore, by reason of the scale or effects of the proposed action, be better achieved by the Community.

Further guidelines for assessing whether these requirements are met are laid down by the Protocol on the application of the principles of subsidiarity and proportionality. The Protocol also requires the Commission to justify the relevance of any of its legislative proposals with regard to the principle of subsidiarity.

The Lisbon Treaty strengthens the role of national parliaments in EU decision-making, so that for the first time national parliaments could challenge draft EU legislation on subsidiarity grounds. It is for Parliament to decide how to exercise its rights under these procedures.

The Lisbon Treaty also, for the first time, empowered member states to withdraw from the European Union.

### Gaza

**Mr. Soames:** To ask the Secretary of State for Foreign and Commonwealth Affairs on how many occasions since the end of Operation Cast Lead UK diplomats from (a) the UK Embassy in Tel Aviv and (b) the British Consulate in Jerusalem have visited Gaza; and if he will make a statement. [314074]

**Mr. Ivan Lewis:** British officials based in Jerusalem and, to a lesser extent, Tel Aviv, have visited Gaza on more than 20 occasions since January 2009. Our Consulate General in Jerusalem also has two members of local staff permanently based in Gaza.

### Human Rights

**Mark Williams:** To ask the Secretary of State for Foreign and Commonwealth Affairs what results he has received on the (a) length, (b) characteristics, (c) legality under international law and (d) effect on human rights of the Saharawi people of the structure erected between Guerguerat and Oued Drâa. [312349]

**Mr. Ivan Lewis:** With regard to parts (a) and (b) of the question I refer the hon. Member to the website of the UN peacekeeping mission to Western Sahara (MINURSO):

<http://www.minurso.unlb.org/berm.html>

This details factual information on the length of the berm, the materials it is made of and its history.

With regard to part (c) of the question, the UK regards the status of the disputed territory of Western Sahara as undetermined and continues to believe progress towards a negotiated solution to the dispute, providing for the self-determination of the people of Western Sahara, is best achieved under the auspices of the UN. Any issues relating to “the berm” will need to be resolved and considered in that context.

With regard to part (d) of the question we continue to believe that greater openness and transparency on human rights by all the parties to the dispute would create a significantly better environment for political dialogue. Both sides have imperfect records on human rights. Morocco’s record in Western Sahara has improved in recent years, but more needs to be done to provide equality of opportunity for the people of the territory. We welcome the efforts of the parties, in partnership with MINURSO and NGOs, to reduce the threat posed by mines and unexploded ordnance in the region of the berm. We also support the UN Secretary-General’s Personal Envoy to Western Sahara, Christopher Ross, in his efforts to build confidence between the parties, including encouragement to cooperate with the UN High Commissioner for Refugees towards establishing family visits by land.

### Human Trafficking

**Mr. Hancock:** To ask the Secretary of State for Foreign and Commonwealth Affairs what recent discussions he has had on people-trafficking in (a) Bangladesh, (b) Yemen and (c) Pakistan with representatives from each of those countries. [313617]

**Mr. Ivan Lewis:** My right hon. Friend the Foreign Secretary has not had any recent discussions on people trafficking with representatives of Bangladesh, Yemen or Pakistan. This is a Home Office policy lead.

Officials from both departments do have regular contact with their opposite numbers from these countries on a range of migration and trafficking related issues.

### Israel

**Mr. Soames:** To ask the Secretary of State for Foreign and Commonwealth Affairs on how many occasions since the end of Operation Cast Lead Ministers from his Department have visited Israel; and if he will make a statement. [314071]

**Mr. Ivan Lewis:** I visited both Israel and the Occupied Palestinian Territories once each, in August 2009. My right hon. Friend the Foreign Secretary last visited the region in November 2008.

### Ogaden: Politics and Government

**Ms Keeble:** To ask the Secretary of State for Foreign and Commonwealth Affairs what assessment he has made of the political situation in Ogaden. [314052]

**Mr. Ivan Lewis:** The Government remain concerned by the situation in the Ogaden. Conflict continues between the Ogaden National Liberation Front (ONLF) and Ethiopian Government forces, and access to the region is tightly controlled. We have serious concerns over alleged human rights abuses in the region and over the humanitarian situation.

The UK has called on the Ethiopian government to undertake a credible and independent investigation into the alleged abuses, so that they can be addressed where they are found to have taken place, whether committed by the Government or by ONLF forces. We have also highlighted the pressing need for humanitarian agencies, in particular, to have adequate access to the region.

### Shipping: Pay

**Gwyn Prosser:** To ask the Secretary of State for Foreign and Commonwealth Affairs if he will place in the Library a copy of the legal advice he has obtained on the law of the sea and the application of the national minimum wage to seafarers working on foreign-flagged ships operating between two UK ports. [313368]

**Mr. Ivan Lewis:** Lord Malloch-Brown, then Minister of State in the Foreign and Commonwealth Office, wrote to the General Secretary of the Trades Union Congress on 24 July 2009, explaining the legal position regarding the application of the national minimum wage to seafarers working on foreign-flagged vessels in the territorial sea, including when operating between two UK ports.

I am arranging for a copy of this letter to be placed in the Library.

## BUSINESS, INNOVATION AND SKILLS

### Business: Ex-servicemen

**Adam Afriyie:** To ask the Minister of State, Department for Business, Innovation and Skills how many ex-service personnel have received funding from the £5 million enterprise support programme announced in paragraph 4.51 of the 2009 Pre-Budget Report; and how much of the funding allocated has been spent. [311942]

**Ms Rosie Winterton [holding answer 21 January 2010]:** Funding from the Enterprise Support Programme will be available in financial year 2010/11, so no one has received funding as yet. In the meantime, enterprise support is available to ex-service personnel via Business Link.

**Business: Kent**

**Damian Green:** To ask the Minister of State, Department for Business, Innovation and Skills what assessment he has made of the effect of the recent industrial action by Royal Mail employees on small businesses in (a) Ashford constituency and (b) Kent.

[313521]

**Mr. McFadden:** It is clear that industrial action by Royal Mail staff has an impact on those customers that heavily rely on Royal Mail services and we are aware that many small businesses throughout the country use postal services on a daily basis.

The Government want to see a successful outcome to the ongoing discussions between Royal Mail and the Communication Workers Union and we welcome the efforts of Roger Poole (former Assistant General Secretary of NUPE and of Unison and Chairman of the Parades Commission for Northern Ireland) as an independent third party in overseeing the current process of talks.

It is essential for both parties to keep talking until an agreement is made on a way forward on the next phase of modernisation, which everyone accepts is vital for Royal Mail's future.

**Business: Lancashire**

**Geraldine Smith:** To ask the Minister of State, Department for Business, Innovation and Skills what assistance the North West Regional Development Agency has provided to businesses in Morecambe and Lunesdale constituency in respect of the economic downturn.

[311561]

**Ms Rosie Winterton:** Northwest Regional Development Agency (NWDA) established in 1999 has provided extensive support to businesses across the region including in the Morecambe and Lunesdale constituency. The NWDA's main support for businesses is through regionally available "Solutions for Business" products in which the agency invested £92.75 million in 2008/09. The "Solutions for Business" portfolio includes: business finance, improving innovation and efficiency, business start-up, advice on international trade, work force training, and sector development through regional cluster organisations. The primary access point is Business Link who provides companies with information, diagnostics and brokerage to specific types of support. In a direct response to the downturn Business Link can respond to emergencies within 24 hours and utilise the region's "rapid response team" if required. The agency and Business Link have also been working with partners such as chambers of commerce and local authorities to promote business support services and share intelligence on companies and sectors which have been impacted by the downturn. The NWDA has also worked with the banks and doubled its investment in business finance in 2009/10. The NWDA is tackling short-term economic problems whilst also taking a long-term view in line with the Government's New Industry, New Jobs policy which promotes investment in growth sectors to compete in the global economy.

**Departmental Disclosure of Information**

**David Davis:** To ask the Minister of State, Department for Business, Innovation and Skills whether (a) agencies and (b) non-departmental public bodies for which his Department is responsible sell information on a commercial basis to (i) companies or individuals in the private sector and (ii) other organisations.

[313217]

**Mr. McFadden:** Government Departments and agencies and non-departmental public bodies that have Crown status, make most of their information available for free re-use under the PSI Click-Use Licence. Government trading funds, such as the Intellectual Property Office (IPO), for which BIS have ministerial responsibility, are able under their trading fund status to charge for the services they provide in order to cover their costs. This covers information and its supply provided to other public bodies, commercial organisations and individuals. In common with other Government policy, some information is sold as priced publications.

I have approached the Chief Executives of the Department's executive agencies and they will respond to the hon. Member directly.

Information on Non-Departmental Public Bodies (NDPBs) is not held centrally and due to the number of NDPBs, this would incur disproportionate cost.

*Letter from Sean Dennehey, dated 25 January 2010:*

I am responding in respect of the Intellectual Property Office to your Parliamentary Question tabled 20 January 2010, to the Minister of State, Department for Business, Innovation and Skills.

The Intellectual Property Office makes available value added public domain information it has relating to Patents, Trade Marks and other Intellectual Property on normal commercial terms to companies, individuals and other bodies. It also has some publications on commercial terms covering the latest developments in IP law. This represents a small part of the Trading Fund's business.

*Letter from Gareth Jones:*

I am replying on behalf of Companies House to your Parliamentary Question tabled 20 January 2010, UIN 313217, to the Minister of State for Business, Innovation and Skills.

Companies House sells details of directors, copies of annual accounts, incorporation documents and other company information to members of the public, companies or public sector organisations. This is sold on a cost recovery basis.

*Letter from Peter Mason, dated 22 January 2010:*

I am responding in respect of the National Measurement Office (formerly National Weights and Measures Laboratory) to your Parliamentary Question tabled on 20/01/2010 [reference 2009/1032] to the Minister of State, Department for Business, Innovation and Skills, asking whether the agency sells information on a commercial basis to (i) companies or individuals in the private sector and (ii) other organisations.

The agency does not sell any information to any companies, individuals or organisations. Information that we previously charged for hard copies is now available free by download from our website. We provide certain information such as our annual report free of charge to the Office of Public Sector Information, which makes a charge for hard copy material through The Stationery Office. We make this information available as free downloads from our website.

*Letter from Stephen Speed:*

I write with reference to your question, raised in Parliament, in which you asked:

“To ask the Minister of State, Department for Business, Innovation and Skills, whether (a) agencies and (b) non-departmental public bodies for which his Department is responsible sell information on a commercial basis to (i) companies or individuals in the private sector and (ii) other organisations.”

I have been asked to respond to your query as Chief Executive of The Insolvency Service.

Before responding in detail, however, I should clarify that the Insolvency Service does not sell any of the information it holds on a commercial basis.

The main database of information published by my agency is the electronic Individual Insolvency Register (eIIR), which holds details of:

Current bankruptcies, and those which have ended within the last three months;

Current individual voluntary arrangements and fast track voluntary arrangements;

Debt Relief Orders; and

Current bankruptcy restrictions orders and undertakings.

Access to the register is freely available through the Insolvency Service's website, <http://www.insolvency.gov.uk/bankruptcy/bankruptcysearch.htm>, and no charge is made to view the data.

The full database of information is also available in a processed format, for which an administrative charge is levied. The charge is calculated on a cost recovery basis.

I trust that the above information will prove useful to you.

### Departmental Information Officers

**Grant Shapps:** To ask the Minister of State, Department for Business, Innovation and Skills how many (a) press officers and (b) communications staff were employed by his Department (i) in each of the last five years and (ii) on the latest date for which figures are available; and what the cost of employing these staff was in each such year. [309926]

**Mr. McFadden:** The information requested is as follows:

(a) *Press officers*

The number of press officers currently at BIS is 27. This combines the press offices from the former BERR and former DIUS. The press office co-ordinates all the media handling for the Department's current 10 Ministers and the Government Chief Scientific Adviser.

The number of press officers in previous years was:

2008: 17 BERR; 13 DIUS

2007: 16 (DTI/BERR)

2006: 17 (DTI)

2005: 18 (DTI)

2004: 19 (DTI)

The total staffing costs for press office staff for the former BERR, DIUS and DTI are:

		£
2008/09	BERR	1,080,000
2008/09	DIUS	766,000
2007/08	DTI/BERR	1,261,000
2006/07	DTI	1,023,000
2005/06	DTI	992,000
2004/05	DTI	871,000

This includes staff costs for press officers and support staff working in the press office. A breakdown of costs for press officers and non press officers could be provided only at disproportionate costs.

(b) *Communications staff*

The total number of full time equivalent communications staff currently at BIS, excluding press officers, is 74. This figure covers staff in the central communications directorate employed in communications roles, excluding support staff, secondees and agency staff. Communications roles currently include strategy and planning, internal communications, strategic marketing, stakeholder liaison and digital communications.

Figures for the number of communications staff employed in the last five years cannot be provided without incurring disproportionate costs.

*Total staffing costs for staff in the central communications directorate, excluding press office costs.*

		£
2008/09	BERR	1,842,000
2008/09	DIUS (marketing team)	1,105,000
2007/08	DTI/BERR	2,073,000
2006/07	DTI	1,945,000
2005/06	DTI	1,842,000
2004/05	DTI (excluding internal communications)	1,879,000

### Departmental Video Conferencing

**Gregory Barker:** To ask the Minister of State, Department for Business, Innovation and Skills what process was involved in procuring the installation of video conferencing and telepresence facilities in Kingsgate House; and which companies were invited to take part in that process. [304481]

**Mr. McFadden:** The procurement and installation of the video conferencing and telepresence facilities when implemented in Kingsgate House were undertaken using an existing video conferencing contract the Department for Children, Schools and Families had in place at the time with British Telecom and no formal competition was therefore necessary.

**Gregory Barker:** To ask the Minister of State, Department for Business, Innovation and Skills how many video conferencing screens there are as part of the telepresence facilities in Kingsgate House. [304482]

**Mr. McFadden:** For the telepresence facilities only one large video conferencing screen is used.

### Departmental Written Questions

**David Simpson:** To ask the Minister of State, Department for Business, Innovation and Skills what average time his Department took to answer questions for (a) ordinary written answer and (b) written answer on a named day in the last 12 months. [313655]

**Mr. McFadden:** The information requested cannot be obtained on either the Department's database system nor the Parliamentary Information Management System (PIMS) and could only be obtained by manual checking at disproportionate cost.

With effect from the current Session of Parliament, each department will provide the Procedure Committee with sessional statistics on the time taken to answer written questions. This implements recommendation 24 of the third report from the Procedure Committee, Session 2008-09.

### Employee Engagement Review

**Lorely Burt:** To ask the Minister of State, Department for Business, Innovation and Skills (1) what assistance his Department is providing to encourage implementation of the recommendations of the MacLeod review of employee engagement by small and medium-sized enterprises (SMEs); and whether his Department plans to provide funding for SMEs for such purposes after March 2010; [313920]

(2) whether his Department plans to provide funding for the implementation of the recommendations of the MacLeod review of employee engagement from the end of March 2010. [313921]

**Mr. McFadden:** The Department is currently implementing the recommendations from the MacLeod Review report 'Engaging for Success'. The Government have committed to implementation by March 2010.

Our objectives in implementing the MacLeod recommendations are to make the business case for engagement; to provide practical support for businesses who wish to go down the engagement route; and to make that help as widely accessible as possible.

To that end, a campaign to raise awareness among businesses—in particular SMEs—of the benefits of adopting employee engagement practices was launched in the autumn—featuring regional and national media and events, and focused around a dedicated campaign website:

[www.businesslink.gov.uk/employeeengagement](http://www.businesslink.gov.uk/employeeengagement)

At the same time, we have been developing a range of "quick start" guides on engagement for businesses. Focused on the key themes from the MacLeod Report—Leadership; Engaging Managers; Employee Voice; and Organisational Integrity—these will be launched on the BusinessLink.gov website in March. We are working with other mainstream providers of advice and support to businesses—both inside and outside Government—to ensure that these guides reach as wide an audience as possible; and to guarantee that practical support and guidance on employee engagement remains readily available to employers in the future. More generally, the Department's support for SMEs will continue longer term through the guidance and tools on the Business Link.gov website, the Solutions for Business portfolio of business support products and its National Skills strategy.

### Foreign Investment in UK

**Mr. Dai Davies:** To ask the Minister of State, Department for Business, Innovation and Skills what proportion of foreign direct investment into the UK was (a) in the electricity generation sector and (b) in Wales in the last 12 months; and how many of the companies making such investment received allocations from the UK Innovation Investment Fund. [314191]

**Ian Lucas:** Table 5.3 of the Office for National Statistics publication MA4 gave the flow of foreign direct investment into the United Kingdom in electricity, gas and water as £12,350 million in 2007, about 13 per cent. of the total that year. These figures are due to be revised when estimates for 2008 are published on Thursday 4 February.

The ONS does not subdivide its foreign direct investment statistics between different parts of the UK. The Welsh Assembly Government commissioned an Empirical Investigation of Foreign Direct Investment in Wales from the University of Wales Swansea, and this can be read at:

<http://wales.gov.uk/docs/dfm/research/090701foreigndirectinvestmenten.pdf>

None of these businesses have received funding from UK Innovation Investment Fund (UKIIF). We expect UKIIF to begin investing in technology based businesses during the first quarter of 2010.

### Higher Education: Finance

**Jim Cousins:** To ask the Minister of State, Department for Business, Innovation and Skills what funding his Department has provided for (a) teaching, (b) research and (c) staff development for (i) Newcastle and (ii) Northumbria universities since 2004-05. [314003]

**Mr. Lammy:** Funding made available to these universities by the Higher Education Funding Council for England (HEFCE) and the Research Councils are as follows:

	Teaching grant (HEFCE)	Staff development (HEFCE)	Research grant (HEFCE)	Research Councils
£				
<i>University of Newcastle</i>				
2004-05	50,252,943	3,499,150	27,524,280	12,230,000
2005-06	52,005,533	4,484,582	30,671,707	15,067,000
2006-07	60,054,818	1—	32,125,761	19,078,000
2007-08	63,689,772	1—	32,913,752	22,345,000
2008-09	64,866,781	1—	33,981,019	28,159,000
<i>University of Northumbria</i>				
2004-05	47,546,785	2,710,285	949,402	240,000
2005-06	49,150,300	3,566,165	1,146,418	164,000
2006-07	56,502,160	1—	1,255,044	288,000
2007-08	58,048,517	1—	1,394,291	423,000
2008-09	60,695,821	1—	1,346,425	644,000

<sup>1</sup> This allocation from 2006-07 onwards is part of HEFCE's teaching grant and is not identified separately.

### Insolvency

**John Mann:** To ask the Minister of State, Department for Business, Innovation and Skills what recent discussions his Department has had with (a) the Insolvency Service and (b) administrators on the obligations to their creditors of successor companies to failed companies under pre-pack administration arrangements. [311751]

**Ian Lucas:** The Insolvency Service is an executive agency of the Department for Business, Innovation and Skills, and has policy responsibility for insolvency matters. The Insolvency Service carries out the Secretary of

State's function with regard to both the direct authorisation of insolvency practitioners and the regulation of the recognised professional bodies that authorise the vast majority of insolvency practitioners. The Department has therefore not had any direct liaison with administrators nor the recognised professional bodies on the issue of pre-packs as this has been undertaken by The Insolvency Service.

New disclosure requirements aimed at improving the transparency of pre-packaged administrations were introduced on 1 January 2009, in SIP (Statement of Insolvency Practice) 16. The Insolvency Service is examining all information received from insolvency practitioners in relation to disclosures made under SIP 16, and is working closely with the recognised professional bodies to improve insolvency practitioners' compliance with the SIP. A report on the first six months' operation of the SIP was published by The Insolvency Service in July 2009 and may be accessed through:

<http://www.insolvency.gov.uk/insolvencyprofessionandlegislation/policychange/sip16-final.pdf>

**John Mann:** To ask the Minister of State, Department for Business, Innovation and Skills what steps his Department has taken to assess the effects on small business creditors of the implementation of pre-pack administrations, with particular reference to (a) turnover and (b) numbers of jobs. [311756]

**Ian Lucas:** The Insolvency Service is an Executive agency of the Department for Business, Innovation and Skills, and has policy responsibility for insolvency matters.

The Insolvency Service has made no specific assessment of the impact of pre-packaged administrations on small business creditors in relation to their turnover or number of jobs. However, it is not the pre-pack transaction that causes the loss to small business creditors, but the insolvency of the company.

In addition, the Office of Fair Trading has recently launched a market study into the corporate insolvency market. The study will look into the structure of the market and any features in the market which could result in harm, such as higher fees or lower recovery rates for certain groups of creditors.

#### Post Offices: Bank Services

**Peter Luff:** To ask the Minister of State, Department for Business, Innovation and Skills what discussions he has had with (a) UK banks in which the Government holds shares and (b) other UK banks on standardising the banking services they offer through the Post Office network; and if he will make a statement. [313804]

**Mr. McFadden:** A number of UK banks offer accounts which can be accessed through post offices. We are working with Post Office Ltd. to expand the banking services offered by Post Office Ltd.

#### UK Trade and Investment

**Mr. Clifton-Brown:** To ask the Minister of State, Department for Business, Innovation and Skills how many businesses in each (a) constituency, (b) local authority area and (c) Government Office region have received services from since 1 April 2008. [312236]

**Ian Lucas:** UK Trade & Investment (UKTI) services delivered by the English regions including Passport, English Regions Trade Advisers, MVS and charged services delivered through UKTI's overseas network are publicly available by Government office region on a quarterly basis from UKTI's Performance and Impact Monitoring Survey (PIMS) at:

[www.uktradeinvest.gov.uk/ukti/pims](http://www.uktradeinvest.gov.uk/ukti/pims)

Services delivered since 1 April 2008 are captured by PIMS waves 13 onwards.

For example:

#### Passport

<i>Firms supported</i>	<i>East midlands</i>	<i>East of England</i>	<i>London</i>	<i>North-east</i>	<i>North-west</i>	<i>South-east</i>	<i>South-west</i>	<i>West midlands</i>	<i>Yorks</i>
PIMS 13 (April to June 2008)	34	54	73	20	48	61	41	49	45
PIMS 14 (July to September 2008)	62	72	56	43	102	72	50	60	46
PIMS 15 (October to December 2008)	36	52	37	57	57	44	51	66	44
PIMS 16 (January to March 2009)	29	46	48	18	54	54	56	40	34
PIMS 17 (April to June 2009)	46	53	42	8	58	61	58	25	35

## OMIS

<i>Firms supported</i>	<i>East Midlands</i>	<i>East of England</i>	<i>London</i>	<i>North-east</i>	<i>North-west</i>	<i>South-east</i>	<i>South-west</i>	<i>West Midlands</i>	<i>Yorks</i>
PIMS 13 (April to June 2008)	70	68	150	61	60	119	64	63	63
PIMS 14 (July to September 2008)	76	69	167	53	65	102	56	70	63
PIMS 15 (October to December 2008)	74	81	188	87	79	145	65	59	59
PIMS 16 (January to March 2009)	77	82	169	68	68	117	61	63	47
PIMS 17 (April to June 2009)	67	79	217	47	82	141	72	72	61

## MVS

<i>Firms supported</i>	<i>East Midlands</i>	<i>East of England</i>	<i>London</i>	<i>North-east</i>	<i>North-west</i>	<i>South-east</i>	<i>South-west</i>	<i>West Midlands</i>	<i>Yorks</i>
PIMS 14 (July to September 2008)	21	18	25	2	7	5	0	7	5
PIMS 15 (October to December 2008)	32	32	40	33	22	61	11	21	17
PIMS 16 (January to March 2009)	84	8	78	8	25	90	53	19	17
PIMS 17 (April to June 2009)	53	29	25	10	11	28	29	27	56

Figures for constituency or local authority areas are not currently available.

#### Video Games: Trade Fairs

**Mr. Don Foster:** To ask the Minister of State, Department for Business, Innovation and Skills how much of the funding allocated to UK Trade and

Investment's Trade Assistance Programme in 2008-09 was spent on assistance for UK video games businesses to exhibit at overseas trade shows. [313192]

**Ian Lucas:** Through UK Trade and Investment's Tradeshow Access Programme (TAP) £57,000 was spent on assisting UK video games businesses exhibit at overseas exhibitions in financial year 2008-09.



# Ministerial Correction

*Thursday 28 January 2010*

## COMMUNITIES AND LOCAL GOVERNMENT

### Housing: Standards

**Mr. Stewart Jackson:** To ask the Secretary of State for Communities and Local Government how many homes have received Level 6 Code for Sustainable Homes certification. [312009]

*[Official Report, 25 January 2010, Vol. 504, c. 564W.]*

*Letter of correction from Mr. Ian Austin:*

An error has been identified in the written answer given to the hon. Member for Peterborough (Mr. Jackson) on 25 January 2010. Code Level 6 was omitted from the final sentence.

The correct answer should have been:

**Mr. Ian Austin:** Level 6 of the Code for Sustainable Homes (the Code) is a zero carbon home with very high sustainability standards and is an incredibly high standard to build to. However, we now have a growing number of homes been built to this higher level of the Code.

It takes between 18 months and two years to design and build a Code home. The Code came into operation in April 2007, but we did not start seeing homes built to the Code standard until late 2008. The number of Code homes are increasing every month. At the end of December 2009, there were a total of 2,434 homes with Code certificates spread across all Code levels at post-construction stage (i.e. completed Code homes), 10,319 at design stage and over 300,000 registered homes on over 3,000 developments. Most of these homes are built to Code Level 3—which represents for energy a 25 per cent. improvement on the current building regulations and is a demanding building standard. Homes funded by the Homes and Communities Agency are required to meet Code Level 3 standard.

There are two stages in the assessment process for the Code and 110 Code Level 6 homes have been certified.



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