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**HOUSE OF COMMONS
OFFICIAL REPORT**

**PARLIAMENTARY
DEBATES**

(HANSARD)

Friday 29 January 2010

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House of Commons

Friday 29 January 2010

The House met at half-past Nine o'clock

PRAYERS

[MR. SPEAKER *in the Chair*]

9.33 am

Julie Morgan (Cardiff, North) (Lab): I beg to move, That the House sit in private.

Question put forthwith (Standing Order No. 163).

The House divided: Ayes 0, Noes 51.

Division No. 65]

[9.33 am

AYES

Tellers for the Ayes:
Nia Griffith and

Jessica Morden

NOES

Bottomley, Peter
Brennan, Kevin
Brown, Lyn
Clark, Greg
Corbyn, Jeremy
Crausby, Mr. David
Cruddas, Jon
Davey, Mr. Edward
Davies, Philip
Duddridge, James
Fitzpatrick, Jim
Flint, rh Caroline
George, rh Mr. Bruce
Gidley, Sandra
Goodman, Mr. Paul
Grogan, Mr. John
Hanson, rh Mr. David
Hendry, Charles
Iddon, Dr. Brian
Irranca-Davies, Huw
Jackson, Mr. Stewart
James, Mrs. Siân C.
Jones, Mr. Kevan
Keeley, Barbara
Key, Robert
Kramer, Susan
Lewis, Mr. Ivan
Malik, Mr. Shahid

Mann, John
McCarthy-Fry, Sarah
Merron, Gillian
Mole, Chris
Morgan, Julie
Pope, Mr. Greg
Prosser, Gwyn
Randall, Mr. John
Rifkind, rh Sir Malcolm
Ruddock, Joan
Russell, Bob
Shaw, Jonathan
Simmonds, Mark
Simon, Mr. Siôn
Skinner, Mr. Dennis
Smith, rh Angela E. (*Basildon*)
Spellar, rh Mr. John
Spink, Bob
Teather, Sarah
Thomas, Mr. Gareth
Turner, Dr. Desmond
Tyrrie, Mr. Andrew
Wright, Jeremy

Tellers for the Noes:
Mrs. Betty Williams and
Laura Moffatt

Question accordingly negatived.

Mortgage Repossessions (Protection of Tenants Etc.) Bill

Second Reading.

9.44 am

Dr. Brian Iddon (Bolton, South-East) (Lab): I beg to move, That the Bill be now read a Second time.

The Bill empowers unauthorised tenants to apply to a court for a delay of up to two months when their home is being repossessed.

In November 2002 I was drawn 17th in the private Members' ballot and, despite that, successfully managed to steer through the Bill that became the Marine Safety Act 2003. In November 2009, I was fortunate enough to be drawn first in the ballot for private Members' Bills in what will be my final Session in Parliament. I hope that this Bill will be as successful as my previous private Member's Bill.

After attempting to steer the Registration Service Bill through, I persuaded my right hon. Friend the Minister for Housing, when he was the Treasury Minister with responsibility for the Office for National Statistics, to include the clauses in my private Member's Bill in the Statistics Bill announced in the Queen's Speech in 2006, so I can claim some credit, too, for the Statistics and Registration Service Act 2007.

As the House knows, more recently I have been attempting to prevent street traders using the Pedlars Acts of 1871 and 1881 to trade illegally, by introducing the Pedlars (Street Trading Regulation) Bill both as a ten-minute Bill and in the following year as a presentation Bill. However, I will leave it to other Members to see that business through.

Mr. Bruce George (Walsall, South) (Lab): Will my hon. Friend kindly stop gloating? I have tried for 36 years and I have not even come bottom of the ballot.

Dr. Iddon: My right hon. Friend makes me feel very small. I hope that after my exit from the House, he will be far more successful. At least I am making room for him.

Peter Bottomley (Worthing, West) (Con): I can claim only 34 years, but I hope that that success will be shared between us.

Dr. Iddon: I am honoured to have the hon. Gentleman as a sponsor of my Bill, so he has a share in at least one private Member's Bill.

Bob Spink (Castle Point) (Ind): Will the hon. Gentleman allow me?

Dr. Iddon: Indeed. Everyone can stake their claim.

Bob Spink: I warmly congratulate the hon. Gentleman. The House will be diminished by the loss of his charm, his courtesy, which is unflinching, and his wisdom. We all wish him well after the election. My private Member's Bill, which became the Confiscation of Alcohol (Young Persons) Act 1997, gave the police powers and is the most used criminal law in the land now, apart from the road traffic laws. Can the hon. Gentleman confirm

[*Bob Spink*]

whether clause 1(1) of his Bill giving the tenant protection against immediate eviction will relate not just to the conventional mortgage repossession proceedings, but to individual proceedings taken by the lender against the tenant who is, in effect, a trespasser against the landlord? Protection in both those cases is needed.

Dr. Iddon *rose*—

Mr. Speaker: Order. Before the hon. Gentleman proceeds, let me say that we have had an enjoyable Cook's tour of the legislative experience of individual hon. Members, but that probably will suffice. I know that interventions subsequently will not follow the model of the hon. Member for Castle Point (*Bob Spink*).

Dr. Iddon: The scope of my Bill will be self-evident when I finish my speech, which I hope will be relatively short. I thank the hon. Member for Castle Point (*Bob Spink*) for his comments, but he will not attract me to join his minority party.

I want to acknowledge the thousands of people who wrote to my office. We received more than 3,000 items of correspondence from individuals outside this place who offered me advice on the Bill to select. In most cases, that has obviously led to disappointment, and I apologise to all those whose Bills I have not chosen to proceed with today. I hope they will understand why I do not have the time to write back to them all individually. However, I thank them.

This is an extremely truncated Session of Parliament, with only six Fridays realistically available to deal with private Members' Bills, assuming that the general election is in May or June, rather than earlier. As a consequence, I have chosen what I consider to be a relatively simple Bill with only two main clauses. That the Bill has cross-party support is indicated by the names of the right hon. and hon. Members who have kindly agreed to sponsor it, and I thank them all for their support.

When I became chairman of Bolton city council's housing committee in 1986, I gave the then director of housing, John Roe, a list of 20 priorities that I wanted to pursue. The No. 1 priority at that time was homelessness, so it seemed appropriate to end my parliamentary career by again tackling homelessness. The Bill has arisen as a result of inquiries and complaints that Crisis, Shelter, Citizens Advice and the Chartered Institute of Housing started to receive in 2007, and I thank all those organisations for their support in introducing the Bill.

Bob Russell (*Colchester*) (*LD*): Did the problem that the hon. Gentleman's Bill addresses exist when he took over the housing portfolio in Bolton almost a quarter of a century ago?

Dr. Iddon: As far as I am aware, that is probably correct, and I shall explain why.

The changes proposed in the Bill follow recommendations made by the Select Committee on Communities and Local Government. It has the support of the National Housing Federation and the three national landlord organisations in England and Wales—the Residential Landlords Association, the British Property Federation and the National Landlords Association—where it will

be applicable if it finds its way on to the statute book. The Council of Mortgage Lenders has also expressed its support for the principles in the Bill.

I remind the House that 126 right hon. and hon. Members signed early-day motion 1154 on this issue in the previous Session, and as of today 90 have signed early-day motion 643 in support of the Bill.

Philip Davies (*Shipley*) (*Con*): The hon. Gentleman says that the Council of Mortgage Lenders agrees with his Bill in principle, but, as I am sure he is aware, it has suggested two small amendments. Is he minded to support those amendments at a later stage? If not, what objections does he have to them?

Dr. Iddon: The Department for Communities and Local Government and I have been in close contact with the Council of Mortgage Lenders, and we are aware of its feelings about the Bill. We listened to outside organisations, and amendments were made to the original Bill, so the Bill before us addresses some of those objections. I am not sure to which two amendments the hon. Gentleman has referred, but we believe that we have satisfied the Council of Mortgage Lenders. We hope that, if the Bill does not satisfy it, the accompanying regulations will. We want to carry all organisations with us.

Following the representations that were made to the Government by the external sponsors of the Bill, in 2009 the DCLG published a consultation document, "Lender repossession of residential property: protection of tenants". The consultation on that document closed on 14 October, and we still await its findings, although I believe that they are almost ready for publication.

A combination of rising house prices, the credit crunch and the difficulty of getting anything like a 100 per cent. mortgage means that home ownership is out of reach for most people—certainly more and more. Consequently, more people than for a long time have been attracted to the private rented sector. There are now 3 million households in that growing sector; in England alone, 14 per cent. of households live in it.

We have seen the buy-to-let market grow, too, as a result of those changes. Most tenancies are assured shorthold tenancies, usually of six or 12 months' duration. Landlords can gain possession of such tenancies by giving only two months' notice outside the fixed term. Most buy-to-let landlords pay a commercial rate on their lending and a higher arrangement fee than domestic or residential borrowers in order to purchase suitable properties. I want to make it clear that the Bill does not apply to the normal buy-to-let market.

Most owner-occupier mortgages prevent the borrower from renting their property without the lender's consent. However, a significant number of people have been borrowing money without telling the lender that they intend to buy a property to let to a tenant or tenants. As a consequence, those so-called residential-turned-let—RTL—tenancies are considered to be unauthorised in law, and the tenants are unprotected by the relevant housing legislation. If, therefore, their landlord defaults on the loan and the lender seeks to repossess the property, the tenants will lose their right to two months' notice and may face homelessness. That applies even if they are within the fixed term of the tenancy agreement.

Unauthorised tenancies can arise in other ways. People become reluctant landlords. They might inherit a property that they cannot sell or move to another property—perhaps in another town to find a job—and find it difficult to sell the one from which they have moved. In either case, they might decide to rent out a mortgaged property to a tenant without informing the lender. Some owner-occupiers might find themselves in financial difficulty and move to alternative accommodation—to live with relatives or friends, for example—and generate income by renting out their property to a tenant, again without telling the lender. In a recession, the number of owner-occupiers choosing that option is likely to increase.

It is very difficult to count how many repossessions involve RTL tenancies. The DCLG estimates that there were between 2,000 and 3,000 such repossession cases last year, but advice agencies believe that that is the tip of the iceberg. The DCLG estimates that there are currently 324,000 RTL households. Many of those tenants, especially if they are single, are not entitled to housing from their local authority should they become homeless. Consequently, they do not end up on any registers when they lose their homes, so it is difficult to count them. Instead, they have to make alternative accommodation arrangements, perhaps by moving in with friends or relatives, if they can.

Citizens Advice now deals with about 1,000 homelessness inquiries a year as a result of the problem, and Shelter's website advice page on RTL mortgages had more than 12,500 hits between June 2008 and October 2009. In a Crisis survey of advisers who help people to access the private rented sector, more than 60 per cent. said that they had been in contact with someone whose landlord had had a property repossessed. Undoubtedly, that is an increasingly important problem, which urgently needs the legislation that I am introducing.

If a property has been rented to an unauthorised, or RTL, tenant, the only warning that the tenant may receive of repossession before the initial court hearing or the issuing of a notice of eviction is a notice that the lender must now address to "The Tenant or Occupier". Those notices often go astray or remain unopened, and sometimes they are buried in piles of junk mail, especially in blocks of flats. Before 2008, when secondary legislation was brought in, notices were addressed only to "The Occupier". The Government changed the legislation in the hope that more tenants would open such correspondence and engage in repossession proceedings, but that is difficult.

Many RTL tenants first realise that they might be homeless only when bailiffs turn up on their doorstep to repossess the property. Some RTL tenants have arrived home to find that locks have been changed while they have been away from the property, at work or on holiday. I think that all Members will consider that to be unacceptable. The Bill is aimed at giving greater protection to this group of tenants.

James Duddridge (Rochford and Southend, East) (Con): The hon. Gentleman has focused his comments on the traditional forms of tenancies such as, say, assured nine-month tenancies. How would his Bill apply in protecting holiday lets or the very short-term lets that we see in central London?

Dr. Iddon: My understanding is that holiday lets would be outside the scope of the Bill. We wanted to keep it simple in trying to give justice to the 2,000 to 3,000 people, and rising, who are in this position every year. That is why I have not made it too complex.

In such circumstances, tenants can also lose out financially by losing rent paid in advance, or even their initial deposit if the landlord has not deposited it in one of the three Government-backed deposit protection schemes.

Bob Russell: Will the hon. Gentleman confirm that it is not only tenants who can lose money? In many cases, housing benefit goes to the tenant, who then pays the landlord, so the public purse loses out.

Dr. Iddon: Yes, I accept that. I will refer to housing benefit in a moment.

When a lender commences repossession against an owner-occupier, the lender is unlikely to be aware of a tenant in occupation. Current law does not allow the tenant to be represented at a possession hearing in court or for the judiciary to take account of the tenancy. The Bill provides that if a lender is seeking a possession order and the unauthorised tenant applies to the court, the court can postpone the date by which the tenant must leave the property for up to two months. That would assist many, but not all, of the tenants affected, by giving them time to find somewhere else to live before they lose possession. A warrant of possession is the means by which an order for possession is executed and possession of the property recovered.

The Bill would impose the new requirement that the lender must notify any occupier of that intention. Until that point, some tenants might be unaware that anything is amiss, so if a tenant had not applied to the court when the possession order was made, they could apply directly to the lender for a postponement of the order at the warrant stage. If that request were refused, the Bill would empower the tenant to apply to the court to determine the issue and grant a period of postponement of up to two months.

The Bill would not unfairly empower tenants who have breached their tenancy—for example, through non-payment of rent, antisocial behaviour, or damage to the property—as the court would be required to have regard to such breaches of tenancy when considering whether to exercise its powers; nor would squatters and trespassers be empowered by the Bill. However, the court would take into consideration a delay in the payment of housing benefit by a local authority.

The Bill also provides that if a lender chooses to collect rent from the unauthorised tenant during the notice period agreed, then doing so would not be considered to create a new tenancy. The Bill includes the power to make regulations requiring lenders to seek a new notice to enforce possession before they can seek a warrant of possession. It also gives a power to specify the means by which such a notice is served on the tenant.

In summary, there are two points in the process at which the tenant can intervene, if they so desire. The court could either postpone the date of delivery of possession by up to two months, or stay or suspend execution of the warrant for up to two months. The court

[*Dr. Iddon*]

could make any suspension conditional on rent payments continuing between the tenant and lender. The tenant would be entitled to one period of suspension only. Clause 1(4) states:

“The court may, on application of the tenant (“the applicant”), stay or suspend execution of the order for a period not exceeding two months if”

and so on. I am confident that a court would understand that the word “a” means only one suspension. In rare cases where a tenant seeks a second delay, I am confident that the lender’s agent would ensure that the court is made aware that the tenant had previously applied and received a postponement of possession for up to two months.

Some concern has been expressed that the tenant might not engage in the legal process at the first opportunity, even when they were aware that proceedings for possession had commenced. In the majority of cases, the tenant would be unlikely to be aware that proceedings had commenced, for the reasons that I have given. However, clause 1(5) makes it clear that

“the court must have regard to—(a) the circumstances of the tenant”

which I believe covers this concern.

Clause 1 of my Bill would prevent RTL tenants from becoming homeless without representation in court and provide a period of up to two months during which they can search for alternative accommodation. Clause 2 covers the notice of execution of a possession order, while clause 3 interprets the various terms used in the Bill. Clause 4 is about commencement and extent. I am assured that the Bill conforms with the European convention on human rights.

I want to thank the staff of the Department for Communities and Local Government for all the assistance that they have given me in putting this Bill together, and for their advice on what is rather complicated housing legislation. I also thank my researcher, Gemma Reay, who has done most of the work for me behind the scenes.

I believe that this Bill, which would be fair to the affected tenants and lenders, has widespread support within and without this House, and I commend it to the House.

10.6 am

James Duddridge (Rochford and Southend, East) (Con): I will try to keep my remarks brief because there are several Bills that we wish to get on to.

I congratulate the hon. Member for Bolton, South-East (Dr. Iddon) on bringing this Bill to the House. It is particularly good that he has worked closely with the Government to give us the confidence that all the details are right. He mentioned its application under the European convention on human rights. When the Government introduce a Bill, we usually see a regulatory impact assessment. I cannot imagine that this Bill would involve an awful lot of costs, but I would be grateful if the Minister could say whether a regulatory impact assessment has been taken forward.

Dr. Iddon: If the hon. Gentleman would like to go to the Library, he will find an impact assessment and all the accessories to the Bill deposited there.

James Duddridge: I thank the hon. Gentleman for that. Earlier today, I went to the Vote Office and asked for all the papers relating to the Bill, but I was not given one of those. Perhaps I should have probed further and asked to be assisted with all the documents rather than just the primary ones.

Peter Bottomley: I do not want to intrude on the debate, but it might be a sensible innovation, or adaptation, if the Vote Office had a list of the documents that had been deposited in the Library. That would help hon. Members.

James Duddridge: That is an excellent suggestion, particularly on private Members’ Bill Fridays, when we are never quite sure how far we are going to get and Members may find themselves debating Bills further down the Order Paper for which they are not fully prepared.

The issue underlying the Bill is a big one for my constituents. Southend has a large number of properties in multiple occupation and, particularly in times of recession, people often find themselves forced to rent out property. They may end up in the invidious position of having made mortgage commitments, and then, having lost their job, finding that they cannot afford the payments. They do not want to make things worse by going back to their lender and explaining that they are having to rent out the property—perhaps because the family has moved in with friends—in the full knowledge that the lender will have to charge them more under a buy-to-let arrangement. The fear of repossession is so great that they knowingly enter into a rental agreement that is forbidden under their tenancy. That is not specifically covered by this Bill, but perhaps it is something that the Government should be discussing with mortgage lenders. If someone is having problems with their mortgage, it should be possible to smooth the transition period by allowing them to rent out the accommodation over the shorter term instead of just letting it remain vacant.

I am particularly concerned about data protection issues that make it difficult to find the names of tenants at properties. Having rented out properties in the past, I know the problem of the big pile of mail. Anything that I saw addressed to “The Occupier” would have gone straight in the bin. It was usually from an estate agent wanting to sell the property. However, in a number of cases it is difficult for the mortgage lender to know who the tenants are, and that would be problematic in the cases in question.

Philip Davies: My hon. Friend raises a legitimate concern. Does he agree that there is also a legitimate data protection concern if a lender is asked to write to a tenant? In doing so, they may have to give out information about the landlord who has defaulted on the mortgage, and that, too, might breach data protection laws.

James Duddridge: My hon. Friend makes a valid point, but I hope that we can get over such problems to do the best by tenants.

In an intervention I mentioned short-term and holiday lets. Were I selected to serve on the Committee, I would want to ensure that the Bill took those lets into account. However, it is a very good Bill and I welcome it. I look forward to supporting it if it comes to a vote at some point during this Session, and I thank the hon. Member for Bolton, South-East for introducing it.

10.11 am

Bob Russell (Colchester) (LD): I congratulate the hon. Member for Bolton, South-East (Dr. Iddon) on introducing his private Member's Bill. It is a fantastic swansong, and I hope that it will become law.

The Bill relates to just one piece of the jigsaw of housing in this country, and we must consider it as such. When I intervened on the hon. Gentleman, he acknowledged that a quarter of a century ago the problem did not exist. If it did arise, cases were few and far between. However, over the past two or three years cases have been brought to me in my constituency. As we all know, when an MP is notified of something it is probably the tip of an iceberg, so I suspect that the problem is more widespread.

The reason why there was not a problem in Bolton, Colchester or anywhere else in 1986 is that at that time we were still benefiting from 40 years or thereabouts of council house building. Successive Governments had embarked on building programmes that meant that people had no need to go down the route that they are now obliged to. The figures that the hon. Gentleman gave were startling and worrying, because I suspect that the situation will get worse. It is important that all political parties acknowledge that, short of protecting the realm, the most important thing that any Government should do is ensure that people are housed. Sadly, what has happened over the past quarter of century or so has meant that there has not been a supply of affordable rented housing. Increasing numbers of people are therefore obliged to look elsewhere to meet their housing needs.

There are unscrupulous people out there. We are not talking today about legitimate organisations and landlords, who welcome the Bill in the way that legitimate employers welcomed the minimum wage, because only the unscrupulous benefit from the free market that we are discussing. I am aware of six people in my constituency who have become millionaires on the back of what we are talking about today, fuelled partly or totally by housing benefit from the public purse and by the comparatively massive rents that are charged compared with those for traditional council houses and now for housing association properties.

We are dealing today with the consequence of failures in housing policy, which are forcing increasing numbers of people into the sector that the Bill seeks to regulate. I shall give an example. One of the millionaires in my constituency now owns 50 houses, and the one whom I have come across mostly recently owns 30. One has managed to acquire 12 former council houses. There are now private tenants in them, and the rents being levied are comparatively massive.

I support the Bill because of a case that has arisen in my constituency in the past two months. I believe that the hon. Gentleman has heard me discuss it with the Minister for Housing. The first time that the tenant involved was aware that something was up was when a

letter arrived. It turned out that the landlord had 30 houses. I contacted the building society and urged it to transfer the rent so that the tenant could stay. The family living in the property had been paying the rent to the landlord, but the landlord had not been paying the mortgage. The mortgage company therefore foreclosed, even though the tenant was bang up to date with the rent. That rent had not been passed through to the building society. A similar situation happened a couple of years back.

I question whether some mortgage companies and other money lenders are paying due diligence. I suspect that if what is happening with buy-to-rent mortgages in my constituency is being replicated across the country, it is one of the reasons why we had a banking crisis. In the case that I described, my constituent, the tenant, was sending rent to a post office box number in the south of Essex—we do not do this sort of thing in north Essex. The building society had lent money to purchase the house to somebody whose address was who knows where, and all the tenant's correspondence was to the PO box number. The building society kept sending reminders to the landlord, and after a while the tenant thought, "This is not quite right", and opened one of the letters. They realised that the mortgage had been foreclosed and that they were going to be out on the streets.

There are some scams going on, and we need to ask why they are allowed to happen. The Bill is good and deserves to succeed, but it will not address other pieces in the jigsaw. It will not deal with unscrupulous letting agencies that go under and then reopen, or with the service charges of unscrupulous property management companies. Most companies operate legally and legitimately, but we are concerned about the unscrupulous ones. Nor will the Bill deal with absentee landlords, who are quite often involved in cases such as we are discussing. Sometimes they are so absent that the tenant does not even know where they are.

We will need to address that issue in Committee, because associated with absentee landlords is the fact that often in buy-to-rent properties are the tenants nobody else will touch. The social consequences of such antisocial tenants, which can be addressed by councils or housing associations if they are their tenants, cannot be addressed with the same vigour by an absentee landlord. We need to take that into account.

I welcome the Bill although, as I have said, it is just one small piece of the jigsaw. There is a housing crisis in this country, but not necessarily a housing shortage. We have a mismatch, and there are empty houses that need to be brought back into use. The Government ought to use requisition powers, or introduce new powers. In a civilised country such as ours—the fourth or fifth richest economy in the world—it is ludicrous that we have thousands of children living in poverty, yet there are empty houses. The Bill is just one small step, but it is important. I support it and I urge the Government to embrace it and all political parties to get a serious grip on this country's housing crisis.

10.19 am

Bob Spink (Castle Point) (Ind): I very much welcome the Bill and I again congratulate the hon. Member for Bolton, South-East (Dr. Iddon)—may I call him my hon. Friend?

[*Bob Spink*]

The 2,000 or more tenants each year to whom the Bill applies are generally vulnerable people. They are often exploited by others who are stronger and in a more secure position. They deserve the House's help, so I hope that the Bill will be successful. It would give tenants legal status so that the lender would have to deal with a tenant, even if that tenant were unauthorised. Sometimes tenants are not part of the scam that creates their unauthorised position. They are often vulnerable people and victims, and they deserve our protection.

I am delighted with the extremely good briefing that the Residential Landlords Association sent me. It broadly supports the Bill, but asks a couple of questions about its scope and other items. It welcomes clause 2 because it "requires notification to the tenant of intended eviction with provision for a breathing space".

It enables everyone to consider the true situation, look for the justice in it and ensure that an injustice is not done, either to the vulnerable individual—the tenant—or the public purse. Often, as the hon. Member for Colchester (Bob Russell) said, landlords will trouser the money and not pass it on when the tenant's payments are up to date. The lender is thus defrauded, not by the tenant but by the landlord who has pocketed the money. The breathing space in which to investigate what has happened and enable a remedy to be found if possible is essential.

We need to know whether clause 1 will protect the tenant not only when conventional mortgage repossession proceedings take place, but when the lender takes independent proceedings against the tenant as an individual. The tenant is effectively, in law, a trespasser against the lender, so the lender could theoretically take proceedings directly against the tenant. We need to know that the Bill will protect the tenant in those circumstances, too. The Residential Landlords Association briefing is excellent on that matter.

The Council of Mortgage Lenders gives a conditional welcome to the Bill. It is a little less than wholehearted, but the organisation agrees that

"in a very limited number of cases unauthorised tenants need more protection".

The Bill will provide that. In balancing justice and what is right, and what is right for society as well as the individual, the House can and should support the Bill. I will vote for it, and I warmly congratulate the hon. Member for Bolton, South-East and wish him well for the future.

10.23 am

Philip Davies (Shipley) (Con): I join other hon. Members in congratulating the hon. Member for Bolton, South-East (Dr. Iddon) on continuing his triumphs in the ballot for private Members' Bills, which he mentioned at the beginning of his speech, and on introducing the Bill. He gave some indication of the volume of requests sent to the person who is fortunate enough—or unfortunate enough—to come top of the ballot for private Members' Bills. I have never been in that position, and, given the experience of other hon. Members who have been here a long time, I am unlikely to get the opportunity to understand how difficult it can be.

I appreciate that it must have been difficult for the hon. Gentleman to choose a Bill to introduce because I am sure that many good causes tried to benefit from his position in the ballot. I congratulate him on the Bill that he chose because he has rightly identified a problem in the market, which needs resolving. I would like to think that the Bill will get a Second Reading today with unanimous support. Some things may need ironing out in Committee, but Second Reading is about the principle of the Bill, and I wholeheartedly support that principle.

I do not see any great point in going through all the reasons for the Bill because other hon. Members have set them out, not least the hon. Member for Bolton, South-East, who made an excellent speech. He explained the reasons for the measure and its scope with the current wording.

I want to flag up at this early stage some ways in which the Bill could be improved. The hon. Gentleman made it clear in reply to an intervention from me that he was seeking broad support for the Bill from all parts of the industry, and he has made a good fist of that at the first attempt. He said that he looked to organisations such as the Council of Mortgage Lenders for support, and he has broadly got it. However, some changes could do two things: reassure the Council of Mortgage Lenders about some of its concerns, while not making a material difference to the purpose of the Bill. I do not want to amend the Bill in a way that would neuter it or the purpose behind it. The principle is very good, but perhaps some amendments could be made that would retain the purpose but address some small concerns. I will go through those concerns shortly.

At the outset, it is worth considering unauthorised tenancies and why they arise. The hon. Gentleman mentioned that. In the case of people renting out properties without getting the mortgage lender's permission, some might argue that we should abolish unauthorised tenancies so that tenants, whether authorised in the traditional sense or not, have general protection. However, it is worth pointing out, as the Council of Mortgage Lenders has done, that there is a good policy reason behind unauthorised tenancies. Without them, we could end up in a position whereby

"unscrupulous borrowers could blight the lender's security by granting long term leases to tenants"

while defaulting on their mortgage, thereby leaving the mortgage lender in an impossible position.

The hon. Gentleman's strategy is right. It recognises the fact that we cannot give blanket coverage to tenants, whatever their circumstances. The provision to grant a two-month stay of execution is a sensible compromise, which protects the lender and the tenant.

The Council of Mortgage Lenders makes some other detailed points, which I want to raise. I hope that the hon. Gentleman will say whether he is minded to support those points through amendments in Committee or on Report and perhaps explain, if he is not, why not, because some of the points that the Council of Mortgage Lenders raises are worth further scrutiny.

The first point relates to trying to get a two-month delay. At what point should people apply for that two-month delay? As the hon. Gentleman said, the Bill does not set out whether that should happen at the possession hearing stage in court or at the warrant stage. As I understand it, the Bill would allow application for the two-month

delay at any stage. The reason that he gave was that letters sent before the possession hearing might not be received or opened, so people would not be aware of the process that was under way. It is therefore important that there is flexibility in the system, to make it clear that if someone only finds out at the warrant stage, they still have an opportunity to do something about it. I accept that point.

Dr. Iddon: Traditionally, buy-to-let tenants have two months before the notice kicks in. We discussed whether to apply that to the Bill, but the hon. Gentleman will have heard me say that the notice period is up to two months, so that if the tenant voluntarily gives up possession of the property, the sale can proceed. There is therefore a counter-balance, but the evidence from the charities working in this area is that most tenants are genuinely unaware that this is happening to them. I do not see any way around that. We have discussed this quite a bit with the Council of Mortgage Lenders, and we are prepared to meet it again. However, we believe that the Bill in its present form is the best we can achieve to protect the interests both of tenants and lenders.

Philip Davies: I accept everything that the hon. Gentleman says, and I do not think that there is any difference between us on what we are trying to achieve. The issue is more about minor detail, and how we reach the goal that we all wish to reach. However, regarding the point at which people can apply for a two-month suspension, the hon. Gentleman made it clear that clause 1(5) would prevent someone who had plenty of opportunity to know about the possession hearing from not doing anything at that stage and applying for the two-month delay at the warrant stage. I am not sure whether the provision does the job adequately, as the unauthorised tenant could ignore the notice about the possession hearing and the initial hearing, and could wait until the lender is at the warrant stage before going to court. I am not sure that the safeguard that he thinks the Bill contains is strong enough to stop that happening.

I appreciate that people may not be aware of the issue, and I shall come on to the way in which we can be more certain that they are aware of the possession hearing. It would be better if the Bill made that clearer and people were aware of that stage. For example, a letter might be sent to someone by registered post, so that they had to sign for it. It would be clearly documented that they had received it and there would be no doubt about that. That would be helpful, particularly as the hon. Gentleman made it clear that the matter of people deliberately ignoring action at the first stage had to be tackled. The position should be made clearer in the Bill so that people could not just ignore the notice and wait until the final stage before doing something about it.

It is not fair for people to wait until the final stage to do something about it, as it means that the landlord who has defaulted on their mortgage will rack up more interest costs while the second hearing takes place and that the lender cannot get on with their business. It will also clog up the court system, because instead of one hearing, two will take place. Anything that can be done to try to speed up the process and prevent extra court hearings is a good thing. I am not suggesting that the hon. Gentleman should remove the flexibility in the Bill. All that I urge him to do, either in Committee or on

Report, is consider amendments that make it clearer that if people are aware of the first hearing, they have to act at that stage, and cannot wait until the second stage. We should, however, retain the safeguard that if they are genuinely not aware of the first hearing, they can act later.

Secondly, while I accept what the hon. Gentleman is proposing, I am not entirely sure that the Bill does the job. He said that people can apply for only one two-month delay, and I agree wholeheartedly. However, I am concerned that the Bill does not make that clear.

James Duddridge: I, too, was concerned about that. The hon. Member for Bolton, South-East (Dr. Iddon) discussed the reliance on the words, “a period”. By substituting the words, “a single period”, we would solve the problem, and that might be something that could be considered in Committee to clarify the position.

Philip Davies: My hon. Friend is right, and I agree wholeheartedly. He said that we should use the word, “single”, but I suggest that we replace “a” with “one”.

Bob Russell: What about “a single one”?

Philip Davies: Perhaps we could combine the great talent on these Benches with that phrase. However, replacing

“a period not exceeding two months”

with “one period not exceeding two months” would put the position beyond doubt. As the provision is currently worded, there is still some doubt, because as long as the period lasts no more than two months, application can be made for more than one delay. The insertion of the word “one” would be extremely helpful, and I genuinely hope that the hon. Member for Bolton, South-East will consider that proposal as the Bill progresses.

Finally, I understand that the Council of Mortgage Lenders has raised the issue of the notice given to the tenant of the hearings. The Bill asks the lender to write to them to explain the process and the fact that there is going to be a possession hearing. My hon. Friend the Member for Rochford and Southend, East (James Duddridge) made it clear that there could be data protection issues, and I think that that may well be the case. I would not want the Bill inadvertently to stumble, because it clashed with data protection requirements. The Council of Mortgage Lenders makes a good point in suggesting that it would be helpful if the notice to the tenant of the possession hearing came from the court, rather than from the lender. That would be beneficial for two reasons: first, it might avoid the data protection issues that could make the mortgage lender nervous. Even if it were proved that it was not in breach of data protection laws, there might be a slightly chilling effect, as it might avoid doing something because it did not want to risk becoming involved in data protection issues. If the court service sent out the letter, that would certainly help with that problem.

Secondly, such a letter would help to ensure that people are aware of the proceedings that are under way. A letter sent to the tenant by the court would be much more likely to be opened and carefully scrutinised by the recipient than a letter from, perhaps, a mortgage lender with whom the recipient has hitherto had no relationship. Again, I hope the hon. Member for Bolton,

[Philip Davies]

South-East accepts that that provision would in no way affect the terms of his Bill or the purpose behind it. It would not prevent people from solving the problem that they find themselves in, but it would improve the process in the Bill and make it more robust. It would ensure that people who find themselves in a terrible situation through no fault of their own, when they have done absolutely nothing wrong, as when unauthorised tenants are faced with eviction simply because of the relationship between the landlord and the mortgage lender, have the safety net that the hon. Gentleman is trying to provide.

I do not wish to go on, because as my hon. Friend the Member for Rochford and Southend, East said, we have other important business to get through. However, I hope the hon. Member for Bolton, South-East reflects on those points of detail—I consider them points of detail as opposed to points of principle—in our further consideration of the Bill. If we could introduce those minor amendments, we could have a Bill that everybody across the whole industry agrees with, and we could shorten proceedings at future stages of the Bill. Rather than spending time arguing over amendments that I would hope to table on Report, we could move much more quickly and see the Bill become law. I would like it to do so, because it would give important safeguards to people who find themselves in a difficult situation through no fault of their own.

The Bill would be an appropriate legacy for the hon. Member for Bolton, South-East, who has served his constituents and the House with great distinction.

10.42 pm

The Parliamentary Under-Secretary of State for Communities and Local Government (Mr. Shahid Malik): I want to put on the record that the Government wholeheartedly support the Mortgage Repossessions (Protection of Tenants Etc.) Bill, which has been introduced by my hon. Friend the Member for Bolton, South-East (Dr. Iddon). It would be hard not to support legislation that will help to remove distress and disruption to households who rent in the private sector. The Bill will make the legal process substantially clearer for those tenants affected. It is positive and constructive and enhances protection for those people who rent privately and whose landlords have not requested or received lender consent to let.

As has been evident in the debate, the issue of short-notice eviction of tenants when their landlord falls into arrears and repossession action starts is by no means straightforward. It is legally complex. The gap in legal protection for tenants faced with that situation is not so much an oversight, but an historical result of myriad housing and mortgage laws pertaining to tenants.

My hon. Friend eloquently explained the problem and proposed a solution, and I do not intend to repeat what he said. However, I will say that it appears a no-brainer that the House should act to ensure that unauthorised private rented sector tenants are offered some form of legal protection. It cannot be right that a tenant enters into a tenancy agreement in good faith, only to discover that the lack of lender consent to let means that in fact they are unauthorised tenants with no rights or protections against the lender.

James Duddridge: The Minister mentions tenants entering into an agreement in good faith, but how about tenants entering into an agreement in bad faith? For example, would it be possible, under the Bill, for an individual who is living in a property and having their property repossessed to take on a tenant in bad faith—perhaps a friend—further to delay the repossession order? I cannot quite see how we would avoid that situation of people taking on tenants in bad faith. If that is not covered, could it be dealt with in Committee?

Mr. Malik: I was going to make precisely the point that the Bill perhaps does not deal with a number of issues that could be addressed in Committee. One thing is clear: the core rationale behind the Bill is shared by all of us. My hon. Friend himself said that there was a clear, conscious decision to make the Bill as discrete as possible to ensure its progress. That does not mean, however, that other related matters pertaining to it cannot be dealt with in Committee.

This time last year, the issue of unauthorised tenants affected by lender repossession action against their landlord was beginning to be drawn to public and media attention, for which I would like chiefly to thank the advice sector and organisations such as Shelter, Citizens Advice, Crisis and the Chartered Institute of Housing. I thank those organisations for the time that they spent working on ideas to address the issue, including in the joint report, “A private matter?” which was published in March 2009.

Bob Russell: Will the Minister hazard a guess as to why this relatively recent problem has arisen?

Mr. Malik: I am not in the habit of guessing—I will leave that to others, who can do so in Committee.

In fact, the Select Committee on Communities and Local Government was ahead of the organisations I mentioned. A report published on 24 February 2009 identified the issue and called on the Government to produce guidance to stipulate how lenders should act when tenants are discovered in a property that they are repossessing. In addition, the Department for Communities and Local Government ministerial postbag started to receive details of individual cases in which tenants were suffering from eviction at very short notice as a result of landlord repossession. Common themes included the lack of information available to the tenant, the complaint that no one would listen to tenants, and tenants’ great distress at needing to find an alternative home so abruptly. The hon. Member for Colchester (Bob Russell) alluded to the fact that some tenants find out that a property is being repossessed without being told themselves, which I do not advocate. Clearly, that situation did not seem right and needed investigating. As a result, my right hon. Friend the Member for Derby, South (Margaret Beckett) announced on 13 May 2009 the Government’s commitment to legislate at the earliest opportunity to provide better protection for tenants in repossession cases.

As my hon. Friend already mentioned, the Department issued a consultation over the summer, “Lender repossession of residential property: protection of tenants”, to which there were more than 30 responses. The responses recognised that short-notice eviction was a very real issue. There was equal recognition that action needed to be taken.

I am pleased that a large number of local authorities responded to the consultation. They were extremely supportive of the need to ensure that tenants in that situation were given adequate notice to find alternative accommodation, and cited recent examples of properties being repossessed when tenants were living there. The problem is real and it has real consequences for people's lives.

It would be remiss of me not to mention the lender sector, which also responded to the consultation document, either directly or via representative bodies such as the Council of Mortgage Lenders, which the hon. Member for Shipley (Philip Davies) mentioned, the Building Societies Association, or the Financing and Leasing Association.

Bob Russell: In those representations, was there any recognition, by any of the money lenders, that they, in part, were responsible for some of the cases because they failed to have due diligence regarding those to whom they were lending money?

Mr. Malik: The honest answer is that I am not aware of that, and I am happy to write to the hon. Gentleman on that point. However, we know that over the past 18 months due diligence has not really been at the forefront of the minds of bankers and financial institutions.

Bob Spink: The Minister mentioned councils and their attitudes when people become homeless. Would he expect a decent council to act with compassion rather than dig its heels in and enforce its statutory powers, especially when the vulnerable person who is facing homelessness—I have in mind a case in Castle Point at the moment—is disabled and has not acted as well as they might have done in responding to the council because of a mental illness or some other problem? In such a case, would the Minister expect a council to be compassionate and do everything that it can to ensure that someone in that vulnerable position is not made homeless?

Mr. Malik: The hon. Gentleman makes a good point. In these difficult times, the Government would expect compassion to be at the forefront of the minds of those in positions of public authority. The Government have made great efforts to ensure that compassion is instituted in several organisations. That is why—the hon. Member for Rochford and Southend, East (James Duddridge) spoke about some of the challenges that exist—the Government introduced the Real Help Now campaign, which is accessible via direct.gov.uk and provides £130 million extra funding for free face-to-face debt advice.

Lenders have also agreed not to repossess for three months while forbearance is discussed. Anyone with problems needs to engage with their lender as soon as possible. They will probably find that lenders are not as eager to repossess as has been assumed. Since April 2008, some 330,000 homeowners have benefited from this Government-initiated help and advice.

James Duddridge: The consultation is a worthy exercise and I wish to tease out the level of Government involvement. Why, given that the consultation exercise

closed on 14 October, have the Government not yet issued a response? Surely that would have been helpful before today's debate?

Mr. Malik: I am not fully aware of the reasons for that. I hope that I will address some of the issues about which the hon. Gentleman is concerned in my speech, and I will write to him in due course on the consultation.

No lender deliberately intends to evict a tenant from a property against which they are taking repossession action. Many lenders, rightly, are sympathetic when a tenant becomes known to them and engages with them, and they can take account of the tenant's circumstances and allow them a period to find somewhere else to live. That reinforces the point made by the hon. Member for Castle Point (Bob Spink) that compassion is crucial in this matter.

Bob Russell: In one of the cases that I mentioned, compassion was non-existent.

Mr. Malik: Obviously, I am not familiar with the individual case, but we have made our view clear. In difficult times, a decent society would wish to be compassionate to people in difficult circumstances. I am therefore pleased that the Government's interventions and programmes have meant, for example—that the number of repossessions is half the rate it was during the last recession. I note the interesting statistic that in 1992 quarter 1 homelessness due to mortgage arrears was running at 12 per cent., but in Q3 of 2009 it was 3 per cent. Intervention helps, and compassion is at the core of that.

Unfortunately, the lender is often unable to help because they are reliant on the tenant making themselves known to them. For obvious reasons, that is not always possible and it can often happen too late in the process. In addition, unless the Bill is enacted, there is currently no official mechanism for tenants to engage with the court repossession process and no opportunity for the judge to take them into account when making a decision on repossession.

The process of lender engagement in this issue tends to be ad hoc and certainly tenant experiences are not universal. Worried and vulnerable tenants need some clarity in the steps that they should take to prevent themselves from being made homeless at short notice. My hon. Friend's Bill would achieve that.

I recognise some of the concerns raised by the lender sector about the Bill in response to the consultation document. While the need for tenants to have some opportunity to engage with the repossession process is key, it is recognised that some lenders feel the Bill to be complex and want to ensure that it is proportionate to the scale of the problem. That is a reassurance that my hon. Friend has been keen to give, and I can assure those stakeholders and the House that the Bill is indeed a proportionate response to the problem, given that it is clear that the various stages can be invoked only by an unauthorised tenant under threat of short-notice eviction as a result of landlord arrears and repossession. I would also argue that a Bill with only two substantive clauses is relatively simple. I understand that the secondary regulations also give further reassurances on processes that the tenant and lender will need to go through.

James Duddridge: I asked about the regulatory impact assessment, although I decided to stay in my place rather than run to the Library to get a copy. Did the Department write or influence the RIA? If so, that would reassure me.

Mr. Malik: I can assure the hon. Gentleman that the Department did all that he would expect to ensure that full support was given to the Bill and to my hon. Friend.

What strikes me most about short-notice eviction is the injustice of it. The majority of private rented sector tenants are good tenants who pay their rent on time. The fact that they may have lived in the property for some time, blissfully unaware that their landlord has any financial concerns until the bailiffs turn up on their doorstep, is shocking. One can only imagine the distress that that causes, not to mention the disruption to normal life and likely financial hardship incurred as a result, through no fault of the tenant at all.

It is unfortunate that owner-occupier landlords, either through inexperience or poor business decisions, get themselves into a mess and are unable to pay their mortgage. Worse still is the worrying number of landlords who do not actually use the rental income received from tenants to service the mortgage debt. It is hard to believe that that is the case, but unfortunately it is too often true.

In endorsing the Bill, the Government are showing our commitment to supporting the professionalism of the private rented sector. I note that the National Landlords Association and the Residential Landlords Association have supported the Bill's objectives. That speaks volumes. Landlord organisations recognise that short-notice eviction of good, rent-paying tenants flies in the face of all the good work that they have been doing to ensure that the private rented sector is a professional and competent one, so that to live in such a home is seen as an active choice rather than a second-rate alternative to social housing or home ownership. The National Landlords Association and the Residential Landlords Association do not want unprofessional landlords operating in the private rented sector any more than tenants do.

The Government stand by my right hon. Friend's commitment to legislate at the earliest opportunity. This Session's timetable has put pressure on the legislative programme. The Bill introduced by my hon. Friend neatly helps the Government to fulfil the commitment made, especially as I can assure the House that it addresses many of the concerns raised by respondents to the Department's consultation.

Proceedings interrupted (Standing Order No. 11(4)).

Personal Statement

11 am

Harry Cohen (Leyton and Wanstead) (Lab): I am here to apologise to the House. I do so without proviso. In my statement to the members of the Standards and Privileges Committee, I said that I would concur with whatever decision was made by them, and I stand by my word. There was no intention of wrongdoing on my part, and I am sorry for my assumption that I was eligible to claim as I did, which was wrong.

I have two further apologies, the first of which is to my constituents. The good people of Leyton and Wanstead do not deserve to have their faith in their parliamentary representative so severely shaken. They deserve the best, untarnished representation. Also, the best of my efforts over the past 27 years has been in taking up their cases, including cases of injustice to them. In the past intensive nine months of the inquiry into me, I have had to give a lot of time to my own case, when I would have much preferred to be dealing with theirs. I am sorry for any shortfall as a result.

Secondly, I publicly apologise to my wife Ellen, who is taking a lot of the flak. This situation is not her fault and she has suffered as a consequence. I am deeply sorry about that.

Finally, I have the greatest respect for Parliament and would not intentionally have wanted to do anything to tarnish its reputation. I am sorry if I have done so.

Mortgage Repossessions (Protection of Tenants Etc.) Bill

Proceedings resumed.

11.1 am

Mr. Malik: I particularly support my hon. Friend the Member for Bolton, South-East in his endeavours to bring his private Member's Bill to fruition because it sits neatly alongside the suite of actions that the Government have taken. One of those actions is worth mentioning. The hon. Member for Colchester talked about housing shortages. I am sure that he will welcome the fact that the Government have initiated a council house building programme once again. That is something that others will welcome too.

The Government took action, and took action early, as soon as it became clear what the impact of the financial crisis would mean for hard-working households in the UK. We have been proactive. We have introduced real help for people facing the threat of repossession, and we have introduced that help at every stage of the process. As I have said, that stands in stark contrast to the previous recession in the 1990s, when the Government took action after repossessions had peaked and the worst had passed. This Government have been proactive. We have put home owners at the heart of our response to the economic situation.

Let me once more highlight the actions that we have taken. We have invested £130 million in providing free face-to-face debt advice services between 2006 and 2011. As a result, over the past year more than 110,000 families have benefited from information and advice on their mortgage difficulties. We have reached agreement with the major mortgage lenders not to repossess a property for at least three months after an owner goes into arrears. At least 133,000 families are now benefiting from that tolerance from their lenders.

We now have a pre-action protocol in place, which means that lenders have to exhaust every possible option to keep a family in their home before applying for a repossession order. Even once someone is in front of the court, there is still Government help for them. We have doubled the funding for free on-the-day advice and representation for those in court. That can help households who access the support available to avoid the threat of immediate repossession in four out of five cases. For those households that have exhausted all avenues of help available, we have introduced the mortgage rescue scheme. However, Government action in the earlier stages of repossession means that few people currently reach that stage.

Many of my constituents have relatives who live in my hon. Friend's constituency, and I have to say that they are constantly praising him. Today I want to join them in praising him. *[Interruption.]* He is so immersed in the debate that he is ignoring the praise that is being heaped on him—but they say that the best praise is praise given behind somebody's back. I pay tribute to my hon. Friend, who after 13 years is standing down at the next general election, whenever that might be. His contribution to this House and to his constituents has been enormous. The Bill will form a fitting part of his honourable and distinguished legacy in this place. On behalf of all hon. Members and, I am sure, the citizens of

Bolton, South-East, I would simply like to say that it has been a privilege and an honour to work with him.

The package of support that this Government have put in place to support households under threat of repossession in the current economic climate is comprehensive. My hon. Friend's Bill to protect unauthorised tenants of repossessed landlords complements that package. I commend it to the House.

11.6 am

Mr. Stewart Jackson (Peterborough) (Con): I begin by echoing the comments of other hon. Members and warmly thanking the hon. Member for Bolton, South-East (Dr. Iddon). He has made contributions to a number of things, not only as a dedicated and assiduous constituency Member since 1997, but as someone who has helped to improve our understanding of science in Parliament and, from my personal point of view, done excellent work as secretary of the all-party group on Pakistan, which I have the honour to chair. I also pay tribute to the coalition of organisations that have pushed for the Bill, which includes Shelter, Crisis, the Chartered Institute of Housing, Citizens Advice, the Residential Landlords Association and the Council of Mortgage Lenders.

The Bill is commendably short, with only four clauses, and it is an important step towards readdressing the balance in favour of tenants, while protecting the position of mortgage lenders. Under the assured shorthold tenancy regime, all tenants should receive at least two months' notice where their landlord requires possession, so long as the tenant is not in default. However, as we have already heard, it is currently the case that unauthorised tenants have limited rights when their landlord faces repossession. As we know, sometimes the tenants might not find out that the lender is repossessing the property until the last minute. There have been cases, for example, where the first indication is notification from the bailiff or, in some extreme cases, the bailiff turning up on the doorstep to take over the property.

In that situation, individuals and families are left with little or no time to find alternative accommodation and avoid homelessness, which cannot be fair. I believe that we have a moral obligation to put unauthorised tenants of a defaulting borrower on the same footing as others in the private rented sector. All tenants, subject to certain safeguards, including payment, should be able to require the lender to delay possession for a period of up to two months, so that they have a realistic opportunity to make alternative arrangements and find somewhere else to live.

I welcome the fact that the Bill has received Government backing, and I assure the House that my party is keen to see it progress and become law. We will do everything that we can to facilitate that. The Bill has received cross-party support and has been welcomed by all the major housing industry organisations. That is testament to the importance of filling the gap that exists in the legal protection for private tenants whose landlords are repossessed. For that reason, I want to put on record my disappointment at the Government's failure to act sooner.

As early as May last year, in a Department for Communities and Local Government press release issued on 13 May, in response to the Rugg and Rhodes review

[*Mr. Stewart Jackson*]

and following a great deal of Conservative pressure, the Government announced their intention to legislate “at the earliest opportunity” to give unauthorised tenants more time to find alternative accommodation and avoid homelessness. However, the Government failed to take the opportunity to table amendments to the Local Democracy, Economic Development and Construction Bill, and nothing about this was to be found in the Queen’s Speech.

As we have heard from my hon. Friend the Member for Rochford and Southend, East (*James Duddridge*), the pledge to respond to the public consultation that concluded on 14 October has yet to come to fruition. I hope that the Minister will place in the Library a copy of the letter that he is going to write to my hon. Friend to explain why that is the case. Even the DCLG’s “Preventing Repossession” factsheet, published on 12 November last year, repeated the pledge that early action would be taken. Clearly, however, that has not happened.

I shall remind the Minister of what my party called for as long ago as February 2009. We asked the Government to address tenants’ concerns in the following ways: by immediately implementing an increased notice period of five to seven weeks for any court repossession hearing; by investigating how lenders could address their communications directly to tenants, rather than sending the usual bland “To the occupier” letter; by encouraging courts and lenders to allow tenants to be heard at repossession hearings; and by asking lenders to consider extending the notice period between a repossession order being made and eviction.

Bob Russell: Is the hon. Gentleman suggesting that this private Member’s Bill is insufficient and should be expanded?

Mr. Jackson: No, as is evident from my previous remarks. As the hon. Gentleman knows, we strongly support the hon. Member for Bolton, South-East. It is important, however, to put on record the fact that the Government have not acted with appropriate alacrity, as the Minister has said, and that my party was addressing these key issues as long ago as early 2009.

Mr. Malik: Will the hon. Gentleman take this opportunity to congratulate the Government on their swift action to help distressed home owners? The repossession rate is now 50 per cent. of the rate in the early 1990s. Is not that a great example of how this Government have been proactive and intervened, rather than being sluggish, as he has suggested?

Mr. Jackson: We could debate Government housing policy, but I suspect that that would be ultra vires to the debate. We have a degree of consensus, and I do not want to ruin it by wandering off into a party political debate, although I have to say that the Government’s record is not particularly strong.

Bob Spink: I do not want to divert too far from the subject of the debate, but the issue of the number of houses available for people to rent—particularly social housing—is linked to it. Does the hon. Gentleman agree that the Government’s record on house building has not been good enough—

Madam Deputy Speaker (Sylvia Heal): Order. I am afraid that the hon. Gentleman is straying wide of the topic of the debate, even though it is a Second Reading debate.

Mr. Jackson: Thank you, Madam Deputy Speaker.

I believe that we can achieve consensus around the idea that both parties have perhaps not done enough work on the arcane legal and financial rules about, for example, residential investment trusts, which have been very successful on the continent and in North America. Perhaps all the parties need to address to the Treasury the idea that we need to increase provision in the private rented sector. If my party is fortunate to be elected to government, it might look at that issue.

Unfortunately, despite a consultation in the late summer months, substantive Government action to help unauthorised tenants was not forthcoming, in spite of our being in the midst of a deep recession, with an increased number of landlords defaulting on their mortgage payments. So we must now work hard to get this private Member’s Bill on to the statute book as quickly as possible. My hon. Friend the Member for Welwyn Hatfield (*Grant Shapps*) made a commitment to the hon. Member for Bolton, South-East on that some months ago.

The hon. Member for Bolton, South-East is right to draw to our attention the significant scale of the problem. A major issue here is that no data are available on how many unauthorised tenancies exist in England and Wales. Based on the Government’s own figures, it is estimated that 324,000 so-called RTL—residential turned let—households are currently renting from landlords without the lender’s permission. The tenants therefore have no rights and would be at risk of short-notice eviction if their landlord were repossessed. It is important to realise that there might be more unauthorised mortgages than anyone imagines, simply because borrowers with buy-to-let mortgages might not have gone through all the required formalities. We know that from anecdotal evidence.

We owe it to all such tenants to give them some security. The importance of this issue is laid bare when we consider that there could have been up to 3,000 cases of short-notice eviction in 2009 alone. The Government need to do more work on this, and to undertake quantitative and qualitative research to ascertain the scale of the problem. It might be appropriate for them to liaise with Citizens Advice on this issue. Even those lower estimates still represent a huge number of households, many with young children, being thrown out of their homes through no fault of their own.

Bob Russell: When those young families are thrown out, the local authority is required to provide emergency housing at a cost to the public purse, and the tenants will often have paid their rent using housing benefit money. Does the hon. Gentleman agree that there should be a charge on the owner of the property to refund that housing benefit money to the public purse, and to pay for the emergency housing costs? Why should the public purse pay for these crooks?

Mr. Jackson: The hon. Gentleman invites me to meander along a path that would take in a review of the housing revenue account and housing benefit. I shall

resist the temptation to tarry with him, even though he is an expert on social housing, but I am sure that the Minister heard his suggestion.

The problem is aggravated by Financial Services Authority rules, which force lenders who are repossessing a property to market it as soon as possible and to obtain the best price that might reasonably be paid at the time.

On a related note, I should mention that the Bill is a welcome step for landlords as well as tenants. It is vital that we support the private rented sector in increasing general housing supply. This is particularly true where that would bolster social housing, which is under severe pressure from a social housing waiting list that has nearly doubled to more than 1.8 million families under this Government. That is a direct result of their failure to build enough social homes. The Bill will tackle a problem that the Residential Landlords Association believes brings

“the private rented sector into disrepute”.

More and more, the private rented sector is providing homes for the less well-off and those who cannot afford to buy, so it hardly helps the sector if tenants cannot feel secure in their homes.

The proposed approach should also be a welcome move for lenders. As the Royal Institution of Chartered Surveyors has pointed out, the two-month period will not add an excessive delay to the system and the lender will still be able to sell the property after that period. Banks are looking for certainty, and want to know that they will be able either to sell a property or to build up a portfolio of property for rent. The certainty of a two-month period will also allow a value to be placed on delays.

There are a number of issues with the drafting of the Bill that it is apposite to examine, and no doubt that will happen during the course of its passage. Parts of it need to be debated and scrutinised more closely. For example, we need to examine whether the Bill applies not only to conventional mortgage possession proceedings but to independent proceedings brought by a lender against a tenant. The hon. Member for Castle Point (Bob Spink)—my erstwhile hon. Friend—mentioned that point earlier. We should also ascertain whether it is appropriate that the notice to the tenant occupier should be sent by the lender and by not the court service. That point was raised earlier by my hon. Friend the Member for Shipley (Philip Davies).

We also need to ascertain how we can get past the data protection legislation issue, which the Council of Mortgage Lenders reports is a practical difficulty facing lenders. Also, would the Bill place an onus on unauthorised tenants who receive notice of possession to apply to court at the possession hearing stage and not to delay, knowing that clause 1(4) can be relied on?

All those issues are by no means insurmountable, and I am confident that the Bill can be refined and improved in Committee. We trust that the Government will give due regard to the potential amendments to clause 1(4) suggested by the Council of Mortgage Lenders and the potential amendments to clause 1(7) suggested by the Residential Landlords Association. I got the impression that the hon. Member for Bolton, South-East is amenable to a fuller debate on those specific issues.

Given that repossessions are predicted to rise to 53,000 in 2010, this private Member’s Bill is an essential piece of legislation that has been necessary for some

time. It has only just emerged that we have crawled out of recession, but that does not mean that the threat of repossession will go away for many in the private rented sector. Although the majority of tenants, particularly those in buy-to-let properties, should expect to be protected from sudden eviction by lender good practice, it is important that a legal minimum exists for those tenants who are not. As the housing market starts to improve, any recovery is likely to be followed by interest rate increases, which may make some mortgages more expensive. There is a possibility that that will lead to investors being unable to afford property and to more tenants having to leave their homes. Thus, as hon. Members have made clear, there may be perverse consequences to improvement in the housing market.

In conclusion, we strongly welcome this Bill—it is the right way to proceed—and it has genuine cross-party support and support in the housing community. I commend the hon. Gentleman and, if I may say so, this will be a fitting tribute to his dedication, hard work and knowledge in this area. In case we do not have the opportunity to cross swords before the general election, I shall now wish him well in his future life.

11.21 am

Sarah Teather (Brent, East) (LD): May I begin, as everyone else has done, by congratulating the hon. Member for Bolton, South-East (Dr. Iddon) on coming first in the ballot, which is an extraordinary achievement that everybody else envies, and on using that privileged position to introduce a Bill that is supported by the whole House? The impression that I have from today’s debate is that any difficulties that people might have with it will be on technical issues that ought to be dealt with in Committee.

The Bill is long overdue, and the Minister said that it was a “no-brainer” that we needed this legislation. I agree with him, but I wish the Government had come to that view and put this legislation into effect themselves some time ago. He referred to the many previous Housing Ministers who had promised, at different stages, to legislate at the earliest available opportunity. The hon. Member for Peterborough (Mr. Jackson), who spoke from the Conservative Front Bench, discussed the construction Bill, but I was hoping that at least we would see this legislation as an amendment to the Financial Services Bill. The Government seemed to be indicating to housing charities that that was what was going to happen, but at the last minute these provisions disappeared from that Bill and no such provisions were introduced. Thank goodness, therefore, that the hon. Member for Bolton, South-East stepped into the breach. However, grateful I am, as indeed the whole House is, that he did so, I am not sure that it is appropriate to use a private Member’s Bill to get through legislation to which the Government say they are committed. Unfortunately, it was remiss of the Government that they did not legislate earlier.

I was pleased to hear the Minister say throughout his contribution that he is very supportive of the Bill, and the Department has supported the hon. Member for Bolton, South-East in drafting it. What I want to hear from the Government is not only that they are supportive, but that they will guarantee that parliamentary time is made available to ensure that the Bill gets on to the statute book, because it is long overdue and desperately needed.

[Sarah Teather]

As other hon. Members have said, charities such as Shelter and Crisis have been campaigning for this for a long time. Citizens advice bureaux have been warning for a number of years about the cases they have seen in which the first that tenants know about the likelihood of their losing their home is when they find that the locks have been changed. I do not wish to cover everything that other hon. Members have said, given that we are all broadly supportive of the Bill. However, it is worth picking up on a couple of the points with which I particularly agreed.

The hon. Member for Bolton, South-East explained the difficulties for landlords and why they may sometimes not tell their mortgage provider things. It is worth our understanding why that might happen in order to understand how as many as 300,000 tenants may be in unauthorised tenancy agreements.

Bob Russell: Does my hon. Friend think we could examine that particular point in Committee, because when a local authority provides housing benefit to somebody in a private tenanted property it needs to be assured that the tenancy is legitimate under the laws of the land?

Sarah Teather: My hon. Friend talked earlier about seeking such money back from the landlord. Unfortunately, if we were to take that approach all that would happen is that we would speed up the process of repossession. If a landlord is already having his house or flat repossessed because he is unable to pay the rent, attempting to claw back the money that has been paid in housing benefit would not really work. I understand the point that my hon. Friend is making about ensuring that the tenancy is legitimate and the authorisation appropriate, but I am not sure that this Bill is the best place to do that. I hope that the Bill will go through Committee as quickly as possible and get on to the statute book.

I encourage anybody who sits on the Committee to concentrate on the Bill, because I do not want any excuses from the Government about delay, as the Bill might thus not become law. If lots of extraneous amendments are tabled to important provisions, that could be used as an excuse when the Council of Mortgage Lenders later decides that it is getting cold feet about the Bill and the Government then say that they do not have parliamentary time available. That is my greatest fear. I suspect that such a situation might be the reason why these provisions did not end up in legislation earlier this year or in the Queen's Speech; I suspect that the Council of Mortgage Lenders decided to throw its weight around and the Government said, "Do you know what, we will hold off doing this." Let us not provide the Government with any excuse for not supporting the Bill.

It is iniquitous that a tenant who has fulfilled all their obligations should find themselves in a position where they may lose their home. It is difficult for someone who is renting to ask to see details of their landlord's arrangements with their mortgage provider; that is not something one would ever expect a tenant to do, so such tenants take their tenancy in good faith. The hon. Member for Shipley (Philip Davies), who is no longer in his place, talked about tenancies that are not given in

good faith. I have to say to him that a two-month delay is not significant in the grand scheme of a process of repossession, and I am not sure that it is a reason for not supporting the Bill's progress.

James Duddridge: I hate to correct the hon. Lady, but I was the one who made that point and, before doing so, I made it very clear that I fully support the Bill.

Sarah Teather: I thank the hon. Gentleman for his clarification and I am sorry for not recognising that it was he who made that point. It has been a long morning and we are only on the first Bill.

The other point that was made well by a number of hon. Members was that the "notice to occupier" is extremely unlikely ever to get read. Anyone who has lived in an area of high mobility, even if they are an owner-occupier, will be aware of the sheer weight and volume of paper that falls through the letterbox—that applies not only to Liberal Democrat target areas. Plenty of leaflets and notices to occupier that come through letterboxes simply get ignored or, at best, go into the recycling bin. What the Bill does well is to find a practical and simple solution to ensure that tenants should just get the appropriate notice period set out in their tenancy agreement.

In his interventions on the Minister, my hon. Friend the Member for Colchester (Bob Russell) asked whether the reason why we found ourselves in this position was the lack of affordable housing. I think I agree with him, up to a point. Many people live in poor quality, private rented sector accommodation because of a lack of affordable housing. However, part of the reason we find ourselves in this position is that the private rented sector has not been put on an equal footing with other forms of housing. It would be a better and healthier thing for the market if the private rented sector was treated not as a stop-gap between affordable housing for rent and home ownership, but as an option that should be supported to ensure that we have the highest quality and choice available for all.

One point that the Residential Landlords Association made well in its briefing on the Bill is that if tenants find themselves in a position where they might lose their home without being given any kind of notice period, it undermines both the landlords' ability to provide housing and the reputation of the private rented sector. I meet people in my constituency who are on the housing waiting list and could afford to rent privately, but they are afraid of the private rented sector because of the lack of stability. There are also other issues about quality, but this is not the place to deal with them.

Stability is a particular issue for people who have families and those who do not think that their income will go up significantly over the next five years. Those who are in a job in which they have already reached the ceiling on their income want to know that they can keep their home. If the Government's strategy is to support the private rented sector, it is essential that we deal with the issues that arise if tenants find themselves without a home with no notice period whatsoever.

In conclusion, I am extremely supportive of this Bill. I have campaigned on this issue for some time and have questioned most of the previous Housing Ministers on it, urging them to bring forward this legislation. I congratulate the hon. Member for Bolton, South-East

on promoting this Bill. It is a fitting tribute to all his work and commitment. What an amazing achievement it is to have two Bills on the statute book from one's time in Parliament. I hope that the Minister will grant the hon. Gentleman's wish and that of the whole House and ensure that parliamentary time is made available for this Bill. We do not want any excuses from this Government that will allow the Bill to fold. The House is very supportive of it and it must go through.

11.32 am

Dr. Iddon: With the leave of the House, I want to thank all Members in the Chamber this morning and who have supported this Bill, as well as the political parties, in general, for supporting it. It is pretty obvious that this is a desperately needed piece of legislation and we have got that point across.

I want to refer to some simple points made by one or two Members. First, I can assure the hon. Member for Castle Point (Bob Spink), who unfortunately could not remain in his place, that the Bill will cover those tenants whose problems he raised. If lenders take independent proceedings against tenants, those tenants will be covered by the Bill. I thank the hon. Member for Rochford and Southend, East (James Duddridge) for his support, too, and I can offer him a place on the Committee, if he is willing to accept it, so that we can explore a little further the issues that he mentioned this morning. I can assure him, too, that the Bill protects only assured or Rent Act 1977 tenancies; and, of course, holiday lets are excluded from those tenancies. I regret that I can confirm what I said earlier: those tenancies are not covered by the Bill.

I thank the hon. Member for Shipley (Philip Davies) for mentioning the concerns raised by the Council of Mortgage Lenders. He mentioned some technical issues and I think that the best way of dealing with them, especially since he has not been able to remain in his place, is to promise to write to him about all those difficulties and to offer a meeting with him, too. I thank the House for everybody's support this morning.

Question put and agreed to.

Bill accordingly read a Second time; to stand committed to a Public Bill Committee (Standing Order No. 63).

Sunbeds (Regulation) Bill

Second Reading.

11.34 am

Julie Morgan (Cardiff, North) (Lab): I beg to move, That the Bill be now read a Second time.

I am delighted to present this Bill to the House. It is important for many reasons, the first of which is clearly the protection of children. I have been pleased to receive the support of Members from all parties in the House. I am also grateful for the support of the Government and the Minister of State, Department of Health, the hon. Member for Lincoln (Gillian Merron), who is responsible for public health.

I am grateful to those MPs from my party and other parties who are sponsoring the Bill and, in particular, I thank Cancer Research UK, the British Medical Association, the Chartered Institute of Environmental Health and the Local Government Association for their wholehearted support. At this point, I particularly thank my hon. Friend the Member for Swansea, East (Mrs. James), who has campaigned tirelessly on the issue for many years. I was lucky enough to draw No. 5 in the ballot for private Members' Bills. She has done a lot of the work over many years, so we are working together to try to get this Bill through the House.

I also want to thank all those Members who have signed early-day motion 537. Today, the number of signatures is 164. As all Members know, that is a large number of signatures for an early-day motion, so I am thankful for the support of so many people throughout the House.

It is also clear that this Bill will be popular with the public. Some 87 per cent. of the UK public believe that those aged under 18 should not use sunbeds. I am pleased to report that I went with other Members to No. 10 Downing street this week to hand in a petition signed by more than 10,000 people thanks to *The Sun* newspaper, which has run a long, vigorous campaign on the issue, too.

The Bill is very important, as the intention is to protect young people. The Bill aims to prevent under-18s from accessing sunbeds, seeks to create a duty on sunbed businesses to prevent the use of sunbeds by under-18s and gives local enforcement officers powers to inspect salons and penalise salon operators if under-18s are found to be using sunbeds. It also contains provisions to introduce regulations to ensure that under-18s cannot hire or buy sunbeds, that all sunbed salons are staffed and that clear and accurate health information is displayed in all salons and other places where sunbeds are used for commercial purposes. The Bill recognises that adults are free to make their own decisions about sunbed use, but they should also know what dangers are involved. That is why, under the regulations, there will be a requirement that health information should be made available.

It is also very important that the Bill would prevent operators from advertising unsupported benefits of sunbed use and ensure that all adult sunbed users wear protective eyewear when using a sunbed in a commercial setting. I must point out strongly that the Bill is not regulation for the sake of it. The sunbed industry has already tried to self-regulate and it has failed. Self-regulation has not

[*Julie Morgan*]

worked. The Bill is about protecting young people and giving people the information they need to make an informed choice.

Bob Spink (Castle Point) (Ind): I warmly congratulate the hon. Lady on her Bill. It is a small measure but an important one. Does she agree that teenagers often feel invincible? They are not sufficiently risk-averse, and the Bill will not only inform them and control the industry, but give parents power and leverage over their youngsters so that they can guide them correctly.

Julie Morgan: I thank the hon. Gentleman for that important intervention. There is ample evidence that under-18s use sunbeds without their parents' permission and against their parents' wishes. The Bill would help to deal with that issue.

Philip Davies (Shipley) (Con): Has the hon. Lady given any thought to trying other measures before we go for the nuclear option of an outright ban? For example, we could do the same as some 29 states in America where under-18s are required to obtain parental permission before they are allowed to use a sunbed.

Julie Morgan: There has been every opportunity to introduce voluntary measures, but clearly they have failed. As I said earlier, if unstaffed sunbeds remain, it will never be possible to stop under-18s using them. If the premises are not staffed, even if young people went along with something from a parent, who would see the permission? The hon. Gentleman raises an important issue, but we have reached the end of the voluntary road.

Philip Davies: This is a useful debate and I am grateful to the hon. Lady for engaging in it. Her Bill, as she made clear, regulates to ensure that there will be no more unmanned sunbed shops. If that part of her Bill went forward, would it not enable us to try parental permission first before going to the nuclear option of an outright ban?

Julie Morgan: That would not be the way forward. We have already reached the stage when we need legislation. I thank the hon. Gentleman for raising an important point of discussion.

Bob Spink: Does the hon. Lady accept that although the parental permission route may have worked in several US states, the culture there is quite different? Youngsters are prohibited from drinking, and the prohibition is actually obeyed. The parental permission route would not work in the UK as it does in the USA because of that cultural difference.

Julie Morgan: Yes, that is an important point. I thank the hon. Gentleman.

Caroline Flint (Don Valley) (Lab): Is it not the case that the younger a person is when they start to use sunbeds, the greater the repercussions and consequences for their health? Whether they have parental permission or not, if they start to use sunbeds regularly between the ages of 13 and 17, they face a lifetime of potential damage and possibly death from cancer.

Julie Morgan: My right hon. Friend makes an important point and I shall provide evidence about the number of young people using sunbeds.

Bob Spink: The intervention from the right hon. Member for Don Valley (Caroline Flint) was telling. It has been established that a vast number of skin cancers that occur later in life are caused by exposure during the teenage years, and no doubt the hon. Member for Cardiff, North will go into those facts. Could she add a small clause to the Bill to force her Government, or a new Government, to remove VAT from sun creams that are health care and not cosmetic products?

Julie Morgan: I thank the hon. Gentleman for that intervention. I shall now talk about the strong evidence base for the Bill.

Research commissioned by Cancer Research UK last year found that, in England, 6 per cent. of 11 to 17-year-olds—more than 250,000 children—had used sunbeds. That is a shocking statistic. There are worrying hot spots, particularly in places such as Liverpool and Sunderland where 50 per cent. of 15 to 17-year-old girls are using sunbeds. In Wales, 8 per cent. of children aged between 11 and 17 have used a sunbed, and the figure is more than one in five for girls aged between 15 and 17.

Malignant melanoma, the most dangerous form of skin cancer, is increasing at an alarming rate across the UK. Sunbed use, particularly by those aged under 35, significantly increases the risk of developing skin cancer in later life, as my right hon. Friend the Member for Don Valley (Caroline Flint) said. About 2,000 people each year die from malignant melanoma and it is now the most common cancer in young adults aged 15 to 34. People from the most affluent areas have better malignant melanoma survival rates than those from deprived area. The evidence for taking stronger action on sunbeds is clear.

Jessica Morden (Newport, East) (Lab): My hon. Friend makes an excellent argument on the health issues, but does she agree that there is also the issue of personal safety, with predominantly young women in unmanned salons who, if they were to receive unwelcome attention, have no assurance from the industry about how long any security would take to get to them?

Julie Morgan: I thank my hon. Friend for her intervention. That is an important consideration.

The International Agency for Research on Cancer has reclassified sunbeds and placed them in its highest cancer risk category, alongside tobacco. We have all accepted the dangers of tobacco and almost universally support the work that the Government have done on the tobacco issue. The independent Health Protection Agency's Committee on Medical Aspects of Radiation in the Environment—COMARE—has recommended that the Government take strong action to protect young people from the dangers of using sunbeds. The European Union believes that under-18s should not use sunbeds and the US Food and Drug Administration is considering taking stronger action on them.

The International Agency for Research on Cancer, which is part of the World Health Organisation, upgraded its assessment of sunbeds to its highest level of cancer risk, with the conclusion:

“the risk of skin melanoma is increased by 75 per cent. when use of tanning devices starts before 30 years of age”.

We need to take that conclusion seriously.

It is clear that the sunbed industry has not regulated itself well up till now. Voluntary regulation is inconsistent and largely unmonitored. A lack of supervision or care means that young people regularly access sunbeds. Cancer Research UK has done a great deal of research with young people and has been told:

“I’ve gone in my school uniform but I was fine and I was only 14”

and

“they didn’t ask my age because we went with my friend’s sister.”

Signs from which customers can infer only that sunbeds are good for their health can still be found outside tanning salons around the country. Promoting unsupported benefits of sunbeds is irresponsible when we know that they significantly increase the risk of malignant melanoma, as well as prematurely ageing the skin.

Mrs. Betty Williams (Conwy) (Lab): My hon. Friend gave an example of a schoolgirl attending a sunbed salon. Does that indicate that there could be many instances where untrained members of staff are looking after the salons, which is an added problem?

Julie Morgan: I thank my hon. Friend for that intervention. There are certainly examples of untrained people supervising sunbed use, where there is anyone supervising it at all. That means that young people—14-year-olds and young people in school uniform, as I said—can easily access sunbeds.

Mrs. Siân C. James (Swansea, East) (Lab): Is my hon. Friend aware that a recent BBC programme in the south-west took two 14-year-olds into an unstaffed salon in that area, where the cleaner helped the young women and showed them how to put their money into a slot machine and how to operate the machinery? That is an example of unstaffed and unsupervised salons, and untrained staff.

Julie Morgan: My hon. Friend, who has worked so hard on the issue, has brought a shocking incident to the attention of the House.

Caroline Flint: Thinking about the way in which tanning salons are promoted, they are almost pop-up businesses. Anyone can rent a unit and set themselves up. Will my hon. Friend comment on the fact that sunbed use is often presented as a cheap option—I understand that 15p has been charged for a couple of minutes on the machines—and that research found that young people got addicted? As soon as the tan went, they wanted to top it up, so although it is quite inexpensive, they are lured in to do more and more tanning, to the detriment of their future health?

Julie Morgan: Yes, there are many examples of young people who become addicted and feel that they cannot manage unless they go to a salon continually. They might think of going once a month, but they end up going once—and sometimes more than once—a week. We know that such activity is extremely dangerous because of its long-term consequences, so I thank my right hon. Friend for that intervention.

COMARE also emphasises that sunbeds are not a safe way of obtaining vitamin D

“due to the potential carcinogenicity and the high frequency of acute side-effects.”

By using them, people risk becoming sunburnt and damaging their skin. In south Wales, we had a very troubling example of a young woman aged 14 who went expressly against her parents’ wishes to an unstaffed sunbed salon and suffered 70 per cent. burns. That was absolutely horrific, and through this legislation we want to try to prevent such incidents from occurring.

The UK’s national skin cancer prevention campaign, SunSmart, says that

“the amount of sun needed to make enough vitamin D is always less than the amounts that cause tanning.”

We do not need a sunbed to get our vitamins. Any assumption that we do is mistaken. I am concerned, because young people believe that they are doing no more damage to their skin on a sunbed than they are if they step out their house on a sunny day, and we know that sunbeds are much more dangerous.

The Secretary of State for Health and the Welsh Assembly Health Minister, Edwina Hart AM, are committed to introducing regulations if the Bill is passed. I am very pleased that it covers England and Wales, and that we have such strong support from the two Governments and, in particular, those Ministers.

Several colleagues have raised questions about the impact of the legislation on small businesses during the recession.

Mrs. Betty Williams: Before my hon. Friend moves on to another topic, I must note that she mentioned the discussions between the Department of Health and the Welsh Assembly. Are similar discussions about this very important issue taking place with other devolved Administrations? We should not have one rule for England and Wales only, because the rest of the UK is just as important.

Julie Morgan: I thank my hon. Friend for that intervention. Scotland is certainly ahead of us, because it has already introduced such legislation.

If Ministers introduce regulations, there will be consultation on the provisions for coin-operated sunbeds and the display of health information. When we launched the Bill, the Secretary of State promised an extensive consultation with the sunbed industry. It is important to note that the Sunbed Association, which represents those parts of the sunbed industry with supervised tanning salons, supports the Bill.

Laura Moffatt (Crawley) (Lab): I congratulate my hon. Friend on introducing this fantastic Bill, which I sincerely hope becomes law. Does she agree that her actions will not just protect young people, but have the wider effect of giving people much more information about the dangers of sunbeds? We hope that the legislation will protect 16 to 18-year-olds, but parents may not understand why they should not let their daughters—it is mostly daughters—go on sunbeds that none of us should be using.

Julie Morgan: If the regulations are introduced, the required information will represent a major step in that direction.

The legislation is not a move to inflict unnecessary new regulations on industry; it is about protecting children and giving people the right information to which my hon. Friend refers. They need that information when they make choices affecting their health. There will be

[Julie Morgan]

ample opportunity for the industry to have its say, and I am pleased that the main body for the industry has thrown its support behind the Bill.

The Bill will also make it easier for trading standards inspectors to check that businesses are compliant with existing regulations. We know from COMARE that

“the irradiance from sunbeds can vary greatly”,

and that

“in recent years, sunbeds have been produced that are too powerful for the type 3 classification”,

which is

“the only class...suitable for general use in commercial sunbed outlets.”

Today we have the chance to decide what is the most important thing to do, and I think it is the protection of our young people.

At the launch of the Bill, I met a lady from Liverpool called Justine Shiels. Justine started using sunbeds at the age of 15 to get a tan before the summer holidays. In fact, I have often heard people say that they need to build up their tan before the summer holidays and then top it up again afterwards. At 32, she was diagnosed with malignant melanoma and had serious operations to remove two tumours from her chest and head. Justine came to the launch because she hopes that her story will help other young people to think about what using sunbeds is doing to their skin. She sees teenage girls in their school uniforms going into salons that she used to use, and she hopes that the Bill will succeed so that others will not have to go through what she has gone through over the past four years.

Sandra Gidley (Romsey) (LD): I congratulate the hon. Lady on introducing this Bill, and I am very pleased to support it. Does she think that there is a wider issue involved? Girls go along to these places because they think it is fashionable, and teenagers' and women's magazines have a huge part to play in that. I probably have an interest as a pale-faced, befreckled redhead, but I find it frustrating that it is always trendy to be tanned. The sooner we can get out of this mindset that a brown skin is a healthy skin, the better; we would all be a lot better off if we could accept how we are.

Julie Morgan: I thank the hon. Lady for her supportive intervention; that would be a good situation to arrive at.

I want to say again that this is not about regulating for the sake of it. We must protect our children from an activity that can, as we have heard, become seriously and dangerously addictive. I hope hon. Members have seen the briefing from Cancer Research UK, which I thank for its endless work on the issue. It carried out some focus group research with young people under 18, who made comments such as I go

“twice a week with my sister—I'm a bit of an addict, I have a block booking”;

and

“I couldn't see myself going pale again”,

reflecting the point made by the hon. Member for Romsey (Sandra Gidley);

“It's a bit addictive, once you see your tan starting to fade, you need to go back and top it up”;

and

“I went through a phase where I would just not come off them—and I'd keep getting a block booking and going on them...I just loved it.”

In Wales, a further 16 per cent. of the young people interviewed for Cancer Research UK said that although they have not yet used a sunbed, they may do so in future. In addition, one in five children who use sunbeds does so at least once a week. Anecdotally, I understand that it is not only young girls feeling the pressure to get a tan—young men are increasingly using sunbeds as well. This is a problem among our young people, and it requires action now.

It is important to point out that other countries are taking action. There is specific legislation on sunbed use in Belgium, Finland, France, Norway, Portugal, Spain and Sweden. In Scotland, action has been taken in the Public Health etc. (Scotland) Act 2008, which contains measures to better regulate the sunbed industry, including a prohibition on the use of sunbeds by under-18s. It is very important that we protect under-18s in England and Wales as well. Why should minimum health, safety and good practice guidelines be met in other countries, but not here? We must recognise that under-18s are still able to use sunbeds with ease in England and Wales, often in coin-operated, unsupervised salons. We have a duty to act.

We also have a duty to act on public opinion, remembering that 87 per cent. of the public support banning under-18s from using sunbeds.

Caroline Flint: My hon. Friend has done a great service to the House in securing this private Member's Bill. I have had conversations with many people who could not believe that under-18s had unlimited access to such tanning provision. It is sometimes right that we take affirmative action, in a positive way, instead of always being held back by the sense that the nanny state is imposing too much. I found that the more the public knew about this terrible situation, the more they woke up to the fact that something that they thought was regulated was certainly not.

Julie Morgan: That is an essential point to make. It is important that the House supports the Bill, because we have the support of the public and all the organisations involved in the field. The only effective way to prevent under-18s from using sunbeds is to ensure that salons are supervised, and the only way to ensure that adults can make informed choices is to ensure that information is available to them at the time of use.

There has been a tremendous campaign to get legislation such as this on the statute book and we have had support from a wide range of people. We have a real opportunity to protect children from sunbeds while we have the chance to do so. The Bill could save lives. I hope that Members will support it today, and I commend it to the House.

12.1 pm

Philip Davies (Shipley) (Con): I begin by congratulating the hon. Member for Cardiff, North (Julie Morgan) on her success in the ballot and on introducing the Bill. I do not doubt that she has identified a matter that needs some sort of action, that there is a problem or

that she has introduced the Bill with the very best of intentions to improve public health in this country. I certainly do not quibble with her about that. I am in no doubt that the Bill will be given a Second Reading and will progress to Committee.

However, in debates such as this, particularly when it is trumpeted that 87 per cent. of the public support something, and especially in the run-up to a general election, everybody wishes to be on the popular side of the argument. Unfortunately, in too many cases, the other side of the argument is not put. For the sake of balance, it is important to put some other points forward, so that the House can at least consider them. At the end of the debate the House may well decide that the hon. Lady's Bill is the right way forward and the best method, but it is important that we consider other points to try to get some balance.

It is slightly surprising to hear Labour Members argue, "Well, we must do this because such a large proportion of the population are in favour of it." I could cite at length—you will be relieved to know that I will not, Madam Deputy Speaker—a large number of issues on which there is considerable support for a course of action that Labour Members would die in a ditch to prevent from being brought into law. I mention in passing capital punishment. It has popular support in this country, but I am not aware of any Labour Members standing up in the House and saying that we should bring it back because a vast majority of people are in favour of it. I understand why they decided to use that argument in relation to the Bill, but I am not sure that they are entirely consistent in using it.

There are clearly health issues to consider with regard to the use of sunbeds. The hon. Lady mentioned the various cancer charities and organisations that support the Bill, because they see at first hand the problems of skin cancer to which sunbed use contributes. Those points are very well made.

The point at issue, as with all such matters, is not really whether sunbed use is or is not a problem, but whether the measure is proportionate. That is where discussion should focus. We all accept that there is a problem with sunbed use; we are arguing not about the science, but whether, at this stage, we need to introduce a ban on under-18s using sunbeds. I am delighted that the hon. Member for Cardiff, North implied—she will correct me if I am wrong—that she accepted the principle that, although sunbed use is undoubtedly bad for adults in some cases, people who are over 18 are capable of making their own decisions.

Although the hon. Lady made valuable points about information so that people can make an informed choice, she accepts—I think it is the general consensus—that people over 18 are capable of making decisions about whether they want to take the risks involved in sunbed use, and that is why the Bill covers only under-18s. I have a great deal of sympathy with that, because we in this place need to protect children who are not at an age when they are capable of making an informed decision.

However, I have several worries about the Bill. The first is the slippery slope. Some of the arguments that were deployed in various interventions on the hon. Lady's speech were not for banning sunbeds for under-18s, but for banning sunbeds. I therefore wonder whether this is the first stage of a plan to ban sunbed use altogether.

Sarah Teather (Brent, East) (LD): There is an analogy with smoking. No one argues for banning smoking altogether—at least, not at this stage; perhaps some hon. Members would argue for that—but we ban it for children, because it is harmful. Are not the positions analogous?

Philip Davies: Yes. However, the hon. Lady should be aware that many hon. Members would like to ban smoking and that only thing that stops them is public opinion. If she attended the debates on banning smoking in public places, through which I sat on many occasions, she knows that the arguments deployed were not for a ban on smoking in public places, but for a ban on smoking altogether. There is no doubt that some hon. Members would love to go down that route.

Sarah Teather: The fact that some people want to ban smoking is not an argument for not banning smoking for children. Presumably the hon. Gentleman does not disagree that we should stop children smoking?

Philip Davies: I do not disagree with that. I merely highlight the salami-slicer effect of legislation in this place. People who have agendas further down the line use measures such as the Bill as a Trojan horse, which enables them to pursue their other agenda later. Sometimes lines in the sand need to be drawn. I always took the view that I was not elected to Parliament to ban everyone else in the country from doing everything that I do not happen to like. I thought that my duty was to preserve people's individual freedoms. In my short time in the House, I have learned that some hon. Members believe that they come to Parliament to do nothing but ban people from doing everything that they do not happen to like. I want to try to prevent that erosion of our freedoms.

Hon. Members, particularly on one side of the House, are good at trying to ban people from doing things. I object to that nanny-state approach, whereby we have to impose our views and beliefs on everybody else in the country and are not prepared to let people make up their own minds. I do not believe that Parliament should operate in that way. I would like to think that, as well as trying to protect children, which is a perfectly worthy aim for Members of Parliament, we consider protecting people's freedoms a worthy aim. I regret that that does not happen as often as I would like. The question is whether or not an outright ban is the way to go, but it appears to be the first option.

The hon. Member for Cardiff, North said, quite rightly, that we have tried a voluntary code. There are many decent sunbed operators who do not try to breach the code. They behave extremely responsibly, and there is no particular problem with their operations. We ought to put on record the fact that there are many responsible outlets that do a very good job of protecting children. I would not want us to run away with the idea that this is, in total, an irresponsible industry, because that is not the case. The question is therefore whether or not we ought to adopt the measures in the Bill.

The hon. Lady claims that the voluntary code has not worked. Whether or not that is the case, it has not worked to the extent that she would like. When there is a disagreement, and someone wants to use their artillery to try to make their case, the first weapon of choice

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should not be the nuclear option. It seems to me that the nuclear weapon in all these debates is a ban. I am slightly nervous about the fact that after the voluntary code, the next weapon that we take from our artillery is the nuclear option of a ban. I wonder whether other measures could be used to do the job that the hon. Lady is seeking to do, without banning under-18s from using sunbeds.

I shall come on to discuss the ban. The hon. Lady did not mention it, but it extends beyond a ban on under-18s using sunbeds to children being banned from being in a room in which there is a sunbed. Other measures could have been tried first, such as the one that I mentioned in my intervention. Some 29 American states that recognise the problems caused by sunbed use and want to protect children have introduced a system to tackle the problem. In three states, there are provisions on sunbed use for under-16s; in other states, there is a ban for under-15s; and in others, there is a ban for under-18s. In all cases, people under the stipulated age require parental permission before they can use a sunbed. As a first stage in the process, trying a system of parental permission might be more appropriate. If we reach the stage at which parental permission is still not doing the job that the hon. Lady wants or that cancer charities think necessary, we can revisit the issue.

I am slightly nervous about going straight for an outright ban. We need to consider the wider picture, which is why I have mentioned parental permission. On so many issues, we send out the wrong message to parents. The premise appears to be—I am sure that many hon. Members disagree with me and will seek to correct me—that the problem with parental permission is that some parents are totally irresponsible, so we have to protect their children. That argument is used to explain why we do not allow parents responsibility on other issues, but I think it is extremely dangerous to go down that route. It instils a culture in which we say to parents, “It doesn’t matter what you do. It doesn’t matter how you bring up your children or whether you take responsibility for this, that or the other. If you don’t do it, the state will do it for you.” We have seen in recent years how dangerous that route is.

Surely all hon. Members want parents to take responsibility for their children. The only way in which we can make parents take such responsibility is to give them that responsibility. Rather than saying to parents, “It doesn’t matter what you do, the state will deal with it for you,” it would be far better for this country in the long term if we said to parents, “Being a parent is a very responsible thing. There are certain things that you are responsible for that the state is not going to do on your behalf. You must take responsibility for your own children, because if you don’t, no one else will.” Society would be far better if parents knew that being a parent involved responsibility, that they could not farm out their responsibilities to all and sundry, and that they had to take those responsibilities for themselves.

My fear is that the Bill is yet another nail in the coffin of parental responsibility, where the state decides that it does not really matter what parents think or do, because it will take over the running of their children’s lives. Whatever the merits of the measure, I worry about the long-term consequences of such an attitude towards

public policy on children. As we have seen in recent weeks, there are many cases where we despair at parents’ lack of responsibility, but taking more responsibility away does not help to address that.

I ask the hon. Lady to think again about some of the measures in the Bill. I have no doubt that the Bill will be given a Second Reading and go into Committee, but some parts of it are somewhat excessive. Clause 2, on the duty to prevent sunbed use by children, prevents their entering a “restricted zone”. I am sure that the hon. Lady will correct me if I am wrong, but it seems that the Bill not only prevents under-18s from using sunbeds, but does not allow them to be in the same room as a sunbed. If the sunbed is in a big area rather than a private room, the restricted zone becomes the whole area.

That is my understanding of the measure. Whatever the merits of banning under-18s from using sunbeds, it seems a bit over the top for a whole host of reasons to ban people even from being in a room where there is a sunbed. If a sunbed is in a big, wide open space, other things might be going on at the same time. For argument’s sake, let us say that fitness gadgets are available for people to use in the same room. I often hear Members on both sides of the House lecturing people on how they should do more exercise and saying what a shocking problem obesity is in this country. It would be perverse, when we are supposed to be dealing with the problem of obesity, if a Bill that is supposed to stop children using sunbeds ended up preventing them from using exercise bikes or other fitness equipment. I wonder what on earth we are doing. I would like to think that, on reflection, hon. Members would agree that that is slightly perverse and probably somewhat excessive.

As we have said, adults can make up their own minds about whether they wish to take the risk of using a sunbed. A parent may decide to use a sunbed while they are looking after their young children. The best way for a parent to know that a child is safe is for the child to be sitting in the same room while the sunbed is being used, rather than the child being carted off somewhere else. So why would we want to ban children from being in the same room as a sunbed? If parents wish to use a sunbed, it is understandable that they may wish to have their children close by. In Committee—I fully expect the Bill to make it into Committee—I hope that the hon. Lady will look again at some of these points. I hope that on reflection she will accept that some aspects of the Bill are excessive and might have some perverse outcomes.

The Bill also includes penalties. The punishment for failing to comply with its requirements is a fine of up to £20,000, which seems excessive to me. However, I seek the hon. Lady’s guidance on an apparent contradiction. On the one hand, the Bill suggests that it does not matter if the offender intended for the under-18 to use or be in the same room as a sunbed or took steps to prevent that from happening, because he or she would still be guilty under the provisions of the Bill. On the other hand, the Bill also appears to include a due diligence defence. If someone takes steps to prevent something from happening, they have a due diligence defence, so I do not understand that. I shall give the hon. Lady an example to try to illustrate my point.

I used to work in retail, which has many age restrictions connected with the sale of goods. For example, alcohol may not be sold to under-18s. If a retailer is charged

with selling alcohol to someone aged under 18, they have a due diligence defence if, for example, they can produce training material that shows they train their staff not to do that and refresh that training each year. In that case, the retailer can argue that they took all reasonable steps to prevent alcohol from being sold to an under-age customer. That is only fair, if the retailer has done everything possible to stop such sales.

I hope the hon. Lady will clarify the due diligence defence and confirm that if the owner of a salon could demonstrate that they had taken all possible precautions to prevent an under-18 from using a sunbed, but they still had, it would qualify as a due diligence defence under the Bill. It is important to try to help responsible operators who are trying to do their best, instead of lumping them in with those who are not taking reasonable steps. The first part of the Bill, which says that it does not really matter whether anybody takes any steps to prevent the offence from taking place, is not particularly helpful. I hope that on reflection she will introduce measures in the Bill to clarify that those operators who do everything possible to prevent under-18s from using sunbeds will be protected and ensure that her fire, so to speak, is directed against those retailers whom she might consider to be more irresponsible.

It is important to point out that the hon. Lady includes an exemption from the requirements in the Bill for those who use sunbeds for medical treatment. That is a useful and sensible provision because, as she rightly recognises, some people are encouraged to use a sunbed on occasions, for their skin complaints or whatever it might be. It would have been perverse if the Bill had prevented sunbeds from being used for legitimate medical purposes if a doctor had encouraged such behaviour.

I want to run through some of the research, because that will help to determine whether the measures in the Bill are proportionate. However, we perhaps lack strong recent research—proper, independent research—into the extent of the problem. That includes research not just on how many people use sunbeds—the hon. Lady went through the figures for that—but on the nature of their use, how long people tend to use them for, how many times a year they use them, whether they use them at home or in salons, and people's patterns of use. At this stage it seems that we lack strong, independent research on those issues.

In 1995, the Health Education Authority published the results of a survey of suntanning and sunbed use, which was commissioned by the Department of Health. Based on the results of that survey, and using the British Photodermatology Group's recommendation that people have

“not more than 20 sessions per year of up to 30 minutes for each session”,

that research concluded that

“people were putting themselves at risk by using sunbeds too often and for long,”

and that

“the public needed more information about the risks of using sunbeds.”

The reason I mention that is that one of the Members on the Government Benches—it might have been the right hon. Member for Don Valley (Caroline Flint), but it might not; she will no doubt correct me if it was not her—mentioned evidence that some salons are still

advertising the health benefits of using sunbeds, which is irresponsible. [*Interruption.*] It was not the right hon. Lady who said that; I do apologise.

On the proportionality of the Bill, the hon. Member for Brent, East (Sarah Teather) mentioned the analogy with smoking. I just wonder whether requirements for health warnings would be a better first step, along with making parental responsibility part of the solution. Before we resort to the nuclear option of introducing an outright ban, part of the solution might be to ensure that sunbed operators do not market their products in such an irresponsible way, but have to give clear warnings to people about the dangers of sunbed use, which under-18s would be able to read just as easily as adults. If such irresponsible marketing is being used, we have an opportunity to make a big difference with the messages that we give to people before they use sunbeds. We could have regulations about the size and nature of the warnings, for example, just as we do with the warnings on cigarettes. I therefore ask people to consider whether other steps could be taken before we impose an outright ban.

Other research into the use of sunbeds was carried out in 1996 by the Sunbed Association. Obviously, that was some years ago, so I am not sure whether the figures are still relevant. However, it is the best information that I have. If other Members have more up-to-date research, perhaps they will be able to catch your eye later, Madam Deputy Speaker, and give us the benefit of it. At that time, there was a great interest in getting a tan, with 51 per cent. of respondents saying that they had either used a sunbed or intended to do so. Only 7 per cent. of respondents had used one during the previous 12 months, however. The hon. Member for Cardiff, North made the valid point that this is not an issue only for women. They are the majority users of sunbeds, but by no means the only ones. The research found that 9 per cent. of women and 5 per cent. of men—giving an average of 7 per cent. of the population as a whole—had used a sunbed in the previous 12 months.

It was interesting to discover why people felt that using a sunbed would be of benefit to them. The irony is that the word “healthier” appeared in many people's responses to that question. The research found that 58 per cent. were using a sunbed because they wanted to look healthier, and that 34 per cent. were doing so because they wanted to feel healthier. They felt that using a sunbed would help them to achieve those things. There is a slight irony in that .

Some important facts about the extent of the problem need to be borne in mind, and we need to ask how far the Bill will go towards solving it. The vast majority—89 per cent.—of local authority or private sector sunbed users had fewer than 20 sessions a year, and about half had only 10 sessions or fewer per year. I would venture to suggest, therefore, that the extent of sunbed use is not so great that we should impose an outright ban for under-18s.

Crucially, the research found that, while 89 per cent. of local authority and private sector users took fewer than 20 sessions a year, only 71 per cent. of people with a sunbed at home took fewer than 20 sessions a year. That brings me to a potential flaw in the Bill, because it makes no provision for sunbed use in people's own homes. I wonder whether it might create a perverse incentive, in that people who were no longer permitted

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to use a tanning shop or even be on the premises might persuade their parents to get a sunbed at home instead. The research shows that sunbed use is much more dangerous for those with a sunbed at home, because it is there and it has already been paid for so they can use it whenever they want to, rather than having to make an effort to go out and pay to use one each time. Has any assessment been made of the likely effect of a ban on the use of sunbeds at home? We might, despite having the best of intentions, be letting the genie out of the bottle and making the problem worse.

The research also found that 85 per cent. of all users took sessions of 30 minutes or less, and that 95 per cent. did not exceed the European standard that pertained at the time, so it would be dangerous to run away with the idea that many people are using sunbeds for hugely excessive time periods. By definition, some people will be doing so, but I wonder about the extent of such use. Thus, I wonder, again, whether the Bill is proportionate in dealing with the particular problem.

Crucial to this research was the issue of where people use sunbeds. I accept that the figures I am using are out of date, but I am not sure whether more up-to-date figures from independent research exist.

Mr. Bruce George (Walsall, South) (Lab): There are lots.

Philip Davies: The right hon. Gentleman will be able to catch Mr. Deputy Speaker's eye and give us the benefit—

Mr. George: Soon.

Philip Davies: The right hon. Gentleman is a long-standing and distinguished parliamentarian, so I hope he does not think that just because he believes something is good or bad the whole House's proceedings should collapse and we should not debate an issue. I hope he does not think that we should suspend our critical faculties just on the basis of his particular view. If that is his view, it is an interesting view of parliamentary democracy. I would have thought he believed that the whole point of a parliamentary democracy was that issues are debated. In the absence of many—

Mr. Deputy Speaker (Sir Alan Haselhurst): Order. That is a very interesting little diversion, but I think that we can now move back to the Bill. That might speed the opportunity for other people to participate in this debate.

Philip Davies: Thank you very much, Mr. Deputy Speaker. I am delighted by your intervention to prevent my being sidetracked by unhelpful sedentary interventions from the right hon. Member for Walsall, South (Mr. George).

The crucial issue is where people use sunbeds. That comes back to a point I made earlier, because obviously the Bill will affect only the people who use sunbeds in the private or local authority sector. This particular research showed that 60 per cent. of users were using sunbeds either at their own home or somebody else's. The figure may not be as high now, and I appreciate that since this research was carried out the cost of sunbed

sessions in the private sector has, as the right hon. Member for Don Valley said, become considerably cheaper and that that will encourage more people to use those facilities. However, if an awful lot of people are using sunbeds at home and they are doing so for far longer periods and far more often than the people who use them elsewhere, perhaps the people the hon. Member for Cardiff, North is trying to protect will not be protected by her Bill. All that she may well be doing is inconveniencing lots of people who use sunbeds so infrequently that it is not causing them a big problem, while the sunbed users who have a big problem fall outside the scope of her Bill. The research found that 43 per cent. of users owned their own sunbed and 16 per cent. of users hired one. We need to consider these issues. However popular the Bill might be, we need to consider whether it is proportionate and whether it will be effective in bringing about the result that the hon. Lady wishes.

I do not intend to delay the House for much longer, but I should say that we must accept that sunbeds can have health benefits for some people and that an important issue of choice is involved here. Indeed, only last year, Lord Darzi said that

“perceived health benefits...relative to health risks, is a matter about which individuals make their own choices.”—[*Official Report, House of Lords*, 1 June 2009; Vol. 711, c. WA58.]

I hope that we all agree with that sentiment. The issue is who is in the best position to decide what is in the best interests of under-18s and to decide who should take responsibility for their actions. The hon. Lady and her party seem often to take the view that the best person to determine what is best for children is the state. I argue that, for the good of society as a whole, it is best, wherever possible, to give parents responsibility for their own children because, as I have said, the dangers of not doing so are there for all to see.

Although I expect the Bill to get a Second Reading, I hope that the hon. Member for Cardiff, North will reflect on two points. First, is it proportionate to go straight to a ban or should we try some other measures instead, such as requiring parental permission to be given through written consent or making health warning notices available? I certainly agree with her about ensuring that premises are staffed so that under-18s can be prevented from using sunbeds. That seems to be a sensible situation. So will she consider whether there are other things that we can do? Secondly, will she consider whether some of the measures in the Bill are slightly over the top, particularly those that ban under-18s from being in the same room as a sunbed? I hope she will give serious consideration to that because, despite her best intentions, if some of those issues are not ironed out they will make her good intentions less valuable, as they make the Bill somewhat flawed.

I do not want to block the passage of the Bill at this stage, but I hope that hon. Members will remember that there are always two sides to an argument.

12.41 pm

Mrs. Siân C. James (Swansea, East) (Lab): I speak today as a long-term campaigner on the dangers of sunbeds. My attention was initially drawn to the issue by the number of young people who frequented a shop a few doors away from my then constituency office. I was fascinated that so many young people appeared to be going in and out of the store and when I asked

parents in and around the area what was going on, I was shocked to discover that it was an unstaffed, unsupervised coin-operated salon. That was a new initiative—it was not something that I had come across—and I asked myself two questions. First, if it was unsupervised, who was there to give young people appropriate advice about using the machines about what was appropriate for their skin colour and the length of time for which they should be on the sunbed? Secondly—this was the most important question—was it dangerous?

My hon. Friend the Member for Cardiff, North (Julie Morgan) introduced the Bill. I wholeheartedly support her and am very grateful to her for taking it on. I remind the House that the Bill enjoys support from the Government and is sponsored by a cross-party group of MPs, including a former Health Secretary, the Chair of the Select Committee on Health, the chair of the all-party group on cancer and the Liberal Democrat shadow Health Minister. More than 160 MPs from all parties have signed the most recent early-day motion. This issue is one of those that has generated the most debate when I have talked to colleagues and to people in my constituency, who are wholeheartedly behind me.

Nia Griffith (Llanelli) (Lab): Has my hon. Friend shared my experience in discovering that people who have no idea that there is no supervision are utterly shocked by that fact? Everybody I have talked to has been horrified, as they assumed that all these places were supervised. It has been a real revelation.

Mrs. James: Two hon. Members mentioned the Sunbed Association, with which I have been working very closely from day one. It does not want the unregulated end of the market. It does not want young people to put themselves at risk and it has been very supportive. Concerns have been raised about the regulation of business and allowing an industry to operate in the correct manner. This is not about getting at an industry, but about doing what is right and providing members of the public with an appropriate service. I do not think that it is appropriate to allow young people, or any member of the public, merely to go in and read a few posters, which, in many cases, can be misleading—on some occasions, they can be downright misleading, stating that it is healthy to use sunbeds—rather than having someone there to give that advice. It is shocking and it is not good enough.

The academic evidence is overwhelming. The COMARE report on the carcinogenic levels related to sunbed use is horrific. It frightened me as a parent and a grandparent. When I consider the number of soap stars, pop stars and sports stars who use sunbeds without thought, and their influence on young people, I realise that we need to get the message across.

I take on board what has been said about a campaign. There has been a campaign. The Health and Safety Executive guidelines have been updated. The use of sunbeds has been included in the SunSmart campaign. In many cases, young people do not make the link between going out in the sun and using a sunbed. They think that a sunbed is safer and healthier.

There have been questions about health benefits. People say they feel better and look better with a tan. That is a complete fallacy. When one has been in the

sun, there is a short-term benefit—a plumping of the skin and a rosy glow. But the effect is short-lived. People are not healthier, they just feel a bit better because they have seen some sun. It is a very short-term health benefit.

The Bill allows for cases when the use of sunbeds or sun lamps is appropriate. In my office, I have a photograph of the youngest tanorexic in my constituency: a three-day-old premature baby wearing a tiny pair of goggles who has to go under a sun lamp. That is entirely appropriate.

Cancer Research has worked closely with me and my colleagues and has provided much information. As we worked our way through it and considered how we could work with the industry to encourage it to take up safer guidelines and regulate itself, it was clear that nothing would happen voluntarily.

The industry has good operators; there are several in my constituency. They turn away young people. They ask the right questions, give proper advice and are very cross when they see young people immediately walk out of their salons and go to the nearest unstaffed, unsupervised salon where young people can feed the machine for as little as 25p a minute. Such salons are totally unregulated.

When we launched the Bill earlier this month, I was delighted to hear my right hon. Friend the Secretary of State for Health offer his support for it and suggest that he would introduce regulation to tackle the unstaffed salon end of the market as soon as possible after it was passed. I warmly welcome his ministerial commitment, not only to introduce regulation once the Bill has completed its journey but to work with the industry to protect young people. I know that the Sunbed Association and the responsible end of the sun salon industry want to work with us.

Many operators in the unstaffed salon end of the market are not responsible. There is a job-creation opportunity for members of the public visiting those facilities. I have been told by cleaners who work in those salons that they would like to be on the premises longer. They would like to be trained and instructed in helping the public. There are opportunities for the industry to expand.

Several cities have tried local licensing arrangements to ensure minimum standards in salons and they have been adhered to, but it is clear that national legislation is preferable to inconsistent local action. The Chartered Institute of Environmental Health and COMARE clearly recommend national legislation. There is now legislation in Scotland, and I understand that the Irish Government have been convinced of the argument and will, I hope, be undertaking legislation too.

Caroline Flint: I commend my hon. Friend for her dogged determination to support the introduction of legislation. It has been said in the debate that, in terms of the total use of sunbeds, we are talking about a small part of the market and a small number of users, but is it not the case that unmanned coin-operated salons target the poorest and most vulnerable—possibly young people whose parents cannot afford a holiday in the sun once or twice a year? This is their way of getting what they consider a good tan to make themselves look good. The targeting of the poorest and most vulnerable by such outlets is cynical.

Mrs. James: I agree.

Some 1,700 deaths a year are attributed to skin cancer, and it is calculated that 100 of those are directly attributable to sunbed use. In 2004, there were 65,000 new cases of skin cancer in Great Britain, so the problem is not small. Other countries have recognised the seriousness of the issue and legislated. They have done so willingly and collectively, and it is important that we follow suit.

Nia Griffith: Does my hon. Friend agree that, just as we are shocked when we look at old TV footage and see people smoking everywhere, the sunbed issue is of the same magnitude? Soon young people will be saying to us, “Why ever didn’t you do something about this before now? Why ever did you let us get into this mess and develop these terrible cancers, which are so devastating and take so many lives?”

Mrs. James: That is true.

From those who have suffered with skin cancer, the message is clear and consistent: “Do something now. Don’t let young people go through what I went through.” It is a heartbreaking message. I was interviewed recently for a TV programme on the subject by a well-known celebrity, Nicola Roberts. She said that she had visited somebody who was dying of skin cancer and how difficult it is to explain to the person who is suffering why nothing is happening quickly.

Young people who are aware of the issues are saying to us, “Why don’t you lot at Westminster get on and change the law as quickly as possible?” Very few people say to me, “Don’t change the law. Don’t bring in regulation. Don’t ban use for under-18s.” Not one person has yet approached me with that message.

The Welsh Assembly has led the way in this matter for us in Wales. The Committee on Health, Wellbeing and Local Government conducted an inquiry into sunbeds and found a need for immediate action. I put it on record that its key recommendations included, first, prohibiting under-18s from using sunbeds; secondly, that facilities should be staffed with well-trained staff; and thirdly, that information setting out the potential health risks should be prominently displayed.

We in south Wales know very well what it is like to be a sunbed hot spot. My constituency has a sunbed parlour on practically every corner. They are in places as diverse as above beauty salons, in hairdressers, in local facilities and even in corner shops. Once one starts looking for salons, it is amazing where one finds them.

I quote the words of the mother of a 14-year-old, Kirsty McRae, who was very badly burned last year. My hon. Friend the Member for Cardiff, North (Julie Morgan) has already referred to her. In evidence to the Welsh Assembly’s Committee on Health, Wellbeing and Local Government, the mother said:

“As a family, we have always taken a responsible attitude to the sun and used the appropriate products, considered the time spent in the sun and the time of day we were in the sun. I am therefore quite happy that in educating her about natural sunlight and sun damage, I did as much as I could as a parent. I had expressly forbidden her to even consider using a sunbed, and, as has been reported previously, I acknowledge that she went against my wishes and she acknowledges her responsibility in that respect as well. The concern is that the operation of such a salon allowed her a facility to misuse the bed.”

Clear warnings are needed. We have updated them, but we need to carry on. Posters need to be prominently displayed and we have to match our work to the campaign. Cancer Research UK, the Welsh Assembly Government, the Teenage Cancer Trust and other cancer charities have raised skin cancer’s profile and prepared and distributed documentation.

There are no health benefits from using sunbeds. There are disbenefits, not benefits, and we need to get that message across clearly. Sunbed use is too cheap at 25p a minute. There are no parents around and it does not matter whether one has a sunbed at home or not, everybody uses sunbeds in communities such as mine. Having a tan is their little bit of glamour. It is so easy to achieve and people can access irresponsible and unstaffed salons. The question is, why are young people starting to tan at such a young age? Children aged 11 to 14 are saying that they want to go to salons and get a tan. We have to address that issue.

The hon. Member for Shipley (Philip Davies) asked about restricted zones, and I understand that, in case of prosecution, the zone—the cubicle or the salon—is defined as a private area. The issue is simple, because one cannot see what goes on in such places, so the zone has to be defined to ensure that, if the young person enters it, there is a clear demarcation demonstrating that they went into an area where they were not allowed. I accept the point about inadvertently wandering into such a zone in a sports facility, but that is why the zone should be clearly defined. We need to know where it is, who is there and who has used it.

Do I think that sunbeds are dangerous? Yes, I do. Do we know that young people are using them? Yes, we do. It is now time to take action. I hope that my colleagues will join me in arguing for the greater protection of children and young people throughout England and Wales, and support the Bill.

12.57 pm

Mr. Bruce George (Walsall, South) (Lab): I am truly delighted by the introduction of this Bill. However, I am a little sad, because as I said I have tried for 36 years to get a private Member’s Bill just on to the bottom of the list on the notice board, and I have failed. Eventually, the Bill that I wanted on private security went through the House, but I would have introduced the Bill before us. My version of this Bill might have been differently worded, but I suspect not. I have three main reasons for wanting to introduce such legislation, and they include my knowledge of the statistics. Anyone who is forced to use 1995 statistics, as the hon. Member for Shipley (Philip Davies) did, and, seemingly, nothing beyond that is either filibustering or has a desire to spend his time here today doing something useful.

My hon. Friend the Member for Cardiff, North (Julie Morgan) has been fortunate with her friends but even more fortunate with her opponents, because I have not heard a greater profusion of erroneous facts in my life. I have attended and spoken in Parliament and at public meetings, but I have not used the arguments that I have heard today. I remember speaking for some time, during one of my rare appearances here on a Friday, about why in my constituency—[*Interruption.*] I argued that John Stuart Mill would have voted for the legislation on seatbelts. I have used some nonsense arguments—[*Interruption.*]

Mr. Deputy Speaker: Order. I am sorry to interrupt the right hon. Gentleman. He went in for a bout of sedentary commentary earlier, but I do not want any tit for tat from the hon. Member for Shipley (Philip Davies). Let us get on with the debate.

Mr. George: Thank you for your protection, Mr. Deputy Speaker; I manage without it outside.

This is not about prejudice—the facts are there in vast numbers for people who take the trouble to read them. There is an enormous case for acting on this matter, and at last there is the prospect of legislation, although that is not a panacea—it will not eliminate the cancer that young people, and older people, are dying from as a result of exposure to the sun. I chair the all-party group on skin. I will willingly send a copy of our report to the hon. Member for Shipley, who would find in it a lot of the evidence, of which there is an enormous amount. He said that he was not opposed to the Bill, but every word that came out of his mouth led me to a very different conclusion. His arguments are even opposed by people he cited by way of support. He cited the words of the Sunbed Association in 1995. He should have read through his post and seen the letters that all Members of Parliament received saying that there had been some criticism of the Bill by the Sunbed Association, but only to say that it was not strong enough. He cited a source that is totally opposed to the arguments that he evoked.

Philip Davies: The right hon. Gentleman is giving the most nauseating performance that I have heard in my time in the House. Perhaps it would help if, instead of trying to misrepresent the points that I made, he could try, if he is capable of it, to make a cogent argument as to what he believes.

Mr. George: I tried to make an argument, unlike the hon. Gentleman, who came out with a series of nonsensical words from his mind that he just invented this morning. I will carry on with my speech. He should listen to and read about the enormous number of very worthy people and organisations who have supported the Bill, together with the group that I represent. He may not think much of my views, but if he dares to come along to one of our meetings and put those arguments, he will hear a strong set of ripostes.

An enormous number of reputable organisations take a serious interest in the problems of skin and skin cancer. We are discussing one small aspect of the much broader issue of skin cancer, which the statistics clearly show is rising dangerously, with young people as the main victims. They enthusiastically go into these salons, not knowing what might lie ahead in 20 or 30 years. Not many young people think 20 or 30 days ahead, let alone 30 years. They should know that the figures for skin cancer are rising exponentially. That is without getting on to the big issue of global warming, which is likely to cause even more problems on top of those that are already being experienced.

In case the hon. Gentleman did not get hold of this document, the Sunbed Association says:

“The Sunbed Association would strongly urge you to use the opportunity at the Second Reading of the proposed Bill...to call for the Bill to be amended to include a requirement of compliance of all sunbeds in operation prior to 1 April 2009 to a maximum irradiance level of 0.3W/m². Alternatively, as a minimum, seek a commitment to a timescale for compliance implementation.”

I have talked to the Sunbed Association and am delighted to say that it is supporting the proposals, because it recognises the enormous dangers. It probably knows the problems more than anybody, so to have the largest association of sunbed owners supporting the Bill is a great boost to the campaign.

No suntan is safe, and the consequences are there for all to see. We know how laxly young people treat the sun, despite the many consequences, and the use of sunbeds increases the risk of skin cancer. As I have said a great deal, the more and earlier an individual uses one, the more the risks rise.

Cancer Research UK found that of 4,000 sunbed users, 82 per cent. had first used them before they were 35, and some had cancer. A distinguished hospital in Dundee has produced a great deal of research that people ought to examine, as has the Health and Safety Executive. One can examine—not that I do, but it was brought to my attention—the amount of research being produced in other countries and by legislatures elsewhere that have seen the importance of tackling the problem far earlier than we have. That should spur us on.

My all-party group on skin supports the Bill, and our research has reached the conclusion that a number of sunbed institutions offer seemingly unlimited sessions, have tanning accelerators and high-powered machines, ask for no proof of age, make no comments on the risks for those who have fair skin and offer insufficient information on risks in general. That is the area of the market to which the Bill is targeted. Maybe it is an omission that it does not allow for chasing people into their houses and examining all their equipment, but that is beyond its scope and, I suspect, even beyond the hon. Gentleman if he were enthusiastic about the idea. The Bill is not intrusive, but if others do deem it intrusive, it is so for a purpose and most sane people would welcome it.

I am glad that the hon. Gentleman made no attempt to filibuster—I do not accuse him of that all. He is entitled to spend 40 minutes talking about anything that he likes, subject to your will, Mr. Deputy Speaker. However, I hope that the Bill is not seen as party political and that Opposition Members will support it. I hope that time will be found for it, and I really hope that it gets through before the election, whenever that is, so that all parties and all MPs can take credit for the fact that a small piece of legislation might save at least 1,000 lives a year. If that happens, we can all feel satisfied.

1.8 pm

Nia Griffith (Llanelli) (Lab): It gives me enormous pleasure to congratulate my hon. Friend the Member for Cardiff, North (Julie Morgan) on coming so high in the ballot and on choosing this extremely important Bill to ban the use of tanning salons by young people under the age of 18. My hon. Friend the Member for Swansea, East (Mrs. James) has championed that cause unstintingly for a long time.

I have been shocked to find out how many people simply do not know what is happening. When I have talked to constituents about what we would be doing today, they have asked, “Aren’t salons already staffed? Aren’t there any regulations? Aren’t young people already banned from going?” They have been horrified to find that it is quite easy for any youngster to walk off the street and into a salon.

[*Nia Griffith*]

The age of 11 is a key point at which young people get keen on their appearance. They look at all the magazines, and when they go up to secondary school they want to be big and join in with what the older young people are doing. They want to make themselves as grown-up as possible. They see tanning as one of the ways in which they can do that—they can get that glamorous tan. Of course, it is so easy when they can just walk in off the street, their friends are encouraging them, they feel a bit adventurous and they want to try new things. We all experienced such feelings when we were teenagers, but we are discussing a potentially lethal weapon, to which young people can subject themselves.

In a few years, those young people could be very bitter because we, as responsible adults, did nothing to prevent the availability of that opportunity, and they ended up suffering from a devastating form of cancer. Skin cancer is extremely serious; some people think of it as simply cutting out a little mole, but we know how quickly it can spread and develop secondaries. Sadly, many of us know people who have passed away from melanomas and various skin cancers.

It is therefore extremely important for us to take a responsible attitude. I know that some young people will feel that we are fuddy-duddies—“This is the adults again, trying to dictate, telling us what we should and shouldn’t do.” However, I know that many young people are concerned about what their fellow young people are doing and are aware of the dangers that tanning salons can pose. They know how easy it is for somebody not only to build up a long-term problem, but to suffer immediate damage, as in the sad case we had in south Wales of very severe burning. Clearly, that young person did not intend to do that to herself. It is so easy for such incidents to happen.

We must not lose our nerve. Our local authorities need the Bill to regulate properly. We do not want any nonsense about over-regulation. My hon. Friend the Member for Swansea, East clearly made the case for regulation. She has talked and listened carefully to all those involved in the business. She knows that the Bill is the only way forward, and that responsible providers of such services welcome what we are doing and want proper regulation so that we do not have a position whereby young people can simply walk in with no advice, no notices—nothing to warn them of the dangers—and expose their delicate skins to the horrible effects of tanning salons.

Of course, we want more than simply to ban under-18s from the salons. We want proper staffing and proper advice available to us all. I hope that the Bill will mark the beginning of getting on to a good footing and taking a sensible approach to tanning salons. We must ensure that we protect our young people and also conduct information campaigns to inform all adults of the potential dangers. We must also ensure that we back up legislation with good education programmes in our schools. We can then say to young people in schools, “This is illegal,” so that it is not simply a matter of exhortation, but of putting it plainly to them that they are not allowed to go to tanning salons. That added protection will contribute to the information campaigns. I hope that the Bill will have our full support today.

1.13 pm

Mark Simmonds (Boston and Skegness) (Con): I congratulate the hon. Member for Cardiff, North (Julie Morgan) on her success in the ballot, on her excellent choice of topic and on the work that she must have put in behind the scenes to get the Bill in its current form. She gave a succinct and articulate introduction, which credibly set the scene for the ensuing debate.

The hon. Member for Swansea, East (Mrs. James) should also be congratulated on her diligence and dedication in continually raising the issue, not giving up and pressuring the Government and hon. Members of all political parties to take it seriously. She was right to make the point that there are responsible operators and that the House needs to support them over those who do not operate in a considered and structured way.

I shall take the opportunity briefly to defend my hon. Friend the Member for Shipley (Philip Davies) and his contribution to the debate. He was right, particularly on two matters. First, he is right that, in a democracy, the other perspective must be presented—that is what the House is for. Secondly, he was right to suggest that just because something is popular, it does not mean that the House should follow that view.

The only defence for legislating on health care and banning something is if a ban is supported by clinical evidence. I have drawn different conclusions from my hon. Friend. The European Scientific Committee on Consumer Products produced a detailed report on the use of ultra-violet radiation devices in 2006, and it concluded that people should not be advised to use tanning devices, specifically if

“there are skin phenotypes of type I and II and the presence of freckles...multiple and/or atypical moles and...a family history of melanoma.”

It also says that the risks are high for people of “a young age”. It concludes:

“Thus UVR tanning devices should not be used by individuals under the age of 18 years.”

That is exactly what the Bill would achieve.

We have heard many statistics about the increasing use of sunbeds, some of which are very significant: more than 11 per cent. of 15 to 17-year-olds have used a sunbed; 6 per cent. of young people—250,000 children—a year use sunbeds. There are pockets of the country where sunbed use is high, and we have heard about south Wales, Sunderland and Liverpool. We need to introduce legislation that goes some way towards addressing the potentially detrimental outcomes of sunbed use by individuals under 18.

Other clinical evidence supports the premise behind the Bill. The International Agency for Research on Cancer has raised the status of sunbeds from “probably carcinogenic to humans” to “carcinogenic to humans”. There is clear evidence to suggest that if people under 35 use sunbeds the risk of their getting cancer increases by up to 75 per cent. As has been said, more than 10,000 cases of malignant melanoma were diagnosed in the UK in 2006 alone, and there has been a significant increase in such cases over the past 30 years. Sunbeds are linked not only to skin cancer but to other health conditions, including eye damage, dermatological conditions, photosensitivity and premature skin ageing.

Mr. Charles Walker (Broxbourne) (Con): I am not a scientist, but one of the drawbacks of the prolonged use of sunbeds and exposure to the sun is that people can end up looking like a shrivelled prune or a leathery turtle. I do not think young people are aware that short-term beauty has a long-term cost for their skin, purely from an aesthetic point of view.

Mark Simmonds: My hon. Friend makes a good point, but I would go further. Not only are people under 18 unaware but many people over 18 are unaware of the negative side effects, both of using sunbeds and tanning salons and of staying in the natural sun for far too long without sufficient protection. We need much more easily understandable and accessible information, so that people can make informed decisions about what they want to do with their lives.

Significantly, the Sunbed Association is in favour of the Bill, but there is uncertainty about the number of sunbed outlets. It is estimated that there are 8,000, only one fifth of which are registered with the association. The vast majority are therefore outwith the existing regulatory structure. It would be helpful if the Minister explained either today or perhaps at a later stage what estimate her Department has made of the number of sunbed premises in the country, and whether there is any research on prices and the cost of using sunbeds. The right hon. Member for Don Valley (Caroline Flint) made the point that a session can cost as little as 15p; the cheapest session that I have come across costs 40p, which is peanuts.

The existing voluntary regulatory structure has not worked, and there is a much bigger agenda to tackle. I am not going to be deflected into discussing it, but we must find ways of reducing the incidence of cancer and of improving five-year cancer survival rates in the UK which, the whole House will know, are extremely poor compared with survival rates in other EU countries. We could do so is by increasing and ring-fencing the public health budget at the Department of Health, and by providing much greater access to information. There is a strong argument for that, as there is a causal link in pockets of socio-economic deprivation to growing health inequalities, which is why we have said that we need to increase the resources going into those areas and why we have introduced our patient premium.

We in this House should not introduce legislation lightly, but the Bill is moving in the right direction. We need to support informed choice. I am as disappointed as other hon. Members that voluntary regulation of the sunbed industry has proved ineffective, so the Bill is a necessary step.

The key to the success of any such measure is enforcement, evaluation and monitoring. There is already too much duplication in evaluation and monitoring in national health service structures, and I notice from the impact assessment that the Department of Health and the Health Protection Agency will both be responsible for collecting data and pulling the assessment together. It would be much better to have one or the other—I would opt for the HPA. Perhaps as the Bill progresses, we need to look at that detail.

There is a slightly quixotic reference in the impact assessment—on page 14, for the Minister's officials—to pilot projects. I wonder what pilot projects there could be for an outright ban on the use of sunbeds by those aged under 18.

Another issue that needs to be thought about as the Bill progresses, which I hope it will, is whether 18 is the correct age. Are we saying that people who are 16 and 17 do not have the ability to make informed choices, or is there specific clinical evidence of a problem with their going on to get melanoma and other skin problems? I have looked for that research and not found it, but it would be helpful to know whether it exists.

I strongly agree with clause 5, which requires sunbed businesses to display information about the health risks of sunbed use. However, it would be interesting to know much more about that information: who will be responsible for it and will it emanate from the Department? Should that not be in the Bill rather than in subsequent regulations, despite the Secretary of State's assurances that they would follow quickly? I would like GPs and pharmacists also to have a role in disseminating that key information, as well as it being on premises where there are sunbeds.

Clearly, the objectives of the Bill are to protect young people from harmful effects of sunbed use and to raise their awareness, but there is concern about the equipment that is currently used in many tanning salons in the UK. The Minister will be aware that in 2007, the Government signed up to an EU declaration on the erythemally weighted irradiance level of tubes in sunbeds. As a consequence, all new sunbeds must comply with that limit, but the Government have failed, first, to implement their commitment to ensure that all existing equipment complies with the regulation, and, secondly, to set a time scale for its implementation.

The directive has already been implemented elsewhere in the EU—Austria, for example, has done so completely, and Denmark and Germany almost completely. It would be helpful to the House if the Minister explained where that has got to. Clearly, it is potentially significantly more damaging for UV output levels to be higher than those of the midday Mediterranean sun, which is why the regulation was introduced. The hon. Member for Cardiff, North and the Minister need to consider amending the Bill to ensure that sunbeds comply with the EU directive, which was supposed to be in operation from 1 April 2009. Alternatively, there should as a minimum be a commitment in the Bill to a time scale for compliance. For the edification of hon. Members, I confirm that the directive is not aimed solely at new sunbeds. It is also retrospective, so all existing sunbeds have to comply.

The explanatory notes and impact assessment refer to the costs of the Bill, relating to the authorised officer and the enforcement capacity. That seems sensible, but the total cost—supposedly—of these additional responsibilities for every single local authority in England and Wales is assessed at only £100,000. I find that very hard to believe, and we need a much more accurate assessment of the additional responsibilities and costs for local authorities, especially given the deteriorating macro-economic situation and fiscal deficit. Whoever is in power after the next election, that situation will have to be rectified.

The hon. Members for Cardiff, North and for Swansea, East were right to raise the issue of coin-operated salons, and I share their concern. That is not an acceptable approach. I understand from those in the industry that the Department of Health has been reluctant to discuss the impact of the Bill with those in that sector of the sunbed market. It would be helpful to know whether any research has been done or calculation made about

[*Mark Simmonds*]

what proportion of a sunbed salon's revenues is generated by under-18s and therefore what impact the Bill would have on the industry.

My hon. Friend the Member for Shipley mentioned the possible displacement impact, encouraging people to have sunbed treatments at home in unregulated conditions, rather than in salons, and that point needs to be considered. I am supportive of the medical purposes exception highlighted in the Bill, but I would like to know whether the Minister thinks that that will have to be achieved by prescription or just on a nod and a wink from a GP or other clinician.

There is legislation relating to sunbeds in other parts of the world—in the US, as we have heard, and in parts of Europe and Australasia—and we need to know what lessons can be learned from that. Has the legislation made a difference? What contact has the Department had with health departments in those countries to ensure that the Bill has the maximum impact?

We think that this legislation is going in the right direction. We will support the Bill, but some key issues remain to be addressed, which I hope will come out in Committee.

1.27 pm

Sarah Teather (Brent, East) (LD): I shall be brief, as I do not wish to detain the House. I congratulate the hon. Member for Cardiff, North (Julie Morgan) on securing second place in the ballot and using it for such a good cause. My colleagues and I support the Bill. Indeed, my hon. Friend the Member for North Norfolk (Norman Lamb) has spoken about this issue on many occasions, and the hon. Lady will know that he is very supportive of the Bill.

My hon. Friend the Member for Richmond Park (Susan Kramer), who is no longer in her place, asked me to tell the House about her husband, John, who died about three years ago of melanoma. He was told by his doctors that it was a result of sunburn suffered as a child. He had not used sunbeds, but his example highlights the fact that skin damage as a child can cause damage 30 or 40 years later. The hon. Member for Shipley (Philip Davies) spoke about freedom of choice, but it is very difficult to make an informed decision on this issue, especially as a child. The information provided about the level of ultraviolet light is often incorrect, and the hon. Member for Boston and Skegness (Mark Simmonds) spoke about the variability of the amount of UV light provided by various sunbeds. It is difficult even for an adult to make an informed choice, so it is impossible for a child or a teenager to make one about the damage that they might do to themselves 10, 15, 20, 30 or 40 years later. As my hon. Friend the Member for Richmond Park said to me, she was told by John's doctor that when a melanoma metastasizes, that person's chances of survival are extremely low. Melanoma is a difficult cancer to treat if it has metastasized. It might be easier to treat if it is picked up early, but it is difficult to treat if it spreads.

James Duddridge (Rochford and Southend, East) (Con): I am sympathetic to the argument that it is difficult for a child to make such a decision. The age chosen in the Bill

is 18, and the hon. Lady agrees that it is difficult for a child between 16 and 18 to decide whether they should go on a sunbed. Why then does her party support giving young people the vote at 16? Surely that decision is a little more complicated.

Sarah Teather: Oh, crikey. I am not sure that I really want to get on to that.

Mr. Deputy Speaker: Order. Can I share the hon. Lady's feelings?

Sarah Teather: I am eager to speak briefly so that my hon. Friend the Member for North Southwark and Bermondsey (Simon Hughes) might have a chance for his Bill too to be read a Second time, particularly as I am wholly supportive of the Bill that the hon. Member for Cardiff, North has introduced.

Lastly, we think that the Bill is a proportionate response to the potential danger, particularly to young people, and also to unsupervised coin-operated slot machine salons. We support the Bill and hope that the Government will make parliamentary time available to ensure that it gets on to the statute book.

1.31 pm

The Minister of State, Department of Health (Gillian Merron): I warmly congratulate my hon. Friend the Member for Cardiff, North (Julie Morgan) on bringing the Bill before the House in a well informed manner that also demonstrated enthusiasm and great sensitivity to the importance of the issue. I know that the House will want to pay tribute to my hon. Friend the Member for Swansea, East (Mrs. James), who has championed the cause and been well supported by many of her colleagues and rightly so. It is a mark of the energy and commitment that my hon. Friends the Members for Cardiff, North and for Swansea, East have shown that the measure has gathered such strong cross-party support.

I am extremely proud to add my voice to the chorus calling time on under-age sunbed use. Today that chorus has included well supported and informed contributions from my right hon. Friend the Member for Walsall, South (Mr. George) and my hon. Friend the Member for Llanelli (Nia Griffith). I am also grateful to the hon. Members for Boston and Skegness (Mark Simmonds) and for Brent, East (Sarah Teather) for giving their parties' agreement to the Bill, which I hope will come to fruition.

Anybody who has spent time outdoors with children will know just how quickly young skin colours and how fast a suntan can become sunburn. Luckily we can see the warning signs and take action to stop children inadvertently harming themselves. That is the essence of what today's Bill is all about. We cannot continue to allow children and young people to burn. The evidence is clear: sunbeds are a health risk, and the risk is greater for young people. I am convinced that legislation is required to protect the health of our young people.

On that point, perhaps I could give a gentle reassurance to the hon. Member for Shipley (Philip Davies), who unfortunately is no longer in his place. He legitimately asked questions about whether we needed the legislation. When bringing forward legislation, existing routes must of course have been tried first and must have failed, and

alternatives must have been sought. I can say to the House that in five areas that has indeed happened. There has been no attempt whatever to jump to new legislation. First, as we have heard a number of times from hon. Members, voluntary self-regulation by the sunbed industry has simply not worked, and the industry acknowledges that.

Secondly, some local authorities have special licensing powers, but those powers have limited applicability and provisions vary, so they too have not done the job. The Health and Safety Executive has revised its guidance, but that is exactly what it is: simply guidance. That has not done the job either. SunSmart, the national skin cancer prevention campaign, has reported no changes in behaviour among young people in the 16-to-24 age group, in regard to their attitude to protecting themselves from the damage that the sun and sunbeds can cause. So despite attempting to improve young people's awareness, we have not seen the change that we need.

Lastly, no legislation is in place to deal with this issue. I can assure the House that I have done a thorough job of finding out whether we could achieve the same effect without new legislation, as that would have hastened the outcome of our efforts, but it was just not possible. That is why we are here today. The Bill tackles the problem head on. This is the only way we can protect young people from harming themselves, and this is the earliest opportunity that we have had to bring these provisions into law. The Government fully support the Bill.

Last night, I was proud to welcome to Westminster Dylls Firth and Pam Connock. They are cancer survivors from Lincoln and they have done sterling work to raise money for a cancer charity called Candles, and to support the work of Professor Eremin. Their fundraising efforts are legendary. They had the opportunity to meet my hon. Friend the Member for Cardiff, North last night before I took them to No. 10 to meet the Prime Minister, in recognition of their efforts. They wished my hon. Friend more power to her elbow today, because they felt strongly that we could wait no longer to take action to protect young people from the risk of cancer, and that legislation, information and a change of attitude were now required. We have heard those points being raised today as well.

My hon. Friend—hand in hand with Cancer Research UK, which is also to be commended—has created a truly exciting and memorable campaign, which has challenged the idea that tanned equals beautiful. Members might have seen the media interest sparked by Nicola Roberts of Girls Aloud when she addressed the parliamentary reception to launch the Bill. Miss Roberts spoke with great passion, and made a health message real and relevant to a generation of young people, particularly girls, who feel under constant pressure to look a certain way and fit in with the crowd, regardless of the cost to their health. The Secretary of State and I were proud to attend the reception and to confirm our support for the Bill. The attention that the campaign has attracted, and the progress of the Bill, shows that with the right combination of legislation and education we can break the invisible chain linking success to suntans.

Today the House is faced with a simple decision, and we can save lives now. The evidence shows that skin cancer is on the rise. In 2004, there were more than

65,000 new cases of skin cancer. Melanomas, one of the less common but most deadly types of skin cancer, caused more than 1,700 deaths last year in England alone. One study estimated that melanomas from sunbed use cause about 100 deaths a year in the UK. Those deaths are preventable.

One of the most harmful aspects of skin cancer is the delay between the exposure and the effects. Cases of skin cancer being reported today could be the result of exposure 10 or 20 years ago. Estimates suggest that skin cancer rates will triple over the next 20 to 30 years. We have a generation of people storing up damage for the future, and we have a duty to do all we can to protect young people today so that we can save their lives tomorrow.

Should the Bill receive Royal Assent, the Government would begin consulting on further regulations—for example, to tackle unsupervised sunbed use—at the earliest possible opportunity, because the evidence is compelling. Over the past decade, the case against the use of sunbeds by under-18s has gradually been building. First, scientists explored the links between sunbed use and skin cancer. In 2003, the World Health Organisation recommended that nobody under the age of 18 should use a sunbed. In 2006, the Scientific Committee on Consumer Products, which advises the European Commission, also warned of the specific health risks attached to sunbed use. Studies then began to examine the links between sunbed use during childhood and the increased risk of skin cancer.

The hon. Member for Boston and Skegness (Mark Simmonds) asked the use of age of 18. As I have suggested, this limit has been recommended by the Scientific Committee on Consumer Products, the WHO and the Committee on Medical Aspects of Radiation in the Environment—COMARE—to whose report I shall refer in a moment. The limit is also understandable and consistent with other age restrictions, for example those relating to alcohol and tobacco.

Last year was a real turning point, because in June the independent body COMARE reported that exposure to ultraviolet light could cause skin cancer, and that young people were particularly vulnerable to skin damage. In July, the International Agency for Research on Cancer's working group classified sunbeds as "carcinogenic to humans" for the first time.

James Duddridge: I welcome this Bill and its use of the 18 age limit. If that limit proves to be too low and it is felt that, on reflection, it should have been 21, would it be possible to change it through secondary legislation or would we have to use primary legislation?

Gillian Merron: All these things are, of course, a matter for Parliament. The important thing to emphasise is that the 18 limit is based on scientific evidence, practicality and workability. I am sure the hon. Gentleman would agree that we only want legislation that can work and be enforced.

Last year, research also confirmed what my hon. Friend the Member for Swansea, East had been saying for some time: that sunbeds were routinely being used by young people across the country and that voluntary action by the industry was simply not going to be enough to protect their health. Health Ministers recently commissioned two surveys on sunbed use by children in

[*Gillian Merron*]

England. They were carried out by Cancer Research UK and they found that 6 per cent. of 11 to 17-year-olds had used a sunbed, with many starting at the age of 14. The evidence showed that the use of sunbeds by under-18s is widespread, that voluntary regulation alone cannot protect public health and that the link between sunbeds and skin cancer is extremely clear and present.

I wish to deal with a few of the comments made by the hon. Member for Boston and Skegness. I can reassure him about the impact assessment's reference to pilot projects, because this is a standard paragraph in the documentation and, in fact, the entry says "not applicable", so there are no pilots to refer to. He also mentioned the technical standards and compliance issue. This is a matter for my hon. Friend the Member for Cardiff, North and other Members, but technical standards are about product safety and this is a Bill about public health, so its focus should remain on public health and any other issues should be addressed elsewhere. Adherence to standards is not within the scope of the Bill, although I am happy to raise with the Business Secretary the issues that the hon. Gentleman has discussed. I can, however, assure him that a regime is in place to deal with this issue and it involves trading standards and the Health and Safety Executive.

Estimates of the number of sunbed outlets vary considerably and, as my right hon. Friend the Member for Don Valley (Caroline Flint) said, these businesses pop up all the time and disappear regularly. What is clear is that only a fraction of sunbed outlets are covered by the voluntary code.

We are moving ever closer to a health service that not only treats illness but tackles its causes—one that looks beyond life years and towards the quality of people's years of life. Cutting the risk of skin cancer means acting on a number of fronts: we need to educate young people better so that the risks are known; we need to regulate better so that children are not exposed to damaging environments; and we need to challenge the culture that links tanning to beauty. I believe that the

Bill is a significant step in the right direction. This is a Bill whose time has come and I am proud to support it on behalf of the Government.

1.45 pm

Julie Morgan: I want to thank everybody for their contributions—

Mr. Deputy Speaker: Order. I am sorry to interrupt the hon. Lady, but she must seek the leave of the House.

Julie Morgan: With the leave of the House, I want to thank everybody for their contributions. In particular, I thank the Opposition spokespeople for their good, measured responses, for which I am very grateful. The hon. Member for Shipley (Philip Davies) is not in his place at the moment, but I want to make a few quick points about what he said. I can reassure him that there is no intention of banning adults from using sunbeds. We want there to be information so that they know the risks. There is an exemption in the Bill that will allow under-18s to use sunbeds for medical treatment, which is something else he was concerned about. I am pleased that he recognised the need for supervised salons, which will come about as a result of the Bill.

I believe that parents do their best to try to stop their children accessing sunbeds. I do not think that parents are irresponsible and I think that they try very hard. However, what can they do if sunbed premises are not staffed? Parents recognise the dangers and will, I believe, be fully supportive of the Bill. My hon. Friend the Member for Swansea, East (Mrs. James) covered many of the other issues that have been raised, as did the Minister. I want, finally, to say that I think Opposition Members were right to say that we should not do things because they are popular. However, we should do things because they are right.

Question put and agreed to.

Bill accordingly read a Second time; to stand committed to a Public Bill Committee (Standing Order No. 63).

Town and Country Planning Act 1990 (Amendment) Bill

Second Reading.

1.47 pm

Simon Hughes (North Southwark and Bermondsey) (LD): I beg to move, That the Bill be now read a Second time.

I am very fortunate in that, for the second time in my political life—although the first came only a couple of years ago—I have managed to be successful in the ballot. I am grateful to have the opportunity to present the Bill to the House. I am grateful that the Minister is in his place and I hope that I can say things that can command general support. This is not intended to be a matter of party political division, but it is a matter that concerns us all greatly. It is about how we release more money to improve housing and for social housing in all parts of England where the need is significant. I am grateful to my 11 hon. Friends who have shown their support for the Bill and who sponsor it with me.

This is a simple Bill that seeks to amend the Town and Country Planning Act 1990, which contains a section, often referred to in local government circles—section 106. That is the section under which, when a developer applies to a local council for permission to carry out a development, there is a negotiated payment by the developer to the local council that is meant to compensate for the disruption and to pay for the changes that were necessary to the infrastructure as a result of the development.

One problem with that legislation has been that it has been a bit vague. That is one reason why the Government have started to look for an alternative. In the Planning Act 2008, they decided that they wanted to create something called a community infrastructure levy. They went out to consultation on that last year and in that consultation were some draft regulations. The consultation has finished, but the draft regulations have not yet turned into regulations so we do not yet have in place the community infrastructure levy. In any event, it was never the Government's intention to get rid of section 106 and replace it, but to have both mechanisms operating in parallel. In the draft regulations for the community infrastructure levy, it is proposed to exclude housing from certain categories that could benefit. Section 216(2)(g) of the 2008 Act would be amended to read

“such housing as CIL regulations may specify.”

The intention is to limit the payments for housing.

I am keen to respond to the needs of boroughs such as mine—Southwark—and to colleagues who are in the joint administration of the council there, as well as to colleagues in all parts of the country whatever the colour of the administration. We want to meet the desperate need for more social housing. We still have a social housing crisis. There are too few affordable homes for rent, as my hon. Friend the Member for Brent, East (Sarah Teather) knows as well as anybody. She speaks for us on the matter regularly. Much of our existing stock is in a state of disrepair. I want to allow every possible future revenue stream, from developers and everywhere else, to be used to carry out urgent renovations to local housing stock or to build new homes, if that is what the council wants.

I shall be relatively brief, because I want the hon. Member for Peterborough (Mr. Jackson), who speaks for the Conservatives, my hon. Friend and the Minister to be able to contribute in the hope that they will all be favourably disposed and we can make progress with the Bill.

Housing has been one of the biggest issues in my constituency for all the 26 years since my election. Southwark is the third largest council landlord in the country and the largest local authority landlord in London. As of last October, 40,485 properties were let to social tenants. The borough is the freeholder for approximately 15,000 properties that people have bought under the right to buy. Things may have changed. In the '70s, nearly 70 per cent. of all housing in the area was social housing; the figure is now down to 45 per cent., but a third of all the houses in the borough are the council's responsibility. The waiting list is still in the order of 15,000. On 1 April last year, 15,000 households were registered with the council as wanting social housing. In the same year, only 3,691 social rented homes became available. Southwark faces the same challenge as everybody else in local government—trying to maximise the amount of housing available when there is such huge demand both from people who need their first home and from people in an overcrowded home wanting to move to a better one.

I could easily give more figures, but without doing so, I can say that there has been a changing pattern in the provision of social rented dwellings. In England, 25,000-plus new social homes were provided every year at the beginning of the '90s. There was a peak of 57,000 in 1992-93, but the number went right down in 2004-05—the lowest year—to 21,000 new homes a year. It has picked up a little since then, but nothing like enough to meet demand.

The same pattern applied in London, as my hon. Friend knows well. In the early '90s, just over 4,000 new social homes—council and local authority—came on line over a year. The highest number in any one year was 12,000 in 1995-96, since when the lowest was in 2004-05 when just over 5,330 new homes came on stream. In Southwark, which is obviously the borough of most interest to me, in the last full year, 2008-09, no new dwellings were started, although many dwellings were being built as replacement stock. In the same year, 81 social dwellings were started. None was formally recorded as completed, though many have, happily, been completed in the past few months and people have been happily moving into them. The challenge is still the shortage of social housing.

My hon. Friend the Member for Brent, East, our party leader, my right hon. Friend the Member for Sheffield, Hallam (Mr. Clegg) and others launched a policy the other day that would allow us to bring 250,000 empty homes back into use. That is one strategy that we are committed to, and we have set aside the money to do that. We have also made a commitment that, in a future Parliament, income would be used nationally to build new homes, renovate others and make every home, as far as possible over a 10-year period, a warm home. That would create many jobs and insulate homes, but it does not deal with the fact that many local authorities have hesitated to use section 106 money for housing or improvement of housing.

Jeremy Wright (Rugby and Kenilworth) (Con): Although I do not disagree with the hon. Gentleman's argument, may I draw his attention to the concern that his Bill raises? It may be something that he intends to deal with, in which case I apologise for diverting him. He has explained clearly the difficulties that councils face in providing enough housing. There is huge pressure on them to do so. As I understand it, the original purpose of section 106 agreements and planning obligations was to prevent a failure to provide the necessary infrastructure to go with those housing developments. If he enables councils to spend that money on housing, are we in danger not only of failing to solve the problem of inadequate infrastructure, but of adding to it by bringing in more housing without that attendant infrastructure?

Simon Hughes: The hon. Gentleman makes a good point, which I entirely understand. What often happens is that the local authority, when consulted by the developer, would prefer the money to be used for improving housing adjacent to the development or for building more housing, rather than for what is strictly infrastructure.

I shall give the very best example I can. There is a huge development, which has had local support, called the Shard of Glass at London Bridge. It will be the tallest building in London. It has obtained planning permission and there was no significant objection, but it is cheek by jowl with housing estates, mainly local authority ones. When the development was applied for and agreed to, local people asked, "What's in this for us?" Obviously, it will change their skyline when there is a huge building outside their windows.

The council in that case has been able to negotiate to get some section 106 money, but what it most needed it for was not what could strictly be called the infrastructure to do with that development. It would rather have used the money for something else. My Bill seeks to give the option—only to give the option, not to be prescriptive—to the local authority to say, "We are satisfied that the infrastructure consequences of the development can be met. We do not need to adjust the pavements, re-route the roads or put in more drains. What we need locally is, for example, to insulate the windows of the estate next door so that the noise from the construction work and later, when the building is in use, will not adversely affect the homes on that estate."

I understand that the hon. Gentleman wants to make sure that there is clarity about using the money for such purposes. Some local authorities have taken the risk, as I understand it, and used section 106 money for those purposes. Most of them believed that that was slightly beyond the original purpose, so have not done so. The Bill makes it clear that that is an option if the local authority wants it.

Following from the hon. Gentleman's good point, I should say that sometimes in a development negotiation, the outcome can be that the developer agrees voluntarily to build some affordable housing next door as part of the development to give money for it to be built or to improve housing.

My proposals would not change that process, because I seek to ensure that, when local authorities receive the money, they do not need the developer's agreement to undertake the work that they have prioritised. In case the hon. Gentleman does not know, I should say that my party and his party have jointly administered my

local authority for the past four years, and his colleague, who is the executive member responsible for housing, agrees with those priorities.

There is also an independent argument in support of my proposal. Southwark council recently commissioned from the Local Government Information Unit a study to seek advice on how it might maximise revenue to deal with our borough's housing needs. The study's recommendations were published the other day and included the suggestion that central Government accept the shifted allocation of local resources. The study also supported debt restructuring. Southwark has a huge historical debt from housing that no longer exists and it wants to restructure that debt so that it does not have to pay as much in the short term. It would be able to spend less of its income every year on legacy bills and get on with building houses.

The report also made other proposals on, for example, Government land lending, but it also recommended

"enabling local authorities to make an independent judgment on the use of planning gain, including using commuted sums from private development for the renewal of housing in the immediate area."

The local authority received the report from an independent non-party body, which said that that proposal was a good option for maximising revenue and for housing.

We are talking about large sums of money, but, interestingly, there is no simple read-across grid of how much section 106 money goes to every local authority. The hon. Member for Vauxhall (Kate Hoey) and I have worked hard to ensure that her local borough, Lambeth, and my local borough, Southwark, produce those figures, and they have. The most recent estimate relates to 2005-06, when the total value of section 106 obligations in England was £4 billion, and £3 billion is likely to be delivered in practice, so the yearly sum is significant. Birmingham city council signed 43 agreements in 2008-09 worth £5 million; Camden council received almost £3.5 million in 2008-09; Islington council has received £23 million since 2005-06; Southwark council signed 45 agreements in 2007-08 worth £15 million; and Tower Hamlets council has received almost £54 million since 2000. Those significant sums of money could make a big difference, and good local authorities, of which Southwark is one, now produce section 106 reports that list all the money that they receive. There was always a problem with transparency, so communities did not know where the money went, but authorities are now much better. Lambeth, next door, has become much better at sharing and discussing that information with the community, so councils of all colours have realised the benefit of making the process much more transparent.

The Government were very keen on the decent homes programme, and I supported it. The right hon. Member for Kingston upon Hull, East (Mr. Prescott) launched it when he was Minister for housing, and it was due to end this year, but unfortunately it is not going to, because not all the homes that were planned for upgrading have been upgraded. According to the figures that I have, 305,000 have not been upgraded, and the programme is projected to be £18 billion over budget. It is now accepted that every home in council housing and social housing stock will not be a decent home, as defined by the programme, by 2010.

Southwark—the borough that I know best—has estimated that it needs £300 million over the next five years to meet the minimum requirements of the decent homes standard, and up to £700 million to meet our local standard. Clearly, we do not have that income available. The council is very clear that we should be allowed to recycle our debt—I raised this with the Minister the other day, and he was not unsympathetic in terms of national policy—and borrow money at lower interest rates. We are often hemmed in by agreements that require us to borrow at 8 per cent., whereas on the commercial market one could get a loan at 2 or 3 per cent. If we were also allowed to use section 106 money, that could make a significant difference to the renovation of our housing stock, which we could carry out ourselves, and to the new-build housing that we could produce.

I know that the Government have the community infrastructure levy plan in the pipeline. However, given that that project was due to come into operation in April, and that we know that a general election must happen in June at the latest, so Parliament will finish in May at the latest, we must be realistic about its not being a white knight that is going to ride to the rescue. I am therefore keen to see whether we can make this very modest change in legislation. It would change one small bit of one existing Act of Parliament, but in a way that could make a significant difference to every local authority that is a housing authority and a planning authority and is under real pressure to provide more affordable housing. Every council in England would tell Ministers that that is one of the big pressures that they are under, and the Department knows that.

I hope that colleagues in all parts of the House will allow the Bill to make this a hat trick, and that today or next week it can pass from Second Reading into Committee and come out as a piece of legislation before the general election. I am grateful for colleagues' attention, and I commend the Bill to the House.

2.7 pm

Mr. Stewart Jackson (Peterborough) (Con): I congratulate the hon. Member for North Southwark and Bermondsey (Simon Hughes) on securing a place in the private Members' Bill ballot. With all due respect, though, I fear that this is a piecemeal Bill that tackles a symptom rather than the substantive issue. I will explain why a little later.

Her Majesty's Opposition think that section 106 of the Town and Country Planning Act 1990 should be restricted to site-specific improvements to make something acceptable in planning terms that otherwise would not be acceptable without that improvement. In that context, Conservatives have some concerns about the Bill. Improving residential premises might be justified as a site-specific measure, but we believe that building new premises would not. The Bill threatens to turn section 106 into even more of a development tax, on top of the community infrastructure levy.

As regards planning obligations, we are worried that the cumulative effect of regulatory burdens on the house building industry would undermine the viability of many housing regeneration projects, resulting in fewer homes being built. We want to review the whole manner in which the section 106 regime and the proposed additional community infrastructure levy works. We will examine how those levies can be simplified and

localised so that individuals and communities affected by new development are not only properly compensated for any loss of amenity but benefit from genuinely improved places to live post-development. We want to give councils greater fiscal incentives to promote economic development and house building in their area by reform of the local government finance process. We will publish more details of those proposals for planning reform within the next few weeks.

I shall be as brief as possible on the specific key questions to allow the hon. Member for Brent, East (Sarah Teather) and the Minister to enter the debate. As I said, section 106 is designed to make something acceptable in planning terms that otherwise would not be acceptable without that improvement. By extending its scope to building new premises, the Bill threatens to be a development tax. Perhaps the hon. Member for North Southwark and Bermondsey will give some consideration to that.

A parliamentary answer in March 2009 stated that of £4 billion of section 106 money, 90 per cent. was going not in cash to local authorities but directly towards the provision of various agreements and planning obligations. That left about £340 million for local authorities. Is not the real point that the levies need to be simplified and localised? Would the measures in the Bill add to the cumulative effect of regulatory burdens on the building industry?

Simon Hughes: I do not want to delay the hon. Gentleman, but I wish to ensure that his points are dealt with. The Bill would give local authorities an option, but it would make nothing compulsory. It is intended absolutely not to add any burden but to take away one that restricts activity. I understand not wanting to limit local government's powers, but the hon. Gentleman's party talks all about localism and the Bill is about giving local authorities more power and more freedom so that they are less restricted.

Mr. Jackson: I thank the hon. Gentleman for that clarification.

It is important that the negotiation of planning obligations does not unnecessarily delay the planning process, thereby holding up development. Would the measures in the Bill add a layer of complexity to planning obligations that would clog up the planning system? How would they tie in specifically with the new community infrastructure levy?

Clearly the Government's plans to scale back the application of section 106 agreements will effectively make the optional community infrastructure levy system virtually compulsory. In the long term, would the Bill be an effective means of providing more residential properties and improving our existing housing stock? Finally, is there not a clear message from the industry that the Government must clarify how the proposed levy will work alongside section 106 agreements? Perhaps those specific issues will be considered if the Bill gets to Committee.

We have significant concerns about the Bill, but we welcome the opportunity to debate this important subject. I look forward to listening to the Minister's response.

2.11 pm

Sarah Teather (Brent, East) (LD): I shall be extremely brief, because I want the Minister to get through his speech so that the Bill introduced by my hon. Friend the

[Sarah Teather]

Member for North Southwark and Bermondsey (Simon Hughes) can pass. I just wish to put it on the record that I support the principle of what my hon. Friend is doing. It does not seem at all sensible that section 106 can be used to improve the flowerbeds in a development adjacent to a brand-new building but not to improve the windows to prevent noise from the construction work or to prevent the howling gale that might happen because two tall buildings create a wind tunnel. That does not seem a sensible use of section 106. The Bill would be a helpful change to the law, and I hope that it proceeds to Committee so that it can be considered in detail.

2.12 pm

The Parliamentary Under-Secretary of State for Communities and Local Government (Mr. Shahid Malik): It is a pleasure to engage in this debate under your stewardship, Mr. Deputy Speaker. I welcome the opportunity to discuss the issues that the hon. Member for North Southwark and Bermondsey (Simon Hughes) set out in support of his Bill.

The supply of both homes on the private market and affordable homes is, of course, an important matter, as is the standard upkeep and maintenance of those homes. I know that in the hon. Gentleman's constituency in particular there are some real challenges to do with the provision of new homes and the maintenance of the existing stock. He made that point clearly.

Homes are the building blocks of our communities and affect our health, our wealth and our opportunities for happiness. The Government are committed to the fact that everyone should have access to a decent home at a price they can afford, whether they own or rent it. The basic propositions of the Bill are to increase the provision of market and affordable housing supply and to ensure that existing homes in need are improved to provide decent accommodation. Of course we support those aims. Indeed, they are already Government policy. However, we believe that the means to secure those objectives are either already available to local authorities by the use of section 106 of the Town and Country Planning Act 1990 or can be secured by other means. Although we support the overall intentions behind the Bill, which are laudable, we therefore do not support the Bill itself.

Simon Hughes: The figures cannot be disputed. Those that I have been given show that in London 350,000 households are on a waiting list. The figure for England is 1.75 million. Given that the Minister, like me, wants as many people as possible to live in a decent home, surely anything that allows any additional homes to be built or improved—even if it makes only a small contribution—must be a welcome addition to the rest of the Government's plan, which he will outline.

Mr. Malik: I will talk about decent homes later, and I am sure that I will answer that question. The hon. Gentleman mentioned decent homes earlier and the fact that the Government might miss their target for 2010. We are clear that well over 90 per cent. of the target will be achieved by 2010. In the past 13 or so years, we have reduced the number of houses that were not decent by about 1.5 million.

Bob Spink (Castle Point) (Ind): Central to the debate is the effectiveness and operation of councils' empty homes officers. Is the Minister convinced that they have sufficient powers and that councils give them enough funding to enable them to bring more homes, particularly in London, into use?

Mr. Malik: The debate about whether there are enough powers will continue, but I am sure that the hon. Gentleman welcomes the fact that the Government have initiated a new council house building programme throughout the country. It will help to ensure that there are more decent houses for people from all sorts of background. There are some acute challenges in London in particular.

Although we support the Bill's overall intentions, we do not support the measure. The proposed amendment to the 1990 Act is not required to deliver the outcomes that the hon. Member for North Southwark and Bermondsey seeks and could negatively affect the use of a valuable planning instrument. Section 106 agreements can already be used to secure developer contributions to the provision of new, affordable housing.

The Government have a range of other delivery routes, such as the decent homes programme, which I mentioned and to which the hon. Gentleman referred, for the investment needed to fulfil our aim to make all social housing decent. Good quality, affordable housing enables stable and secure family lives. We are all healthier, happier and wealthier when we have decent homes close to schools, health care and transport links.

It is not an issue just for families. Good housing can improve our social, environmental and economic well-being. It helps to create better communities that can attract investment and skilled workers. Getting the design right can also improve the environment and reduce our carbon footprint. Strategic housing decisions are critical to the life chances of the next generation. Increasing the supply of housing, including affordable housing, is a central priority for the Government, as is improving the existing housing stock, particularly making all social housing decent.

To achieve that, the Government have four strategic goals. They are: to achieve a wide choice of high-quality homes, both affordable and market housing to address the community's requirements; to widen opportunities for home ownership, and ensure high-quality housing for those who cannot afford market housing, in particular those who are vulnerable or in need; to improve affordability across the housing market, including by increasing the supply of housing; and to create sustainable, inclusive, mixed communities in all areas, urban and rural.

I will now talk about decent homes.

Simon Hughes: I hope that the Minister can deal with decent homes relatively quickly because the central issue is the Town and Country Planning Act. Does he accept that, although deals can be done between a developer and a council, which mean that a developer can build more social housing, the Bill does not stand in the way of that? It simply gives the local authority the freedom to say, "Whatever money we receive from the developer, we can choose whether to spend it on home improvement or home building." My hon. Friend the Member for Brent, East (Sarah Teather) mentioned home improvement. The choice would be for local councils. Surely the Minister and the Government support that.

Mr. Malik: The hon. Member for Monmouth, I think, touched on the dilemma in the Bill. Section 106 agreements are directly related to the development itself. If there were a central pot of money, it would undermine the rationale for those agreements, which is linked to the impact of the development in a particular geographical area.

The Government strategy to deliver decent homes is highly successful, and has improved the quality of life of people in millions of households. I am not sure why the decent homes programme is not championed more often, as its prime aim is to improve social housing standards and place greater emphasis on long-term asset management. In addition, it has delivered greater tenant involvement in housing management decisions; improved the choice of housing management provider; and provided support for tenants to improve their skills and open up job opportunities.

By 1996, a £10 billion backlog of overdue renovation work had built up as a result of past under-investment in social housing. In addition, an estimated £9 billion-worth of investment was necessary to modernise and improve local authority housing to a decent standard. I said earlier that more than 2 million homes were below the basic standard of decency, but the number of non-decent social homes has gone down by 1.5 million, and nearly 86 per cent. of social homes are decent.

Mr. Stewart Jackson: The Minister has confused me with my hon. Friend the Member for Monmouth (David T.C. Davies), who is much better-looking. Peterborough is my constituency.

We are in danger of meandering on to the issue of housing, but we are effectively considering secondary legislation to amend planning legislation. Given that the Government's main vehicle to deliver infrastructure is the community infrastructure levy, will the Minister comment on the article on the PlanningResource website this month, which showed that 80 per cent. of planning authorities are still unlikely to implement the levy?

Mr. Deputy Speaker: Before the Minister replies, the hon. Member for Peterborough has issued a salutary warning that we should concentrate on section 106.

Mr. Malik: In fact, I meant to refer to the hon. Member for Rugby and Kenilworth (Jeremy Wright), not the hon. Member for Peterborough (Mr. Jackson). I do not want to be the cause of compliments or insults—I will let people make up their own mind.

You are right, Mr. Deputy Speaker, to direct me to section 106, although it is obvious that we have a good story on decent homes, and I was keen to tell it. Section 106 is a vehicle for delivery. As the hon. Member for North Southwark and Bermondsey will know, section 106 agreements, also known as planning obligations, are private legal agreements between local authorities and developers. They can be attached to a planning permission to make acceptable a proposed development that would otherwise be unacceptable in planning terms. Such obligations can be used to prescribe the nature of a new development, for example, requiring a given portion of new market housing on a site to be provided as affordable housing. They can be used to compensate

for loss or damage created by a development—for example, loss of open space caused by a new development. Finally, they can be used to mitigate the impact of a development, for example, through increased public transport provision, where the impact of new development puts pressure on existing services. That point was made by the hon. Member for Rugby and Kenilworth.

Philip Davies *rose*—

Mr. Malik: I have probably got the constituency wrong again.

Philip Davies: The Minister is getting to the nub of the matter. Section 106 agreements are often put in place after a large planning application has gone through, to try to help the local community and mitigate the worst effects of the application. Is he not concerned that the Bill might lead to another kick in the teeth for local residents, who see the money that is provided for mitigation being used to build even more houses?

Mr. Malik: The hon. Gentleman poses a powerful question. That is one of the dilemmas in the Bill. Instead of mitigating the impacts of developments for local communities that are directly impacted, the money could be used elsewhere, which completely undermines the rationale for the section 106 agreement in the first place.

Simon Hughes: That is completely not what the Bill would do. The local authority, representing the local community, would have the choice. If it thought that a community wanted a development, it could choose to proceed. Communities such as the Tyers or the Whites Grounds estates near London bridge would say, "We are very happy either to have our housing improved, or to see some local, affordable, suitable housing built as well as a very very tall office block." Local communities will be very supportive of that.

Mr. Malik: Of course, I understand where the hon. Gentleman is coming from with the Bill, but I will make the point once again that section 106 is drafted as it is so that there is no discretion for the local authority. If there were, there is every likelihood that resources would drift away from the areas that are directly affected by the development itself. That is the rationale of section 106. I understand the laudable objective of getting more housing or improving housing. We all support that, but that is not what section 106 ostensibly relates to. Proceeding with the Bill would take us in a direction with which most of us would be relatively uncomfortable.

Simon Hughes: Nothing in the Bill changes the present rules that mean there has to be a local benefit, just as under all section 106 agreements. Nothing will suddenly allow a council to move a development to the other end of its area as a benefit. Nothing will change, the Bill will simply allow a council to use the measure for housing, if that is what the council wants.

Mr. Malik: Debates get to a stage when people are just not going to agree—that is probably where we are now. That is not because I believe the objectives are not

[Mr. Malik]

laudable—they are—but the vehicle that is being used to achieve them is fundamentally inappropriate. I and other hon. Members have given some of the good reasons why that is so. I accept that our arguments have not penetrated as they might have done, but that is the hon. Gentleman's prerogative.

It is a long-standing principle that planning obligations should not be used purely as a means of securing for the local community a share in the profits of development. Likewise, planning obligations should not be used solely to resolve existing deficiencies, such as housing in poor repair. That is because planning obligations are intended to be used where there is a strong relationship between the impacts of a new development and the action required through section 106 to mitigate or compensate for them.

The Government's policy requires, amongst other factors, that planning obligations are sought only when they are relevant to planning; necessary to make the proposed development acceptable in planning terms; directly related to the proposed development; fairly and reasonably related in scale and kind to the proposed development; and reasonable in all other respects.

Local authorities use planning obligations to secure developer contributions towards a wide range of things, including land, transport and travel, open space and the environment, community works and leisure, and education. Around half the value of all contributions, however, is made towards the provision of new affordable housing in the form of either in-kind, on-site provision or by financial contribution to the local authority by the developer—

2.30 pm

The debate stood adjourned (Standing Order No. 11(2)).

Ordered, That the debate be resumed on Friday 26 February.

Business without Debate

DEVELOPMENT ON FLOOD PLAINS (ENVIRONMENT AGENCY POWERS) BILL

Motion made, That the Bill be now read a Second time.

Hon. Members: Object.

Bill to be read a Second time on Friday 26 February.

Bob Spink (Castle Point) (Ind): On a point of order, Mr. Deputy Speaker. I would be grateful for your advice. Would it be in the democratic interest for it to be on the record that the objection came from the Conservative Benches?

Mr. Deputy Speaker: The hon. Gentleman should be clear about what he is saying before putting it on the record. In any event, it is not a point of order for the Chair. He knows Friday procedure as well as I do.

Jeremy Wright (Rugby and Kenilworth) (Con): Further to that point of order, Mr. Deputy Speaker. I wish to clarify that the objection came not from the Conservative Benches, but from the Government Benches.

Mr. Deputy Speaker: I hope that we have now cleared that point up.

CO-OPERATIVE AND COMMUNITY BENEFIT SOCIETIES AND CREDIT UNIONS BILL [LORDS]

Bill read a Second time; to stand committed to a Public Bill Committee (Standing Order No. 63).

SECTION 5 OF THE EUROPEAN COMMUNITIES (AMENDMENT) ACT 1993

Motion made,

That, for the purposes of its approval under section 5 of the European Communities (Amendment) Act 1993, the Government's assessment as set out in the Pre-Budget Report 2009 shall be treated as if it were an instrument subject to the provisions of Standing Order No. 118 (Delegated Legislation Committees).—
(Mr. Spellar.)

Hon. Members: Object.

Antisocial Behaviour Orders

Motion made, and Question proposed, That this House do now adjourn.—(Mr. Spellar.)

2.32 pm

John Mann (Bassetlaw) (Lab): It is not with great pleasure that I have applied to discuss this topic this afternoon, because antisocial behaviour is probably the biggest plague of modern times. We can see from the Opposition Benches just how important and serious an issue it is to them. Those Benches have emptied, but Opposition Members will probably regret leaving, because I will later reveal statistical data on local authorities and their attitudes to antisocial behaviour.

First, I wish to discuss the positive. Much of this debate will concentrate on the punitive powers that need to be more effectively used—indeed, some local authorities are not using them at all. When we deal with antisocial behaviour, it is essential that we provide, especially for our young people, alternatives to hanging around on the street with, in their words, “Nothing to do at all.” There is nowhere in the country where young people have historically had less to do in the last 30 years than the constituency of Bassetlaw. The local burghers have been good over the years at providing facilities for pensioners, and they are a strong lobby, not least on the local authorities. Indeed, they are a majority in absolute terms among the elected members, and have been for some time. Therefore, the pensioner voice is rightly heard. I like to pride myself on being one of the champions of pensioner issues across the country, but we must also ensure that local authorities give priority to young people. If we have areas with no cinemas and a lack of sporting facilities and other activities, the disrespect that we show young people is bound to rebound on to society.

I cite as a good example the shameful case of the cinema that Bassetlaw council first promised in 2002, as part of a planning deal—a very unpopular deal—with a large supermarket called Tesco and a developer called Henry Boot. In that plan, the council was to sell its land for an unpopular development by Tesco. The council then passed approval on the explicit basis that it would build a bowling alley and a cinema, aimed at young people in particular, with the moneys that it had received as a capital receipt. Despite the controversy, the plan was adopted. The plans were agreed and the money—£12 million—has been paid over.

The young people in Bassetlaw ask, “Where is our cinema? Where is our bowling alley?” Indeed, I have been asking that repeatedly over the past five years. I have been given promise after promise, but there is no cinema and no bowling alley. The council has put the money in its coffers—some would suggest that it needs some of that money, because of its failed speculation with Icelandic banks. However, even aside from the £8 million that the council unwisely invested in Iceland, that still leaves £4.5 million, which is more than sufficient to build a cinema and a bowling alley. The young people of Bassetlaw are asking this question, so it should be put on the record today: where are our facilities and why has our council not provided them?

But if that were not bad enough, on 23 December a planning application was considered for another supermarket, which would have created 1,000 jobs, including

400 this year, and a multi-sports complex, which would have brought the local football team—a team with 21 junior football teams, and therefore one involving a swathe of young people in the town—back to the town. Again, the said council decided to vote against that application. It is probably the only council in Britain that turns down jobs and youth facilities when offered them for free by the private sector. As one young man—an eight or nine-year old—said to me, “I’m part of Worksop Town: I’m one of the players. I want to play there. I want to see our stadium.” That is about aspiration, and it is precisely such opportunities that are the antidote to the antisocial behaviour on which our councils, and particularly Bassetlaw, let us down.

However, punitive measures are also important. One would think that Bassetlaw and other such councils that do not invest in youth facilities would at least invest in dealing with antisocial behaviour. I have therefore taken the opportunity to make a freedom of information request of every local authority in the country, to see exactly whether the many powers that have been wisely given by the Government—I have actively and willingly voted in favour of all powers suggested while I have been a Member, and will do so in future—are being used. The Local Government Association, in a special briefing for this debate, says yes.

Bob Spink (Castle Point) (Ind): Antisocial behaviour is a particular problem in my constituency but, according to local residents, the council appears to be doing very little about it. Can the hon. Gentleman please tell me what the results of his freedom of information request say about Castle Point borough council and what it is doing about the problem?

John Mann: I am prepared to make my results public to the entire world, including the hon. Gentleman, although he might be a little disappointed that his local authority has chosen, illegally, not to respond to my freedom of information request. It is most peculiar that it does not even give priority to its legal requirement to respond to a request to provide such information. I must be more diligent in pursuing his council to ensure that it fulfils that legal obligation and provides him with the answer that it perhaps does not wish the world to see.

Of course, Castle Point begins with the letter C. If it began with the letter A, things would be straightforward, because no local authority beginning with the letter A has ever issued any antisocial behaviour orders of any kind. It so happens that overall control on every one of those authorities is held by a certain political persuasion, of a particular colour. That might be a coincidence—I have an analysis of the figures to lay before the House—but no authority beginning with the letter A has chosen to spend anything whatever on ASBOs.

Bassetlaw, as one would expect from my earlier remarks, has chosen to spend no money on ASBOs, despite the fact that we have a small number of nightmare households that ruin communities with their bullying, intimidation, vandalism and abuse. I could name those households; the police could name them; the council could also name them. Quite a number of them are in council accommodation, so why is the council—along with many others across the country—not using its powers? This applies not only to ASBOs. Many local authorities are not using their powers relating to waste, abandoned

[John Mann]

cars, fireworks and noise controls. It is as though they are bidding for the Olympics. Their figures for the past five years show five zeros: the five rings, the five doing nothings. We see this in authority after authority.

There are examples of good authorities, however. The city of Nottingham, an excellently run authority, has taken a lead in challenging antisocial behaviour and I give it particular credit for its zero tolerance policy with regard to the shameful gardens that some of its tenants used to keep but are no longer entitled to keep. The council is bringing up the neighbourhood. The same dysfunctional families and households are often involved in these practices as well. Often, the problems involve not the younger children but the older ones and the adults. The council has tackled those problems effectively. Manchester city council has also taken a lead in issuing ASBOs and using its powers inventively. It has given the bullies who hassle their communities more hassle in return than they give out. That is the direction that we need to take.

It is worth putting some figures on record. Sixty-one per cent. of councils that do not use ASBOs in a given year are Conservative administrations. It is no surprise that its Front-Bench Members have now disappeared. Twenty-five per cent. of the councils not issuing ASBOs have no overall control, 9 per cent. are Liberal Democrat and 6 per cent. are Labour. So the number of Labour councils not using this power is negligible, compared with the rest. The Conservative party has considerable control over local government at the moment, but these figures demonstrate that councils right across the country are not issuing any ASBOs at all. What support does that offer to the police? More importantly, what support are those local authorities giving to their communities, and to those embattled neighbours who have to live next door to the bullies, the abusers and the hasslers? They are the people who are being let down by those local authorities' refusal to use their powers.

I commend the range of powers that the Government have brought forward, and the extra resources that have been put in. The Government have given Bassetlaw council more money to deal with antisocial behaviour, but it still does not spend a penny on tackling the known thugs and bullies. These days, that should be a primary role for a local authority. Exemplars such as Nottingham or Manchester city councils should not stand out as beacons. What they are doing is not necessarily brilliant, but it is brilliant in comparison with everyone else. What they are doing should be mundane, humdrum, everyday activity. I do not want those people who give grief to our communities by targeting pensioners and bullying mothers with children to be given air and space in our communities. They should be clamped down on.

I would like to see civil and criminal powers being used against those thugs and bullies, and those people who torment others and who believe that they are beyond the law. I want those powers to be used against the households that become a centre and a catalyst for antisocial behaviour and attract young people—usually the 16 to 25-year-olds—to stay overnight, drinking and perhaps taking drugs. Small numbers of those young people use the households as a base from which to go out and terrify and intimidate their local community.

We need to get back control of our streets and that means we need effective policing. I commend Nottinghamshire police force, which, following my question to the Prime Minister and his action from 9 December, reallocated 84 police officers to the north of the county. It was about time that we got that number of police. It should not require an MP raising the issue in this House to get that level of policing; those police should always be there. Those police—good men and women who are doing their job and taking the brunt of challenging antisocial behaviour—need support from civil society, with local authorities using their powers as landlords, using their powers under the Clean Neighbourhoods and Environment Act 2005 and using the swathe of inventive powers that have been rightly given by this Government. I commend those powers, and I commend my report to those who are willing to look at it and hold to account local authorities that are refusing to put respect and pride back into their communities. Such authorities are not doing what they should be doing, which is leading as civil leaders, using their powers and tackling the bullies. I look forward to the Minister's response.

2.45 pm

The Minister for Policing, Crime and Counter-Terrorism (Mr. David Hanson): I congratulate my hon. Friend the Member for Bassetlaw (John Mann) on securing the debate and on, as ever, putting his case strongly and in encouraging terms. He has focused clearly on an important point, which is that, first and foremost, we should not be tolerating antisocial behaviour. Each authority, be it the police, a local council or central Government, should take action on that matter. On behalf of the Government, I commend the focus that he has put on the need not to tolerate antisocial behaviour and to use the many tools and powers available to ensure that we bear down on its causes and the consequences for communities. As he said, communities are often hard pressed by a small number of individuals who make life hell for their neighbours and the rest of their community.

I was particularly interested to hear of my hon. Friend's constituency experiences with Bassetlaw district council and to hear about the campaign that he is running—I only learned of it in this debate—for a cinema and bowling alley to be used to support an essential part of the alternatives to antisocial behaviour: positive activities for young people. I am sure that he will return to that with gusto outside the Chamber.

The key point that my hon. Friend raised was about the use of antisocial behaviour powers by local councils. I believe that a real effort is being made by many authorities across the country to use their powers in support of the police; we want the police and other agencies to use their powers to ensure that we bear down on this curse, which still persists in many areas. As he mentioned, this Government have introduced a range of powers over the past 11 or 12 years to help support the tackling of antisocial behaviour and to provide real powers—not just for the sake of it, but to provide a positive outcome for the communities that we all serve. My hon. Friend and you will know, Mr. Deputy Speaker, that acceptable behaviour contracts, antisocial behaviour orders, crack house closure orders, demotion orders, dispersal orders, intervention orders, parenting orders, premises closure orders and fixed penalty notices

are but some of the key powers that we have introduced since 1997 to help support communities. As my hon. Friend said, many authorities use those powers and penalties to try to make communities safer, and I pay particular tribute to Manchester city council and Nottingham city council, which he mentioned.

Let us consider the use of powers to tackle antisocial behaviour in just the six-year period between 2003 and 2009. During that time, nearly 15,000 ASBOs were used across the country; they were used not only by local councils, but by other agencies and organisations. Those ASBOs have had a real impact on antisocial behaviour in the communities in which they were used. They have been coupled with nearly 14,500 parenting contracts, 9,000 antisocial behaviour injunctions and nearly 50,000 acceptable behaviour contracts. Those are just some examples of powers not merely being put on the statute books but being used, in real time, by those with authority to make a difference on the ground.

I only heard the initial details of my hon. Friend's survey today, but I shall look at it with interest if he will do me the courtesy of sending me a copy. With officials in my office and my colleagues in local government departments and, potentially, in the Welsh Assembly, I shall consider those powers to assess how local authorities are using them. Ultimately, the use of such powers by local councils is a matter for them. They have the power to use them, and, dare I say it, rather like in the House of Commons, the constituents whom they serve have the power to press local councillors. Councils have the authority to use those powers in a positive way.

John Mann: I am an advocate locally of naming and shaming the bullies and thugs. Will the Minister consider naming and shaming local authorities? For example, 95 per cent. of Conservative authorities have never used the legislation to remove graffiti, 60 per cent. have never used the noise violation legislation and 85 per cent. of councils overall have never used the legislation on fireworks. Is it not time that the Government named and shamed those councils that refuse to use these powers at all?

Mr. Hanson: As I said, the use of those powers is a matter for the local councils. I would be interested to see my hon. Friend's figures because if there are real concerns on the ground, we need to consider what measures we can take with the police, local councils and other agencies to make a difference.

As my hon. Friend will know, the cost of not taking action is enormous, and not just emotionally for victims and financially for the wider community. Antisocial behaviour costs the taxpayer £3.4 billion a year, and many practitioners need to use their tools and powers to make a difference on the ground. When those powers are used, there is evidence that they make a difference. I would be interested to see the perception levels in the local authorities that my hon. Friend has identified to see whether there is a correlation between high levels of perception of antisocial behaviour and low levels of use of those powers.

Overall, the perceived levels of antisocial behaviour have fallen since 2003, when nationally they were 21 per cent. We had the British crime survey last week, which showed that 15 per cent. of the population felt that levels of antisocial behaviour were high in the last quarter—September 2009—for which we took a survey

result. There has been a downward drive in people's concerns about antisocial behaviour and I would be interested to see whether there is a correlation between perceptions and action in the areas that my hon. Friend mentioned.

The use of ASBOs, in particular, has been essential in driving down the perception of such behaviour. In 2006, a National Audit Office report on antisocial behaviour found that 65 per cent. of individuals did not re-engage in antisocial behaviour after receiving the first intervention, and ASBOs are a key intervention. So an ASBO or other intervention stopped, immediately and permanently, the antisocial behaviour of 65 per cent. of people the first time around. After the second intervention, that proportion rose to 86 per cent. and, after the third, to 93 per cent. Those individuals who have been involved in antisocial behaviour desist from that after one, two or three interventions. The communities of which they are part, on behalf of which action has been taken, are safer and more confident. We see a rise in confidence in policing and local councils, and falling perceptions of antisocial behaviour. People see a difference in the quality of their lives.

The public can monitor such progress and do considerable work on the issue by looking at antisocial behaviour levels in their communities. I urge residents of Bassetlaw, Nottinghamshire and every other authority where they feel that these powers are not being used not just to raise those issues with their local councillor but to speak to the antisocial behaviour team, which they should have in their communities. I urge them to speak to their neighbourhood policing officer or their local constable, to use their local police non-emergency number and to look at the Government's website on antisocial behaviour, which is part of our commitment to those who are suffering from harassment. They should use the website to get in touch and ask why the powers are not being used to solve the problems. Those things should be locally driven as much as driven by central Government.

Last November, through the Justice Seen, Justice Done campaign, we launched a newly developed crime and justice website, part of direct.gov. That is a key way for people to access information about police, crime, justice and antisocial behaviour services. People can look not just to powers such as antisocial behaviour orders; they can nominate areas to be cleaned up by offenders, through the community payback and supporting services in the community schemes. With the policing pledge, those services are extremely important.

Antisocial behaviour orders work. In Grantham, for example, an individual called Leigh Buff was convicted in May 2007 of assault and public order offences. He was banned from the town centre at night. The antisocial behaviour team worked with him and a year after his order he was allowed to go into the town centre and has not been in trouble with the police since. In Stoke-on-Trent, a young boy of 11 was responsible for a third of all the antisocial behaviour calls the police received over three months. He even went as far as threatening to attack his father with a knife. He bullied another boy in school until his mother took him out of school. On receiving an ASBO, a parenting order and an individual support order, the behaviour stopped. Not only that, the judge in question praised the work of the agencies in that area.

[Mr. Hanson]

There is real merit in antisocial behaviour orders. They have been shown to be of value and they work, but we need to do more. I shall indicate what the Government are doing to tackle antisocial behaviour more generally.

I hope the House is aware, as I am sure my hon. Friend is, that on 13 October 2009 the Home Secretary wrote to all crime and disorder reduction partnerships and community safety partnerships in England and Wales challenging them to develop and publicise minimum standards on antisocial behaviour, and communicate effectively to the public. That includes the use of ASBOs in the local community, and the expectation of their use. We need to take action to reduce perceptions of antisocial behaviour year on year; to give regular updates to the community about what is being done, which I hope will highlight the issues my hon. Friend mentioned; to offer support and practical help to victims of antisocial behaviour; to give residents proper rights of complaint; and to ensure that we take reports of antisocial behaviour seriously by recording and investigating and committing to keep victims informed of the action taken. I have set a target of March 2010 for all authorities to draw up those minimum standards. We are monitoring the work closely, and I suggest that my hon. Friend does the same. One of the key things we want to do is to get out the kind of information he has had to drag out through freedom of information provisions, so that local communities know what is being done in their area.

In 62 partnership areas where perceptions of antisocial behaviour are high—more than 25 per cent.—we have targeted specific support from the Home Office. Officials from my Department are meeting the partnerships, all of which are undergoing rigorous self-assessment processes. We are looking at their improvement plans to ensure that we up their ante on antisocial behaviour. In the next quarter, we shall be doing that in a very positive way. As part of those plans, members of the antisocial behaviour action squad from central Government are being deployed to provide advice and support, and to

ensure that tools such as ASBOs are not just on the statute book but are implemented, where appropriate, so that we make a difference.

My hon. Friend made the case for positive activity as well as for ASBOs. As he knows, three Departments—the Home Office, the Ministry of Justice and the Department for Children, Schools and Families—have a youth crime action plan, in which we are investing £100 million not just in visible policing after school or stay safe operations to make sure the streets are safe at night for young people, and not just in reparative community-based activity or engaging with hard to reach young people; we are also looking at doing the positive things my hon. Friend mentioned. We want to make sure that we provide activity on Friday and Saturday nights. I went to Liverpool in October to see Friday night activity there. Many activities were going on. A cinema had been hired by the local police and the partnership to ensure that young people, on a particularly difficult night—Hallowe'en—were offered alternative activities. That is important, and I commend my hon. Friend's plans for the use of a cinema in his constituency.

The Government will not tolerate antisocial behaviour. We have put plans in place to deal with it. Our record shows that the Labour Government have introduced measures which can and should be used. They are effective, they make a difference and they are being used across the country. They should be implemented as a way of reducing that dreadful activity where it occurs.

I am sure my hon. Friend's survey will highlight the issue in a constructive way. I will look at it and between us, no doubt, we can help to raise the level of activity—not for the council, the Government or Members of Parliament, but for those who are hard pressed in their communities by behaviour that we should not accept and which we need to stamp out. I commend my hon. Friend on raising this debate and I hope we can work together to take action on the issue.

Question put and agreed to.

3.1 pm

House adjourned.

Written Ministerial Statement

Friday 29 January 2010

FOREIGN AND COMMONWEALTH OFFICE

European Union in 2010

The Minister for Europe (Chris Bryant): Today I will lay before the House the Foreign and Commonwealth Office Command Paper on prospects for the European Union in 2010. Copies will be placed in the Library of the House. Additional copies can be obtained from the Vote Office and the Printed Paper Office. A copy will also be available on the Foreign and Commonwealth Office website www.fco.gov.uk.

This Command Paper provides an overview of the priorities of the Spanish presidency for the first half of 2010 as set out in their political programme, which is available at www.eu2010.es. The main priorities of the Spanish presidency are full and effective implementation of the provisions of the Lisbon treaty, including establishment of the European external action service; recovery from economic crisis; reinforcing the global influence of the EU; and developing further the rights and freedoms of EU citizens.

The primary focus of the Spanish presidency's work on securing economic recovery will be to ensure quality job creation for EU citizens. In order to achieve that

goal, the presidency will seek agreement on a successor to the EU's 2000-10 Lisbon strategy for jobs and growth. The UK fully supports this initiative and will work to ensure an ambitious reform programme consistent with the Prime Minister's proposal in October 2009 for a new EU compact for jobs and growth.

At the heart of any sustainable recovery must be measures to assist transition to a low-carbon economy. It is essential that the political agreement on emissions reductions and climate financing reached at the Copenhagen climate conference in December 2009 is now transformed effectively into a binding legal treaty. The Spanish presidency must be at the heart of EU work on this; the UK will support the presidency in ensuring agreements are turned into action.

The Spanish presidency will assist the new High Representative for Foreign Affairs and Security Policy in bolstering further the EU's presence in the global arena. It will hold multilateral summits with Latin America and the Caribbean and the Union of the Mediterranean, and bilateral summits with the United States, Russia, Canada, Chile, Egypt, Japan, Morocco, Mexico and Pakistan. Other priorities include seeking to develop the eastern partnership; ensuring greater energy security; and preparing for the United Nations millennium development goals summit in September.

The Spanish presidency will seek to promote the rights, freedoms and security of EU citizens. The Stockholm programme for EU justice and home affairs co-operation was agreed during the Swedish presidency; the Spanish will take forward work on agreeing an action plan for its implementation. It will seek agreement on an EU internal security strategy, take forward work on gender equality, and assess the European pact on immigration and asylum.

Written Answers to Questions

Friday 29 January 2010

LEADER OF THE HOUSE

Departmental Written Questions

David Simpson: To ask the Leader of the House what average time her Office took to answer questions for (a) ordinary written answer and (b) written answer on a named day in the last 12 months. [313672]

Barbara Keeley: The average time taken by the Office of the Leader of the House to answer ordinary written parliamentary questions between January 2009 and December 2009 was 3.2 days. 100 per cent. of the ordinary written questions during this period were answered within the working week target. All named day questions were answered on time.

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.

SCOTLAND

Roads: Snow and Ice

Jo Swinson: To ask the Secretary of State for Scotland what recent discussions he has had with the Scottish Executive on the cross-border provision of winter road salt supplies; and on what dates. [314401]

Ann McKechin: The Department for Transport, the Scottish Government and the Welsh Assembly Government have been regularly monitoring salt supplies and stock levels across Great Britain with the help of their agencies, local authorities and the companies which supply salt. The Government and the devolved Administrations decided that due to the exceptional weather they should work in partnership to advise salt suppliers on priorities for deliveries across Great Britain.

CHILDREN, SCHOOLS AND FAMILIES

Children: Poverty

Hazel Blears: To ask the Secretary of State for Children, Schools and Families how many children were living in poverty in Salford in each year since 1993; and what the percentage change in this figure was from each year to the next. [313323]

Dawn Primarolo: Estimates of poverty for children are published in the households below average income (HBAI) series. These figures only allow a breakdown of the overall numbers in poverty at Government office region level. Therefore, information is not available for Salford.

The number of children living in poverty (in households with less than 60 per cent. of contemporary household income, before housing costs) in the north-west Government office region can be found in the following table. These data are based on three-year averages and changes are rounded to the nearest 100,000.

Please note that because regional figures are presented as three-year averages, a percentage change between each year is not available. Data are not available prior to 1994.

	Number of children in poverty (million)
1993/94 to 1995/96	n/a
1994/95 to 1996/97	0.5
1995/96 to 1997/98	0.5
1996/97 to 1998/99	0.5
1997/98 to 1999/2000	0.5
1998/99 to 2000/01	0.5
1999/2000 to 2001/02	0.4
2000/01 to 2002/03	0.4
2001/02 to 2003/04	0.4
2002/03 to 2004/05	0.4
2003/04 to 2005/06	0.4
2004/05 to 2006/07	0.4
2005/06 to 2007/08	0.4
n/a = Not available	

A local child poverty indicator has been developed to try and replicate this national measure as closely as possible. It captures the number and proportion of children in families in receipt of out-of-work benefits, or in receipt of tax credits where their reported income is less than 60 per cent. of median income. Details can be found at:

www.hmrc.gov.uk/stats/personal-tax-credits/child_poverty.htm

Children: Protection

Mr. Sanders: To ask the Secretary of State for Children, Schools and Families what measures are in place to ensure that assessments of risk to children undertaken by local authorities assess all close family members. [304155]

Dawn Primarolo: The Government's statutory guidance "Working Together to Safeguard Children" (2006) sets out the processes to be followed when undertaking an assessment of a child who is suspected to be suffering, or likely to suffer, significant harm. That assessment will include consideration of the capacity of the parents' or caregivers' to respond appropriately to the identified needs of the child. This may involve interviews with the child's parents or caregivers and with those known to the child, for example members of the wider family. It may also include interviews with professionals or other people who know the child's parents or caregivers.

Children's Centres: Eltham

Clive Efford: To ask the Secretary of State for Children, Schools and Families how much funding his Department has allocated in respect of children's centres in Eltham constituency since their introduction. [314396]

Dawn Primarolo: Greenwich local authority is responsible for Sure Start Children's Centres across its area and will decide how much funding to allocate to centres in Eltham constituency.

The first Sure Start Local Programmes (SSLPs) were set up in 1999-2000. The SSLPs received a single capital allocation for the period 1999-2000 to 2005-06. Greenwich local authority was allocated £3,913,042.

Data on the SSLP revenue allocations prior to the introduction of the Sure Start IT system in 2003-04 is not readily available at a local authority level. Greenwich's SSLP revenue allocations from 2003-04 are shown in table 1.

Table 1. Sure Start Local Programme revenue allocations for Greenwich local authority

	£
	SSLP revenue allocation
2003-04	3,029,775

Table 2. Sure Start Children's Centres allocations for Greenwich local authority

	Capital	Revenue	£ Total
2003-04	0	52,500	52,500
2004-06 ¹	3,496,687	1,318,028	4,814,715
2006-07	² 1,431,584	2,797,260	4,228,844
2007-08	² 2,889,676	2,876,399	5,766,075
2008-09	378,553	4,898,580	5,277,133
2009-10	781,204	6,175,905	6,957,109

¹ Local authorities received a two year allocation for 2004-06.

² The 2006-07 and 2007-08 allocations are for the wider Sure Start Early Years and Childcare Main Capital Block.

From 2006-07 Children's Centres Capital formed part of the wider Main Capital Funding Block. Funding in this block is not ring fenced and the authority has the freedom to decide how much of their total capital allocation to spend on children's centres, in line with local priorities. This allocation was not broken down further in 2006-07 and 2007-08. The Main Capital allocation has been quoted for 2006-07 and 2007-08 in table 1.

The Main Capital Block included funding for child care sustainability and extended schools as well as for Children's Centres in 2006-07 and 2007-08. From 2008-09 the block comprised funding for Children's Centres, early years provision, child care and integrated projects (those which support more than one policy objective). Funding in the Main Capital Block is not ring fenced and local authorities have the freedom to decide how much to spend on children's centres in line with local priorities.

Education Maintenance Allowance: Cornwall

Dan Rogerson: To ask the Secretary of State for Children, Schools and Families what the total cost was of bonuses paid through the education maintenance allowance for submitting course work on time in (a) North Cornwall constituency and (b) Cornwall in the latest period for which figures are available. [313918]

Mr. Iain Wright: This is a matter for the Learning and Skills Council (LSC) who operate the Education Maintenance Allowance (EMA) for the Department for Children, Schools and Families (DCSF). Geoff Russell, the LSC's Acting Chief Executive, will write to the hon. Member for North Cornwall with the information requested

Table 1. Sure Start Local Programme revenue allocations for Greenwich local authority

	£
	SSLP revenue allocation
2004-05	3,550,810
2005-06	3,738,775
2006-07	3,541,783
2007-08	3,008,185
2008-09	3,034,536
2009-10	2,680,923

Funding for Sure Start Children's Centres was made available from 2003-04. The Children's Centres allocations for Greenwich are shown in table 2.

and a copy of his reply will be placed in the House Libraries. Since 2008, the conditions for all EMA payments have included behaviour and effort as well as attendance. We have never stipulated that bonuses are only payable where a student has submitted all coursework on time. The decision to award a bonus payment is made by the learning provider and the reasons behind individual decisions are not held centrally.

Extracurricular Activities: South West

Mr. Sanders: To ask the Secretary of State for Children, Schools and Families how much funding was allocated for the provision of extra-curricular activities in schools in (a) the South West and (b) Torbay constituency in each year since 1997. [313332]

Dawn Primarolo: The Government are committed to every school providing access to a core offer of extended services, including a varied menu of extra curricular activities from 8 am to 6 pm, by 2010. My Department has provided significant funding to support the delivery of extended services, including over£1 billion in the period 2008-09 to 2010-11. The table sets out the extended services funding allocated from 2003-04, the start of the Full Service Extended School pilot, to 2010-11 for local authorities in the Government Office South West region, and Torbay.

This funding is passed to local authorities to support the development of the core extended services offer in every school. The exact amount of funding spent on extra curricular activities, as part of supporting delivery of the broader extended services core offer, is a matter for local decision making by local authorities and schools.

<i>Extended schools revenue</i>	£	
	<i>South West</i>	<i>Torbay</i>
2002-03	200,000	0
2003-04	155,000	0
2004-05	1,334,972	168,480
2005-06	9,212,998	331,276
2006-07	10,456,178	432,034
2007-08	10,947,207	334,364
2008-09	23,525,667	739,491
2009-10	33,991,312	998,051
2010-11	40,620,347	1,213,385

Note:

Funding in 2003-04 to 2005-06 was for the Full Service Extended Schools Pilot.

Families

Mr. Dai Davies: To ask the Secretary of State for Children, Schools and Families what funding he plans to allocate to the new support activities for families referred to in Chapter six of his Department's Green Paper, On Support for all. [313543]

Dawn Primarolo: The funding for the new support activities for families as outlined in Chapter 6 in Support for All: a Families and Relationships Green Paper has been allocated from current budgets. These include:

£122 million on Family Intervention Projects between 2006-07 – 2010-11;

£60 million on the Family Information Direct (formerly ParentKnowHow) programme which provides information and advice for families (including grandparents and family and friends carers) between 2008-09 – 2010-11; and

£1.135 billion in revenue funding and £101 million in capital funding for Sure Start Children's Centres and Local Programmes in 2010-11.

Family Fund

Mr. Dai Davies: To ask the Secretary of State for Children, Schools and Families how much funding was provided through the Family Fund in each of the last five years; what assessment he has made of the level of take-up of such funding by low-income families with one or more severely disabled children; and when he last met the Chief Executive of the Family Fund. [309985]

Ms Diana R. Johnson: The Family Fund Trust (FFT) (England) provides grants to families with severely disabled children or young people under 18. Families are eligible to apply for grants if they have an annual income of less than £23,000 before tax. Over the last five years the FFT has received the following in grant funding from the Department:

	£ million
2005/06	22.8
2006/07	22.8
2007/08	22.8
2008/09	24.4
2009/10	25.0

As a result of commitments in The Children's Plan, the FFT was allocated an additional £8.4 million, payable over the current CSR period; with this additional funding the FFT changed the eligibility criteria for receipt of

grants to include families with disabled children/young people under 18, prior to that grants were made to families with disabled children under 16, the additional funding has been reflected in the table above.

Since extending eligibility criteria, the FFT have awarded grants to an additional 2,586 16-year-olds in 2008-09, their target for 2009-10 is to issue between 4,750 and 5,000 grants to 16 and 17-year-olds.

The total numbers of families helped by FFT over the last five years are as follows:

<i>Family fund trust—England</i>	
	<i>Number of families helped</i>
2005/06	35,740
2006/07	38,857
2007/08	37,007
2008/09	38,889
2009/10	Not available

The FFT is required to provide the Department with annual accounts and details of its activities during the year, which is reviewed by officials. My right hon. Friend, the Secretary of State for Children, Schools and Families last met with the chief executive of the Family Fund Trust on 16 April 2008.

Members: Correspondence

Sir Gerald Kaufman: To ask the Secretary of State for Children, Schools and Families when he expects to reply to the letter dated 24 November 2009 from the right hon. Member for Manchester, Gorton with regard to Father Tom Connod. [310493]

Ms Diana R. Johnson: The Department of Children, Schools and Families try to respond to all correspondence within 15 working days. We regret the delay in this matter. The Department has identified the letter in question and has sent a response on 20 January.

National Safeguarding Delivery Unit: Public Appointments

Tim Loughton: To ask the Secretary of State for Children, Schools and Families if he will publish the curriculum vitae of the head of the national Safeguarding Delivery Unit. [312042]

Dawn Primarolo: Jacky Tiotto, the Head of the National Safeguarding Delivery Unit is a qualified social worker by profession. She has held a number of senior positions in London local authorities, and as a practitioner specialised in work with vulnerable children and those in need of protection, working in residential, field and hospital services. Most recently she was the Director for Children and Learners at the Government Office for London, having previously worked for the Department for Children, Schools and Families where she had been seconded as a deputy director leading on performance and improvement and then as a professional adviser to Lord Laming on his progress report on safeguarding children in England. Earlier posts include senior national adviser for children and adult services at the Improvement and Development Agency (IDeA), and performance specialist at the Audit Commission. Her CV contains personal information and its disclosure would be likely to contravene the Data Protection Act.

Non-Formal Learning

Mr. Graham Stuart: To ask the Secretary of State for Children, Schools and Families (1) what recent assessment his Department has made of the merits of non-formal learning; and if he will make a statement; [301869]

(2) whether he plans to establish a system of formal accreditation for the non-formal learning undertaken by children outside school. [301870]

Ms Diana R. Johnson: The Department believes that every young person should experience non-formal learning as an essential part of learning and personal development, whatever their age, ability or circumstances. In 2008, through the Learning Outside the Classroom (LOtC) manifesto, the Department funded 'Every Experience Matters'—an evidence-based review on the role of learning outside of the classroom for children's whole development from birth to 18 years.

The report demonstrates the important role that LOtC could have in raising young people's engagement by drawing on research from around the globe and providing evidence that children achieve higher academically, have greater levels of physical fitness, increased confidence and self-esteem, show leadership qualities, and have greater engagement and motivation in learning. The report is available at

www.lotc.org.uk

Where a child is educated at home on a full time basis the level of formality will vary according to the wishes of the parent and the needs of the child. Some parents will adopt a more child led approach to learning while others will prefer a more formal approach or something that takes in elements of a range of different approaches. In each case the education provided must be suitable to the age, ability, aptitude and any special educational needs that the child may have. It will not always be possible to distinguish between formal learning and non formal learning in this context.

There are no plans to establish a formal system to accredit non-formal learning undertaken by children outside of school.

Social Services: Haringey

Tim Loughton: To ask the Secretary of State for Children, Schools and Families on what dates his Department received drafts of Ofsted reports into Haringey children's services in November and December 2008. [308100]

Dawn Primarolo: Ofsted published the report of a joint area review of services for children and young people in Haringey, undertaken with the Healthcare Commission and Her Majesty's Inspectorate of Constabulary, on 1 December 2008. The Department received a final draft of the report for information on 30 November 2008. Ofsted published a letter, informing Haringey local authority of its annual performance assessment of services for children and young people, on 17 December 2008. The Department saw no draft of the letter.

CULTURE, MEDIA AND SPORT**Departmental Stationery**

Mr. Hunt: To ask the Secretary of State for Culture, Media and Sport how much his Department has spent on stationery in each of the last five years. [314209]

Mr. Simon: The Department's expenditure on stationery for financial years 2004-05 to 2008-09 is set out in the table.

<i>Financial year</i>	<i>Amount (£)</i>
2004-05	130,300
2005-06	147,130
2006-07	110,560
2007-08	69,210
2008-09	68,380

OLYMPICS**Olympic Games 2012: ICT**

Chris Huhne: To ask the Minister for the Olympics when she expects the London Secure Communications Network to be fully implemented. [313599]

Tessa Jowell: I refer you to the answer the Home Secretary gave on 21 October 2009, *Official Report*, column 1550W.

The implementation of the Olympic enhancements for the UK-wide Airwave radio system continues to progress according to schedule and will be ready for the 2012 Games.

WORK AND PENSIONS**Housing Benefit**

Julia Goldsworthy: To ask the Secretary of State for Work and Pensions what targets her Department has set for local authorities on the (a) administration and (b) collection of housing benefit. [314323]

Helen Goodman: The Department for Work and Pensions does not set targets on housing benefit administration and collection. The Department encourages and supports local authorities to set their own targets to achieve and maintain an effective housing benefit service for customers and taxpayers.

Mesothelioma

Anne Milton: To ask the Secretary of State for Work and Pensions how many cases of asbestos-related mesothelioma have been recorded in London in the last 10 years. [313767]

Jonathan Shaw [*holding answer 28 January 2010*]: The total number of mesothelioma deaths where the last residence of the deceased was recorded as being within the Government Office Region of London¹ between 1998 and 2007 (the latest year for which data are available) was 1761 (source: HSE, British Mesothelioma Register). The great majority of these will be due to asbestos exposure but there is evidence to suggest a small number of cases have some other unidentified cause.

¹ The Government Office Region of London includes both inner and outer London boroughs.

Mesothelioma: Death Certificates

Anne Milton: To ask the Secretary of State for Work and Pensions how many death certificates mentioning mesothelioma as (a) primary cause of death and (b) secondary cause of death have been issued in each of the last 10 years. [313768]

Jonathan Shaw: [holding answer 28 January 2010]: The number of mesothelioma deaths each year from 2001 to 2007 (the latest year for which data are available) where mesothelioma was recorded as (a) the underlying cause of death and (b) an associated cause of death, are shown in Table 1.

Table 1: Mesothelioma deaths in Great Britain recorded as such in the underlying or associated causes of deaths, 2001-2007

	2001	2002	2003	2004	2005	2006 ¹	2007 ¹
Underlying cause	1,758	1,763	1,801	1,866	1,919	1,942	2,035
Associated cause	99	96	66	94	120	102	107

¹ Provisional

Source:

Health and Safety Executive British Mesothelioma Register

It is not possible to separately identify from readily available data the number of mesothelioma deaths before 2001 in each category since mesothelioma was not included within the framework used for classifying causes of death before then. A small number of deaths occur each year where mesothelioma is mentioned on the death certificate but not recorded as either the underlying or associated cause of death.

are in service in each local authority area; on what date each commenced operations; and what the length of each is; [312525]

(2) what guided busways have been approved for construction; when each is projected to open; and what the projected length of each is; [312526]

(3) what assessments his Department has made of the safety of operation of guided busways; and who has carried out the assessments undertaken for his Department. [312527]

TRANSPORT

Bus Services

Dr. Starkey: To ask the Minister of State, Department for Transport (1) which guided busways

Mr. Khan: There are currently five guided bus systems in operation in England. Details on when these started operations and the length are in the following table:

Name of scheme	Local authority	Date scheme opened	Length of guided bus section
Leeds "Superbus"	Leeds city council	1995	1.5 km of segregated bus guideway
Ipswich	Suffolk county council	1995	200 metre section
Leeds "Elite"	Leeds city council	2001	2 km of segregated bus guideway
Bradford "A641 Manchester Road Quality Bus Initiative"	Bradford metropolitan district council	2002	2.3 km of guided busway.
Crawley "Fastway"	West Sussex county council	2003	2.2 km of guided busway

The Cambridgeshire Guided Busway, which includes 25 kilometres of guided busway, was given funding approval by the Department in 2006 and construction is now under way with the scheme expected to be completed and open for operation in 2010.

No assessments to date have been undertaken by the Department with regards to the safety of operation of guided busways. Guided busways are exempt from the requirements of the Railways and Other Guided Transport Systems (Safety Regulations) 2006 and it is, therefore, the responsibility of the promoter of the scheme to satisfy itself that safety systems are appropriate both prior to the system commencing and once in operation.

The review concludes that, assuming cycle helmets are a good fit and worn correctly they should be effective at reducing the risk of head injury, in particular cranium fracture, scalp injury and intracranial (brain) injury for users of all ages but would be expected to be particularly effective for children.

The full review of the evidence was published on 15 December 2009 and can be found online at:

<http://www.dft.gov.uk/pgr/roadsafety/research/rsrr/theme1/ppr446.pdf>

Departmental Manpower

Cycling: Helmets

Mr. Bone: To ask the Minister of State, Department for Transport what assessment he has made of the safety case for children to wear cycle helmets. [313813]

Paul Clark: The Department commissioned a research project on cyclists' road safety, which included a new review of cycle helmet effectiveness.

Mr. Philip Hammond: To ask the Minister of State, Department for Transport how many layers of management reporting from the most senior to the most junior there are in his Department and each of its agencies; 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. [312821]

Chris Mole: The Department for Transport has nine layers of management reporting from Permanent Secretary down to Executive Officer. The table below shows 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.

Management layer/ grade	Staff numbers	Staff costs (£)
EO	2,863	96,038,345
HEO	1,502	58,733,248
SEO	896	41,798,306
Grade 7	705	47,115,864
Grade 6	221	18,845,216
Deputy Director	156	15,872,659
Director	34	4,900,166
Director General ¹	7	1,374,696

¹ Permanent Secretary also included in this figure

Motorways: Road Traffic

Norman Baker: To ask the Minister of State, Department for Transport what modelling the Government has done on the use of hard shoulder running; and if he will place a copy in the Library of the outcomes of such modelling. [313002]

Chris Mole: The Department for Transport has modelled the use of hard shoulder running in its National Transport Model (NTM). The outcomes of this analysis were presented in “The Advanced Motorway Signalling and Traffic Management Feasibility Study” which, together with its technical annex, were published in March 2008.

These two documents are available on the Department’s website at:

<http://www.dft.gov.uk/pgr/roads/network/policy/mtorsigntrafmanagement/>

The key modelling impacts presented in this analysis were also published as part of “Road Transport Forecasts 2008: Results from the Department for Transport’s National Transport Model”, which is available at:

<http://www.dft.gov.uk/pgr/economics/ntm/roadtransportforecasts08/>

The Department announced the inclusion of a number of new hard shoulder running schemes in its major schemes programme on 15 January 2009 in “Britain’s Transport Infrastructure Motorways and Major Trunk Roads”.

This report, which also contains details of the modelling outcomes, is available on the Department’s website at:

<http://www.dft.gov.uk/pgr/roads/network/policy/motorways/>

Copies of these reports have been placed in the Libraries of the House.

Official Cars: Diesel Vehicles

Colin Challen: To ask the Minister of State, Department for Transport what percentage of the Government Car and Dispatch Agency’s diesel-powered vehicles are fitted with diesel particulate filters. [312850]

Paul Clark: The Government Car and Despatch Agency operates 107 diesel powered vehicles of which 62 are cars and 45 are commercial vans. Of these, 25 cars and two vans are fitted with diesel particulate filters, representing 25.23 per cent. of the combined diesel fleets.

Railways: Fares

Norman Baker: To ask the Minister of State, Department for Transport what he estimates the cost to the public purse will be in 2010 of removal from train operating companies of the individual ticket price flexibility hitherto available to them in producing their overall retail price index +1 increase in regulated fares. [314164]

Chris Mole: Commercial negotiations are taking place with individual train operators to agree the level of compensation, if any, due as a result of this change to their franchise agreements. Any release of information concerning the assessment of the financial impact would be prejudicial to these negotiations.

Railways: Kent

Dr. Stoate: To ask the Minister of State, Department for Transport what financial penalties apply in respect of each franchised train operating company serving Kent when scheduled trains (a) are cancelled and (b) arrive late. [313429]

Chris Mole: Financial penalties are not applied on a per-train basis under the franchise agreement with Southeastern which operates passenger rail services in Kent.

However, penalties can be applied under the franchise agreement if Southeastern exceeds a threshold for overall delay or cancellations. These penalties are outlined in the Department’s enforcement policy which provides for a range of actions that may be applied in the event of a contravention of a franchise agreement. These can include requiring an operator to put in place remedial plans, making performance-based payments, and ultimately an operator’s franchise can be terminated.

The enforcement policy can be found on the Department’s website at:

<http://www.dft.gov.uk/>

Rapid Transit Systems: Accidents

Dr. Starkey: To ask the Minister of State, Department for Transport which body has responsibility for (a) investigating accidents causing (i) injuries and (ii) fatalities on guided busways and (b) making recommendations for action in consequence. [312631]

Mr. Khan: It is the responsibility of the operator of a guided busway to satisfy itself that safety systems are appropriate.

The police would take the lead in any investigation of an accident involving guided buses in the same way as any other road traffic incident.

The police may refer cases or liaise with the Vehicle Operator Services Agency and the Health and Safety Executive where evidence indicates that serious health and safety management failures have significantly contributed to an incident and these cannot be addressed by road traffic legislation.

Roads: Lighting

Mr. Amess: To ask the Minister of State, Department for Transport how much his Department has contributed to funding for the renewal of street lighting in each year since 1997; what guidance his Department issues on criteria for the renewal of street lighting; and if he will make a statement. [313274]

Mr. Khan: This Department for Transport provides capital funding to local authorities for maintenance of their highways, which they can use for the renewal of their street lighting assets. The level of local transport plan funding to local authorities in England (excluding London) for highway maintenance for each year since its introduction since 2001, and its predecessor the Transport Supplementary Grant, is given as follows.

In addition this Department has provided PFI credits for local authority street lighting projects. 24 projects are operational with a further five in procurement. The table below lists the awards to local authorities in the year they reached financial close, including awards to London authorities.

	<i>£ million</i>	
	<i>PFI allocation</i>	<i>TSG/LTP capital</i>
1997-98	0	79,237
1998-99	7.5	69,447
1999-2000	0	211,864
2000-01	0	264,396
2001-02	18.6	528,004
2002-03	0	544,999
2003-04	166.747	545,640
2004-05	121	633,778
2005-06	96.765	634,409
2006-07	149.9	674,164
2007-08	94.911	677,035
2008-09	0	701,061
2009-10	332.8	735,097

Roads: Snow and Ice

Miss McIntosh: To ask the Minister of State, Department for Transport what criteria were used to determine the distribution of salt during the recent severe weather conditions; and if he will make a statement. [313931]

Mr. Khan: Recommendations to salt producers by the Salt Cell on prioritisation of deliveries take into account highways authorities' existing stocks; recommended reductions in gritting rates; planned deliveries from suppliers and mutual aid between authorities; and forecast weather, three to four days ahead.

Mr. Lancaster: To ask the Minister of State, Department for Transport how many snow ploughs provided by his Department were in operation in Milton Keynes in December 2009 and January 2010. [313948]

Mr. Khan: The Highways Agency had four salt spreading vehicles equipped with plough-blades that were in operation through Milton Keynes in December 2009 and January 2010. Two of these vehicles operated on the A5 and the other two vehicles on the M1.

Winter service provision on local authority roads is a matter for Milton Keynes Council. The Department for Transport does not provide snow ploughs or other equipment.

Jo Swinson: To ask the Minister of State, Department for Transport what recent discussions he has had with local authorities in England on the sharing of road salt supplies so as to ensure that the areas worst affected have access to salt. [314400]

Mr. Khan: The Department for Transport, the Scottish Government and the Welsh Assembly Government have been regularly monitoring salt supplies and stock levels across Great Britain with the help of their agencies, local authorities and the companies which supply salt. The monitoring involved the Department and Government regional offices having regular discussions with local authorities.

The Government and the devolved Administrations with the support of the Local Government Associations for England, Wales, Transport Scotland and Transport for London decided that due to the exceptional weather they should work in partnership to advise salt suppliers on priorities for deliveries across Great Britain.

SOLICITOR-GENERAL

Departmental Pay

Mr. Scott: To ask the Solicitor-General how much has been paid in bonuses to civil servants in the Law Officers' Departments in each year since 2003. [306421]

The Solicitor-General: I refer the hon. Member to the answer I gave to the hon. Member for Twickenham (Dr. Cable) on 28 January 2010, *Official Report*, column 1014W.

FOREIGN AND COMMONWEALTH OFFICE

Bosnia and Herzegovina

Mr. Watson: To ask the Secretary of State for Foreign and Commonwealth Affairs what recent discussions he has had on the EU's military presence in Bosnia and Herzegovina; and if he will make a statement. [314172]

Mr. Ivan Lewis: The EU peacekeeping force in Bosnia and Herzegovina was discussed at the EU Foreign Affairs Councils in November and December 2009, and in January 2010. In January, the Council agreed conclusions deciding to start providing non-executive capacity-building and training support within the framework of the operation, noting that the executive mandate will continue in accordance with UN Security Council Resolution 1895 (2009), and expressing the EU's readiness to maintain an executive military role beyond 2010, should the situation require it, under a UN mandate. The Government welcome these conclusions.

Departmental Consultants

Julia Goldsworthy: To ask the Secretary of State for Foreign and Commonwealth Affairs 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. [313991]

Chris Bryant: Responsibility for procuring external consultants within the Foreign and Commonwealth Office (FCO) is devolved to individual FCO directorates, departments and overseas posts.

Annual expenditure on consultants is published each year in our annual departmental report, copies of which are available in the Library of the House and on our website. Actual consultancy expenditure in 2008-09 was £29.9 million rather than the estimated figure of £63.6 million noted in the 2008-09 departmental report. This included estimated costs of managed service delivery and other professional services, which are not classed as 'Consultancy' spend by the Office of Government Commerce.

These published figures include the costs of reimbursable expenses. To separate these out retrospectively would incur disproportionate cost.

Iraq: Oil

Mr. Donohoe: To ask the Secretary of State for Foreign and Commonwealth Affairs what reports he has received on the quantity of oil exported from Iraq in each of the last 10 years. [314161]

Mr. Ivan Lewis: According to the Organisation of Petroleum Exporting Countries (OPEC), average crude oil export figures for Iraq from 1999 to 2008 are as follows:

	<i>Average rate of export (millions of barrels per day)</i>
1999	2.13
2000	2.04
2001	1.71
2002	1.49
2003	0.39
2004	1.45
2005	1.47
2006	1.47
2007	1.64
2008	1.86

Figures for 2009 are not currently available from the OPEC website. However, data available from the Government of Iraq's Ministry of Oil website indicate that average oil export rates in 2009 were 1.9 million barrels of oil per day, available at

<http://www.oil.gov.iq/EXPORT%20CAPACITIES.php>

Overseas Residence: Crime

Mr. Frank Field: To ask the Secretary of State for Foreign and Commonwealth Affairs whether the Spanish authorities seek payment from the Government in respect of the costs of imprisonment in Spain of British citizens awaiting trial. [314270]

Chris Bryant: No. The cost of detaining prisoners awaiting trial is the responsibility of the state in which the prisoner is detained.

DEFENCE

Armed Forces: Bomb Disposal

Angus Robertson: To ask the Secretary of State for Defence (1) whether his Department has purchased ADE-651 bomb detectors from ATSC; [314328]

(2) whether the ADE-651 bomb detector has been used to screen vehicles at any of his Department's establishments (a) in the UK and (b) overseas. [314329]

Mr. Quentin Davies: No ADE-651 bomb detectors have been purchased by the Ministry of Defence, and as such the ADE-651 has not been used where UK personnel control access to establishments either in the UK or overseas.

Armed Forces: Housing

Willie Rennie: To ask the Secretary of State for Defence how many families have been evicted from service family accommodation in each of the last 12 months. [314196]

Mr. Kevan Jones: Service Family Accommodation (SFA) is provided to accommodate entitled Service personnel and their families. When occupants cease to be entitled to SFA and do not vacate, the Department is required to take steps to recover possession of the property. In the first instance Defence Estates (DE) will write to the occupant advising that they are required to vacate the property within 93 days. DE will be as flexible as possible and will extend this so as to accommodate children's schooling and holidays or to allow occupants the maximum possible time to secure alternative accommodation arrangements.

The number of eviction orders applied for against occupants of SFA in 2009 is shown in the following table:

<i>Month</i>	<i>Number of eviction orders</i>
January	5
February	16
March	6
April	1
May	4
June	8
July	2
August	6
September	14
October	4
November	3
December	19

Willie Rennie: To ask the Secretary of State for Defence how many houses owned by his Department were rated as grade (a) 1, (b) 2, (c) 3 and (d) 4 in each of the last five years. [314197]

Mr. Kevan Jones: The majority of the 70,000 Service Family Accommodation (SFA) properties worldwide are leased rather than owned by the Department. SFA is graded for charge and by Standard for Condition (SfC), a detailed measure of the physical condition of a property.

For the latest number of UK properties at each SfC (as at December 2009) I refer the hon. Member to the answer I gave on 26 January 2010, *Official Report*, column 794W to the hon. Member for Woodspring (Dr Fox).

The following number of UK SFA properties were at each SfC in each of the last five years:

	<i>S1fC</i>	<i>S2fC</i>	<i>S3fC</i>	<i>S4fC</i>
2004	25,276	22,215	3,083	146
2005	26,426	20,774	2,792	195
2006	28,796	18,950	2,309	159
2007	29,691	17,910	2,165	145
2008	28,354	17,414	2,098	109

Like for like figures are not available for overseas SFA. However, as at October 2009 overseas properties were at the following SfC:

<i>SfC</i>	<i>Number of SFA Properties</i>
S1fC	4,390
S2fC	3,930
S3fC	4,152
S4fC	2,848
Not yet assessed	99

Willie Rennie: To ask the Secretary of State for Defence pursuant to the answer of 19 January 2010, *Official Report*, column 203W, on armed forces: housing, how many requests for repair call outs were made in respect of family housing. [314204]

Mr. Kevan Jones: I will write to the hon. Member.

AWE Aldermaston

Dr. Cable: To ask the Secretary of State for Defence what meetings he has had with representatives of the Atomic Weapons Establishment on the development of new facilities at Aldermaston in the last 12 months. [313383]

Mr. Quentin Davies: The Secretary of State for Defence visited the Atomic Weapons Establishment on 23 September 2009. I visited on 27 February and 9 November 2009. As part of these visits briefing was provided on a range of subjects, including developments on the ongoing capital facilities programme. Ministry of Defence officials maintain a constant dialogue with AWE plc and other stakeholders on these matters, providing advice to Ministers as appropriate.

Dr. Cable: To ask the Secretary of State for Defence how much his Department has spent on Atomic Weapons Establishment facilities at Aldermaston in each of the last five years. [313384]

Mr. Quentin Davies: The capital facilities expenditure figures for the two Atomic Weapons Establishment sites at Aldermaston and Burghfield are shown in the following table:

	<i>Capital costs at outturn prices (£ million)</i>
2005-06	172
2006-07	312
2007-08	409
2008-09	395
2009-10 ¹	420

¹ Provisional.

Departmental Disclosure of Information

David Davis: To ask the Secretary of State for Defence 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. [313222]

Mr. Bob Ainsworth: The Ministry of Defence and its agencies make suitable information available for free re-use under the Public Sector Information Click-Use Licence. The Department's Trading Funds are able, under their trading fund status, to charge for the services they provide in order to cover their costs, with both the Meteorological Office and UK Hydrographic Office licensing information for commercial re-use. Also, the museums for the Royal Navy, Army and Royal Air Force are registered charities classified as executive non-departmental public bodies and levy a charge for requests of photographic images, video material and copies of historical documents to commercial companies and individuals at commercial rates. Charitable or other not-for-profit organisations are either not charged or charged at cost.

Departmental ICT

Mrs. Curtis-Thomas: To ask the Secretary of State for Defence how much his Department has allocated for the (a) procurement, (b) maintenance, (c) compliance testing and (d) security of information technology systems in 2010-11. [313553]

Mr. Quentin Davies: Available resources for Defence expenditure are set during spending rounds. The most recent comprehensive spending review set the Department's budget for the financial years 2008-11.

Departmental expenditure plans for 2010-11 and beyond have not yet been agreed.

Mrs. Curtis-Thomas: To ask the Secretary of State for Defence how much his Department spent on information technology in the last three financial years; how much of this was spent on (a) software development and testing and (b) application including (i) staff training, (ii) the cost of new hardware and software and (iii) the cost of launching into the live environment. [313554]

Mr. Quentin Davies: The Department spent the following on information technology and telecommunications in the last three financial years:

	<i>£ million</i>
2006-07	1,350
2007-08	1,509
2008-09	1,727

Notes:

1. The MOD's Resource Account Codes do not split the costs between information technology and telecommunications.
2. These costs include telecommunication costs, for example line rental.
3. These figures relate to capital addition and operating cost charges.

The detailed breakdown requested could only be provided at disproportionate cost.

Further information can be found in the Department's Annual Report at the following link:

<http://www.mod.uk/DefenceInternet/AboutDefence/CorporatePublications/AnnualReports>

Departmental Public Expenditure

Mr. Wallace: To ask the Secretary of State for Defence how much his Department expects to spend on research and development, excluding expenditure from the science, innovation and technology budgets, in (a) 2009-10, (b) 2010-11 and (c) 2011-12. [314194]

Mr. Quentin Davies: Research and development spending in the MOD is spread across a number of key areas within the department. As such, no centralised R and D budget exists. In financial year 2007-08, the total MOD R and D spend, excluding science innovation technology, was some £1.6 billion. We anticipate that this will remain at a comparable level over the next few years, although departmental expenditure limits have not yet been set for the years beyond 2010-11.

Mr. Wallace: To ask the Secretary of State for Defence how much his Department spent on research and development, excluding expenditure from the science, innovation and technology budget, in the financial year 2008-09. [314195]

Mr. Quentin Davies: R and D figures for 2008-09 are part of a National Statistic and the release of these figures is embargoed until their publication in late March. The most recent figures that are available 2007-08, indicate some £1.6 billion was spent by MOD on R and D, excluding the science innovation technology spend.

Figures for 2007-08 and earlier are available in the annual MOD Defence Statistics publication, a copy of which is available in the Library of the House.

Haiti: Earthquakes

Mr. Dai Davies: To ask the Secretary of State for Defence how much has been spent by his Department in providing logistical support to the emergency services in Haiti following the recent earthquake. [314039]

Mr. Bob Ainsworth: Spending by the Ministry of Defence (MOD) in support of Operation Panlake, the assistance provided by MOD to Haiti on behalf of the Department for International Development (DFID), will be recovered from DFID. At present, it is not possible to say how much MOD has/will spend in support of Operation Panlake. The work is still being scoped and costings are incomplete.

Military Aircraft: Procurement

Angus Robertson: To ask the Secretary of State for Defence whether a final decision has been made on the procurement of the Boeing RC-135 to replace the Nimrod R.1. [314373]

Mr. Quentin Davies: A decision is expected shortly regarding the replacement of the Nimrod R1.

Angus Robertson: To ask the Secretary of State for Defence what recent discussions he has had with BAE Systems on the procurement of a successor to the Nimrod R1; and when he last met representatives of BAE Systems to discuss such procurement. [314374]

Mr. Quentin Davies: I met with local MPs, BAE Systems Union representatives and BAE System officials on 15 December 2009 to discuss the replacement of the Nimrod R1 and to listen to their concerns regarding the closure of BAE Systems Woodford.

Navy: Deployment

Mr. Soames: To ask the Secretary of State for Defence which ships of the Royal Navy are deployed on operations at sea; and where each is deployed. [314054]

Bill Rammell: As at 28 January 2010 the following Royal Navy ships are deployed on operations:

Middle East

HMS Monmouth
HMS Atherstone
HMS Chiddingfold
HMS Grimsby
HMS Pembroke
HMS Lancaster
RFA Cardigan Bay
RFA Lyme Bay
RFA Bayleaf

Horn of Africa

HMS Chatham

Mediterranean

HMS Sabre
HMS Scimitar
HMS Enterprise

South Atlantic

HMS York
HMS Clyde
RFA Gold Rover
HMS Scott

Home Waters

HMS Mersey
HMS Severn
HMS Tyne
HMS Gleaner

Royal Navy ships deployed on Exercises:

Norway

HMS Bulwark
RFA Mounts Bay

Mediterranean

HMS Manchester

In addition two Frigates, two Mine Counter Measures Vessels and one RFA ship are at notice for contingent operations in home waters and RFA Largs Bay is preparing to sail on Op Panlake off Haiti.

Radioactive Materials: Imports

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, what the provisions are of the strict materials accountancy regime to which reference was made in the answer; which organisation carries out the accountancy checks; and to whom that organisation reports. [313541]

Mr. Bob Ainsworth: The Ministry of Defence (MOD) materials accountancy regime reflects requirements in the Ionising Radiation Regulations 1999, including its associated Code of Practice, and International Atomic Energy Agency standards. These require the maintenance of accounts for radioactive material holdings and for annual inventory verification.

Within the MOD, the application of the materials accountancy regime is the responsibility of the Strategic Weapons Project Team (SWPT), part of the Defence Equipment and Support area. Individual site operators are responsible for accurate accountancy and reporting of accountable material by quantity and location; their arrangements are required to include a robust internal audit process and physical checks of holdings.

The responsibility for ensuring the conduct of audits of site operator arrangements, in respect of MOD-owned accountable material, lies with the head of SWPT, who is accountable to me in this capacity. Such an audit would include further physical inventory checking to verify the operator's on-site inventory.

The number of persons found guilty at all courts in the north-east Government office region (GOR) and England and Wales, for domestic burglary and drugs offences, 2006 and 2007^{1,2}

	North East GOR		England and Wales	
	2006	2007	2006	2007
Burglary in a dwelling	767	827	12,442	13,138
Misuse of drugs	2,734	2,667	39,580	44,564

¹ Includes: Cleveland police force area; Durham police force area; Northumbria police force area.

² The statistics relate to persons for whom these offences were the principal offences for which they were dealt with. 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.

Note:

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:

Justice Statistics Analytical Services—Ministry of Justice

Departmental Written Questions

David Simpson: To ask the Secretary of State for Justice 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. [313671]

Mr. Wills: The Ministry of Justice answered 2,923 ordinary written questions and 790 named day questions from 1 January 2009 to 31 December 2009. On average it has taken 6.14 sitting days to answer ordinary written questions and 2.22 sitting days to answer named day questions in Parliament.

Written Questions: Government Responses

Jo Swinson: To ask the Secretary of State for Defence when he plans to answer question (a) 310011, (b) 310012 and (c) 310013 on Milngavie reservoir, tabled on 6 January 2010. [314200]

Mr. Kevan Jones: I replied to the hon. Member on 26 January 2010, *Official Report*, column 797W.

JUSTICE

Crime

Mr. Hepburn: To ask the Secretary of State for Justice how many people were convicted of (a) domestic burglary and (b) drug offences in (i) Jarrow constituency, (ii) South Tyneside, (iii) the North East and (iv) England and Wales in each year since 2006. [313487]

Claire Ward: Information showing the number of persons found guilty at all courts in the north-east Government office region (GOR) and England and Wales for domestic burglary and drugs offences in 2006 and 2007 (latest available) can be found in the following table.

Court proceedings data are not available at parliamentary constituency level. Data are given in the table for the north-east GOR in which the Jarrow constituency and South Tyneside are located.

Data for 2008 were published on 28 January 2010 but were not available at time of preparing the response. The hon. Member may wish to request 2008 data in a further question.

Fines: Surcharges

Mr. Grieve: To ask the Secretary of State for Justice how much he expects to be raised from the victims surcharge in each of the next five years. [313523]

Mr. Straw: The victims surcharge is a £15 charge imposed on fines given in the magistrates and Crown courts in England and Wales on all offences committed on or after 1 April 2007.

As receipts are dependent on the number of fines imposed and the enforcement rates achieved it is difficult to forecast future revenue from the surcharge with

exactness. It is estimated that, as currently implemented, around £8 million will be raised from the surcharge, on fines, in 2009-10 and each year thereafter.

Offenders: Foreigners

Damian Green: To ask the Secretary of State for Justice how many foreign nationals were charged with a criminal offence in each year since 2005. [313502]

Claire Ward: Statistical information recorded centrally on the Court Proceedings database held by the Ministry of Justice does not include a defendant's nationality. This information would be recorded should the defendant be sentenced to custody.

Prisons: Employment

Chris Huhne: To ask the Secretary of State for Justice how many hours on average were worked by prisoners in prisons in the latest period for which figures are available; and how much remuneration on average prisoners received per week for such work in that period. [313863]

Maria Eagle: During the period April to December 2009 prisoners in England and Wales spent on average 11.82 hours a week in employment activities. Figures for the average remuneration received by prisoners over the same period are not available. However, a snapshot survey carried out in April/May 2007 showed an average rate of £9.60 a week.

Prosecutions: Council Tax

Julia Goldsworthy: To ask the Secretary of State for Justice how many people have been prosecuted for non-payment of council tax in each local authority area in each of the last 10 years. [314382]

Claire Ward: Proceedings at magistrates courts for offences of non-payment of council tax cannot be separately identified on the Ministry of Justice Court proceedings database as they form part of a miscellaneous group which cannot be separately analysed.

Snow and Ice

Bob Spink: To ask the Secretary of State for Justice 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. [313591]

Mr. Wills: No overall assessment has been made of the financial impact of the severe weather conditions in the period 4 January to 18 January 2010 on the Ministry of Justice and its executive agencies (the National Offender Management Service, Her Majesty's Courts Service, the Tribunals Service and the Office of the Public Guardian).

Regular communications were issued to staff across the organisation via intranet and email ahead of, and during, the period of severe weather advising on the actions to be taken. Advice was as follows:

Managers were instructed to have their business continuity plans and key contacts readily available for activation.

Staff were advised not to take undue risks to travel to work if it was not safe.

Staff who were unable to attend their normal place of work must inform their manager that they are delayed or will not attend for duty. Where possible in these circumstances, staff were expected to work from home or, subject to management authorisation and organisation, attend another Ministry of Justice office or location.

Following the adoption of these principles, the impact on departmental business is considered to be relatively low. There were a number of closures of courts and tribunals at various stages and some courts, offices and prisons had to cope with fewer staff for short periods. In general, business continuity plans were activated without incurring additional expenditure, with work being prioritised and postponed. It would incur disproportionate cost to contact every local office, prison, court, probation board or trust and tribunal to obtain a financial impact assessment and to analyse and collate this information.

Streatham

Keith Hill: To ask the Secretary of State for Justice if he will set out, with statistical evidence relating as closely as possible to Streatham constituency, the effects on Streatham constituency of changes to his Department's policies since 1997. [313393]

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 are not available for the constituency of Streatham, it is available for London. These 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 Streatham. 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.

Although data on reoffending are not available for the constituency of Streatham, it is available for the borough of Lambeth. 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

Dr. Cable: To ask the Secretary of State for Justice when he plans to answer Question 300893, on departmental pay, tabled on 18 November 2009. [313137]

Mr. Straw: I replied to the hon. Member on 25 January 2010, *Official Report*, columns 692-94W. I apologise for the delay.

ENVIRONMENT, FOOD AND RURAL AFFAIRS

Horses: Animal Welfare

Mr. Soames: To ask the Secretary of State for Environment, Food and Rural Affairs (1) when he next plans to raise in the Council of Ministers the subject of long distance transportation of horses to slaughter; [314055]

(2) if he will seek to secure agreement at EU level on a journey limit of between nine and 12 hours for the long distance transportation of horses to slaughter. [314056]

Jim Fitzpatrick: The review of Council Regulation 1/2005 on the welfare of animals during transport, which was brought forward from the deadline of 2011, was postponed by the European Commission in October last year because of a lack of internal agreement on the draft proposals. We expect to see fresh proposals within the next year. The Secretary of State's call for improved enforcement and finite times for journeys to slaughter made at Agriculture Council in September last year still stands.

Photography: Environment Agency

Bob Spink: To ask the Secretary of State for Environment, Food and Rural Affairs what assessment he has made of the effects on the photography industry of non-remunerated photography contracts issued by the Environment Agency; and if he will make a statement. [314169]

Jim Fitzpatrick: The Environment Agency has not issued any non-remunerated photography contracts and currently has four contracts in place with professional photographers. Each of these suppliers has gone through the tender process which is evaluated on both cost and quality.

Any photographer employed by the Environment Agency will be paid in full for their work. The Environment Agency has strict criteria on working with suppliers and takes its responsibilities seriously when it comes to paying people the right rate, on time, and getting good value for the taxpayer.

Rodents: Sewers

Mr. Todd: To ask the Secretary of State for Environment, Food and Rural Affairs with reference to the answer of 16 June 2009, *Official Report*, column 156W, on rodents, whether his Department has reviewed the revised sewer protocols between Thames Water and Yorkshire Water and their relevant local authorities; and if he will make a statement. [314243]

Huw Irranca-Davies: No. I refer my hon. Friend to the reply I gave him on 2 Dec 2009, *Official Report*, column 732W.

Sewers: Private Sector

Mr. Swayne: To ask the Secretary of State for Environment, Food and Rural Affairs what his most recent assessment is of progress in the transfer of private drains to water companies in 2011; and if he will make a statement. [314262]

Huw Irranca-Davies: On 15 December 2008, the Government announced that the transfer of all private sewers and lateral drains linked to the public sewerage system to water company ownership would take place from 2011. Transfer is the only comprehensive solution to the range of problems presented by private sewers.

I anticipate consulting early this year on the content of regulations to effect transfer, prior to them being presented to Parliament for approval.

PRIME MINISTER

Departmental Written Questions

David Simpson: To ask the Prime Minister what average time he took to answer questions for (a) ordinary written answer and (b) written answer on a named day in the last 12 months. [313674]

The Prime Minister: My office aims to answer all ordinary written parliamentary questions within five working days, and named day written parliamentary questions on the day named.

This information is a matter of public record and can be found in the *Official Report*.

President of the European Council

Mr. Dai Davies: To ask the Prime Minister what matters were (a) discussed and (b) agreed upon in his meeting on 19 January with the President of the Council of the European Union. [313544]

The Prime Minister: I refer the hon. Member to the press notice issued by my office on 19 January 2010. A copy is available on the Number 10 website:

<http://www.number10.gov.uk/Page22179>

Tuesday 19 January 2010

President of the European Council and PM discuss strategy for growth

The Prime Minister has said that members of the EU must raise the level of ambition for Europe's future growth and employment.

The UK Government has published a compact designed to "reinvigorate" EU economies and build "strong, sustainable and balanced" growth.

Gordon Brown welcomed the new President of the European Council, Herman van Rompuy, to Downing Street this morning to discuss the priorities for Europe including action on the economy, climate change and security.

They also discussed the situation in Haiti following last week's devastating earthquake. Mr van Rompuy said the EU has responded swiftly to the situation, with EU members already pledging €400 million, including €30 million from the UK. The EU is committed to helping Haiti with longer term reconstruction, Mr van Rompuy said.

On the economy, Mr Brown said EU countries must agree co-ordinated measures that will build a strong recovery.

President van Rompuy and I are agreed that at this critical point in Europe's history, we must now more than ever, raise our level of ambition for Europe's future growth and employment.

The European Union, despite the challenge of Asia and the rest of the world, remains the world's largest trading block.

We are the biggest export market in the world, we are the largest internal market in the world and we have to forge a new economic strategy for our future following the economic crisis.

Gordon Brown said measures to improve growth and job prospects include investment in the low-carbon economy, open markets, the completion of the single market, and more flexible labour markets.

Mr van Rompuy said he has called an informal meeting of the European Council in February to look at formulating a new economic strategy for the region.

WMD Intelligence Review Committee

Mr. Dai Davies: To ask the Prime Minister which recommendations made by the report of the committee investigating the use of intelligence on Iraq chaired by Lord Butler accepted by the Government have been implemented; and when each other recommendation accepted by the Government will be implemented. [312691]

The Prime Minister: The Government accepted and implemented all of Lord Butler's recommendations, following his review in 2004. We continue to look to improve the quality of analysis of intelligence across Government.

HOME DEPARTMENT

Anti-Semitism

Chris Huhne: To ask the Secretary of State for the Home Department when he expects his Department to publish figures on occurrences of anti-Semitic incidents. [306341]

Alan Johnson: The Home Office intends to publish figures on occurrences of anti-Semitic incidents in April 2010.

Assaults on Police

Chris Grayling: To ask the Secretary of State for the Home Department how many police officers have been assaulted in each of the last 10 years. [306394]

Alan Johnson: Data for the numbers of assaults on police officers in 2004-05 and years previous to this can be found in the HM Chief Inspector of Constabulary

Annual Reports, available in the Library of the House. A weblink to the 2004-05 report is provided for the member's convenience:

<http://www.official-documents.gov.uk/document/hc0506/hc08/0842/0842.pdf>

Data for the numbers of assaults on police officers for 2005-06 onwards can be found in the supplementary tables of the Home Office Statistical Bulletin "Police Service Strength, England and Wales", available in the Library of the House. A weblink for the 2008-09 data is again provided for the member's convenience:

<http://www.homeoffice.gov.uk/rds/pdfs09/hosb1309supp.pdf>

Earlier data from HM Chief Inspector of Constabulary reports and later data from Home Office supplementary tables are not comparable with each other as HMIC data were taken from Crime Recording Systems and Home Office data were taken from self-reported HR systems.

In the 10-year period, the number of police officers has increased by 14 per cent. (from 123,841 in 1998-99 to 141,647 in 2008-09). The number of assaults relates to only a very small proportion of these police officers—in 2008-09 there were an average of 0.07 assaults per officer.

Asylum: Costs

Chris Huhne: To ask the Secretary of State for the Home Department what the estimated amount was of (a) support costs, (b) administration costs, (c) housing costs, (d) legal costs, (e) deportation costs and (f) other costs of the asylum system in each year since 1997. [305999]

Alan Johnson [holding answer 10 December 2009]: It is not possible to provide an accurate estimate of the full costs of the specific breakdown of costs for each of the years requested except at disproportionate cost as the information was not recorded in the required format.

Borders: Personal Records

Chris Huhne: To ask the Secretary of State for the Home Department what the (a) original planned and (b) current estimated budget is of the e-Borders Programme; and if he will make a statement. [306315]

Alan Johnson [holding answer 14 December 2009]: The original planned expenditure for e-Borders from award of the contract to Trusted Borders in November 2007 through to November 2017 was £1.2 billion.

The current forecast of expenditure for this period, including contingency, is £1.2 billion.

Crime: Computers

Chris Huhne: To ask the Secretary of State for the Home Department what steps an individual who has been subject to (a) a phishing attack, (b) installation of malware or adware and (c) other interference with their computer activities should take to report the incident for criminal investigation; how many such incidents were reported in each of the last three years; and if he will make a statement. [306544]

Alan Johnson: Any individual who believes that they have been the subject of such attacks or interference on their computer should report the matter to the police, who can then investigate the complaint.

The offences mentioned would in most cases appear to be covered by the Computer Misuse Act 1990. However, the Home Office does not collect statistics centrally on reports of these offences, and therefore I am unable to provide the hon. Member with the figures requested.

Departmental Carbon Emissions

Mr. Drew: To ask the Secretary of State for the Home Department whether (a) his Department and (b) its agencies plan to sign up to the 10:10 campaign to reduce carbon dioxide emissions in 2010. [313043]

Mr. Woolas [*holding answer 25 January 2010*]: The Secretary of State welcomes the 10:10 campaign and has signed up in a personal capacity. Staff have also been encouraged to take part. The Department and its agencies plan to sign up to the 10:10 campaign to reduce carbon dioxide emissions in 2010-11 against a 2009-10 baseline.

The Department and its agencies have had targets to reduce emissions since 1999 stretching to 2020 and carbon budgets which set out the Department's carbon emission reduction requirements to 2050. Performance against carbon emissions is published annually, the most recent data for the Home Office showed a 23.8 per cent. reduction against baseline.

Driving Offences: Fines

Chris Grayling: To ask the Secretary of State for the Home Department how much revenue was raised through fines consequent on (a) parking, (b) speeding and (c) other driving offences in each year since 2005. [313427]

Alan Johnson: The information requested is not collected centrally.

Information reported to the Home Office on fixed penalty notices for motoring offences as well as data on court fines held by the Ministry of Justice does not include information on revenues as not all fines imposed will have been paid.

Members: Correspondence

John Barrett: To ask the Secretary of State for the Home Department when he expects to reply to the letters from the hon. Member for Edinburgh West of 15 July, 17 September and 14 October 2009 on his constituent Mr. Neil McAlpine and the visa for Analia Hasson. [304739]

Mr. Woolas [*holding answer 7 December 2009*]: I replied to the hon. Member on 20 January 2010.

Sir Gerald Kaufman: To ask the Secretary of State for the Home Department when he plans to reply to the letter of 5 October 2009 from the right hon. Member for Manchester Gorton on Miss Prisla Joy Kalva. [305113]

Alan Johnson: I wrote to my right hon. Friend on 4 December 2009.

Sir Gerald Kaufman: To ask the Secretary of State for the Home Department when he plans to reply to the letter of 10 November 2009 from the right hon. Member for Manchester Gorton with regard to Mr Ali Hossenli. [309159]

Alan Johnson: A full substantive response was sent to the right hon. Member for Manchester Gorton on 16 December in reply to his letter of 10 November 2009 about Mr Ali Hossenli.

Offenders: Deportation

Chris Grayling: To ask the Secretary of State for the Home Department how many foreign national prisoners have been removed from the UK since 1 January 2009. [306681]

Alan Johnson [*holding answer 14 December 2009*]: We have published provisional management information which shows that we deported or removed a total of 3,890 foreign national prisoners between 1 January and 30 September 2009. This figure is taken from the "Control of Immigration: Quarterly statistical Summary for Q3 2009", which can be accessed at:

<http://www.homeoffice.gov.uk/rds/immigration-asylum-stats.html>

Passports

Chris Huhne: To ask the Secretary of State for the Home Department what recent consideration he has given to allowing British citizens resident in (a) the European Union and (b) Switzerland to submit passport renewal applications to be processed by post. [313533]

Alan Johnson: The Identity and Passport Service does not accept postal applications made from overseas, including those made from other European Union countries and Switzerland, and no consideration has been given to accepting applications by post from overseas.

If British citizens resident in any of these countries want to renew their passport, they would need to contact their local British embassy or consulate. Alternatively, they could return to the United Kingdom and apply in person to the Identity and Passport Service.

Terrorism

Mr. Evans: To ask the Secretary of State for the Home Department how many people have been questioned and been (a) cautioned and (b) subsequently prosecuted in relation to terrorism offences in (i) Ribbles Valley constituency, (ii) Lancashire and (iii) the UK in each of the last five years. [314349]

Mr. Hanson: The Home Office does not hold statistics on the number of individuals questioned in relation to terrorism offences. In the last five years the police have issued the following number of cautions for terrorism offences:

	<i>Number of cautions issued</i>
2004-05	4
2005-06	1
2006-07	0
2007-08	2
2008-09	4

The Home Office collates statistics on the number of terrorism arrests, charges and convictions and these are included in a Bulletin which was 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 data contained in the Bulletin relates to Great Britain and not specific areas. The first edition of the Bulletin is available at:

<http://www.homeoffice.gov.uk/rds/pdfs09/hosb0409.pdf>

The number of cautions as detailed above are contained in the second issue of the Bulletin which was published on 26 November 2009 and is available via the following link:

<http://www.homeoffice.gov.uk/rds/pdfs09/hosb1809.pdf>

Mr. Evans: To ask the Secretary of State for the Home Department how many people arrested under anti-terrorism legislation have subsequently been extradited in each of the five years. [314350]

Mr. Hanson: 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 link below:

<http://www.homeoffice.gov.uk/rds/pdfs09/hosb1809.pdf>

Mr. Evans: To ask the Secretary of State for the Home Department how many people convicted of offences under anti-terrorism legislation have been released on (a) automatic unconditional release, (b) automatic conditional release and (c) discretionary conditional release in each of the last 12 months. [314352]

Mr. Hanson: For prisoners to be released unconditionally, they must have served a sentence of less than 12 months. For prisoners to be automatically released with conditions, they must have served a sentence of 12 months or more.

To be released on a discretionary conditional basis, prisoners will have served a sentence of four years or more for offences committed prior to 4 April 2005 or be subject to an extended sentence under the Criminal Justice Act 2003 imposed prior to 14 July 2008. Discretionary release is on the recommendation of the Parole Board.

Data on releases of prisoners having served sentences under anti-terrorism legislation or terrorism related offences for 2007-08 and 2008-09 was published in the Home Office statistical bulletins on terrorism arrests and outcomes.

This data, however, does not show a monthly figure for releases. Both bulletins may be found at the following address:

<http://www.homeoffice.gov.uk/rds/terrorism.html>

Mr. Evans: To ask the Secretary of State for the Home Department how many people convicted of offences under anti-terrorism legislation are serving custodial sentences. [314353]

Mr. Hanson: At 31 March 2009, there were 143 terrorist/extremist prisoners in Great Britain. The Home Office collates statistics on the number of terrorism arrests and convictions and these are included in a Bulletin which was 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 figure quoted above is contained in the second issue of the Bulletin which was published on 26 November 2009 and is available via the link below:

<http://www.homeoffice.gov.uk/rds/pdfs09/hosb1809.pdf>

Visas and Exclusion Orders: Ireland

Andrew Mackinlay: To ask the Secretary of State for the Home Department whether the UK's list of persons who (a) have been refused a visa for admission into the UK and (b) are to be denied travel to the UK is automatically shared with the border agency authorities of the Irish Republic as part of the Common Travel Area regime; and if he will make a statement. [309981]

Mr. Woolas [*holding answer 11 January 2010*]: The UK Border Agency holds a watchlist of adverse information drawn from a variety of sources, including the police, SOCA and other Government Departments. The system is used by UK Border Agency staff for the purposes of national security and the detection and prevention of crime. Refusal of entry may be based on information from any of these sources.

The UK and Ireland undertake a range of data sharing activity to underpin the security of the Common Travel Area, backed up by extensive operational co-operation. This includes sharing data from the UK immigration watchlist. We have a longstanding policy not to disclose exactly what information is shared.

Data sharing with the Irish Government remains a key area for increased co-operation, as recognised in the "Strengthening The Common Travel Area" public consultation and subsequent response.

BUSINESS, INNOVATION AND SKILLS

Banks: Finance

Jim Cousins: To ask the Minister of State, Department for Business, Innovation and Skills if he will estimate the monetary value of bond issues across all sectors requiring refinancing in (a) 2010-11 and (b) 2011-12. [313282]

Sarah McCarthy-Fry: I have been asked to reply.

No such estimate is available. The Government continue to take targeted measures ensure that the supply of credit meets recovering demand from creditworthy businesses.

Business: Staffordshire

Mr. Cash: To ask the Minister of State, Department for Business, Innovation and Skills how much capital has been supplied to small businesses in Staffordshire through the Government's Enterprise Investment Scheme. [313440]

Ian Pearson: I have been asked to reply.

The relevant data are not available at the level of individual counties. However, consistent with the latest HMRC National Statistics published for investment raised through the Enterprise Investment Scheme in the Government office regions, the total amount raised and invested in small businesses in the West Midlands through the Enterprise Investment Scheme since it was introduced in 1994 is around £300 million.

Students: Grants

Julia Goldsworthy: To ask the Minister of State, Department for Business, Innovation and Skills what estimate his Department has made of the average delay in processing of student grant applications for academic year 2009-10; how many students have yet to receive their grant; how many students have withdrawn from their course as a result of not receiving their grant; and if he will make a statement. [313102]

Mr. Lammy [*holding answer 25 January 2010*]: I refer the hon. Member to my written ministerial statement to the House on 8 December 2009, *Official Report*, column 12WS. The report and statement can be found at the following URL:

<http://www.bis.gov.uk/hopkin>

I am advised that the Student Loans Company holds data only on average processing times for applications where the applicant has supplied all supporting information and evidence. For the application cycle academic year 2009/10 to date, average processing times for fully documented means-tested applications have been within SLC's published service standards of 30 days for paper applications and 20 days for online applications.

Data on numbers of applications processed, paid and still to be paid are available on the SLC website at:

<http://www.slc.co.uk/statistics/facts%20and%20%20figures/index.html>

The Department has not made an estimate of numbers of students who have withdrawn from a course in 2009/10 academic year due to delays in receiving student finance.

Many students whose means tested applications could not be processed before the start of term, for example because of incomplete evidence, were given provisional non means-tested maintenance awards and confirmation that their tuition fees would be paid.

Students whose application for student support was not approved by the start of term would have been able to apply for help through the Access to Learning Fund, which is provided by the Government and administered by higher education institutions, and can provide assistance to students in financial hardship.

INTERNATIONAL DEVELOPMENT

Departmental Publications

Mr. Andrew Mitchell: To ask the Secretary of State for International Development if he will place in the Library a copy of his Department's list of (a) deployable civilian experts and (b) members of the Civil Service Stabilisation Cadre deployed in each country of the world. [314364]

Mr. Douglas Alexander: The 1,000-strong UK Civilian Stabilisation Group includes a number of different skills and experience to help rebuild countries. The specific experts and civil servants in the Group are deployed in accordance with the particular requirements of a country's need.

There are currently 23 Deployable Civilian Experts in Afghanistan, two in the Democratic Republic of Congo and one in Kenya. There are two members of the Civil Service Stabilisation Cadre currently deployed in Afghanistan. At least two more members will be deployed to Afghanistan in the coming weeks, while others have recently returned.

In accordance with the Data Protection Act, it would not be appropriate to publish a list of individuals' names.

Mr. Andrew Mitchell: To ask the Secretary of State for International Development if he will place in the Library a copy of the job description of each of his Department's officials involved in managing the Stabilisation Unit's database of deployable civilian experts and the Civil Service Stabilisation Cadre. [314365]

Mr. Michael Foster: The requested information will be placed in the House Library.

Human Trafficking

Mr. Steen: To ask the Secretary of State for International Development pursuant to the answer of 20 January 2010, *Official Report*, column 414W, on people trafficking, to what overseas projects and non-governmental organisations tackling human trafficking, forced labour and child labour his department provides support. [314203]

Mr. Michael Foster: The Department for International Development (DFID) is providing the following support to overseas projects and non-governmental organisations tackling human trafficking, forced labour and child labour:

\$5.8 million to the International Labour Organisation's (ILO's) project on Building a Global Alliance against Forced Labour and Human Trafficking. DFID support has enabled ILO to produce authoritative data on forced and migrant labour, provide training and guidance to labour administration officials and other law enforcement officers, and run projects tackling forced labour and trafficking in many of countries.

£1.4 million to Anti-Slavery International's Slavery and Child Labour: Governance and Social Responsibility project, which seeks to combat the worst forms of child labour in six countries.

£388,000 to the Salvation Army's Malawi Anti-Child Trafficking Project which aims to improve knowledge of and access to rights for children in Malawi who have been trafficked or are vulnerable to being trafficked.

£1.6 million to the Ethical Trading Initiative (ETI) to improve the incomes, working conditions and respect for the rights of millions of poor workers who are employed by suppliers of ETI member companies. All member companies agree to adopt the 'Base Code of Labour Practice' which prohibits forced labour and child labour.

In Bangladesh DFID has also supported the establishment of a specialised police unit for combating human trafficking.

Stabilisation Unit

Mr. Andrew Mitchell: To ask the Secretary of State for International Development how many staff of his Department's Stabilisation Unit are employed to manage that Unit's database of (a) deployable civilian experts and (b) the Civil Service Stabilisation Cadre.

[314366]

Mr. Douglas Alexander: Three Stabilisation Unit staff are currently employed to manage the Civilian Stabilisation Group, which consists of over 800 Deployable Civilian Experts and over 200 members of the Civil Service Stabilisation Cadre. A small number of additional staff are responsible for administrative tasks associated with the recruitment, training and deployment of members of the Group.

COMMUNITIES AND LOCAL GOVERNMENT

Audit Commission: Internet

Mr. Stewart Jackson: To ask the Secretary of State for Communities and Local Government if he will ensure that the Comprehensive Area Assessment Oneplace website includes data on the frequency of collection of household waste by local authorities.

[313811]

Barbara Follett: This is an operational matter for the Audit Commission, and I will ask the chief executive of the Audit Commission to write to the hon. Member direct.

Letter from Steve Bundred:

Your Parliamentary Question outlined above has been passed to me to reply.

The Oneplace website currently includes performance indicators on the amount of waste collected, recycled and landfilled as well as a range of measures of residents' satisfaction with these services.

The Audit Commission is discussing with DEFRA the availability of reliable data on the frequency of household waste and recycling collection with a view to including this data on the website as soon as possible.

A copy of this letter will be placed in Hansard.

Chorley

Mr. Hoyle: To ask the Secretary of State for Communities and Local Government if he will set out, with statistical information as closely related to Chorley constituency as possible, the effect on that constituency of the policies of his Department and its predecessors since 1997.

[314229]

Barbara Follett: The information requested is not available. The Department evaluates the impact of major programmes and policies. We do not assess the specific impacts on individual areas.

Details of research projects commissioned by Communities and Local Government and its predecessors are available from our Research Database (RD) at

<http://www.rmd.communities.gov.uk/>

The database provides information on projects commissioned by Communities and Local Government and predecessor departments going back to 30 November 2001. This includes details of evaluations.

Council Tax

Julia Goldsworthy: To ask the Secretary of State for Communities and Local Government how much each local authority has received in fines relating to late payment of council tax in each of the last 10 years.

[314380]

Barbara Follett: This information is not collected centrally.

Departmental Disclosure of Information

David Davis: To ask the Secretary of State for Communities and Local Government 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.

[313220]

Barbara Follett: Government Departments and agencies make most of their information available for free re-use under the Public Sector Information (PSI) Click-Use Licence. CLG's executive NDPBs make relevant information freely available by publishing it on their websites. CLG's trading funds; the Ordnance Survey, the Fire Service College and the Queen Elizabeth II Conference Centre can charge for the services they provide in order to cover their costs. This includes information supplied to other public bodies, commercial organisations and individuals. In common with other Government policy, some information is sold as priced publications.

Departmental Manpower

Mr. Philip Hammond: To ask the Secretary of State for Communities and Local Government how many layers of management reporting from the most senior to the most junior there are in his Department and each of its agencies; 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.

[312825]

Barbara Follett: In the Department for Communities and Local Government uniform layers of management do not exist across the organisation. Instead, different arrangements are made by each area to meet its business needs. At present employees in pay range 3 and above can be responsible for line management.

The following table shows total employment costs for pay ranges 3 and above for 2008-09 although it should be noted that not all these employees will have line management responsibilities. Total employment costs include salaries, non-consolidated performance awards, employer's national insurance payments, overtime and

employer's pension costs. The provision of total pay costs excluding non-line managers could be provided only at disproportionate cost.

<i>Pay range</i>	<i>Number of staff (headcount)</i>	<i>Total annual employment costs 2008-09 (£)</i>
3 (EO)	333	10,596,359
4 (HEO)	533	19,559,166
5 (SEO)	326	12,010,745
6 (Grade 7)	497	24,829,182
7 (Grade 6)	127	7,709,854
Deputy Director	84	8,355,458
Director	22	3,173,623
Director General	6	1,383,829
Permanent Secretary	1	266,471

Departmental NDPBs

Bob Spink: To ask the Secretary of State for Communities and Local Government for how many non-departmental public bodies his Department is responsible. [314250]

Barbara Follett: 22 in total as at January 2010. The Department sponsors 12 executive NDPBs, five advisory NDPBs and two tribunal NDPBs, as well as two other public bodies classified as Public Corporations and a public body which does not have a formal classification. The bodies are listed as follows.

Executive NDPBs

Community Development Foundation
Firebuy
Homes and Communities Agency
Independent Housing Ombudsman Limited
Infrastructure Planning Commission
Leasehold Advisory Service
London Thames Gateway Development Corporation
Standards for England
Tenant Services Authority
Thurrock Thames Gateway Development Corporation
Valuation Tribunal Service
West Northants Development Corporation

Advisory NDPBs

Advisory Panel for the Local Innovation Awards
Advisory Panel on Standards for the Planning Inspectorate
Building Regulations Advisory Committee
National Community Forum
National Housing and Planning Advice Unit

Tribunal NDPBs

Rent Assessment Panels under the Residential Property Tribunal Service

Valuation Tribunal for England

Public Corporations

Architects Registration Board
Audit Commission

Other

Local Government Ombudsman/Commission for Local Administration

Departmental Written Questions

David Simpson: To ask the Secretary of State for Communities and Local Government pursuant to the answer of 26 January 2010, *Official Report*, columns 769-70W, on Departmental written questions, what mechanisms are in place for monitoring his Department's performance in answering parliamentary questions for written answer; and what targets he has set for the time taken to answer such questions. [314469]

Barbara Follett: The Department's performance in answering parliamentary questions is monitored by its Management Board.

In CLG, Ministers endeavour to provide hon. Members with a substantive response to their named day question on the date specified, and to answer ordinary written questions within a working week of being tabled. In 2009, CLG Ministers received:

862 questions for answer on a named day of which 708 (82 per cent.) received a substantive answer on the due date; and 4,853 ordinary written questions of which 4,112 (85 per cent.) were answered within a working week.

Doncaster Council

Tim Loughton: To ask the Secretary of State for Communities and Local Government when he expects the Audit Commission to publish the findings of its corporate governance inspection of Doncaster Council. [314325]

Ms Rosie Winterton: This is an operational matter for the Audit Commission, and I will ask the chief executive of the Audit Commission to write to the hon. Member direct. As the Audit Commission has already made clear, the inspection will take place as soon as the necessary arrangements can be made and we are keen to see the findings as soon as possible. However, it is important that the inspection is robust as the findings will inform any further package of support offered to the council. My right hon. Friend the Secretary of State has confirmed that we are prepared to use the powers he has to tackle any issues identified by the Audit Commission which require government action.

Letter from Steve Bundred, dated 29 January 2010:

Your Parliamentary Question outlined above has been passed to me to reply.

The planning for the inspection of Doncaster Council is well advanced and the necessary fieldwork will be completed as soon as possible. The inspection report (including recommendations) will be published as soon as it is complete but at this stage it is not possible to give a firm date.

A copy of this letter will be placed in Hansard.

Mortgages: Repossession Orders

Mr. Stewart Jackson: To ask the Secretary of State for Communities and Local Government with reference to his Department's consultation document, "Lender repossession of residential property: protection of tenants", when he expects to announce each of the preferred options. [313809]

Mr. Ian Austin: CLG's consultation on "Lender repossession of residential property: protection of tenants", which considered options for closing a gap in legal

protection for tenants who suffer short notice eviction as a result of landlord eviction, closed on 14 October 2009. The consultation document stated that the Government's preferred approach was to ensure tenants received adequate notice if they needed to move by giving courts the power to delay possession and introducing a new notice of intention to enforce possession. These measures are now being taken forward by Dr. Brian Iddon in a private Members Bill, The Mortgage Repossessions (Protection of Tenants etc) Bill, which is to receive its second reading on 29 January.

Non-domestic Rates

Lorely Burt: To ask the Secretary of State for Communities and Local Government how many hereditaments in England he expects to claim small business rate relief in 2009-10. [314207]

Barbara Follett: I refer the hon. Member to the answer I gave to the hon. Member for Meriden (Mrs. Spelman) on 5 January 2009, *Official Report*, column 230W.

Non-domestic Rates: Fines

Julia Goldsworthy: To ask the Secretary of State for Communities and Local Government how much each local authority has collected in fines relating to late payment of business rates in each of the last 10 years. [314381]

Barbara Follett: There are no fines for late payment within the business rates system.

Non-domestic Rates: Garages and Petrol Stations

Sir Paul Beresford: To ask the Secretary of State for Communities and Local Government how many supermarket petrol retail outlets have been notified that their rateable value (a) has been reduced, (b) remains unchanged and (c) has risen by over (i) 10 per cent., (ii) 50 per cent., (iii) 100 per cent. (iv) 150 per cent., (v) 200 per cent., (vi) 250 per cent., (vii) 300 per cent. and (viii) 350 per cent. for the purpose of calculating the business rate to come into effect on 1 April 2010. [311057]

Barbara Follett: All supermarkets have been sent summary valuation calculations notifying the occupiers of their new rateable value (RV), and have been invited to contact their local valuation officer if they think the change in their RV may be incorrect.

The RV for a supermarket petrol retail outlet forms part of the overall rateable value of the supermarket. The SCAT codes do not allow us to separately identify supermarkets with petrol retail outlets from supermarkets without petrol retail outlets. Therefore, information on the distribution of supermarket petrol retail outlets by change in RV is not held centrally.

The five-yearly business rates revaluations make sure each business pays its fair contribution and no more. The 2010 revaluation will not raise a single extra penny for Government and over a million properties will see their business rate liabilities come down as a result of revaluation.

As a result of the £2 billion transitional relief scheme we have put in place, no property (including petrol retail outlets) will see its rates rise by more than 11 per cent. in 2010-11 as a result of revaluation, with increases capped at just 3.5 per cent. for small properties.

Shops: Empty Property

Mr. Stewart Jackson: To ask the Secretary of State for Communities and Local Government with reference to the answer to the hon. member for Meriden of 15 October 2009, *Official Report*, columns 1073-4W, on shops: empty property, what information his Department used to assess (a) levels of deprivation and (b) shop vacancy rates. [313808]

Barbara Follett: The Department for Communities and Local Government is providing £5.6 million to 107 local authorities to support approaches for making use of vacant shops and other ideas for boosting high streets and town centres affected by the recession. We have targeted this funding at councils showing relatively high levels of deprivation as these areas have been hit hardest by the recession.

The local authorities receiving funding are in the top half of the index of multiple deprivation (IMD) and show relatively high shop vacancy rates based on data provided by the market analysts Experian.

Southend Airport

Norman Baker: To ask the Secretary of State for Communities and Local Government for what reasons he issued an Article 14 direction with regard to the proposed runway extension at London Southend Airport. [312996]

Barbara Follett: The Article 14 Direction was issued to enable the Secretary of State to consider whether to call-in the application for his own determination.

Travelling People: Caravan Sites

Robert Neill: To ask the Secretary of State for Communities and Local Government with reference to the answer of 21 October 2009, *Official Report*, column 1512W, on travelling people: caravan sites, what figures (a) his Department and (b) the Planning Inspectorate holds on the number and proportion of planning appeals that were (i) granted and (ii) dismissed, (A) prior to the year that Circular 01/06 came into force and (B) subsequent to the year that Circular 01/06 came into force. [308797]

Mr. Ian Austin: It is not possible to search the Planning Inspectorate's database for appeals that solely concern travelling people or caravan sites.

CABINET OFFICE

Departmental Correspondence

Mr. Maude: To ask the Minister for the Cabinet Office what targets (a) her Department and (b) the Government Communication Group have for the time to (i) acknowledge and (ii) provide a substantive reply to external correspondence. [312290]

Tessa Jowell: The Cabinet Office target for responding to correspondence with a substantive reply is 15 working days.

Departmental Manpower

Mr. Philip Hammond: To ask the Minister for the Cabinet Office how many employees in (a) her Department and (b) its agency are in transition prior to being managed out; how long on average the transition window between notification and exit has been in (i) her Department and (ii) its agency in each of the last five years; what estimate she 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. [313249]

Angela E. Smith: On 31 December 2009, Cabinet Office had 17 staff without permanent roles who were being supported to find new permanent roles. The Department introduced a brokerage service in July 2007 to provide tailored support to redeploy staff without permanent roles. Figures on staff without permanent roles are only available since that date.

Since July 2007, 115 staff without permanent roles have been redeployed. The average time between staff being declared surplus and redeployment to a new permanent role is set out in the following table. The table also gives details of the proportion of employees without a permanent role for longer than six months.

	<i>Average time from declared surplus to redeployment (Months)</i>	<i>Proportion of CO employees without a permanent role for six months or more (Percentage)</i>
2007 ¹	9	0.65
2008 ¹	4	1.38
2009 ¹	2	1.21

¹Information on salary costs of staff without permanent roles is not held. However, there are no additional staff costs to the Department arising from staff without permanent roles, since they are deployed in interim or temporary roles while they are looking for permanent employment, saving the Department the cost of fees on agency and interim staff.

Departmental Meetings

Norman Baker: To ask the Minister for the Cabinet Office what (a) meetings and (b) other contacts (i) Ministers and (ii) officials in her Department have had with (A) Niall Fitzgerald, (B) Keith Craig, (C) Sir Rod Eddington, (D) Sir Kieran Prendergast, (E) Robert Webb QC and (F) Mark Getty since 1 January 2009. [313775]

Angela E. Smith: Ministers and officials meet with a wide range of organisations and individuals. To provide the information requested could be met only at disproportionate cost.

Government Communications: Political Parties

Mr. Maude: To ask the Minister for the Cabinet Office whether the Permanent Secretary for Government Communications has issued advice to political parties on the use of the (a) Real Help Now and (b) Building Britain's Future brands. [312521]

Tessa Jowell: The Permanent Secretary for Government Communications has not issued advice to political parties on these subjects.

Hakluyt

Norman Baker: To ask the Minister for the Cabinet Office with reference to the answer of 5 November 2009, *Official Report*, columns 1228W, on Hakluyt, what contacts Ministers in her Department have had with Hakluyt and Co. since 1 January 2009. [312789]

Angela E. Smith: No Ministers in my Department have met with Hakluyt and Co. since 1 January 2009.

Power of Information Taskforce

Grant Shapps: To ask the Minister for the Cabinet Office which recommendations in the Power of Information Taskforce Report have been (a) rejected, (b) fully implemented and (c) partly implemented. [309847]

Tessa Jowell: The Government Response to the Power of Information Taskforce report accepted, at least in principle, all of the recommendations. Action on Recommendations 4, 9, 13, 16, 18, 19, 17, 20 and 22 is complete. Other recommendations are in the process of being implemented.

Third Sector: Cheques

Lorely Burt: To ask the Minister for the Cabinet Office what discussions she has had with the Chancellor of the Exchequer of the likely effect on third sector organisations of proposals to phase out the cheque clearing system. [313359]

Angela E. Smith: I am very concerned about the withdrawal of cheques, planned for October 2018, and the potential impact on the sector. We are in discussion with the Payments Council, which is planning to meet with charities to consult over their plans.

TREASURY

Banks: Iceland

Dr. Cable: To ask the Chancellor of the Exchequer what representations (a) he and (b) his officials have received from the Icelandic government since 5 January 2010 regarding the renegotiation of terms to repay debt to the Government for the compensation of depositors who held accounts with Icesave. [313620]

Sarah McCarthy-Fry: Treasury Ministers and officials have discussions with a wide variety of organisations in the public and private sectors as part of the process of policy development and delivery. As was the case with previous Administrations, it is not the Government's practice to provide details of all such discussions.

Chorley

Mr. Hoyle: To ask the Chancellor of the Exchequer if he will set out, with statistical information as closely related to Chorley constituency as possible, the effect on that constituency of the policies of his Department since 1997. [314239]

Sarah McCarthy-Fry: The Neighbourhood Statistics Service provides a wide range of statistical information at parliamentary constituency level, taken from the 2001 census and other sources. This service is available on the National Statistics website at:

<http://neighbourhood.statistics.gov.uk/>

The Government have put in place a broad programme of reform since 1997. Over the decade to 2007, the economic performance of all parts of the UK has improved considerably.

The global recession has had a negative impact on economic activity in all areas of the UK. However, the economy was starting from a position of strength and is actively supported by policies implemented by the Government, including the fiscal stimulus and a significant package of support for those out of work. In Chorley people are benefiting from this investment. Over the second half of 2009, more than 500 people moved off of the claimant count each month on average. The claimant count fell over the last three quarters and now stands 14 per cent. below its April level. At the end of 2009, long-term youth unemployment and long-term unemployment are both nearly 90 per cent. lower than in May 1997.

Civil Service: Location

Mr. Jim Cunningham: To ask the Chancellor of the Exchequer what recent assessment he has made of the suitability of the West Midlands as an area to which civil service posts could be relocated. [307311]

Mr. Byrne [*holding answer 16 December 2009*]: The Lyons' review of 2004 suggested that a Government relocation programme could generate savings over a 15 year period and demonstrated the positive impact that well planned relocations can have on local economies.

Pre-Budget report 2009 announced that nearly 21,000 posts had been moved out of London and the South East by June 2009. Of these, 2,069 have been relocated to the West Midlands.

"Smarter Government", published in December 2009, went further and announced that Ian Smith would lead a review to look at the efficiencies that moving further posts might bring, outlining 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.

The terms of reference I have agreed for this review are to produce recommendations on:

Generating savings through relocating further civil service posts out of London and the South East, where there is no operational reason for being there, together with specific proposals to ensure relocation directly contributes to regional and local economic regeneration;

Delivering a step change in the transparency of Government relocations, involving both the development of a transparent long-term pipeline, and launch of a new forum to regularly bring together local areas and OGC to structure relocation propositions that deliver better value for money;

The mechanisms that could be developed to relocate at least 10 per cent. of current posts in the medium term, building on the current Relocation Programme which was created following Sir Michael Lyons' report in 2004;

What Departments need to do to be able to make the most of opportunities to rationalise their London and South East estate;

How Government can manage its estate more effectively to reduce barriers to relocating staff, while ensuring that up-front costs are minimised; and

What mechanisms and incentives can be introduced to ensure that any relocation programme is self-sustaining and on-going.

The review should also aim to deliver a specific, significant relocation example in time for Budget, demonstrating the seriousness of the Government's intent.

Departmental Written Questions

David Simpson: To ask the Chancellor of the Exchequer 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. [313651]

Sarah McCarthy-Fry: In the calendar year 2009, Treasury Ministers answered ordinary written questions substantively in an average of seven working days. 2,163 of the 2,804 questions concerned (77.1 per cent.) were answered within a week of tabling. Treasury Ministers answered named day questions in an average of five working days. 685 of the 884 questions concerned (77.4 per cent.) were answered on the nominated day.

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.

Economic Situation: Portsmouth

Mr. Hancock: To ask the Chancellor of the Exchequer what assessment his Department has made of the effect of the recession on the economy in Portsmouth South constituency; and if he will make a statement. [313074]

Sarah McCarthy-Fry: The Government recognise that the global economic downturn has affected all regions within the UK, including Portsmouth and the wider Hampshire economy. Government Departments and the South East England Development Agency (SEEDA), as the regional development agency in the region, have taken forward a number of initiatives to provide assistance to families and businesses in these difficult times. The Chancellor will provide an update on the state of the economy at a national level in the 2010 Budget report later this year.

Excise Duties: Alcoholic Drinks

Paul Rowen: To ask the Chancellor of the Exchequer what checks are carried out by HM Revenue and Customs to ensure alcoholic goods have been correctly exported before duty is repaid. [314165]

Sarah McCarthy-Fry: It is a condition of reimbursement of UK duty under the drawback provisions that the claimant must be able to demonstrate that the goods to which a drawback claim relates have been exported from the UK and that duty has been paid or secured to the satisfaction of the fiscal authority in the member state of destination.

HMRC test the veracity of the evidence claimant's use in support of their claims. More detailed information cannot be disclosed as this would provide information of value to those seeking to circumvent HM Revenue and Customs' controls.

Excise Duties: Beer

Paul Rowen: To ask the Chancellor of the Exchequer what mechanism is in place to monitor the movement of beer under duty suspension to the EU. [314167]

Sarah McCarthy-Fry: The movement of beer in duty suspension between EU member states is governed by EU Council Directive 92/12/EEC. This states that movements within the EU must take place between approved businesses and must be accompanied by an Administrative Accompanying Document (AAD) at all times. Once the goods have been received at their destination, the consignee must discharge the movement by returning a report of receipt to the consignor.

Government Departments: Hotels

Mr. Maude: To ask the Chancellor of the Exchequer with reference to the answer of 21 July 2009, *Official Report*, column 1353W, on public sector: hospitality, if he will place in the Library a full copy of the summary data on bookings made under the contract Buying Solutions has with Expotel. [312458]

Ian Pearson: It is for the relevant public sector body to account for their use of the Expotel contract.

Government Departments: Procurement

Mr. Maude: To ask the Chancellor of the Exchequer how much and what proportion of Government expenditure on goods and services was directed through framework agreements drawn up with the assistance of the Office of Government Commerce in the last 12 months; and what requirements there are on (a) Departments, (b) executive agencies and (c) non-departmental public bodies to procure goods and services through such framework agreements. [312164]

Mr. Byrne: The Operational Efficiency Programme published at Budget 2009 required Departments, their executive agencies and NDPBs to comply with the requirements of category strategies ratified by the collaborative procurement programme for 80 per cent. of available expenditure. In the year to December 2009, £17.9 billion of Government expenditure complied with such strategies. This included a large element of spend channelled through framework agreements drawn up by professional buying organisations (PBOs), the largest of which is Buying Solutions, an executive agency of OGC. In the same period Buying Solutions reported £5.9 billion of spend through its frameworks.

Local Government: Pay

Mr. Stewart Jackson: To ask the Chancellor of the Exchequer whether the Government's policy that public sector posts over £150,000 will require his Department's explicit approval will apply to local government chief executives. [311659]

Mr. Byrne: The 2009 pre-Budget report announced a set of fundamental reforms to pay-setting for senior staff, including:

"New scrutiny of pay levels above £150,000: the Chief Secretary to the Treasury will approve pay levels in excess of £150,000 for all civil service appointments and appointments to public sector bodies which are subject to Ministerial approval. This will also apply to all bonus payments of over £50,000 where Ministerial sign-off is needed. For public sector bodies where Ministerial approval is not required, the Government expects all organisations making senior managerial appointments in excess of £150,000 to publicly justify this level, and any bonus in excess of £50,000, to the relevant Secretary of State."

For local government chief executives, the Government expect that any senior appointment in excess of £150,000 will have to be publicly justified to the Secretary of State for Communities and Local Government.

Non-domestic Rates: Aerials

Mr. Stewart Jackson: To ask the Chancellor of the Exchequer with reference to the answer of 7 July 2009, *Official Report*, column 779W, on non-domestic rates, how many mobile telephone masts in each local authority area are on the 2010 Rating List. [311825]

Ian Pearson: Mobile telephone masts are recorded for statistical purposes as in the category of 'communication stations', SCAT Code 066. This category includes other communication masts as well as mobile telephone masts. Data relating to mobile telephone masts only are not held and a further breakdown of these statistics is not therefore possible.

Smuggling: Northern Ireland

David Simpson: To ask the Chancellor of the Exchequer what quantity of illegal (a) cigarettes, (b) spirits, (c) diesel, (d) petrol and (e) counterfeit goods was recovered in Northern Ireland in each of the last two years. [313678]

Sarah McCarthy-Fry: The figures for the last two years are shown in the following table. HMRC record diesel and petrol together, so the oils figure covers both.

	2007-08	2008-09
Cigarettes (million sticks)	4.7	22.1
Spirits (litres)	761	703
Oils (million litres)	0.82	1.09
Counterfeit goods (units)	23,227	1,684

The pressure we maintain to disrupt illicit supply chains means that fraudsters continually respond by changing their modus operandi and supply routes. That leads to fluctuations in the level seizures we make region by region year and on year.

In relation to the difference between the numbers of counterfeit units seized, the 2007-08 figures include a single exceptional seizure of 21,000 units.

Valuation Office: Freedom of Information

Mr. Stewart Jackson: To ask the Chancellor of the Exchequer what the average time was for the Valuation Office Agency to (a) respond substantively to a Freedom of Information Act 2000 request and (b) complete an

internal review related to such a request in the last 12 months; and whether any (i) requests and (ii) reviews currently being considered have taken longer than six months since they began. [308347]

Ian Pearson: The average time the Valuation Office Agency took to respond to a Freedom of Information Act 2000 request was (a) 15 working days and (b) 47 days to complete an internal review related to such a request in the latest 12 months that statistics have been published on the Ministry of Justice's website (between 1 June 2008 and 30 May 2009); (i) one of the requests has taken longer than six months to respond to; (ii) none of the Internal Reviews took more than six months.

HEALTH

Abortion

Anne Milton: To ask the Secretary of State for Health pursuant to the answer of 29 October 2009, *Official Report*, column 577W, on abortion, how many abortions there were in women aged (a) under 20, (b) between 20 and 24, (c) between 25 and 29, (d) between 30 and 34 and (e) 35 years old and above in each of the last 10 years (i) for England and (ii) broken down by primary care trust area of residence. [313634]

Gillian Merron: The information requested has been placed in the Library.

Alcoholic Drinks: Misuse

David Simpson: To ask the Secretary of State for Health what the average waiting time was for people with an alcohol addiction for an appointment with a psychiatric nurse (a) nationally and (b) in each region in the most recent period for which figures are available. [313676]

Gillian Merron: We do not hold this information centrally.

Brain Aneurysms

David Simpson: To ask the Secretary of State for Health what assessment the NHS has made of the effectiveness of coiling treatments for brain aneurysms. [313644]

Ann Keen: The National Institute for Health and Clinical Excellence made an assessment of the effectiveness of coil embolisation in their Interventional Procedure Guidance 106 "Coil Embolisation of Ruptured Intracranial Aneurysms" published in January 2005. This guidance is available at:

www.evidence.nhs.uk/search.aspx?t=IPG106

Cancer: Health Services

Bob Spink: To ask the Secretary of State for Health what the cost to the NHS of treating non-UK residents for cancer was in (a) the latest period for which figures are available and (b) each of the last five years. [314168]

Gillian Merron: These data are not collected centrally, as due to the nature of the claims system between the United Kingdom and other countries, it is not possible to disaggregate the data by either type of claim or type of treatment. Further, it is not possible to disaggregate centrally held data on cancer treatment provided by the national health service by visitor type.

Chlamydia: Screening

Justine Greening: To ask the Secretary of State for Health what targets were set by his Department for testing under 25 year-olds for chlamydia under the National Chlamydia Screening Programme (a) nationally, (b) in each region and (c) in each primary care trust within London in each of the last five years; what testing levels were achieved; and how much has been spent on the programme to date. [313690]

Gillian Merron: To date there have been four annual indicators set with regards to chlamydia screening/testing. The first related to the period 1 April 2007 to 31 March 2008; the following three indicators were set for each consecutive fiscal year 1 April 2008 to 31 March 2011.

In April 2007, we introduced a national health service local delivery plan data monitoring line (LDP PSA11d). The LDP line measured the proportion of the population aged 15 to 24 years screened for chlamydia through the National Chlamydia Screening Programme (NCSP). The expectation set for the LDP was for 15 per cent. of the 15 to 24-year-old resident population in each primary care trust (PCT) to be screened for chlamydia between 1 April 2007 and 31 March 2008.

In 2008-09 chlamydia was included as a tier two vital signs indicator. This measures the proportion of the 15 to 24-year-old total population tested for chlamydia outside of genito-urinary medicine clinics. In 2008-09 the expectation was for 17 per cent. of the target population to be tested for chlamydia, 25 per cent. in 2009-10 and 35 per cent. in 2010-11.

Data on the numbers tested in the NCSP, nationally, in each region, in each PCT within London and the testing levels achieved, have been placed in the Library.

The Department does not break down PCT allocations by individual policy areas, at either the national or local level, or monitor how PCTs spend their allocations. It is for PCTs to decide their priorities for investment locally taking in to account both priorities and the national health service operating framework. However, a National Audit office report 'Young people's sexual health: the National Chlamydia Screening Programme', published on 12 November 2009, estimated that between 2003 and 2009, £100 million had been spent on delivering the programme.

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, what the main areas of estimated advertising expenditure were; how much was spent on each; what the overall non-advertising costs of developing the campaign were; and if he will make a statement. [313631]

Gillian Merron: The answer of 6 January 2010, *Official Report*, column 471W noted that, estimated advertising expenditure for the November/December burst of activity on the 'Contraception. Worth Talking About' campaign is £1,218,000. Estimated advertising costs for a further burst of activity planned for February 2010 are approximately £1,513,000.

These costs break down as follows

	£
<i>November/December burst</i>	
Television	951,000
Radio	150,000
Press	71,000
Online	46,000
<i>February burst</i>	
Television	1,220,000
Radio	162,000
Press	89,000
Online	42,000

It is not possible to isolate the overall non-advertising costs of developing the contraception. Worth talking about campaign as these costs cover all strands of the Sexual Health and Teenage Pregnancy campaign.

Anne Milton: To ask the Secretary of State for Health for what reasons he commissioned the production of polling data on people's attitudes to pornography to inform his Department's campaign on contraception, as referred to in the papers deposited in the Library pursuant to the answer of 6 January 2010, *Official Report*, column 472W, on contraception: health education; in what ways these data have been used to inform his Department's campaign; and if he will make a statement. [313633]

Gillian Merron: The development of the 'Sex. Worth Talking' campaign was based on a range of evidence and research. The Department conducted research on current attitudes to sex, relationships and sexual health, to inform the campaign, but the campaign was not informed specifically by research on attitudes to pornography.

Departmental Written Questions

David Simpson: To ask the Secretary of State for Health 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. [313668]

Phil Hope: The average time to answer ordinary written questions in 2009 was 7.93 working days and the average time to answer named day questions was 4.64 working days. Average times include days during parliamentary recesses when questions cannot be answered.

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.

Note:

Working days are days Monday to Friday, including bank holidays.

Diabetes

Justine Greening: To ask the Secretary of State for Health how many and what proportion of people had been diagnosed with diabetes (a) nationally, (b) in each region and (c) in each primary care trust in London in each of the last five years. [313686]

Ann Keen: The national Quality and Outcomes Framework records the number of people recorded on certain practice disease registers in England. A register exists for diabetes and counts are available for the financial years from 2004-05 to 2008-09. The figures are available nationally, by strategic health authority (SHA) and by primary care trust.

The number of SHAs changed between 2005-06 and 2006-07. Information for these is given in two separate tables, for the authorities in existence at the time.

The diabetes register will include patients aged 17 years and over with diabetes mellitus. (As the care of children with diabetes mellitus is generally under the control of specialists, the register excludes those patients age 16 and under).

All tables providing this information have been placed in the Library.

Drugs: Misuse

Mr. Burrowes: To ask the Secretary of State for Health how many (a) male and (b) female prisoners aged under 18 years are (i) undergoing detoxification programmes and (ii) receiving a maintenance prescription of heroin-substitute drugs. [313550]

Phil Hope: This information is not collected by the Department.

Eileen Trust

Chris Huhne: To ask the Secretary of State for Health which payments made by his Department to the Eileen Trust in the last five years (a) constituted (i) an ex-gratia payment and (ii) an admittance of liability on the Government's part and (b) were made for other reasons. [314409]

Gillian Merron: All of the Department's payments to the Eileen Trust in the last five years have been to enable the Trust to make ex gratia payments to its beneficiaries. There has been no admission of liability in connection with these payments and no payments have been made to the Trust for other reasons.

Genito-urinary Medicine

Anne Milton: To ask the Secretary of State for Health with reference to the answer of 10 November 2009, *Official Report*, column 245W, on contraceptives, whether he has published the sexual health commissioning framework. [313635]

Gillian Merron: The Department hopes to publish the new commissioning framework for sexual health in the spring.

Health Services: Isle of Man

Andrew Mackinlay: To ask the Secretary of State for Health (1) for what reasons a UK military pension paid to a resident of the Isle of Man will not be deemed to be a UK state pension for the purpose of qualifying for free emergency admission to hospital when that person visits the UK after the end of the UK-Isle of Man reciprocal health agreement with effect from 1 April 2010; and if he will make a statement; [314205]

(2) if he will ensure that former members of HM Armed Forces resident in the Isle of Man in receipt of military pensions will continue to have free NHS hospital care when visiting the UK when they are subject of an emergency admission to hospital following the end of the reciprocal UK-Isle of Man Health Agreement on 1 April 2010; and if he will make a statement. [314206]

Gillian Merron: The National Health Service Charges to Overseas Visitors Regulations set out a number of exemptions to charging, regardless of where an individual resides.

Those serving in HM UK forces are exempt from all charges for NHS hospital treatment (including elective treatment). Those in receipt of a war pension or war widows pension are also exempt from all hospital treatment charges (including elective treatment). In addition, those in receipt of a UK state pension are exempt from charges for treatment the need for which arises during a visit to the UK.

The Regulations do not exempt other ex-service people on the basis of being in receipt of a military pension,

National health service hospital and community health services: health visitors at Torbay Care Trust and Devon Primary Care Trust (PCT) as at 30 September each year

	2002	2003	2004	2005	2006	2007	Headcount 2008
Devon PCT	144	137	132	131	138	125	116
Torbay Care Trust	29	29	30	29	28	26	26

Notes:

1. East Devon PCT, Exeter PCT, Mid Devon PCT, North Devon PCT, South Hams and West Devon PCT and Teignbridge PCT merged to form Devon PCT in 2006. Figures for 2002 to 2005 are an aggregate of these predecessor PCTs.
2. Torbay PCT became Torbay Care Trust in 2005. Figures for 2002 to 2004 are for Torbay PCT.
3. Torbay PCT was formed in 2002. It is impossible to map staff for this organisation prior to 2002.

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 research he has (a) commissioned and (b) evaluated on the correlation between trends in the level of unemployment and trends in the level of illnesses attributable to drink or drugs. [313254]

Gillian Merron: The following research in relation to alcohol has been either commissioned or evaluated:

Commissioned:

“Indications of Public Health in the English Regions—8: Alcohol”, was produced and published by the North West Public Health Observatory.

A review of the affects of alcohol pricing and promotion by the University of Sheffield

Evaluated several studies, in particular:

“Health in Finland”, by Koskiinen S., Aromaa A., Huttunen J. and Tepen J., Helsinki 2006

but some specific services are exempt from charge to all persons, e.g. those provided in an accident and emergency Department.

Health Services: North East

Jim Cousins: To ask the Secretary of State for Health what progress has been made by the North East strategic health authority on each of the priorities set out by its clinical innovation team in its document, Our strategic vision for transforming healthcare services within the North East of England, of June 2009. [313911]

Ann Keen: The strategic vision for transforming health care services within the North East of England was developed locally by the North East strategic health authority as part of the National Health Service Next Stage Review.

“Our Vision, Our Future” priorities were developed through unprecedented engagement and reflect the needs and expectations of the local community.

Delivery is overseen locally. The Department does not performance manage its delivery in line with its commitments to local empowerment, decentralisation and reducing unnecessary bureaucracy.

Health Visitors: Devon

Mr. Sanders: To ask the Secretary of State for Health how many health visitors have been employed in (a) Torbay constituency and (b) Devon in each year since 1997. [313885]

Ann Keen: The information is not held in the format requested. Such information as is available is in the following table.

Office for National Statistics longitudinal studies

The Department has not commissioned research concerning a correlation between levels of employment and illnesses attributable to drugs.

Hospitals: Admissions

Mr. Lansley: To ask the Secretary of State for Health how many procedures planned by each NHS trust were cancelled for non-clinical reasons on or after the day of admission in the latest period for which figures are available. [313880]

Mr. Mike O'Brien: The number of operations which are cancelled for non-clinical reasons on or after the day of admission, are published by the Department on a quarterly basis. The latest available figures are for the quarter ending 30 September 2009.

The data can also be found at the following web address:

www.dh.gov.uk/en/Publicationsandstatistics/Statistics/Perfomancedataandstatistics/Cancelledoperations/index.htm

Mr. Lansley: To ask the Secretary of State for Health how many and what proportion of (a) in-patient and (b) day case activities were not undertaken because the patient did not attend in the latest period for which figures are available. [313882]

Mr. Mike O'Brien: The total number of admissions and the number of patients who failed to attend, are shown in the following table. These are the latest available figures, for the quarter ending 30 September 2009.

Data which show the total number of admissions and the number of patients who failed to attend, split by in-patient and day case admissions, are not held centrally.

<i>Q2 2009-10</i>	
	<i>Number</i>
Admissions	1,128,376
Patients failed to attend	28,146

Note:

Admissions includes only ordinary and day case admissions.

Source:

Department of Health Quarterly Activity Return, Commissioner based (QARCom)

Hospitals: Greater London

Mr. Davey: To ask the Secretary of State for Health what meetings (a) he and (b) Ministers and officials in his Department have held with NHS staff in London in 2009-10 to discuss (i) reviews of the acute hospital sector in London, (ii) options for closing one or more hospitals in London and (iii) options for closing units or services at London hospitals; and if he will make a statement. [313447]

Mr. Mike O'Brien: The reconfiguration of health services is a matter for the local national health service.

NHS staff brief Ministers on their local reconfiguration plans in order to support parliamentary business and do so as necessary.

Ministers also meet routinely with chief executives and chairs of strategic health authorities to discuss plans for service change.

Human Fertilisation and Embryology Authority

Dr. Evan Harris: To ask the Secretary of State for Health pursuant to the oral answer of 12 January 2010, *Official Report*, column 552, on the Human Fertilisation and Embryology Authority, (1) if he will publish the terms of reference of the internal governance review of the Human Fertilisation and Embryology Authority; [313601]

(2) by (a) what mechanisms and (b) whom the decision was made to conduct an internal governance review rather than an independent inquiry; and whether he was consulted on that decision; [313602]

(3) what progress has been made on the internal governance review; and whether individuals outside that Authority (a) have contributed and (b) will contribute to that review; [313603]

(4) what changes have been implemented by the Human Fertilisation and Embryology Authority to prevent a recurrence of the circumstances under consideration in the internal governance review; [313604]

(5) whether the terms of reference of the internal governance review include the Authority's contact with the BBC in the making of a Panorama programme; [313605]

(6) for what reasons his Department made the payment of £580,000 to the Human Fertilisation and Embryology Authority, as referred to its 2008-09 Annual Report. [313606]

(7) how much funding his Department has provided to the Human Fertilisation and Embryology Authority for legal assistance in respect of the circumstances under consideration in the internal governance review. [313608]

Gillian Merron: The Human Fertilisation and Embryology Authority (HFEA) has advised that the terms of reference of its internal governance review are published on the Authority's website www.hfea.gov.uk/5743.html

The HFEA has also advised that following consideration of advice prepared by the Chief Executive, the Members of the Authority determined it unnecessary for the review to be undertaken by an external person. This was a matter for the HFEA and the Department of Health was not involved. The purpose of the review is to assess the adequacy of the Authority's revised governance arrangements in relation to the threshold between administrative enforcement of its powers and the sphere of criminal law. The HFEA considers this internal review to be the right way to look critically at what happened and to ensure changes made to its processes and procedures provide it with adequate governance arrangements.

The HFEA has advised that the senior officer undertaking the review has devoted many months to reviewing the documentation held by the Authority. This officer will shortly contact those involved, inviting them to contribute.

The HFEA has been undergoing an overall programme of change since 2008. This followed the changes to the Authority's membership and its senior management team that began in 2007. The change programme has included the establishment of a new appeals committee, a new compliance and enforcement policy, indicative sanctions guidance and a clear separation of functions between inspection of clinics and licensing. The internal governance review will inform the Authority as to whether further changes are needed.

The annual allocation of grant-in-aid funding is determined on the basis of the HFEA's annual business plan and its estimate of the funding needed to conduct its business in that year, which may involve some expenditure on legal assistance. The allocation does not identify monies to be spent on individual legal actions.

Supplementary grant-in-aid of £580,000 was paid to the HFEA in the financial year 2008-09, in respect of unforeseen expenditure incurred as a result of legal actions.

The total supplementary grant-in-aid paid to HFEA in respect of unforeseen legal costs since 2005-06 is the sum of £580,000 in the year 2008-09, which was incurred as the result of legal actions involving the case associated with the internal review.

Mental Health Services

Sandra Gidley: To ask the Secretary of State for Health what his timetable is for the introduction of proposals for regulation of counselling and psychotherapy. [313877]

Ann Keen: We are currently considering the recommendations made by the Health Professions Council on this matter.

Final decisions have yet to be taken about the legislation to statutorily regulate psychotherapists and counsellors. The regulation of psychotherapists and counsellors is a devolved matter and a decision to take forward regulation on a United Kingdom wide basis would have to be supported by the Administrations in Northern Ireland, Scotland and Wales.

NHS: Finance

Justine Greening: To ask the Secretary of State for Health what the primary care trust gross expenditure was in each programme budgeting category (a) nationally, (b) in each region and (c) in each primary care trust in London in each of the last five years. [313688]

Mr. Mike O'Brien: The information requested has been placed in the Library.

Justine Greening: To ask the Secretary of State for Health which medical categories fall within the programme budgeting category entitled 'Other' used to categorise primary care trust programme budgeting expenditure; and on which 10 of these medical categories most has been spent. [313689]

Mr. Mike O'Brien: Expenditure on general and personal medical services made up 64 per cent. of primary care trust expenditure within the 'other' programme budgeting category in the 2008-09 financial year. This expenditure cannot be broken down into medical categories.

The remaining 34 per cent. was made up of other miscellaneous expenditure for which a further breakdown of expenditure is not available. Information on the types of activity which contribute to other miscellaneous expenditure has been placed in the Library.

Orthopaedics: Manpower

Mr. Laurence Robertson: To ask the Secretary of State for Health how many orthopaedic surgeons have been employed by the NHS in (a) England and (b) Gloucestershire in each of the last 10 years. [314163]

Ann Keen: The orthopaedic surgery speciality falls under the Trauma and Orthopaedic category of the NHS Workforce Census. The following table gives the numbers for this category in the years requested.

NHS hospital and community health services (HCHS): medical staff within the trauma and orthopaedic specialty, as at 30 September each year

	Numbers (headcount)										
	1998	1999	2000	2001	2002	2003	2004	2005	2006	2007	2008
<i>England</i>											
All staff	3,411	3,540	3,611	3,801	4,028	4,346	4,691	4,884	5,163	5,178	5,207
<i>Of which:</i>											
Consultants	1,067	1,142	1,199	1,267	1,331	1,437	1,530	1,608	1,710	1,760	1,762
<i>Gloucestershire Primary Care Trust¹</i>											
All staff	n/a	n/a	n/a	n/a	0	0	0	0	0	0	1
<i>Of which:</i>											
Consultants	n/a	n/a	n/a	n/a	0	0	0	0	0	0	1
<i>Gloucestershire Hospitals NHS Foundation Trust²</i>											
All Staff	40	42	39	40	44	50	53	61	63	61	64
<i>Of which:</i>											
Consultants	12	12	13	15	15	16	21	23	22	22	24

n/a = Not applicable.

¹ Gloucestershire PCT was formed in 2006 from a complete merger of West Gloucestershire PCT, Cheltenham and Tewkesbury PCT and Cotswold and Vale PCT.

² Gloucestershire Hospitals NHS Foundation Trust was formed in 2002 from a complete merger of East Gloucestershire NHS Trust and Gloucestershire Royal NHS Trust. Figures have been aggregated to allow comparison.

Data quality:

Workforce statistics are compiled from data sent by more than 300 NHS trusts and PCTs in England. The NHS Information Centre for health and social care liaises closely with these organisations to encourage submission of complete and valid data and seeks to minimise inaccuracies and the effect of missing and invalid data. Processing methods and procedures are continually being updated to improve data quality. Where this happens any impact on figures already published will be assessed but unless this is significant at national level they will not be changed. Where there is impact only at detailed or local level this will be footnoted in relevant analyses.

Source:

The NHS Information Centre for health and social care Medical and Dental Workforce Census

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**not later than
Friday 5 February 2010**

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