

Thursday
4 February 2010

Volume 505
No. 37



**HOUSE OF COMMONS
OFFICIAL REPORT**

**PARLIAMENTARY
DEBATES**

(HANSARD)

Thursday 4 February 2010

© Parliamentary Copyright House of Commons 2010

*This publication may be reproduced under the terms of the Parliamentary Click-Use Licence,
available online through the Office of Public Sector Information website at*

www.opsi.gov.uk/click-use/

*Enquiries to the Office of Public Sector Information, Kew, Richmond, Surrey TW9 4DU;
e-mail: licensing@opsi.gov.uk*

House of Commons

Thursday 4 February 2010

The House met at half-past Ten o'clock

PRAYERS

[MR. SPEAKER *in the Chair*]

Oral Answers to Questions

ENVIRONMENT, FOOD AND RURAL AFFAIRS

The Secretary of State was asked—

Food Labelling

1. **Michael Fabricant** (Lichfield) (Con): When he last met representatives of the food retail industry to discuss country of origin food labelling; and if he will make a statement. [315361]

8. **Mr. Mark Harper** (Forest of Dean) (Con): When he last met representatives of the food retail industry to discuss country of origin food labelling; and if he will make a statement. [315382]

12. **Mr. David Evennett** (Bexleyheath and Crayford) (Con): When he last met representatives of the food retail industry to discuss country of origin food labelling; and if he will make a statement. [315386]

13. **Mr. Philip Hollobone** (Kettering) (Con): When he last met representatives of the food retail industry to discuss country of origin food labelling; and if he will make a statement. [315387]

The Minister of State, Department for Environment, Food and Rural Affairs (Jim Fitzpatrick): I met retailers, processors, producers and representatives of the food service industry on Monday, when I chaired the pigmeat supply chain taskforce, which agreed a voluntary code of practice on labelling for pork and pork products. That code will ensure that consumers have clear and unambiguous origin information when buying pork products.

Michael Fabricant: That is good news, partly. Has the Minister also met the Consumers Association? He will know that it recently conducted a survey showing that 80 per cent. of people want to know the origin of meat and poultry and 77 per cent. that of fruit. It is incredible and surprising to me that that is not mandatory on labelling. Will he push for that in the European Council?

Jim Fitzpatrick: I am sorry that I have not met the Consumers Association, but I am aware of its survey and the one conducted by the Food Standards Agency, which came out with somewhat different conclusions.

Country of origin is an important aspect for consumers, as are price and food safety. All those matters should be addressed in labelling to ensure that the consumer can make an informed choice.

Mr. Harper: I am pleased to hear about the progress that has been made so far. We in Gloucestershire have excellent food and drink producers, and it is important for consumers to know where their food comes from. Is the FSA, whose survey the Minister referred to, absolutely at one with him on the importance of food labelling, and will the Government take forward that view in the negotiations with European partners?

Jim Fitzpatrick: We are in negotiations in Europe about the food information regulations, as I am sure the hon. Gentleman is aware. Those discussions have been taking place for some months and will continue this year, with a view to producing regulations next year for implementation, I believe, in 2013. The Government are very much involved in trying to ensure that we have accurate country of origin labelling on products that the British consumer is interested in buying.

Mr. Evennett: I am pleased with the Minister's response to my hon. Friend the Member for Lichfield (Michael Fabricant). However, several Government Departments and agencies have registered a fall in the proportion of British food that they buy. The latest figures that I can find are for 2007-08, when the Department for Children, Schools and Families, for instance, imported an awful lot of lamb and bacon and did not purchase many British apples. Can the Minister say why the latest figures have been delayed? Is he trying to bury bad news?

Jim Fitzpatrick: Maybe it is only me, but sometimes answering these questions makes me feel that I am playing Jim Hacker in the episode of "Yes Minister" in which he defends the British sausage. He was, of course, attempting to save his own bacon at the time.

I assure the hon. Gentleman that the latest figures will be published shortly. Last year's figures showed a 2 per cent. increase in public sector procurement of British food products, and I hope that we will see the same this year.

Mr. Hollobone: Britain's best breakfast cereal, Weetabix, is made in the Kettering constituency, and the wheat for it comes from farms within a 50-mile radius. Why cannot Weetabix proclaim on every box that British breakfast cereals for British breakfasts are the best in the world?

Jim Fitzpatrick: I must confess that I was not aware that Weetabix is produced in the hon. Gentleman's constituency. However, that does explain why he has three Weetabix for his breakfast every morning in the Members' Tea Room—I have seen the latest advert for Weetabix in which the jockey beats all the horses. I am sure that Weetabix will be listening to the hon. Gentleman. It is for producers to determine what they include in the way of labelling, but we are trying to encourage accurate country of origin labelling at the same time.

Jane Kennedy (Liverpool, Wavertree) (Lab): Will my hon. Friend give my greetings to the taskforce, and will he come shopping with me when I visit my local Sainsbury's,

Aldi, Tesco and Co-op? *[Interruption.]* If there were a Waitrose I would shop there, too. All those supermarkets now have on their shelves products across the whole range that have their origin on the label, in some cases including the county of origin. No discerning shopper these days can seriously claim that there is not a choice. The voluntary approach is the way to go, and it is working. Will he encourage the supermarkets even further down that route?

Jim Fitzpatrick: I am very grateful to my right hon. Friend for the date that she has offered me. I am sure that my wife will read *Hansard* with interest to confirm that it is a business appointment.

I commend my right hon. Friend because, as my predecessor, she started discussions on country of origin labelling with the retailers and officials in the Department as far back as January 2009. I congratulate her on that. Her activities pioneered the success that we have seen and that will come in future, and I will be happy to engage with her in terms of shopping.

Rob Marris (Wolverhampton, South-West) (Lab): One difficulty shoppers have is avoiding illegally produced goods from Israeli colonies, often called settlements, in the west bank. What are the Government doing to ensure that that illegally produced and exported food either does not enter the United Kingdom or, if it does, is properly labelled so that consumers like me can avoid it?

Jim Fitzpatrick: If my hon. Friend has not seen it—he may well have seen it—I can tell him that on 10 December the Department for Environment, Food and Rural Affairs issued advice to retailers and importers who wished to respond to consumer demand for information about the origin of food produced in the occupied Palestinian territories. That means that consumers who buy food products that originate there will be able to distinguish between the produce of Palestinian farmers and that from the Israeli settlements. One of the largest retailers is already putting our advice into practice, and we hope that the rest will follow soon.

International Whaling Commission

2. **Mr. Peter Ainsworth** (East Surrey) (Con): What recent assessment he has made of the effectiveness of the International Whaling Commission; and if he will make a statement. [315362]

14. **Mr. Roger Williams** (Brecon and Radnorshire) (LD): What recent discussions he has had on improving the effectiveness of the International Whaling Commission. [315388]

The Parliamentary Under-Secretary of State for Environment, Food and Rural Affairs (Huw Irranca-Davies): Given the number of whales still killed, the International Whaling Commission is, in the UK's view, failing in its objective to safeguard whale stocks. The IWC will next meet in Florida in March to discuss progress on a number of issues. The UK will attend that meeting but will not agree to any proposals that would be detrimental to either the welfare or the conservation of whales.

Mr. Ainsworth: Will the Minister state categorically that the UK Government's intention in the talks is not to legitimise existing activities in the southern ocean protection area, but to end whaling altogether, whatever the ambitions of the Japanese Government?

Huw Irranca-Davies: Indeed. The Government have long taken the position that tourist-based whale watching is the only sustainable form of whale exploitation. To give a brief update, we are currently involved in a series of discussions, and we will not negotiate on anything that will weaken our resolve to end commercial whaling. No such package or deal is currently on the table in the reform discussions and, frankly, it is difficult to envisage one in the foreseeable future, particularly while it is unclear whether Japan is willing to restrict scientific whaling operations.

Mr. Williams: I understand that a proposal may be made in the forthcoming intersessional meeting of the International Whaling Commission in March to introduce a new form of legitimate whaling—so-called coastal whaling. Will my hon. Friend commit the UK Government to opposing any such new forms of commercial whaling?

Huw Irranca-Davies: We have consistently made our position clear, and we have done so again today, but we do not yet have any proposals in front of us. Of course, the IWC needs reform, because it is clearly failing. The small working group is an aspect of the work that has gone on in the past year. We are not represented directly on that, but our views are put through Australia, New Zealand, Germany and other like-minded countries. We will receive details of a proposed way forward in the meeting in March.

Mr. Lindsay Hoyle (Chorley) (Lab): This is a despicable trade by Japan, which continues to hunt whales in the name of science while the stocks of dead meat continue to grow as the appetite for whale meat declines in Japan. What on earth are they playing at? My hon. Friend must also know that bluefin tuna is in greater danger. What does he feel about that?

Huw Irranca-Davies: My hon. Friend makes an important point. We made it clear that we would support Monaco's proposal to include bluefin tuna in appendix 1 of the convention on international trade in endangered species and end the trade. We have not been able to get a European Union bloc to support that yet, but we are close. I am pleased that France has indicated in the past few days that it is moving its position towards a moratorium. We will work with European partners—and lobby the United States—to try, in the one opportunity that we have every three years, to end the trade in bluefin tuna, because it is unsustainable.

Bovine Tuberculosis

3. **Mr. David Heathcoat-Amory** (Wells) (Con): How much his Department has spent on measures to control bovine tuberculosis in each of the last three years. [315363]

5. **Mr. Hugo Swire** (East Devon) (Con): How much his Department has spent on measures to control bovine tuberculosis in each of the last three years. [315365]

The Secretary of State for Environment, Food and Rural Affairs (Hilary Benn): The total amount the Department has spent on measures to control bovine tuberculosis in each of the last three years is £69.6 million in 2006-07, £65.3 million in 2007-08 and £84.2 million in 2008-09.

Mr. Heathcoat-Amory: Does it make sense to cull infected cattle but to leave the infection in the wildlife in the relevant areas, so that reinfection happens? Is that not bad for wildlife, bad for farmers and bad for the taxpayer?

Hilary Benn: The right hon. Gentleman will know about the badger culling trials that were carried out—originally the Krebs trials—and the report of the independent scientific group. As I recall, 11,000 badgers were culled and hon. Members are well aware of the ISG's conclusion. I agree with the right hon. Gentleman that we have to find the most effective means of dealing with the terrible disease, which is having a huge impact, including on farmers in his constituency. This summer, we can look forward, subject to the Veterinary Medicines Directorate's granting the final licensing, to the start of the six badger vaccination deployment projects. Many farmers will participate in those, and that offers a way forward. I am grateful for the support for that.

Mr. Swire: With the number of cattle being slaughtered at an alarming rate annually, not least in Devon, what lessons does the Secretary of State take from New Zealand, which has seen a reduction of something like 85 per cent. of TB in cattle resulting from the culling of wildlife hosts, and which is well on the way to becoming officially TB free?

Hilary Benn: We take a very close interest in what is happening in all countries that have been dealing with that problem, but each has its own circumstances. As I indicated in my answer to the right hon. Member for Wells (Mr. Heathcoat-Amory) a moment ago, we tried badger culling, but the ISG's recommendation was that it could not meaningfully contribute to the control of the disease.

We keep a very close eye on what is happening in other parts of the world, including the decision that the Welsh Assembly Government made. As the hon. Gentleman will be aware, we are putting a lot of money into vaccination. I hope that that will begin to offer a means of dealing with the problem in wildlife, which I am determined to tackle. As he will know, the debate has always been about the most effective way in which to deal with TB in badgers.

Charlotte Atkins (Staffordshire, Moorlands) (Lab): Staffordshire, Moorlands is a hot spot for bovine TB. This week, a local farmer, Mrs. Heath, told me that 93 of her 300 cows have been slaughtered. Will the Secretary of State visit Staffordshire, Moorlands to meet my local farmers to discuss the progress that is being made towards the vaccine for both badgers and cattle, how we can stop the devastating spread of that disease, and how we can look again at compensation levels, so that farmers are compensated for the full cost of their loss?

Mr. Speaker: Order. I am grateful to the hon. Lady, but there were really three questions there, to which we will have one reply.

Hilary Benn: I will do my best to find an opportunity to have those meetings. If my hon. Friend were able to bring her farmers to the House, we might be able to find an earlier date, but I am always happy to meet colleagues. I am sorry to hear about the problems that her constituent is experiencing. One of the badger vaccine deployment projects is going to be in Staffordshire. On compensation, we have changed the arrangements. The fact that expenditure on compensation has gone up in the past year reflects the higher values of cattle.

Tim Farron (Westmorland and Lonsdale) (LD): The Government have failed to take the tough action needed to tackle bovine TB. Instead, they have announced the setting up of a new animal health body, so that elected Ministers can pass the buck for such tough decisions to an unelected quango. Is it right that farmers have to pay £22 million a year to fund a new quango to clean up diseases that are not their fault?

Hilary Benn: First, I do not accept for a moment that the Government have failed in what they are seeking to do. Secondly, as I have told the House on many occasions, sharing the responsibility and the cost is reasonable. That is what we did in tackling bluetongue, which was a model in my experience. There was no complaint that the farmers had to share the cost, because we had shared the decision making on tackling the disease. The farming industry has long wanted the opportunity to share responsibility for how we tackle disease. Is it unreasonable, in the circumstances, that there should be some sharing of the costs? I do not think that it is.

Mr. James Paice (South-East Cambridgeshire) (Con): Does the Secretary of State really consider it to be a success that over the past 12 years, 150,000 head of cattle in the south-west alone have been slaughtered, and that the number continues to rise? Does he really believe that his current policies have any prospect whatever of controlling the disease, let alone of reducing or eradicating it? As he well knows, until we have an oral vaccine in four years' time, any work with vaccine is bound to be on a trial basis only—no one envisages that an injectable vaccine, which is involved in the trials that he was talking about, has any real significant prospect of deployment, because for that to happen one must catch all the badgers. When is he going to get a grip of this matter? He quotes the ISG regularly, but its conclusions were never peer reviewed, even if the evidence it gathered was. Will he accept that he is drawing sustenance from conclusions that were not peer reviewed?

Hilary Benn: We set up the ISG, which did its work and came to its conclusions. It has responsibility for what it recommended, and I accepted its advice—I know that that was not popular and that not everybody agreed. The issue is not whether we need to tackle the reservoir in wildlife, but what the most effective way of doing that is. With the badger vaccine deployment project, once the vaccine is licensed—I take the hon. Gentleman's point about practicality, and the purpose of the deployment project is to see how it works—there will be nothing to stop others using the vaccine, in

addition to the six projects that we will be running. Understandably, farmers are saying, “You say that culling does not work, but what other means do you have to help us?” We at least now have the beginning of hope, but I agree that an oral vaccine would be much more effective, and we are working very hard, and providing extra funding, to bring that about as soon as possible.

Landfill

4. **Norman Baker** (Lewes) (LD): If he will take steps to discourage East Sussex County Council from creating landraise mountains in the countryside. [315364]

The Parliamentary Under-Secretary of State for Environment, Food and Rural Affairs (Dan Norris): The Government’s priority is to reduce the amount of waste we produce. Landfilling, of which landraising is a form, should always be the last resort. The Government are reducing our reliance on landfill through the landfill tax, increasing recycling and converting waste into energy. We will shortly be consulting on further restrictions on the landfilling of certain biodegradable and recyclable wastes.

Norman Baker: I welcome that statement, but in this day and age is it not unbelievable—and appalling—that my Conservative county council wants to build 60-acre wide and 80-foot high waste mountains in the lovely Sussex countryside? Will he draw the council’s attention to the Government’s waste hierarchy and suggest that it moves from the 15th century to the 21st?

Dan Norris: If I did not know better, I would think that a general election is imminent. I hope that the hon. Gentleman will take part in our consultation to ensure that we produce as little waste as possible that needs to go into landfill. The truth is that we need to reduce, recycle and reuse at every possible opportunity, and allowing waste to go into landfill is not a good thing. My right hon. Friend the Secretary of State and I both went to Sussex university, so we are very familiar with the beauty of the area, and we recognise people’s anger, but it is a local planning issue, plus a safety issue for the Environment Agency.

Nick Herbert (Arundel and South Downs) (Con): Under the Government’s proposals, one in every four tonnes of household waste will still be landfilled in 10 years’ time. That is the most environmentally damaging form of waste disposal. Britain lags behind greener countries such as Germany, and the National Audit Office has criticised the Government for dragging their feet on recycling infrastructure. Is it not time to show leadership, commit to zero waste and end the landfilling of rotting rubbish altogether?

Dan Norris: I cannot disagree with the hon. Gentleman, and I hope that he will take part in our consultation. It is an important consultation that seeks to achieve the objectives that he has just outlined, so I hope that he will play a full part in it.

Endangered Species

6. **Mr. John Randall** (Uxbridge) (Con): What steps the Government plan to take to enhance protection for endangered species through the Convention on International Trade in Endangered Species. [315366]

The Parliamentary Under-Secretary of State for Environment, Food and Rural Affairs (Huw Irranca-Davies): Species protected by CITES are included in one of three appendices to the convention. Changes to the appendices are agreed at conferences of parties to the convention, held every two to three years. We are currently discussing the proposals put forward for COP 15 with other EU member states to agree an EU position prior to the conference in March.

Mr. Randall: I thank the Minister for his reply. Does he share my concern at the increase in the poaching of elephants for ivory? What will the Government do on the international scene to try to ensure that that is reversed?

Huw Irranca-Davies: I confirm that we will not support any COP 15 proposals if we have any doubt that CITES criteria cannot be met. In respect of elephants, at CITES COP 15 the UK will vote against any proposals—including those from Tanzania and Zambia—for further ivory stockpile sales. We will not agree to any further sales until and unless the results of the monitoring in which we are involved reveal positive effects from last year’s one-off sale. We are waiting for the findings of an expert panel before reaching any decisions on proposals to downlist those countries’ elephant populations on CITES.

Nick Herbert (Arundel and South Downs) (Con): At the last CITES conference, the Government failed to oppose ivory stockpile sales, failed to oppose China’s inclusion as a buyer and failed to support bans on sales in the future. Poaching has risen sharply, elephant numbers in many countries are in decline, and there are links with terrorism. Yesterday’s illegal trade was blood diamonds; today’s is blood ivory. Why are the Government not supporting African nations that are calling for a binding 20-year moratorium on ivory sales?

Huw Irranca-Davies: That is an interesting point, because the issue at COP 12 was whether to allow a one-off sale, which would be followed by a resting period of nine years, during which no further proposals for ivory trade or export quotas would be submitted. That would give time for the impact of the one-off sale to be closely monitored and assessed. That work is ongoing. The sale took place in late 2008, and the ivory arrived in Japan and China in early 2009. It is important that we monitor the effects of that before we reach any other decision, which refers me back to my response to the hon. Member for Uxbridge (Mr. Randall).

Nick Herbert: The Minister is not sending a clear signal. We should be choking the ivory market, not stoking it. Where is the morality behind selling stockpiles of an illegally traded good just because it raises money? Robert Mugabe just spent the receipts on 4x4 vehicles. Would we take the same attitude to selling seized weapons or drugs for profit? Is it not time that the British Government showed some leadership and demanded that ivory stockpiles be destroyed once and for all?

Huw Irranca-Davies: Let me refer to the counter-proposals submitted by a number—not all, because it is not supported universally—of central and west African countries to extend the resting period from the existing

nine years to 20 years, during which no ivory trading could take place. I want to make it clear that the UK supports—including financially—the monitoring the illegal killing of elephants programme and the elephant trade information system. The right way to do that is to monitor the effect of that one-off sale and to see what happens, but in the meantime not to allow any further trade. The hon. Gentleman is proposing a pre-emptive strike by ruling out anything regardless of the monitoring.

Common Fisheries Policy

7. **Mr. Robert Goodwill** (Scarborough and Whitby) (Con): What his Department's objectives are for reform of the common fisheries policy; and if he will make a statement. [315367]

The Parliamentary Under-Secretary of State for Environment, Food and Rural Affairs (Huw Irranca-Davies): The UK's response to the Commission's Green Paper on the reform of the common fisheries policy sets out our objectives to achieve the prosperous and sustainable exploitation of fish stocks. The response makes it clear that there must be more regionalised decision making, genuine integration of fisheries with other marine policies, longer-term management planning, greater flexibility and certainty in the system and a mechanism to ease the transition to a sustainable and profitable future.

Mr. Goodwill: Does the Minister agree that the two key elements are the devolution of day-to-day management to local and regional stakeholders and a land-all policy linked to a secondary market for fish that cannot otherwise be marketed to form a feed stock for the aquaculture industry?

Huw Irranca-Davies: We are very supportive of that. In fact, we have been playing a leadership role in promoting the idea of a regionalisation of management, which would still involve ministerial accountability and the overarching strategy. The hon. Gentleman is right about the idea of a land-all policy. We need to consider innovative approaches, such as the agreement that we signed last year to look at electronic monitoring on vessels, with the agreement of skippers, to land more and kill less. That relates especially to the abhorrent issue of discards, which skippers, as much as anyone else, abhor.

John Robertson (Glasgow, North-West) (Lab): My hon. Friend will be aware that fishing is very important in Scotland, and I am sure that he has heard from fisheries people there on many occasions. However, does he appreciate that they have to have a say in what is happening? It is important in Scotland in particular, which has such a large fishing community, that they have a say in the strategy.

Huw Irranca-Davies: I agree entirely with my hon. Friend, and we have had a great deal of engagement already in bringing forward our proposals, which I note have a wide sign-up from Scottish fisheries and their leadership and more widely in the UK. However, we will continue that engagement, including through another marine and fisheries stakeholder forum to be held in May and a North sea regional conference on CFP reform in March, where I hope to speak. We will continue the engagement with all parts of the UK.

Mr. Richard Benyon (Newbury) (Con): There is a widespread view around coastal communities that if people disagree with the Minister's Department, they get cut out of negotiations on important issues. I was contacted just today by the Thanet Fishermen's Association, which has been waiting since the beginning of last November for a reply on the transfer of unused quotas. Will the Minister give the fishing community and other organisations interested in CFP reform the firm assurance that they will be involved in negotiations on this important matter, even if they disagree with his Department's stance?

Huw Irranca-Davies: Yes, absolutely, but that is not to say that we will always agree. In fact, fishermen often accuse me of over-consulting and over-engagement, which can make it difficult for them to get to meetings and to engage with these matters. I guarantee that we will do as the hon. Gentleman asks, but that does not mean that we should walk away from the difficult decisions on moving from where we are now to achieving a long-term sustainable future. I know that, in his heart of hearts, he agrees with that.

Recycling (Local Authorities)

10. **Mr. Adrian Sanders** (Torbay) (LD): What steps his Department is taking to encourage local authorities to recycle a greater range of materials. [315384]

The Parliamentary Under-Secretary of State for Environment, Food and Rural Affairs (Dan Norris): The DEFRA-funded Waste and Resources Action Programme—known as WRAP—worked with 260 local authorities on recycling, food waste collection and waste prevention projects in the past year and is awarding £3.3 million in funding to authorities to expand food waste collection. Local authority efforts have collectively boosted national recycling rates to over 37 per cent., and we are now working via WRAP to enhance collection, sorting, reprocessing and end markets for mixed plastics recycling.

Mr. Sanders: What specific support can the Government give to my own local authority, which has a recycling rate of just 27 per cent., to enable it to bring that rate up to the level of 57 per cent. that is being achieved by the next-door authority, Teignbridge?

Dan Norris: This really is a matter for local authorities. The recycling rate in the hon. Gentleman's unitary authority, Torbay, is actually higher than he suggested, but it is still about 10 per cent. behind the average for local authorities in the west country. He certainly needs to talk to the local authority and ensure that it is getting the message that it needs to get on with this. It recycles five different forms of waste, which is to be encouraged—we suggest a minimum of two, but we want local authorities to go up to five—but it is clearly not doing as well as the best, and I suggest that he takes that up with the authority, as this is a local matter.

Natascha Engel (North-East Derbyshire) (Lab): What discussions has my hon. Friend had with the National Farmers Union on linking on-farm anaerobic digestion and composting much more closely to local government waste and recycling strategies?

Dan Norris: I have not had a meeting with the NFU directly—such discussions would happen through the Minister of State, Department for Environment, Food and Rural Affairs, my hon. Friend the Member for Poplar and Canning Town (Jim Fitzpatrick)—but I am aware of those concerns. Anaerobic digestion is an important issue. We want to minimise the amount of waste that is created in the first place, as well as encouraging reuse and recycling. We also want to create energy from waste, so that it can make a productive difference rather than just going into landfill.

Peter Luff (Mid-Worcestershire) (Con): Does the Minister agree that massive incinerators, such as the one that has been proposed for Hartlebury in my constituency, should play a part in waste disposal only when the maximum possible effort has been made to recycle waste locally first, and that other technologies should be explored before turning to large-scale incineration?

Dan Norris: I met the hon. Gentleman earlier this week to discuss his concerns about the proposals for an incinerator in his constituency. He knows that I see that as the last option, with the possible exception of landfill. Local authorities certainly need to explore every other option before they turn to that one.

Mr. Eric Illsley (Barnsley, Central) (Lab): Is it not the case, however, that vast quantities of material collected for recycling cannot be recycled by industry, because the quality is not good enough? We are landfilling glass, which is completely recyclable, and exporting paper to China in order to meet our recycling targets, because there is not sufficient recycling capacity in this country. Will my hon. Friend meet representatives of the packaging industries to discuss these issues before our recycling targets are increased further?

Dan Norris: I am always happy to meet those who are worried about this issue. They are right to have concerns, and we will certainly continue to consult thoroughly on this. However, figures released only this morning show that recycling has gone up to 38.3 per cent., so we are well on the way to meeting our 40 per cent. target for this year. That is encouraging, but creating better quality waste makes it more valuable, and that should be an incentive for local authorities and others to work harder.

Private Drains and Sewers

11. **Andrew Rosindell** (Romford) (Con): What recent representations he has received on the planned transfer of responsibility for private drains and sewers to water companies in 2011. [315385]

The Secretary of State for Environment, Food and Rural Affairs (Hilary Benn): I regularly receive representations from a range of interested parties, including water companies, drainage contractors and private sewer owners, about the proposed transfer of private sewers to the water companies in England and Wales in 2011.

Andrew Rosindell: Of course, 2011 is not that far away; there is only one year to go. Does the Secretary of State believe that the timetable for the transfer is achievable?

Hilary Benn: Yes, I do. We consulted on this in 2007, and the change has been widely welcomed. In essence, it will create a kind of national insurance system for householders who had no idea that they faced any liability until something went wrong and they discovered that they were connected to a private sewer and were presented with an enormous bill. Handling the matter in this way represents a very sensible step forward.

Tim Farron (Westmorland and Lonsdale) (LD): Many residents in rural areas—I am thinking of the Summerland estate near Enmore in my constituency—depend on septic tanks, yet their uptake is a huge financial burden to families, many of whom are struggling to make ends meet during the recession. Will the Secretary of State take the advice of Natural England and ensure that private septic tank systems are also transferred to the responsibilities of water companies?

Hilary Benn: Obviously, by definition, private septic tanks are separate, and that is not something that we are currently proposing to do. I would be happy to look further into the matter and to respond to the hon. Gentleman. I think we have to recognise that it is the transfer of the sewerage system that we have already made clear we wish to move across that will provide the principal benefit, although I recognise the situation in which his constituents find themselves.

Miss Anne McIntosh (Vale of York) (Con): We all want to see a transfer of private drains and sewers to water companies; we would prefer it to be planned. Does the Secretary of State accept that by not publishing the guidance at this stage, well before the general election, he is giving insufficient time for the water and sewerage companies to plan for this transfer?

Hilary Benn: As I have already indicated, I do not think that there is enough time for this to be effective in the way that we have set it out. We will publish the consultation in the next couple of months. There has been a great deal of discussion in preparation for this happening, as the hon. Lady knows from the Under-Secretary of State, my hon. Friend Member for Ogmere (Huw Irranca-Davies) during our debate on the Flood and Water Management Bill. It is a good step. I think that there is a groundswell of support for it, and we should get on and make it happen.

Sea Defences (East Anglia)

15. **Mr. Henry Bellingham** (North-West Norfolk) (Con): When he next expects to meet representatives of local authorities in East Anglia to discuss the funding of sea defences. [315389]

The Secretary of State for Environment, Food and Rural Affairs (Hilary Benn): The Under-Secretary of State for Environment, Food and Rural Affairs, my hon. Friend the Member for Ogmere (Huw Irranca-Davies) last visited East Anglia in April. During his visit, he met MPs, community groups and local authority representatives and discussed a range of issues on flood and coastal erosion risk management in the region. I am, as ever, happy to meet colleagues to discuss this very important matter.

Mr. Bellingham: I thank the Secretary of State for that answer, but is he aware of the anger and dismay expressed by many communities along the north Norfolk coast which are very concerned that the north Norfolk shoreline management plan envisages the use of managed retreat rather than improving existing sea defences? Will he confirm that managed retreat will play no part in his Department's future sea defence policy?

Hilary Benn: I cannot confirm that because, depending on what happens to sea level rise, it would be a very unwise Secretary of State to stand at this Dispatch Box and say, "No, not under any circumstances." However, I am aware of the concerns expressed by a number of the hon. Gentleman's constituents about the north Norfolk plan, particularly the proposal for realignment where, I think, the River Burn comes out of the estuary by Scott Head, but we will review these proposals and I understand that revised options will be put to a meeting of elected members at a forum on Monday.

River Pollution (House Building)

16. **Mrs. Maria Miller** (Basingstoke) (Con): What recent discussions he has had with the Environment Agency on the effect on river pollution of the level of house building. [315390]

The Minister of State, Department for Environment, Food and Rural Affairs (Jim Fitzpatrick): My right hon. Friend the Secretary of State and the Minister for marine and natural environment, my hon. Friend the Member for Omore (Huw Irranca-Davies), held discussions with the Environment Agency in November 2009 regarding the approval of the river basin management plans developed under the water framework directive, which were published on 22 December 2009. Those discussions covered the implications of housing growth and other pressures on meeting our water quality objectives, as well as the Environment Agency's plans to improve water quality during the first river basin planning cycle, which runs from 2009 to 2015.

Mrs. Miller: I thank the Minister for his reply. The Environment Agency, the Hampshire and Isle of Wight wildlife trust and a new residents group, "Save our Loddon Valley Environment" are gravely concerned that the River Loddon in Basingstoke is polluted with phosphate levels six times the legal standard. Will the Minister confirm that his Department will endorse new house building only if it does not involve perpetuating river pollution of this scale?

Jim Fitzpatrick: The hon. Lady raises a very important point. It is quite straightforward for us that the Departments for Environment, Food and Rural Affairs and for Communities and Local Government, the Environment Agency and Ofwat work together to ensure that environmental limits in regional spatial strategies and predicted housing growth data are aligned with water resource management plans and river basin management plans. The water framework directive has raised the bar in terms of what we need to achieve. DEFRA and the DCLG are working together with the Environment Agency to produce water and planning guidance. They

are aware of the phosphate issue that the hon. Lady correctly raises, and I know that it is very much under review.

Water Abstraction Licensing

17. **Robert Key** (Salisbury) (Con): When he plans to remove Crown immunity from arrangements for control of water abstraction licensing. [315391]

The Secretary of State for Environment, Food and Rural Affairs (Hilary Benn): We consulted last summer on the removal of certain exemptions from abstraction licence control, including the one that currently applies to the Crown. When we remove those exemptions, Crown bodies will become subject to the same licensing regime as other abstractors. We are now considering the response to the consultation.

Robert Key: The River Avon, which flows through my constituency, is a special area of conservation and has one of the highest water qualities among UK rivers, but the management of the Avon basin is being made much more difficult by the fact that the Ministry of Defence is subject to Crown immunity. It is impossible to plan sensibly and sustainably for water abstraction, low-flow problems and so on unless the MOD participates in joined-up government by simply opening up and saying, "Yes, we take this much out and put that much in."

Hilary Benn: The hon. Gentleman makes a very fair point. That is why the consultation proposed that Crown immunity be removed. I know that he is particularly concerned about water abstraction in Tidworth, and the proposals for new MOD housing and other development. We intend to take action that will give him what he seeks when we have finished reflecting on the responses to the consultation.

Sustainable Fisheries

18. **Mr. Andrew Pelling** (Croydon, Central) (Ind): If he will assess the merits of the effort-based approach to fish stock conservation in operation in the Faroe Islands. [315392]

The Parliamentary Under-Secretary of State for Environment, Food and Rural Affairs (Huw Irranca-Davies): The Government will draw on the experience of many fisheries management systems throughout the world, including the one that operates in the Faroes, when considering the nature of necessary improvements to the management of fish stocks under the reform of the common fisheries policy. We need to focus on the long-term sustainability of EU fish stocks.

Mr. Pelling: Thank you for managing the business so effectively, Mr. Speaker, to get to Question 18.

I am grateful for the Minister's constructive reply. In an earlier answer, he decried the discard. The common fisheries policy is hardly a green policy. Does he think it possible for the Government to draw on the lessons of the Faroe Islands to bring about a real change in it?

Huw Irranca-Davies: Yes, indeed. The Faroes are not the only example in the world of the use of effort management. It can be used in different ways, and it has

some benefits. From our point of view, however, it involves some difficult issues, including the question of how we can move from our present arrangements to an effort-management regime. We need to think about the conversion of effort management into fishing days in the context of our current quota, and about the ability of the system to respond rapidly to what is happening to species, particularly in mixed fisheries.

We are already taking action. We do not need to wait for CFP reform in order to tackle discards. I believe that some of the on-board electronic monitoring systems that we are hoping to introduce later in the year will help to signpost the way forward.

Anaerobic Digestion

20. **Alistair Burt** (North-East Bedfordshire) (Con): How many anaerobic digestion facilities have been opened in each of the last three years. [315396]

The Parliamentary Under-Secretary of State for Environment, Food and Rural Affairs (Dan Norris): There is no centrally held record of anaerobic digestion plants. As for facilities where a permit is required under European Union waste legislation, the Environment Agency has confirmed that to date there are 11 permitted anaerobic digestion facilities, two permit applications in process for facilities, and 51 proposed anaerobic digestion sites in the permit pre-application stage.

Alistair Burt: I am delighted to say that one of the anaerobic digestion facilities, Biogen in Milton Ernest, is in my constituency. I believe that Ministers have visited it. I pay tribute to Andrew Needham and his colleagues for the work that they have done. However, does the Minister share the disappointment expressed by the National Farmers Union on Monday that an opportunity to encourage more on-farm biogas facilities was missed as a result of the failure to adopt an appropriate feed-in tariff to enable their energy to be used?

Dan Norris: I thank the hon. Gentleman for his kind comments. We rate anaerobic digestion highly, which is why we invest such a huge sum in it. We have invested £10 million in the anaerobic digestion demonstration programme, and have also convened an anaerobic digestion task group to make recommendations. We are considering those recommendations as we develop the anaerobic digestion implementation plan, which we aim to publish shortly.

I hope that the hon. Gentleman recognises our commitment to anaerobic digestion. As for tariffs, I think that they provide a good incentive. We pay careful attention to the way in which they work in practice, and we will review their operation, but we feel that we have pitched the measures we have taken at the right place and the right time.

Dangerous Dogs

21. **Martin Linton** (Battersea) (Lab): What steps he plans to take in response to Professor Sir Patrick Bateson's report on legislation on dangerous dogs. [315397]

The Minister of State, Department for Environment, Food and Rural Affairs (Jim Fitzpatrick): The Government take the issue of dangerous dogs very seriously. We welcome Professor Bateson's report, which deals mainly

with dog breeding and the way in which dogs are bought and sold. We will be taking views from key organisations before deciding on the Government's response to the issues raised.

I am delighted to tell the House that my hon. Friend the Member for Battersea (Martin Linton) and I had an opportunity to engage in a preliminary discussion on these important matters yesterday, when we paid a very informative visit to the excellent Battersea Dogs and Cats Home.

Martin Linton: My hon. Friend saw during his visit to Battersea that almost half of all the dogs that are admitted are Staffies or Bull-breed crosses. Most have to be put down even though they are of sound temperament, because back-street breeders are selling puppies in pubs—often to complete strangers—for £250. Does he accept that the dog control laws are no longer fit for purpose, and will he institute a review looking not only at the Bateson report, but at compulsory microchipping, a minimum age for dog ownership and some form of registration for breeders?

Jim Fitzpatrick: I cannot agree to the call for a review, because I understand that that has formal implications in respect of the procedures of the House, but I can assure my hon. Friend that the Bateson report will inform Government policy on this important issue. Recent tragic attacks have demonstrated that these very dangerous dogs still present a danger in ordinary people's homes, so we do need to look at the issue, and I agree with my hon. Friend that the Bateson report gives us an opportunity to do so.

Endangered Species

23. **Mr. Simon Burns** (West Chelmsford) (Con): What the Government's position is on the proposals about elephants submitted for the 15th meeting of the conference of the parties to the convention on international trade in endangered species. [315399]

The Secretary of State for Environment, Food and Rural Affairs (Hilary Benn): At the 15th conference of parties to CITES, the UK will vote against proposals from Tanzania and Zambia to sell their ivory stocks, and we are urging other countries to do the same. We are awaiting the findings of a CITES panel of experts before taking a view on the proposals by Zambia and Tanzania to down-list their elephant populations.

Mr. Burns: I thank the Secretary of State for that answer; his response will be widely welcomed on both sides of the House. Will he give us an assessment of the damage to the elephants if those applications are granted?

Hilary Benn: As the Under-Secretary, my hon. Friend the Member for Ogmire (Huw Irranca-Davies), said a few moments ago, there was the decision on the one-off sale, but we have always been very clear that we have to see what the consequences are, and if the point about damaging consequences that the Opposition spokesman, the hon. Member for Arundel and South Downs (Nick Herbert), made is true, we will not support that again. We are already in favour of a nine-year ban. It is important to look at the evidence, and that is why we are so strongly opposed to what Zambia and Tanzania

currently propose; it does not give sufficient time for the answer to the question to be found. That is why we have taken this decision, and I hope very much that other participants at the CITES meeting will follow the lead the United Kingdom and other countries have taken.

Topical Questions

T1. [315400] **Mr. Desmond Swayne** (New Forest, West) (Con): If he will make a statement on his departmental responsibilities.

The Secretary of State for Environment, Food and Rural Affairs (Hilary Benn): As this is the first Department for Environment, Food and Rural Affairs Question Time since David Taylor's very untimely death, may I just say how much we all miss him? He was a very regular attendee at this occasion and a passionate supporter of the environment, and he was a very fine Member of Parliament and human being.

DEFRA's job is to help us all live within our environmental means. I am pleased to be able to tell the House that the new grocery supply chain code of practice, which will help suppliers receive fair terms and conditions from supermarkets, comes into force today. The Government have also accepted the Competition Commission recommendation that an independent body be introduced to enforce the code. This body will help to strike the right balance between farmers and food producers getting a fair deal and supermarkets enabling consumers to get the high-quality British food that they want at an affordable price. We will publish a consultation on how to implement this tomorrow.

Mr. Swayne: I thank the Secretary of State for his fitting tribute to David Taylor.

Countless generations of schoolboys and girls will know about the erosion of the cliffs at Barton-on-Sea from their O-level and GCSE geography lessons, but is the Secretary of State aware of the anxiety and alarm that the current consultation on managing the erosion is causing, and will he favour me with a meeting, including also his colleague the Under-Secretary, the hon. Member for Ogmores (Huw Irranca-Davies), to discuss what is achievable and affordable with the stakeholders?

Hilary Benn: I would be very happy to meet the hon. Gentleman. I think he and I already have a date in the diary to talk about weed control, which he raised at our last Question Time, so perhaps we can deal with the two issues at the same meeting.

T3. [315402] **John Robertson** (Glasgow, North-West) (Lab): Following yesterday's publication of a survey of the country's nature-rich small pools which found that eight out of 10 of them were in a terrible state, what does the Department propose to do to tackle this problem, which is of great interest not only to the wildlife itself, but to people who are interested in wildlife?

The Parliamentary Under-Secretary of State for Environment, Food and Rural Affairs (Huw Irranca-Davies): It is a very good question, and we have confidence in the report's findings, which show some improvements within rivers and other waterways; however,

the deterioration of ponds is specified. Pond Conservation acknowledges in its press release on the report that the news is not all bad. In fact, ponds close to rivers and other wetlands were higher quality, suggesting that there is something of a "protective network" effect when different types of freshwater habitats are close together. However, we, Natural England and other partners will work together to make sure that we can deal with this degradation, and Natural England is contributing £6 million to help create new landscape-scale wetlands.

T2. [315401] **Mr. Michael Jack** (Fylde) (Con): May I associate myself with the Secretary of State's comments about the late David Taylor? He was an exceptional member of the Environment, Food and Rural Affairs Committee.

May I also put it to the Secretary of State that in 2015, Britain may face a new waste mountain of FM radios? If the proposal goes through to turn off the FM signal and move solely to digital, very large numbers of perfectly serviceable radios with many years of life left will simply have to be thrown away. In the context of the Digital Economy Bill and work on this area, what work will be undertaken to evaluate the sustainability and waste implications of this proposal?

Hilary Benn: The right hon. Gentleman raises an extremely good point, and I will look into this issue and come back to him. In the meantime, I hope the House will have noted that from the first of this month, we have had a system in place for recycling the very large number of batteries used—some of which go into the FM radios he referred to—in order to make it easy for consumers going back to the shops where they bought them to pop them in the bin and ensure that they are recycled.

Mr. David Drew (Stroud) (Lab/Co-op): May I associate myself with the remarks about my good friend David Taylor?

Will the Under-Secretary of State, my hon. Friend the Member for Ogmores (Huw Irranca-Davies), in looking at how we can make our approach to fishing more sustainable and alter the common fisheries policy, examine how we can improve procurement from public bodies, using only fish from sustainable stocks?

Huw Irranca-Davies: That is an extremely important point, and there is now widespread recognition of the tick-box scheme—the Marine Stewardship Council scheme, and so on—which supermarkets are increasingly using. I notice—this sounds like product placement—that Marks & Spencer is making a big deal of this at the moment, but the Co-op, Sainsbury's and others are pushing very hard. DEFRA has a complete policy across the Department, and we are working across Government. We need to drive this down to local government as well, and to other agencies. It is important that we eat fish that comes from sustainable sources.

T4. [315403] **John Hemming** (Birmingham, Yardley) (LD): On the Department's priorities of sustainable consumption and sustainable development, what discussions have there been between it and the Department for Transport about bus regulation and whether regulation outside London needs to be modified to provide more sustainable systems of resource consumption?

The Minister of State, Department for Environment, Food and Rural Affairs (Jim Fitzpatrick): The hon. Gentleman will know that the Local Transport Bill dealt with bus deregulation and the position in London vis-à-vis the rest of the country. We are discussing with the Department for Transport a number of air quality issues affecting transport, and those discussions will continue.

Clive Efford (Eltham) (Lab): Has my hon. Friend had a chance to see the Environmental Investigation Agency report, published on Monday, into the use of hydrofluorocarbons in supermarkets, which demonstrates that their use is not being cut as much as we would like? They are 4,000 times more potent in terms of global warming than carbon dioxide—the equivalent in emissions of 5.6 billion plastic bags. May I urge my hon. Friend to legislate to create a level playing field, in order to reduce the use of these gases in supermarket refrigeration?

Jim Fitzpatrick: My hon. Friend is well known for leading on this issue and pushing the Government as hard as possible to achieve action. I have already had one meeting with him, and I am aware of the report, which we are studying. He knows that the matter was discussed at Copenhagen, and I believe there is an early-day motion down in his name that is gathering many signatures. This is an important issue and we will need to make progress on it in due course.

T5. [315405] **Mr. Edward Timpson (Crewe and Nantwich) (Con):** Can the Minister explain to John Porter, a dairy farmer in my constituency, why, like many farmers across England, he has still not received any 2009 payments under the single payment scheme, at a time when it has been revealed that the Rural Payment Agency's chief executive received an £11,000 bonus in the last financial year?

Jim Fitzpatrick: We have discussed the Rural Payments Agency a number of times in recent months. Its performance over recent years has improved year on year. It was able to meet its targets for this year six weeks ahead of schedule. I understand that it has concluded payments to 88 per cent. of farmers, which is more than last year. More money is also being paid out than last year. An improvement has been made, but some farmers have still not yet received their payments. I would ask the hon. Gentleman to write to me about any particular problem that he identifies, because I would be very happy to get the matter examined as soon as possible.

Jane Kennedy (Liverpool, Wavertree) (Lab): David Taylor's absence this morning is indeed marked.

Does the Secretary of State agree that the quality of the farmed environment is as important to those of us who live in cities as it is to those who are fortunate enough to live and work in the countryside? Will he give us a progress report on the campaign for the farmed environment?

Hilary Benn: Very readily. We published very recently the information about the baseline survey, and we found that 85 per cent. of farmers were aware of the campaign. That shows that it has had a huge impact in a short space of time. Fifty one per cent. of farmers had some

cultivable land out of production—that involved about 157,000 hectares—and a total of 174,000 hectares were managed under some form of voluntary environmental measure. That is really important, because it shows the huge amount of work that farmers are doing, and the purpose of the campaign is to encourage more farmers to do the same.

T6. [315406] **Bob Russell (Colchester) (LD):** The Department's title contains the word "Food", so what involvement, if any, does it have in promoting allotments? If, like me, the Secretary of State thinks that they have an important part to play in the life of the country, will he lead an interdepartmental conference to put allotments high up on the agenda for growing food in this country?

Hilary Benn: I could not agree more with the hon. Gentleman. Obviously, the Department for Communities and Local Government has the lead responsibility on this matter, but all of us who care about food have an interest in getting more people to grow their own food. The demand for allotments is enormous. He will have seen in the food strategy published at the beginning of last month that one of the things we are working on is the production of the "meanwhile" leases, so that additional land that is not being used but could be used for growing food can, in the short term, pass to those who want to grow it. That would represent a big step forward.

Mr. Lindsay Hoyle (Chorley) (Lab): Labelling is obviously important, because it is about choice and about people knowing what they are buying. What more can we do to support the Red Tractor logo, because it is about the best of British produce? What are the Government going to do to support that?

Jim Fitzpatrick: I fairly recently had a meeting with the Red Tractor officers. My hon. Friend correctly says that the logo is a very clear indication for consumers that the product that they are buying is of quality. The officers are very much looking to raise the profile of the Red Tractor logo, because the greater the awareness among consumers of what it stands for, the greater the likelihood of their buying products with that signal on them.

T7. [315407] **Tony Baldry (Banbury) (Con):** Why is the Department making energy-saving water heat exchange projects unviable by charging comparatively large amounts of money for licences for the extraction and discharge of water, given that there is no change in the volume or quality of the water and nothing is added or subtracted except heat?

Hilary Benn: We are not trying to make life difficult. If the extraction for heat exchangers is less than 20 cubic metres, no permit is required and, thus, there is no charge. I am advised that to apply there is a one-off payment of £135. The issue is simply about having confidence that what is taken out of the aquifer or river goes back in a form that does not affect the quality. I have looked into this matter and found that the Environment Agency is reviewing the arrangements, because we are keen to encourage the development of this kind of scheme. I know that a particular constituency case has given rise to this question, and the Environment Agency will do its best to respond in relation to that application.

Natascha Engel (North-East Derbyshire) (Lab): Last week, I had one of my regular meetings with local farmers in North-East Derbyshire. One of the issues that comes up again and again is the cost of complying with legislation on nitrate vulnerable zones. Farmers in Scotland, Wales and Northern Ireland are compensated with grant packages. What more can Ministers do to ensure that English farmers are also compensated for the cost of complying with this legislation?

Huw Irranca-Davies: My hon. Friend raises an important point. I understand that she has recently written to us about that, and I shall answer her in some detail when I respond. However, I think that she will recognise that NVZs are an important tool in our armoury to tackle environmental degradation, not least in respect of the earlier question on the state of our ponds. It is an important issue and perhaps I can offer to meet her to discuss this in further detail, so that she can take some positive messages back to her farmers.

T8. [315408] **Mr. David Evennett** (Bexleyheath and Crayford) (Con): Will the Secretary of State congratulate my borough, Bexley, which has consistently been among the top councils in greater London for recycling? What further measures does he plan to take to assist councils in endeavouring to improve recycling even further?

Hilary Benn: I am happy to welcome progress in every local authority in improving recycling rates, and we just heard about the rising figures overall. The landfill levy is a very effective policy for encouraging recycling. We will, indeed, respond to the consultation on landfill bands, and I welcome the hon. Gentleman's support for what we have said for quite some time that we will do. That will provide an important further incentive by saying that there are certain products that it simply does not make sense to dump in landfill holes in the ground and that we should find other ways of dealing with them.

Rob Marris (Wolverhampton, South-West) (Lab): Wolverhampton was one of the first Fairtrade cities in the country, assisted by the Midcounties Co-operative and an excellent local group that works hard. We have Fairtrade fortnight coming up this month. Will the Government tell me what more they are doing to promote Fairtrade?

Hilary Benn: We have given quite a lot of support over the years to the Fairtrade Foundation. It is a really good example of a good idea that has taken off. It shows that consumers, when they buy food, want to ensure that the farmer at the other end of the transaction—even if they do not know them—gets a decent price for the good food that they produce. *[Interruption.]*

Mr. Speaker: Order. There is quite a lot of chattering going on, but I am sure that the House wants to hear Sir Nicholas Winterton.

T9. [315409] **Sir Nicholas Winterton** (Macclesfield) (Con): Mr. Speaker, my Macclesfield constituency is renowned for its excellent dairy farms, but the dairy farmers are deeply worried about the continuing spread of bovine TB. Do the Secretary of State and the Government take seriously the view of the British

Veterinary Association, which has warmly welcomed the decision taken by the Welsh Assembly Government to have a pilot cull and stricter measures? This is important. Will he give a definitive response?

Hilary Benn: On culling, as the hon. Gentleman will have heard earlier, I gave the Government's response in the light of the trials that were conducted under the Krebs programme. The Independent Scientific Group's view was that it could not effectively contribute to the control of bovine TB. We will, of course, watch very carefully what happens elsewhere. I should just say one other thing. In the wake of my decision, we established the TB eradication group, which involved the industry coming together to recommend a range of measures, including tightening some of the controls. The group put its recommendations to me towards the end of last year and I have accepted every single one of them, because I am determined to work in partnership with the industry to try to beat this terrible disease.

Sir Alan Beith (Berwick-upon-Tweed) (LD): Does the Minister realise that one of the sources of delay in single farm payments, certainly in my constituency, is that a large number of claims are held up at the Northallerton office while consideration is given to redesignating small pockets of land on each holding? After a very tough winter for farmers, can he get these payments speeded up?

Jim Fitzpatrick: I can assure the right hon. Gentleman that we are doing everything we can to assist the Rural Payments Agency in expediting all payments. As I said a moment ago, 88 per cent. of farmers have been paid and 84 per cent. of payments have been made. The agency is ahead of schedule—it is way ahead of even last year. I know that that does not satisfy those farmers who are still waiting, but I can give him every assurance that we are making our best endeavours to assist them. I know that the agency is working very hard and ought to be commended for its improved performance year on year since the difficulties in the mid-2000s.

Mr. David Heath (Somerton and Frome) (LD): As the Minister will know, in Somerset we have a lot of open-air festivals in the summer, particularly the Glastonbury festival. One thing that was very popular last year was setting off Chinese lanterns, which are absolutely beautiful when they go up into the night sky, but when they come down in farmland, the wires that are used to construct them get chopped up and added to hay and silage. They can cause terrible problems for livestock. Is there anything that the Minister can do to persuade the manufacturers or those who license imports to ensure that the construction is biodegradable and safe for livestock?

Jim Fitzpatrick: That is a very good question. I know that this matter has recently received publicity, and it is of genuine concern. Obviously, we do not have any power to prevent people from buying those things, but we hope that common sense will prevail, both in terms of consumers purchasing them and in respect of manufacturers. I understand that, as the hon. Gentleman has said, they can be bought without wire in them and that they can be biodegradable. We still want people to enjoy themselves, but in a sensible way that does not harm cattle or health.

Mr. Speaker: Last, but not least, Mr. Andrew Pelling.

Mr. Andrew Pelling (Croydon, Central) (Ind): Conservative and Liberal councils are delaying taking a decision on an incinerator in south-west London until after local elections. Bearing in mind that toxins and toxic materials will be issued into the atmosphere, do the Government feel that it is appropriate for such incinerators to be placed in urban areas such as south-west London?

Hilary Benn: It is, as the hon. Gentleman will know, for local authorities to decide how to deal with their waste. As was indicated earlier, there is a hierarchy. Clearly, efforts to reuse and recycle should come first, but one reason why we continue to send a lot of waste to landfill is because, in comparison with some other European countries, we produce less energy from waste here. Standards have improved enormously from past times, but it is for individual local authorities to take decisions in light of local circumstances.

Parliamentary Scrutiny of EU Business

11.36 am

Michael Connarty (Linlithgow and East Falkirk) (Lab) (*Urgent Question*): To ask the Chancellor of the Exchequer if he will make a statement on the Government's apparent intention to breach the undertaking to Parliament about the time scale and process for opt-in decisions in relation to the European Union (Amendment) Act 2008.

The Exchequer Secretary to the Treasury (Sarah McCarthy-Fry): As the House will be aware, on 30 November 2009, the European Union signed an interim agreement with the United States to permit the sharing of SWIFT data for the US terrorist finance tracking programme. As the European Scrutiny Committee noted in its response to the Government's explanatory memorandum on the subject, we believe that the programme is a valuable counter-terrorist tool. I have today written to the European Scrutiny Committee setting out that it has come to our attention that the agreement will be subject to an expedited conclusion, and that the European Council's intention is to conclude it once the European Parliament has voted on it. That will not permit Parliament the usual eight weeks to scrutinise the UK's decision to opt into the agreement. I deeply regret that, and can only stress to the House that that in no way represents a weakening of the Government's commitment—*[Interruption.]* Allow me to finish. It in no way represents a weakening of the Government's commitment to allow Parliament full scrutiny of any opt-ins in the field of justice and home affairs. I would like to explain the reasons behind the UK's decision to opt in.

First, the commitment given by Baroness Ashton during the passage of the European Union (Amendment) Act 2008 was based on the fact that the UK would have a period of three months in which to decide to opt into any justice and home affairs agreement. However, in this case, the conclusion of the agreement is subject to an expedited timetable. The European Parliament may vote on the conclusion of the agreement on 9 February, with the Council concluding it shortly thereafter. The expedition is necessary, as this agreement is crucial for global security. An interruption in the flow of SWIFT data would weaken the terrorist finance tracking programme, which would not be desirable.

Secondly, the agreement is only an interim agreement. It will last for 10 months, when it will, I hope, be replaced by a permanent agreement. The permanent agreement will be decided with the full participation of Parliament at every appropriate stage in the negotiation. Thirdly, the agreement was negotiated before the Lisbon treaty came into force and, as such, on the basis of unanimity rather than qualified majority voting, as is now the case with justice and home affairs dossiers. Lastly, the final text of the EU-US agreement was taken by the European Scrutiny Committee and cleared by it in advance of the agreement being signed.

I believe that it is crucial that the UK opts into the conclusion of the interim agreement, as the national security benefits are significant. However, I assure the House that the Government have made it clear to the European Union that this is an exceptional case in which there are compelling reasons for not having the full three months available to decide to opt in, and that the UK expects the full time in future arrangements.

Michael Connarty: I thank the Minister for her reply. I think that we both agree that an important undertaking was given to Parliament on this issue. During debate on the Lisbon treaty, when I defended our case to ratify it, I was assured by Ministers, right up to the Foreign Secretary—and also in the Liaison Committee by the Prime Minister—that the undertakings that there would be proper scrutiny of opt-in decisions would be adhered to. During the passage of the European Union (Amendment) Act 2008 through the House of Lords, a statement—printed in full in appendix 1 of the House of Lords European Union Committee's second report of Session 2008-09, HL 25—was circulated to peers debating the Bill. The relevant debate can be found at columns 374 to 377 of the House of Lords *Hansard* for 9 June 2008. In it, the then Leader of the House of Lords, Baroness Ashton, gave a binding assurance that Parliament would have eight weeks to look at any proposed opt-ins.

Although the European Scrutiny Committee might find that the substance of the proposal was not contentious if it had a proper amount of time to scrutinise it, it is clearly in breach of the Government's undertaking to Parliament about the time scale and process for opt-in decisions. This is the first instance of the post-Lisbon treaty imminent opt-in decision, and the assurance given by the Government is on trial. This breach of that undertaking is therefore a very bad start to the new process.

The original document has been with the Government since November 2001, and the explanatory memorandum was cleared by the Committee on the basis that the opt-in conclusion, whatever it might be, would come to us with proper time for discussion. It is clear that someone is treating this Parliament with disdain and contempt.

The Minister said that the protocol regulating the opt-in "generally" permitted three months for the UK Government to be notified about a proposal, but I thought that it would always be permitted that amount of time. To say that the European Council is not required to give us three months is an abdication of the assurance that we were given. I think that Parliament is being treated with contempt, possibly by the Government. The European Council wants to sweep this issue aside, but surely the Government should say, "No. This is a cast-iron guarantee we have given to our Parliament. We will not sign up to this until Parliament has had the proper eight weeks for scrutiny."

It cannot be that much of a crisis, but we are worried once again that the EU will push proper process aside and that the Government will simply fall over and let it do what it wishes.

Sarah McCarthy-Fry: First, I want to make it clear to my hon. Friend, as I did in my original response to his urgent question, that we deeply regret this situation. It is in no way intended as a slight to Parliament, but we have to look at what the effect of not opting into the agreement would be. We believe that not opting in would not be in the interests of this country. There are significant reasons why we should opt in. Because the agreement was reached under unanimity, it is implied that all states will opt in. In coming into effect, this agreement bridges the gap, so to speak, between the previous unanimous procedure and the new qualified majority voting procedure.

[Sarah McCarthy-Fry]

We have, of course, the option not to opt into the agreement and to go through another period of parliamentary scrutiny, but I believe that that would not be in our best interests. [Interruption.] We fought very hard for this agreement, so that we could get the information that we need to track terrorist financing. I do not— [Interruption.]

Mr. Speaker: Order. May I ask the Minister to resume her seat momentarily? I recognise that this issue has provoked real irritation, but what I say to Members who are wittering away from a sedentary position is that they will get their chance to question the Minister. I am giving them that chance, but they must contain themselves meanwhile.

Peter Bottomley (Worthing, West) (Con): On a point of order, Mr. Speaker.

Mr. Speaker: Points of order will come later, so the hon. Gentleman should resume his seat.

Sarah McCarthy-Fry: As I was saying, we believe that there are exceptional circumstances in this case. I point out to the House that Baroness Ashton's statement recognised that there could be cases of urgency, and we believe this to be one.

Mr. Mark Hoban (Fareham) (Con): But Parliament was assured by Baroness Ashton, who is now the EU's High Representative, that we would have eight weeks to scrutinise opt-in decisions. Will the Minister explain: given that SWIFT was signed in November, why was it not referred to the European Scrutiny Committee until just days before the Government decided to sign up to it? Why did the Treasury ignore the assurances given by Baroness Ashton in June 2008 that Scrutiny Committees would be given eight weeks to look at these decisions? What steps did she take to ensure that there was proper parliamentary scrutiny of the agreement?

Does the Minister accept that when assurances are given to Parliament about scrutiny they should be respected and Parliament should not be ignored? Does the Minister accept that this is a serious breach of an important undertaking by the Government and that it is vital to ensure proper scrutiny of decisions taken by the Government in this Parliament?

Is there not a pattern here? Last week the Supreme Court quashed the Government's terrorist asset-freezing orders and in its ruling said:

"the Court's judgement vindicates the primacy of Parliament, as opposed to the Executive".

As a consequence, from 9.45 am today until emergency legislation is passed next week, terrorist suspects can access their assets. Let us be clear. As we speak, there is no law in place to prevent terrorist suspects from accessing frozen assets, despite the Prime Minister's repeated assurances. As a result of their incompetence, the Government have failed in their primary duty to protect their citizens.

Sarah McCarthy-Fry: I reiterate that this is in no way intended to be a precedent that parliamentary scrutiny will be overridden. I go back to the original question of

my hon. Friend the Member for Linlithgow and East Falkirk (Michael Connarty). We had to conclude agreement by 30 November because it was the last opportunity to adopt the agreement before the Lisbon procedures took effect, and we had unanimous agreement among member states. Otherwise, all the negotiations would have had to start all over again. That would have meant a delay of six months or more during which the programme would have been unable to function correctly. It was possible, within the time scale, for the matter to go through the appropriate procedure for Common's parliamentary scrutiny.

I come back to the point that unanimity means that it is implicit that all member states will opt in. The question being asked today is whether we have parliamentary scrutiny over the opt-in, and of course, under ordinary circumstances, we would expect that to happen. Because we recognise that this as an exceptional case, we propose not to exercise the opt-out but to opt in.

With regard to the asset-freezing case referred to by the hon. Member for Fareham (Mr. Hoban), my right hon. and learned Friend the Leader of the House will be announcing at business questions that on Monday we will be taking all stages of the Terrorism Asset-freezing (Temporary Provisions) Bill.

Mr. Jeremy Browne (Taunton) (LD): The Government gave a clear and unequivocal undertaking that they would allow Parliament eight weeks to scrutinise opt-in decisions of this type. The Minister now seems to be confusing, in her mind or her remarks, process and undertaking with outcomes. Will she turn her attention to the following points?

On civil liberties, my understanding is that Germany and Austria were concerned about sharing information with third parties, and along with Greece and Hungary abstained when the EU voted on the matter last November. So it is not as non-contentious as the Minister appears to imply. Furthermore, as I understand it, genuine concerns have been expressed that when so-called pin-point requests are made for data that cannot be accessed to, all relevant data are supplied, including names, addresses and personal identification numbers. Therefore, there is all the more reason to look at this case carefully.

Am I right in my understanding that the European Parliament was given only a limited time to undertake scrutiny on this process, and that it was signed off the day before the Lisbon treaty came into effect? Does that not further confirm, in my mind and that of every other hon. Member, that we should be given the full eight weeks to look at this matter rather than one week, which is a reneging on the undertaking given by the Government themselves?

Sarah McCarthy-Fry: I want to address some of the hon. Gentleman's concerns about data protection. The European Commission designated the French counter-terrorism judge, Mr. Jean-Louis Bruguière, to the issue, and he produced a report which confirmed the accuracy of the US Treasury Department's representations to the EU on data protection practices. He concluded that the programme has generated significant security benefits for the EU. The new agreement improves the protection afforded to EU citizens compared with that under the previous programme, which was done under a US Treasury subpoena.

Under the proposed agreement, the decision to authorise transfer of data to the US Treasury Department will be made by a European judicial authority, which must verify the legality of the request. The agreement provides for reviews of the way that it is operating so as to assess, in particular, compliance with data protection safeguards. While there were some concerns from other member states, that is the reason why the agreement has only a 10-month life, which means that there will be a new agreement that will have full scrutiny in all parts of this House and all parts of the EU. As I say, it is important in this case that we maintain the programme; that is why we have taken the decision that we will opt into the programme in the interests of national security and of protecting against terrorist financing.

Ms Gisela Stuart (Birmingham, Edgbaston) (Lab): I thank you, Mr. Speaker, for allowing this urgent question, which is very important. Can I urge the Minister not to mistake the substance for the process? The anger on these Benches is not about the agreement, but about the fact that Parliament has been reassured, time and again, particularly post-Lisbon, that we have proper processes—and what happens then? On the very first occasion post-Lisbon, we again find that Parliament is just some irritating thing that has somehow to be dealt with. The Leader of the House is also sitting on the Front Bench. This is simply not good enough—Parliament needs to be respected, and it has not been on this occasion.

Sarah McCarthy-Fry: I recognise my hon. Friend's concerns, but I would only repeat that this agreement was reached before the Lisbon treaty came into effect, so, in a sense, it straddles the two agreements. That is why this is right in this case.

Mr. William Cash (Stone) (Con): The Minister has just said that this is not intended to be a precedent, but does she accept that it is a precedent, and that it is a precedent to prove that the promises that were repeatedly made throughout the Lisbon treaty process that there would be an increase in the powers of national Parliaments have been completely jettisoned in the most ramshackle manner? Her windbagery today, if I may say so, demonstrates the fact that there is no real respect for this Parliament and that the procedures are simply being washed to one side.

Sarah McCarthy-Fry: Given that I am noted for my rather concise and to-the-point remarks in normal cases, I rather take exception to the word "windbagery", particularly from the hon. Gentleman. I can only repeat that this agreement was made prior to the Lisbon treaty, and it in no way undermines our commitment to full parliamentary scrutiny. This is an exceptional case and one in which I think that the right decision has been made.

Mr. David Heathcoat-Amory (Wells) (Con): Does the Minister recall that during the debates on the Lisbon treaty we were assured in terms that scrutiny rights for national Parliaments would be enhanced? Is it not therefore a disgrace that at this first test the Government have forgotten and breached their promises and are signing up to very sensitive criminal justice matters that go to the heart of parliamentary democracy without the promised parliamentary scrutiny? Does not this show not only that the public were let down by not

having the promised referendum on that treaty, but that Parliament was misled during those debates and therefore voted under a misapprehension on assurances that the Government were not sincere in giving?

Sarah McCarthy-Fry: If this were the first agreement under the new Lisbon treaty and under the qualified majority voting procedures, I could have some sympathy with the right hon. Gentleman's view. However, as the agreement was made unanimously before qualified majority voting, I do not agree.

Mr. Lindsay Hoyle (Chorley) (Lab): The Minister has tried to put the defence quite strongly, but the truth of the matter is this—I will read from her own letter to my hon. Friend the Member for Linlithgow and East Falkirk (Michael Connarty):

"The Council takes such a view in this case and is therefore expediting adoption as soon as the European Parliament gives its assent, which could be as early as 9 February. This means that on this occasion the Government is unable to grant to Parliament the agreed period of eight weeks to scrutinise the decision".

That tells us that this Chamber is being taken for granted. It is totally unacceptable, and it is about time that Ministers took responsibility for their actions and failures.

Sarah McCarthy-Fry: I am more than happy to take responsibility for my actions. I believe that it is in the best interests of this country that this agreement goes ahead, and that is why on this occasion I am prepared to allow the opt-in. To opt out would send totally the wrong message about this country's commitment to tackling terrorism and stopping terrorist financing going around the world.

Mr. Peter Bone (Wellingborough) (Con): I feel very sorry for the Minister, who is being left almost in splendid isolation; the Deputy Prime Minister has come to her rescue. Does the Minister not understand that we do not want the Executive's decision on this—we want Parliament's decision? It is not the Executive's decision but Parliament's decision that is required.

Sarah McCarthy-Fry: I can only return to the points that I originally made. The European Scrutiny Committee had the opportunity to scrutinise the original agreement, and it did. The agreement was made under unanimity. We are talking about keeping a regime going. The agreement is for only 10 months. This is in order to allow full scrutiny in all parts of the European Union, including this House, to ensure that the final agreement that we end up with is one of which everyone has had the chance to be part.

Richard Younger-Ross (Teignbridge) (LD): Does the Minister not understand that there is deep concern and fear in the country about the European process, and that this decision is feeding the siren calls from those who wish to leave the EU? If eight weeks was not possible, why did the Minister not find another process and come to the Floor of the House to say, "These are the issues", so that, as was suggested, we had scrutiny of the proposal, even if it was not in its original form?

Sarah McCarthy-Fry: I think that I have made that clear. I accept that many people in this country have concerns about the European Union. I would also suggest that many people in this country have deep

[Sarah McCarthy-Fry]

concerns about terrorism and how the financing of that terrorism goes around the world. Because the actual agreement has been scrutinised under Commons procedures, I feel that in this case it is acceptable to go to the opt-in, given that it is a temporary agreement and that it was agreed before Lisbon came into force, and given that the House will have ample further opportunity to scrutinise the new agreement. It is not the first test under the Lisbon treaty.

Mr. Mark Harper (Forest of Dean) (Con): The Minister is missing the point. This is not about the substance—it is about the process. Undertakings were given for this House to make the decisions, and at the first opportunity the Government have broken their word. The Leader of House, who is sat next to the Minister, has clearly failed in her duty to look after the interests of this House and has put the Government first. Why did the Minister not refer this matter to the European Scrutiny Committee at the earliest opportunity rather than leaving it to the last possible moment?

Sarah McCarthy-Fry: This is not the first opportunity under the Lisbon treaty. I have to balance the wider interests of people in this country against the proliferation of terrorist finances. Given that the substance of the agreement had been scrutinised under this House's procedures, the only other option that I had was to opt out of this agreement, which would send totally the wrong message about whether this country—[*Interruption.*]

Mr. Speaker: Order. I say to Mr. Cash that he has asked a very full question, and I am sure that the House is grateful to him for doing so, but he really must exercise what self-restraint he is able to muster in the circumstances.

Mr. Angus MacNeil (Na h-Eileanan an Iar) (SNP): Given the promises made and given what is happening, what is an assurance from this Government really worth?

Sarah McCarthy-Fry: I assure the House that we take our responsibilities on terrorist financing very seriously, and that I take my responsibilities to this House very seriously. This is an exceptional occasion in which, given all the points that I have made, I think that we should agree to this opt-in, and that is what I intend to do.

Business of the House

11.58 am

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

The Leader of the House of Commons (Ms Harriet Harman): The business for next week will be:

MONDAY 8 FEBRUARY—Consideration of an allocation of time motion, followed by all stages of the Terrorist Asset-freezing (Temporary Provisions) Bill.

TUESDAY 9 FEBRUARY—Motion to approve a money resolution on the Constitutional Reform and Governance Bill, followed by consideration in Committee of the Constitutional Reform and Governance Bill (Day 6), followed by, if necessary, consideration of Lords Amendments.

WEDNESDAY 10 FEBRUARY—If necessary, consideration of Lords Amendments, followed by motion on section 5 of the European Communities (Amendment) Act 1993, followed by motion to approve a resolution relating to the House of Commons Disqualification Act, followed by motion to approve an instruction relating to the Crime and Security Bill, followed by, if necessary, consideration of Lords Amendments.

The business for the week commencing 22 February will include:

MONDAY 22 FEBRUARY—General debate on the report from the House of Commons Reform Committee on “Rebuilding the House”.

TUESDAY 23 FEBRUARY—Remaining stages of the Children, Schools and Families Bill.

WEDNESDAY 24 FEBRUARY—Remaining stages of the Energy Bill.

THURSDAY 25 FEBRUARY—A general debate on Welsh Affairs.

FRIDAY 26 FEBRUARY—Private Members' Bills.

The provisional business for the week commencing 1 March will include:

MONDAY 1 MARCH—Opposition Day (Half-day) [4th Allotted Day]. There will be a debate on an Opposition motion, subject to be announced, followed by motion relating to the draft Prevention of Terrorism Act 2005 (Continuance in Force of Sections 1 to 9) Order 2010, followed by motion relating to the draft Social Security Benefits Up-rating Order 2010.

I should also like to inform the House that the business in Westminster Hall for 11 and 18 March will be:

THURSDAY 11 MARCH—A debate on the third sector and Government working together to help communities.

THURSDAY 18 MARCH—A debate from the Health Committee entitled “Patient Safety”.

Sir George Young: The House is grateful to the right hon. and learned Lady for giving us the forthcoming business. I am sure that the House will want to return to the issue raised in the rather unsatisfactory exchanges that we have just heard. Members will have noted that in about half an hour, there was not one supportive question for the hapless Treasury Minister.

On Monday's business dealing with terrorist assets, may I ask why the Government had no contingency plan for what has just happened? Lord Newton's Committee warned the Government about the loophole six years ago, and the Government have known about the challenges to orders on terrorist assets since April 2008. Last week the Government had a 40-clause Bill, but now they have a three-clause Bill. There is no law to prevent terrorists from going to the bank between now and Monday and claiming their money back. Why were the Government so ill prepared?

On political reform and the business for the first Monday back after the recess, may I press the right hon. and learned Lady further on the Government's disastrous handling of the Wright Committee report? She is wasting time next Tuesday on the alternative vote, but putting at risk progress on the recommendations of an elected Select Committee of the House. Two weeks ago she said that some Wright reforms could be

"in operation before the House rises."—[*Official Report*, 21 January 2010; Vol. 504, c. 449.]

But on Tuesday at the Liaison Committee, the Prime Minister admitted that if proposals were objected to, there might not be enough parliamentary time for them to be implemented before an election. Is the Leader of the House aware that there is a growing feeling that people simply cannot take this Government seriously on reform? No fewer than seven constitutional campaign groups are urging her to look again at the procedure for the debate. Will she give a firm commitment that the House will have proper time to get changes made to Standing Orders, as the Wright Committee wished, before the election? Given the approaching recess, will she ensure that the motions that the Government intend to take forward will be tabled by next Monday at the very latest?

May we have a debate on the chaos of the Student Loans Company? Many hon. Members will have had complaints from their constituents about the endless delays and inefficiencies of that body, and today we learn that two months after the Government said that the problems were being fixed, more than two thirds of students with disabilities or special needs have failed to receive the crucial funds that they need for their studies. May we have a full statement from the Government to explain what they are doing to remedy and mitigate that distressing problem?

The Leader of the House will be aware that the findings on the Government's management of the out-of-hours contracts will be laid bare today by a report to the Department of Health and by the coroner's verdict following an inquest into the tragic deaths in Cambridgeshire. Will she ensure that a Health Minister comes to the House to make a statement on the review of the out-of-hours service?

When can we have the annual debate on international development? It was postponed last November and was meant to be rescheduled for next Wednesday, but it does not appear in the business that the Leader of the House has just read out.

Given that the right hon. and learned Lady has so far failed to meet my requests for a debate on the crisis in Haiti, will she now guarantee that that important debate will be held as soon as possible on our return from the February recess?

I now turn to familiar territory. When will the Chancellor present his Budget to the House? Finally on dates, this is the last time we shall have business questions until 25 February, and there is still no news of the Easter recess. [HON. MEMBERS: "Question 42!"] Yes, it is question 42. Let me put to the right hon. and learned Lady a scenario on which I believe it might be sensible to proceed. I suggest that the Prime Minister will visit the palace on 29 March and announce the election, that the House will adjourn for the Easter recess on Maundy Thursday and not return, that Her Majesty will dissolve Parliament on 12 April, with a general election on 6 May, and that some of us will return for swearing in on 12 May. Would the right hon. and learned Lady like to confirm or deny that?

Ms Harman: In relation to the Terrorist Asset-freezing (Temporary Provisions) Bill, which I have announced will have all its stages next Monday, subject to the approval of the House, hon. Members will be aware of the Supreme Court's decision on the vires under which the order involved was made. Clearly we have to set the law in order and ensure that we have the powers that we need to use against assets that have been built up for use in terrorist activity. We are ready to make it clear this afternoon what those provisions are. The Bill will be introduced tomorrow, and on Monday, subject to the House's approval, it will have all its stages and then go off to the Lords.

As will be seen this afternoon, we have made it clear that the Bill's application will be retrospective. It is obviously an absolute priority to ensure that terrorists do not have assets at their disposal to use against people in this country, and we will ensure that the powers are available, and made retrospective, to deal with the issue that the Supreme Court raised, which was simply that the order was ultra vires.

I would make two points on how we are dealing with the Wright Committee recommendations. I have said at business questions that we hope the House will agree to more than 20 provisions in the report, and we intend to table them for approval after a full day's debate on 22 February. If we can approve some, if not all, of the motions that I will table then, that will be a good start. I will bring back those that, because Members object to them, are not approved. We will lay amendable motions, and then the House will vote on them.

As there are more than 20 areas of consideration on which we propose to move forward, it will be helpful if some of them, if not all, can be dealt with after a full day's debate. We can get the debate dealt with so that the House can be heard, and then if there are motions to which there is no objection, they can go through straightforwardly by agreement. On some issues there will undoubtedly not be agreement, and those will then have to come back to the House in motions that are amendable and can be voted on.

The right hon. Gentleman talks as though there were unanimity in the House on all the Wright reform issues, and as though somehow, only the Government stood in the way. He is fostering that impression, but it is a misapprehension. As shadow Leader of the House, he should know that on some substantial matters that the Government are in favour of, there is division in the House. For example, we support the idea of secret ballots for the election of Chairmen of Select Committees.

[Ms Harman]

He will know that last week the Liaison Committee was split down the middle on that, and voted to support it by only seven to six. So I would be grateful if he did not purvey the view that he and the whole House are reformers, and the Government are standing in their way. That is not true and does not reflect all the progress that the House has been able to make in the past 13 years on initiatives introduced by previous Leaders of the House. Reform has happened, and further reform, with the House's support, will be forthcoming under the Wright Committee recommendations.

Inspection and tight regulation of the out-of-hours GP service are obviously important. All primary care trusts should ensure that the out-of-hours service in their area is in order.

The right hon. Gentleman asked about a day of debate on international development. One of the Wright Committee's proposals is for all Back-Bench business and general debate to be determined by a Back-Bench Committee. The Government back that. If it were agreed, the right hon. Gentleman or other hon. Members would not be asking me why we had not had a day to debate international development, because it would be down to Back Benchers to decide when to have a defence day, an international development day or a Welsh day, and to determine the subjects of topical debates. Frankly, I look forward to the day when hon. Members can ask themselves rather than me why such a decision has been made. [HON. MEMBERS: "And in the meantime?"] In the meantime, I use my good endeavours to draw on the will of the House and ensure that we get the debates right. The answer is: as soon as possible.

As for an election date, I shall not be announcing that as part of the business of the House.

Mr. David Heath (Somerton and Frome) (LD): Seventeen years ago this week "Groundhog Day" was released—a film in which, hon. Members may remember, the major character was destined to relive the same day until he got things right. I wonder whether there is any similarity to business questions, when we ask exactly the same questions each week, and the Leader of the House has not quite got it right yet.

I do not suppose that there is any point in repeating the question that the right hon. and learned Lady simply does not answer, about the date of the Budget. We had, quite properly, a debate on the pre-Budget report. May we now have a debate on the influential study that the Institute for Fiscal Studies issued yesterday—its so-called green Budget? It disagrees fundamentally with some of the Treasury's rosy assumptions about the UK's future. It says that long-term growth of 2.75 per cent., as forecast by the Government, is an absurd fantasy, that unemployment is likely to rise from 6 to 9 per cent. by 2015, and that the assumptions about Government revenue are entirely bogus. We should debate those assessments, which experts have made, so that we can gauge how deep a hole the country is in.

Every week we discuss the conduct of parliamentary business, and every week we are told that the Government are committed to reforming how Parliament works. In reply to the urgent question that preceded business questions, we heard just how committed the Government are to allowing Parliament a say in matters that are

properly parliamentary business. We have just heard from the Leader of the House how she intends to approach the Wright Committee's report. No one thinks that there is unanimity on the subject, but we would like the opportunity to debate and agree all, not just some, of the recommendations. She has yet to tell us even which recommendations she will allow us to discuss. Perhaps she would like to do that in the near future.

One of the main criticisms of the House is that we scrutinise Bills so badly. Yet we continue to do it badly. As of this morning, the Committee considering the Children, Schools and Families Bill has scrutinised only 14 of the 50 clauses in that important measure, and the Leader of the House has just announced its remaining stages. Today is its last day in Committee, so the other clauses will not be properly scrutinised. When will we do the job properly? If we will not do it properly, we must give the other place a chance to do it instead. Does she accept that many of the Bills before the House will get no further than Second Reading in another place before we enter the wash-up process, and that that is not the right way to scrutinise business?

We had some discussion of dodgy crime statistics this week. I do not approve of basing arguments on crime statistics that are not right, but let me give some genuine statistics. The retail crime survey suggests that retail crime cost the sector £1.1 billion this year—a 10 per cent. increase. That equates to 72,000 retail jobs. May we have a debate on retail crime so that we can ascertain whether there is anything that we as a Parliament can do to prevent such crime—and, ultimately, its cost to all of us as consumers?

Ms Harman: The hon. Gentleman raised economic issues, following the report of the Institute for Fiscal Studies. No one could accuse the Chancellor of purveying rosy assumptions. He has always said that it was going to be a difficult time for the economy, and that it would begin to start recovering only at the turn of the year—as has happened. We have been encouraged by the fall in unemployment in the past two months, particularly as unemployment usually continues to rise after an economy begins to recover. In the 1990s recession under the Conservative Government, because of an absolute absence of labour market measures and help for the unemployed, unemployment carried on rising for three years after the economy had returned to growth. In the 1980s recession, unemployment continued to rise for five years after the economy had started recovering. We are encouraged by the improvement in employment, but we make no rosy assumptions.

We are not prepared to go along with cuts in public investment or taking money out of the economy, as proposed by the official Opposition, precisely because we regard the economy as still vulnerable. We will continue to support the economy and to support people who become unemployed to get back into work, and we have a clear plan for reducing the deficit by half in four years.

It is also worth bearing in mind that the amount, as a percentage of gross domestic product, that the Government spend on servicing the debt, which has been necessary to support the economy, is less than the amount that the Conservative Government spent annually on servicing debt in all their years of government, except two. If it comes to a question of whether the debt is affordable, I

stress that we are spending less as a percentage of our national wealth on debt than the Tories spent in all but two years. I know that is not what the hon. Member for Somerton and Frome (Mr. Heath) asked, but I am sure that he is interested in the answer.

Mr. Heath: Worth sharing, anyway.

Ms Harman: Yes. I am sure the hon. Gentleman wishes that he had asked that question.

I hope that hon. Members will accept my good faith on the Wright Committee report, because I do not do devious. [HON. MEMBERS: "Oh!"] I am trying to assist the House. We will have a full day's debate, when all the issues in the Wright report can be discussed. We will then consider a series of proposals. If there is no objection to them, they will go through and could be implemented. If there is an objection to them, they will come back to the House for decision, but we will not need to debate them all over again, because we will have done that. We will then get on with making decisions. At that point, the decision about what amendments are tabled will be in the hands of the House. We will cover the full range of the Wright Committee report. I sought to arrange things in the way that I outlined because with 646 Members, who all have a view, we could end up with propositions that would cancel each other out. I thought that it would be good to set a clear programme for approval on the first day we debate the report, and see whether we could get some things sorted and agreed, before getting into a position whereby a plethora of proposals, and more than a plethora of amendments, would be tabled, and we could end up with less than we might have achieved had we been able to proceed on the basis of a consensus, pulled together by me as Leader of the House. I hope that we can proceed by consensus.

The hon. Member for Somerton and Frome mentioned the Children, Schools and Families Bill Committee stage. He cannot have it both ways. Either there is rigid timetabling, which ensures that every bit of a Bill is scrutinised in Committee but leads to protests about timetabling, or there is no timetabling, the debate is front-loaded, and the Committee does not get to the end of the Bill. How that scrutiny is carried out is really in the hands of the Committee. We all want to make sure that there is good scrutiny on Second Reading, in Committee and on Report.

As for the crime statistics, we have to look to reduce crime across all areas, including both violent crime and acquisitive crime. One encouraging thing is that the fall in crime, both violent and acquisitive, has been so marked that it has not increased during the recession. I think that this is the first time that that has happened during a recession. Usually, a recession is accompanied by an increase in acquisitive crime. On this occasion, with the roll-out of neighbourhood policing, police community support officers and all the other crime prevention measures, we have not seen crime rising; indeed, it has continued to fall.

Several hon. Members rose—

Mr. Speaker: Order. Twenty-eight right hon. and hon. Members are seeking to catch my eye. If I am to accommodate everybody, as I would naturally wish to do, short questions and short answers will be required.

Kitty Ussher (Burnley) (Lab): I am deeply honoured, Mr. Speaker, to be the first of those 28. I know that my right hon. and learned Friend shares my view that it is wrong that religious organisations should be able to discriminate against, for example, gay people or women who apply for non-religious posts in those organisations. She will also know that a Government amendment on that subject was defeated recently in the other place. Will she therefore take this opportunity to clarify for hon. Members whether she will reintroduce such an amendment when the Equality Bill returns to the Commons?

Ms Harman: I thank my hon. Friend for raising this matter. The Government's policy is clear and has not changed. Our view remains that religious organisations employing people should comply with the law that applies to all other employers, whether that is the requirement to have written contracts, pay sick pay or the minimum wage, or the requirement not to sack people unfairly or discriminate against them. However, our position has always been that for specifically religious work—as a vicar, priest, rabbi or imam—religious organisations would be exempt from non-discrimination law. A religious organisation cannot discriminate against gay people or women when it hires a bookkeeper, but it can when choosing a minister of religion.

The amendment that we proposed in the House of Lords did not intend to change that policy position. What it sought to do was make the distinction between religious and non-religious jobs clearer. The Lords did not regard our amendment as helpful. We will therefore leave the law as it is, and not bring the amendment back to this House. The law will remain as it was: in anti-discrimination law there is an exemption for religious jobs but not for non-religious jobs.

Anne Main (St. Albans) (Con): May we have a statement on Thameslink? It is recorded in *Hansard* that the Thameslink programme is now

“scheduled to be completed from...2016”

and that

“key output 2...is scheduled to be delivered from 2016.”—[*Official Report*, 2 February 2010; Vol. 505, c. 48WH.]

That is a year's slippage from the 2015 Thameslink project announced previously. Either the Under-Secretary of State for Transport, the hon. Member for Ipswich (Chris Mole) was not on top of his brief, or he made a statement in that Westminster Hall debate that the Thameslink programme was being slipped by a whole year.

Ms Harman: Obviously, I try to keep on top of all the issues relating to all the train lines relating to all hon. Members, but I am not able to give the hon. Lady a very specific answer on this. If she had given me notice of her question, I might have been able to give her a more substantive answer, but as it is, I will ask the Minister to write to her.

Sir Gerald Kaufman (Manchester, Gorton) (Lab): Has my right hon. and learned Friend seen early-day motion 480, standing in my name and those of a number of other Members, with regard to the disgusting way in which Bestway Northern Ltd treats its employees?

[Sir Gerald Kaufman]

[That this House expresses its extreme disapproval of Bestway Northern Limited, a business which seeks to treat its employees like serfs, which conducted a show-trial of two employees, constituents of the right hon. Member for Manchester Gorton, defamatorily accusing them of gross misconduct when their alleged offence was simply waiting for a decision on their immigration status by the UK Border Agency, which was entirely outside these two employees' control; strongly objects that they have now been dismissed on the grounds stated by their director, Dawood Pervez, that these employees 'are not permitted to work in the UK', which is a lie, since the right hon. Member has in his possession a letter dated 4 December 2009 from the UK Border Agency confirming that these two men 'will be allowed to continue with their employment in the United Kingdom, until a decision has been made on their outstanding appeals'; warns anyone seeking a job to steer clear of Bestway Northern Limited; and further warns possible customers and clients to have nothing to do with these duplicitous tyrants.]

The company staged a show trial of two of my constituents and found them guilty of gross misconduct when they had done nothing but wait for a decision by the Home Office. It sacked them despite the fact that I have a letter from the Home Office saying that they have the right to work until their appeals are heard. Is that not utterly disgusting, in the year 2010? Will my right hon. and learned Friend get the Secretary of State for Work and Pensions to deal with those people?

Ms Harman: There will be an opportunity for my right hon. Friend to raise issues of immigration law in Home Office questions next week. I know that he feels very strongly about this; he has spoken about that employer in business questions before.

Robert Key (Salisbury) (Con): Please may we have an urgent debate on the health protection of our citizens in this country, and the Government's policy on that? Three years ago the Government decided—very wisely and quite rightly—to rebuild the Centre for Emergency Preparedness and Response at Porton Down in my constituency. On Monday they told the 800-strong work force of distinguished international scientists, who protect this country against swine flu, ebola, green monkey disease, and emerging diseases and viruses—and who, incidentally, are involved in the response to terrorism—that instead of rebuilding the centre on site, they were going close it down and move the 800 jobs to Essex. That has caused huge distress locally, but of course it cannot be in the national interest at this particular moment, facing the threats we face, to disrupt the entire service on which we all so depend.

Ms Harman: I can see that the hon. Gentleman feels very strongly about this matter on behalf of his constituents. If he had given me notice of his question, I could have given him a more substantive answer—and, I am sure, reassured him and his constituents. However, as it is, I will ask the Minister concerned to write to him.

Mr. Barry Sheerman (Huddersfield) (Lab/Co-op): My right hon. and learned Friend will know that in three short years, the participation age for education, training and work will increase to 17 years. We have not yet had

a commission, or a serious debate in the House, on how we are going to provide for those many young people who will need training in the community or in environmental projects. May we have a debate very soon? Three years is not very long to prepare for that great change in our education system.

Ms Harman: I agree with my hon. Friend that that is a substantive and important change. In terms of the process by which the House can engage with Ministers and scrutinise their proposals, perhaps he could raise the matter at Work and Pensions questions next week.

Justine Greening (Putney) (Con): The already stretched postal services at Putney post office face massive disruption because the leaseholder now wants to redevelop the site. All that post office managers will tell me is that they are consulting their lawyers. May we have a debate to find out how much of the post office network is at risk because the Post Office is not actually in control of it?

Ms Harman: I will ask my right hon. Friend the Minister for Business, Innovation and Skills to write to the hon. Lady.

Clive Efford (Eltham) (Lab): May we have a debate on child protection procedures in England and Wales? I do not know whether my right hon. and learned Friend has seen the report published today by Bournemouth university, but it says that violent deaths of young children have decreased by 40 per cent. since 1974, meaning that they have decreased consistently under all Governments. Such a debate would serve to prevent people from coming to the House with outrageous claims about “broken Britain”, made on the back of the tragic deaths of young people, and it would give us an opportunity to focus on an important field of social care, celebrate some of the work that is being done, and find out where improvements can be made.

Ms Harman: It is gratifying to see those figures coming down, but my hon. Friend and everybody in the House will agree that while even one child is at risk, we want to make sure that all the services work together to make sure that preventable abuse and death is avoided.

Richard Younger-Ross (Teignbridge) (LD): Has the Leader of the House seen early-day motion 798, in my name, on the use of ultrasonic Mosquito devices?

[That this House notes the growing use of ultrasonic Mosquito devices; agrees with the Children's Commissioner, Sir Alan Aynsley-Green, that these are ultrasonic weapons designed to stop young people gathering, which are a powerful symbol of a deep malaise in British society and its views towards children; believes that their use in public places where children legitimately gather is wrong; and calls on the Government to urgently limit their use.]

Has she seen the comments of the Children's Commissioner, Sir Al Aynsley-Green, who yesterday described the use of such devices as symbolic of a “deep malaise” in the UK and its attitudes towards children? Such devices are used on railway stations during the rush hour when young people are going to school or college, and outside shops where young mums, who cannot hear them, leave their children, who can

hear them, in distress, so may we have, as a matter of urgency, a debate on the rights and protection of young people?

Mr. Speaker: Order. I am very worried that we have already had that debate.

Ms Harman: I think that that is an issue that would interest a number of hon. Members; perhaps it is something on which the hon. Gentleman can seek a debate in Westminster Hall.

Keith Vaz (Leicester, East) (Lab): On the subject of young people, the Leader of the House will remember coming to Leicester three years ago to open the nursery at the Peepul Centre, a £19 million project. Sadly, because of the economic situation, that millennium centre is facing financial problems. Will she arrange for a statement from the Department concerned, so that it knows what it can do to ensure that that wonderful nursery—which is called “Harriet’s nursery” locally—can stay open?

Ms Harman: That is one nursery that we certainly do not want to see close. I am sure that reassurance can be given by my right hon. Friend the Secretary of State for Communities and Local Government, working alongside my right hon. Friend the Secretary of State for Children, Families and Schools. It might be a good idea for me to facilitate a meeting between the Secretary of State and my right hon. Friend the Member for Leicester, East (Keith Vaz), because I know that he is a great champion of children’s services in his constituency and has done much to ensure that support services for children and parents are much better than they were some years ago.

Mr. Douglas Hogg (Sleaford and North Hykeham) (Con): May I revert to the request that I made last week for a debate on Treasury interference in Ministry of Defence procurement? It is plain that the Prime Minister, when Chancellor, intervened so as to deny British forces the kit—in particular, helicopters—that they required. As a result, lives were lost. That was the evidence of Defence Secretaries and chiefs. We need to hear that evidence on the Floor of the House and call the Prime Minister to account.

Ms Harman: As far as evidence to the Chilcot inquiry is concerned, it is given as far as possible in public, and only in private when that is in the interests of national security. The Chilcot inquiry has yet to report, but we will have a defence debate soon, perhaps next month, and the right hon. and learned Gentleman could raise those issues then.

Mr. Richard Caborn (Sheffield, Central) (Lab): May I continue with the clean-up agenda that seems to be prevalent this morning? Will my right hon. and learned Friend make time for a debate on the damning report on the Ashcroft affair by the Information Commissioner, Christopher Graham, which said that statements by senior politicians about Lord Ashcroft’s undertaking were “evasive and obfuscatory”. The impact of certain actions by that individual, especially as we are in the run-up to an election, need scrutiny and a debate in this House. I hope that she will make time for such a debate.

Ms Harman: I thank my right hon. Friend for his question. This is now in the hands of the Information Commissioner, who has said that this information should be made public. It is in the public interest because before Lord Ashcroft was able to take his seat in the House of Lords, undertakings were given in relation to his tax affairs. The question is whether those undertakings have been met. Has he done what he promised in terms of paying tax in this country and putting his tax affairs on a proper footing? There has never been a definitive statement from him on that point, and when the Opposition have been asked they have simply given a formulaic code, which has not revealed the situation in its true light. The Information Commissioner has said that that information must be put into the open so that everybody can be sure that Lord Ashcroft has complied with the undertakings he gave in order to get into the House of Lords.

Ann Winterton (Congleton) (Con): May we have a debate on food security, an issue that is rising up the political agenda? Bearing in mind that scientific evidence points to the world entering a 30-year cooling period—*[Interruption.]* This is true. However, to my knowledge, no assessment has been made of the effect of global cooling on agricultural output. This is an important and serious issue, and the House should have an opportunity to debate it.

Ms Harman: We have just had Environment, Food and Rural Affairs questions, and DEFRA has just produced an unprecedented report called “Food 2030”, which deals centrally with the question of food security, including against a background of global warming.

Sir Stuart Bell (Middlesbrough) (Lab): I will not ask the Leader of the House to alter her arrangements for the debates next week or call for an early debate, but does she agree that this Parliament is sorry that the sad story of expenses has brought it into disrepute? Does she agree that with the 62 recommendations of Sir Christopher Kelly, the publication today of the Legg review and five years of allowances, and the creation of the Independent Parliamentary Standards Authority, which creates a new body to look at our expenses, the Government and Parliament have gone some way towards restoring public trust and confidence in this Parliament?

Ms Harman: Yes, I believe that they have. We are in no doubt that the whole issue of expenses has damaged the reputation of the House, and public trust and confidence in Parliament. We are in no doubt that action needed to be taken, and it has. Everything to do with expenses is now fully out in the open and published. The current expenses system has been cut right back, and in future all expenses will be set and administered independently. On the basis of today’s report, it is now clear which Members need to pay back and how much. Obviously, we expect all Members to make arrangements to repay and it is clear from the report that most already have. In any event, I will bring to the House a resolution to authorise the recovery from Members’ salary or allowances of any amount outstanding after 22 February. All repayments will have had to be made—or firm arrangements to do so entered into—otherwise the recovery process will start after that date. The public can be confident that everything that should be paid

[Ms Harman]

back will be paid back, and I agree that today is an important step on the path to restoring public trust and confidence.

Dr. Julian Lewis (New Forest, East) (Con): I am sure that all hon. Members welcome that statement by the Leader of the House. May I ask her for another statement about participation in important debates and statements by the respective parties—and I do not mean just in Divisions? As a shadow Defence Minister, I have noticed that defence debates include plenty of Government and Opposition speakers, but no Liberal Democrats. Yesterday, in an important defence statement, only a single Liberal Democrat Back Bencher asked a question. What is going on, and should not people be getting better value for money from the Liberal Democrats?

Ms Harman: We are strongly committed to our armed forces and ensuring that their mission is clear, the numbers on the ground are sufficient, and that they have the kit and—[*Interruption.*]

Mr. Speaker: Order. The hon. Member for New Forest, East (Dr. Lewis) asked the question: he should listen to the answer.

Ms Harman: I suspect that this is one of those occasions when the hon. Gentleman feels that the question was rather more important than the answer. However, I shall press on with my answer. The Government remain strongly committed to our defence forces, but the question of Liberal Democrat contributions to the issue is a matter for them.

Jim Sheridan (Paisley and Renfrewshire, North) (Lab): May we have a debate on the valuable work carried out by the vast majority of Members? That work has been undermined by the recent comments by the Leader of the Opposition comparing Members of Parliament to ciphers. That may be his view of his Back Benchers, but I am sure that it is not my right hon. and learned Friend's view of the Benches she has the pleasure of leading.

Ms Harman: If that is indeed what the Leader of the Opposition said, it is a shame and I do not agree with him. However much I disagree with hon. Members, especially Opposition Members, I would not call them ciphers. It is for each and every one of us who is elected by constituents to come to this House to represent them, either in government or holding the Government to account, and it is up to all of us to do our work properly and support the work that the House does. Denigration of the House of Commons for party-political purposes is not the way to restore public trust and confidence in this institution.

Mr. Paul Burstow (Sutton and Cheam) (LD): May I draw the attention of the Leader of the House to early-day motion 626?

[*That this House notes that the report of the National Audit Office (NAO) on dementia services found that there has not been a robust approach to implementation of the National Dementia Strategy; is concerned that the NAO concludes that the strategy has not been given the*

levers or urgency necessary; further notes that there is a lack of joined-up, well-informed commissioning necessary to redirect the resources needed to pay for new dementia services; regrets the lack of progress on basic training of healthcare professionals; and calls on the Government to put in place urgently the mechanisms needed to bring about the large-scale transformation of dementia services that are desperately needed.]

Yesterday a report was published by the Alzheimer's Research Trust that found that more than 820,000 people in this country are afflicted by dementia, with countless families also affected, and that the cost to the UK economy is now £23 billion a year. There is a compelling case for investment by both charities and the Government in dementia: may we have an early debate on that case to see when the Government will make this a national priority?

Ms Harman: We make time for debate on dementia, and services and support for the elderly, but I agree that we need to ensure that we put this specific issue on the agenda for debate. Dementia is one of the greatest challenges facing our society, and we fully recognise the importance of dementia research. By 2011, we will be investing more than ever—nearly £1.7 billion—in health research. We have received the report from the Alzheimer's Research Trust and will consider its findings, and of course a year ago we launched the first ever national dementia strategy, implementation of which is underway.

Mr. David Crausby (Bolton, North-East) (Lab): Given that my right hon. Friend the Secretary of State for Health refuses to answer my questions on Bolton primary care trust, when can the House have a debate on the accountability of PCTs?

Ms Harman: Obviously, PCTs operate within a national framework, but within that framework they are supposed to be accountable to local people to deliver high-quality and improving local health services. Perhaps I can suggest that I will arrange a meeting between a Health Minister, my hon. Friend and the chair and chief executive of the PCT. Nobody should be so dissatisfied with a situation that means that they cannot get the answers they need to questions about important PCT services for constituents. He has raised an issue about which he obviously feels strongly, and I think that we need to set up a meeting to sort it out.

Mr. Edward Leigh (Gainsborough) (Con): With regard to what the Leader of the House said earlier about the Equality Bill, she will know that concern was expressed in the other place that her amendments were so tightly drawn that they could have encompassed even the Archbishop of York, because he spends a lot of his time working in the community, not just proclaiming the liturgy. Being positive, and now that the Government are not overturning their defeats, can we take it that the Government now accept the principle that the Churches must be allowed to regulate their own clergy according to their own conscience?

Ms Harman: The hon. Gentleman is quite wrong. We never sought to, or indeed even unintentionally, propose non-discrimination laws covering bishops, rabbis, archbishops or priests. In the 2003 non-discrimination

employment regulations, we explicitly allowed for an exemption for those involved in religious ministry, so I am sorry that he has taken the opportunity to spread a misapprehension. There was never an intention—and nor is there an intention—to apply the provisions to those involved in religious ministry. However, if a church, synagogue or mosque is hiring a cleaner, bookkeeper or finance officer, it will have to comply with the normal, non-discrimination provisions of employment, like all others. I hope that, instead of spreading misapprehension, he will reassure those who raised that concern with him that it never was the Government's intention to make that change. The amendment simply clarified the difference between a religious and non-religious job, and whatever the criticisms of the drafting, which I do not accept, nobody could think that it would say that being Archbishop of Canterbury was not a religious job.

Mr. Lindsay Hoyle (Chorley) (Lab): My right hon. and learned Friend will want to hear about the good work of the Royal British Legion in Chorley, which raised more than £23,000 in the poppy appeal there. However, will she now give time to have a discussion on the Royal British Legion manifesto? This is important. We are coming up to an election, and I think that it would be a worthy topical debate.

Ms Harman: I congratulate the Royal British Legion in Chorley, which is an organisation that my hon. Friend, as a Member of Parliament, strongly supports, and I will look for an opportunity to raise issues involving the Royal British Legion.

Sir Nicholas Winterton (Macclesfield) (Con): I shall not be back on 12 May, so will the Leader of the House do me a favour and give me an assurance that, as part of the debate on the reform of the House of Commons, she will negotiate with the Opposition parties about introducing a procedure preventing major parts of legislation from going from this House to the House of Lords without being debated here? That would be one way in which to restore people's confidence in the House and its responsibilities.

Ms Harman: Perhaps the hon. Gentleman should ask his Front-Bench colleagues whether they actually want those sorts of issues dealt with in the way that the Wright Committee suggests. We have to ensure that the Government, having produced a manifesto and been elected on the basis of promises made in it, can get their business through. Obviously, everyone wants provisions to be properly debated, and that depends also on everybody in the House ensuring that they limit their speeches and stick to the point, and then the business of scrutiny can be got through.

Mr. Andrew Pelling (Croydon, Central) (Ind): Would it be possible for the Leader of the House to provide for a debate on recognising the achievements of military men and women and on the support that they can expect on leaving Her Majesty's armed forces? Such a debate would allow me to mention Michael Lyons of the New Addington Royal British Legion, who has campaigned for repairing school memorials, and for seeking out and securing the repair of the gravestones of servicemen who won the Victoria cross. I would also

like to emphasise the great flexibility of Mayday hospital and the NHS in working to provide a centre for returning soldiers suffering from combat stress.

Ms Harman: Like my hon. Friend the Member for Chorley (Mr. Hoyle), the hon. Gentleman strongly supports his local Royal British Legion, and I commend the work that he has told the House about and which Mr. Lyons is doing in his constituency. Obviously, those in the armed forces regard their work as very rewarding, but we all recognise that it requires selfless duty and places many restrictions on the lives not only of our service personnel, which they willingly accept, but of their families. As he will know, the Ministry of Defence has produced a Command Paper setting out our commitment to our armed forces, their families and veterans. That is a cross-Government initiative. Furthermore, he mentioned stress and mental health issues. There are six ongoing mental health pilots within the NHS and throughout the country, and they will continue and be evaluated.

Mr. Keith Simpson (Mid-Norfolk) (Con): We understand that the Secretary of State for Communities and Local Government intends to make an announcement just before the half-term recess about his decision on which unitary authorities can be established in Norfolk, Suffolk and Devon. May I urge upon the Leader of the House that a written statement at that stage is totally unacceptable? The Secretary of State should come to the House and explain it in an oral statement. Colleagues on both sides of the House feel strongly about the matter, and as she is probably aware, there has been a series of judicial challenges to the decisions made so far.

Ms Harman: Obviously accountability on such issues is very important, whether through written or oral statements. I shall undertake the hon. Gentleman's request to discuss the matter with the Secretary of State and make absolutely sure that the right level of accountability will operate.

Mr. Rob Wilson (Reading, East) (Con): Given that the right hon. and learned Lady clearly believes in its continued importance and relevance in today's world, may we have a debate in Government time on papal infallibility?

Ms Harman: That is not a matter for the House. What are matters for the House are public policy and legislative scrutiny, and what is a matter for the Government is to ensure that, although we respect the fact that some areas of religion must be subject to the control and decisions of those religions, for the rest, religious organisations, like everyone else, obey the law.

Mr. Angus MacNeil (Na h-Eileanan an Iar) (SNP): If the Prime Minister is advocating a referendum on changing the voting system to the House, why is he going to restrict the public to two narrow choices? Why not put all options on the table, including the single transferable vote, and let the people decide? May we have a full debate?

Ms Harman: I think that there will be a debate on day six of the Committee stage of the Constitutional Reform and Governance Bill, when the relevant amendments will come before the House.

Mr. Ian Liddell-Grainger (Bridgwater) (Con): The Leader of the House was very helpful a few weeks ago when I asked about Indians having temporary work permits to work in the Avon and Somerset police authority. She sensibly suggested that I ask parliamentary questions, which I did, but I was told that the information would be too expensive to get. On the back of the security implications of people's data being seen by foreign nationals, may we have Government time to discuss what is an important issue not just in Avon and Somerset, but—I am told—across the United Kingdom?

Ms Harman: I will follow up the hon. Gentleman's point. What is presumably being said is that providing the answer to the questions would incur disproportionate cost, but there is also an issue about the proportionate importance of these matters, so I will look at the questions and see whether we can assist him in getting them answered.

Mr. Peter Bone (Wellingborough) (Con): I asked the Chancellor of the Exchequer a named day question about net contributions to the EU over the past three years. I got a holding answer, and I then got a rather bizarre answer addressed to the right hon. Member for Wellingborough. [HON. MEMBERS: "Hear, hear!"] More importantly, it did not answer my question; it simply referred to a footnote in a table, so nobody could actually see the answer. Will the Deputy Prime Minister, who does not do devious, summon the Chancellor to her office, discipline him, and report back next week that she has done so?

Ms Harman: Sometimes, the Treasury has to do complicated, and I think that that might be what has happened in this case. However, I think that referring hon. Members to footnotes that refer to other footnotes, which refer to tables in documents that are not readily to hand, is not the way to provide full and open accountability. I know that the Treasury wants to be fully and openly accountable about this country's contributions to Europe, against the background that working with Europe is important in regard not only to security and climate change but to the economy. I will therefore ensure that the hon. Gentleman gets a full answer.

Mr. Philip Hollobone (Kettering) (Con): May I be straightforward and understandable? May we have a debate on the Floor of the House in Government time on the loss of national identity? In the week in which

the Townswomen's Guild published the results of a survey of its 34,000 members which showed that over 95 per cent. were concerned that Britain was losing its national identity as a result of the scale of mass immigration that the country is currently having to put up with, it is important that politicians in this place should be seen to be discussing the issue.

Ms Harman: Indeed. Those same points were made against the background of Irish immigration. They were also made in respect of Jewish immigration, and of those immigrants who came here from the Caribbean, particularly to work on London transport and in our health services. This country has great traditions from those who have been here for generations, and it has become great on the back of the work of many successive waves of immigrants over the centuries and in the past decades. It is important to ensure that we recognise the contributions of immigrants, and that we have a fair society in which everyone feels that they get a fair crack of the whip.

Mr. Mark Harper (Forest of Dean) (Con): I want to take the Leader of the House back to the point raised by my right hon. Friend the Member for North-West Hampshire (Sir George Young) about terrorist asset freezing. Given that the Government had ample warning of the potential loophole in the law but took no steps to plug it, and given the amount of time that will have elapsed before it is eventually plugged, how much money belonging to terrorists or terrorist organisations does she think will be left in the country to be captured by the retrospective legislation that she is introducing next week?

Ms Harman: Obviously, work was under way in the Treasury to ensure that contingency plans would be in place to bring forward arrangements, should the Court not allow a stay of execution of its judgment. I am sure that the hon. Gentleman will agree that it would have been odd for the Government to introduce legislative provisions to deal with a situation that had not yet been decided on in the Supreme Court. Planning and preparation have been under way, and now that the Court has made its decision, which it did yesterday, we have told the House how we are going to deal with this matter. We are going to publish to the House the specific provisions; we are going to publish the Bill tomorrow, and on Monday it will complete all its stages in this House. It will be clear that it will be retrospective. The answer to the hon. Gentleman's question is none.

Point of Order

12.54 pm

Mr. Mark Harper (Forest of Dean) (Con): On a point of order, Madam Deputy Speaker. In business questions, my right hon. Friend the Member for North-West Hampshire (Sir George Young) raised the scandal of the 12,000 disabled students who are waiting for grants. Those students have been failed by the Student Loans Company. That story raises the issue of accountability to the House. That information was gathered by my hon. Friend the Member for Havant (Mr. Willetts) by way of a freedom of information request to the Student Loans Company. The same requests were made through a number of parliamentary questions that I tabled to the Department for Business, Innovation and Skills in December. Unfortunately, those questions remain unanswered. This morning, my office spoke to the office of the Minister of State, the right hon. Member for Wolverhampton, South-East (Mr. McFadden). Following that, and my giving notice that I was going to raise this point of order, I have now been told that those questions will be answered today. Is it not outrageous that, while answers can be obtained as a result of freedom of information requests, parliamentary questions on the same topic can remain unanswered for nearly two months? What can be done to ensure that this gross discourtesy to the House does not recur?

Madam Deputy Speaker (Sylvia Heal): The hon. Gentleman has placed his remarks on record, and they will clearly be read by those concerned. The Speaker and the other occupants of the Chair have a responsibility for what happens in Parliament, and Ministers' responses. The hon. Gentleman's comments will have been noted.

Crime and Security Bill (Ways and Means)

Motion made, and Question proposed,

That, for the purposes of any Act resulting from the Crime and Security Bill, it is expedient to authorise—

- (1) the imposition of charges in respect of the cost of adjudications of appeals relating to vehicle immobilisation and release; and
- (2) the payment of sums into the Consolidated Fund.—
(*Mr. Timms.*)

12.56 pm

The Parliamentary Under-Secretary of State for Justice (Claire Ward): Hon. Members will recall that the House agreed a money resolution in respect of the Crime and Security Bill after its Second Reading on 18 January. Since then, the Government have tabled amendments to the Bill to establish a compensation scheme for victims of overseas terrorism, and to provide for a scheme to be set up so that motorists can appeal to an independent tribunal or adjudicator in respect of release charges when their vehicle has been clamped. Both these matters need to be covered by a Ways and Means resolution before the amendments can be considered in the Public Bill Committee. I commend the resolution to the House.

12.56 pm

Andrew Rosindell (Romford) (Con): I am most grateful to the Minister for outlining the purpose of today's brief Ways and Means debate on the Crime and Security Bill. Certain financial implications will flow from some of the necessary measures in the Bill, however, and I am concerned that the Government appear not to have thought through the process involved from day one.

Mr. Peter Bone (Wellingborough) (Con): Was not my hon. Friend amazed by the speed with which the Minister introduced this resolution, without giving any proper information or figures?

Andrew Rosindell: Yes, that was rather surprising, and I hope that she will come back at the end of the debate and address the whole range of questions to which the public need an answer. The provisions have major positive implications for those whose vehicles are clamped by cowboy clampers, but they also have financial implications for Government expenditure, as well as raising questions about any legal fees that might flow from them and about what the public might have to pay. There is also a possibility of local authorities having to spend money in this respect. These issues really need explanation, and I am surprised that the Minister has brushed them all aside and failed to address them at the start of this important discussion.

Mr. Lee Scott (Ilford, North) (Con): This is a well-meaning law that will, without question, benefit people. I want to see an end to these cowboy clampers charging exorbitant amounts to people who, in many cases, have not parked illegally. Does my hon. Friend agree, however, that the correct funding must be given to local government, rather than expecting it to come from their existing budgets? Otherwise, the pressures on local government would just be too much to bear.

Andrew Rosindell: My hon. Friend makes an extremely valid point. Having served on a local authority myself, I know how easy it is for Governments to bring in new laws and regulations that impose financial obligations

[Andrew Rosindell]

on local government without considering their impact on local government costs or any increase in council tax that might result. I hope that the Minister will explain herself at the end of this debate so that we can all understand the issue and explain to our local councillors and our constituents how this will be implemented, particularly the cost implications, along with the practicalities.

Mr. Shailesh Vara (North-West Cambridgeshire) (Con): I share my colleague's concern at the paucity of the Minister's comments. This is an important issue. In talking about charges, it is obviously important to explain what sort of charges will be involved. Will it cover full legal costs; will there be a scale rate; will there be fixed costs, and so on? I have to say that the paucity of comments from the Minister is somewhat breathtaking.

Andrew Rosindell: My hon. Friend emphasises the point. I have no doubt that when I have concluded my remarks—I have many points to make—the Minister will take the opportunity to explain herself and explain the Government's rather haphazard way of dealing with this matter, so that we can decide whether it is appropriate for the House to approve this motion today.

Of course, Her Majesty's Opposition welcome the provisions in the Crime and Security Bill to license businesses that engage in vehicle immobilisation. This change to the law is, I believe, long overdue, and I have no doubt that this will come as good news to motorists up and down the land, who are heartily fed up with being stung by cowboy clampers who charge exorbitant sums of money to all our constituents when they unwittingly park on private land, not realising the extent to which they could be fined. This, of course, has financial implications for the Government, for local authorities and, most importantly, for the constituents we are elected to represent. The Minister will need to answer these points.

I am sure that hon. Members from all parties will recall many examples of situations like this in their own constituencies. I certainly do. I have been contacted many times by constituents who have been clamped and fined huge sums of money. Their vehicles are immobilised and this can lead—

Madam Deputy Speaker (Sylvia Heal): Order. The hon. Member may be straying rather wide of the motion, which is quite a narrow one. Will he now confine his remarks to the motion currently before the House?

Andrew Rosindell: I will certainly endeavour to do so, but the points I am making have implications for the costs at local level. Until I can explain my arguments to the Minister, it is hard to see how she will be able to respond in a meaningful way.

Madam Deputy Speaker: Let me remind the hon. Member of the purpose of the motion. I am sure that he is aware of it. We understand the background, so he should concentrate his remarks on the motion set out on the Order Paper.

Andrew Rosindell: Thank you, Madam Deputy Speaker. The motion on the Order Paper seeks to authorise "the imposition of charges", and I would like to focus on the

word "imposition". Why has the Minister not explained how these charges are to be imposed? Who will administer this measure? Will the Government make adequate provision to ensure that it is done in a practical and meaningful way that will work? I would be most grateful if the Minister would outline the cost implications in greater detail. What overall costs for the appeals process are envisaged? What assessment have the Government made of how many people are likely to use this service? How much would each appeal cost on average? These are important questions that simply must be answered.

Mr. Vara: I think it is important to establish at this early stage whether the Minister intends to come back to the House and answer some of the very important questions that have been raised. The word "charges" is very broad and very vague, so I wonder whether my hon. Friend will be able to tempt the Minister to come back and give an assurance that she will make a substantive response as to what sort of charges are proposed.

Andrew Rosindell: I think my hon. Friend makes a valid point. I hope that the Minister has got the message at this stage—that those present in the House today feel that more detail should be given. How can we, as the House of Commons, make a judgment when so little information has been provided? I understand that the basis of the motion is financial, but to assess whether any financial motion should be approved, we need to understand how it will work in practice. The Minister will take the opportunity, I hope, to answer these questions and allay the concerns that many of our constituents may have.

May I also ask the Minister how much will be paid into the Consolidated Fund? How does she expect to recoup any of these costs? This involves taxpayers' money, so we need to know the answer to that question. Who, indeed, would pay the legal fees of those clamped but found innocent? Where would the money to deal with all of this come from?

Mr. Vara: Does my hon. Friend agree that it is very important to have clarification of the payment of fees? Will the charges apply to the separate parties or will they also include payment of the adjudicator and the adjudication process, which will have incurred some costs? Is this to be a system under which costs will be paid between the parties alone and what will the rates be? For example, if legal advice is provided, will all the attendant costs be covered or will there be a scale-based rate? It is highly important to clarify whether or not adjudication fees will be paid. Again, will they be paid at the proper cost rate or will there be fixed charges and a scale rate?

Andrew Rosindell: Once again, my hon. Friend makes extremely valid points about how this whole system will work, what charges will be imposed, who will pay the bills for the adjudicators and the legal costs when things go wrong and how the system will operate in practice. We are being asked to approve the financial implementation without being given the full details of how the whole system will work in practice.

Will the Minister clarify whether there are any financial implications for local authorities? Will the same rules apply to private operators as to local councils that are

responsible for parking enforcement on the public highways? Will she also explain how the system will work without a code of practice? Her Majesty's Opposition agree that there is a need for adjudication—

Madam Deputy Speaker: Order. I apologise for interrupting the hon. Member again, but I repeat that he is going wide of the motion. Let me re-emphasise that the motion is very narrow. I understand his concerns, but I am afraid that it is not appropriate to raise them in this debate.

Andrew Rosindell: Thank you for that clarification, Madam Deputy Speaker. I think we are all looking forward to the Minister answering these questions, as only the Minister can reveal what is behind this motion. I look forward to finding that out.

Finally, will the Bill's provisions that apply to wheel-clamping on private land also apply to ticketing, because financial implications are equally evident there? Will the appeals process be applicable to parking tickets as well? The financial implications need to be explained.

Madam Deputy Speaker: Order. I am afraid that the hon. Member has gone wide of the remit once again.

Andrew Rosindell: Thank you, Madam Deputy Speaker. I think that anyone watching this debate will wonder why it is that we cannot get to the nub of these questions. I understand the procedures of the House, Madam Deputy Speaker, but the problem is wholly due to the lack of a proper explanation by the Minister at the start of this debate.

Madam Deputy Speaker: Order. All I have to say to the hon. Member is that although people listening to the debate may not be aware of how narrow the motion is, Members present for the debate should be aware of that—and most are. That is why we are so restricted.

Andrew Rosindell: Thank you. I give way to my hon. Friend.

Mr. Vara: I fully appreciate the narrowness of the motion, Madam Deputy Speaker, but I trust that the House will appreciate the vastness of its implications. What we are trying to ascertain from the Minister are the precise details of a measure that will have a huge impact. Does my hon. Friend agree that, given the vastness of its consequences, one of the questions that the Minister must answer is "What are the Government trying to hide with the sparseness of their comments?"

Andrew Rosindell: We are still waiting with bated breath to hear what the Minister will have to say. I am baffled—we are all baffled—as to what the Government are trying to achieve, because we have not been given a proper explanation. Perhaps this constitutes a lesson: if the Government wish to table a motion of this sort, they should at least explain what they are doing.

Mr. Bone: I think my hon. Friend is about to end his speech, but I should say at this point that I am in a dilemma. If the House divides, I shall not be sure how to vote, because I have not heard the Government's argument. Has my hon. Friend any advice for me?

Andrew Rosindell: That is a good question. We shall have to see what the Minister's explanation is before the House decides whether or not to divide. I hope that she will come clean and reveal everything. I should of course have preferred a more reasonable discussion enabling our constituents who are watching the debate to understand the purpose of the motion, but no doubt the Minister will now explain the background so that we can understand a little better.

Important details are hidden behind the motion. The whole issue of wheel-clamping is of great concern to our constituents, and we want financial provision to be made to ensure that the Bill will work effectively. We are all fed up with cowboy clampers. I assure you, Madam Deputy Speaker, that Her Majesty's Opposition will do all that they can to support any sensible measure, practical or financial, to ensure that there is an end to cowboy clamping in our constituencies.

1.11 pm

Mr. David Heath (Somerton and Frome) (LD): What a meal the hon. Member for Romford (Andrew Rosindell) has made of the Ways and Means motion. Having said that, however, I should like to make a couple of brief procedural points.

Let me say first that the motion is before us because—yet again—substantial new parts of the Bill were introduced in Committee. Given that this is one of the criminal justice Bills with which we deal every year, it was to be hoped that Ministers would think a little about what they wanted to be in it before publishing it. The motion is before us because they did not, and they have now decided to add a couple of provisions. I do not know the merits of the provisions. I suspect that they are a very good idea—I should certainly like to see proper control of clampers and proper compensation for overseas victims of terrorism—but they should have been in the Bill from the start.

My second procedural point concerns the timing of the motion. The matters involved are still before the Committee, which has yet to report to the House. It is always helpful for the House to be aware of what has been determined in Committee, and, before Report, to deal with the appropriate Ways and Means motion in order to authorise expenditure that is at present entirely hypothetical, because it is based on consideration in Committee of matters that the House as a whole has not yet had an opportunity to discuss.

A Ways and Means motion is not the occasion on which to judge the merits of proposals such as this, far less to ask for details of the operation of a scheme. A Committee stage is the occasion on which that should be done, and the Report stage—if we reach it—will provide an opportunity for Members to have their say and for Ministers to explain the consequences of their proposals.

As you pointed out, Madam Deputy Speaker, this is a very narrow motion whose purpose is to authorise payments if, and only if, the proposals are found to be satisfactory on Report, pass through another place and receive Royal Assent. There is a scrutiny process and we do need to examine the details, but this is not the right time to do that. I have my doubts about the procedure as currently constituted. I do not think that even the

[Mr. David Heath]

limited consideration that we can give the proposals during the debate makes this an appropriate time to examine them.

1.14 pm

Mr. Peter Bone (Wellingborough) (Con): It is a great pleasure to follow the hon. Member for Somerton and Frome (Mr. Heath). I entirely agree with what he said about the procedure. I think it is generally accepted that dealing with money motions is one of the things that Parliament does very badly. The question of how we spend money is not debated properly. I recall, Madam Deputy Speaker, that you were in the Chair when I was trying not to deviate from the terms of a Ways and Means motion when we were spending £40 billion in one and a half hours.

I had no intention of speaking today, but I was interested to see what the business was. I have the utmost regard for the Minister, but we are discussing spending money, and she has not told us how much is to be spent. If she had told us that it was £50,000 or £5 million—

Mr. Heath: She does not know. We have not made the law yet.

Mr. Bone: That is one of the reasons why I am a little concerned about the timing.

Mr. Vara: Will my hon. Friend give way?

Mr. Bone: Briefly.

Mr. Vara: I am grateful. Given the financial state of the country, does my hon. Friend agree that it is particularly relevant for a motion of this kind to refer to money, and to specific amounts?

Mr. Bone: I disagree. I think that Ways and Means motions should always be debated in full. The spending of money is a very important aspect, but I do not think that the fact that we are in a financial mess of unique magnitude makes any difference to the fact that we should always discuss ways and means. However, I do not know how we are to do that without having been given even an estimate of the amount involved, and without knowing whether the Minister is going to tell us more. Perhaps little notes are being passed to her; I do not know.

I do not want to detain the House for long, but I am trying to make a serious point. We know about the principle, which was a matter for the Committee and will be decided on Report. However, we debate Ways and Means motions very rarely. We normally nod them through, saying, “Oh yes, it is all right to spend that amount of money.” That is where our Parliament fails and the American House of Representatives, for instance, succeeds.

Given the furore that is undoubtedly going on outside this place today about the importance of Parliament, it is sad that, yet again, the Government have in a sense taken Parliament for granted, and have not given us more detail on a specific Ways and Means motion. The merits of the issue are not important; what is important

is how much we are, or are not, going to spend. When I decide how to vote, or whether to divide the House, I want to be in a position to know that. I have a feeling that if the Minister does not tell us, the Division Bells will ring.

1.17 pm

Dr. John Pugh (Southport) (LD): I had not intended to speak either. The other day, however, I received a letter from the Minister about a constituent who has failed to secure compensation as a victim of terrorism, although the Minister acknowledged that he had indeed been a victim of terrorism. Let me say a little about the case, very briefly and, I hope, sticking to the point—

Madam Deputy Speaker: Order. The hon. Gentleman has been in the Chamber when I have drawn attention to the narrowness of the motion and the debate. I understand his concern for his constituent, but I have a feeling that this is not the appropriate time to raise that case.

Dr. Pugh: The point that I wish to raise is slightly procedural, and is also concerned with Government inconsistency. My constituent has been acknowledged by the Minister to be a victim of terrorism, but the Foreign Office has never acknowledged that. He has campaigned—

Madam Deputy Speaker: Order. I am afraid that I must rule the hon. Gentleman out of order. This is a Ways and Means motion. The hon. Gentleman may well have a case on behalf of his constituent that requires answering, but I regret to tell him that this is not the time or the place at which to raise it.

1.18 pm

Claire Ward: With the leave of the House, Madam Deputy Speaker, I should like to respond to the ingenuity of the hon. Member for Romford (Andrew Rosindell) in managing to extend the areas covered by the resolution in order to question many substantive areas of the legislation itself.

We are dealing with a Ways and Means motion, not a money motion. The motion that we are discussing is not, therefore, about the cost of the provisions, but about the charges and payments into the Consolidated Fund.

Mr. Vara: Will the Minister give way?

Claire Ward: I am well aware that the hon. Gentleman is seeking to ensure that there are opportunities to do other things around the House this afternoon, so I shall co-operate completely and give way to him.

Mr. Vara: I am most grateful to the Minister for giving way. She said the motion has little to do with cost, but may I remind her that it refers to “charges in respect of the cost of adjudications”?

As she said earlier that this has everything to do with charges and little to do with costs, I would be grateful for some clarification.

Claire Ward: It is not to do with costs; it is about charges and payments in relation to the Consolidated Fund.

May I now be allowed to try to answer some of the specific issues that have been raised? Questions were asked about the details and the costs and charges of this scheme in respect of wheel-clamping. They will be discussed in Committee.

Mr. Vara: The Minister has said there will be a consultation. Can she assure the House that it will not be the usual type of Government consultation, which is a sop to public opinion with decisions already having been made but a consultation taking place for the sake of it? Will she give an assurance that genuine consultation will take place, and that the views of those consulted will be taken into account before decisions are made?

Claire Ward: The hon. Gentleman should know that the Government always take into account the views expressed in consultations before coming to a view.

The Private Security Industry Act 2001 places a requirement on individual vehicle immobilisers who operate on private land—questions were asked about the impact on local authorities, but this applies not to local authority land, but to private land—carrying out the clamping of vehicles and the associated activities of towing or impounding. They must hold a licence issued by the Security Industry Authority if they charge a release fee.

Andrew Rosindell: I fully appreciate that the Bill does not apply to local authorities and their land, but does the Minister not accept that it is bound to have a financial impact on local authorities, because the public always go to the local council when there is a parking problem? Even when that takes place on private land, they still go to the council, so this will still have an impact on local authority spending.

Claire Ward: The hon. Gentleman is straying into rather more substantive issues to do with the Bill more generally, and they will, of course, be dealt with in Committee. This measure refers specifically to private land, and the action people might take and who they might approach if their vehicle has been clamped cannot be addressed in respect of it.

Mr. Bone: The excellent Minister is being most helpful, but I must be being extremely thick today. If this is a Ways and Means motion, there must be an estimate of the money, because if there is not, why are we here? I shall need to be told that figure before making up my mind as to whether we should have a Division.

Claire Ward: Well, the hon. Gentleman must decide whether he wishes to call a Division, and thereby take a step that his constituents—or mine, for that matter—might decide was simply challenging the substantive issue itself and seeking not to allow the usual procedures to take place that would ensure this important measure makes progress through the House. That is a decision for him. I have said to him that questions of charges and fees will be considered, to some extent, in Committee, and also in consultation. I can only reiterate that this is

a Ways and Means motion and that therefore it is about not the cost of provisions or the finer detail, but the charges and payments.

Andrew Rosindell *rose*—

Claire Ward: I shall give way again, but perhaps the hon. Gentleman will then allow me to answer one or two of the points that he made.

Andrew Rosindell: I certainly will. The Minister is doing an excellent job in trying to persuade the House not to call a Division on this matter, but does she accept that there is so much concern in the House today because of both the poor explanation at the beginning of the debate and the muddled way in which the Government have handled our discussion and the issue of introducing further motions? There will be another Ways and Means motion in respect of this Bill next week. It seems to me that the whole Bill is more about the forthcoming election than actually achieving results for the British people.

Claire Ward: I can assure the hon. Gentleman that these are important matters, which is why the Government are responding to the views that have been expressed to us by bringing forward these measures. In respect of the resolution that is required for the overseas victims of terrorism scheme, that is a complicated scheme and given that it has been a difficult task, I believe the Government have done all we possibly can to ensure that we bring forward this legislation as soon as possible and in the most appropriate fashion.

Clause 39 of the Bill amends the 2001 Act to provide for vehicle immobilisation businesses to require a licence issued by the SIA in order to carry out these activities. Regulations will specify the conditions that businesses will have to meet in order to qualify for a licence. These will include maximum release charges and other rules governing clamping, towing and impounding.

A Government amendment to the Bill provides for a scheme to be set up so that motorists can appeal to an independent tribunal or adjudicator in respect of release charges. Appeals can be on either the principle of the charge—for example, if the signs were inadequate—or the amount charged, if it exceeds the maximum to be set. The detail of the appeal arrangements and rules will be set out in regulations to be made for the purpose.

The appeal scheme will be funded largely by the vehicle immobilisation industry. The fixed costs of running an appeals system would be met by businesses as part of their business licence fee. It is proposed that vehicle immobilisation businesses will also pay a set sum in respect of the total variable running costs of adjudications, covering costs such as the adjudicator's time and the costs of accommodation for hearings.

Mr. Vara: The Minister said that the costs are being paid “largely” by one body. Which other bodies or groups will be making up the difference?

Claire Ward: The full details of the costs of the scheme will be considered in Committee. Let me simply say today that we are making provision through the Ways and Means motion to ensure that this procedure can be debated thoroughly in Committee.

[*Claire Ward*]

Businesses will only pay the sum to which I have just referred when they lose an appeal. As a result, the payment will reflect the variable costs of all adjudications. It is also intended that the motorist will be required to pay a modest fee for each appeal made, irrespective of whether that appeal succeeds. The intention is not to burden appellants unduly, but to discourage speculative appeals without foundation.

Since the payment made by losing companies will contribute to covering the costs of other cases where the vehicle immobilisation business has won the appeal, and it will be based on averaging out the costs over all appeal cases, there is an element of cross-subsidy. The Home Office believes that this is the fairest approach; the bulk of the overall cost is met by those companies that lose appeals, but a modest fee will discourage motorists from speculative appeals. In general, a Ways and Means resolution is needed if people are required to pay out money other than for a service or other benefit that they are receiving fairly directly.

The House will be aware that my right hon. Friend the Home Secretary announced on Second Reading that we would table amendments to the Bill to provide for the establishment of a victims of overseas terrorism compensation scheme. As with the legislation governing the domestic criminal injuries compensation scheme, the amendments to the Bill include provision for compensation to be repayable in circumstances specified in the scheme. The criminal injuries compensation scheme of 2008 provides for compensation to be repaid where the beneficiary subsequently receives a payment in respect of the same injury from another source—for example, following a civil claim for damages. We envisage that the overseas terrorism compensation scheme will include a similar provision. As with the domestic scheme, new clause 14 tabled to the Bill provides for any such repayments to be paid into the Consolidated Fund. Provisions in

legislation about the use of receipts must be authorised by a Ways and Means resolution, hence the second paragraph of the motion before the House today.

We have had an extensive debate—

Mr. Bone *rose*—

Claire Ward: But clearly not extensive enough, and as there is still time left that the hon. Gentleman wishes to ensure is available to him, I am more than happy to give way.

Mr. Bone: I am very grateful to the Minister, who is being extremely generous in giving way. She is winning me over, I have to say. I grasped the point on the issues relating to vehicles—slowly—and I am with her on that. However, the terrorism issue is not mentioned in the motion as such. If we could have a little more explanation of that, she might win me over.

Madam Deputy Speaker: Order. I am afraid I must intervene ahead of the Minister and say that that is wide of the motion.

Claire Ward: Thank you, Madam Deputy Speaker, for your guidance. I am not sure there was much more I could have added without getting into a debate on the substantive nature of the amendments, and I am sure that Members will want to have that opportunity in Committee or when the Bill returns to this House.

This is an important motion that has been debated more than thoroughly by the House today. The right place to debate matters of detail, of course, is in the Public Bill Committee, where there will be an opportunity for its members to discuss the amendments. I hope the House will give its full support to the Ways and Means motion today, and I commend it to the House.

Question put and agreed to.

Corporation Tax Bill

Motion made, and Question put forthwith (Standing Order No. 60(8)),

That the Committee of the whole House be discharged from considering the Bill.—(*Mr. Timms.*)

Question agreed to.

Third Reading

1.34 pm

The Financial Secretary to the Treasury (Mr. Stephen Timms): I beg to move, That the Bill be now read the Third time.

I am pleased to open this Third Reading debate on the Corporation Tax Bill, and delighted to be debating once again with the hon. Members for South-West Hertfordshire (Mr. Gauke) and for Stockport—

Dr. John Pugh (Southport) (LD): Southport.

Mr. Timms: Indeed; that is not the first time that I have made that mistake. The three of us took part in a rather different discussion yesterday.

This Bill rewrites a range of corporation tax provisions, including provisions about the computation of profits, small profits relief, losses, group relief and distributions. It also rewrites some provisions that are more specialised—for example, those related to UK real estate investment trusts and others related to avoidance.

The Bill has been produced by Her Majesty's Revenue and Customs' tax law rewrite project and continues the project's work to modernise direct tax legislation so that it is clearer and easier to use. Last year, the project completed the first part of the task of rewriting corporation tax when the Corporation Tax Act 2009 was enacted. This Bill completes that work and means that, substantially, the whole of the legislation relating to corporation tax will have been rewritten.

Let me remind the House about the work of the tax law rewrite project. It was set up in 1996 by the then Chancellor—the current shadow Business Secretary—following a defeat for the then Government in the Finance Bill Committee, of which I was a member, on an amendment moved by the then hon. Member for Beaconsfield, Tim Smith. The project has, on the whole, continued to enjoy support from across the House since its establishment. Its principal aim is that the rewritten legislation should be far more accessible to users than the source legislation, some of which is dense and difficult to follow. Its success has been widely acknowledged and confirmed by independent market research.

To date, the project has rewritten the capital allowances and income tax legislation, and completed the first part of the task of rewriting corporation tax legislation. This Bill is the sixth produced by the project. The project takes great care to ensure that the legislation's effect is essentially unchanged by rewriting, but it can make minor changes in the law where they improve the legislation—for example, to remove ambiguity, to repeal obsolete provisions or to correct minor, unintended anomalies. There are 66 such changes set out in the explanatory notes to this Bill. Major changes will always be matters for a Finance Bill. All proposed changes in

the law are considered by both the project's committees, and no minor changes are included in the Bill without the approval of both.

The work would have been impossible without considerable input from tax specialists and others, and I express particular thanks to them and to the members of the project's consultative committee, chaired by Miss Robina Dyall, who have ensured that the consultation has been detailed and thorough. The consultative committee includes representatives of small and large businesses, accountants, lawyers and other tax specialists. The time and commitment they have all invested are greatly appreciated.

The strategy of the project is set by its steering committee, chaired by the noble Lord Newton of Braintree, which includes Members from both Houses of Parliament and members of the judiciary, of business and consumer groups and of the accountancy and legal professions. I am particularly grateful to Lord Newton, who took over from the noble Lord Howe, for his commitment and guidance, and to the members of his committee.

The Joint Committee of both Houses, of which I was a member, chaired by the hon. Member for Chichester (Mr. Tyrie), considered the Bill on 11 January and noted the extensive consultation process to which it had been exposed. It paid close attention to the reasons for rewriting recently enacted legislation, the impact of the rewrite changes proposed in the Bill, and the powers in the Bill to amend the legislation. It also considered all the amendments to the Bill. The Joint Committee concluded that the Bill is a welcome clarification of the existing law, which, as a result, will be easier to use and more accessible. The Committee was satisfied that the changes to the law were of very minor significance and it accepted the amendments, all of which were technical.

This Bill is the second of two Bills that rewrite corporation tax legislation. Some of the corporation tax rules in it originally applied to both income tax and corporation tax, but as the tax law rewrite project's previous Acts provided a separate set of provisions for income tax, the income tax provisions have been in the rewrite style, whereas the corresponding corporation tax provisions remained in the original form. The Bill finishes the process of bringing the drafting of corporation tax back into line with that for income tax where the provisions share the same source legislation.

The Bill is a worthwhile contribution to modernising direct tax legislation, making it clearer and easier to use, and it maintains the project's excellent record in improving current legislation and has been welcomed by those who use it. I am very grateful for the support that has been shown across the House throughout this exercise, and I commend the Bill to the House.

1.40 pm

Mr. David Gauke (South-West Hertfordshire) (Con): It is pleasure to speak on Third Reading. This is very nearly the end of the process—we have another Bill to discuss this afternoon—but it is a good opportunity for us to thank those who have been involved in it over the past 14 years. As the Minister said, it all began in 1996 when my right hon. and learned Friend the Member for Rushcliffe (Mr. Clarke), the then Chancellor of the Exchequer, set up the tax law rewrite project. He went on to Chair the Joint Committee on Tax Law

[*Mr. David Gauke*]

Rewrite Bills. Those are two of the many contributions—both past and future—that he will have made to public life.

By the time a tax Bill reaches its Third Reading, an Opposition Front Bencher has usually devoted what feels like weeks of their life to addressing the matter. The tax law rewrite project process is unusual, in that an Opposition Front Bencher's involvement tends to be on Second Reading and Third Reading. The Minister has a slightly greater role as a member of the Committee, but I am sure that he would be the first to accept that it is not quite as demanding upon his time as a Finance Bill would normally be.

None the less, for many people this has been the most enormous project, and one should pay tribute to those who have been involved in it: the independent steering committee, which is chaired by Lord Newton and, as the Minister said, was previously chaired by Lord Howe of Aberavon, who has had a long-term interest in the making of tax law; Members of both Houses who have been part of the Joint Committee; members of the judiciary, and of the legal and accounting professions; and business and consumer groups. I particularly wish to thank my hon. Friend the Member for Chichester (Mr. Tyrie) for his service as Chair of the Joint Committee. In its report, which I read through, he acknowledged that he was new to the process, but he handled the proceedings with the skill that one would expect of him.

I also wish to thank the consultative committee, which consisted of members of the main tax and business representative bodies, and the many consultees involved in the process, both in the professional organisations and businesses, and in Her Majesty's Revenue and Customs. They responded to the project by devoting a great deal of their time to it, without any compensation as such, and they played an important role in developing this law.

Of course I also wish to thank the tax law rewrite project team for all its efforts over many years in developing this legislation. The first bit of legislation was the Capital Allowances Act 2001. It was followed by three Acts relating to income tax: the Income Tax (Earnings and Pensions) Act 2003, ITEPA; the Income Tax (Trading and Other Income) Act 2005, ITTOIA; and the more simply-named Income Tax Act 2007. In this context, one should also mention the Income Tax (Pay As You Earn) Regulations 2003. The legislation on corporation tax is: the Corporation Tax Act 2009, this Bill and the Taxation (International and Other Provisions) Bill, which we will debate subsequently.

I have set out my thanks to all those involved in the process; the level of professionalism has been very high. I now wish to raise a query that the Minister will anticipate, and it is not, in any way, meant to take away from anything done by those who have been involved in the process. Does the process go far enough? It has required a great deal of expertise, it has placed great demands upon the consultees and it has cost £37 million, which is not an insignificant sum.

It is worth citing the remarks made by John Whiting, the tax policy director of the Chartered Institute of Taxation, with whom those of us who have anything to do with tax tend to be familiar. He said:

“The Rewrite has done a good job but our concern has always been that it has not really been the right job. The new law is certainly clearer but it would have been better to put the effort into simplifying the system rather than just the wording.”

He went on to say that

“the Institute believes that bringing the Rewrite to a close is correct, as we have previously said. We would hope that more effort can now be put into simplifying the tax system.”

We fully endorse those remarks.

The importance of the project has not just been about the rewriting of the legislation and the provision of greater clarity in the wording—that is important; we can build upon a lot of the work that has been done, because we can use some of the structures that exist. For example, the Joint Committee involves parliamentarians making use of outside expertise to scrutinise technical legislation with perhaps more thoroughness than we normally achieve through the Finance Bill process. I have had the honour of being part of that process for the past four years, but I wonder whether, in this complicated area of tax law, a committee that can inquire more than debate and that has access to expert advice is able to provide greater scrutiny than the traditional parliamentary process.

Dr. Pugh: There is a general demand, which I think we all accept, from business to have corporation tax simplified. However, the paradox is that when one starts talking about removing a specific allowance that affects a specific business, the tune changes somewhat. Thus, it is rather difficult to conduct the process in a universally agreed way.

Mr. Gauke: The hon. Gentleman makes a perfectly good point; the losers tend to make more noise than the winners—that is inevitable. I was coming to the issue of simplification, which relates to the argument that John Whiting has been making. Two elements are worth exploring, the first of which is the possibility of a greater degree of scrutiny. The tax law rewrite project has involved scrutiny, but the project has had a very limited remit: to focus on rewriting the language. We will discuss the conclusions that have resulted from that.

The second element is the push towards simplification, and I take on board fully the remarks of the hon. Member for Southport (Dr. Pugh) about that. None the less, the view of my party is that simplification is worth pursuing. All this, whether we are discussing the clarity of language, which is what this Bill is about, or simplification, fits into the issue of the competitiveness of the tax system. I will not digress at any length into corporation tax rates, for example, but this is obviously a Bill on corporation tax and it would be remiss of me not to mention the fact that we used to have a corporation tax rate that was lower than the OECD average in 1997, whereas it is now higher. In 1997, the UK had the 11th lowest corporation tax rate in the world, and now has the 23rd lowest—

Madam Deputy Speaker (Sylvia Heal): Order. May I remind the hon. Gentleman that, as he has recognised, there are some limits to this debate? I hope that he will recognise that and confine his remarks appropriately.

Mr. Gauke: I am grateful for that guidance, Madam Deputy Speaker.

I certainly shall not pursue the issue of corporation tax rates, but clearly the intention behind the Bill is to improve the clarity of corporation tax law. That is an important element in improving—or trying to improve—the competitiveness of the UK tax system. Our argument is that we should go further and that simplification would do much to improve our competitiveness. The process that we have seen in the tax law rewrite project is a valuable guide to how we could go further. I shall not dwell on our proposal for an office of tax simplification, which would make use, as this project has, of the expertise in the tax professions, in businesses, in HMRC and in HM Treasury to ensure that we develop our tax law in an attractive way.

It is worth stressing that we live in a very competitive world. The UK, in many respects, should be well placed to benefit from a globalised world, but it needs a competitive tax system. May I briefly highlight the fact that in 1997 the UK was fourth in the World Economic Forum's global competitiveness report's ranking for having the lowest tax burden? According to a measurement that is not exactly the same but is the closest equivalent, it is now ranked 84th for the extent and effect of taxation. That is a substantial decline, not because of the tax rewrite project but despite it, of course. None the less, we need to go much further. We believe that an office of tax simplification would be a huge step forward.

Let me raise another query with which the Minister might be familiar, as he briefly touched on it in his remarks. The argument was often made that making legislation clearer in the context of income tax was very important. Income tax is relevant to nearly all of us, whereas companies tend to be advised on corporation tax. It is an area that inevitably involves some specialist expertise. Is it quite as necessary to pursue a rewrite project in that context?

Of course, the first point to make—the Minister touched on this—is that there is an interrelationship between income tax and corporation tax, and having reformed income tax, it makes sense to follow with this corporation tax Bill. The second point is that existing practitioners are often somewhat dubious about the project, because they already know where everything is. They are familiar with the existing law and the various sections and schedules, and they know their way around. There is a complication when a new Act that changes things around is introduced. Of course, one must have a degree of intergenerational fairness to tax advisers in this area, and it might well be easier for future generations to find their way around with this new legislation.

Sometimes it is recent legislation that is being amended—again, the Minister touched on this point. In particular, he highlighted the legislation on real estate investment trusts. The regime for REITs was introduced in 2006, and it is substantially rewritten in the Bill. I was struck by the remarks of John Sellers, the head drafter of HMRC's tax law rewrite project, in Committee on 11 January. He referred to the substantial recasting of REIT legislation and went on to say:

“the legislation had been passed, I think, at a point when policy was still being developed and in those circumstances it was difficult to achieve the optimum arrangement of the material.”

A couple of points can be made about that. First, I would be interested to know from the Minister, with his vast experience as a Treasury Minister, how often legislation is passed while policy is still being developed? Perhaps

naively, I thought that the policy came first and the legislation followed, but possibly that was not the case. Perhaps that was a peculiarity of the Minister at the time, who, if I recall correctly, is now the Secretary of State for Children, Schools and Families. None the less, that is somewhat surprising. We will always face the need to improve the clarity of legislation if we do it that way round—if we do the legislation first and the policy second. That is somewhat surprising in this context because, if I recall correctly, the REIT legislation was in gestation for some time. It was not rushed. I would be grateful if the Minister could tell us why it has been necessary to recast it.

Let me return to the limitations of the tax law rewrite project. There is quite a strong argument for reconsidering the REIT legislation, not just in terms of how it is structured and drafted, but on its merits, too. In the proceedings on the Finance Bill last year I tabled amendments on the restriction on distributions, for example. At least 90 per cent. of property income must be distributed in the year in question, and currently that has to be done in cash. There was an argument about whether shares should be allowed too, given that there should be no tax consequence. I do not want to go outside the scope of the Bill, but perhaps the Minister will say something about whether the Government are considering the REIT regime, which has cross-party support, more widely. I know there have been difficult economic conditions for REITs, but there is an argument about whether the regime could go further and whether reforms will be necessary. I would be interested to hear his views.

None of these debates would be complete without my briefly mentioning the order-making powers in clauses 1178, 1179 and 1180. The Minister customarily reassures us that those order-making powers, which enable primary legislation to be changed by regulation, will be used only in exceptional circumstances. The Bill restricts them somewhat. I would be interested to know to what extent those powers have been used for previous tax law rewrite Bills. One point that was raised in Committee—it would be helpful if the Minister could address it in this debate—was whether a negative resolution is sufficient or whether the affirmative procedure should apply.

My final query—I apologise: I have two final points; I am sorry to disappoint the Government Whip—relates to whether some of the changes will involve more or less tax being paid. The Minister has said that no major changes are contained in the measures, and rightly so, because they do not involve the same level of parliamentary scrutiny. However, I should like to know whether there has been any assessment of the revenue implications of the changes in the Bill, and whether there is a rough and ready test to determine whether a change constitutes a major change—one too significant to be contained in a tax law rewrite Bill. I should also like to know how that assessment is made.

Finally, some of the amendments made in Committee, particularly those to schedule 1, relate to Northern Ireland, and I wonder why those issues were missed earlier. When the Minister responds to this point, will he say something about the process when new issues arise in Committee? Where do they come from, who identifies them and are they part of the consultation process? We would like to get a better idea of the point at which weaknesses and omissions are addressed.

[Mr. Gauke]

Subject to those queries and questions, we welcome the Bill. The tax law rewrite project might not be perfect and might have too limited a remit, and there is more to be done to move towards simplification, but we should none the less acknowledge the enormous efforts that have been made by many people to improve the clarity of our tax law. That is an important objective. A start has been made, and we hope that a future Government will take on the project and do more to simplify our tax system, not just to clarify it.

2.2 pm

Dr. John Pugh (Southport) (LD): I have not had the advantage, or indeed the pleasure, of being on the Committee, but I pay tribute to all the people who have laboured long and hard to bring the Bill before the House. This kind of legislation takes me back to my days as a council leader when members were annually shown for comment long papers on treasury management that were full of algebra, rather like pages 13 to 16 of the Bill. They were always passed without undue comment, and I note in passing that hon. Members have not exactly been fighting to get into this debate. If the truth were told, only a few pointy-headed people in the Treasury have complete mastery of the entire legislative feast that confronts us—and that includes the Minister, whose knowledge is encyclopaedic, so I assume that he understands it. There is a real case, as the hon. Member for South-West Hertfordshire (Mr. Gauke) said, for expert advice in certain areas in which Members' background knowledge is deficient.

The measures before us are, in part, highly technical, and largely uncontroversial. The document is one for tax lawyers to work with as much as one for politicians to mull over. It is largely a tax rewrite and consolidation, rather than ground-breaking, innovative legislation that we need to get excited and argumentative about. It is, however, important, and it would be wrong and foolish of us to pretend that we could do justice to it all here in the time available, so I shall content myself with probing the Minister simply about the general thrust and shape of the legislation, bearing in mind that I wear another hat as a member of the Public Accounts Committee. The Committee recently did an excellent report on corporation tax, which is an odd tax because research shows that raising it does not necessarily raise the total take and that lowering it does not necessarily reduce the take. I think that we can all conclude from that observation that it is easily avoidable.

One point that the Committee made in its report follows from what the hon. Member for South-West Hertfordshire has just been saying. Conclusion two of the report states:

“Businesses in the United Kingdom can legitimately reduce their Corporation Tax payments by claiming a range of reliefs and allowances. In some cases, the liability may reduce to zero, even though the businesses have made profits. The amount of tax foregone is likely to be substantial, but is not visible.”

I cannot tell whether the Bill has been crafted to do what the Committee wants the Government to do, which is ensure that a proper balance is achieved between allowances and overall liability, but I welcome the Minister's assurance that he is mindful of that point.

The Committee also pointed out that the Department does not have

“a robust measure of the Corporation Tax gap”,

by which we mean the difference between what large businesses pay and their theoretical liability. The report makes another point that is worth making now, given the long evolution of the legislation—that, in a change from recent times, about half the growth in global trade now comes from transactions between subsidiaries of multinational companies. However, recommendation eight states:

“In the United Kingdom, groups of companies are not required to prepare consolidated Company Tax returns so the Department cannot assess the effective Corporation Tax rate across a group of companies.”

It then cites Australia and Canada as counter-examples of where things are done a little better. I do not suppose that the legislation was crafted to resolve all those issues, but can we have an assurance from the Minister that those anxieties require a legislative response, and will he ponder whether vehicles such as this Bill provide an appropriate opportunity for that?

I have other concerns, including concerns about the development of bespoke tax avoidance schemes. The Minister is acutely aware of those concerns, and I know that he is working hard to close loopholes where and when they appear. Corporation tax matters are generally controversial, and no issue to do with taxation and this Government is simple. However, corporation tax is a valuable piece of the fiscal jigsaw, and we have to hope that this legislation has got things right.

2.6 pm

Mr. Timms: I welcome the constructive comments from the hon. Members for South-West Hertfordshire (Mr. Gauke) and for Southport (Dr. Pugh), and the broad support that the Bill enjoys. The hon. Member for South-West Hertfordshire suggested that the work should go further and the underlying tax rules should be simplified, but I remind him that the Government have already committed to simplifying the tax system, and we are working with a wide range of interested parties through the tax simplification reviews. The rewrite complements that commitment. I also draw his attention to the fact that the UK compares very favourably internationally, ranking first among G7 countries for ease of paying taxes. The World Bank “Paying Taxes 2010” survey is well worth a read. It makes the point that in the UK it typically takes 110 hours for a company to comply with paying taxes, whereas in Canada, France, the United States, Germany, Japan and Italy it takes a great deal longer. In Japan and Italy, for example, it takes more than 300 hours.

Ease of compliance is what really makes a difference for businesses. For the reasons that we have discussed, more pages of legislation are appropriate for this issue, because although income tax and corporation tax legislation have been placed in separate locations, ease of use and clarity have been improved. I am happy to repeat the assurance that I gave on Second Reading and in Committee that the powers cannot be used to change the law in relation to periods before the Bill comes into force, so the powers are time-limited. As with previous rewrite Acts, I can confirm that the powers will not be used unless the tax law rewrite project's consultative and steering committees both agree that they should be so used.

The hon. Member for South-West Hertfordshire asked me about the rewriting of the real estate investment trust legislation. That reflects the fact that when the REIT legislation was introduced by the Finance Act 2006, there had not been time fully to work out how it should apply in certain cases, particularly in relation to joint venture companies and groups. Powers were therefore taken in that Act to enable those gaps to be filled using regulations, but the resulting regulations are considered to be equal in importance to the legislation in the Act. So I think that it is appropriate for them to be addressed as they have been.

The hon. Gentleman asked about the powers to correct the legislation. The five rewritten Acts so far include more than 4,500 sections, but a total of only 97 errors have been corrected either by using the powers or by primary legislation. That is a great credit to the extensive consultation process and to those who gave their time and expertise to review the draft clauses. Most of the errors have been corrected in primary legislation, rather than by using the powers that we have discussed.

I am grateful to the hon. Member for Southport for the points that he raised, and I can give him the assurance that he sought. We certainly bear the concerns that he raised in mind.

I pay tribute again to the work of the team led by Robina Dyal. This Bill does not reform tax law, but it is important and has cross-party support. It will make things easier for everyone using tax legislation.

I commend the Bill to the House.

Question put and agreed to.

Bill accordingly read the Third time and passed.

Taxation (International and Other Provisions) Bill

Motion made, and Question put forthwith (Standing Order No. 60(8)),

That the Committee of the whole House be discharged from considering the Bill.—(*Mr. Timms.*)

Question agreed to.

Third Reading

2.11 pm

The Financial Secretary to the Treasury (Mr. Stephen Timms): I beg to move, That the Bill be now read the Third time.

This Bill has two themes. First, it rewrites international provisions such as double taxation relief, transfer pricing, advance pricing agreements and tax arbitrage. Secondly, it helps users of tax legislation by relocating and, where appropriate, rewriting provisions that would otherwise have been left unhelpfully in the Income and Corporation Taxes Act 1988 or in one of the Finance Acts.

As we have just discussed, last year the tax law rewrite project completed the first part of rewriting corporation tax legislation when the Corporation Tax Act 2009 was enacted. A second Corporation Tax Bill, the sixth Bill produced by the project, has just received its Third Reading. As a result, the whole of the legislation relating to corporation tax will have been rewritten.

This is the seventh and final Bill produced by Her Majesty's Revenue and Customs' tax law rewrite project. As with the Bills produced by the project in the past, this one continues the work to modernise our direct tax legislation so that it is clearer and easier to use.

There is a further point that I want to make about the approach taken in this Bill. In rewriting the international provisions, this Bill, unlike previous rewrite Bills, does not separate them for income tax and corporation tax purposes. This different approach was agreed in consultation with users represented by the independent committees that oversee and support the work of the project.

The project takes great care to ensure that the effect of the legislation remains the same, but it can encompass minor changes in the law when they improve the legislation. There are 15 such changes detailed in the explanatory notes to this Bill, although of course major changes will always be matters for a Finance Bill. All proposed changes in the law are considered by both the project's committees, and no minor changes are included in the Bill without their approval.

Again, I should like to express particular thanks to the UK tax specialists, and others. My gratitude also goes to members of the project's consultative committee, chaired by Robina Dyal, who have ensured that the consultation has been detailed and thorough. The consultative committee includes representatives of small and large businesses, accountants, lawyers and other tax specialists. They have been very generous with their time and energy, for which we are very grateful.

The strategy of the project is set by its steering committee, chaired by Lord Newton of Braintree, which includes members from both Houses of Parliament, the judiciary, business and consumer groups. I am particularly grateful to Lord Newton for his commitment and guidance, and to the members of his committee.

[Mr. Stephen Timms]

As we debated previously, the Joint Committee of both Houses was chaired by the hon. Member for Chichester (Mr. Tyrie). It considered the Bill on 11 January and concluded that the Bill is a welcome clarification of the existing law, which as a result will be easier to use and more accessible to all users. The Committee was satisfied that the changes to the law were of very minor significance, and it accepted the amendments.

This Bill is a worthwhile contribution to modernising our direct tax legislation so that it is clearer and easier to use. It maintains the project's excellent record in improving current legislation and has been welcomed by those who use it. Once again, I am grateful for the support that has been shown across the House throughout this work.

I commend the Bill to the House.

2.15 pm

Mr. David Gauke (South-West Hertfordshire) (Con): It is almost tempting to deliver essentially the same speech that I delivered a couple of moments ago, but that would break the heart of the Government Whip and I would hate to do that. I am also very tempted to say, "I refer the House to the speech I gave some moments ago," but perhaps that would go to the other extreme.

The international aspect of taxation is hugely important for an outward-looking economy such as the UK's. We witnessed great difficulties in 2008, when a number of companies moved their head offices out of the UK because of concerns over international taxation, in particular the Government's consultation with regard to controlled foreign companies that was published in 2007. We touched on that point on Second Reading.

We welcome progress towards greater clarity in this respect, but we touched on the issue of controlled foreign companies in the Second Reading debate of 15 December. The Minister made it clear then that a consultation document was to be published in the new year, which would lead ultimately to legislation that I presume will be incorporated in this Bill when it becomes an Act. The consultation document was published in January, and the early indications that we have seen are encouraging. The Government are moving towards a more territorial system, and it is worth putting it on record that the Opposition believe that that is something that we need to pursue.

Of course, the real test will come when we see the details in the consultation document and what will follow from it. It might be useful to mention that one of the points raised with us is that we need to know how the new user-friendly motive regime contained in the consultation document will operate in practice. The outcome must avoid causing difficulties with HMRC and placing an administrative burden on multinationals that are looking to locate in the UK. It is important that we have a competitive tax system that encourages business to locate here.

Many of the remarks that I made earlier also apply equally to this Bill, and I should like to add my thanks to the various organisations and individuals that the Minister mentioned in his remarks, but I want to make a final point that I could also have made about the

previous Bill. That is that witnesses at the Committee stage observed that the engagement by consultees seems to have fallen away slightly. As I noted in the earlier debate, the tax professions and businesses want legislation that goes further than merely clarifying and simplifying the language. They want something that starts to address the substance as well. I make that point again but, those comments apart, we support this Bill.

2.19 pm

Dr. John Pugh (Southport) (LD): If the re-committed Corporation Tax Bill was opaque, this is doubly so, and I say that as a veteran of several double taxation statutory instruments in my time. I want briefly to commend the Government and the Minister for the seriousness of their intent in this matter. I note the updating of tax avoidance legislation. When 82 per cent. of central London commercial properties are owned by companies registered outside the UK—that is the figure from the chief executive of Her Majesty's Revenue and Customs—when companies exploiting the developed world's resources choose to base themselves largely in Bermuda, the Cayman Islands and the Isle of Man and pay little if any tax, and when our biggest retailer put its property portfolio in Liechtenstein, there is a problem, but it is one that the Government have endeavoured to square up to.

Tax avoidance and double taxation are two incompatible evils, and any Government who recognise the reality of international finance need to strike the right balance between them. The Government, and the Financial Secretary in particular, have been resourceful and persistent in their efforts in this regard, and have accelerated the work in this very complex field, using what coercive and persuasive powers they have. I know that the Financial Secretary has had discussions with Crown dependencies' many tax havens and we see now a panorama of treaties around the world, and statutory instruments in this place are multiplying similarly. It is an important point. In a depressed world, it is important that all pay their fair share of tax, and an aspect of this Bill, at any rate, is part of the long, painful, not unrewarding task of making that happen, in which the Financial Secretary has played a conspicuous part.

2.21 pm

Mr. Timms: Once again, I welcome the helpful remarks made by the hon. Members for South-West Hertfordshire (Mr. Gauke) and for Southport (Dr. Pugh). I was particularly interested in and grateful for what the hon. Member for South-West Hertfordshire said in passing about the discussion document that we have published recently on the reform of controlled foreign company rules. I agree with him about the importance of this key issue for the UK's tax competitiveness and I welcome further discussion with him and others in the House and with the large number of companies and organisations that will be taking a close interest as work on this goes forward with a view to legislating—I hope, in the finance Act next year.

I am also grateful to the hon. Member for Southport for his comments about the seriousness of the Government's intent in tackling tax evasion and avoidance. This is an area that he has taken a close and helpful interest in and I am grateful to him for what he said. Over the last year

we have made more progress on tax information exchange than was made in the previous 10 years. The interest that he has shown is a helpful addition to making the progress that is needed.

Mr. Gauke: May I take this opportunity to reiterate the remarks that I have made in some of those double taxation treaty statutory instrument committees? I know that there is potentially a backlog in getting through some of the treaties, such is the number that have been entered into in recent years, and the Opposition are willing to co-operate with the Government to ensure that we can get through as many of those as possible. We think that that adds to the attractiveness of the UK as an economic proposition, as well as addressing some of the concerns about tax avoidance.

Mr. Timms: I am grateful to the hon. Gentleman for that.

Finally, once again I express thanks to the very large number of people who have contributed to the tax law rewrite, and my particular thanks go to Lord Newton and Robina Dyll. This is the final debate of its kind and once again I commend the Bill to the House.

Question put and agreed to.

Bill accordingly read the Third time and passed.

East Coast Main Line

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

2.24 pm

Sir Alan Beith (Berwick-upon-Tweed) (LD): I am pleased to have the opportunity to raise the issue of rail services on the east coast main line from stations in Northumberland. I am particularly pleased to be doing so in the early afternoon rather than at the usual time of 6 o'clock, because the last train to Berwick is at 6 o'clock and that is my only opportunity to get there before my surgery tomorrow morning. That illustrates one of the weaknesses in the present service, but I will say by way of preface that over the 36 years that I have been a Member of Parliament we have seen significant improvement in the service—not massive improvement, but significant improvement—particularly from Berwick and Alnmouth, achieved by stopping some more of the fast through trains there. That has paid dividends in terms of the number of passengers using the trains, which I will come back to.

In a relatively short time we have had, or will soon have had, four operators running the east coast main line service, and that is not counting British Rail, which ran it previously. We had GNER, which was an adventurous and innovative company, determined to provide good passenger service, and its departure was lamented by many travellers on the line. Then we had National Express, and while at first people were fearful of what would happen with a new operator, it made some changes, but generally achieved other things to compensate for them, including greater punctuality, and people were sorry to see it go. Now we have East Coast, which the Government own, so the Minister runs the trains on our line, indirectly, and so far it seems to be doing a reasonably good job of it, so much so that many travellers on the line, myself included, would rather have some stability and see the East Coast, Government-owned company running it for some time rather than rushing into another operator quickly. To lose one operator seems careless, but to lose two seems downright incompetent, and were we to lose three, I do not know where we would be. It goes back to the problem of trying to exact too big a premium for the system in general from the operator of the profitable east coast main line. The closed auction process—the bidding war—led companies that really wanted to run the service to overbid, and when events came along, including recession, they were unable to continue, and it has been a messy story.

But now, as I say, we have a Government-owned company running the East Coast service. However, that is not the only involvement that the Minister has because the Government determine what services will be run under the franchise system, and both the East Coast and the CrossCountry franchises are set by Government in considerable detail. This is one of the occasions when Ministers cannot say that these are all matters for somebody else; there is close ministerial and departmental involvement.

My focus this afternoon is on the stations that lie in the county of Northumberland, particularly Berwick, Alnmouth and Morpeth, the first two being in my constituency, and Morpeth being one that serves a

[*Sir Alan Beith*]

considerable area of my constituency. They all depend on east coast main line services and CrossCountry services. The local service to those stations is very limited, except in the case of Morpeth. The local service also serves Widdrington, Acklington and Chathill in my constituency, and we are working to improve it. We are also working to reinstate a station platform at Belford because of the absurdity that a train goes there twice a day and cannot collect any passengers. I will say something about that later. We are making real progress on that, and it may be the first station reopened in our part of the world since Dr. Beeching. If we achieve that, which I believe we can, we shall all be delighted.

I would like to see improvements to that local service, but for the moment I want to concentrate on the express mainline services. There would be no adequate train service at all from Berwick and Alnmouth were it not for stops for East Coast and CrossCountry trains—stops for fast trains. Berwick depends on those entirely, and Alnmouth very largely. Over the years, we have achieved some more stops for these trains.

We saw a particularly good improvement when Chris Green was running Virgin Trains. I was keen to demonstrate to him that there was considerable scope for getting more passengers at Alnmouth station, so I had him to tea here in the House of Commons and sent him up on a trip to look at Alnwick garden and the features of the town. He came back full of interest and excitement, and introduced several new stops on CrossCountry trains through Alnmouth on business grounds. At the same time, we made some improvements to the station. A real business dividend came out of that. Additional custom came on to the trains because the timetable was more viable. People would get a train in the morning because they knew there was a train in the afternoon that they could get back on. The timetable became viable—not as viable as I would like it to be, but much more so than it was. We need to maintain those improvements; they must be continued, not thrown away in careless timetable planning. That is a key point to which I shall return.

The background to rail use in my constituency, first and foremost, is that we have the A1, which is a very dangerous road, only parts of which are dualled. During my time in Parliament I have helped to achieve some additional dualling, but we are not there yet, and much more improvement is needed. People who live locally recognise the road to be very dangerous, and that is one of the many reasons, apart from the environmental ones, why it is better to travel by rail if possible. I have raised that subject in Adjournment debates on other occasions.

Berwick station is a railhead not only for north Northumberland but for the whole borders area. My hon. Friend the Member for Berwickshire, Roxburgh and Selkirk (Mr. Moore) is keenly interested in what happens at Berwick, and he and I are going to see the Minister shortly to talk about that in more detail. The station serves a very large area of southern Scotland in which there are no railway stations at all. That is easily noticed on the station platform when we see so many people coming from Scotland. Whole school parties from Scottish schools catch trains from Berwick, as well as all the people from Berwick itself and from Northumberland. Because Berwick is 55 miles from

Edinburgh and 65 miles from Newcastle, rail travel is very important. Things such as major hospitals, many people's work, shopping and major entertainment facilities are all a long way away, and therefore a train journey is the logical, and only really comfortable, way for many people to make such journeys. That makes the Berwick area quite different from many other parts of the country. A lot of people have settled there on the basis that they can work from home but travel occasionally to meetings in London or in other centres. That is an important developing pattern in our economy.

Alnmouth station serves much of mid-Northumberland and has close links with RAF Boulmer, whose service families are big users of the rail service there. It has nearby Alnwick garden, which is attracting vast numbers of tourists. Its management has just been taken over by somebody whose past experience has been in Disneyland, and he expects to increase tourism in the Alnwick area on a very large scale. Alnmouth has a lot of regular commuters and a very active rail users' group, which has contributed enormously to the pressure to maintain and improve services there.

Morpeth station, which serves the southern part of my constituency, has local services, many of which terminate there. However, it is also extremely advantageous for people who are travelling direct to London or on longer journeys to use Morpeth, because that saves them driving into Newcastle. That is an environmental benefit, as well as a benefit in terms of coping with the traffic congestion on the north side of the city. However, there are only a few direct trains from London to Morpeth in the current timetable, and they are popular and well used.

Against that background, let me take a look at what is going on with rail timetables. The first thing that hit us was the Network Rail draft timetable for 2011. It is called, curiously, the "Eureka" timetable, which is more or less what I exclaimed when, after a very long period, I at last found it on the computer. It was extremely difficult to locate; how the public are supposed to take part in the consultation that has been launched, I do not know. At the moment there is no weekend timetable. I looked again yesterday, and we still have only a Monday to Friday timetable accessible on the internet. The draft timetable apparently contains mistakes. I understand from operators that certain trains that they expected to be in it were not included, so we hope that they will be reinstated.

This ongoing process is very difficult to engage with. The only people who are doing so successfully are a very limited number who have a lot of specialised knowledge because of their past employment in the railway industry or because they take a close interest in railway matters. A few of those people have done sterling work in identifying changes that people might otherwise not have discovered until the day they went to get a train and found that it was no longer in the timetable.

At the same time as that consultation, the Secretary of State has launched the franchise consultation for a new operator to take over the east coast main line. That consultation does not contain a timetable, but it does contain commitments and proposals for the pattern of the service, both short and long term. It is quite difficult to understand how the one relates to the other. I have said to the Secretary of State that I hope he will take all the representations on Network Rail's draft timetable as

indicating what people want to see in the franchise as well. Because the franchise contains some new ideas, people will want also to make comments on those. The process is complex.

What is wrong with the draft timetable? Let me start with Berwick. The first train to London from Berwick on the draft timetable, instead of getting in at 10.10 am, as under the present timetable, will not get to London until 10.40 am, half an hour later. That is a serious deterioration in one of the most important services that is provided. Given the pattern that I described earlier of people who work from home going to meetings in London, and given that a lot of people who are on national bodies of various kinds in our industries such as farming travel to London for meetings, that deterioration in service will lead to people taking the alternative of driving to Edinburgh or Newcastle airport and getting a plane from there. The later arrival in London is a serious failure. There is an easy to answer to that, which is that the 5.20 am train from Edinburgh in the new timetable should stop at Berwick, and the 6 o'clock train could stop at Alnmouth and Morpeth, to which I shall come in a moment.

Another gap in the timetable is that there are no southbound trains between 8.10 and 10 o'clock in the morning, which is a huge loss. The CrossCountry train to Penzance, which stops at Berwick at 8.52 am, will not stop there under the new timetable. That is a valuable train to long-distance customers travelling to places such as Birmingham and other stations along the way, and it is much used by students and shoppers travelling to Newcastle. I have a feeling that CrossCountry did not intend to drop that train from the timetable.

The Parliamentary Under-Secretary of State for Transport (Chris Mole): I hope to be able to reassure the right hon. Gentleman on the question of Penzance trains not stopping at Berwick. That was one of the omissions in Network Rail's early timetable work that have since been remedied, and Berwick will have a two-hourly CrossCountry service to the midlands and the south-west.

Sir Alan Beith: That is very helpful, and I am pleased to hear it. It is just that kind of thing that I hope to get out of today's debate, to clarify where it is already recognised that the service needs to be maintained and where work must continue to ensure that it is.

The next gap that I wish to mention is also a southbound service, and it is the main commuter train from Edinburgh. The most obvious time that people leave work is about 5.30 pm, and there is a 5.31 pm train. I use it myself sometimes and it is very well used, but under the new timetable it will not stop at Berwick, which will be a serious gap for regular commuters.

The East Coast service running through to Glasgow from Berwick is to be almost entirely withdrawn. In its place, a new CrossCountry service to Glasgow will be provided. Far more of the CrossCountry trains go there, but those new trains will not stop at Berwick under the draft timetable. A lot of people travel between Berwick and Glasgow, as many organisations that have branches in Berwick are headquartered in Glasgow, so a lot of people make trips to Glasgow as part of their work, and the removal of that service is a loss.

As I mentioned at the start of the debate, the last departure from King's Cross to Berwick is at 6 pm. The new timetable actually suggests that the 7 o'clock will

run through beyond Newcastle every day, instead of just on Fridays as it does at the moment. I am so suspicious about the timetable exercise that I cannot believe that is for real—I suspect that "Fridays only" has been missed off the timetable rubric. I would love to be wrong, because I have argued for several years that the earlier removal of that daily 7 pm service to Edinburgh was a serious loss, and a potential loss of business because it was another reason for people to use the plane rather than the train.

On the draft timetable, Alnmouth gains four trains, but loses 13—a net loss of nine. The service at that station is not hourly, but broadly two-hourly. From London, there is now no train between 11.30 and 3.30, and the 3.30 is the last train, except on Fridays, instead of 5.30.

Chris Mole: I assure the right hon. Gentleman that that, too, is an omission from Network Rail's early work and it has subsequently been remedied. Subject to consultation, the 7.13 train from London will call at Alnmouth and on Fridays, there will be an extra service at 19.30.

Sir Alan Beith: I wish all my debates were as productive as this one has been so far. I want to consider that reassurance more carefully afterwards, but, again, it sounds hopeful.

Travelling to London, there is an enormous gap in the first draft of the Alnmouth service between 9 am and 3 pm. There are no direct trains from London to Morpeth at all in the draft timetable, whereas two evening trains currently stop there. I hope that that is covered by the reassurance that the Minister has just given. For the reasons I gave earlier, the direct service from Morpeth, although more limited, is extremely valuable and should be retained.

One of the timetable's oddities is that it is almost impossible to travel between the stations in Northumberland. That is partly a consequence of something that I consider helpful—the sharing of trains along the line. Some trains stop at Alnmouth and not Berwick, whereas others stop at Berwick and not Alnmouth. I recognise that some of that has to happen, but the timetable planners should pay some attention to improving the possibilities for people to travel between, for example, Berwick and Morpeth, or Alnmouth and Dunbar. That is currently not a feature of planning. Indeed, one of our problems is that all the timetable planning is dedicated to services between major centres, such as London, York, Newcastle, Edinburgh and Glasgow, and the stations in between seem to be an afterthought, which is not governed by an examination of what sort of service each station needs and how it can be provided.

I should like another gap in the service to be filled in future. According to the new timetable, the last train from Edinburgh leaves at 8.30 pm. That is too early; there is almost nothing one can do in Edinburgh in an evening that will be over by 8.30 pm. I understand that CrossCountry is to run a late train from Edinburgh to Dunbar at around or after 11 pm. Perhaps that service could be extended to Newcastle or at least Berwick, instead of terminating at Dunbar. It is rather complicated to terminate a train there because of the track layout. Some years ago, a service ran through to Newcastle in the summer months. GNER ran it late at night and it was very popular among Edinburgh festival-goers and others visiting Edinburgh in the evening.

[*Sir Alan Beith*]

The franchise document refers to increased frequency of services between Newcastle and Edinburgh, with no mention of Berwick, Alnmouth or Morpeth. Anyone from the latter places reading the franchise document immediately thinks, “There’s nothing in this for us.” There is no attempt to specify that there should be an adequate sharing of those trains among some of the stations in Northumberland.

There is scope for a stopping service from Newcastle to Edinburgh. The Scottish Government have been interested in that for some time. They have been considering options such as opening one or two new stations on the Scottish side of the border at, for example, Reston, and having a service that would come through from Scotland and stop at Morpeth, Alnmouth, Berwick and Dunbar, and perhaps some of the intermediate stations such as Acklington or Chathill. I hope that the door is not closed to that possibility, although whether it can be profitable or would require subsidy is not clear. If there is a possibility of a decision in Scotland to offer some element of subsidy to a service, which seems necessary on the Scottish side, I would like to grab hold of the possibility for the English side, too. As I said, as far as train travel is concerned, people do not stop at the border—people who live in Scotland use Berwick station extensively and travel across the border is a great feature of life in our area.

My primary aim in this debate is to get the Minister to make it his business to ensure that services to Berwick, Alnmouth and Morpeth are not reduced, and that they get a net improvement, in both the 2011 timetable and the franchise negotiations and specifications. The Secretary of State has taken a genuine personal interest in the future of the east coast main line, and I want him and the Minister to ensure that that includes the stations in Northumberland.

I should like to talk about two wider issues that are part of the franchise document. First, on ticket prices, even regulated fares and many cheaper fares are uncompetitive with car and plane for many customers. I quite often get letters from customers saying, “I looked into the possibility of making my business trip by train, but then I found I could drive 50, 60 or 70 miles to an airport, catch a plane and pay significantly less than I would be paying even for a reduced-price first-class fare on the train.” Many such offers are made, but the price has crept up in recent years. Unless we ensure that ticket prices are more competitive than air travel, we will continue to encourage people to make long car journeys, which they must do in my part of the world to get to an airport, which is inconsistent with general Government policy.

Secondly, there have been significant station improvements over recent years, including to Berwick station—I had the odd experience of opening the lifts for the footbridge over the station a few years ago. Celebrating the opening of a lift with a glass of champagne is a variant on the many duties of a Member of Parliament, but the facility was much needed by disabled people and people with heavy luggage. The absence of lifts at Alnmouth has been a serious problem. People with disabilities have been told that if they arrive from London in the evening, when there are no staff at the station, they will not be able to leave the platform—they cannot

use the bridge and there is nobody to supervise crossing the track. That serious problem is being dealt with, but it is long overdue.

Such improvements are very important, as is parking, at both Alnmouth and Berwick. The county council is pushing ahead with plans for increased parking at the former, but the plans for Berwick have proved difficult. My original hope was that Network Rail would give up its land, because it could be stationed somewhere else—it does not have to be based right by those stations. That would open up more parking spaces.

There is a possibility of getting more parking spaces, the need for which is obvious from the amount of parking in roads round about. I happen to live in one such road. I do not mind people from Scotland parking their cars outside my house to go to the station—I am glad they are using the train—but that has created some problems, and traffic management changes have had to be made to accommodate them. Continued station improvements are very important to the franchise and the future of the service.

The oddity with Belford station is that the only local service that goes into north Northumberland beyond Morpeth goes twice a day to Acklington, Woodrington, and Chathill, and then turns round at Belford, but there is no platform there—there used to be years ago, but not now. Therefore, a train goes to Belford twice a day, but people cannot get on it.

A great deal of effort by local people, with genuine co-operation from rail operators such as Northern Rail and from Network Rail and the county council, is enabling things to be moved forward, and I hope the Department for Transport will also co-operate. The executive of the county council is currently recommending that the council spend money on installing the platform. We have had many battles over how long a platform must be and the greatness of the risk of someone getting out of the wrong door and such things. At times those have seemed absurd, and they have perhaps led to higher costs than necessary. However, I believe we are in sight of achieving that objective, and I hope the Minister continues to offer his encouragement.

There is a lot of scope for transfer to rail travel in Northumberland and a great need for rail travel because of the distances involved. Not many people have to travel 50 or 60 miles to get to a main hospital, to go to a theatre that is not a small local arts centre or to visit all the main chain shops, but that is the situation in north Northumberland. Rail travel is very important, so it is also important that we retain a good service. The timetable drafts left people very worried about losing the gains that we had made in recent years, when we should instead be improving the service, and I hope that the Minister’s initial indications that some of those worries are being addressed will be backed up by more restoration of trains to the timetable and some additional stops.

2.50 pm

The Parliamentary Under-Secretary of State for Transport (Chris Mole): I congratulate the right hon. Member for Berwick-upon-Tweed (Sir Alan Beith) on securing this debate and providing an opportunity for the House to discuss rail services on the east coast main line in Northumberland. I know that this is a subject of interest to many hon. Members, and I will discuss points

of detail further with the right hon. Gentleman if I do not successfully address them in my response this afternoon.

The east coast main line is an exceptionally valuable asset in the national transport system. It provides the fastest surface transport between London and the Yorkshire and Humber region, north-east England and Edinburgh. It also provides key links between Scotland, the north-east and routes to the midlands and north-west. It is also of vital importance for freight, particularly as part of the link from major ports to distribution centres in large conurbations, and to coal-fired power stations. Further, it supports the long-distance passenger services provided by the public sector train operator, East Coast Main Line Company Ltd, which pays a substantial premium to Government, thereby reducing the level of taxpayer support needed for the railway as a whole.

The challenges faced by the railway industry on the east coast route are principally associated with the volume of traffic, and the reliability of the services. Growth over the next 10 years, despite the present financial difficulties, is expected to be substantial in almost all the markets served by the route. Passenger demand for rail has been growing strongly over recent years. That is due to a combination of several factors, particularly economic growth and increasing road traffic congestion. On many routes, including the east coast, the growth has been stimulated by additional services and ticketing initiatives that have been developed by the train operators to encourage off-peak travel.

The most significant use of long-distance passenger trains is for business and leisure travel to and from London. The high number of passengers travelling between London and cities such as Leeds, Newcastle and Edinburgh is due to the size and significance of those major conurbations, and transport links among them are of national economic importance.

In Northumberland, stations at Berwick-upon-Tweed, Alnmouth and Morpeth are used by long-distance passenger services. As well as serving their immediate towns and surrounding areas, those stations act as railheads for large parts of Northumberland and the Scottish borders that do not have the benefit of rail connections. In addition, stations at Chathill, Acklington, Widdrington, Pegswood, and Cramlington are used by local services, providing important journey opportunities to Newcastle.

Long-distance passenger services at Berwick-upon-Tweed, Alnmouth and Morpeth are provided by East Coast and CrossCountry train operators. East Coast provides direct trains from those stations to London King's Cross and to principal intermediate stations on the east coast main line. CrossCountry provides direct trains to east coast main line stations as far south as York, then stations towards the midlands and south-west including Leeds, Sheffield, Birmingham, Bristol, Plymouth and Penzance. East Coast and CrossCountry also provide direct trains from Morpeth, Alnmouth and Berwick-upon-Tweed to Dunbar and Edinburgh, some of which are extended to serve other stations in Scotland, including Glasgow, Dundee, Aberdeen and Inverness.

The current east coast main line timetable does not have a regular repeating pattern and, consequently, train times at stations in Northumberland are at irregular intervals. Broadly speaking, Berwick-upon-Tweed has an East Coast London train most hours and a

CrossCountry train approximately every two hours. Alnmouth has six London trains per day and a CrossCountry train approximately every two hours, and Morpeth has three East Coast and three CrossCountry trains per day. Those levels of service reflect relative numbers of passengers travelling from each of those stations.

In 2008 Network Rail published its route utilisation strategy—colloquially referred to as RUS—for the east coast main line. The RUS, which was compiled with the assistance of industry parties and other key stakeholders, considered the current and future passenger and freight markets, and assessed the future growth in each. It then sought to show how growth could be accommodated effectively and efficiently, and proposed measures ranging from the lengthening of trains to the provision of additional infrastructure. It recommended that additional long-distance high-speed passenger services should run to and from King's Cross both in peak times, with up to eight trains an hour, and in off-peak times, with six trains per hour. That strategy is expected to cater adequately for forecast growth in passenger demand at least until the end of the RUS study period in 2016.

In the longer term, increasing train capacity through the use of new high-capacity, super-express trains and increasing network capacity by rolling out 21st-century signalling technology, in the form of the European rail traffic management system, might create the potential to double capacity. However, it will be several years before those enhancements can be delivered, so the Government believe it necessary to develop and implement an improved timetable in the shorter term, essentially using the current infrastructure.

We recognise that any increase in service frequency in advance of infrastructure enhancements is likely to be limited to off-peak periods, when the performance impact of such an increase can be largely offset by improvements to the structures of the timetable, including through adopting a regular repeating service pattern. Additional services to accommodate growth are likely to be necessary first at the southern end of the east coast main line, where traffic volumes are greatest. North of Newcastle, trains are generally less crowded and additional services less likely to be justified in the short term.

The Government have adopted a three-stage approach to the development of east coast main line train services. First, the timetable will be changed to provide some additional trains south of York and to adopt a more regular pattern of services, with improved average journey times. The new timetable will be introduced by East Coast in May 2011. Secondly, through their high-level output specification for the rail industry, the Government have specified a package of infrastructure enhancements to increase the effective capacity of the route. Those enhancements have been included in Network Rail's funding from 2009-2014, and will enable additional peak and off-peak passenger services to run after 2014, while preserving capacity to accommodate important freight flows. Thirdly, the Government are leading the procurement of a new generation of super-express trains for introduction to the east coast main line from about 2014. Those trains will have greater carrying capacity and better performance than current trains, allowing services to be speeded up and additional services to run.

[Chris Mole]

Although the most critical capacity issues are likely to be south of York, the stations in Northumberland will benefit from each stage of the Government's strategy to improve east coast main line services. The new May 2011 timetable will adopt a more regular pattern of station calls in Northumberland, and average journey times will be reduced. Berwick-upon-Tweed will be served each hour by a fast train between Edinburgh and London, calling at Newcastle, Darlington and York. The journey time between Berwick-upon-Tweed and London King's Cross will be about three hours and 38 minutes northbound, which is six minutes faster than today, and three hours and 40 minutes southbound, which is 23 minutes faster than today. That is because the southbound trains from Berwick-upon-Tweed in today's timetable call at many intermediate stations, whereas in future they will be fast trains normally calling only at Newcastle, Darlington and York. Other stations will be accessible by convenient connections, at either York or Newcastle.

Berwick-upon-Tweed will continue to be served by a CrossCountry train on alternate hours, giving through-journey opportunities to Leeds, Sheffield, the midlands and the south-west. Alnmouth will gain a significantly improved service, with a train each hour provided alternately by East Coast or CrossCountry, and running alternately to London or to the midlands and south-west. The total number of long-distance trains per day will increase by 30 per cent., from 27 to 35. At Morpeth the service will increase from six to seven long-distance trains per day in each direction, providing a greater choice of journey times while retaining the current commuting and business travel opportunities.

I know that the right hon. Gentleman is concerned about the timing of the first train of the day between Berwick-upon-Tweed and London. At present the first train from Edinburgh to London calls at Berwick-upon-Tweed at 06.29 and arrives at London King's Cross at 10.11. The Government believe that there are significant benefits to be gained from providing a very fast business service between Edinburgh and London, to encourage the use of rail rather than domestic air travel. My noble Friend the Secretary of State for Transport has therefore challenged the industry to provide a morning train with a journey time from Edinburgh to London of less than four hours and an arrival time before 10 o'clock. To achieve that demanding target, the first train from Edinburgh will be given special priority in the timetable, and will call only at Newcastle. Consequently, the earliest service from Berwick-upon-Tweed will be provided by the following train, which is planned to arrive in London at 10.41.

I recognise that that change is undesirable from the point of view of travellers from Berwick-upon-Tweed, and options to provide an earlier arrival time are being examined. However, it is an unfortunate fact of railway timetabling that the large overall benefits arising from a major timetable change are sometimes deliverable only by making compromises for some of the smaller traffic flows.

Sir Alan Beith: I hope that the alternative options for an earlier arrival in London will be pursued vigorously, because many of the people who now get that train will

otherwise transfer to air travel. That would be inconsistent with what the Secretary of State is trying to achieve by establishing the early departure from Edinburgh. Air travel would be more attractive, and provide a shorter journey, for the people travelling from Berwick.

Chris Mole: I take the right hon. Gentleman's point, but I ask him to accept that in this instance a later arrival time might be unavoidable. However, we will explore all possibilities.

The right hon. Gentleman has expressed concern about the widely misreported plan to withdraw through services between the east coast main line and Glasgow. I would like to set the record straight on this matter. At present, East Coast services between London and Edinburgh are extended to and from Glasgow Central at two-hourly intervals throughout the day. In the May 2011 timetable it is proposed that most of those trains should run only between London and Edinburgh. Instead, CrossCountry services between Edinburgh, Yorkshire, the midlands and south-west England would be extended to start and finish at Glasgow Central at two-hourly intervals. There would be no withdrawal of services—simply a change of train operator—and there would continue to be opportunities to make through journeys between stations in Northumberland and Glasgow.

The East Coast train operator has recently commenced consultation with passengers and other stakeholders on the details of the May 2011 timetable proposal, and I am sure that many Members of the House will wish to contribute their views. I take the right hon. Gentleman's point that some of the consultation documents were not easy to find. The rail regulator's documents were perhaps more technical in nature, and therefore not intended for widespread access. However, the Department for Transport's franchise consultation is available on our website and as a hard copy, and the Department will be holding stakeholder events on the proposed franchise arrangements, including one in Newcastle. With regard to the information provided by the East Coast train operator on its ambitions for the timetable, I will draw the right hon. Gentleman's comments to the attention of the company.

Sir Alan Beith: The Minister has said some very encouraging things this afternoon, but they are so far from the draft timetable originally produced that I hope that he can secure some means by which a realistic timetable, incorporating some of what he has described, can be made available so that it can be examined by the public. If he has a good story to tell, it would be better to tell it, rather than the weak story that the present draft timetable represents.

Chris Mole: I honestly take the right hon. Gentleman's point, but I fear that for some individuals looking at the information, a little knowledge was a dangerous thing, as they were reading more into it than was perhaps justified. Because of the extent of the proposed timetable changes, the Office of Rail Regulation will need to approve amendments to the track access agreements that enable the train operators to gain access to the railway network. This will require the ORR to be satisfied that the trains and train operators granted access to run on the route are those that will make the best use of it and make the greatest contribution to the economic

health of the regions it serves, as well as to the financial health of the railway system. I understand that the ORR will publish its decisions within the next few days.

I should explain that, in addition to the proposed changes to East Coast and other franchised passenger services in May 2011, the ORR received a number of other applications for additional access rights on the east coast main line from open access passenger and freight train operators. The total demand for train paths exceeded the available network capacity, so it has been necessary for the ORR to determine which applications for track access it will approve and which should be rejected.

In reaching its decisions on the best use of capacity, the ORR has a statutory duty to balance a large range of factors, including promoting use of the network for the carriage of passengers and goods, protecting performance levels, encouraging competition and having regard to the available funding for the railway system. There are some difficult trade-offs here. For example, while new open access passenger services generally increase the overall number of passengers travelling, and compete with established operators, they often require non-standard train paths, which could be a performance risk, and much of their revenue is abstracted from franchised operators, thereby increasing the cost of the railways to the taxpayer.

In addition to providing its own economic and financial analysis, the ORR asked Network Rail to report on the extent to which the competing applications for capacity might be accommodated. In accordance with its usual policy of transparency, the ORR published on its website Network Rail's reports on associated timetabling work, which is what we are talking about.

Unfortunately, this preliminary timetabling work, which was carried out purely to inform the ORR's decision-making process, has been misinterpreted by some as a final timetable. That is particularly unfortunate in the case of East Coast and CrossCountry services at Berwick-upon-Tweed, Alnmouth and Morpeth, which had not been fully specified when Network Rail's preliminary timetabling was carried out, as they were not directly relevant to the key capacity allocation decisions for the route south of York. Specification of these services is now complete and, subject to the ORR's final decisions and any adjustments arising from consultation, the May 2011 timetable in Northumberland will be as I described it a few moments ago.

Although the May 2011 timetable will be implemented by the public sector train operator, East Coast, it is the Government's policy that passenger train services should be provided by the private sector through franchising agreements with the Department for Transport. Thus, on 21 January my noble Friend the Secretary of State for Transport announced the start of consultation on the specification for a new inter-city East Coast franchise to commence in autumn 2011. The consultation document is available on the Department's website; I encourage hon. Members to read it and to let us have their views on the proposed specification.

The right hon. Gentleman asked specifically about Friday services. I can assure him that the 19.00 service from London will run every day and that the 19.30 from London to Newcastle will be extended to Edinburgh on Fridays only, calling at Morpeth, Alnmouth and Berwick-upon-Tweed.

At its inception, the new franchise will operate the May 2011 timetable and will continue to provide the services at Berwick-upon-Tweed, Alnmouth and Morpeth, as I described earlier. We intend to invite bidders to make proposals to utilise the additional infrastructure capacity, to be provided by Network Rail by 2014, and, subject to the usual value for money and affordability assessments, we would hope to be able to procure further train service improvements in that year.

Bidders for the new franchise will be expected to demonstrate how they will achieve improvements in service levels and facilities at stations where the franchisee is the station facility owner, and that includes Berwick-upon-Tweed. They will be required to address safety and security, accessibility and improvements to car parking and cycle storage, along with other concerns that the right hon. Gentleman raised. The Department will expect bidders' plans to be informed by the recent review entitled "Better Railway Stations" carried out by station champions Chris Green and Sir Peter Hall, whom the right hon. Gentleman mentioned.

Reopening of the former station at Belford was mentioned. I know that this has been a local aspiration for some time. Although potential passenger numbers are probably quite modest, a limited service could be provided with minimal additional operating costs, because local trains between Newcastle and Chathill must run north to Belford before changing tracks to return south. I understand that Northumberland county council is considering as early as next week the case for reinstating a platform at Belford, and the Government would welcome that initiative.

The right hon. Gentleman spoke briefly about ticket prices. Let me remind him of the need to strike a balance between the interests of the fare payer and those of the taxpayer. I am sure he will appreciate that the east coast train operator will want to promote increased use of its services while protecting its revenue.

The new inter-city east coast franchisee will also be able to undertake the introduction of the new super-express trains, which are expected to be available from 2014 onwards. The Department is leading the procurement of those trains, which will be designed, financed, built and maintained through a private finance initiative. We expect the new trains to give the franchisee an opportunity to make further improvements to the east coast main line timetable, including further journey time reductions and frequency increases.

I cannot make any precise commitments about the details of the super-express timetable at this stage. An initial outline will be prepared over the next few months as part of the specification for the new franchise, and more detailed development will be undertaken at the appropriate time by the new franchisee in conjunction with Network Rail and other stakeholders.

I thank the House for the opportunity to explain the Government's plans for improved train services on the east coast main line, with particular reference to services at the stations in Northumberland. They illustrate the Government's ongoing commitment to improving Britain's railways.

Question put and agreed to.

3.11 pm

House adjourned.

Westminster Hall

Thursday 4 February 2010

[MR. GARY STREETER *in the Chair*]

Human Rights

[Relevant documents: Seventh Report from the Joint Committee on Human Rights, Session 2008-09, HC 320-I, and the Government response, Cm 7633; and the Twenty-second Report from the Committee, Session 2008-09, HC 522, and the Government response, HC 328, Session 2009-10.]

Motion made, and Question proposed, That the sitting be now adjourned.—(David Wright.)

2.30 pm

Mr. Andrew Dismore (Hendon) (Lab): The purpose of the debate is to consider the two reports from the Joint Committee on Human Rights on policing and protest. Peaceful protest is one of the cornerstones of a democratic society and we are rightly proud that the UK has a fine tradition of upholding the right to protest. However, protest has been the cause of major controversy in recent years. The law on protest around Parliament has been wholly criticised, as have the use of the containment tactic known as kettling by the police and the tactics used against climate change protesters at the Drax and Kingsnorth power stations.

The Committee decided to look at policing and protest in the light of those issues, before the events at the G20 protest. We set out to: identify the problems with peaceful protest in the UK raised by both protesters and the police; assess whether the legal framework for protest was working and, in particular, compliant with the European convention on human rights; and look at police tactics, guidance and training to see whether they fully reflected the UK's human rights obligations.

Although not an absolute right, the right to freedom of peaceful assembly and expression is protected by articles 10 and 11 of the European convention. The Government must not prevent or restrict protest, except in limited circumstances, and are obliged to facilitate the right to protest. Any restrictions must be necessary, proportionate and prescribed by law—a high threshold. The presumption is in favour of the right to protest. In practice, we recognise that the police have to balance the competing rights of protesters and those protested against, together with the rights of others involved in a protest—journalists or bystanders, for example—and counter-protesters.

During our inquiry we heard from protesters, their representatives, the police and people who have been the subject of protest, such as the staff of Huntingdon Life Sciences and the Minister. Some protest targets complained of under-policing, arguing that there had been insufficient consideration of their rights. Balancing those competing interests is no easy task, and it is no surprise that the police cannot always get it right. Protests will always upset someone—that is the whole point of protesting.

The Court of Appeal has said:

“Rights worth having are unruly things...inconvenient and tiresome.”

That view was echoed in the Home Office's most recent policing White Paper:

“Rights are unwieldy things. The public can expect some inconvenience and nuisance as a consequence of the state upholding those rights. This is a hallmark of an open, democratic society.”

I think that we all agree with that and congratulate the Home Office on that human rights approach.

We published our first report in March 2009, but within days we saw the issues we had discussed and the need for our recommendations to be implemented brought vividly to the fore during the G20 protests in London. As a result of what happened, we reopened our inquiry in May 2009 and heard oral evidence from G20 protesters and observers, including the hon. Member for Carshalton and Wallington (Tom Brake), the chair of the Independent Police Complaints Commission, senior police officers and the then Home Office Minister, my hon. Friend the Member for Gedling (Mr. Coaker). Our second report was published in July 2009. I am grateful for the constructive Government replies to both reports.

Two other major reports were produced in 2009 on policing and protest by Her Majesty's inspectorate of constabulary. Those were commissioned in the light of the G20 protests by the then new Metropolitan Police Commissioner, Sir Paul Stephenson. HMIC's recommendations chime very much with the Committee's findings, which I had discussed with the chief inspector, Denis O'Connor, during his investigations.

We also discussed the findings of our reports, those of HMIC, the Government's response and the White Paper with HMIC, the police—the Metropolitan Police Service, the Police Service of Northern Ireland and the Association of Chief Police Officers—the Crown Prosecution Service and the Minister for Policing, Crime and Counter-Terrorism, my right hon. Friend the Member for Delyn (Mr. Hanson), at a mini-conference we hosted in Portcullis House last week.

In setting out the issues we identified on the policing of protest, I should begin by endorsing the police's assessment that the vast majority of protests in the UK pass off peacefully and without incident—there are 4,000 to 5,000 public order events a year in London alone. It is rare for the police to offer formal conditions under the Public Order Act 1986—we were told that that happened on 70 occasions across England and Wales in 2008—and large-scale protests that are difficult to police, such as those at the G20 or the Kingsnorth climate camp, are pretty infrequent.

Nevertheless, a number of witnesses complained that police powers were being used more intensively than in the past. There were well-substantiated complaints about the misuse of stop-and-search powers, under the Police and Criminal Evidence Act 1984 and section 44 of the Terrorism Act 2000, to intimidate or harass protesters and collect personal data without explanation.

Hundreds of petty incidents, not much in themselves, have a cumulative effect that is frightening, worrying and undermines confidence and trust in the police. The National Union of Journalists and individual reporters raised with us the restrictions on photography and on the activities of journalists. For example, we saw video

[*Mr. Andrew Dismore*]

footage of a police inspector instructing journalists to leave an area during the G20 demonstrations and threatening them with arrest if they did not comply.

Mr. David Drew (Stroud) (Lab/Co-op): I am grateful to my hon. Friend for giving way and sorry for missing the first minute of his speech. With regard to demonstrations, I get more complaints about the issue of photography than about anything else. Is there now a protocol with regard to whether the police should allow someone to take photographs? I know that the Home Office is to respond to that point, but it is an urgent matter. That is one of the real points of tension with protesters, as I am sure that he would agree.

Mr. Dismore: My hon. Friend certainly makes an important point. The question of photography comes up in all sorts of ways, and I will refer to some of those later in more detail. Issues include the photographing of protesters by the forward intelligence teams that the police use, attempts to prevent photography or to seize equipment, and efforts to photograph protesters as they leave demonstrations and to take their names and addresses, all of which are extremely questionable in law. My understanding is that new guidance is in train on all those issues, so we will have to wait to see what it says. My hon. Friend the Minister will, no doubt, fill us in on the details when she replies.

The use of other legislation intended for non-protest purposes was also raised during the Committee's inquiry. We were concerned to hear that the Protection from Harassment Act 1997, which was brought in primarily to deal with stalkers, has been used to obtain injunctions to prevent protest activities that seemed to us to be perfectly legitimate. We heard of the injunction obtained by npower against Dr. Peter Harbour over the Radley lakes issue, where npower wanted to use the lakes to dump ash from power stations, not surprisingly attracting community disapproval. He could not afford to challenge the injunction taken out against him and the protesters. An injunction was also taken out against a photo-journalist for merely taking pictures of what was going on in that case. That was successfully challenged in court, and presumably the case was financed by the journalist's publication.

Injunctions are granted in private, *ex parte*—a process intended for urgency, and after the event it is often too costly to challenge. If the issue relates to peaceful protest, it is unlikely to be so urgent, so at the least the application should be on notice to the protester. That is what we require for injunctions in industrial disputes, and the same process should apply to protests. I urge the Minister to look again at the civil procedure rules to see if that could be achieved to gain a fair balance and prevent the misuse of that power.

Dr. Evan Harris (Oxford, West and Abingdon) (LD): I am pleased to hear the Chairman of the Committee on which I serve set out the provisions so clearly. I support what he has said, as both Dr. Peter Harbour and the journalist involved in that case are my constituents. Why do the Government not understand how difficult it is for someone to have that private, prior restraint applied to them but to find that the costs involved in

resolving the matter are beyond their means, particularly if they cannot receive legal aid? I wonder whether the Minister would be willing to meet that gentleman to explain to him what is not clear from her reply in the Government's response.

Mr. Dismore: I am grateful to the hon. Gentleman, who is a valuable member of my Committee. He raises a serious issue. I was disappointed by the Government's subsequent response when we reiterated our recommendations on that. I do not think that they have got to grips with how serious an impediment to protest the use of civil injunctions is. I had much experience of such injunctions for industrial disputes when I was in practice, and it is difficult to see why the process available for industrial disputes, which is a special process for injunctions that requires that they are obtained on notice to the trade unions concerned, could not also be applied when dealing with a question of protest.

The Government response states that it is difficult to identify who is a protester and who is not because that is not actually defined in law, but I think that the courts are able to draw a clear distinction between what is and is not a protest. Moreover, it is in the court's discretion to refuse an injunction applied for *ex parte* inappropriately. As in this case, it is hard to see in what circumstances there would be any great urgency about an injunction being granted.

David Howarth (Cambridge) (LD): I congratulate the hon. Gentleman on introducing this important debate. I will be interested to hear what the Minister has to say, but I cannot see why the Government are against simply introducing into the rules a reference to when article 11 rights are engaged. The courts would understand that, and it would meet the point directly.

Mr. Dismore: I am grateful to the hon. Gentleman, who makes an important point. I suppose that the Government will say that the courts are required by the Human Rights Act 1998 to act compatibly with convention rights anyway, but there is nothing wrong with drawing attention specifically to articles 10 and 11 rights, if it comes to that.

Poor or non-existent communication between the police and protesters was a theme that the Committee picked up throughout its inquiry. We were struck by the total lack of trust between the police and the climate camp protesters in advance of the G20 protests. The protesters said that they had tried to communicate with the police but were not taken seriously until the hon. Member for Cambridge (David Howarth) intervened to broker a meeting.

The police complained that the protesters refused to specify where their protest would take place. It is perhaps no surprise, in such circumstances, that the police prepared for the worst and were then accused of overreacting—sometimes with justification—to what was a largely peaceful protest. There were incidents of vandalism and violence, but the vast majority of protesters were not engaged in such activity.

The Committee recommends that police forces should nominate a point of contact for protesters, to facilitate communication. Some forces have done that for specific

protests. I would be grateful if the Minister confirmed whether she agrees that all forces should adopt that approach.

The Government response mentions the use of new technologies to communicate with protesters during protests. However, I understand from our discussions last week that attempts have been made to undermine the use of Bluetooth technology with bogus messages impersonating the police. We must try to find a way to use technology effectively to communicate with protesters, while at the same time making it clear that the messages must be kept secure. The technique is a good one, which should be disseminated among police services, but it obviously needs to be secure so that police officers are not impersonated over the airwaves.

Mr. Drew: There is a need for common sense, as my hon. Friend knows from his deep involvement in the matter. One of my constituents was accused of aggravated litter picking—I am not sure whether we yet have such an offence, but that was the level to which things descended, and it did no one any good. It did not do the police any good, because it led to more potential, if not real, violence.

Mr. Dismore: My hon. Friend makes a good point. I said earlier that the series of petty incidents have a cumulative effect, and that is an example.

The Committee also recommended that if there is a lack of trust between the police and protesters, there might be a role for independent mediators to facilitate communication. HMIC disagreed, arguing that that could reduce the incentive for police to communicate with protesters and other parties affected by protests, but I am not convinced of that.

Everyone agrees with the underpinning starting point and goal of no surprises—for the police, the protesters and the targets of the protest. But how can that be achieved if the police and protesters lack sufficient mutual trust to communicate effectively, or even at all? In Northern Ireland, where I understand the concept of no surprises first originated, a long, painstaking, but ultimately successful process to build trust and develop the no-surprises approach began with the use of intermediaries.

There is also a lack of a process for dealing with genuine disagreements—about timing or route, for example. The option of going to court to challenge a police decision is a non-option; it is impractical, due to legal costs and too long a timescale. A mediator from, say, HMIC could help to resolve such problems. I urge the Minister to take another look at that recommendation. We have heard about the Spanish system, which is an effective and quick way of resolving such disputes.

Several witnesses suggested that a disproportionate police response to protests was becoming more common, in terms of police numbers, uniform and equipment. The Campaign Against Arms Trade, for example, described “significant numbers” of police attending small vigils. It stated:

“Most of the police sit in vans, not doing anything. Their presence in such numbers is...unnerving for protesters, as well as tying up a large amount of police time and resources.”

The impact of officers fully kitted out in riot gear like “Star Wars” storm troopers inevitably highlights tension. It inevitably makes officers feel more aggressive and

powerful, intimidates peaceful protesters, and, in itself, can lead to violence that might not otherwise occur. We all saw the images from the G20 of protesters, hands in the air, chanting, “This is not a riot,” confronted by phalanxes of officers in full riot gear who adopted an aggressive stance—indeed, some hit protesters with the edges of their shields. None of that does anything for the image of our police service.

Obviously, we do not wish to see officers or protesters hurt, but the current methods may perversely lead to that outcome, as violence might be provoked rather than dampened down. There is a lot to be learned from Northern Ireland, where senior officers led by example in policing at the front in ordinary uniform. They proved that it could be done by taking a well-considered risk in trying to avoid confrontation. I particularly commend Assistant Chief Constable Duncan McCausland of the Police Service of Northern Ireland, whom we found very impressive.

Mr. David Ruffley (Bury St. Edmunds) (Con): If I read the hon. Gentleman correctly, he is suggesting that on the mainland, not in Northern Ireland, all riot situations should be policed by uniformed officers without riot gear. Is that correct?

Mr. Dismore: No, that is not what I am saying. My position on that will become clear later in my speech. In short, the real problem at present is that there is no gradation; we either have police officers in ordinary uniform or police officers in full riot gear. There is no gradual change up or down in the policing of demonstrations. We have complete escalation and very little de-escalation. I shall describe all that in a little more detail later.

I was commending Assistant Chief Constable McCausland of the PSNI, who very much embraces the approach I am describing and demonstrated it himself to his own officers. He wrote:

“Human rights sit at the very heart of the conception, planning, execution and control of every aspect of the operations of the Police Service of Northern Ireland...Human rights is a critical benchmark by which the PSNI measures the impact of its actions.”

Pre-emptive action—for example, to stop protesters reaching a target—was also criticised. All these issues are consistent with the concerns expressed by the HMIC about the need to reinforce the traditional British model of policing by consent, rather than drifting towards what it described as a paramilitary model that is more familiar overseas. I entirely share its view that an approachable, impartial and accountable style of policing by consent that is based on minimum force is preferable, and is more consistent with the human rights of those involved in protests.

Part of the problem is escalation. We see police in ordinary uniform or full riot gear—there is nothing in between to give tactical options for either a gradual increase in firmer policing, or, more importantly, for de-escalating from confrontation. HMIC called on the Home Office to “actively support” the traditional policing model based on the minimum use of force. I hope that the Minister will be able to reassure us that the Home Office fully shares HMIC’s view.

The Committee also raised the issue of quasi-public spaces such as shopping malls, which the public would see as public spaces but are, in fact, privately owned

[Mr. Dismore]

property. This is a grey area. For example, how can we ensure respect for the rights of animal welfare activists who wish to protest outside a shop selling furs in a large, now private—formerly public—shopping area, or for the right of peaceful assembly by protesters who wish to use a council park? I saw that myself last year when a protest march against Conservative Barnet council's plan to axe sheltered accommodation wardens had to rally outside the council-owned park's gates because we were not allowed to go inside.

There can also be difficulty in differentiating quasi-public from private property. The Association of Electricity Producers strongly argued that private property such as power stations needs to be better protected from protest activity through new legislation. We were pleased to hear that the Government are working with ACPO to clarify issues around quasi-public spaces. I would be grateful if the Minister told us what work is being done on that and when we will hear more about it.

On policing proper, the police starting point seems to have been that any protest is almost certainly unlawful, to some degree. At the minimum, it will usually cause obstruction of the highway, for example. The problem is that the police, in some cases, assume that this unlawfulness should be prevented, per se, without balancing that unlawfulness with the corresponding rights to freedom of assembly and expression guaranteed by articles 10 and 11, as I mentioned earlier.

Police officers are trained to use their discretion when conducting ordinary police work—whether to arrest someone or just give them a telling off, for example—but that does not seem to apply in matters relating to demonstrations. The basic discretion of the police officer needs to be used better in policing protest. A good example of this was the Tamil protest last year. There was a lot of obstruction, but little trouble. That indication of a change of approach was welcome. Of course, that protest created great inconvenience, including to people in the House, but in the end it was dealt with fairly.

On the general legal policing framework, our main concern is that there are too many broadly-defined powers available to the police that can be used to restrict protest unfairly and unnecessarily. In scrutinising legislation, we have often been critical of the Government for relying on the argument that broad powers are consistent with the Human Rights Act because all public authorities must act compatibly with it.

I will argue later that police training in human rights has clearly been inadequate. In addition, the Government's approach puts the onus on those whose rights have been infringed to pursue matters in the courts. This is the wrong way round; legislation should be drafted in precise terms to make the parameters of police powers clear, both to the police and the public.

Mr. Ruffley: What does the hon. Gentleman think the optimal amount of hours for training on human rights should be for police officers?

Mr. Dismore: The hon. Gentleman approaches the matter from the wrong direction. There is an assumption, in relation not only to policing, but to the public services in general, that human rights training is some compartmentalised thing that should be taught separately. That is the wrong approach.

Human rights training should be part of the ordinary training, instruction and education of anybody in public services. It should be a theme running through existing training and education, and should not be taught separately. If it is to have an impact it has to be in the right context. The context is where a particular issue arises. So when we talk about public order training, about which I will say a little more later, we should stress that human rights should not be taught separately from that, but should be part of it.

I should like to mention the abuse of counter-terrorism powers, which is of particular concern to our Committee. During our inquiry, the use of section 44 of the Terrorism Act 2000 was already subject to review because of widespread concerns that the power was being overused. Although there might be circumstances in which a protest could conceivably be used to mask a terrorist attack or be a target of terrorism, we received no evidence at all to suggest that that had happened or was even likely. In our view, counter-terrorism powers should not be used against peaceful protesters. That view was also expressed on a number of occasions by successive Ministers and senior police officers when appearing before the Committee. Nevertheless, section 44 was still being misused.

Last month, the European Court of Human Rights ruled in the Gillan case that the section 44 power was incompatible with the European convention. In that case, a protester and a journalist were stopped and searched outside an arms fair at the ExCeL centre. Neither could reasonably have been considered terrorists.

The Walter Wolfgang case is another example. I have known Walter Wolfgang for decades and I do not think that anyone could ever consider him to be, in any way, shape or form, a terrorist—[*Interruption.*] A bit of a nuisance, yes; but a terrorist, no.

The Government are appealing and I would be interested to know from the Minister what legal grounds there are for appeal and why she thinks the appeal might succeed. In my view, the appeal has little chance and she will need to reform the law when she returns to office after the election.

We also heard evidence that the new offence of taking and publishing a photograph of a police officer, under section 76 of the Counter-Terrorism Act 2008, is being abused. The offence is meant to relate to people committing or preparing an act of terrorism, but we have all heard examples of journalists and others being prevented from taking photographs of police officers or buildings and asked to hand over equipment, even though the current guidance makes clear that section 76 is

“not a public order tactic”

and does not prevent the legitimate taking of photos.

Harassing Japanese tourists taking photos of Parliament from across the river does little to enhance the image of the police or our country as a holiday destination. ACPO is agreeing new guidance with the National Union of Journalists. Perhaps the Minister will inform us about how the Home Office will monitor whether the new guidance proves effective.

Going beyond section 44, stop and search is also a key issue. Kent police have now admitted to misusing the PACE stop and search power in dealing with the Kingsnorth protest. Children as young as 11 were subject

to stop and search, and it is difficult to see what the grounds for “reasonable suspicion” might have been in those cases.

We heard numerous reports of personal data being recorded unnecessarily in an unlawful fishing expedition to gather intelligence about protesters’ identities and we heard about items—ranging from a walking stick to a camp chair and including, most bizarrely of all, a clown suit—being confiscated from peaceful protesters. I find it hard to visualise a protester who has misbehaved successfully running away from the police, perhaps squirting water at a police officer from a fake flower buttonhole, wearing oversized giant clown shoes.

A similar abuse of power is the taking and retention of photographs. Last year, the Court of Appeal ruled that that was contrary to the Human Rights Act if the person photographed is not suspected of committing an offence. HMIC also raised concerns about the role of forward intelligence teams, which are increasingly used to photograph protesters.

All the cases that I have mentioned provide evidence that police forces are cavalier in their use of these broadly defined powers, with disregard of individuals’ human rights as a consequence.

One of the most important legislative defects that we identified concerns the policing of protest around Parliament, a subject with which all hon. Members are familiar. When the Serious Organised Crime and Police Act 2005 was passed, it was intended to give teeth to the sessional resolutions passed in both Houses about maintaining access to the parliamentary estate at all times and to provide the police with the power to remove Brian Haw from Parliament Square. It has manifestly failed on both counts.

Nevertheless, the 2005 Act succeeded in criminalising far too many peaceful protesters who refused to give advance notification of their protests to the police. That was counterproductive and disproportionate. It is not possible to force people to talk to the police and some who may otherwise have done so now refuse to do so under compulsion, on principle. This bad law led to confrontation and the criminalisation of peaceful protests.

The most notorious such case was that of Maya Evans and Milan Rai, who were prosecuted for reading aloud at the Cenotaph the names of British soldiers and Iraqi civilians killed during the conflict in Iraq. Moreover, the law was not applied consistently. The police had discretion if certain things were, in their view, a publicity stunt. For example, a gang of Tories dressed as Father Christmases with Gordon Brown masks was allowed to picket without notice at Downing street without being arrested. I suggest that the police got things the wrong way round. What those Tories did sounds far more like a demonstration to me than the reading out of the names, which sounds more like a publicity stunt to draw attention to the 2005 Act and its shortcomings.

Dr. Harris: The illegal war.

Mr. Dismore: Putting aside the question of the legality of the war altogether, the Tamil protest is another example. The police had to tolerate it because the protesters’ tactics gave them little real operational choice. We recommended that the relevant clauses of the 2005 Act should be repealed and replaced with amendments

to the 1986 Act intended to ensure that the police had powers to deal with anyone seriously impeding access to Parliament. We were pleased that the Government accepted this recommendation and introduced amendments to the 1986 Act in the Constitutional Reform and Governance Bill. We made some detailed comments on the Government’s proposals in our report on the Bill and I tabled amendments on behalf of the Joint Committee to be debated during the Public Bill Committee. The Government also tabled amendments which specified the entrances to Parliament to which the police must maintain access and increased the area in which the new regime is planned to operate.

Although this issue has been extremely controversial outside Parliament and has been debated on numerous occasions inside the House in recent years, has been the subject of several Select Committee reports, and directly affects Members of Parliament and everyone else involved with this building, the programme motion prevented there being any debate whatsoever on the Government’s new proposals or our amendments, or amendments tabled by other hon. Members in the Public Bill Committee. It is completely unacceptable for contentious legislation on such an important issue to be made in this way.

David Howarth: The hon. Gentleman makes a good point, especially in light of the fact that the Government previously explained their failure to make progress on the issue by saying that they needed time to ensure proper parliamentary scrutiny, which they then proceeded to prevent.

Mr. Dismore: The hon. Gentleman makes his point. I hope that the Minister will explain the rationale behind the amendments, because we had no explanation on the Floor of the House, and perhaps she will reassure us that time to debate these matters will be found on Report. Given that we are weeks away from Dissolution, is she confident that these provisions will reach the statute book before then?

Dr. Harris: The hon. Gentleman has drawn attention to a real problem to do with debating laws such as this: we do not have time to debate them and are not given the chance to do so on Report in the House of Commons. The Minister knows that this matter was dealt with in the Wright Committee report. The solution to this matter—it is within the scope of the issues that we are discussing—is to accept and support the recommendations of that Committee. The Minister should say that her job would be made easier if the powers that be allowed the House to debate fully and endorse those recommendations.

Mr. Dismore: I will not be drawn down that byway.

Mr. Ruffley: You should.

Mr. Dismore: Not today. The point is clear. When we talk about important provisions covering protests around Parliament, which go to the core of our democracy, it is not fair or appropriate to have no debate on the Floor of the House, or in Committee. That can be rectified on Report, and I hope that it will be. We spent a whole day in Committee arguing about ratification of treaties, which is an important matter, and the net result was that we had no time to deal with this matter, yet the debate went short the following day. It was bizarre that we could not debate it then.

[Mr. Dismore]

On police tactics and training, it is now generally accepted that public order training and guidance does not adequately take account of the human rights issues associated with policing. We were pleased to hear that ACPO guidance is being redrafted, that the Home Office is producing a code of practice and that there is to be specific training not just for officers in riot control, but—of equal, if not greater, importance—for police commanders at all levels. Command training is essential.

I agree with the general plea from the police that the guidance must be a workable, easy-to-use document with clear principles, not a telephone directory or a manual prescribing precisely for every conceivable circumstance. The police need discretion, but that discretion needs clear and user-friendly guidance if it is to work. The Home Office has talked of publishing guidance for consultation in the spring; perhaps the Minister will tell us how the election will affect that timetable, and assure us that time will be found for parliamentary engagement on this important issue.

On particular aspects of police practice, we yet again saw evidence during the G20 protests of some police officers not displaying their identification numbers, and refusing to identify themselves when asked. Identifying police officers is essential to ensure that they are accountable for their actions. We recommended that displaying identification numbers or providing identification on request should be a legal requirement for police officers. The Government's response was to agree with our view on the importance of police identification, but to maintain the current position—that identification is a disciplinary rather than a legal matter. We remain unpersuaded. Making identification a legal requirement would send a strong signal to officers about the importance of this issue.

The Home Office suggested that failure to provide identification was a rare problem, and that may be so, but when it occurs, or is reported, it is in the most controversial and extreme circumstances, such as the fatal incident at G20 or the Countryside Alliance protest outside Parliament, going right back to the death of Blair Peach. Will the Minister provide us with some figures on the frequency of complaints and consequent disciplinary action on this issue, and update us on the long-awaited and now promised publication of the Cass report on the death of Blair Peach?

I have mentioned journalists on a number of occasions. Individual officers often seem to be unaware of the special position of journalists in reporting rather than participating in protests. I hope that the new guidance will tackle that problem better than the existing ACPO police-media guidelines. The NUJ said that they were “useless because the police on the street do not know anything about them”.

Journalists complain of police surveillance, denial of access to protests to report them, being pushed into demonstrations as protesters, which they are not, being refused permission to leave, being caught in the kettle and failure to recognise their press cards. They have been refused permission to photograph police officers under the erroneous interpretation of section 76 of the Counter-Terrorism Act 2008, which I previously described. Intensive media reporting is a challenge to the police, and we commented in our second report on how the

media had talked up the prospect of violence at the G20 protests. The police need better media relationships and strategies for major protests, and a good start is to recognise the legitimate role of journalists in reporting them.

Finally, the containment tactic, kettling, has been the subject of much debate. We concluded, and were criticised for this, that it could be a useful tactic, but only if used proportionately, when absolutely necessary, and in accordance with human rights principles; for example, to stop violent protesters from dispersing through a city. So far, however, the tactic has been deployed without regard to the rights of contained individuals, who have included not just peaceful protesters, but bystanders, such as Ian Tomlinson, with fatal results.

At G20, we heard of a diabetic who was not released when he needed insulin. The carer of his 83-year-old mother was held in the kettle and not allowed to go. Someone with a broken arm was allowed out only unaccompanied. There were many other cases. We heard of the crowd being charged and pushed back by police, but with nowhere to go back to. The root of the problem seems to be that the police see the crowd as an amorphous mass of trouble, rather than as a gathering of individuals, each with his or her own separate human rights, and for whom different considerations may apply from person to person.

We share the views of the HMIC that police commanders must be trained to use containment flexibly as a crowd control tactic; there must be a strategy for releasing people who do not pose a threat of violence; and facilities such as water, toilets and medical assistance must be provided to those contained for several hours. I accept that that creates immense challenges for the police, so I would like to hear the Minister's view on how kettling can be operated while respecting individual rights.

Mr. Ruffley: Does the hon. Gentleman believe that word “kettling”, which is in the public domain, is pejorative and not greatly to the police's advantage when they try to explain what they do? Does he agree that we should try to avoid that term of art?

Mr. Dismore: The hon. Gentleman will be aware that the police use the word “containment” and that protesters use the word “kettling”. Part of the problem is communication and people using different language. It would be hard to persuade protesters to use the word “containment” instead of “kettling”. If the hon. Gentleman reads my speech in *Hansard*, he will see that I have used both words, not quite 50:50, but not far short. I hope that my communication will get through to both sides.

In conclusion, the police have a difficult job in handling major public order incidents.

Dr. Harris: I am sorry that constituency work will not enable me to make a substantive contribution or hear the responses, but I want to draw the hon. Gentleman's attention to our recommendation on the Public Order Act 1986, which was to remove the provision on insulting from section 5, and leave it alone in section 4A to protect people from direct insult. Does he believe that it is important to make it clear to people that there is no right not to be offended, that free speech sometimes means that sensitive people will be offended, and that if

we allow people to make comments, for example, about gay people, if they are Christians, without the police coming up to them and questioning them, we must dilute the way in which the law operates at the moment? It is disappointing that the Government's response did not properly engage with the real problem or give good reasons for not proceeding along the lines that we have always suggested.

Mr. Dismore: The hon. Gentleman is a profound defender of the right of free speech, and he has made his point. The Government made some arguments in their response—for example, on people with disabilities—but having someone arrested for calling a police horse “gay” is ludicrous. Perhaps the police need better guidance, at the very least, on the use of law. The issue will continue to be debated, and needs to be.

The police have a difficult job in handling major public order incidents, often involving quick decisions aimed at protecting lives and property. By and large, they do an excellent job in balancing the competing rights of protesters, those protested against, journalists, bystanders and others, although as the G20 protests demonstrated individual protests can raise significant concerns.

We have aimed to assist the police by ensuring that they police protests in accordance with human rights. We are confident that the Government and the police now share our objective, based on a return to the British model of policing, including the minimum use of force. I believe that the police have already taken on board some of the lessons, based on the different approach to the climate camp last summer at Blackheath. We believe that the main issue is that the guidance and training available to police forces, commanders and officers have not taken sufficient account of human rights. Inconsistency between forces, some of which are ill-equipped to deal with major public order issues because of their small size, is also an issue. I hope that our successor Committee in the new Parliament will scrutinise action by the Government and ACPO to ensure that these problems are overcome.

Police accountability is also a major issue. Politicians should not influence operational decisions by police officers, but we were struck by the fact that clearly expressed ministerial views on how legislation, such as counter-terrorism powers, should be implemented did not appear to be influencing police action on the ground. A bigger role is being given to ACPO to ensure that police forces follow national guidance. We need to look closely at ACPO's developing role as a national policing agency and accountability mechanism, in what can be a specialist area of policing.

We have seen a clear commitment from the Government, ACPO, the police and all concerned to learn the lessons of what happened at G20 and earlier demonstrations. The real question is whether that commitment can be changed from a commitment in principle to different methods of policing when difficult demonstrations occur.

3.9 pm

David Howarth (Cambridge) (LD): As the hon. Members for Hendon (Mr. Dismore) and for Stroud (Mr. Drew) said, I have been directly involved in these issues for quite a long time. I should say right at the start that

although I am still critical of the position that the police sometimes take, and of the positions that the Government often take, we have come a long way in the past few months.

It was entirely clear from my visits to the Heathrow climate camp, and subsequently from reports of what happened at Kingsnorth, that the police had immensely abused powers such as that to stop and search and that their intention was to disrupt the protests, rather than to maintain public order. There were also some rather extraordinary claims at Kingsnorth, with the police claiming through Ministers that injuries had been caused—the implication being that the protest had been violent and that the protesters had caused the injuries. It turned out that the injuries were health and safety problems and that police officers had injured themselves getting in and out of their cars, had suffered from toothache or, in one notorious incident, had been stung by a possible wasp.

Dr. Harris: A possible wasp?

David Howarth: Yes, I have always wondered what an impossible wasp would be.

Although the situation has now moved on, things did not improve to begin with. The hon. Member for Hendon said that I was involved in trying to bring the protesters and the police together for a meeting the day before the Bishopsgate climate camp. The climate camp was entirely peaceful, and the disorder broke out at a different demonstration, near the Bank of England. The demonstration at Bishopsgate remained entirely peaceful for a long time, and there was no serious police intervention until 7 o'clock, when the police suddenly surrounded the demonstration and pushed the demonstrators back. Eventually, after about 11 o'clock, the police threw themselves into an operation that basically involved violently breaking up the demonstration, even though people had shown no violent intent all day. In fact, for most of the day, the demonstration had looked like a festival, with songs, dancing, seminars and food stalls.

What most disturbed me was my phone conversation with a senior Metropolitan police commander at 11 o'clock. I asked, “What are you doing? Why are you following this tactic?” and he replied that section 14 of the Public Order Act 1986 had been invoked, on the grounds not that there was violent disorder or serious damage to property, but solely because there had been serious disruption to the life of the community. The question then is what that disruption was. Why did the disruption suddenly start in the evening? What is more, we are talking about the City of London, where, as everyone knows, nothing much happens after business closes.

As the hon. Member for Hendon said, the police attitude seemed to be that any demonstration on the street was technically illegal and technically disruptive because it was technically obstructing the highway. That, apparently, justified any action, no matter how disproportionate, to break up the demonstration. It was entirely over the top; it was not just unnecessary, but dangerous. The lives and limbs of the demonstrators, and indeed some police officers, were put at risk simply to clear the streets, as if that was a justification. However, we have moved on.

Mr. Ruffley: Will the hon. Gentleman give way?

David Howarth: Can I just finish the point? I do not want to break off without saying what the improvements have been.

First, we have had the report from Her Majesty's inspectorate of constabulary, which clearly moves in the direction of saying that the right to peaceful protest—not technically lawful protest—should lie at the heart of the police approach. That is an enormous and important advance on the part of the police.

Secondly, we had the Tamils' demonstration, which was policed in an entirely different way. Of course, it could be argued that it would have been unreasonable and dangerous to have policed it in any other way in the circumstances, but lessons had nevertheless been learned.

Finally, we had the Blackheath climate camp, which has not been mentioned—*[Interruption.]* I apologise to the hon. Member for Hendon if he did mention it. The attitude of the police there was very different, and communication between them and the protesters was much better. Although there were still points of tension, what happened at Blackheath was a vast improvement over what had happened at Bishopsgate and Kingsnorth.

I shall give way to the hon. Member for Bury St. Edmunds if he still wishes to intervene.

Mr. Ruffley: The hon. Gentleman has answered my question.

David Howarth: On the Committee's report, there are still points at issue between the Government and the Committee. The hon. Member for Hendon was right to start and end with the communication and dialogue between the police and the protesters. I am not sure about the police, but the Government have not quite grasped the importance of communication in defusing situations and in reminding both sides why they are there. The protesters want to protest, and the police want to ensure that the protest does not become disorderly or violent. If the two sides stay in communication, they will remember that, rather than getting into a conflict about the process, about who said what and about the policing itself.

I return to the meeting that I organised between the police and the climate camp protesters on 31 March last year. The police seemed unwilling to engage directly with the protesters, while the protesters were reticent about telling the police their plans. The Committee rightly picked up on the unwillingness on both sides to communicate, but it has not quite picked up on the reason why the protesters were unwilling to communicate their plans to the police.

That unwillingness came from the protesters' previous experience, particularly at the Heathrow climate camp, where they believed that the police had tried to disrupt the protest once they became aware of the protesters' plans. For example, the protesters believed that the police attempted to persuade landowners in the area not to allow protests on their land, even though the protesters were trying to go about their business of protesting in a lawful way by asking for permission.

That is the key point. The lack of trust that built up over the years between the protesters and the police caused the protesters' reticence about talking to the

police. That reticence is still there because of that lack of trust. The situation is very brittle and fragile. Given where we are, it would be easy for the progress that we have made to be undermined by a further breakdown in trust as a result of other incidents. Examples include the pre-emptive action by the police at Ratcliffe power station and the use of pre-charge bail conditions against both protesters there and protesters who came into this building. That appeared to be an attempt to make it unlawful for protesters to organise protests or to communicate with one another.

Documents in which ACPO issues guidance and includes environmental protesters in a list of terrorists have also come into the public domain. Such instances tend to undermine the degree of trust that is slowly being built up between peaceful protesters and the authorities. I urge the Government to bear that in mind in dealing with policy. If communication starts to break down again, the whole thing will go into reverse, regardless of what the reports say. Reports are one thing; practice on the ground is another.

I should mention in passing that I agree with the Committee on the need to review the status of ACPO. One of the themes of my life last year was coming up against ACPO over and over again, as if it were not just a regulator of the police and a kind of alternative inspectorate, but a kind of legislator. ACPO policy seems to have the same force within the police as secondary legislation.

We need to get a grip on ACPO and its various subsidiary agencies, which deal with domestic extremism. At the very least, we need to subject it to the Freedom of Information Act and treat it as a public authority, to go back to another of the themes of the hon. Member for Hendon. Ultimately, we should say that if it is to be a sort of national policing body, it needs a national-level accountability mechanism.

Dr. Harris: I think that it is true that ACPO has never responded to the Government by saying, "No, we don't need this law," and I do not think that the Government have ever said they disagreed with ACPO about whether a law was needed. That is part of the problem. ACPO is a natural lobby, and it should be treated as merely a lobby; it lobbies Governments for the police to have as many powers as possible, and Governments seem very willing to give them those powers.

David Howarth: Obviously, we must listen to the police when they talk about what powers they feel they need, but we must go back to what the hon. Member for Hendon said, which I think my hon. Friend agrees with, about the key point being that the powers should be narrowly drawn. They should not be over-broad, and should be specific to the need. We should not rely on the rather odd argument that the police can be given sweeping powers—but that it would be unlawful for them to use them contrary to the Human Rights Act 1998, and therefore it does not really matter that they are sweeping.

Mr. Ruffley: The hon. Gentleman is developing an interesting argument, as always. Am I right to suppose that he thinks that the tripartite structure of British policing should be radically redrawn, given his concerns about ACPO?

David Howarth: I am sure that what we do not need is a system of directly elected sheriffs, which would mean that we were in great danger of breaking up something very important in our constitutional policing structure—the fact that operational decisions about who should or should not be arrested remain with police officers and are never influenced directly by politicians. The issue that I am raising at the moment is about what happens to the anomalous national bodies that do not fit, and never will fit, into the existing structure. We need something specific to deal with them.

Mr. Dismore: I agree with the hon. Gentleman, who is developing a theme from my report. It is bizarre that ACPO should be a limited liability company; presumably, it is required to file accounts at Companies House as an annual report but not to give an annual report to Parliament. Perhaps there should be a statutory body that would report annually to Parliament about its activities.

Personally, I have a lot of confidence in ACPO's new head, Sir Hugh Orde, whom I met when he was the Chief Constable of the Police Service of Northern Ireland. He has a forward-looking approach to many of the relevant issues.

David Howarth: Yes; I agree on both those points. The appointment of Sir Hugh Orde is an excellent one, and I look forward to a great deal of progress under his leadership.

The hon. Member for Hendon mentioned kettling—or containment, depending on which side of the issue one is on. One of the areas of most concern is a police tactic that I think can legitimately be called kettling. It happens when containment is pushed in on the demonstrators. The demonstration is contained in a smaller and smaller area; that raises the pressure and the temperature, and it is kettling.

Throughout the debates on the issue—and the hon. Member for Hendon may be right about there being exceptional circumstances in which containment is necessary to prevent further harm—that aspect of the tactic has never been properly explained. I have seen it, and have seen film of it, and it seems inexplicable to me. It always leads to more trouble and raises the temperature. It always increases the risks for all concerned.

As for media reporting, the Committee came to the conclusion that although accounts of the run-up to the G20, for example, included a good deal of ramping up of the expectation of violence, that was largely down to the activities of the media and not the police. However, the problem was that the police did not take the opportunity to reduce the temperature. It was being raised by the media, but what was the police response? I have still not seen a satisfactory answer from the Government, or from the police via the Government, to the Committee's point about that. It seemed very specific to me: the media strategy of the police should be aimed at calming everything down, and taking active steps to do so.

Will the Minister confirm that the Government's position, which seems to be the same as the police position, is that current regulations on police numerals are sufficient, because under those regulations it is already a disciplinary matter not to wear them? If so, that does not seem adequate, because we know that the current regulations have been ineffective at making sure that police officers wear their numerals clearly when on

duty at demonstrations. Behind the issue is culture, and its somehow being acceptable for police officers on duty at demonstrations to be what someone called a designated hitter, with the job of applying violent methods so that they are hidden and unattributable. I think that that lies behind the numerals issue, and we need to address it.

The Committee rightly raised the question of protests around Parliament, and further legislative action is being taken in the Constitutional Reform and Governance Bill—to which we shall return on Report, so I do not want to say much about the matter now. The Committee was rightly concerned; not only had the previous powers been removed, but new ones, which were vague, unclear and possibly very broad, had been introduced.

I would go further than the Committee. First, there is an argument that all the powers already exist to ensure that there is access to Parliament. Section 14 of the Public Order Act 1986 and all the legislation about demonstrations already give the police sufficient power to do what we want them to. Even if that is not the case, the only gap is specifically about what the police can do when access has been blocked. However, the new version that has been passed in the Serious Organised Crime and Police Act 2005, which we should revisit, seems to keep the regulation in place in advance of any trouble. That is still prior restraint of demonstrations and assemblies. I fail to see the justification for having extra prior restraint around Parliament, as opposed to extra powers to clear the way and ensure that Members of Parliament can get into the building.

The most disturbing aspect of all incidents such as the climate change camp and other demonstrations, and the confrontation between the police and demonstrators, has been the excessive use of counter-terrorism powers against those demonstrators. I do not deny that there has been progress, but I was disturbed to hear what the hon. Member for Hendon said about the Government's response to the Gillan case. This is about the abuse of stop-and-search powers. More than that, it is about whether it is legitimate at all to have stop-and-search powers that can be exercised without any reason or underlying evidence, but merely on a hunch. The Court was absolutely clear on that. Its conclusion was that section 44 is not an adequate law because it does not give people sufficient advance knowledge or warning about what the powers of the police are, and when they will be used. It gives the police a vast opportunity to act arbitrarily.

Paragraph 84 of the judgment says that

“the Court is struck by the statistical and other evidence showing the extent to which resort is had by police officers to the powers of stop and search under section 44 of the Act. The Ministry of Justice recorded a total of 33,177 searches in 2004/5, 44,545 in 2005/6, 37,000 in 2006/7 and 117,278 in 2007/8...In his Report into the operation of the Act in 2007, Lord Carlile noted that while arrests for other crimes had followed searches under section 44, none of the many thousands of searches—”

we are getting up to half a million—

“had ever related to a terrorism offence; in his 2008 Report Lord Carlile noted that examples of poor and unnecessary use of section 44 abounded”.

Mr. Dismore: My understanding is that one of those who was stopped under section 44 was Admiral Lord West of Spithead, who is a Government security Minister. I hope that he would not be suspected of any terrorist activity.

David Howarth: One would hope not. The point is that the Court struck down section 44 on its face—not as it was applied, not given the circumstances of the case and how it was operated, but on its face. That seems to be a very clear judgment, and I would be fascinated—perhaps horrified—to learn of the Government’s reasons for appealing against that judgment.

I will finish with a couple of other matters. The hon. Member for Hendon was right to draw attention to the potential for the use of civil injunctions in preventing protest. It appears that around the time of the Kingsnorth protest the Kent police encouraged the power companies concerned to use civil injunctions as a way of preventing that protest from going ahead or being effective.

The Government’s response seems to be entirely inadequate. As the hon. Gentleman says, special procedures are already in place for certain sorts of circumstances where injunctions are applied for without notice, or only on one side. It would be entirely practical to extend that procedure as the most minimal of safeguards against prior restraint of demonstrations and free speech, to any circumstance in which article 10 or article 11 rights are engaged. This is not about disagreeing with the Government—I simply cannot understand their objections to doing that.

My hon. Friend the Member for Oxford, West and Abingdon (Dr. Harris) mentioned section 5 of the Public Order Act 1986. I agree with him. The present offence under section 5 is one of negligence. One could be found guilty of a crime for insulting someone in circumstances where it is likely that someone would be distressed. There are various defences, but that is basically the offence. My hon. Friend, and the Committee, do not suggest that the rather more serious offence in section 4A of intentionally causing that distress should be changed, but section 5 seems to be an example of an overly broad criminal offence that should be reviewed. As my hon. Friend says, one important aspect is the fundamental idea about whether we have a right not to be offended. I do not think that we have such a right. People take offence at all sorts of things, often in political arguments. If free speech is about anything, it is about the right to make political points that other people find offensive.

Finally, I want to refer to what the report says about the forward intelligence teams that the police use at demonstrations, especially when they photograph demonstrators. I have been photographed on demonstrations several times. One demonstration was on the middle east, and the other was about student fees in Cambridge. That was such a quiet and civilised demonstration that it did not even leave the pavement. People walked quietly from the Guildhall in Cambridge to one of the open spaces where, on the other side of the road, police officers with long lenses were photographing us all as if we were some kind of public menace. Perhaps we were a public menace, but we were not doing anything at the time to suggest that.

When challenged, the police said, “Well, it was possible that you might be committing a criminal offence”. We could not work out what the criminal offence was, but all of us on that demonstration were immediately suspects, simply because we disagreed with a Government policy. That is the basis of the Wood case and it is why that case went against the Government. That sort of activity is designed to intimidate and to undermine people’s

desire to protest. If we cannot sort out that issue and the underlying attitude of the authorities that assumes that there is something wrong with people just because they are protesters, we will never be in a position to say that we fully accept and respect the right to protest.

3.37 pm

Mr. David Ruffley (Bury St. Edmunds) (Con): We have already had a forensically interesting debate and I will start my remarks by highlighting, unambiguously, the excellent work that police officers perform week in, week out, month in, month out, policing protests and events of all kinds. Even at the G20 protests, where the news was dominated by some tragic incidents, we should remember that more than 35,000 protesters demonstrated in London, requiring 10,000 police officer shifts. Despite the scale of the disruption, businesses in the City reported minor damage and non-protesters were certainly able to go about their lives with little or no major disruption of any kind. However, the Opposition believe that it is right that when serious public order incidents occur, a thorough investigation should and must be conducted by the Home Office, or in particular by the Independent Police Complaints Commission or Her Majesty’s inspectorate of constabulary. If appropriate, action should be taken.

Following the G20 protests and other high-profile events referred to, such as the protests at Kingsnorth power station, there has been considerable scrutiny of how we go about policing events. Last June, the Select Committee on Home Affairs published its report, “Policing of the G20 Protests”. The Government published their interim response to that report on 24 October and their final response on 15 December.

HMIC conducted its own investigation on the way in which protests are policed. Its interesting report, “Adapting to Protest—Nurturing the British Model of Policing”, was published on 24 November. HMIC’s review of the policing of protests found that there were an inadequate number of trained public order commanders. Its report found that 16 to 22 per cent. of forces feel unable to provide a minimal ACPO or National Policing Improvement Agency-accredited command structure for policing events.

My understanding is that a normal command structure on average would consist of two advanced public order commanders—gold or silver commanders—and two initial commanders, known as bronze commanders. The report found that there were less than adequately trained public order commanders in charge of operations in major forces, including the Greater Manchester police and the West Midlands police. Can the Minister confirm what her view is on that evidence and what action her Department has undertaken to remedy that alleged shortfall?

In respect of rank-and-file officers, HMIC found that 22,500 officers in England, Wales and Northern Ireland are trained to level 2 out of the three tiers of public order operational effectiveness. Level 2 is the standard level in the use of public order skills, tactics and equipment. The proportion of officers in forces trained to level 2 across England and Wales is, on average, just over 15 per cent., but the figures vary across force areas, from 8.7 per cent. in the South Wales police to 39 per cent. in Northumbria. Obviously, part of that difference

reflects the challenges that the different forces face geographically. Some areas, and particularly metropolitan forces, will have more large-scale events and will as a consequence train more officers to deal with them. I would be grateful if the Minister confirmed that the Home Office has assessed or will assess the number of officers in each force trained to level 2 for public order policing. If she and her Department are not doing that, what information does she have on it?

HMIC acknowledged the very significant cost of public order training. No sensible political party could ignore the fact that public order training is important, but a price tag is attached to it. HMIC says that police officers do not need more training, but that the existing training needs to be

“smarter—more directed, more focused and more relevant”.

Will the Minister comment on what information she has in that regard?

One of HMIC’s recommendations is for the service to adopt a set of fundamental principles on police officers’ use of force that runs through all aspects of policing. Will the Minister elucidate on what she understands is the core set of fundamental principles on police officers’ use of force? Is that something that ACPO is advising her on, and implementing and directing? Is it something that the Home Office is doing, or the NPIA, or who?

The ACPO lead for uniformed operations has already said that he will lead the work to codify public order guidance to ensure that the police

“have very high standards of compliance with the recommendations and to make sure that we embed some of the new thinking about public order and new training programmes.”

Can the Minister elucidate on what stage that work has reached, what she might be able to publish and what she might be able to explain here today.

Clearly, it is of the utmost importance that the work is completed as expeditiously as possible to ensure that the changes in guidance and their implementation are embedded. There a simple reason for that: whoever is in government, we have the Olympics coming up in 2012, which will undoubtedly provide a severe, stern and serious test of policing capability in respect of public order offences. It is essential that our officers have had time to take on board any changes that have been suggested, quite properly, in the past 12 months, so that those changes can bed in and so that everyone—public and police, as well as Government—understands exactly what the score is. We also need the necessary resources to ensure that the adequate level of training is achieved. I shall be charitable to the Minister today—we all understand the tight constraints on any public service budget, and the Home Office budget is what it is—but, on training, we need to get more bang for our buck, whoever the Minister happens to be at the time. Clearly, that is not a matter for a Minister in an office in Whitehall to direct for 40-odd forces, but we do need a slightly better understanding than we have at the moment of what the guidance is and who is driving it through and ensuring delivery, with the main thing in mind being the 2012 Olympics.

I shall move on briefly to the powers under section 44 of the Terrorism Act 2000. The Opposition agree with the part of the report dedicated to the use of section 43, 44 and 45 terrorism powers in policing protests. Those

provisions should be there; they do not need to be repealed. Section 43 allows the search of a person whom an officer reasonably suspects to be a terrorist. Section 44 authorises an officer to carry out the search. Section 45 confers on an officer the power to search, whether or not they have grounds for suspecting that a person has articles that could be used in connection with terrorism.

In 2008-09, there were 256,026 stops and searches under section 44. That was a 36 per cent. increase on 2008. A further 1,643 stops and searches were carried out by the Metropolitan Police Service in 2008-09 under the powers in section 43. The report by the Joint Committee on Human Rights stated:

“Counter-terrorism powers should never be used against peaceful protestors: the Government’s guidance on stop and search powers in Section 44 of the Terrorism Act 2000 should make this clear.”

Would the Minister like to add to that proposition, which has already been raised by the hon. Member for Hendon (Mr. Dismore) and which I am raising again now? Court’s finding at least a little disturbing? Of the tens—nearly hundreds—of thousands of searches made under section 44, in no case had anyone been arrested for a terrorist offence. Does that not show that the powers are being used not for that purpose but for a whole range of other purposes?

Mr. Ruffley: Anecdotally, the hon. Gentleman may be right, but he has also made a point about legal cases. I look forward to the Minister clarifying that rather important matter.

Mr. Dismore: There is no argument about section 43, which allows for stop and search on grounds of reasonable suspicion; it is fine. The problem with section 44 is that no reason is needed for such searches. I recently discussed the matter with the borough commander in my area, and I discovered that half a dozen sites in my constituency are classified as section 44 sites. I find it remarkable that they should be considered terrorist targets, never mind that they should be subject to section 44 search powers.

The real problem is the overly broad nature of section 44. Nobody objects to section 43 powers being used if there are grounds for suspecting someone of engaging in terrorist activity. It is not a problem. The difficulty is that, with a quarter of a million people—I think that that was the figure—being stopped under section 44 as opposed to being stopped under section 1 or section 60, when people can be stopped with cause, the powers of section 44 have been misused but without detecting a single terrorist.

Mr. Ruffley: I am grateful to the hon. Gentleman for that intervention. He spoke of the powers being misused. It is incumbent on the Minister to say whether that is an appropriate description. We wait to hear from her. The argument is certainly being kicked around the block. I make no judgment on that, but I am sure that the Minister will have a pretty much definitive view on what action, if any, she thinks might need to be taken.

Section 5 of the Public Order Act 1986 gives officers discretion to arrest individuals who use

“threatening, abusive or insulting words or behaviour”

in certain circumstances. The Joint Committee on Human Rights expressed its concern that criminalising people

[Mr. David Ruffley]

for using insulting words or behaviour might stifle freedom of expression. It recommended that “insulting” should be deleted from the 1986 Act.

I understand that the Government agreed to discuss the matter further with ACPO, the Ministry of Justice and other relevant parties. I believe that the Independent Police Complaints Commission has offered its support for the proposal. Will the Minister tell the House what conclusion has been reached by the Home Office? Have the Government accepted the idea of legislative change?

Others have referred to quasi-public space. Concern has been expressed that although areas such as shopping centres are privately owned, they constitute quasi-public spaces. The Government acknowledge that, and have indicated that they would hold further discussions with local authorities and related bodies. Will the Minister update us on that question? It would be a useful clarification.

I turn to the taking and retention of photographs. We are all aware of the Court of Appeal judgement of 21 May 2009. It found in favour of a campaigner who had taken photos of an arms trade meeting—photos that were subsequently confiscated by the police. On 30 June 2009, the Minister for Crime, Policing and Counter Terrorism wrote to the Joint Committee on Human Rights to inform it of the implication of the Wood judgment. He said that all police forces needed to review their policies and procedures. What role is the Home Office taking in providing further guidance on that point? If guidance is not being provided directly by the Minister’s team, what steps is she taking to oversee the clarification about such photography?

David Howarth: I note that, like me, the hon. Gentleman is going through the report to find differences between the Government and the Committee. Unless I missed something, he seemed to slip over the question of civil injunctions. What is his view of reform in that area? Does he believe that reform is necessary? In particular, does he believe that there should be special protection against injunctions without notice for those taking part in protests?

Mr. Ruffley: May ask the hon. Gentleman for clarification? He mentioned civil injunctions, but in respect of what particular activity?

David Howarth: I refer to the section in the Committee’s final report about civil injunctions, in which the Committee questioned the Government on whether the civil procedure rules should be reformed, so that in instances such as the Radley Lakes case, protesters who end up being enjoined by the court at the instance of landowners should have notice of those motions for injunctions before they are imposed.

Mr. Ruffley: That is an interesting legal point. I have a tired Cambridge legal brain, which goes back 25 years; the hon. Gentleman is much more up to date. I do not know the answer. If I add my weight to the hon. Gentleman’s question, I hope that the Minister will respond to it.

The Committee’s report offers a thorough and most interesting analysis of the politics and policy behind policing protests. I look forward to the Minister’s views on some of the non-partisan points raised with distinction by all sides.

I end with an entreaty to those who read or hear about today’s debate. At the end of the day, although brickbats and abuse are thrown at the police if they breach the law—if individual officers overstep the mark—we have to set that in context. The vast majority of police officers who engage in public order policing behave impeccably and with courtesy and fair-mindedness, and they apply the law to the letter. We should not let press reports or anything emanating from the House suggest otherwise. Those who transgress are in a minority. Everyone who believes that policing is crucial to the way we live, and that it helps to secure life and limb and to defend homes, families and streets, must remember that although there may be alleged transgressions, they are few.

3.59 pm

The Parliamentary Under-Secretary of State for the Home Department (Meg Hillier): It is a pleasure to serve under your chairmanship, Mr. Streeter. I congratulate my hon. Friend the Member for Hendon (Mr. Dismore) on the work carried out by the Joint Committee on Human Rights in respect of policing and protest and particularly on the Committee’s deft ability to produce a report and still take account of an event that took place a day or two after it was published.

We heard that the Committee took written and oral evidence from a wide range of witnesses and examined the way in which protests are policed in a number of other countries. That detailed evidence gathering is reflected in the tenor of the report.

Some Ministers may find scrutiny uncomfortable, but it is an essential process, especially in the area of policing. If the police service and the Government are to learn lessons, particularly when things go wrong, we should not be afraid of scrutiny. Personally, I welcome it, and I know that my right hon. Friend the Minister for Policing, Crime and Counter-Terrorism does too. He and my hon. Friend the Member for Tynemouth (Mr. Campbell), the Under-Secretary of State, give their apologies for not being here today. They are busy in Committee.

The management of House of Commons business, which was raised by some Members, is a matter for the usual channels; the Home Office has less power in that regard than we do as individual Members. None the less, I am confident that there will be time to debate in that Bill some of the other matters that were raised today.

How officers police protests is hugely important, and the issue has attracted considerable interest in recent months. As the hon. Member for Bury St. Edmunds (Mr. Ruffley) said, in the vast majority of cases the police get it right. None the less, all it takes is one wrong move for the public, understandably, to lose confidence. When the public lose confidence in the police, it can undermine the British policing model, which is built on the principles of policing by consent and community policing. We have seen such principles amplified in our approach to neighbourhood policing, in which police officers are very much embedded in the community, rather than appearing only when a crime is committed.

Such an approach should not be different when it comes to policing protests. We have a close communicative approach to policing protests rather than the distance approach that is seen in some other countries. I know

that my right hon. Friend the Minister and my hon. Friend the Under-Secretary would back me very firmly in my view that we have the best police service in the world. We must nurture it.

As the Committee will be aware from the letter of 13 January, my right hon. Friend the Minister welcomed the Joint Committee's report on behalf of the Government, as well as the other reviews that have been published on this issue in the past year. Our response to the Committee's recommendations is based on the HMIC report, "Adapting to Protest: Nurturing the British Model of Policing". That title sums up the sentiment at the core of the Home Office's attitude to policing. The report was published last November, and the Government's position on the policing of protests was set out in the White Paper "Protecting the Public: Supporting the Police to Succeed", which was published in December.

As we said in the White Paper, the public have the right to expect the highest standards of policing, and we have to support every officer in delivering those high standards. None the less, it is important to put the policing of protests into a proper context. The overwhelming majority of officers do a professional job in what can be testing circumstances. Examples of good practice include the sensitive policing of the Tamil protests around Parliament. Difficult challenges were presented by the English Defence League demonstrations, which saw thousands of people gathering in some of our cities.

As the Government made clear in the White Paper, we welcome the HMIC report as a major contribution to the future direction of the policing of protests. We are committed to working with the police and others to ensure that the recommendations are properly acted on.

The White Paper endorses the values championed by the HMIC review and reaffirms the key principles of the British policing model. As I have said, community policing and policing by consent underpin the policing of protests as well as our general approach to policing. We agree with the Joint Committee that human rights awareness must be a core part of policing protest. A human rights-based approach, however, is not a soft option; it does not mean anything-goes policing. It upholds our democratic principles, supporting the founding tenets of British policing and, crucially, providing a practical framework for the police to resolve any areas of conflict.

Mr. Dismore: The Minister is right to say that human rights policing is not anything-goes policing. Evidence from Northern Ireland shows that lethal force can be used in a human rights context if it is used with proper safeguards.

Meg Hillier: I take this opportunity to echo the comments of my hon. Friend and to praise the progress that has been made on policing in very challenging circumstances in Northern Ireland. We recognise that in the Home Office, and it was certainly reflected in the Committee's report.

The Government believe that we must start from the position of supporting those who want to exercise their right to peaceful protest. None the less, those seeking to exercise it must act responsibly and look to work constructively with the police. The public can expect some disruption and inconvenience as a consequence of the state's upholding the rights of protest. That is the

hallmark of an open and democratic society. We agree with the Joint Committee that the policing of protest must be founded on good communication and dialogue between the police and protest groups, drawing on community-style policing, which is the foundation of what we do. It is key to a no-surprises policing policy.

The Government are not saying that protests will be unfettered. If, for example, there is a threat of serious public disorder, the Public Order Act 1986 specifically allows the police to intervene and impose conditions on protests to prevent serious public disorder, serious disruption to the life of the community and serious damage. That is based on a senior officer's reasonable belief, taking into account the particular circumstances.

It is very clear that we need to ensure that such a decision is made at an operational level—by that, I mean at the time and on the judgment of a professional police officer. The 1986 Act needs to be read against the Human Rights Act 1998 whenever the police consider using their powers in such a way. Clearly, the police must have guidance and training. The principles also provide clarity on issues that continue to raise legitimate concerns, such as the proportionate and appropriate use of police stop-and-search powers; the use of force; the application of containment; how police and protesters can improve their communication with one another; how chief constables can ensure that officers in uniform are clearly identifiable at all times to the public whom they serve; and what images and data on protesters the police can gather and retain. I will touch on the points raised by hon. Members in a moment.

ACPO and the National Policing Improvement Agency are already well on the way to updating guidance and training. As the HMIC makes clear, it is all very well providing guidance and training, but the guidance and training need to be targeted, practical and informed by front-line officers who are facing the public.

Transparency is key to building confidence and to working towards a no-surprises policing policy. Given the national public order and interoperability challenges, forces across the country need to use and comply with guidance and training. We often have situations in which police are moved from one force area to another to police a protest. If they work under different guidelines or have a different approach, that could cause great difficulty and mean that they were not doing their job so well. It is important that we have some consistency across the 43 forces in England and Wales.

We agree with the HMIC recommendation that a Home Office code of practice is the way to achieve that consistency, and we are working with the police service to develop a code that supports common standards and gets the right balance in minimising bureaucracy and respecting key elements of the British policing model—operational independence, officer discretion, local innovation and political neutrality.

I have listened very carefully to the points that have been raised, and I am delighted to be able to answer them. Unusually, I have time to do so; I do not think that I have ever been in Westminster Hall when I have had time properly to answer the points raised. I hope to cover everything that has been raised today.

My hon. Friend the Member for Hendon raised a number of issues, particularly about stop-and-search, section 44 of the Terrorism Act 2000 and photography.

[Meg Hillier]

The hon. Member for Bury St. Edmunds talked very supportively about the hard work that our police do, and the hon. Member for Cambridge (David Howarth) raised other concerns that I will address later.

I hope that in my first comments I addressed the concern of the hon. Member for Bury St. Edmunds about the core principles. Proportionality, legality and necessity are the principles behind the policing of protests. ACPO, the NPIA and the Home Office all have a role to play in ensuring that our police on the ground have the guidance and practical support that they need to act in that way.

Mr. Dismore: The Minister is right, but what she is talking about are the restrictions on protests; the restrictions have to be necessary and proportionate. Will she also confirm that articles 10 and 11 are the key human rights principles here—that they guarantee the right to protest and that there is a duty to facilitate that right?

Meg Hillier: I can confirm that and I will go into more detail on that when I address those issues.

My hon. Friend the Member for Stroud (Mr. Drew) raised a concern about photography. I know that that is a sensitive area; as a constituency MP, I have had to deal with that issue in relation to a particular constituent. We know that photography can be a valuable intelligence-gathering tool. Of course, it works both ways—there are the photographs taken of protesters by the police and then there is the section 44 issue. However, photographs taken by the police can be a valuable intelligence-gathering tool, which allows officers to build up a clear picture of who is involved in planning and organising any criminal behaviour. It can also provide the police with valuable evidence.

The use of photography raises human rights issues. The courts have recently considered whether the taking and retention of photographs is compatible with the right to private life protected by article 8 of the European convention on human rights. The decision to retain images is a matter for individual police forces, informed by the legislative framework set out in the ECHR and the Data Protection Act 1998. The Home Office code of practice on the management of police information sets out the key principles to be followed in the retention of police data.

In line with HMIC's recommendation, we intend to clarify that legal framework for the use of overt photography by the police during public order operations. In producing detailed advice on this area, we shall be drawing on the summary of the ECHR implications of the Wood case in HMIC's report, the advice sought by ACPO and the Metropolitan police service's revised standard operating procedure on overt filming. We are holding "train the trainers" events to raise awareness and understanding of human rights issues for those who deliver command training across the police service.

My hon. Friend the Member for Hendon and the hon. Members for Bury St. Edmunds and for Cambridge mentioned our relations with journalists and the media. We are looking at media best practice with the Society of Editors and the National Union of Journalists; indeed, that best practice has now been finalised. Furthermore, the profile of the UK press card will be

raised throughout police forces, and forces are now building the role of journalists into their training scenarios to increase awareness among front-line officers. As a former journalist myself, I am certainly very pleased that we are making it clear to police officers that journalists have a legitimate and proper role to play in covering protests and related issues, and that that role is separate from that of protesters. Crucially, as HMIC recognises, awareness-raising is already being translated into action.

My hon. Friend the Member for Hendon and the hon. Member for Oxford, West and Abingdon (Dr. Harris) both raised issues about injunctions against protesters; I think that the hon. Member for Cambridge touched on those issues too. Unfortunately, the hon. Member for Oxford, West and Abingdon is no longer in his seat, but he can read my comments in *Hansard* tomorrow.

As we said in our response to the Joint Committee, we consider that the civil procedure rules provide sufficient safeguards to ensure that those who are the subject of injunctions have the opportunity to make representations. We are not convinced of the need to amend the civil procedure rules and we believe that the Civil Procedure Rules Committee, which considers changes, would be unlikely to be convinced about the need for change on the basis of what appears to be an isolated case.

Mr. Dismore: I do not think that it is an isolated case—that is the problem. Indeed, the BBC produced a programme about this issue of injunctions in the middle of last year. It found quite a few cases in which the civil injunction procedure was being used to restrain potential protests. The real question is this: is the state facilitating protest or preventing it? To an extent, that issue is mixed up with the issue of private land and private-public space. However, the fact remains that the safeguards are simply not there in any meaningful way, and although it may be theoretically possible for people to come back afterwards and challenge such injunctions, in practice that does not work. There is no urgency about these things.

Meg Hillier: It is not that there is no urgency. If we are looking to change the law, whether through primary legislation or other routes, we have to be careful to ensure that we are not doing so on the basis of just one case. If the Joint Committee has evidence in relation to other cases, we will certainly look again at the issue of injunctions and I will certainly pass any such evidence on to my right hon. Friend the Minister for Policing, Crime and Counter-Terrorism. However, as I say, we cannot work on the basis of one case.

Let us take what is perhaps a more challenging example. If there is someone who is a partner and, say, a member of Fathers 4 Justice, could that person not use the cloak of being a protester to circumvent civil procedure rules?

Mr. Dismore: No.

Meg Hillier: Well, I think that we need to be clear that there could be perverse outcomes if we rushed into change on the basis of one example. We need to look into that issue.

Mr. Dismore: I simply say to my hon. Friend that someone from Fathers 4 Justice, or whatever, may well be a protester, but that is not the point; there is nothing to stop the injunction being granted. The only issue is

that they should have proper notice and a fair hearing, and the problem is that at the moment they do not get those things.

Meg Hillier: Perhaps I did not make my point clear, but it was about somebody who was, for example, in the situation that I described. If there is an issue about personal safety for an individual, sometimes the injunction needs to be put in place expeditiously and there is not time to give notice. There should always be as much notice as possible, but sometimes urgent situations arise and we need to ensure that we provide safety for people too.

I am keen to move on, because essentially injunctions are a matter for the courts to decide and we need to be mindful of the separation of powers in this country.

Mr. Dismore: Of course it is a matter for the courts as to whether an injunction should be granted, but it is a matter for Parliament to decide the circumstances in which that power should be available to the courts. The hon. Member for Cambridge came up with what I thought was a very neat formulation, which is that a court should pay due regard to articles 10 and 11 of the ECHR. That would not necessarily bind a court, but it would mean that, for example in the circumstances that my hon. Friend outlined—a better example might be that of animal rights activists who have actively engaged in violence—the injunction could still be granted *ex parte*, but that should be the exception and not the norm.

Meg Hillier: The courts are obliged to take into account articles 10 and 11 of the ECHR in all cases before them, under the Human Rights Act 1998. In this instance, we are talking about procedure rules and there remains a role for without-notice injunctions. Ultimately the courts, which are used to all aspects of granting injunctions, will decide on injunctions. If the Joint Committee has further evidence in relation to this issue, we would welcome the chance to look at it. However, as things stand, we have no plans to change our position.

The hon. Gentleman also raised the issue of the use of technology. There is a real benefit to using technology, but we must not forget the basics and in this country the basics of policing are human—our police officers on the streets. Good communication is the key, in terms of face-to-face community-style policing, and that is how we in this country choose to police protests. We do not stand at a distance using water cannons, as police in other countries do, and we should not have communication as a specialist role; I believe that it needs to be embedded, as it already is, in the training of all police officers.

The hon. Gentleman also raised the issue of independent mediators. We agree with HMIC that it is preferable for the police to remain the primary arbiter in relation to decisions about protests, on the basis that they will take impartial decisions and are accountable under the law for the exercise of their discretion.

Mr. Dismore: Generally, there is not a problem—there is communication. We know that from the 4,500 to 5,000 cases of protests that pass peacefully every year. However, I mention to my hon. Friend the position of the hon. Member for Cambridge during the G20 protest. In that protest, neither side—neither the police nor the

protesters—was prepared to talk to the other. It was only when he tried to bring them together that there was any dialogue at all; it may have been a dialogue of the deaf, but at least it was a start. In Northern Ireland, that very painstaking no-surprises process began through the use of intermediaries—Catholic priests, in that particular case.

Meg Hillier: Of course, the police should always be willing to talk to anyone. It distresses me sometimes when I hear of cases where a group of protesters, or any group, does not wish to co-operate with the police, because if we can engender dialogue we often break through these problems.

The existing public order framework—

Mr. Dismore *rose*—

Meg Hillier: May I just finish my point? The existing public order framework operates effectively and it ensures the facilitation of protests in the vast majority of cases across England and Wales. Good communication and effective dialogue are key. However, we are not convinced of the need for mediators at this point, because we believe that the police are well trained in this area. Furthermore, I believe that the use of mediators can add complications and overly bureaucratic processes to what is essentially the current effective model of working, whereby the police enter into discussions with the people that they are policing and they are not seen as unable to do that. There is a danger in bringing in mediation. I know that the hon. Gentleman disagrees, but I will give way to the hon. Member for Cambridge first.

David Howarth: The problem, as I observed it in the G20 situation, was that both police and protesters assumed that any contact with the other side would reveal information to the other side, in some kind of tactical battle in which the police's main objective appeared to the protesters to be to prevent the protest from happening at all. Therefore, it is important that the starting point changes, and that the protesters are confident that the police's objective is to facilitate the protest and not to stop it.

Meg Hillier: Certainly the police's job is to facilitate protest—as long as it is peaceful. The police must establish that balance, on human rights grounds, between the rights of the wider population and the rights of the protesters. So, a certain level of disruption may be acceptable, but there must be a decision made on the ground about, for example, when it is acceptable for protesters to block a road and for how long. A protest may be peaceful, but it can be very inconvenient for other people. There needs to be a balance.

I am of the opinion that the problem must be solved by building trust rather than circumventing it. Bringing a third party into discussions would not build trust between the police and protesters. We are talking about one challenging case. We should not be thinking about changing procedure on the basis of one example.

Mr. Dismore: We are not talking about one case. We are talking about one case in which a mediator appeared, a series of cases, and the lessons from Northern Ireland. The difficulty, as my hon. Friend says, is that we must

[Mr. Dismore]

build trust between the two sides, but there is no trust. How can that process start unless somebody kick-starts it? So far, the police have not shown themselves capable of doing so.

Meg Hillier: I disagree. In the vast majority of cases, there is trust between police and protesters. If we went down the path of suggesting that we need a third party as a routine matter of course because there is no trust, it would undermine the police and their training. One could also say that it would let the police off the hook of having to deal with communications. The police officers whom I deal with in my constituency, who pride themselves on their contact with the community and how they deal with protests and demonstrations, would be insulted by the idea that another party needed to come in and do that for them.

Mr. Dismore: Will my hon. Friend give way?

Meg Hillier: I do not want to give way again, because we are going around in circles. We may have to agree to disagree on this point.

The hon. Gentleman's general characterisation of riot police might inform his position; it comes from the perspective of the protester. I can give an example of my own. One nice sunny day, my children and I were heading to a park in north-east London. It happened to be the day of the London derby between Arsenal and Tottenham. As we entered the tube station on our way back, large groups of drunken fans were chanting at each other. Police in riot gear were keeping them apart, and I must say that I was grateful for their presence. It depends on one's perspective. I do not see a problem with having police present to maintain peace. We do not want riot police on the streets all the time, but it is important that they are there.

We need to balance consent and maintaining the safety of officers and the public. It is important to emphasise that normally, of course, officers do not wear riot gear. It is rare that we escalate to protective clothing and gear, although it is important that it is available.

Mr. Dismore *rose*—

David Howarth *rose*—

Meg Hillier: I will give way to my hon. Friend.

Mr. Dismore: My hon. Friend misunderstands the position. The difficulty with police in riot gear is that it can sometimes provoke rather than calm things down. HMIC identified in its work that there is nothing in between to de-escalate confrontations. We start from ordinary policing and end up in riot gear, but there is nothing in between. Police can escalate, but have no training to de-escalate. That is what has been missing so far.

Meg Hillier: I do not wish to trivialise what my hon. Friend says, because I know that he says it with some feeling, but although it is easy to talk about a halfway house, I am not clear how practical it would be to implement something between ordinary daily uniform

and riot gear. Is he suggesting a third uniform? Maybe he would like to elucidate, as I am not clear what he is proposing.

Mr. Dismore: It is not about uniform; it is about policing tactics. I suggest that my hon. Friend consider what happened in Northern Ireland. I mentioned the assistant chief constable in Northern Ireland, who personally led a march through one of the most difficult areas in the country to prove that it could be done without everybody being kitted out like storm troopers from "Star Wars".

Meg Hillier: Again, the judgment needs to be made on the ground by the commanding police officers.

Mr. Dismore: It was.

Meg Hillier: In that situation, the decision was made, but my point is that the decision must be made at operational level with due regard to the health and safety of the policemen and women who put themselves every day in the line of defence of the general population, and who sometimes put their lives at risk. It is important that we give that balance.

David Howarth: Will the Minister give way?

Meg Hillier: The hon. Gentleman will forgive me, but I wish to move on. We had a lot of discussion of stop and search under section 44 at protests and, although I have quite a lot of time, if I do not make some progress, I risk missing some of the important points raised.

It is important that stop and search powers are used for the purposes specified in relevant legislation. When police stop and search a protester, they must always specify on what legislative grounds they are conducting the search. All police powers to stop and search derive from various statutes including section 44 of the Terrorism Act 2000, section 60 of the Criminal Justice and Public Order Act 1994 and section 1 of the Police and Criminal Evidence Act 1984.

Stop and search powers should be used only in that case, but it is not right to say that stop and search powers should never be used against protesters. Stop and search can be deployed in a particular area if authorised on the basis of a reasonable belief that incidents involving serious violence might take place in the locality in a police area and that authorisation is expedient to prevent their occurrence, or that persons are carrying dangerous instruments or offensive weapons in the police area without good reason—

Mr. Dismore: Like clown suits.

Meg Hillier: We can always find examples—sadly, there are examples—of where the powers have not been used clearly. I welcome the support of Her Majesty's Opposition on the issue.

Let us be clear that there is a real threat of terrorism in this country, but such powers must be used properly. We have it on House of Lords authority that stop-and-search powers are lawful and continue to be good law domestically. Lord Carlile has consistently stated in his annual review of terrorism legislation—both last year and the year before—that he is not in favour of repealing

section 44. In his judgment, sections 44 and 45 remain necessary and proportional, according to the key principles of policing protest, to deal with the continuing and serious risk of terrorism.

The European Court of Human Rights judgment is not final, and the UK will not be required to implement it by amending the law, pending our appeal to the grand chamber. We hope to persuade the Court that our domestic court's assessment is correct and that the powers are compatible with convention rights.

It is important to emphasise that the effectiveness of section 44 powers cannot be measured simply in terms of the number of arrests resulting from stops and searches. The purpose of the policy is also to act as a deterrent to terrorists. Since mid-2009, however, stop and search in the capital dropped 40 per cent. after the Metropolitan police responded to concerns, including from the community, by changing how the tool is used. I have welcomed clarification given to constituents and locally about how section 44 is used, but I have learned from talking to my local police in Hackney that it is a valuable way to ensure that we are all safe.

In all matters of policing and human rights, we must balance the rights of the individual stopped or the protester against the rights of the wider community as well. It is about balance. It is important that we do not forget that when we discuss protests, we are not talking only about those who choose to protest but about the people whose lives their protests can disrupt.

My hon. Friend the Member for Hendon discussed the balance between public and private space. We are committed to working with ACPO and wider stakeholders on the issue. We are tackling it in a revision to ACPO guidance and a Home Office code by July this year, as the White Paper outlines.

My hon. Friend also mentioned the amount of legislation and the need for clarity. One substantive change has been made to the Public Order Act 1986 in the past 10 years: the number of people constituting an assembly changed from 20 to two. The change had the full support of the police service, and the Government will constantly review the law—[*Laughter.*] But that is only one change. My hon. Friend said that too many changes had been made to the law. The Government will constantly review the law and consult widely before introducing any new legislation. That includes consulting the police and making changes at their request.

The Government understand the complexities of modern policing and the judgments that police must make daily. In the arena of public order policing, the police must balance a number of competing rights, as I have said, and it is important that the legislative framework is clear to assist the police in carrying out their role. We will continue to work with ACPO to provide proper understanding and application of the law. As I have said, it is not good enough just to have law or guidance; it must be understood and implemented at a practical level by officers on the ground, at the sharp end of policing.

Hon. Members have mentioned protest around Parliament. As they will be aware, we have introduced measures in the Constitutional Reform and Governance Bill to repeal sections 132 to 138 of the Serious Organised Crime and Police Act 2005. The framework governing

protests will be the same around Parliament as everywhere else in the UK, except that police will be given tightly defined powers to maintain access to Parliament.

We believe that our provisions reflect the Joint Committee's recommendations on the need to maintain access to Parliament, although we are aware of its concerns that the Government's provisions on access lack clarity. We have provided Parliament with the draft text of an order showing what requirements must be met in relation to maintaining access to the Palace. We hope that it will address those concerns, and we look forward to hearing the Committee's views.

The Government's intention has always been to come up with provisions that allow the police to maintain access to Parliament in a way that does not disproportionately restrict protest, that is clear to those wishing to protest in the area and that is commensurate with Parliament's expectations. We welcome the continuing debate on the matter during the passage of the Bill and hope to bring Parliament clarity on the consequences of our proposals. We are confident that there will be plenty of time to debate the matter on Report.

The hon. Member for Cambridge raised the issue of identity numbers. I will write to provide him with information on the frequency of discipline and the reaction of the police to the loss or covering up of identity numbers. Perhaps we can discuss the matter after the debate and come up with suitable wording.

We discussed section 5 of the Public Order Act 1986 and I will clarify the Government's position. We agree with the Joint Committee that there is no right under English law not to be offended. Such a right would undermine the right to freedom of expression. We must get away from the idea that section 5 is about simply preventing people from causing offence—that misrepresents the law.

Although protecting freedom of expression is key, it must be balanced with the need to ensure that people, especially vulnerable members of society, are protected from gratuitous insults. I am worried that amending the offence as the Joint Committee proposes would send the wrong message that it is acceptable to insult someone.

David Howarth: I am sorry that my hon. Friend the Member for Oxford, West and Abingdon can no longer be here because he has a particular interest in this proposal. If he were here, I am sure he would ask the Minister whether by "gratuitous insults" she means somebody deliberately and intentionally causing alarm and distress. If so, that is covered by section 4(1)(a) of the 1986 Act. It would therefore not be affected by the suggested amendment to section 5.

Meg Hillier: Although this is not my normal area of work in the Home Office, I have looked at the issue closely because it interests me. One challenge, which was backed up by our consultation, is that removing the word "insulting" from the scope of the offence would send a signal that insulting a person is acceptable. That would have a negative impact on vulnerable members of society.

We believe that the best way to address the difficulties highlighted by the Joint Committee is to produce clear guidance and training for police on the use of section 5, which highlights the importance of human rights

[Meg Hillier]

considerations in relation to freedom of expression. We intend to develop guidance in consultation with the Crown Prosecution Service. My hon. Friend the Member for Hendon will be aware that our response states that we are happy to share the draft guidance with the Joint Committee.

The right to freedom of expression, as contained in article 10 of the European convention on human rights, is an essential foundation of a democratic society. Although it concerns the Government if police officers use powers inappropriately in a way that impacts on a person's right to freedom of expression, we believe that the way to address that is to give officers targeted guidance, not to change the law.

The courts have upheld that section 5 of the 1986 Act contains the necessary balance between the individual's right to freedom of expression and the right of others not to be insulted and distressed. Section 5 is engaged only when the words or behaviour are "threatening, abusive or insulting". It is possible to lawfully express views in public that some consider offensive without being threatening, abusive or insulting and, therefore, without contravening section 5.

The hon. Member for Cambridge mentioned Kingsnorth climate camp. Home Office Ministers have given undertakings to Parliament that the lessons that can be learned from Kingsnorth will be identified and shared. The former Home Office Minister, my hon. Friend the Member for Gedling (Mr. Coaker) apologised for unwittingly providing inaccurate information to the House about bee stings.

David Howarth: I think it was wasp stings. I put it on the record that I accepted at the time and still accept that apology. The circumstances in which the hon. Member for Gedling came to make that statement have never been clarified entirely, but I accept that it was unlikely to have been his fault.

Meg Hillier: I will pass on the hon. Gentleman's repeated acceptance of that apology and I am sure that my hon. Friend the Member for Gedling will be pleased. I am pleased that Kent police published the ACPO review into Kingsnorth and that the HMIC has picked up on the lessons in its report, "Adapting to Protest—Nurturing the British Model of Policing". Indeed, Kent police are holding a symposium on public order next month to learn the lessons. I am sure the hon. Member for Cambridge will be interested in the outcome of that.

The hon. Gentleman was critical of ACPO and asked whether it should continue to exist in its current form. We believe strongly that ACPO is an important part of the policing landscape. We welcome the fresh thinking from HMIC and the new president of ACPO and his team on ACPO's role and on how ACPO can have the best possible partnerships with the Home Office and the Association of Police Authorities. We look forward to discussing any formal proposals that emerge from ACPO in due course. Parliament will have a role in any such proposals.

The hon. Gentleman also raised concerns about whether ACPO is accountable enough. Constitutionally, ACPO is part of the tripartite leadership for policing. It works in partnership with Government and the Association of

Police Authorities to co-ordinate the direction and development of the service. It is not anomalous, but fits into a well-worn structure that brings together the key leads of the 43 police forces in England and Wales so that there are common standards. It is an independent organisation made up of representatives of the 43 police forces.

ACPO is instrumental in advising the Government on how to tackle serious and ongoing threats that put the public at risk. As such, on behalf of the whole service, it leads on the executing of major national projects aimed at developing the capacity of the service to meet the challenges of the rapidly changing world. Although policing is not my main area of work in the Home Office, I do work with ACPO leads. As a Minister, it is helpful to have access to experts in the area who have ready access to a network of other experts in the field. That enables Ministers to receive good advice from people who know what it is like to be a working police officer. It is important to have that mix and not just to make decisions from behind the Minister's desk in Whitehall, as the hon. Member for Bury St. Edmunds characterised it.

The hon. Member for Cambridge raised the issue of the police's role in relation to the media. The Joint Committee took evidence which showed that the police give the media measured briefings. I therefore disagree with his characterisation. I see that he disagrees with me.

David Howarth: The point I was trying to get across was the Joint Committee's original point. It was a criticism not of what police said to the media in briefings, but of what action the police took to calm the situation having seen what the media made of those briefings.

Meg Hillier: We are asking the police to do a great deal if they are to be held responsible for the headlines in certain newspapers. Speaking as a Home Office Minister, I can say that Government policy is often crudely misrepresented. I can do my best to change that, but I cannot tell a journalist how to do their job. We have a free press in this country. Whether or not we agree with the press, we have to allow it to do its job. We are in danger of overstepping the mark with regard to what the police can actually achieve. I am sure that police press offices up and down the country work to calm things down, but we have a free press and we must allow it to work unfettered.

The hon. Member for Cambridge mentioned containment. I would be grateful to hear from him examples of where police have moved in and closed an area so that we can raise them with ACPO. If he provides information to the Minister for Policing, Crime and Counter-Terrorism, he will look into it. The hon. Gentleman also raised forward intelligence teams. The ACPO review of guidance on their work to date will be forthcoming.

The hon. Gentleman also raised the Wood case. That did not go against the Government, as he said. The case was brought against the Metropolitan police, who welcome the clarity that the judgment brings. It is important to put that on the record. As I said, we agree that photography can be a valuable intelligence-gathering tool, but it raises human rights issues. It is important that those issues are tested in the courts.

The hon. Member for Bury St. Edmunds raised some useful points. I welcome his cross-party support for the valuable and important work of the police. It is important that we send a message out to the police that Parliament supports the work they do. I am glad that we can do that in this debate on a challenging area of policing.

The legal test for the use of force, which is one of the concerns the hon. Gentleman raised, is set out in the Criminal Law Act 1967. That applies to any use of force. The law is clear that any use of force must be reasonable and appropriate to the threat or perceived threat that officers face. The disproportionate use of force is unacceptable and any officer found to be using excessive force will be disciplined accordingly.

Where there is doubt or concern about the use of force, the police should be scrutinised. That is rightly happening under the auspices of the IPCC and HMIC. Once again, I stress that most officers do not overuse force, but they are working in very challenging areas. At the sharp end of policing, officers need to know that they are scrutinised and will be trained to do the job properly. We need to be sure that we have safeguards in place for any officers who overstep the mark. We will continue to work with all police agencies and associations to ensure that the legal position on the police use of force is embedded in every area of policing from the first day of training right the way through. We will also ensure there is consistency in different areas of guidance that impinge on the use of force; for example, armed policing and officer safety training. Those will be cemented in the code of practice.

The hon. Gentleman also raised the question of there not being enough trained officers. We take that very seriously, as do ACPO, which is working on building regional capability. The Home Office will be producing a code of practice on public order to ensure that the police have appropriately trained officers. That is core policing and, as I mentioned, it is important to have that across 43 forces, because of the need to move officers, from time to time, into other force areas.

The HMIC is clear that the issue is not more training, but better training. ACPO and the National Policing Improvement Agency have already piloted a new command-level training approach. I am happy to provide the hon. Gentleman with guidance on that as necessary. We agree that guidance needs to be implemented, and that the Olympics will be a challenge in that respect, so we need to make sure we have got it right.

Mr. Ruffley: If the Minister could provide some written material along the lines she has suggested, particularly in relation to 2012, it would be extremely useful for all parties.

Meg Hillier: As I am not the lead Minister in that area, I cannot promise exactly what I can provide, but I will pass the matter directly on to the Minister for Policing, Crime and Counter-Terrorism. There might be some minor issues concerning the security of the Olympics that we cannot reveal widely to the public, but if we can reveal that information to hon. Members, we will do so as appropriate. The intention is certainly to be open about the matter.

I was also grateful to the hon. Gentleman—harmony breaks out on this cold Thursday afternoon—for expressing his desire to have more bang for our buck, as he put it.

That is very much core to the Home Office's approach. We do not necessarily need to use more money to do these things but, in everything we are doing, we should weigh every public pound and use it as effectively as possible. The public purse is not an automated teller machine, even for policing, and we need to make sure that we balance money properly. We are working towards joint procurement strategies on police and public order equipment. There is greater collaboration between forces in line with the protective services agenda. I recommend that the hon. Gentleman looks at the White Paper, "Protecting the Public: Supporting the Police to Succeed," for more detail on that.

I think I have covered most of the issues raised—I am just checking to see if there is anything I have missed. We agree that the Northern Ireland model is good, as my hon. Friend the Member for Hendon said, and the climate camp at Blackheath shows that we can have proper, proportionate policing and dialogue between the police and those involved.

I hope that I have provided reassurance this afternoon about the Government's commitment to upholding the right to peaceful protest and to providing police officers with the support that they need. We in the Home Office and the police have undertaken to deliver a programme of work by summer this year that will directly address a number of the Committee's recommendations. We might disagree on some small areas, but I hope I have reassured the hon. Gentleman that, where the Committee has evidence on certain issues, we are always happy to consider that. Once again, I pay due respect to how the Committee has gathered the evidence and to the considered way in which it produced its report.

In the White Paper on policing, we pledged to work with the police and the public to ensure that the recommendations of the HMIC report are properly acted upon and to act as an agent for change. I am encouraged by everyone's commitment to drive forward support for our front-line police officers, and I look forward to continuing engagement with the Joint Committee on the programme of work as it progresses throughout the year.

4.44 pm

Mr. Dismore: We have had a constructive debate and there has been a great deal of agreement. It is unfortunate that when winding up such a debate, one always wants to stress the points on which we have not agreed, to put down markers or have a second bite at a particular argument.

I think my hon. Friend the Minister did not quite get what I was saying about the escalation issue in relation to protest. No one wants anybody to get hurt, whether it be a police officer or a protester, and what came out of the discussions that we had last week in Portcullis House was that policing can never be a no-risk occupation. There will always be an element of risk in policing, and the point made to me in Northern Ireland, and by those from the police service in our discussions last week, was that that was accepted. No one wants to take an unnecessary risk, but if things are done properly, it can sometimes de-escalate tension if certain risks are taken.

I come back to the point that Assistant Chief Constable McCausland made to us about the challenge he gave to his officers when he said, "Look, I'm not asking you

[*Mr. Dismore*]

to do something I'm not prepared to do." He went to the head of what was, I think, a very difficult loyalist march in a Catholic area and proved that with proper, no-surprises policing, and proper discussions between people who come from difficult and conflicting circumstances, such scenarios can be de-escalated, rather than escalated.

It is not a question of uniform or no uniform; it is a question of the policing approach. At the moment, the policing approach is all or nothing. That was brought home to us not just by our conclusions, but by the evidence that we were given, including from the police themselves and HMIC. It is important for there to be more sophisticated police training, particularly at the command level—bronze, silver and gold—to show that the objective is not to go straight to full-on riot policing, but to try to find ways of bringing tensions down, rather than pushing them up.

The hon. Member for Cambridge made the point that the way in which the containment tactic is used to push people together increases the tension, particularly if riot police hit people on the legs with the edges of shields to try to push them back when there is no space for them to go to. We saw that there were people with their hands up saying, "We're not part of a riot," yet they were still being treated as if they were. That is not de-escalating the tension—it is potentially increasing the tension and increasing confrontation where there was none to start with.

My hon. Friend the Minister and other hon. Members are absolutely right to say that the overwhelming majority of protests happen perfectly peacefully, with proper co-ordination with the police and without any difficulty at all. It is inevitable that we have to focus on when things have gone wrong, because by doing so we can try to improve things for the future and ensure that such difficulties do not arise.

That is why, I am afraid, I have to come back again to the question of mediators or intermediaries. I fully accept my hon. Friend's point that the police want to be able and should be able to communicate directly with individuals, both on the front-line of the protest and at an organisational level. However, occasionally, as she accepted, trust has broken down to such an extent that there is no dialogue at all. The question is how to break through that lack of dialogue.

The hon. Member for Cambridge tried to deal with that issue—he did not achieve a great deal, but he did try. The Northern Ireland experience shows that such an approach is not a one-off thing and that it takes time to build those difficult relationships. Building trust between the Police Service of Northern Ireland and some of the republican movement was a very difficult thing to achieve, but it was done through the use of intermediaries to start the dialogue. Direct contact then developed between the police and those involved.

Meg Hillier: We are talking at cross purposes here. The difference is that the situation in Northern Ireland developed over a long time; there was no sudden single event for which that approach was necessary. Those involved were dealing with communities that were entrenched over many years—in fact, for my entire lifetime, until recently.

We are talking here about individual protests that, as we say, are mostly peaceable. Sometimes those protests escalate, but who is able to communicate best on the ground? It should be our police. According to my hon. Friend's model, at what point would it be right to bring in a mediator? The fact that a mediator might be available could even escalate the problems further. We have the right approach and, as we set out in the White Paper, we are all about communicating, not de-escalating.

Mr. Dismore: Of course it should be the police. My hon. Friend is right that in Northern Ireland there was a long history that had to be dealt with, but the other case is not a one-off. The same group of protesters, the climate camp collection, have had that problem time and again; that is why the trust has broken down. Although there might have been trust at first, it has dissipated and now has to be rebuilt. The question is how we rebuild it. There have been more than half a dozen of those confrontational demonstrations in which dialogue has not taken place.

David Howarth: I would like to add another observation that I have made over the past few years about trust breaking down. The Minister referred to situations in which the police communicate perfectly well with demonstrators, but those tend to be traditional processions where the police understand what the demonstrators are up to and the rules of the game. However, when demonstrators are doing things other than taking part in a normal procession, and when their lifestyles and values are perhaps unfamiliar to the police, it is sometimes useful to have a mediator. In the situation I found myself in, I concluded that I started too late and that we needed a number of different rounds.

Mr. Dismore: The hon. Gentleman makes his point well. We have seen new forms of protest evolve because the traditional forms of protest, frankly, do not attract any attention. It is inevitable that some people will be offended, as the whole purpose of protest, as I said earlier, is to cause some disruption; otherwise, no one would take any notice. What we have seen at the climate camp, and with similar types of activity, are new ideas on how to attract attention when protesting. We have an obligation, under human rights law, to facilitate protest, and sometimes that will be disruptive. The problem in this case is that the police cannot cope with something outside their expectations, and that is why we get that escalation.

We must try to get to a situation in which protesters are confident that, if they talk to the police, they will not immediately be prevented from doing what they want to do. The police might want to fiddle around the edges, and a bit of to and fro in negotiations is fair enough, but if they simply say, "No, you can't do that," there will be no dialogue—we will have a dialogue of the deaf. We need a way of brokering an agreement when new forms of protest are used that are outside the police's basic experience, as that will enable the protesters to make their point in an acceptable way and the protest to be policed in a civilised way.

The difficulty is how to get the two sides talking when there is absolutely no trust between them. Trust is what we have to build. Sometimes, a mediator can achieve

that trust to kick-start the process. The sooner the mediator can pull out and the trust can build and ferment of its own accord, the better, but how do we get the process started when there is no trust to start with?

Meg Hillier: I hope that my hon. Friend will acknowledge that in Blackheath the police are building bridges and trust with the climate protesters. There is a difference between building bridges on a soft basis and having hard mediators come in at the final point. Does he agree that it is important that the police understand the culture of the people they are dealing with and do not do that through an intermediary, which would put a distance between themselves and protesters, rather than having the contact policing that is central to our model?

Mr. Dismore: As I said earlier, I appreciate what happened at Blackheath, as both the protesters and the police pulled back, which was good. I think that we would all agree that a protest on Blackheath is different from a protest in the middle of the City of London, with regard to potential disruption. It is good that relationships can be built. We are not talking about hard mediation, but about trying to get two sides talking. We have made our point, although my hon. Friend the Minister might not be wedded to it.

The other issue that the Minister raised related to section 44 of the Terrorism Act 2000—again. I am prepared to have a little wager with her that what will happen in the Grand Chamber is not what she thinks will happen. There is no question about the need for counter-terrorism powers to be used for counter-terrorism purposes. Indeed, Ministers—I am not sure whether she has said this today—have told our Committee that section 44 should be used strictly for counter-terrorism purposes only and not as a public order tool. The real problem is that it is being used as a public order tool

when there is no question of any terrorist threat at all and as a shortcut by the police to stop and search people because they have no other grounds for doing so.

If the police have to have reasonable suspicion under sections 1, 60 or 43, that is fine. If they think that something is going wrong or that someone has a weapon, for example, they are entitled to use stop-and-search powers without having to use section 44 because they would have reasonable suspicion. The problem with section 44 is that the police can stop and search people with no suspicion at all simply because an area has been designated as potentially at risk from terrorists. Even though the overall area is now much less than the whole of London, which it used to be, some of the areas involved are still pretty broad.

The real problem is not only that that undermines confidence in counter-terrorism legislation generally, but that it is over-broad. If 250,000 people are stopped under section 44 and not one is arrested for a terrorist offence—we should remember just how broad our terrorism offences now are—that indicates to me that section 44 might not have been used for its original purpose. That argument has been accepted by Ministers on previous occasions. Ministers have said that it should be used only for counter-terrorism purposes, but it does not happen that way.

My final point is about civil injunctions; I do not think that the Minister understands what we are saying about those. Civil injunctions are about changing the rules of court, not changing substantive law. They are about trying to get a balanced playing field and a cheaper and more effective way of protecting people, and about the right to protest.

Question put and agreed to.

4.56 pm

Sitting adjourned.

Written Ministerial Statements

Thursday 4 February 2010

TREASURY

Terrorist Asset Freezing

The Exchequer Secretary to the Treasury (Sarah McCarthy-Fry): The Supreme Court has today ruled that it will not grant a stay of its 27 January 2010 judgment on the legality of the Orders in Council HM Treasury uses to freeze terrorist assets. The effect of this judgment is to quash with immediate effect the Terrorism Order 2006 and all designations made under it. The court has not directly quashed the Terrorism Order 2001 and the Terrorism Order 2009, but the reason for its decision also makes those orders unsustainable.

Over £150,000 belonging to suspected terrorists is currently frozen in the UK under the Terrorism Orders. The UK takes its obligations under the UN charter very seriously and the Government believe that allowing this money to be unfrozen and returned to individuals designated under the orders and giving them access to the financial system would not be in the interests of national security.

In order to prevent assets frozen under the Terrorism Orders from being released, the Government will introduce primary legislation tomorrow to restore the validity of the Terrorism Orders and the designations made under them. The Government hope that this legislation should be passed by early next week. The legislation will include a provision backdated to today's judgment, providing legal authority to banks and other persons covered by the existing orders so as to allow the existing asset freezes to be maintained without a gap.

The legislation will extend the current Terrorism Orders only for a temporary period. This will give Parliament time in which to consider more fully how best to legislate to give effect to our UN terrorist asset-freezing commitments, while ensuring that national security is protected in the meantime.

CABINET OFFICE

Public Bodies 2009

The Minister for the Cabinet Office and for the Olympics, and Paymaster General (Tessa Jowell): The Cabinet Office has today published "Public Bodies 2009" which lists all non-departmental public bodies (NDPB) sponsored by the UK Government as at 31 March 2009. "Public Bodies 2009" also provides summary information on the size and expenditure of the NDPB sector and statistical information on public appointments.

Public Bodies 2009 can be downloaded from the civil service website at: www.civilservice.gov.uk/ndpb. Copies have been placed in the Libraries of both Houses.

ENERGY AND CLIMATE CHANGE

Offshore Oil and Gas Licensing Round

The Parliamentary Under-Secretary of State for Energy and Climate Change (Mr. David Kidney): My noble Friend the Minister of State, Department for Energy and Climate Change, Lord Hunt, today made the following statement:

I am pleased to inform the House that on 26 January 2010 we invited applications for petroleum licences for unlicensed seaward blocks which will form the 26th round of offshore petroleum licensing. These blocks are widely distributed on the UK continental shelf and fall within the areas covered by the strategic environmental assessments 1-8; a map of the SEA areas can be found at:

www.offshore-sea.org.uk.

A copy will also be placed in the Libraries of the House.

DECC's draft plan to offer licences for offshore oil and gas exploration and production through a 26th licensing round was the subject of a strategic environmental assessment completed in 2009. The SEA is documented on a dedicated website, www.offshore-sea.org.uk, and includes commissioned reports on various components of the natural environment, cultural features and socio-economic considerations. In addition, as part of the SEA new information was collected, in particular: on selected sea-bed features through sea-floor mapping, sampling and photography, on the offshore distribution of large cetaceans, and on important navigation routes and commercial fishing areas. The draft plan for the 26th licensing round included offering blocks to the south-west of England and Wales, and also in those areas that had been subject to earlier DECC SEAs—1, 2, 3, 4, 5, 6 and 7—which covered the remainder of the UK continental shelf.

The potential implications of the exploration and production activities which could follow, if the draft plan were adopted, were considered at an expert assessment workshop and a series of stakeholder workshops. The results of these workshops were assessed further and documented in an environmental report which then formed the basis for consultation with the consultation bodies and the public. The three-month consultation period on DECC's draft plan and the environmental report were advertised in a number of local and national newspapers and notified by e-mail to a wide range of individuals and organisations.

All responses received from statutory and other consultees on the draft plan and the environmental report have been considered by DECC and a post-consultation report for the offshore energy SEA prepared and placed on the SEA website. This summarises consultee comments and DECC responses to them. The full texts of consultee comments have also been placed on the SEA website.

In deciding to proceed with a 26th offshore licensing round, DECC has had regard to the conclusions and recommendations of the environmental report together with feedback received from consultees. As a result of the SEA process, blocks in the deepest waters of the SW Approaches are being withheld from licensing for the present because of inadequacy of data.

A number of blocks excluded on the basis of recommendations of previous SEAs, or currently in the process of appropriate assessment consultation, have likewise been excluded from the offer.

The environmental report recommended that the blocks in, or overlapping, the boundaries of the Moray firth and Cardigan bay SACs should also be withheld from licensing for the present while the further assessments initiated following the 24th licensing round applications are concluded. We have therefore excluded 11 blocks in the Cardigan bay area and 10 in the Moray firth.

In addition, 228 blocks will not be offered for licensing in the areas covered by SEAs 1-8 at the request of the Ministry of Defence

Licensing of the blocks excluded from the round may be revisited in the future, for example as more information on the features of interest becomes available.

In addition, a number of blocks may be licensed but with conditions attached restricting or prohibiting certain marine activities. It should be noted that the Offshore Petroleum Production and Pipe-lines (Assessment of Environmental Effects) Regulations 1999 and the Offshore Petroleum Activities (Conservation of Habitats) Regulations 2001, variously require that all major activities undertaken in connection with UK offshore hydrocarbon exploration and production should be subject to environmental assessment before consent is given for these activities.

Before any licence awards are made, DECC will assess whether the grant of licences applied for in the 26th Round is likely to have a significant effect on the management of any protected conservation sites. Where such effects cannot be excluded, a further detailed assessment will be needed to determine whether there are any adverse effects on the integrity of these protected conservation sites. This is required under Council directive 92/43/EEC, on the conservation of natural habitats and wild fauna and flora, and UK implementing regulations.

DECC has, with industry and statutory environmental advisors, established an offshore oil and gas environmental monitoring committee which is charged with co-ordinating the strategic monitoring of potentially significant environmental effects of the industry, including those that could arise from the implementation of the plan to hold a 26th round of offshore licensing.

ENVIRONMENT, FOOD AND RURAL AFFAIRS

Commons Act (Part 1)

The Parliamentary Under-Secretary of State for Environment, Food and Rural Affairs (Huw Irranca-Davies):

Part 1 of the Commons Act 2006 seeks to achieve a comprehensive current record of common land and town or village greens. It enables commons registration authorities (county councils in two-tier areas; district councils in areas without a county council; London borough councils) to bring up-to-date their registers of commons and greens, established under the Commons Registration Act 1965. Individuals may apply to register past unrecorded events, and registration authorities can make proposals in the public interest to update the registers. People may also apply to deregister wrongly registered land, and to register new land as common land.

In England, implementation of Part 1 began with a pilot scheme, in October 2008. Seven authorities are participating in the pilot: Cornwall, Devon, Hertfordshire, Kent and Lancashire county councils, the County of Herefordshire district council, and Blackburn with Darwen borough council, representing about 18 per cent. of the registered common land in England. The pilot implementation was designed to test the efficacy of procedures, guidance, costs and benefits, with the intention to commence national implementation in England from October 2010 onwards.

Following slower progress by pilot authorities with implementation than expected, regulations were made in July 2009 to extend the period during which applications to bring their registers up-to-date could be made free of charge until September 2010. This was to ensure that those individuals who stood to benefit from the provisions in the Act would have sufficient time to make applications to update the registers free of charge before the initial pilot period came to an end.

In order to ensure that we are able to learn fully all the lessons from the pilot, I have decided that the decision on whether, how and when to go ahead with national commencement should await the completion of the extended pilot period in September 2010. This means a delay in national implementation of at least a year from our original intention to commence from October 2010, but will help ensure that decisions on how best to proceed following the pilot are based on the best possible information.

HEALTH

Out-of-Hours Primary Care Services (Report)

The Minister of State, Department of Health (Mr. Mike O'Brien): A report on the current arrangements for the local commissioning and provision of out-of-hours primary care services has today been published by the Department of Health and placed in the Library.

Out-of-Hours Primary Care Services (Response)

The Minister of State, Department of Health (Mr. Mike O'Brien): Following concerns about delivery of out-of-hours primary care services being raised in summer 2009, I met with primary care professionals in order to understand the issues in more detail and consider what action might be taken to improve out-of-hours services to patients. The broader context to this was that in June 2009, the Care Quality Commission began an investigation into the out-of-hours primary care services in five primary care trusts provided by the company Take Care Now. The inquiry was prompted by the tragic death of a patient in February 2008 after he was administered 100mg of diamorphine by a locum doctor from Germany.

CQC published an update on its independent inquiry in October 2009. This included a preliminary conclusion that all PCTs needed to improve their monitoring of out-of-hours services, particularly of the quality of the service patients receive. Dr. David Colin-Thomé, national clinical director for primary care, subsequently wrote to PCTs in support of the CQC's recommendation in their update report, and reminding them of their responsibilities around performance management of OOHs providers and ensuring general practitioners working in OOHs are fit to practise that role.

I also asked, Dr David Colin-Thomé, national clinical director for primary care at the Department of Health, and Professor Steve Field, chairman of council, Royal College of General Practitioners, as two respected and experienced general practitioners, to jointly lead a review of current arrangements for the local commissioning and provision of out-of-hours services. In so doing, they considered the commissioning and performance management of OOH services; the selection, induction, training and use of OOH clinicians; and the management and operation of medical performers lists

I have published Dr Colin-Thomé and Professor Field's subsequent report today and placed copies in the Library. The report sets out a number of recommendations including:

PCTs should review the performance management arrangements in place for their out-of-hours services, ensure they are robust, and fit for purpose;

the Department of Health should issue guidance to PCTs to assist them in making decisions about whether or not a doctor has the necessary knowledge of English to be admitted to their medical performers list;

the Department of Health should develop and introduce an improvement programme for PCTs to support their commissioning and performance management of out-of-hours services;

out-of-hours providers should consider the recruitment and selection processes in place for clinical staff, ensure they are robust, and follow best practice; and

strategic health authorities should consider how they monitor action taken by PCTs in response to the report and in carrying out appropriate performance management of out-of-hours providers.

The report's recommendations are an important reminder to PCTs and providers, of their obligations to ensure safe and effective out-of-hours services for patients and as such—in so far as they apply to the Department or the national health service—I have not only accepted them in full but I am announcing today further improvements to out-of-hours GP services. I will:

review the existing national quality requirements in order to develop a stronger set of national minimum standards which all out-of-hours providers will be required to meet;

introduce a new national model contract for out-of-hours provision, based on the new national minimum standards, to reflect the characteristics of existing high-quality provision;

through stronger performance management by SHAs, tighten existing controls to ensure PCTs are meeting their legal obligations through commissioning and contracting arrangements, and to ensure that providers are employing competent clinicians to practise as GPs in primary care out-of-hours. It is also my intention to direct PCTs to review their current procedures and to ensure that they have a clear policy in place for assessing the language knowledge of persons applying for inclusion on the local performers list; and

require PCTs to increase their engagement and involvement of GPs in ensuring high-quality provision of out-of-hours services through, for example, local medical committees, RCGP groups, RCGP faculties, clinical executive groups, and with local practice-based commissioning consortia.

We will be consulting relevant stakeholders on these proposals including the British Medical Association, The Royal College of General Practitioners, the NHS Alliance and the National Association of Primary Care.

In the meantime, officials in the Department will continue working with the NHS to ensure they are implemented. In particular, to continue to implement the recommendations of the "Tackling Concerns Locally: the Performers List system, A review of current arrangements and recommendations for the future" published in March 2009.

The NHS chief executive Sir David Nicholson will be writing to NHS organisations to bring this report to their attention and to seek assurances that they are meeting their obligations as set out in the report. At the same time, the Department will issue new interim guidance to PCTs to assist them in complying with their obligations to ensure all doctors admitted to their performers list have a satisfactory knowledge of English.

National Pandemic Flu Service

The Minister of State, Department of Health (Gillian Merron): With the global spread of the swine flu virus, the World Health Organisation declared a pandemic on 11 June 2009. In response to increasing pressures on

front line national health service and social care services, the national pandemic flu service (NPFS) was activated on 23 July 2009. This was to provide a self-care service for people to assess their symptoms and, if necessary, to access antiviral medicines rapidly from antiviral collection points.

The Department is today announcing the decision to stand down the NPFS with effect from 1 am on 11 February 2010.

This is being done in response to the steady reduction in the estimated number of swine flu cases in the community, and is in line with our overall aim of ensuring the operational response is appropriate to the level of threat posed by the virus. General practitioners and primary care trusts have indicated that they can now manage the clinical caseload themselves. As we did with the launch of the NPFS, we are now standing it down with the full support of the key professional bodies (the Royal College of General Practitioners (RCGP) the British Medical Association (BMA) and appropriate pharmacy organisations).

We will continue to monitor the spread of the swine flu virus, and, should it become necessary, the NPFS can be re-activated in seven days.

Anyone who suspects they have swine flu from 11 February will be advised to contact their doctor for assessment of their symptoms; the doctor will issue an antiviral authorisation voucher if needed. For the time being, antivirals will continue to be collected through antiviral collection points. People with swine flu should ask their flu friend to collect their antivirals on their behalf. Antivirals will continue to be issued to patients with swine flu symptoms, under this system, free of charge until at least the end March 2010, the end of the seasonal flu period.

Many people have felt reassured by the fall in disease incidence, and the relatively mild illness that has characterised most people's infections. Deaths, however small relative to previous pandemics, are tragedies for families and vaccination could help avoid them. The current vaccination programme is continuing and we must remain vigilant. We have therefore asked GPs to make further contact with people in the priority groups who are at higher risk from the disease and who have not yet had the vaccine. These include individuals aged over six months and in the seasonal at-risk groups; pregnant women; those who live with immunocompromised individuals; and children aged over six months and under five years and eligible front line health and social care workers. Good progress has been made in delivery of the vaccination programme to date but we must not be complacent. It is important that people in these groups continue to receive the vaccine as it offers the best protection against the virus.

I would like to record my thanks to all those involved in setting up and running the NPFS. It has broken new ground in healthcare delivery and has played an important role in our response to the swine flu pandemic. With the support of the RCGP, the BMA, and the pharmacy organisations, the NPFS has been very successful in easing pressure on primary care services during the busiest times of the pandemic, allowing GPs to focus on those most ill and ensuring high volumes of people get access to antiviral medicines, when they need them.

INTERNATIONAL DEVELOPMENT

Haiti

The Secretary of State for International Development (Mr. Douglas Alexander): Three weeks have now passed since an earthquake of magnitude 7.0 struck Haiti. The Government of Haiti have confirmed 112,000 bodies recovered from the rubble in and around the capital Port-au-Prince. Estimates of the final death toll are close to 170,000.

Following my written statement to the House on 25 January 2010, *Official Report*, column 42WS, the Foreign and Commonwealth Office have confirmed that a second British citizen, Ann Barnes, has lost her life in Haiti. Like Frederick Wooldridge who also died in the earthquake, Ms. Barnes worked for the UN mission in Haiti. We pay tribute to the work of Ms. Barnes and Mr. Wooldridge and more than 80 members of the United Nations mission in Haiti now confirmed to have lost their lives.

I would also like to pay tribute to the British public for their continued generosity in responding to Haiti's plight. The Disaster Emergency Committee appeal has now raised £70 million. This is a remarkable achievement.

Effective co-ordination of the relief effort remains vital. The Department for International Development is working hard to improve the situation on the ground and overcome the logistical bottlenecks that are hampering relief efforts. Our assessment is that co-ordination of the relief effort is improving. Systems are now in place to deliver clean drinking water to those who need it, with 500,000 people able to receive five litres per person per day. The United Nations Office for the Co-ordination of Humanitarian Affairs (OCHA) reports that operations on the ground continue to expand. In addition to the £1 million we have already provided to assist the United Nations with aid co-ordination, we have also taken the decision to provide a second secondee to OCHA in Haiti.

Shelter and sanitation for 900,000 people in Port-au-Prince and a further 200,000 in rural areas made homeless by the earthquake are now the top priority. Our field team reports that co-ordination of water and sanitation relief efforts continues to improve despite the scope and complexity of needs. There are still problems, but donors, cluster leads and OCHA are working to identify solutions.

The Department for International Development has also purchased 5,700 sheets of corrugated iron roofing materials that are vital for constructing durable shelters for about 2,000 families to bridge the gap until permanent homes can be rebuilt. Working closely with our colleagues in the Ministry of Defence, these materials weighing over 55 tons are being transported to Haiti by ship, on Royal Fleet Auxiliary Largs Bay.

RFA Largs Bay departed from Marchwood, Southampton yesterday, Wednesday 3 February, carrying these shelter materials as well as critically needed port handling equipment and vehicles for use by Save the Children, the International Federation of the Red Cross and other humanitarian agencies. The port handling equipment will help unblock critical supply bottlenecks at Haiti's ports.

Weather permitting, we expect the ship to arrive off Cap Haitien on or around the 18 February. Once there, RFA Largs Bay is expected to stay in the region for a number of weeks to help the United Nations transport supplies around Haiti.

In addition to the materials sent on the RFA Largs Bay, three aircraft sent by the Department for International Development have also delivered plastic sheeting and other shelter materials for temporary shelters. We have also provided £1 million to Oxfam and £400,000 to the Agency for Technical Co-operation and Development (ACTED) to provide clean drinking water, shelter materials, hygiene kits and water tanks for the construction of latrines and bathing spaces. On 2 February, we made a further £1.12 million available to the International Organisation for Migration (IOM) to support their work in providing temporary shelter, including two secondees from CARE International to support temporary settlement management. We have also provided a seconded specialist in transitional shelter to IOM, and all three secondees are now working on the ground, with exemplary support from the British embassy in Santo Domingo.

We have also deployed three civilian experts from the joint DFID, MOD and FCO stabilisation unit to help restore vital Government functions—specifically to get the prison service working again. We are liaising closely with the European Union, Canada and the United Nations and the unit stands ready to provide further civilian support to help the Haitian Government get back on their feet.

The British Government are mindful of the risks to the safety and protection of children in the aftermath of the earthquake, and their well-being is our primary concern. Priority must be given to efforts to reunite children with their birth families. Advice has been issued by the Hague bureau, Children and Families across Borders and the Disaster and Emergency Committee and the Prime Minister of Haiti has stated that the Government share the deep concern of the international community to avoid any trafficking of Haitian children. We welcome his commitment to sign personally all adoption authorisations so that no children will be allowed to leave the country without legal adoption documentation.

In the aftermath of this terrible tragedy and for the foreseeable future, we will continue to work with the international community to support recovery in Haiti. The Department for International Development has provided funding for development work through multilateral channels, such as the United Nations agencies, the European Commission and World Bank. The World Bank is allocating \$100 million from the current IDA 15 replenishment, to which UK was biggest contributor. The United Kingdom's contribution to European Union humanitarian assistance for Haiti totals £42 million.

The Government of Haiti have asked the World Bank and United Nations to be the joint international leads with respect to longer-term rehabilitation, and we expect the other international financial institutions, the European Commission and Haiti's major bilateral donors also to have a strong role. A World Bank team is already in Port-au-Prince working with the Government to identify priority areas for their assistance and preparing for the joint needs assessment due on 8 February. The international community needs to continue its efforts to

address the terrible plight of Haitians, and we will play our part through our very substantial support to the multilaterals involved, and the continuation of the humanitarian operation now under way.

DFID, the Department for International Development: leading the UK Government's fight against world poverty. Find out more at: <http://www.dfid.gov.uk>.

TRANSPORT

Private Hire Vehicle Contract Exemption

The Minister of State, Department for Transport (Mr. Sadiq Khan): The exemption from private hire vehicle licensing for vehicles working on long-term contracts was repealed in 2008 by virtue of the Road Safety Act 2006. A similar change was made to the PHV legislation in London.

The Government decided to repeal the exemption at short notice during the passage of the Bill, which meant that a formal consultation exercise was not possible.

The Department undertook to review the impact of the repeal of the PHV contract exemption and today has published the report. The report has been published on the Department's website and a copy has been placed in the Libraries of the House.

In compiling their report, the consultants asked a range of stakeholders—including licensing authorities, conventional PHV operators, operators of services where there were doubts about their position in relation to PHV law and consumers—about their views and their experiences since the repeal of the contract exemption.

It is apparent from the report that the impact of the repeal has been mixed; it has brought within the licensing regime many thousands of operators and drivers who had previously been working under the exemption, which is a desirable outcome in terms of enhancing safety. However, it has also generated questions about the position of a number of operators who would not regard themselves as conventional private hire but who carry passengers in a car as part of their wider jobs and who do not know whether they must be licensed.

The report concludes that licensing authorities and operators would like to see a more robust message from central Government about the extent to which a range of operators at the margins of the definition of private hire vehicle do, or do not, fall to be licensed as PHVs.

The Department recognises that although Parliament has delegated responsibility for the licensing function to individual local authorities, there is a role for the Department in terms of offering guidance with the objective of achieving a degree of uniformity of approach throughout the country.

Accordingly, the Department will undertake to revise the guidance note which it produced in November 2007 in such a way as to offer a more robust view about which categories of operators should be licensed.

The review also showed that the other main taxi provision contained in the Road Safety Act 2006—allowing licensing authorities to suspend or revoke a driver's licence with immediate effect in certain circumstances rather than allowing them to continue working pending appeal—has been welcomed by licensing authorities as a useful additional tool in undertaking their licensing responsibilities.

Written Answers to Questions

Thursday 4 February 2010

ELECTORAL COMMISSION COMMITTEE

Electoral Commission: Public Relations

Mr. Hurd: To ask the hon. Member for South-West Devon, representing the Speaker's Committee on the Electoral Commission what payments the Electoral Commission has made to Pagoda Public Relations since 2000; for what services such payments were made; and if he will place in the Library a copy of the contracts for such services. [315576]

Mr. Streeter: The Electoral Commission informs me that it contracts Pagoda Public Relations to provide public relations services, primarily the Commission's press office function in Scotland and activity to promote voter registration. Payments since 2000 are detailed in the following table and include figures to the end of December 2009.

Financial year	Spend (£)
2005-06	19,583
2006-07	49,233
2007-08	93,493
2008-09	52,431
2009-10	26,833

Copies of the Commission's contracts with Pagoda Public Relations have been placed in the Library of the House.

CULTURE, MEDIA AND SPORT

Arts Council England: Correspondence

Mr. Watson: To ask the Secretary of State for Culture, Media and Sport (1) pursuant to the answer of 6 January 2010, *Official Report*, column 392W, on museums and galleries: West Bromwich, when he expects the chief executive of Arts Council England to write to the hon. Member for West Bromwich East on the matter of PricewaterhouseCoopers; [315418]

(2) pursuant to the answer of 6 January 2010, *Official Report*, column 392W, on museums and galleries: West Bromwich, when he expects the chief executive of Arts Council England to write to the hon. Member for West Bromwich East on the matter of the Capital Projects Board; [315419]

(3) pursuant to the answer of 6 January 2010, *Official Report*, column 389W, on Arts Council England: consultants, when he expects the chief executive of Arts Council England to write to the hon. Member for West Bromwich East; [315430]

(4) pursuant to the answer of 6 January 2010, *Official Report*, columns 391-92W, on museums and galleries: West Bromwich, when he expects the Chief Executive of Arts Council England to write to the hon. Member for West Bromwich East on the matter of Moss Cooper; [315431]

(5) pursuant to the answer of 6 January 2010, *Official Report*, column 386W, on Arts Council England: hospitality, when he expects the chief executive of Arts Council England to write to the hon. Member for West Bromwich East; [315432]

(6) pursuant to the answer of 5 January 2010, *Official Report*, column 36W, on Arts Council England: advertising, when he expects the chief executive of Arts Council England to write to the hon. Member for West Bromwich East. [315442]

Margaret Hodge: The chief executive of Arts Council England will write shortly. Copies of the response will be placed in the Libraries of both Houses.

Arts Council: Public Relations

Mr. Hurd: To ask the Secretary of State for Culture, Media and Sport how much the Arts Council spent on external public relations in each of the last five years; and what external public relations contracts it has placed for tender. [315215]

Margaret Hodge: The information requested is not held by my Department and relates to matters that are the responsibility of Arts Council England.

Accordingly, I have asked the chief executive of Arts Council England to write direct to the hon. Member for Ruislip-Northwood.

Copies of the reply will be placed in the Libraries of both Houses.

Arts: Economic Situation

Andrew Rosindell: To ask the Secretary of State for Culture, Media and Sport what his latest assessment is of the effects on the arts industries of the recession. [314766]

Margaret Hodge: The picture across the sector is mixed, but many organisations have performed excellently in tough economic conditions. London theatres demonstrated very positive returns for 2009, in large measure attributable to the excellent quality of the artistic product.

There are concerns over a decrease in business investment and in income from charitable trusts and foundations. To mitigate this, Arts Council England's sustain fund has made awards totalling £41 million to support 135 arts organisations through the recession. Government support including the Future Jobs Fund and funding for creative use of empty retail space, also supported by Arts Council Lottery funding, is significant in limiting the impact of this shortfall.

Local authorities will determine funding priorities according to local circumstance but I am confident that enlightened councils will continue to support the arts in recognition of their value and importance to local communities across the country.

Arts: Redundancy

Andrew Rosindell: To ask the Secretary of State for Culture, Media and Sport what his latest estimate is of the number of jobs in the arts industries lost as a consequence of the recession. [314767]

Margaret Hodge: My Department does not hold information on the number of jobs lost in the arts industries as a consequence of the recession.

Arts: Young People

Andrew Rosindell: To ask the Secretary of State for Culture, Media and Sport how much his Department has spent on (a) theatre, (b) opera, (c) musical and (d) film tickets for young people since 1997. [314890]

Margaret Hodge: The provision of tickets for young people to attend (a) theatre, (b) opera and (c) musicals is part of the 'A Night Less Ordinary' scheme which, in its first nine months, gave around 122,000 free tickets to young people. The scheme, launched in February 2009 and implemented by Arts Council England, costs £2.5million and is financed by my Department via additional capital grant in aid in 2009-10. (d) There are no current schemes offering free film tickets to young people.

Libraries

Andrew Rosindell: To ask the Secretary of State for Culture, Media and Sport how much his Department has spent on programmes related to libraries in each year since 1997. [315010]

Margaret Hodge: I refer the hon. Member to the answer given by my hon. Friend the Member for Stevenage (Barbara Follett) to the hon. Member for Bath (Mr. Foster) on 21 October 2008, *Official Report*, column 244W.

Further to this answer DCMS grant in aid funding for the British Library from 2007 to date was:

<i>British Library funding, incorporating resource and capital grant in aid</i>	
<i>Financial Year</i>	<i>£000</i>
2007-08	106,480
2008-09	106,974

The Museums, Libraries and Archives Council (MLA) provide funding in support of particular projects and programmes. The funding provided since 2007 was:

<i>MLA support for public libraries</i>	
<i>Financial Year</i>	<i>£000</i>
2007-08	873
2008-09	424.5

In addition in 2007 £80 million has been allocated to public libraries by the Big Lottery Fund for the Community Libraries Programme.

The Department for Culture, Media and Sport (DCMS) has policy responsibility for public libraries but core funding for public libraries is paid to the 151 library authorities in England as part of the Local Government Finance Settlement, administered by the Department for Communities and Local Government (DCLG). Local authorities' net current expenditure on public libraries, as advised by DCLG, was:

<i>Net current expenditure (public libraries, England)</i>	
<i>Financial Year</i>	<i>£000</i>
2007-08	908,486
2008-09	1,003,988

Museums and Galleries: Domestic Visits

Andrew Rosindell: To ask the Secretary of State for Culture, Media and Sport how many times a Minister in his Department has visited the (a) British Museum, (b) Natural History Museum and (c) Science Museum on official duties in the last 12 months. [314757]

Margaret Hodge: Ministers from the Department for Culture, Media and Sport have visited the British Museum four times, the Natural History Museum eight times and the Science Museum once, on official duties in the last 12 months.

Passports

Shona McIsaac: To ask the Secretary of State for Culture, Media and Sport how many free passports have been issued under the Heroes Return scheme to residents of (a) Cleethorpes constituency, (b) North East Lincolnshire local authority area and (c) North Lincolnshire local authority area in each year since such passports were introduced. [315239]

Mr. Simon: The free passport scheme is a matter for the Home Office.

The Heroes Return initiative is run by the Big Lottery Fund which allows world war two veterans from the UK, Channel Islands and Republic of Ireland to apply for travel and accommodation costs to visit the places where they saw active service. They can also receive funding to take part in an official commemoration in the UK.

Public Libraries

Andrew Rosindell: To ask the Secretary of State for Culture, Media and Sport what his most recent estimate is of the average number of people in each age group who use a local library each month. [314753]

Margaret Hodge: The DCMS Taking Part survey records the proportion of the population in each age group who use libraries each year and the latest data is presented in the table. Taking Part cannot provide monthly data or the average number of people in each age group who use a local library.

<i>October 2008 to September 2009</i>	
<i>Age group (five bands)</i>	<i>Percentage</i>
16-24	34.8
25-44	40.3
45-64	38.8
65-74	40.3
75+	34.4
Total	38.5

Andrew Rosindell: To ask the Secretary of State for Culture, Media and Sport what recent steps his Department has taken to encourage the use of public libraries. [314754]

Margaret Hodge: The Government's consultation on the public library service closed on 26 January and a policy statement is expected to report in the spring. It will set out the Government's vision for a modern, world class public library service and the necessary steps to achieve this vision.

There are a significant number of programmes funded by Government Departments, sponsored organisations and third sector partners which promote the increased use of public libraries: these include Bookstart, Book Ahead, Boys into Books, the Summer Reading Challenge, Booked Up, Fulfilling their Potential and the Vital Link.

The BIG Lottery Fund's £80 million Community Libraries Programme is an investment across England to improve community learning opportunities through libraries. Part of this is offering the types of opportunities essential to the delivery of modern library services, including, learning activities to attract new library users such as reading groups, writing groups, language classes, family learning activities, art and museum exhibitions, cultural activities, drama, information seminars and health initiatives.

Royal Parks: Parking

Dr. Cable: To ask the Secretary of State for Culture, Media and Sport pursuant to the answer of 13 January 2010, *Official Report*, column 1042W, on Royal Parks: parking, when he plans to lay the statutory instruments required to implement parking charges in Bushy and Richmond parks. [315460]

Margaret Hodge: The statutory instrument required to implement parking charges in Bushy and Richmond Parks was laid on 1 February.

Television: Licensing

Shona McIsaac: To ask the Secretary of State for Culture, Media and Sport how many free television licences have been issued to residents of (a) Cleethorpes constituency, (b) North East Lincolnshire local authority area and (c) North Lincolnshire local authority area in each year since such licences were introduced. [315237]

Mr. Simon: My Department does not hold the information. Free television licences for people aged 75 or over are issued by TV Licensing as agents for the BBC. This is therefore a matter for the BBC.

I understand that the BBC does not break down the distribution of free licences by reference to parliamentary constituency or local authority area.

Shona McIsaac: To ask the Secretary of State for Culture, Media and Sport how many discounted television licences have been issued to blind and sight-impaired people resident in (a) Cleethorpes constituency, (b) North East Lincolnshire local authority area and (c) North Lincolnshire local authority area in each year since such licences were introduced. [315238]

Mr. Simon: My Department does not hold the information. Discounted television licences are administered for the blind and partly-sighted by TV Licensing as agents for the BBC. This is therefore a matter for the BBC.

I understand that the BBC does not break down the distribution of free licences by reference to parliamentary constituency or local authority area.

ENERGY AND CLIMATE CHANGE

Fuel Oil: Safety

Dr. Kumar: To ask the Secretary of State for Energy and Climate Change what assessment he has made of the effectiveness of EU regulations on the sulphur content of oil used in Aga ovens; and what assessment has been made of the costs of these regulations to owners of Agas. [313739]

Jim Fitzpatrick: I have been asked to reply.

The Sulphur Content of Liquid Fuels Directive (1999/32/EC as amended) aims to reduce air pollution by limiting sulphur dioxide emissions that can cause acid rain. The directive specifies that from January 2008 no person may use gas oil (which includes oil for domestic heating purposes) with a sulphur content greater than 0.1 per cent.

The Government have made no assessment of the effectiveness of this fuel in Aga ovens, nor the costs to Aga owners.

Fuel Poverty: Stroud

Mr. Drew: To ask the Secretary of State for Energy and Climate Change how many households in Stroud constituency were in fuel poverty in (a) 1997, (b) 2003 and (c) 2009. [315882]

Mr. Kidney: The most recently available sub-regional split of fuel poverty relates to 2006, and shows that there were around 4,200 fuel poor households in the Stroud constituency. In 2003 there were around 2,600 fuel poor households in the Stroud constituency. Figures prior to 2003 are not available.

The methodology used for the 2006 work differs from that previously used, so care should be taken in comparing the fuel poverty levels in one area between 2003 and 2006.

WORK AND PENSIONS

Crisis Loans

Mrs. May: To ask the Secretary of State for Work and Pensions what estimate she has made of the amount spent by her Department on crisis loans on each day in (a) 2008 and (b) 2009. [313268]

Helen Goodman: The available information is in the following table.

Crisis loans in Great Britain in 2008 and 2009

Calendar year	£ million		
	Average gross expenditure per working day	Average recoveries per working day	Average net expenditure per working day
2008	0.59	0.30	0.29
2009	0.87	0.44	0.43

Note:

The information provided is Management Information. Our preference is to answer all parliamentary questions using official/National Statistics but in this case we only have management information available. It is not quality assured to the same extent as official/National Statistics and there are some issues with the data, for example, it does not include applications which were processed clerically and have not yet been entered on to the Social Fund Computer System.

Source:

DWP Social Fund Policy, Budget and Management Information System

Departmental Buildings

Mr. Baron: To ask the Secretary of State for Work and Pensions how much her Department spent on works and refurbishment to offices allocated to Ministers in her Department's buildings in the last 12 months. [305677]

Yvette Cooper: Expenditure in respect of new works, refurbishments and planned maintenance to Ministers' offices in the last year was £19,223.85.

Post Office Card Account

Mr. Djanogly: To ask the Secretary of State for Work and Pensions what representations her Department has received on the use of automated teller machines (ATMs) other than Bank of Ireland ATMs to access Post Office card accounts. [315511]

Helen Goodman: The Department has received representations about this from LINK.

Social Security Benefits: Ex-servicemen

Gordon Banks: To ask the Secretary of State for Work and Pensions with reference to the Housing Benefit and Council Tax Benefit (War Pension Disregard) (Amendment) Regulations 2009, (SI 2009 No. 3389), if she will take steps to ensure that local authorities disregard service attributable pensions in considering eligibility for housing and council tax benefit. [315748]

Helen Goodman: A mandatory £10 disregard of income from war pensions (war disablement pension, a pension to a war widow or war widower or a similar pension paid to a surviving civil partner), applies in the calculation of entitlement to housing benefit and council tax benefit. In addition, local authorities have discretionary powers to disregard some or all of income from war pensions, including service attributable pensions, once the mandatory disregard of £10.00 has been made. It is a matter for each authority to decide the extent to which they apply the additional disregard. We have recently issued guidance clarifying that service attributable pensions fall to be disregarded under the discretionary powers.

State Retirement Pensions

Mr. Jim Cunningham: To ask the Secretary of State for Work and Pensions what recent representations her Department has received on the restoration of the link between salaries and pensions. [314918]

Angela Eagle: The Department has received a number of representations on restoring the earnings link to the basic state pension.

The basic state pension will increase in line with earnings, rather than prices, in the future. The exact date from which this will start has yet to be fixed, but it is expected to happen from 2012, or by the end of the next Parliament at the latest.

Winter Fuel Payments

Mr. Jim Cunningham: To ask the Secretary of State for Work and Pensions what representations her Department has received on expanding the age range for eligibility for winter fuel payments. [314917]

Angela Eagle: The Department has not received any formal representations on the changing of the age range related to eligibility for winter fuel payments.

ENVIRONMENT, FOOD AND RURAL AFFAIRS

Sustainable Fisheries

9. **Mr. Drew:** To ask the Secretary of State for Environment, Food and Rural Affairs What steps he plans to take to encourage sustainable fisheries. [315383]

Huw Irranca-Davies: The UK's response to the Commission's Green Paper on reform of the Common Fisheries Policy states that to achieve the effective, sustainable exploitation of fish stocks, the EU must set itself a series of more challenging objectives. We shall seek to persuade the Commission to look beyond the world summit on sustainable development commitment to fish stocks at maximum sustainable yield and deliver a mechanism which optimises the renewable wealth of marine fish resources.

Biodiversity

Simon Hughes: To ask the Secretary of State for Environment, Food and Rural Affairs what recent progress his Department has made towards meeting its 2010 biodiversity targets; and if he will make a statement. [315395]

Huw Irranca-Davies: We have continued to make progress on our biodiversity priorities. For example, nearly 91 per cent. of Sites of Special Scientific Interest are now in favourable or recovering condition; we have a Marine and Coastal Access Act which will ensure productive and biologically diverse oceans and seas; and internationally we continue to support a wide range of conservation projects through our Darwin initiative.

International Whaling Commission

Jo Swinson: To ask the Secretary of State for Environment, Food and Rural Affairs what objectives he has set for the outcomes of the inter-sessional meeting of the International Whaling Commission in March 2010. [315398]

Huw Irranca-Davies: The agenda for the forthcoming inter-sessional meeting of the International Whaling Commission is yet to be announced and a report by the Chair on reform discussions has not yet been produced, therefore I am unable to comment in detail.

I can reassure you that we will continue to strive to ensure long-term protection and conservation of whale populations worldwide. The UK Government will not agree to any proposals which increase risk to future whale populations.

Chorley

Mr. Hoyle: To ask the Secretary of State for Environment, Food and Rural Affairs 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 predecessor since 1997. [314233]

Dan Norris: Due to the broad nature of the question and the wide range of DEFRA policies implemented in Chorley, it is not possible to provide a detailed answer in the form requested.

As a local authority, Chorley is obliged through statute to comply with central Government legislation. DEFRA's policy responsibilities are summarised in its departmental strategic objectives (DSOs) that have been agreed with the Treasury:

To promote a society that is adapting to the effects of climate change, through a national programme of action and a contribution to international action.

To promote a healthy, resilient, productive and diverse natural environment.

To promote sustainable, low carbon and resource efficient patterns of consumption and production.

To promote an economy and a society that are resilient to environmental risk.

To champion sustainable development.

To promote a thriving farming and food sector with an improving net environmental impact.

To encourage a sustainable, secure and healthy food supply.

To provide socially and economically sustainable rural communities.

To be a respected Department delivering efficient and high quality services and outcomes.

DEFRA publishes annual departmental reports which set out progress against its public service agreement targets and DSOs. The 2009 report is available at:

www.defra.gov.uk/corporate/about/how/deprep/2009-report.htm.

Past reports are available online in the National Archives.

For information on a specific DEFRA policy in Chorley, the Government office for the north-east is able to provide information on implementation and the benefits to the area.

Departmental Advertising

Grant Shapps: To ask the Secretary of State for Environment, Food and Rural Affairs for what advertising campaigns his Department has been responsible in each of the last three years; which such campaigns have (a) commenced and (b) continued in 2009-10 to date; and what the total cost of each such campaign has been. [309919]

Dan Norris: Since the beginning of the current financial year DEFRA has spent around £2 million on campaign advertising. This was primarily on campaigns for conservation volunteering, water saving, waste and resource efficiency. A further £23,841 was spent on advertising vacancies within the same time period.

Spend covering the previous two years is outlined as follows:

2008-09	
	Cost (£)
Act On CO ₂ ¹	12,185,373
Resource Efficiency	521,584
Reach Communications	137,949
Miscellaneous	38,905
DEFRA WATO	14,671
Eco-labelling	9,245
DEFRA Conservation Volunteering	12,200
Recruitment Advertising	26,727
Total	12,946,653
2007-08	
	Cost (£)
Climate Change—Citizen and Public Engagement Project	4,491,921
Miscellaneous	115,777
Communications (Pre-Registration Stage)	127,660
Climate Challenge	650,307
Animal Disease Prevention Campaign	40,000
DEFRA WATO Announcement Ad	14,372
Eco-labelling	12,989
Catering Insertion	6,976
Nature Magazine Insertion	6,630
Sheep and Goats Identification	3,460
Greener Living Pages	8,684
Act On CO ₂ ¹	695,497
Recruitment Advertising	11,704
Total	6,185,977

¹ Funded by DEFRA and DfT—DEFRA share shown above.

Departmental Compensation

Mr. Gordon Prentice: To ask the Secretary of State for Environment, Food and Rural Affairs if he will assess the adequacy of the level of consolatory payments made by his Department. [315393]

Jim Fitzpatrick: As agreed at the Public Administration Select Committee meeting on 28 January, further discussions will be held between DEFRA and the Parliamentary and Health Service Ombudsman on a range of customer service and redress issues affecting the Rural Payments Agency.

Departmental Empty Property

Sarah Teather: To ask the Secretary of State for Environment, Food and Rural Affairs pursuant to the answer to the hon. Member for Harrogate and Knaresborough of 5 January 2010, *Official Report*, column 63W, on departmental buildings, what the (a) book value and (b) estimated annual rental value is of vacant residential properties owned by his Department. [315968]

Dan Norris: The Department's empty residential property, which had been vacant in excess of six months as cited on 5 January, *Official Report*, column 63W, has a combined book value of £87,000 and combined potential annual rental value of £18,000.

Departmental Mobile Phones

Mr. Graham Stuart: To ask the Secretary of State for Environment, Food and Rural Affairs how many (a) mobile telephones and (b) Blackberrys have been provided to (i) Ministers and (ii) special advisers in his Department since March 2009; and at what cost to the public purse. [313175]

Dan Norris: DEFRA procures BlackBerry services and mobile phones via two different arrangements.

1. In the case of BlackBerry services, these are provided through the IBM contract. The cost to the Department since 1 February 2009 to 31 January 2010 is:

	Number	Cost (£)
Ministers	3	831.06
Special advisers	2	587.86

2. In the case of mobile phones, these are purchased via OGC's Mobile Solutions contract. The cost to the Department since 1 February 2009 is:

	Number	Cost (£)
Minister	1	776.80

Departmental Public Consultation

Grant Shapps: To ask the Secretary of State for Environment, Food and Rural Affairs how many citizen juries or summits have been hosted by his Department since October 2008; on what date each event took place; and which Ministers were present at each event. [310781]

Dan Norris [holding answer 14 January 2010]: The Department has not held any citizen juries or summits since October 2008.

Detergents: Phosphorus

Miss McIntosh: To ask the Secretary of State for Environment, Food and Rural Affairs what steps he has taken to phase-out phosphorus in domestic laundry cleaning products; and if he will make a statement. [314765]

Dan Norris: We are proposing to limit phosphate content in domestic laundry cleaning products by revising the Detergents Regulations 2005. DEFRA has consulted twice on this subject—first in February 2008 when we consulted the public on the principal of a limitation, and then in January 2010 on draft regulations detailing the mechanism for achieving it. The proposals are for a limitation of phosphate content in domestic laundry cleaning products by 2015.

Farms

Tim Farron: To ask the Secretary of State for Environment, Food and Rural Affairs what recent estimate he has made of the number of farms in the UK under five hectares in size. [315584]

Jim Fitzpatrick: DEFRA only holds data on farms in England. The most recent 2008 data on the numbers of agricultural holdings in England with less than five hectares are shown in the following table. The 2009 data will be available mid-February 2010 on the DEFRA website.

	2008	Number
Holdings with less than five hectares of farmed area		80,688
Holdings with unknown activity (recorded as zero area) ¹		14,426
Holdings <5 ha total		95,084

¹ These are holdings which are registered with the Rural Payments Agency (RPA) but we have not yet obtained any information on their levels of farming activity. These holdings are stored on the statistical register but with a zero farmed area. The numbers are shown here for completeness.

Source:

June Survey of Agriculture and Horticulture

Local Government Finance

Mr. Stewart Jackson: To ask the Secretary of State for Environment, Food and Rural Affairs with reference to the answer to the hon. Member for Meriden of 22 October 2009, *Official Report*, column 1645W, on local government finance, what data sets not contained in the national indicator set local authorities are required to submit to (a) the Environment Agency and (b) his Department. [314950]

Dan Norris: DEFRA and the Environment Agency do not hold a central register of information and datasets collected from local authorities. To produce a definitive list of such collections would involve disproportionate cost.

Nature Conservation: Crime

Mr. Hepburn: To ask the Secretary of State for Environment, Food and Rural Affairs what steps his Department is taking to reduce the level of wildlife crime. [315394]

Dan Norris: Government are working to reduce wildlife crime by supporting the Partnership for Action Against Wildlife Crime; funding the National Wildlife Crime Unit; charring the Coalition Against Wildlife Trafficking; and through our commitment to the Convention on International Trade in Endangered Species.

North East Sustainable Resources Board

Mr. Stewart Jackson: To ask the Secretary of State for Environment, Food and Rural Affairs what the role is of the new North East Sustainable Resources Board; how much funding from the public purse has been allocated to it; and in what other Government office regions such a board has been (a) established and (b) proposed. [314948]

Dan Norris: The North East Sustainable Resources Board is a public-private partnership set up by the North East Region to provide effective leadership across all sectors to deliver recycling and waste policies in the Regional Strategy. It is supported by a cross-sector Stakeholder Group that advises the Board and assists

with delivery. The Stakeholder Group includes a number of regional government bodies, including the Government Office for the North East on behalf of DEFRA, as well as relevant private and third sector organisations. The Board itself met for the first time on 11 January 2010.

It has been commissioned to:

Advise the public sector—Government, Agencies, local authorities—on key issues to help overcome structural barriers.

Promote the ‘resources hierarchy’ to businesses and householders.

Persuade stakeholders in all sectors to share ideas, pool resources, and improve sustainability.

Its full role is explained in its Terms of Reference which will be available on the Board’s website when it goes live on 26 February 2010:

www.nesrb.org.uk

DEFRA regional waste funding was used by the North East to assess how best to provide effective leadership in resource management. This led to the Board’s establishment. No public funding has been allocated to the Board. It is supported by private sector funding, but One North East, the Regional Development Agency covering North East England, has agreed that one of their delivery bodies can provide regional co-ordination and administrative help for establishing and supporting the Board and Stakeholder Group.

Apart from the statutory London Waste and Recycling Board, this is the first funded regional board covering the management of resources, recycling and waste. Other regions are considering their own appropriate strategic arrangements to co-ordinate sustainable resource management. This will contribute to their regional strategies, as proposed under the Local Democracy, Economic Development and Construction Act 2009.

Streatham

Keith Hill: To ask the Secretary of State for Environment, Food and Rural Affairs if he will set out, with statistical evidence relating as closely as possible to Streatham constituency, the effects on that constituency of changes to his Department’s policies since 1997. [313397]

Dan Norris: Due to the broad nature of the question and the wide range of DEFRA policies implemented in Streatham, which falls under Lambeth council, it is not possible to provide a detailed answer in the form requested.

As a local authority, Lambeth is obliged through statute to comply with central Government legislation. DEFRA’s policy responsibilities are summarised in its departmental strategic objectives (DSOs) that have been agreed with the Treasury:

To promote a society that is adapting to the effects of climate change, through a national programme of action and a contribution to international action.

To promote a healthy, resilient, productive and diverse natural environment.

To promote sustainable, low carbon and resource efficient patterns of consumption and production.

To promote an economy and a society that are resilient to environmental risk.

To champion sustainable development.

To promote a thriving farming and food sector with an improving net environmental impact.

To encourage a sustainable, secure and healthy food supply.

To provide socially and economically sustainable rural communities.

To be a respected Department delivering efficient and high quality services and outcomes.

DEFRA publishes annual departmental reports which set out progress against its Public Service Agreement targets and DSOs. The 2009 Report is available at:

www.defra.gov.uk/corporate/about/how/dep/2009-report.htm

Past reports are available online in the National Archives.

For information on a specific DEFRA policy in Lambeth, the Government Office for London is able to provide information on implementation and the benefits to the area.

Wood: NDPBs

Tim Farron: To ask the Secretary of State for Environment, Food and Rural Affairs pursuant to the answer on 14 January 2010, *Official Report*, column 1079W, on wood: Government departments, whether guidance provided by the Central Point of Expertise on Timber is binding on all non-departmental public bodies. [315585]

Dan Norris: I can confirm that pursuant to the answer on 14 January 2010, *Official Report*, column 1080W, on wood: Government Departments, the UK Government timber procurement policy is mandatory for all central Government Departments, agencies and non-departmental public bodies.

TRANSPORT

Aviation: Security

Mr. Brazier: To ask the Minister of State, Department for Transport on what date officials of his Department first met representatives of the aviation industry to discuss the implications for UK airport security of the attempt to detonate an explosive on a commercial airliner on 25 December 2009. [314735]

Paul Clark: Departmental officials were in contact with the aviation industry immediately after news of the incident on 25 December was received and throughout the Christmas and new year period. The Secretary of State met senior executives from a number of major airports on 6 January 2010 to discuss the security implications of the incident and a formal consultation session for representatives from the aviation security sector was held on 7 January 2010.

Civil Servants: Pay

Mr. Leech: To ask the Minister of State, Department for Transport what the total amount of bonuses paid to members of the senior civil service in his Department was in (a) 2008 and (b) 2009. [305949]

Chris Mole: The total amount of non-consolidated performance related awards paid to members of the senior civil service in the Department for Transport was £1,344,831 in 2008 and £1,310,804 in 2009.

Dartford-Thurrock Crossing

Mr. Holloway: To ask the Minister of State, Department for Transport what the average queuing time was at the Dartford River Crossing (a) northbound and (b) southbound toll plaza per 15 minute interval per weekday in the last 12 months. [315446]

Chris Mole: Specific data on queuing times at the Dartford River Crossing toll plaza is not recorded.

Mr. Holloway: To ask the Minister of State, Department for Transport how long on average payment transactions took at each toll booth at the Dartford River Crossing in the last 12 months. [315447]

Chris Mole: In the last 12 month period from February 2009 to January 2010 the average payment transaction time for the toll booths at the Dartford Crossing was 12.3 seconds. Figures for individual booths can be provided only at disproportionate cost.

Departmental Drinking Water

Bob Spink: To ask the Minister of State, Department for Transport how much his Department spent on bottled drinking water in each of the last five years; and if he will make a statement. [313028]

Chris Mole: The information requested can be provided only at disproportionate cost. All expenditure was incurred in accordance with the principles of Managing Public Money and the Treasury handbook on Regularity and Propriety.

Departmental Written Questions

David Simpson: To ask the Minister of State, Department for Transport 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. [313652]

Chris Mole: In the calendar year 2009 the Department for Transport took an average of 4.26 days to answer written questions and 2.70 days to answer named day questions.

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.

Government Car and Despatch Agency: Finance

Mr. Todd: To ask the Minister of State, Department for Transport what assessment he has made of the reason for the cost of the finance function of the Government Car and Despatch Agency referred to in the publication, *Benchmarking the Back Office: Central Government*; and if he will make a statement. [312684]

Paul Clark: Annex A to the publication "*Benchmarking the Back Office: Central Government*" states that the cost of the finance function in the Government Car and Despatch Agency (GCDA) was 5.5 per cent. of its

turnover in 2008-09. Although this could be perceived as high against the best practice benchmark of 1 per cent. in relative terms due to the overall costs of the GCDA being relatively low, the percentage costs of the functional elements become inflated.

The finance function was increased in order to address temporary peaks in business activity and the introduction of a new IT system. Staff levels in the finance team are now falling.

The new interim chief executive has begun looking into ways to introduce further efficiencies.

Heathrow Airport

Justine Greening: To ask the Minister of State, Department for Transport pursuant to the answer of 20 January 2010, *Official Report*, column 344W, on Heathrow Airport, on what date the then Secretary of State confirmed the decision to hold the Adding Capacity at Heathrow Airport consultation over a 14 week period. [315175]

Paul Clark: In line with guidance, officials adopted a 14-week consultation period as a working assumption as soon as it became clear in 2007 that the consultation would span the Christmas holiday period. The decision was taken by then Secretary of State for Transport, the right hon. Member for Bolton, West (Ruth Kelly), on 1 October 2007 when she wrote to Cabinet colleagues seeking agreement to the consultation. Agreement to the 14-week period was confirmed following the normal cabinet clearance process, which was completed on 12 November 2007.

Kemble-Swindon Railway Line

Mr. Drew: To ask the Minister of State, Department for Transport what recent estimate Network Rail has made of the cost of re-doubling the Swindon to Kemble railway line; and if he will discuss with hon. Members representing constituencies in Gloucestershire the funding of that project. [314852]

Chris Mole: The study work undertaken by Network Rail to date indicates a cost of £52.4 million for the redoubling of the Swindon-Kemble section of the Great Western route. Department for Transport officials are in detailed discussion with Network Rail to determine the extent to which the task can be undertaken within the funding available from the south-west region. This is capped at £45 million.

We hope to be in a position to give further information on the matter in the near future and would be pleased to arrange a meeting with hon. Members.

Mr. Clifton-Brown: To ask the Minister of State, Department for Transport if he will publish the results of his Department's feasibility study of the re-doubling of the Swindon to Kemble railway line. [315733]

Chris Mole: I will make a statement concerning the redoubling of this section of line, along with such supporting material as is necessary, once the present dialogue with Network Rail is concluded.

Mr. Clifton-Brown: To ask the Minister of State, Department for Transport when he anticipates a final decision will be made on the re-doubling of the Swindon to Kemble railway line. [315734]

Chris Mole: Talks with Network Rail are currently taking place on the subject of redoubling this section of route. I will review the position at the conclusion of that dialogue and take a decision in due course.

Mr. Clifton-Brown: To ask the Minister of State, Department for Transport when the budget from the regional funding allocation in respect of the Swindon to Kemble railway line expires. [315735]

Chris Mole: There is no specific end date to the availability of finance from the south-west region in connection with this project. The region has prioritised the scheme to commence during 2010-11 and to make finance available from that point, provided that there is a satisfactory outcome to the negotiations with Network Rail.

Mr. Clifton-Brown: To ask the Minister of State, Department for Transport what the earliest date is on which work could commence on the re-doubling of the Swindon to Kemble railway line. [315737]

Chris Mole: This depends upon the outcome of negotiations with Network Rail, but if these are successful then preliminary work could commence during 2010.

Mr. Clifton-Brown: To ask the Minister of State, Department for Transport what recent discussions he has had with Welsh Assembly Government Ministers on provision for the funding of any shortfall from the regional funding allocation in respect of the re-doubling of the Swindon to Kemble railway line. [315738]

Chris Mole: The Welsh Assembly Government has contributed £100,000 towards the detailed study of re-doubling the line. The Department for Transport is working closely with Network Rail to ensure that it can introduce a scheme that is affordable within the resources available to the south-west region.

Departmental officials are continuing to keep Welsh Assembly Government officials briefed on the progress of Network Rail's study.

Motor Vehicles: Excise Duties

Mr. Crausby: To ask the Minister of State, Department for Transport how many motorists bought a vehicle excise duty licence with a single payment in each of the last three years. [314505]

Paul Clark: The figures in the following table are the total numbers of 12-month Vehicle Excise Duty licences, issued in the United Kingdom for financial years 2006-07 to 2008-09.

<i>12-month licence</i>	<i>Number (million)</i>
2006-07	23.068
2007-08	23.381
2008-09	23.420

The figures in the following table are the total numbers of six-month Vehicle Excise Duty licences, issued in the United Kingdom for financial years 2006-07 to 2008-09.

<i>Six-month licence</i>	<i>Number (million)</i>
2006-07	19.776
2007-08	20.199
2008-09	20.077

Both 12-month and six-month licences must be paid for in full prior to issue. There is no option to part pay for either a 12-month or six-month licence.

Park and Ride Schemes

Mr. Greg Knight: To ask the Minister of State, Department for Transport (1) what discussions he has had with the East Riding of Yorkshire Council on the proposed park and ride scheme at Bridlington, with particular reference to the expected profitability of such a scheme; and whether he has made an assessment of the potential profitability of such a scheme; [314834]

(2) if he will estimate the financial losses incurred in respect of the operation of the park and ride scheme in Doncaster; and if he will provide guidance to local authorities on the consideration of alternatives to such schemes in circumstances in which they make a financial loss. [314838]

Mr. Khan: The Department for Transport is contributing a maximum sum of £5,428,799 to the construction cost of the Bridlington Integrated Transport Scheme.

Where the Department is providing more than £5 million to a local authority major scheme, the Department takes operating costs and projected revenues of major schemes into account, among many other factors, as part of a value for money assessment.

It is not a condition of funding that Park and Ride services or any other schemes must make a financial operating surplus. It is the responsibility of the promoting local authority to meet net operating costs including provision of an operating subsidy where necessary or appropriate.

The Department is not aware of the actual operating costs and revenues relating to the operation of the Doncaster A638 Park and Ride scheme.

Railway Signals

Norman Baker: To ask the Minister of State, Department for Transport what assessment he has made of the financial implications for his Department of the cancellation of the European Train Control System early deployment scheme. [314279]

Chris Mole: The Cambrian Early Deployment Scheme has not been cancelled. The lessons learnt from this scheme will be vital to informing the planning of future European Rail Traffic Management System deployments.

Roads: Construction

Norman Baker: To ask the Minister of State, Department for Transport how many miles of new road lanes on (a) newly-built roads and (b) widening projects have been constructed in each year since 1997; and what the estimated cost of such construction has been. [313784]

Chris Mole [*holding answer 28 January 2010*]: The information requested has been placed in the Libraries of the House. The table provided for local authority major road schemes provides information only from 2000 onwards.

The Department for Transport does not currently hold detailed information centrally on local authority schemes, such as road lengths or whether the scheme is a new build or widening. Our Regional Transport Statistics publication does, however, provide data on road lengths by region in England and is available on the Department for Transport website at:

www.dft.gov.uk

Roads: East Riding

Mr. Greg Knight: To ask the Minister of State, Department for Transport if he will allocate funds to the East Riding of Yorkshire Council for the purposes of repairing road surfaces cracked, potholed and damaged as a result of the recent severe weather conditions; and if he will make a statement. [314837]

Mr. Khan: The Department for Transport has published guidance on its Emergency Capital Highway Maintenance Funding Scheme. Authorities including East Riding of Yorkshire council may submit a claim for emergency funding to repair damage to their roads which they consider was caused by the recent severe weather. The Department will carefully consider claims that are received.

Roads: Gloucestershire

Mr. Drew: To ask the Minister of State, Department for Transport what representations he has received from Gloucestershire County Council on increasing its block grant for the purpose of funding road repairs. [314853]

Mr. Khan: Gloucestershire county council received additional funding under the Department for Transport's Emergency Capital Highway Maintenance funding scheme for damage caused by flooding in 2001 and 2007. No further representations have been received from the authority for additional funding to carry out repairs to their local highway network.

Roads: Snow and Ice

Mr. Drew: To ask the Minister of State, Department for Transport what advice he has received on the level of compensation payable to motorists in respect of damage to vehicles during the recent severe weather conditions, incurred as a result of the state of repair of roads for which the Highways Agency has responsibility. [314854]

Chris Mole: The Highways Agency has a comprehensive road resurfacing programme to reduce the potential for potholes and other surface defects but there is no doubt that the severity of the recent weather conditions has

led to an increase in defects to the road surface. The Highways Agency is confident that the regime for identifying these defects and the resources necessary for undertaking repairs is sufficient to keep England's motorways and trunk roads in a safe and serviceable condition.

There is no automatic right to compensation. The law makes it quite clear that highway authorities cannot be blamed for everything that happens on their roads and provided that they can demonstrate that they took all reasonable steps to ensure that the highway was safe, they will not be found negligent. Unfortunately, incidents do occur but very few are actually attributable to negligence on the part of the highway authority. The majority of claims brought against the Highways Agency are successfully defended.

Thameslink

Norman Baker: To ask the Minister of State, Department for Transport what estimate he has made of the financial implications of deferring the delivery of Thameslink until 2015. [314340]

Chris Mole: The Department for Transport is continually reviewing the costs associated with the Thameslink programme. The current forecast of the total costs for the programme, are around £5.5 billion to £6 billion.

The Department is working closely with Network Rail and other industry partners to ensure that the programme can be delivered within its budget.

Transport: East of England

Mr. Ruffley: To ask the Minister of State, Department for Transport how much funding the local transport authority in (a) Suffolk, (b) Bedfordshire, (c) Cambridgeshire, (d) Essex, (e) Hertfordshire and (f) Norfolk has received from his Department (i) in total, (ii) per mile of road and (iii) per head of population in each year since 1997. [314885]

Mr. Khan: Funding provided to the local transport authorities in Suffolk, Bedfordshire, Cambridgeshire, Essex, Hertfordshire and Norfolk to support local transport are shown in the following tables. From 2000-01 this funding comprises the integrated transport block and highways maintenance for general capital funding for transport and additional capital funding for specific major projects. Also included is funding for maintenance of roads that have been de-trunked, road safety projects, bus services and cycling and walking schemes. Prior to 2000-01 funding was provided in the form of 'gross approved spending'.

Revenue expenditure on transport is generally supported through the Department for Communities and Local Government's formula grant, and it is not possible to disaggregate this by service.

Funding for concessionary travel has not been included, since this is provided to the district councils in these areas, rather than the upper tier transport authorities.

(i) In total

<i>Financial year</i>	<i>Suffolk</i>	<i>Bedfordshire</i>	<i>Cambridgeshire</i>	<i>Essex</i>	<i>Hertfordshire</i>	<i>Norfolk</i>	<i>£ million</i>
2008-09	37.492	17.170	65.964	43.053	35.074	34.792	
2007-08	30.495	18.204	65.057	40.412	33.905	40.020	
2006-07	42.029	20.909	43.515	32.877	31.743	40.971	
2005-06	38.219	11.264	28.512	35.139	38.074	35.872	
2004-05	34.222	10.032	30.941	28.571	42.875	42.736	
2003-04	26.213	10.738	21.667	28.153	26.746	40.181	
2002-03	23.279	26.024	17.273	36.301	26.085	33.614	
2001-02	25.126	9.847	16.992	35.260	23.150	39.487	
2000-01	9.674	4.715	8.107	13.236	9.911	11.128	
1999-2000	6.756	5.045	8.592	9.992	7.302	9.346	
1998-99	5.838	3.513	5.613	6.068	4.997	7.115	
1997-98	6.141	3.692	8.542	6.615	6.550	7.713	

(ii) Per mile of road

<i>Financial year</i>	<i>Suffolk</i>	<i>Bedfordshire</i>	<i>Cambridgeshire</i>	<i>Essex</i>	<i>Hertfordshire</i>	<i>Norfolk</i>	<i>£000</i>
2008-09	8.648	11.968	22.517	8.451	11.418	5.532	
2007-08	7.038	12.696	21.819	7.944	10.372	6.518	
2006-07	9.713	14.667	14.915	6.497	9.754	6.510	
2005-06	8.992	8.113	9.881	6.949	12.684	5.719	
2004-05	8.060	7.060	10.706	5.647	14.155	6.856	
2003-04	6.147	7.442	7.543	5.697	8.277	6.399	
2002-03	5.467	18.058	6.021	7.364	8.089	5.362	
2001-02	5.910	6.844	5.932	7.164	7.193	6.308	
2000-01	2.279	3.783	2.834	2.294	3.086	1.780	
1999-2000	1.778	4.110	3.467	2.239	2.580	1.650	
1998-99	1.539	2.868	2.268	1.362	1.769	1.258	
1997-98	1.621	3.020	3.457	1.488	2.324	1.366	

(iii) Per head of population

<i>Financial year</i>	<i>Suffolk</i>	<i>Bedfordshire</i>	<i>Cambridgeshire</i>	<i>Essex</i>	<i>Hertfordshire</i>	<i>Norfolk</i>	<i>£</i>
2008-09	52	42	109	31	33	41	
2007-08	43	45	107	29	32	49	
2006-07	60	52	74	24	30	49	
2005-06	55	28	49	26	36	43	
2004-05	50	25	54	21	41	52	
2003-04	39	27	38	21	26	49	
2002-03	35	67	31	27	25	42	
2001-02	38	26	31	27	22	49	
2000-01	14	12	15	10	10	14	
1999-2000	10	13	16	8	7	12	
1998-99	9	10	10	5	5	9	
1997-98	9	10	16	5	5	10	

HOME DEPARTMENT**Departmental Disclosure of Information**

David Davis: To ask the Secretary of State for the Home Department 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. [313227]

Meg Hillier: The agencies and non-departmental public bodies for which the Home Office is responsible make most of their general information available free, via publications or their websites (subject to relevant copyright provisions). Where applicable, most Crown copyright

information is available for free re-use under the PSI Click-Use Licence. In common with Government policy, some information is sold as priced publications.

Of the agencies for which the Home Office is responsible, the Criminal Records Bureau (CRB) provides criminal record information to private companies and other organisations for the purposes of pre-employment checks under Part V of the Police Act 1997. A fee is payable to cover the cost of this service, as provided for in the Act.

In addition, the Identity and Passport Service (IPS) provides a call centre service to accredited private sector organisations to check the validity of passports presented to their business as evidence of identity. IPS does not sell personal data to the organisations; it merely confirms the validity of passport information provided by the

organisation. The IPS also provides access to passport records to accredited public sector organisations for the purposes of confirming identity, nationality and/or the validation of a British passport. IPS charges organisations in order to recover the costs incurred in providing these services.

DEFENCE

Armed Forces: Health Services

Dr. Murrison: To ask the Secretary of State for Defence what (a) benchmarking and (b) auditing will be undertaken by his Department to ensure that ex-service personnel amputees receive the same follow-up management of their prostheses in the NHS as they did in the armed forces. [309989]

Mr. Kevan Jones: My hon. Friend the Minister of State for Health informed the House on 11 January 2010, *Official Report*, column 15WS, that:

“a package of measures will be put in place across the NHS to support the increased number of service personnel who have received serious injuries such as loss of limb or brain injuries whilst on active service. This will include new arrangements with the MOD for life care planning together with a guarantee that those seriously injured and needing continuing health care will receive ongoing high quality care for life based on an early and comprehensive assessment and regular review of their needs overseen by an NHS case manager”.

Armed Forces: Housing

Dr. Murrison: To ask the Secretary of State for Defence when he expects his Department's pilot housing purchase scheme announced on 26 January 2010 to be (a) completed and (b) evaluated. [314893]

Mr. Kevan Jones [*holding answer 2 February 2010*]: The Armed Forces Home Ownership Scheme (pilot) will run until spring 2013. However, long-term arrangements will be put in place to administer and look after those who have participated in the scheme over the 25-year maximum term of the equity loan they have received.

The MOD in conjunction with the Homes and Communities Agency will be monitoring and evaluating the scheme closely throughout the pilot period, including looking at factors such as take-up rates, feedback as to whether the scheme meets all the requirements of service personnel, value for money and affordability.

Dr. Murrison: To ask the Secretary of State for Defence how much of the £20 million allocation announced on 26 January 2010 for a housing purchase pilot he expects to be spent on administrative overhead costs. [314894]

Mr. Kevan Jones [*holding answer 2 February 2010*]: The MOD has agreed to share fixed costs with the Homes and Communities Agency to manage and deliver the Armed Forces Housing Ownership Scheme (pilot). The Swaythling Housing Society (the appointed agent) costs were determined through open competition in line with European Union procurement rules, and total around £100,000 up to spring 2013. In line with other Government schemes, a £1,500 fee is paid from the MOD allocation of funds for each completed house purchase. The total will vary according to the number of homes delivered.

Dr. Murrison: To ask the Secretary of State for Defence for what reasons he decided to restrict eligibility for loans under his Department's housing initiative announced on 26 January 2010 to those who have served between four and six years. [314895]

Mr. Kevan Jones [*holding answer 2 February 2010*]: The Armed Forces Housing Ownership Scheme (pilot) is seeking to encourage retention. The criterion of no less than four and no more than six year service was chosen after consultation with the three services. It is a critical period for retention and this approach will also help to target those service personnel on lower incomes who traditionally need the most help to get on the housing ladder.

Robert Key: To ask the Secretary of State for Defence how many units of service family accommodation which did not meet move-in standards were occupied following the signing of a waiver by the tenants in 2009. [315004]

Mr. Kevan Jones: The only circumstance in which occupants of service family accommodation are asked to sign a waiver is when they are occupying a property outside of the normal preparation timescales for reasons of personal choice; this does not necessarily mean the property was not at move-in standard.

However the information on the number of occasions in 2009 when this has occurred is not held centrally and could be provided only at disproportionate cost.

Armed Forces: Mental Health Services

Sandra Gidley: To ask the Secretary of State for Defence (1) what assessment he has made of the effectiveness of the mental health pilot scheme for armed forces personnel; and if he will make a statement; [313868]

(2) how many armed forces personnel have taken part in his Department's mental health pilots since their inception; [313869]

(3) which psychological therapies are being offered as part of his Department's six mental health pilots; [313873]

(4) what plans his Department has to implement its mental health pilot schemes on a national basis. [313874]

Mr. Kevan Jones: Six NHS mental health pilot schemes for former armed forces personnel are operational across the UK. Their aim is to assess, treat or signpost veterans to appropriate services. Initial results from the pilots are encouraging with evidence that veterans feel able to access and use the service with confidence. Around 600 veterans have been referred to the pilots so far. The mental health problems seen in ex-service personnel and the appropriate interventions are similar to those in the general population.

Data collected from the pilots will help shape the design of a best practice NHS-led community mental health service for veterans. The evaluation of these pilots will complete during 2010, with a view to all NHS mental health services rolling out special provision for veterans during 2011-12.

For those in areas not yet involved in the service, veterans with mental health problems and operational service after 1982 may attend the Medical Assessment Programme at St. Thomas' Hospital, London. Veterans are also a Special Interest Group in accessing Psychological Therapies as part of the Department of Health's Improving Access to Psychological Therapies Programme.

AWE Management: Government Shareholding

Nick Harvey: To ask the Secretary of State for Defence what assessment he has made of the compatibility of the Government's golden share in AWE Management Ltd. with (a) UK and (b) EC competition law. [314625]

Mr. Quentin Davies: The Government do not own a share in AWE Management Limited. The share owned by the Government is a special share in the share capital of AWE plc. An assessment of this share has been made and I am satisfied that it is compatible with UK and European Union laws.

Ex-servicemen: Care Homes

Dr. Ladyman: To ask the Secretary of State for Defence (1) what estimate has he made of the number of residential home and nursing home places that are available specifically for former service personnel; [314385]

(2) what steps his Department is taking to ensure the provision of residential and nursing home places for former service personnel diagnosed with service-related disabilities, long-term illnesses or age-related care needs; and if he will make a statement. [314388]

Mr. Kevan Jones: The MOD does not provide residential care for ex-service personnel. The MOD does, however, work with other Government Departments, local authorities and ex-service charities to ensure that residential care services take account of veterans' needs where appropriate.

Military Bases: Security

Dr. Fox: To ask the Secretary of State for Defence how many break-ins at UK military bases were reported in each of the last 12 months. [314475]

Mr. Kevan Jones: 'Break-ins' is not a category used to record incidents; the following table sets out the number of recorded site incursions into UK military bases and establishments.

2009	Site incursions
January	0
February	0
March	0
April	0
May	0
June	1
July	0
August	5
September	0
October	2
November	0
December	0

Nuclear Submarines: Decommissioning

Mr. Streeter: To ask the Secretary of State for Defence when a decision on the location of the submarine dismantling project is likely to be made; and if he will make a statement. [314474]

Mr. Quentin Davies: The submarine dismantling project is considering possible sites for both the initial dismantling of out of service submarines and the interim storage of the resulting intermediate level radioactive waste. The analysis of the various options will take account of a wide range of factors, including the output from a strategic environmental assessment (SEA). The options analysis and the SEA will be key elements of the planned public consultation.

Further analysis work is still required and, until public consultation is complete, no decisions will be taken on the sites for either submarine dismantling or waste storage. Public consultation is currently planned to take place during 2010.

Stress

Grant Shapps: To ask the Secretary of State for Defence if he will place in the Library a copy of the advice issued to staff of his Department on stress recognition and management. [314520]

Mr. Kevan Jones: MOD is committed to protecting the health, safety and well-being of its employees and has a number of procedures in place to manage stress at work. Advice, based on the Health and Safety Executive's management standards is available to all employees and gives easy to use guidance on the successful prevention, recognition and management of stress at work.

This advice is detailed in Joint Service Publication (JSP) 375 - The Health and Safety Handbook - Leaflet 25 which explains the broad policy for the management of stress at work across MOD which covers both Military and Civilian Personnel.

A Well Being Handbook also provides a generic guide for employees to recognise and manage their own workplace stress.

In addition to the above, MOD have The Trauma Risk Management Stress Handbook for Service personnel who have experienced stress during or following operational deployment.

Copies of all of the above documents will be placed in the Library of the House.

Warships: Decommissioning

Dr. Fox: To ask the Secretary of State for Defence what (a) Royal Navy and (b) Royal Fleet Auxiliary ships have gone out of service in each year since 1997. [314672]

Mr. Quentin Davies: The Royal Navy and Royal Fleet Auxiliary vessels, including submarines, withdrawn from service in each year since 1997 are shown in the following table:

	<i>Royal Navy vessels withdrawn from service</i>	<i>Royal Fleet Auxiliary vessels withdrawn from service</i>
1997	HMS Battleaxe HMS Orwell HMS Peacock HMS Plover HMS Starling HMS Orkney HMY Britannia	RFA Resource
1998	HMS Blackwater HMS Spey HMS Arun HMS Itchen	None
1999	HMS Birmingham HMS Boxer HMS Beaver HMS London	None
2000	HMS Brave HMS Bicester	RFA Olna RFA Olwen
2001	HMS Intrepid HMS Coventry HMS Berkeley HMS Cromer HMS Herald HMS Bulldog	None
2002	HMS Fearless HMS Sheffield HMS Alderney HMS Beagle	None
2003	HMS Splendid HMS Anglesey HMS Shetland HMS Guernsey HMS Lindsfarne	None
2004	HMS Bridport	RFA Sir Geraint
2005	HMS Glasgow HMS Newcastle HMS Cardiff HMS Norfolk HMS Marlborough HMS Sandown HMS Inverness HMS Brecon HMS Cottesmore HMS Dulverton HMS Leeds Castle	RFA Sir Percivale

	<i>Royal Navy vessels withdrawn from service</i>	<i>Royal Fleet Auxiliary vessels withdrawn from service</i>
2006	HMS Spartan HMS Sovereign HMS Grafton	RFA Sir Galahad RFA Sir Tristram RFA Grey Rover
2007	HMS Dumbarton Castle	RFA Brambleleaf RFA Oakleaf
2008	HMS Superb	RFA Sir Bedivere
2009	HMS Trafalgar HMS Southampton HMS Exeter	None

HMS Nottingham is due to be withdrawn from service during February 2010.

PRIME MINISTER

Departmental Responsibilities: Females

Jo Swinson: To ask the Prime Minister if he will consider the merits of establishing a Ministerial post to take forward the work of the Foreign and Commonwealth Office, the Ministry of Defence and the Department for International Development to prevent violence against women and to promote women's rights internationally. [315680]

The Prime Minister: The Government are committed to tackling violence against women and promoting women's rights internationally. We currently support action on violence against women through a range of initiatives in over 20 countries and we work through international organisations to promote women's rights internationally.

The machinery of government is kept under review.

CHILDREN, SCHOOLS AND FAMILIES

Class Sizes

Mr. Spring: To ask the Secretary of State for Children, Schools and Families what the ratio of teaching assistants to pupils is at (a) primary and (b) secondary schools in (i) Suffolk, (ii) the East of England and (iii) England. [313861]

Mr. Coaker: The following table provides the pupil to teaching assistant ratio in local authority maintained primary and secondary schools in Suffolk local authority, the East of England Government office region and England, January 2009.

Pupil:teaching assistant¹ ratios², (PTAR), in local authority maintained primary and secondary schools, January 2009—Coverage: Suffolk local authority, East of England Government office region and England

	Suffolk local authority		East of England Government office region		England	
	Primary	Secondary	Primary	Secondary	Primary	Secondary
2009						
PTAR	34.8	72.6	31.4	78.0	34.1	80.1

¹ Includes higher level teaching assistants, nursery nurses, nursery assistants, literacy and numeracy support staff, other non-teaching staff regularly employed to support teachers in the classroom, special needs and minority ethnic pupils support staff.

² The pupil to teaching assistant ratio is calculated by dividing the total full-time equivalent (FTE) number of pupils on roll in schools by the total FTE number of teaching assistants employed in schools. *Source:* Annual School Census.

GCSE

Mr. Hepburn: To ask the Secretary of State for Children, Schools and Families (1) how many pupils achieved GCSE grades A* to C including English and mathematics in (a) Jarrow constituency, (b) South Tyneside, (c) the North East and (d) England in 2009; [313479]

(2) how many pupils achieved at least five GCSEs at grades A* to C in (a) Jarrow constituency, (b) South Tyneside, (c) the North East and (d) England in 2009. [313489]

Mr. Coaker: The information requested is given in the following table.

Pupils at the end of Key Stage 4^{1,2} in maintained schools³ achieving A to C in English and maths GCSEs, 5+ A* to C grades, and 5+ A* to C including English and maths GCSEs in Jarrow, South Tyneside, the North East and England, 2008/09^{4,5}*

	Achieving 5+ A*-C at GCSE and equivalents		Achieving A*-C in English and maths at GCSE		Achieving 5+ A*-C at GCSE and equivalents including English and maths at GCSE	
	Number	Percentage	Number	Percentage	Number	Percentage
England ²	403,312	70.0	296,550	51.4	293,392	50.9
North East	22,336	72.8	14,862	48.5	14,757	48.1
South Tyneside	1,484	77.5	917	47.9	913	47.7
Jarrow constituency	748	76.3	500	51.0	497	50.7

¹ Number of pupils on roll at the end of Key Stage 4 in the 2008/09 academic year.

² These figures do not include pupils recently arrived from overseas.

³ Maintained schools include city technology colleges and academies.

⁴ Including attempts and achievements by these pupils in previous academic years.

⁵ Data is Revised.

Source:

Achievement and Attainment Tables.

GCSE: South West

Mr. Sanders: To ask the Secretary of State for Children, Schools and Families how many schools in (a) Torbay constituency and (b) the South West were

below the National Challenge benchmark following the 2009 GCSE results. [314614]

Mr. Coaker: The information requested for the academic year 2008/09 is provided in the following table:

The number of schools¹ in (a) Torbay constituency and (b) south-west Government office region in which less than 30 per cent. of pupils² obtained five or more GCSEs or equivalent at grades A-C including English and maths GCSEs in 2008/09*

	Number of schools ¹ where fewer than 30 per cent. of eligible pupils achieved 5+ A*-C at GCSE or equivalent including English and maths GCSEs in 2008/09	Total number of schools ¹ in 2008/09
Torbay constituency	0	6
South-west Government office region	16	294

¹ Including only those open maintained mainstream schools with results published in the relevant years Achievement and Attainment Tables and with more than 10 pupils at the end of key stage 4 on roll.

² Pupils at the end of key stage 4.

Source:

Achievement and Attainment Tables 2008/09 revised data.

Head Teachers: Milton Keynes

Mr. Lancaster: To ask the Secretary of State for Children, Schools and Families how many people have held the post of head teacher at each school in Milton Keynes since 1997. [315373]

Mr. Coaker: The information requested is not collected centrally.

Head Teachers: Suffolk

Mr. Ruffley: To ask the Secretary of State for Children, Schools and Families how many head teachers there have been at each school in Suffolk since 1997. [314871]

Mr. Coaker: The information requested is not collected centrally.

Streatham

Keith Hill: To ask the Secretary of State for Children, Schools and Families if he will set out, with statistical evidence relating as closely as possible to Streatham constituency, the effects on that constituency of changes to his Department's policies since 1997. [313401]

Mr. Coaker: Since 1997 the Government have transformed education and childcare with improved outcomes for children and young people. Figures showing the improvement in performance at Key Stage 2 and at GCSE and equivalents in Streatham are given in the following tables:

Key Stage 2 results of 11 year old pupils attending schools in the Streatham constituency:

Percentage of pupils gaining level 4 and above	Percentage point improvement 1997-2009		
	1997	2009	
Streatham—English ²	60	77	17
Streatham—math ²	59	74	15
Streatham—Science ²	66	83	17
England—English ³	63	80	17
England—maths ³	62	79	17
England—Science ³	68	88	20

¹ Revised data

² Pupils attending schools in Streatham constituency

³ The average for all schools in England

GCSE and equivalents¹ results for pupils² attending schools in the Streatham constituency

Percentage of pupils gaining	Percentage point improvement 1997-2009		
	1997	2009 ³	
Streatham—5+ A* - C	36.4	76.7	40.3
Streatham—5+ A* - G	85.9	96.7	10.8
National Average—5+ A* - C	45.1	70.0	24.9
National Average—5+ A* - G	86.4	92.3	5.9

¹ From 2004 results incorporate GCSEs, GNVQs and a range of other qualifications approved pre-16. Prior to 2004 results are based on GCSEs and GNVQs only.

² From 2006 figures are for pupils at the end of Key Stage 4. Prior to 2006 results are based on pupils aged 15.

³ Revised data.

Further information by constituency is provided within the Department's 'In Your Area' website available at:

<http://www.dfes.gov.uk/inyourarea>

Information available at constituency level includes the number of specialist schools, number of operational Academies, number of teaching assistants and other support staff, number of teachers and pupil/teacher ratios. Where information is not available at constituency level it has been provided at local authority level.

Additional information could be provided only at disproportionate cost.

Stroud

Mr. Drew: To ask the Secretary of State for Children, Schools and Families if he will set out with statistical evidence relating as closely as possible to Stroud constituency the effects on the constituency of changes to his Department's policies since 1997. [312754]

Mr. Coaker: Since 1997 the Government have transformed education and childcare with improved outcomes for children and young people. Figures showing the improvement in performance at Key Stage 2 and at GCSE and equivalents in Stroud are given in the following tables:

Key Stage 2 results of 11 year old pupils attending schools in the Stroud constituency:

Percentage of pupils gaining level 4 and above	Percentage point improvement 1997-2009		
	1997	2009	
Stroud—English ²	70	86	16
Stroud—maths ²	66	84	18
Stroud—Science ²	75	92	17
England—English ³	63	80	17
England—maths ³	62	79	17
England—Science ³	68	88	20

¹ Revised data

² Pupils attending schools in Stroud constituency

³ The average for all schools in England

GCSE and equivalents¹ results for pupils² attending schools in the Stroud constituency:

Percentage of pupils gaining	Percentage point improvement 1997-2009		
	1997	2009 ³	
Stroud—5+ A* - C	55.6	70.2	14.6
Stroud—5+ A* - G	92.1	94.0	1.9
National Average—5+ A* - C	45.1	70.0	24.9
National Average—5+ A* - G	86.4	92.3	5.9

¹ From 2004 results incorporate GCSEs, GNVQs and a range of other qualifications approved pre-16. Prior to 2004 results are based on GCSEs and GNVQs only.

² From 2008 figures are for pupils at the end of Key Stage 4. Prior to 2006 results are based on pupils aged 15.

³ Revised data.

Students: Finance

Dr. Kumar: To ask the Secretary of State for Children, Schools and Families how many people under 20 years old in further education in (a) England, (b) the North East and (c) Middlesbrough South and East Cleveland constituency received assistance in meeting childcare costs in each year since 1997. [311348]

Mr. Iain Wright: There is a range of support available to provide assistance with child care costs depending on the circumstances of the parent. Since 2004/05 support for child care costs for learners under 19 at the beginning of their programme of learning has been available through the Care to Learn child care support scheme. Care to Learn was extended to include learners under 20 in April 2006.

In the academic year 2008/09 8,010 learners in England benefited from Care to Learn. This figure will include a number of learners aged over 20 who were under 20 at the beginning of their course.

The DCSF does not have a breakdown of Care to Learn recipients by constituency. The Learning and Skills Council (LSC) has operational responsibility for Care to Learn, which includes the collection of management information. Geoff Russell, the LSC's Acting Chief Executive, will write to my hon. Friend for Middlesbrough

South, and East Cleveland with the information requested and a copy of his reply will be placed in the House Libraries.

Teachers: North East

Mr. Hepburn: To ask the Secretary of State for Children, Schools and Families (1) how many teachers were employed in (a) Jarrow constituency, (b) South Tyneside and (c) North East England in each year since 1997; [313459]

(2) how many secondary school teachers were employed in (a) Jarrow constituency, (b) South Tyneside, (c) the North East and (d) England in (i) 2008 and (ii) 2009; [313480]

(3) how many primary school teachers were employed in (a) Jarrow constituency, (b) South Tyneside, (c) the North East and (d) England in 2009. [313490]

Mr. Fabian Hamilton: To ask the Secretary of State for Children, Schools and Families (1) how many teachers were employed in secondary schools in Leeds North East constituency in (a) 1997 and (b) 2009; [314652]

(2) how many teachers were employed in primary schools in Leeds North East constituency in (a) 1997 and (b) the latest date for which information is available. [314653]

Mr. Coaker: Information on the number of teachers in service in local authority maintained schools, city

technology colleges and academies in England broken down by the phase of education, Government office region, local authority and constituency for each January from 1997 to 2009 has been placed in the House of Commons Libraries.

Teachers: South West

Mr. Sanders: To ask the Secretary of State for Children, Schools and Families how many teachers and teaching assistants were employed in schools in each constituency in the South West in each year since 1997. [313165]

Mr. Coaker: The following tables provide the full-time equivalent number of teachers and teaching assistants in service in local authority maintained schools, city technology colleges and academies in each constituency in the south-west Government office region, in each January, 1997 to 2009.

Further information by constituency is provided within the Department's 'In Your Area' website available at:

<http://www.dfes.gov.uk/inyourarea>

Information available at constituency level includes the number of specialist schools, number of operational academies, number of teaching assistants and other support staff, number of teachers and pupil:teacher ratios. Where information is not available at constituency level it has been provided at local authority level.

Additional information could be provided only at disproportionate cost.

Full-time equivalent teachers¹ in service in local authority maintained schools, city technology colleges and academies. Years: January 1997 to 2009: Coverage: parliamentary constituencies in the south-west Government office region (GOR)

	1997	1998	1999	2000	2001	2002	2003	2004	2005	2006	2007	2008	2009
South-West GOR ^{2,3}	34,950	34,990	35,360	35,900	36,930	37,980	38,220	38,280	38,800	39,440	39,570	40,130	40,360
Bath	680	680	680	690	690	700	670	640	650	660	680	690	700
Bournemouth East	580	590	600	600	630	650	640	630	630	620	630	660	660
Bournemouth West	410	430	440	440	470	480	480	480	470	460	480	490	480
Bridgwater	650	650	650	670	680	710	720	720	730	730	740	760	770
Bristol East	620	600	550	660	710	620	640	650	660	680	670	710	700
Bristol North West	900	890	910	900	910	910	920	940	900	920	930	910	910
Bristol South	860	830	790	860	870	840	810	830	820	850	810	780	840
Bristol West	430	430	440	440	450	450	440	440	460	470	480	530	640
Cheltenham	610	680	690	700	710	670	680	690	670	680	690	690	700
Christchurch	560	570	590	610	620	560	580	590	530	600	590	570	570
Cotswold	690	700	720	730	750	770	810	800	820	830	830	830	840
Devizes	800	800	800	800	810	840	860	870	910	910	910	940	950
East Devon	470	470	490	500	520	540	540	560	570	580	580	600	610
Exeter	650	660	650	660	670	690	690	720	700	700	690	720	730
Falmouth and Camborne	670	660	660	660	680	690	710	710	730	730	730	730	720
Forest of Dean	590	550	560	550	580	660	660	650	670	680	680	680	690
Gloucester	910	910	930	940	980	1,010	1,050	1,070	1,080	1,120	1,120	1,130	1,140
Kingswood	750	750	730	760	780	820	840	830	820	840	840	860	880
Mid Dorset and North Poole	830	840	820	830	850	870	900	870	880	900	890	920	900

Full-time equivalent teachers¹ in service in local authority maintained schools, city technology colleges and academies. Years: January 1997 to 2009: Coverage: parliamentary constituencies in the south-west Government office region (GOR)

	1997	1998	1999	2000	2001	2002	2003	2004	2005	2006	2007	2008	2009
North Cornwall	850	830	840	870	880	900	890	900	920	950	960	980	970
North Devon	630	630	640	640	660	700	710	720	710	750	750	760	760
North Dorset	570	590	600	600	620	740	750	770	810	840	840	840	840
North Swindon	720	720	730	770	810	770	740	780	770	780	750	800	840
North Wiltshire	830	820	820	840	890	900	910	910	950	990	1,020	1,060	1,070
Northavon	840	840	870	890	920	940	940	890	910	920	920	940	940
Plymouth, Devonport	1,020	1,010	1,000	1,010	1,020	1,050	1,040	1,010	1,010	1,000	980	980	950
Plymouth, Sutton	550	550	590	610	640	620	610	600	610	630	630	650	640
Poole	420	430	420	430	450	450	460	440	440	460	480	460	470
St. Ives	640	640	620	630	660	670	690	690	700	700	700	730	730
Salisbury	740	740	730	740	760	760	780	790	790	790	800	810	300
Somerton and Fram	660	670	670	680	690	710	720	720	710	720	720	720	700
South Dorset	480	480	490	490	500	520	520	520	530	540	520	530	540
South East Cornwall	700	690	700	710	750	760	760	750	770	800	800	810	790
South Swindon	680	690	690	710	710	800	790	780	760	780	840	830	340
South West Devon	670	690	700	720	740	780	780	770	800	790	770	790	800
Stroud	710	720	720	730	760	790	800	780	810	820	830	840	830
Taunton	680	650	650	670	690	740	740	790	780	770	770	780	780
Teignbridge	640	650	670	670	690	730	730	730	740	750	760	770	750
Tewkesbury	680	680	680	700	720	750	770	770	780	780	810	820	800
Tiverton and Honiton	750	760	790	780	810	860	850	840	850	880	890	900	900
Torbay	720	740	770	770	790	830	820	710	740	750	850	870	850
Torrige and West Devon	680	700	720	720	750	770	770	780	790	800	790	790	800
Totnes	620	640	640	650	680	710	710	860	870	920	770	790	800
Truro and St. Austell	660	650	650	650	660	700	700	710	720	730	730	760	770
Wansdyke	860	860	870	890	900	950	940	930	950	960	980	990	990
Wells	680	680	690	710	720	760	780	770	790	800	800	800	800
West Dorset	700	730	750	760	790	820	850	910	910	910	940	940	940
Westbury	760	740	760	780	830	860	860	860	890	910	920	920	920
Weston-Super-Mare	690	670	660	660	670	700	690	710	710	740	740	750	750
Woodspring	710	690	690	700	700	720	720	710	740	750	780	780	790
Yeovil	690	680	670	680	710	740	750	740	770	760	750	750	750

¹ Includes qualified and unqualified teachers.

² City technology colleges are excluded for 1997, 1998 and 1999, from the parliamentary constituency breakdown. They are included in the regional totals.

³ A small number of teaching assistants are included in the South West region total but excluded from the parliamentary breakdown because the constituency of some institutions is unknown.

Source:

School Census

Full-time equivalent teaching assistants in service in local authority maintained schools, city technology colleges and academies. Years: January 1997 to 2009: Coverage: parliamentary constituencies in the south-west Government office region (GOR)

	1997	1998	1999	2000	2001	2002	2003	2004	2005	2006	2007	2008	2009
South-west (GOR) ^{1,2}	4,940	5,500	5,950	6,680	8,090	8,980	10,070	11,180	12,670	13,460	14,000	14,700	14,940
Bath	90	90	100	100	110	40	70	50	90	130	200	190	160
Bournemouth East	40	50	70	100	120	180	170	190	200	210	230	240	250
Bournemouth West	50	80	100	110	130	200	200	220	200	250	260	280	310
Bridgwater	130	150	150	150	180	220	240	210	230	310	330	300	290

Full-time equivalent teaching assistants in service in local authority maintained schools, city technology colleges and academies. Years: January 1997 to 2009. Coverage: parliamentary constituencies in the south-west Government office region (GOR)

	1997	1998	1999	2000	2001	2002	2003	2004	2005	2006	2007	2008	2009
Bristol East	140	140	120	160	170	190	180	210	230	230	230	260	210
Bristol North West	220	220	220	240	260	270	290	330	340	360	380	420	350
Bristol South	220	250	220	270	300	310	300	350	390	360	390	370	280
Bristol West	80	90	100	100	130	150	150	180	180	210	200	200	140
Cheltenham	70	70	80	90	120	90	80	80	120	110	110	140	120
Christchurch	40	50	70	100	110	100	160	210	230	250	250	260	270
Cotswold	60	60	70	80	100	90	120	110	120	140	130	140	130
Devizes	80	90	90	110	120	150	140	220	180	200	200	280	370
East Devon	30	50	60	60	100	140	160	200	210	230	230	240	260
Exeter	100	120	120	140	190	250	290	350	350	370	380	420	490
Falmouth and Camborne	150	190	200	210	220	210	220	210	400	350	350	370	380
Forest of Dean	70	60	80	80	110	120	130	120	160	180	140	150	140
Gloucester	130	130	150	160	190	170	180	170	220	290	310	220	270
Kingswood	130	140	150	160	200	230	250	260	280	300	320	310	310
Mid Dorset and North Poole	60	80	120	150	170	280	270	300	320	350	360	370	410
North Cornwall	180	200	220	240	240	220	300	220	400	340	340	420	430
North Devon	90	100	100	120	160	210	280	310	340	370	380	400	430
North Dorset	70	100	90	140	150	200	240	300	320	340	340	380	410
North Swindon	100	120	100	130	160	140	120	220	190	210	260	340	390
North Wiltshire	80	70	80	80	90	140	150	170	180	200	210	260	280
Northavon	120	130	120	160	200	200	250	240	250	260	360	270	280
Plymouth, Devonport	120	160	190	170	370	320	380	350	350	470	420	430	320
Plymouth, Sutton	50	50	80	90	200	180	180	150	220	220	180	240	190
Poole	30	40	60	70	90	180	170	190	180	200	220	230	240
St. Ives	160	160	170	160	180	190	220	240	310	250	270	310	360
Salisbury	90	90	80	80	100	140	170	180	200	160	160	190	260
Somerton and Frome	100	120	120	120	140	150	180	150	180	240	250	160	210
South Dorset	60	80	100	130	180	180	200	280	290	310	340	350	380
South East Cornwall	170	190	200	210	200	170	230	270	370	330	330	390	400
South Swindon	100	130	120	140	160	80	100	200	190	170	190	230	230
South West Devon	50	60	70	70	180	210	250	230	260	300	320	300	250
Stroud	80	80	100	100	130	140	140	130	160	150	190	170	150
Taunton	140	150	160	170	210	240	220	240	280	300	310	260	270
Teignbridge	80	80	90	110	140	200	240	350	360	380	380	440	400
Tewkesbury	60	70	70	80	80	110	110	100	120	170	170	180	200
Tiverton and Honiton	80	100	100	110	160	220	260	300	320	330	380	390	420
Torbay	70	100	120	140	160	160	180	210	190	200	270	240	260
Torridge and West Devon	80	100	100	130	160	210	290	320	340	360	390	410	420
Totnes	50	60	60	100	110	140	170	260	290	320	280	300	280
Truro and St. Austell	130	140	170	170	160	220	220	250	390	360	350	400	410
Wansdyke	100	100	80	90	100	70	80	80	130	190	210	210	200
Wells	110	120	130	120	150	180	180	190	200	260	230	240	250
West Dorset	80	90	120	160	180	240	240	330	370	360	350	380	410
Westbury	90	90	100	80	100	140	190	210	190	200	200	270	310
Weston-Super-Mare	120	140	130	150	160	180	210	220	260	240	260	280	310
Woodspring	70	80	90	110	130	130	160	150	190	190	190	190	200

Full-time equivalent teaching assistants in service in local authority maintained schools, city technology colleges and academies. Years: January 1997 to 2009: Coverage: parliamentary constituencies in the south-west Government office region (GOR)

	1997	1998	1999	2000	2001	2002	2003	2004	2005	2006	2007	2008	2009
Yeovil	130	130	120	130	160	140	180	200	210	270	270	300	240

¹ City technology colleges are excluded for 1997, 1998 and 1999, from the parliamentary constituency breakdown. They are included in the regional totals.

² A small number of teaching assistants are included in the south-west region total but excluded from the parliamentary breakdown because the constituency of some institutions is unknown.

Note:

Figures are rounded to the nearest 10.

Source:

School Census

Teachers: Training

Andrew Mackinlay: To ask the Secretary of State for Children, Schools and Families how many students are on a course at each relevant university to train as teachers in the skills for life sector; and if he will make a statement. [314089]

Mr. Lammy: I have been asked to reply.

Teachers of adult literacy, numeracy and ESOL (English for speakers of other languages) who have the intention of teaching in the Further Education and Skills Sector are expected to hold a subject specific as well as a generic teaching qualification. They can take these as two separate qualifications by completing:

a generic teaching programme and then an additional diploma in the subject specialism;

an integrated programme that combines both.

Experienced Skills for Life teachers who do not hold the necessary qualifications can gain professional standing through the Professional Recognition route.

Latest available figures for 2009/10 report a total of 6,130 enrolments on Skills for Life teaching programmes at Higher Education Institutions and with National Awarding Bodies. Further details of these enrolments are presented in the table.

Note:

The figures supplied do not disaggregate by university.

Number of enrolments on Skills for Life teaching programmes—2009/10¹

Higher Education Institutions and National Awarding Bodies in England

	Integrated programme			Additional diploma			Total by provider		
	HEIs	Awarding bodies	Total	HEIs	Awarding bodies	Total	HEIs	Awarding bodies	Total
ESOL	730	—	730	1,080	80	1,160	1,810	80	1,890
Literacy	650	20	670	1,580	120	1,700	2,220	140	2,370
Numeracy	400	—	400	1,280	190	1,470	1,680	190	1,880
Total	1,780	20	1,800	3,940	400	4,330	5,720	420	6,130

¹ Provisional.

Notes:

1. Exclude further education colleges.

2. Numbers have been rounded to the nearest 10. There may be discrepancies between the sum of constituent items and totals as shown.

3. Figures are provisional and subject to change.

Source:

Research Team, Lifelong Learning UK

United Church Schools Trust: Finance

Paul Holmes: To ask the Secretary of State for Children, Schools and Families whether his Department has allocated any funding to the United Church Schools Trust in respect of sponsorships. [311380]

Mr. Coaker: The Department pays the feasibility, implementation, running and capital costs of academies. Where applicable, academy sponsors make a sponsorship payment to an endowment fund to support the work of the academy or as a contribution towards capital costs. A table has been placed in the Library setting out funding paid to the United Church Schools Trust (UCST), which sponsors 17 academies. This funding has been allocated for the feasibility and implementation costs of some of their academies. Funding for other feasibility and implementation costs have been paid to the United Learning Trust (ULT), which is the multi-academy trust established by UCST to set up and run their academies. Sponsors are not permitted to make a profit from academies and any services they supply must therefore be provided at cost.

This reply corrects an error in PQ301251 24 November 2009, *Official Report*, column 100W, which said that the Department does not provide any funding to the United Church Schools Trust (UCST).

Vocational Education: South West

Mr. Sanders: To ask the Secretary of State for Children, Schools and Families how many 16-year-olds completed a BTEC First Diploma in each subject in each parliamentary constituency in the South West in each of the last five years. [314215]

Mr. Iain Wright: Tables showing the number of 16-year-olds in each parliamentary constituency in the south-west who completed a BTEC First Diploma in each subject in each of the last five years for which information is available will be placed in the House of Commons Libraries.

HEALTH

Alcoholic Drinks: Misuse

Mr. Ruffley: To ask the Secretary of State for Health how many admissions to hospital from accident and emergency departments for an alcohol-related diagnosis there were of people (a) under the age of 18 years in (i) the former Norfolk, Suffolk and Cambridgeshire strategic

health authority area, (ii) the East of England strategic health authority area, (iii) the West Suffolk Hospital NHS trust area and (iv) the Suffolk primary care trust area in each year since 1997. [314880]

Gillian Merron: The information is not available in the format requested. However, data from 2002-03 have been set out in the following table.

	2002-03	2003-04	2004-05	2005-06	2006-07	2007-08	2008-09
Former Norfolk, Suffolk and Cambridgeshire Strategic Health Authority (SHA) area ¹	316	393	399	394	364	378	321
East of England SHA area	687	807	838	831	847	865	699
West Suffolk Hospitals NHS Trust area ²	30	50	53	37	31	49	46
Suffolk Primary Care Trust (PCT) area ³	93	125	126	93	81	92	83

¹ The figures for former the Norfolk, Suffolk and Cambridgeshire SHA area for 2002-03 to 2005-06 have been constructed by combining North Peterborough, South Peterborough, Huntingdonshire, Cambridge City, South Cambridgeshire, East Cambridgeshire and Fenland, Norwich, Southern Norfolk, West Norfolk, Broadland, North Norfolk, Great Yarmouth, Waveney, Ipswich, Suffolk Coastal, Central Suffolk and Suffolk West PCTs; those for 2006-07 to 2008-09 have been constructed by combining Peterborough, Cambridgeshire, Norfolk, Great Yarmouth and Waveney, and Suffolk PCTs.

² Providers do not cover a limited 'area'. Patients treated at West Suffolk Hospitals NHS Trust could reside anywhere in England.

³ The figures for Suffolk PCT for 2002-03 to 2005-06 have been constructed by combining Ipswich, Suffolk Coastal, Central Suffolk and Suffolk West PCTs.

Source:

Hospital Episode Statistics, The Information Centre for health and social care.

Blaydon

Mr. David Anderson: To ask the Secretary of State for Health if he will set out, with statistical information related as directly as possible to the Blaydon constituency, the effects on Blaydon of his Department's policies and actions since 2000. [315301]

Ann Keen: The Government have put in place a programme of national health service investment and reform since 1997 to improve service delivery in all parts of the United Kingdom. 93 per cent. of people nationally now rate the NHS as good or excellent. The NHS Constitution contains 25 rights and 14 pledges for patients and the public including new rights to be treated within 18 weeks, or be seen by a cancer specialist within two weeks and an NHS health check every five years for those aged 40 to 74 years.

There is significant evidence that these policies have yielded considerable benefits for the Blaydon constituency. For example:

Figures for November 2009 show that in Gateshead primary care trust (PCT):

96 per cent. of patients whose treatment involved admission to hospital started their treatment within 18 weeks.

98 per cent. of patients whose treatment did not involve admission to hospital started their treatment within 18 weeks.

In September 2009, at Gateshead Health NHS Foundation Trust, 99 per cent. of patients spent less than four hours in accident and emergency from arrival to admission, transfer or discharge.

Between September 2007 and September 2008, the number of consultants at Gateshead Health NHS Foundation Trust has increased from 101 to 114. Between September 2007 and September 2008 the estimated number of nurses has increased from 1,048 to 1,095.

Between September 2001 and September 2008, the number of general practitioners (GPs) per 100,000 within Gateshead PCT has increased from 62.8 to 77.7.

93.8 per cent. of urgent GP referrals to Gateshead Health NHS Foundation Trust with suspected cancer are seen by a specialist within two weeks of the referral.

Gateshead PCT opened its GP-led health centre in June 2009 in Blaydon. Blaydon GP led health clinic offers longer opening hours, meaning that any member of the public will be able to see a GP or nurse between 8 am and 8 pm, seven days a week, 365 days a year.

Although statistical information is not available at a local level, Blaydon will have also benefited from national policies in other areas. For example:

Since 1997, gross current expenditure on personal social services has increased by around 70 per cent. in real terms, with around 105,000 households now receiving intensive home care and 3,076 new extra care housing units—exceeding the original target of 1,500 new extra care units.

Other strategies currently being implemented are:

Subject to parliamentary approval, the "Personal Care at Home Bill" will guarantee free personal care for 280,000 people with the highest needs and help around 130,000 people who need home care for the first time to regain their independence.

"Shaping the Future of Care Together Green Paper", published in July 2009, sets out a vision of a National Care Service for all adults in England that is fair, simple and affordable. The Department has consulted widely on this reform and is currently analysing the responses, which will feed into a White Paper later this year.

The National Carer's Strategy—"Carers at the heart of 21st century families and communities"—launched in 2008.

The first National Dementia Strategy was published in February 2009.

"Valuing People Now"—a three year strategy for people with learning disabilities—was published in January 2009.

"New Horizons: A Shared Vision for Mental Health" was launched in December 2009 to maintain improvements in mental health services, combined with a new cross-Government approach to promoting public mental health.

Since 1998, there are now 2.4 million fewer smokers in England as a result of the Government's comprehensive tobacco control strategy, which has a measurable impact on reducing smoking prevalence.

Child obesity levels are reducing due to the efforts of families across England, supported by the Government's obesity strategy. In 2008, 13.9 per cent. of children (aged two to 10) in England were classified as obese, compared with 17.3 per cent. in 2005.

Overall, life expectancy at birth for men has increased from 74.5 years (1995-97 data) to 77.7 years (2006-08 data) while for women, life expectancy at birth has increased from 79.6 years (1995-97 data) to 81.9 years (2006-08 data).

Capacitybuilders: Finance

Mr. Stephen O'Brien: To ask the Secretary of State for Health how much has been spent on the Capacitybuilders programme in each financial year since its inception; how much has been spent on consultants in respect of that programme in each such financial year; and how much has been paid out in grants to charities in each such financial year. [314514]

Angela E. Smith: I have been asked to reply.

Capacitybuilders is an Executive NDPB, accountable to the Minister for the Cabinet Office. The grant in aid paid by Cabinet Office to Capacitybuilders in each year since its inception is set out as follows. Capacitybuilders disburses grants to a range of third sector organisations: breaking this down between charities and other recipients would incur a disproportionate cost. Expenditure on consultancy as defined by the Office of Government Commerce has not been collated and analysed by Capacitybuilders prior to 2009-10, and could not be provided except at disproportionate cost. However, this information is being routinely collected from 2009-10 onwards.

	<i>Grant in aid (£)</i>
2006-07	37,298,000
2007-08	32,800,000
2008-09	30,178,000

Cleethorpes

Shona McIsaac: To ask the Secretary of State for Health if he will set out, with statistical evidence relating as closely as possible to Cleethorpes constituency, the effects on that constituency of his Department's policies since 1997. [315245]

Ann Keen: The Government have put in place a programme of national health service investment and reform since 1997 to improve service delivery in all parts of the United Kingdom. 93 per cent. of people nationally now rate the NHS as good or excellent. The NHS Constitution contains 25 rights and 14 pledges for patients and the public including new rights to be treated within 18 weeks, or be seen by a cancer specialist within two weeks and an NHS health check every five years for those aged 40-74 years.

There is significant evidence that these policies have yielded considerable benefits for the Cleethorpes constituency. For example:

Figures for November 2009 show that in North East Lincolnshire Care Trust Plus (CTP):

97 per cent. of patients whose treatment involved admission to hospital started their treatment within 18 weeks.

98 per cent. of patients whose treatment did not involve admission to hospital started their treatment within 18 weeks.

In September 2009, at Northern Lincolnshire and Goole hospitals NHS Foundation Trust, 98.8 per cent. of patients spent less than four hours in accident and emergency from arrival to admission, transfer or discharge.

Between September 2002 and September 2008, the number of consultants at Northern Lincolnshire and Goole hospitals NHS Foundation Trust has increased from 120 to 141. Between September 2002 and September 2008 the estimated number of nurses has increased from 1,646 to 1,826.

Between September 2001 and September 2008, the number of general practitioners (GPs) per 100,000 within North East Lincolnshire PCT has increased from 55.9 to 62.6.

97.9 per cent. of urgent GP referrals to Northern Lincolnshire and Goole hospitals NHS Foundation Trust with suspected cancer are seen by a specialist within two weeks of the referral.

North East Lincolnshire CTP opened its GP-led health centre in July 2009 in Grimsby. Quayside Open Access Centre offers longer opening hours, meaning that any member of the public will be able to see a GP or nurse between 8 am and 8 pm, seven days a week, 365 days a year. It also has a partnership agreement with Open Door practice which provides a specialist service for patients unable to access traditional health and social care services.

A publicly funded £12 million new women and children's unit opened at the Diana Princess of Wales hospital in February 2004.

Although statistical information is not available at a local level, Cleethorpes will have also benefited from national policies in other areas. For example:

Since 1997, gross current expenditure on personal social services has increased by around 70 per cent. in real terms, with around 105,000 households now receiving intensive home care and 3,076 new extra care housing units—exceeding the original target of 1,500 new extra care units.

Other strategies currently being implemented are:

Subject to parliamentary approval, the "Personal Care at Home Bill" will guarantee free personal care for 280,000 people with the highest needs and help around 130,000 people who need home care for the first time to regain their independence.

"Shaping the Future of Care Together" Green Paper, published in July 2009, sets out a vision of a National Care Service for all adults in England that is fair, simple and affordable. The Department has consulted widely on this reform and is currently analysing the responses, which will feed into a White Paper later this year.

"The National Carer's Strategy"—Carers at the heart of 21st century families and communities—launched in 2008.

The first National Dementia Strategy was published in February 2009.

"Valuing People Now"—a three year strategy for people with learning disabilities—was published in January 2009.

"New Horizons: A Shared Vision for Mental Health" was launched in December 2009 to maintain improvements in mental health services, combined with a new cross-Government approach to promoting public mental health.

Since 1998, there are now 2.4 million fewer smokers in England as a result of the Government's comprehensive tobacco control strategy, which has a measurable impact on reducing smoking prevalence.

Child obesity levels are reducing due to the efforts of families across England, supported by the Government's obesity strategy. In 2008, 13.9 per cent. of children (aged two to 10) in England were classified as obese, compared with 17.3 per cent. in 2005.

Overall, life expectancy at birth for men has increased from 74.5 years (1995-97 data) to 77.7 years (2006-08 data) while for women, life expectancy at birth has increased from 79.6 years (1995-97 data) to 81.9 years (2006-08 data).

Health

Mr. Ruffley: To ask the Secretary of State for Health what his most recent estimate is of the average body mass index of people in (a) England, (b) the East of England, (c) Suffolk, (d) Bedfordshire, (e) Cambridgeshire, (f) Essex, (g) Hertfordshire and (h) Norfolk. [314887]

Gillian Merron: "The Health Survey for England 2008 Volume 1 Physical Activity and Fitness" contains information on the mean body mass index (BMI) for children aged 2-15 and adults aged 16 and over in England. Table 7.3 and 13.3 shows the mean BMI for people in the East of England. This publication has been placed in the Library.

However, data are not available at county level for each area.

Hospitals: Admissions

Chris Grayling: To ask the Secretary of State for Health how many people in England and Wales aged under (a) 11 and (b) 16 years old and under have been admitted to hospital with (i) symptoms of alcohol poisoning, (ii) symptoms of substance abuse, (iii) stab wounds and (iv) gunshot wounds in each year since 1998. [314775]

Gillian Merron: The following figures show a count of finished admission episodes where the external cause code or primary diagnosis was stab wounds, gunshot wounds, alcohol poisoning or drug and alcohol misuse (substance abuse).

It should be noted that a count of finished admission episodes does not represent the number of patients, as a person might have more than one admission episode during a given period, e.g. someone may be admitted for a stab wound and alcohol misuse etc.

The data provided only relate to activities in English national health service Hospitals and English NHS commissioned activity in the independent sector.

The NHS Information Centre does not hold data relating to Wales.

Statistics from the NHS Information Centre show that each year since 1998 the following admissions have taken place:

A count of finished admission episodes where the primary diagnosis was alcohol poisoning for children 16 and under, 1998-99 to 2008-09

<i>Activity in English NHS hospitals and English NHS commissioned activity in the independent sector</i>			
<i>Age group</i>			
	<i>0-10</i>	<i>11-16</i>	<i>16 and under (total)</i>
2008-09	70	241	311
2007-08	82	294	376
2006-07	75	366	441
2005-06	83	438	521
2004-05	88	574	662
2003-04	98	592	690
2002-03	113	615	728
2001-02	105	733	838
2000-01	113	781	894
1999-2000	173	819	992
1998-99	189	812	1,001

Source:

Hospital Episode Statistics (HES), The NHS Information Centre for health and social care

A count of finished admission episodes where the external cause code was gunshot wounds for children 16 and under, 1998-99 to 2008-09

<i>Activity in English NHS hospitals and English NHS commissioned activity in the independent sector</i>			
<i>Age group</i>			
	<i>0-10</i>	<i>11-16</i>	<i>16 and under (total)</i>
2008-09	27	142	169
2007-08	26	201	227
2006-07	30	218	248
2005-06	27	189	216
2004-05	29	210	239
2003-04	56	277	333
2002-03	55	284	339
2001-02	55	339	394
2000-01	53	302	355
1999-2000	71	363	434
1998-99	50	278	328

Source:

Hospital Episode Statistics (HES), The NHS Information Centre for health and social care

A count of finished admission episodes where the external cause code was stab wounds for children 16 and under, 1998-99 to 2008-09

<i>Activity in English NHS Hospitals and English NHS commissioned activity in the independent sector</i>			
<i>Age group</i>			
	<i>0-10</i>	<i>11-16</i>	<i>16 and under (total)</i>
2008-09	55	1,024	1,079
2007-08	56	1,188	1,244
2006-07	66	1,081	1,147
2005-06	49	994	1,043
2004-05	58	826	884
2003-04	70	780	850
2002-03	68	739	807
2001-02	69	664	733
2000-01	75	532	607
1999-2000	70	451	521
1998-99	74	357	431

Source:

Hospital Episode Statistics (HES), The NHS Information Centre for health and social care

A count of finished admission episodes where the primary diagnosis or the external cause code was substance abuse for children 16 and under, 1998-99 to 2008-09

<i>Activity in English NHS Hospitals and English NHS commissioned activity in the independent sector</i>			
<i>Age group</i>			
	<i>0-10</i>	<i>11-16</i>	<i>16 and under (total)</i>
2008-09	1,172	11,771	12,943
2007-08	1,255	13,375	14,630
2006-07	1,221	13,221	14,442
2005-06	1,280	13,645	14,925
2004-05	1,323	12,254	13,577
2003-04	1,262	12,305	13,567
2002-03	1,270	11,008	12,278
2001-02	1,137	10,869	12,006
2000-01	1,148	10,327	11,475
1999-2000	1,130	10,318	11,448
1998-99	1,104	9,276	10,380

Source:

Hospital Episode Statistics (HES), The NHS Information Centre for health and social care

Local Government: Data

Mr. Stewart Jackson: To ask the Secretary of State for Health with reference to the answer to the hon. Member for Meriden of 22 October 2009, *Official Report*, column 1645W, on local government finance,

what data sets not contained in the national indicator set local authorities are required to submit to his Department. [314952]

Phil Hope: Data on adult personal social services expenditure from councils with adult social services responsibilities in England, are submitted annually to the Department on the personal social services expenditure return, known as the PSS Ex1. These are the only adult social care finance data submitted to the Department.

Nurses: Schools

Mr. Randall: To ask the Secretary of State for Health how many qualified school nurses there are in schools in the London borough of Hillingdon. [315377]

Ann Keen: Information is not held in the format required. Information is available for the number of qualified nursing staff in the school nursing area of work, directly employed by national health service organisations as of September 2008. The number of qualified nursing staff in the school nursing area of work in Hillingdon Primary Care Trust (PCT) is shown as follows, broken down into the two categories of nurses who have a specific qualification in school nursing and nurses who do not.

NHS hospital and community health services: Qualified nursing staff in the school nursing area of work in the Hillingdon PCT as at 30 September 2008

	Headcount
Hillingdon PCT	22
Qualified school nurse	3
Other first level nursing	19

Note:

Qualified school nurses have a specific qualification in school nursing.

Source:

The NHS Information Centre for health and social care Non-Medical Workforce Census.

JUSTICE

Burglary: Sentencing

Mr. Evans: To ask the Secretary of State for Justice what the average length of prison sentence for people convicted of aggravated burglary has been in the last five years. [315454]

Claire Ward: The requested information is provided in the following table.

Average custodial sentence length (ACSL) for aggravated burglary^{1, 2} and total sentenced to life and indeterminate sentences 2004-08

	ACSL ³	IPPs	Life
2004	52.4	0	3
2005	51.1	4	2
2006	47.2	27	4
2007	50.0	27	1
2008	50.2	28	0

¹ Theft Act 1968 S.10—Aggravated burglary in a dwelling.

² Theft Act 1968 S.10—Aggravated burglary in a building other than a dwelling.

³ ACSL excludes life and indeterminate sentences.

Notes:

1. These figures have been drawn from administrative data systems.

2. Although care is taken when processing and analysing the returns, the detail collected is subject to the inaccuracies inherent in any large scale recording system.

These data are presented on the principal offence basis. Where an offender has been sentenced for more than one offence the principal offence is the one for which the heaviest sentence was imposed. Where the same sentence has been imposed for two or more offences the principal offence is the one for which the statutory maximum is most severe.

Crime: Convictions

Chris Grayling: To ask the Secretary of State for Justice (1) how many (a) males and (b) females aged (i) under 17, (ii) between 17 and 21, (iii) between 21 and 25, (iv) between 25 and 29 and (v) over 30 years of age have been convicted of a drug offence in England and Wales in each year since 1998; [314745]

(2) how many people have been convicted of an offence involving violent behaviour on the rail network in each year since 1998; [314746]

(3) how many people aged 21 years or over have been convicted of an offence related to sexual activity with a child under 13 years old in each year since 1998; [314748]

(4) how many people aged (a) 18 years or over and (b) 21 years or over have received a caution for sexual activity with a child under 13 years in each year since 1998; [314750]

(5) how many people have been convicted of an offence arising from tackling an intruder in (a) residential property and (b) retail property in each year since 1998; [314815]

(6) how many people have been convicted of an offence of absconding by person released on bail in England and Wales in each year since 1998; [314817]

(7) how many people in each age group have been convicted of an offence relating to sale or use of fireworks in each year since 1998; [314820]

(8) how many people were convicted of an offence of (a) handling stolen goods and (b) fraud and forgery in (i) Greater London and (ii) England and Wales in each year since 1998; [314995]

(9) how many people in each age group were convicted for (a) rape, (b) attempted rape and (c) another sexual offence in each year since 1998; [314997]

(10) how many people in England and Wales were convicted of an offence of (a) causing death through careless driving under the influence of (i) drink and (ii) drugs, (b) driving or attempting to drive with alcohol level above the limit and (c) being in charge of a vehicle when unfit through the influence of drink in each year since 1998; [315062]

(11) how many people were convicted of an offence of criminal damage in England and Wales in each year since 1998; [315070]

(12) how many children under the age of 16 years have been convicted of criminal offences in (a) each year between 1998 and 2002 and (b) 2008; [315092]

(13) how many people were convicted of an offence related to possession of a knife in (a) England and Wales and (b) each police force area in each year since 2006; [315093]

(14) how many under 18 year-olds were (a) prosecuted and (b) convicted for (i) a sexual offence, (ii) robbery, (iii) criminal damage, (iv) a drug offence and (v) a violent offence in (A) 1998, (B) 2008 and (C) 2009; [315094]

(15) how many people have been convicted of an offence of impersonating a police officer in each year since 2006; [315097]

(16) how many males have been convicted for each offence involving violence against the person in each year since 1998. [315155]

Claire Ward: The available information has been placed in the Libraries of the House (tables 1 to 15).

The Court Proceedings Database holds information on defendants proceeded against, found guilty and sentenced for criminal offences in England and Wales. Specific information on the circumstances of an offence are not held centrally and it is therefore not possible to identify whether an offence arising from tackling an intruder occurred in a residential or retail property.

Cautions and court proceedings data for 2009 are expected to be published in the autumn, 2010.

Debt Collection: Powers of Entry

Mr. Stewart Jackson: To ask the Secretary of State for Justice if he will bring forward legislative proposals to repeal the provisions of the Tribunals, Courts and Enforcement Act 2007 which provide for (a) the extension of bailiffs' powers of entry and the use of force by enforcement agents and (b) charging orders to be granted when the borrowers are repaying debt in accordance with a county court judgment. [314964]

Bridget Prentice: I refer the hon. Member to the answer I gave the hon. Member for Meriden (Mrs. Spelman) on 24 April 2009, *Official Report*, column 959W. There are no proposals to repeal the primary legislation that allows for the extension of bailiffs' powers of entry and the use of force by enforcement agents. Neither are there any proposals to repeal the provisions which provide for charging orders to be granted when the borrowers are repaying debt in accordance with a county court judgment.

Departmental Billing

Dr. Cable: To ask the Secretary of State for Justice what estimate he has made of the average length of time taken by (a) his Department and (b) its agencies to pay invoices from (i) small and medium-sized enterprises and (ii) all creditors in the last 12 months. [315135]

Mr. Wills: Following on from the Prime Minister's statement at PMQs on 8 October 2008, all central Government Departments have agreed to the target of paying 90 per cent. of small and medium-sized enterprise invoices within 10 days of receiving a valid invoice. The MOJ has been reporting its performance to the Department for Business, Innovation and Skills (BIS) since November 2008. The performance reported to BIS covers the core Department and its agencies and does not distinguish between small and medium-sized enterprises and all creditors. To attempt to break the performance down

further between SMEs and all creditors by Department and its agencies would incur disproportionate costs.

In the five months from November 2008 to March 2009, my Department's performance against the 10-day target ranged from 55 per cent. to 67 per cent. of all creditor invoices being paid within this timeframe. From April 2009 to December 2009 I am pleased to be able to report that performance has significantly improved ranging from 82 per cent. to 93 per cent. of all creditor invoices now being paid within 10 days. The payment processes operated across the MOJ and its agencies are now operating to a level of consistency that has seen the Prime Minister's target being achieved for the last four months of 2009.

While I am pleased with this improvement, my finance teams across the Department continue to monitor performance and look to see if we can raise our performance level further.

Departmental Freedom of Information

Mr. Sanders: To ask the Secretary of State for Justice what guidance has been provided to his Department's staff on providing information about its staff in response to freedom of information and subject access requests; when this guidance was (a) produced and (b) promulgated; and who produced it. [314700]

Mr. Wills: There is no internal guidance which specifically focuses on providing information about its staff in response to freedom of information and subject access requests.

However, guidance available to the Ministry's staff on the handling of requests made under the Freedom of Information Act and the Data Protection Act includes guidelines on the disclosure of the names of staff working at the Ministry. These have been available since November 2009 and accord with the Information Commissioner's guidance on the disclosure of officials' names. In line with this guidance, all requests are dealt with on a case by case basis, and the disclosure of information considered accordingly.

Drugs: Fines

Chris Grayling: To ask the Secretary of State for Justice what the (a) lowest, (b) average and (c) highest fine given to a person fined on conviction for possession of (i) cannabis, (ii) ecstasy, (iii) cocaine, (iv) crack cocaine and (v) heroin was in each year since 1998. [314818]

Claire Ward: The requested information is shown in the following tables:

Average, maximum and minimum fine amounts imposed at all courts for having possession of a controlled drug by drug type and year, 1998-2008, England and Wales

Drug type and year	Fine amount (£)			Number of persons fined
	Minimum	Maximum	Average	
<i>Cannabis</i>				
1998	<5	3,060	78.27	15,503
1999	<5	1,300	75.41	15,215
2000	<5	3,350	74.87	13,638
2001	<5	2,000	72.12	12,960
2002	<5	2,000	66.27	14,123

Average, maximum and minimum fine amounts imposed at all courts for having possession of a controlled drug by drug type and year, 1998-2008, England and Wales

Drug type and year	Fine amount (£)			Number of persons fined
	Minimum	Maximum	Average	
2003	<5	5,000	70.58	15,172
2004	5	5,000	71.14	6,972
2005	<5	5,000	73.65	6,316
2006	<5	1,000	78.90	6,368
2007	<5	1,400	80.93	6,839
2008	<5	2,500	82.59	8,694
<i>Cocaine</i>				
1998	20	3,000	168.37	1,003
1999	10	5,000	176.14	1,243
2000	20	2,000	204.30	1,117
2001	10	1,000	192.96	1,107
2002	10	2,000	176.06	1,332
2003	<5	5,000	172.42	1,411
2004	20	2,000	172.20	1,516
2005	10	2,500	176.09	1,731
2006	20	5,000	179.31	2,055
2007	<5	2,000	168.14	2,307
2008	8	3,515	172.52	2,839
<i>Crack Cocaine</i>				
1998	10	500	136.07	192
1999	25	1,800	124.80	246
2000	25	1,000	132.82	265
2001	25	750	122.88	281
2002	20	500	128.98	394
2003	<5	1,500	130.07	381
2004	8	1,000	135.04	328
2005	10	500	129.46	386
2006	20	1,500	138.92	392
2007	15	1,101	128.32	409
2008	15	1,500	133.68	572
<i>Ecstasy (MDMA)</i>				
1998	25	2,500	169.25	408
1999	10	2,500	175.20	681
2000	10	1,500	165.76	1,038
2001	5	2,500	150.47	1,201
2002	10	2,000	160.58	1,078
2003	5	5,000	150.87	1,023
2004	10	1,000	152.60	840
2005	10	1,000	170.81	761
2006	15	2,500	163.60	672
2007	10	850	154.72	618
2008	15	1,015	160.72	404
<i>Heroin</i>				
1998	15	1,000	117.01	1,505
1999	<5	1,000	111.68	1,660
2000	<5	2,400	115.14	1,715
2001	5	750	101.35	1,856
2002	10	1,500	100.24	1,758
2003	10	1,000	104.26	1,541
2004	<5	1,000	103.55	1,405
2005	5	2,000	106.70	1,230
2006	10	1,000	105.58	1,159
2007	10	1,200	108.33	1,335
2008	10	2,000	110.70	1,478

Average, maximum and minimum fine amounts imposed at all courts for having possession of a controlled drug with intent to supply by drug type and year, 1998-2008, England and Wales

Drug type and year	Fine amount (£)			Number of persons fined
	Minimum	Maximum	Average	
<i>Cannabis</i>				
1998	15	3,000	219.07	244
1999	10	1,500	216.06	197
2000	25	2,000	306.53	163
2001	20	2,000	204.10	100
2002	30	3,000	246.50	103
2003	25	2,500	322.75	111
2004	20	5,000	382.63	79
2005	20	1,500	171.35	62
2006	35	3,500	307.07	29
2007	15	3,000	301.09	32
2008	<5	3,015	322.52	48
<i>Cocaine</i>				
1998	100	700	227.78	9
1999	50	500	271.88	8
2000	75	200	124.00	10
2001	50	250	136.11	9
2002	40	2,500	366.92	13
2003	30	750	215.53	19
2004	100	1,000	371.43	14
2005	50	4,000	670.71	14
2006	30	750	293.33	9
2007	30	1,000	326.05	19
2008	10	500	180.91	11
<i>Crack Cocaine</i>				
1998	75	100	—	3
1999	125	200	—	2
2000	50	50	—	1
2001	100	300	190.00	5
2002	100	150	—	2
2003	75	75	—	2
2004	50	250	—	3
2005	50	1,500	321.43	7
2006	20	120	—	3
2007	25	60	—	3
2008	*	*	*	0
<i>Ecstasy (MDMA)</i>				
1998	100	750	269.09	11
1999	75	2,000	359.06	16
2000	50	1,000	246.50	20
2001	100	1,500	403.00	20
2002	50	1,000	291.14	22
2003	40	1,000	356.46	24
2004	75	650	272.50	10
2005	100	1,000	500.00	8
2006	100	500	210.00	10
2007	250	2,500	678.57	7
2008	*	*	*	0
<i>Heroin</i>				
1998	50	300	155.77	13
1999	50	500	194.44	18
2000	75	300	161.25	8
2001	25	600	163.75	24
2002	60	250	142.78	9

Average, maximum and minimum fine amounts imposed at all courts for having possession of a controlled drug with intent to supply by drug type and year, 1998-2008, England and Wales

Drug type and year	Fine amount (£)			Number of persons fined
	Minimum	Maximum	Average	
2003	60	2,500	455.00	12
2004	25	100	—	3
2005	80	300	155.00	5
2006	25	240	103.75	8
2007	25	100	65.83	6
2008	50	100	—	3

— = Figure suppressed as number too small to give meaningful average.

Note:

These figures have been drawn from administrative data systems. Although care is taken when processing and analysing the returns, the detail collected is subject to the inaccuracies inherent in any large scale recording system.

Source:

Justice Statistics Analytical Services, Ministry of Justice Ref: PQ(JSAS) 314818-10 29/01/10.

Drugs: Rehabilitation

Chris Grayling: To ask the Secretary of State for Justice how many people have been issued with (a) drug rehabilitation requirements and (b) a drug treatment and testing order in (i) England and Wales, (ii) Greater

London and (iii) each police force area in each year since 1998. [314777]

Claire Ward: The drug treatment and testing order (DTTO), a community sentence aimed at breaking the link between drug misuse and offending, was rolled out to courts across England and Wales from October 2000, following successful pilots under the management of Merseyside, South-East London and Gloucestershire Probation Services from 1 October 1998 to 31 March 2000.

From April 2005, the drug rehabilitation requirement (DRR) gradually replaced the DTTO as the primary means for adult offenders to address their drug misuse as part of a community order or suspended sentence order. The number of DTTOs and DRRs made in each probation area, including London, and across England and Wales in each year since 1998 is shown in the following table. It is not possible to provide data for each police force area. These figures have been drawn from administrative data systems which may be amended at any time. Although care is taken when processing and analysing the returns, the detail collected is subject to the inaccuracies inherent in any large scale recording system.

Drug treatment and testing order / Drug rehabilitation requirement commencements

Probation area	Pilot (Oct 1998 to Mar 2000)	Apr 2000 to Sept 2000	2000-01 (Oct 2000 to Mar 2001)	2001-02	2002-03	2003-04	2004-05
	DTTOs	DTTOs	DTTOs	DTTOs	DTTOs	DTTOs	DTTOs
Avon and Somerset	—	—	36	98	122	168	246
Bedfordshire	—	—	8	59	68	97	102
Cambridgeshire	—	—	28	74	115	137	70
Cheshire	—	—	20	65	92	113	129
County Durham	—	—	8	61	92	119	97
Cumbria	—	—	2	54	62	72	53
Derbyshire	—	—	50	123	146	159	169
Devon and Cornwall	—	—	16	121	157	205	162
Dorset	—	—	9	62	61	94	116
Dyfed-Powys	—	—	3	28	55	75	101
Essex	—	—	40	103	127	130	202
Gloucestershire	100	28	24	52	49	58	74
Greater Manchester	—	—	90	292	401	541	735
Gwent	—	—	0	89	82	124	170
Hampshire	—	—	30	131	181	231	188
Hertfordshire	—	—	24	62	74	101	126
Humberside	—	—	33	115	122	199	256
Kent	—	—	20	128	146	206	228
Lancashire	—	—	22	111	177	243	351
Leicestershire and Rutland	—	—	21	112	119	169	228
Lincolnshire	—	—	26	54	84	119	106
London	42	¹ —	251	556	708	1,084	1,770
Merseyside	68	¹ —	65	178	175	283	393
Norfolk	—	—	8	47	84	118	111
North Wales	—	—	47	81	58	108	103
North Yorkshire	—	—	4	62	77	92	127
Northamptonshire	—	—	13	43	79	102	136
Northumbria	—	—	9	105	232	232	289
Nottinghamshire	—	—	95	173	193	243	224
South Wales	—	—	0	65	203	309	223

Drug treatment and testing order / Drug rehabilitation requirement commencements

<i>Probation area</i>	<i>Pilot (Oct 1998 to Mar 2000)</i>	<i>Apr 2000 to Sept 2000</i>	<i>2000-01 (Oct 2000 to Mar 2001)</i>	<i>2001-02</i>	<i>2002-03</i>	<i>2003-04</i>	<i>2004-05</i>
	<i>DTTOs</i>	<i>DTTOs</i>	<i>DTTOs</i>	<i>DTTOs</i>	<i>DTTOs</i>	<i>DTTOs</i>	<i>DTTOs</i>
South Yorkshire	—	—	40	197	239	267	332
Staffordshire	—	—	11	97	101	158	187
Suffolk	—	—	12	51	77	87	80
Surrey	—	—	6	49	68	99	94
Sussex	—	—	20	96	141	201	249
Teesside	—	—	18	94	93	152	148
Thames Valley	—	—	4	210	165	246	341
Warwickshire	—	—	28	51	53	62	71
West Mercia	—	—	15	101	144	185	191
West Midlands	—	—	45	311	391	588	657
West Yorkshire	—	—	41	240	292	450	614
Wiltshire	—	—	4	53	40	93	74
England and Wales	210	28	1,246	4,854	6,145	8,519	10,323

<i>Probation area</i>	<i>2005-06</i>		<i>2006-07</i>		<i>2007-08</i>		<i>2008-09</i>	
	<i>DTTOs</i>	<i>DRRs</i>	<i>DTTOs</i>	<i>DRRs</i>	<i>DTTOs</i>	<i>DRRs</i>	<i>DTTOs</i>	<i>DRRs</i>
Avon and Somerset	125	199	9	287	1	276	0	574
Bedfordshire	45	63	2	103	0	131	0	115
Cambridgeshire	36	105	3	182	1	156	0	222
Cheshire	45	122	4	190	0	179	0	195
County Durham	38	70	4	138	0	228	0	174
Cumbria	20	64	1	99	0	93	0	84
Derbyshire	81	123	9	228	1	263	0	278
Devon and Cornwall	103	182	8	352	1	425	0	469
Dorset	56	70	5	120	0	144	0	182
Dyfed-Powys	42	82	1	145	0	131	0	141
Essex	89	175	3	294	0	346	0	359
Gloucestershire	39	50	0	79	0	180	0	162
Greater Manchester	235	936	40	1,205	4	1,128	2	1,236
Gwent	60	167	8	201	2	225	0	251
Hampshire	69	204	7	432	1	480	0	509
Hertfordshire	64	96	13	141	0	183	0	228
Humberside	90	256	7	316	0	314	0	394
Kent	107	204	6	310	1	416	0	502
Lancashire	136	365	13	504	0	520	0	658
Leicestershire and Rutland	64	245	12	345	2	300	0	376
Lincolnshire	65	115	7	205	0	186	0	224
London	772	1,445	57	2,877	9	2,768	1	2,698
Merseyside	214	334	29	595	6	630	4	669
Norfolk	40	90	6	190	1	197	0	205
North Wales	45	74	1	111	0	152	0	206
North Yorkshire	32	164	1	127	0	160	0	208
Northamptonshire	67	95	14	175	0	188	0	229
Northumbria	147	238	14	393	0	510	0	539
Nottinghamshire	118	307	4	350	0	392	0	385
South Wales	120	298	11	481	2	588	0	439
South Yorkshire	99	326	4	405	1	541	0	567
Staffordshire	74	282	6	391	0	345	1	428
Suffolk	16	67	1	90	0	104	0	99
Surrey	55	93	5	135	1	169	2	165
Sussex	103	150	2	262	0	326	4	337
Teesside	47	203	3	257	0	304	0	334
Thames Valley	178	241	26	484	4	610	0	557
Warwickshire	34	53	5	81	0	109	0	131

Probation area	2005-06		2006-07		2007-08		2008-09	
	DTTOs	DRRs	DTTOs	DRRs	DTTOs	DRRs	DTTOs	DRRs
West Mercia	60	187	3	230	1	264	1	288
West Midlands	240	535	22	1,041	2	980	0	952
West Yorkshire	189	509	13	701	1	775	0	834
Wiltshire	57	101	4	153	0	149	0	132
England and Wales	4,316	9,685	393	15,405	42	16,565	15	17,735

¹ Central records were not kept of commencements in the interim period between pilot and full introduction of DTTOs across England and Wales in the London and Merseyside areas.

Elections

Mr. Stewart Jackson: To ask the Secretary of State for Justice whether he has made an assessment of the effect on the financial markets of the election counts taking place the day after polling at the next general election. [314939]

Mr. Wills: No such assessment has been made.

Mr. Stewart Jackson: To ask the Secretary of State for Justice if he will make it his policy to bring forward proposals to ensure that general election counts take place on the evening of polling day. [314940]

Mr. Wills: Rule 44(1) of the Parliamentary Election Rules in schedule 1 of the Representation of the People Act 1983 provides that the returning officer shall make arrangements for counting the votes in the presence of the counting agents as soon as practicable after the close of the poll.

However, the Government recognise the obvious strength of feeling on this issue and we hope that it would be taken into account by returning officers, alongside other relevant factors, when coming to a final decision on the timing of the count.

Electoral Register

Mr. Evennett: To ask the Secretary of State for Justice what steps are being taken to encourage voter registration in the run-up to the next general election. [314761]

Mr. Wills: The Government implemented a range of measures in the Electoral Administration Act 2006 (EAA 2006), to encourage voter registration. These include:

placing electoral registration officers (EROs) under a duty to take all necessary steps to maintain the electoral register, including sending the canvass form more than once, inspecting records that the ERO is allowed to inspect, and making house to house inquiries;

establishing a funding mechanism to support novel and innovative projects and activities which EROs and returning officers take in line with their duty under section 69 of the EA Act to encourage electoral participation. The projects have used a variety of innovative methods aimed at encouraging people to register to vote;

providing for the Electoral Commission to introduce a performance standards framework for EROs. The standards provide a framework within which the performance of EROs can be assessed, and targeted work undertaken to drive up performance where

necessary. The first assessments against these standards were published on 21 April 2009 and are available on the Commission's website.

I understand that the Electoral Commission is currently planning to run a voter registration campaign from 1 April-19 April (1-13 April in Northern Ireland). If the general election is held on the same date as English local government elections on 6 May, the campaign will coincide with the final few weeks to register to vote (registration deadline would be 20 April). If the election is held after 6 May, the Commission will run a second burst of advertising in the days leading up to the registration deadline.

The campaigns will be weighted to target under-registered groups including:

- Young people aged 16-24
- Recent home movers
- People living in privately rented accommodation
- Certain black and minority ethnic groups,
- Students

If the election is called earlier, the Commission will launch the campaign earlier, and have plans in place for this.

The Electoral Commission has also made available a range of materials for local authorities to use in their own public awareness work in the run-up to the general election. These include advertisement templates and press release templates. The Electoral Commission's Do Politics site, which is used by local authorities in planning their public awareness work, has case studies of work that EROs have undertaken to encourage under-registered groups to participate in the democratic process.

The Government are also keen to find ways to enhance registration rates among service personnel to support their participation in the general election. On 26 January 2010, a statutory instrument was laid in Parliament which extends the service voter declaration period from three to five years. This is intended to facilitate higher levels of registration among service personnel. In addition, since 2005, the Electoral Commission has worked in partnership with the Ministry of Defence on annual campaigns to provide information to armed forces personnel and their families about registration, voting and elections.

Firearms: Convictions

Chris Grayling: To ask the Secretary of State for Justice how many people have been convicted of a firearms offence for which a mandatory minimum sentence was applicable in each year since 1998. [314743]

Claire Ward: The available information is shown in the table.

Information on the number of persons convicted and sentenced from 1998 to 2008 for firearms offences liable for a mandatory minimum custodial sentence proscribed by the Criminal Justice Act 2003 is shown in the table. The Criminal Justice Act 2003 proscribed mandatory minimum custodial sentences for the offences of: possessing or distributing prohibited firearms or ammunition and possessing or distributing firearms disguised as other objects, where the offences were committed on or after 26 January 2004. The data held by the Ministry of Justice does not indicate the date the offence took place

or the age of the offender at that time, so it is not possible to determine the number of these cases where the minimum mandatory sentence was applicable. The number of offenders sentenced has been supplied in lieu of the number convicted.

This table is an extension of the information shown in table 2.9 of Sentencing Statistics 2008 available at the following link:

<http://www.justice.gov.uk/publications/sentencingannual.htm>

Persons sentenced for firearms offences liable for mandatory minimum custodial sentence as proscribed by the Criminal Justice Act 2003¹, 1998-2008—England and Wales

Age of offender	Number of persons										
	1998	1999	2000	2001	2002	Total sentenced		2005	2006	2007	2008
						2003 ²	2004 ²				
16 to 17-year-olds ³	36	36	35	62	54	52	49	32	15	15	20
18 years and above	995	764	694	677	718	834	688	353	265	249	340

¹ Offences under Firearms Act 1968 of: Possessing or distributing prohibited weapons or ammunition, or Possessing or distributing firearm disguised as other object.

² The mandatory is only applicable for offences that occurred on or after 26 January 2004.

³ Mandatory minimum for persons aged 16 or 17 at time of offence and for offences taking place after 26 January 2004 is three years. Not all of those in this age bracket would have been eligible for the mandatory minimum as they may have been under 16 at the time of the offence; it is the age at the point of sentence that is recorded on courts proceedings database.

Hunting Act 2004: Prosecutions

Mr. Morley: To ask the Secretary of State for Justice how many (a) prosecutions, (b) convictions and (c) cautions there were in 2008 for offences under the Hunting Act 2004. [315013]

Claire Ward: The number of offenders cautioned, and the number of defendants proceeded against at magistrates courts and found guilty at all courts in England and Wales for offences under the Hunting Act 2004, in 2008 can be viewed in the following table.

The number of offenders cautioned^{1,2} and the number of defendants proceeded against at magistrates' courts and found guilty at all courts for offences under the Hunting Act 2004³, England and Wales, 2008^{4,5}

	Number
Cautioned	4
Proceeded against	44
Found guilty	33

¹ The cautions statistics relate to persons for whom these offences were the principal offences for which they were dealt with. When a defendant has been cautioned for two or more offences at the same time the principal offence is the more serious offence.

² From 1 June 2000 the Crime and Disorder Act 1998 came into force nationally and removed the use of cautions for persons under 18 and replaced them with reprimands and final warnings. These figures have been included in the totals.

³ Came into force on 18 February 2005.

⁴ The court proceedings 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.

⁵ 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.

Interpleader Actions

Mr. David Jones: To ask the Secretary of State for Justice (1) how many interpleader actions were commenced in the High Court in each of the last five years; [315449]

(2) when his Department plans to publish its new scale of fees for interpleader proceedings; [315450]

(3) how many fee assessment hearings relating to interpleader proceedings have been held in each of the last five years. [315451]

Bridget Prentice: There are no figures held centrally relating to the number of interpleading actions that were commenced in the High Court. There are also no counts of fee assessment hearings relating to interpleader proceedings in the county courts and High Court. These could be obtained through the examination of individual case files only at disproportionate cost.

There are no plans to publish any new court fees in relation to interpleader proceedings. The current fees can be found in the Civil Proceedings Fees Order 2008 and the Civil Proceedings Fees (Amendment) Order 2009.

Kingston Prison

Alan Duncan: To ask the Secretary of State for Justice whether Mr. Bernard Pennington of HM Prison Kingston received legal aid funding in respect of his claim against the Chair of the Prisons Independent Monitoring Board. [313369]

Bridget Prentice: The Legal Services Commission has no record of funding this individual in this case.

Knives and Firearms: Sentencing

Chris Grayling: To ask the Secretary of State for Justice how many people convicted of an offence of (a) knife possession and (b) firearms possession have received the maximum sentence applicable in each year since 1998. [314744]

Claire Ward: The requested information is currently being collated and I will write to the hon. Member shortly with this information.

Offenders

Chris Grayling: To ask the Secretary of State for Justice how many people convicted of a criminal offence in England and Wales in each year since 1998 had never previously been convicted. [314821]

Claire Ward: Figures for offenders sentenced for indictable offences in England and Wales between 2000 and 2008 with no previous convictions or cautions are presented in the following table. These figures cover both adult and juvenile offenders.

Offenders sentenced for indictable offences with no previous convictions or cautions, 2000-2008, England and Wales

	<i>Number and percentage</i>		
	<i>All sentenced offenders¹</i>	<i>First time offenders²</i>	<i>Percentage of first time offenders</i>
2000	321,981	39,639	12.3
2001	320,888	38,450	12.0
2002	336,038	37,649	11.2
2003	338,344	36,785	10.9
2004	322,944	37,036	11.5
2005	308,289	35,688	11.6
2006	303,383	34,212	11.3
2007	313,811	33,979	10.8
2008	325,616	33,889	10.4

¹ Counts of person sentenced during the year. An offender may be counted more than once if he or she has been sentenced more than once during the year.

² Offenders who have never been cautioned or convicted previously.

These figures are taken from Table 6.4 of 'Sentencing Statistics 2008' which was published on 28 January 2010 and can be found at:

<http://www.justice.gov.uk/publications/sentencingannual.htm>

Figures prior to 2000 are not available.

The figures have been drawn from the police's administrative IT system, the police national computer, which, as with any large scale recording system, is subject to possible errors with data entry and processing. The figures are provisional and subject to change as more information is recorded by the police.

Parole

Mr. Soames: To ask the Secretary of State for Justice what guidance is used by parole boards to decide on parole applications by prisoners serving (a) a life sentence and (b) an indeterminate sentence for public protection. [314778]

Claire Ward: The Parole Board is subject to the statutory test for release contained in section 28(6) of the Crime (Sentences) Act 1997 which prevents a direction

for release unless the board is satisfied that it is no longer necessary for the protection of the public for the prisoner to be detained. Guidance is offered to the board by the Secretary of State's Directions and, procedurally, in the Parole Board Rules 2004, as amended by the Parole Board (Amendment) Rules 2009. In addition, the board provides its members with intensive training upon their appointment and at regular intervals during their appointment; and publishes internally, guidance on risk assessment and procedural issues. This applies equally to prisoners serving a life sentence or an indeterminate sentence for public protection.

Public Holidays

Bob Spink: To ask the Secretary of State for Justice what estimate he has made of the cost to his Department of the introduction of an additional public holiday; and if he will make a statement. [315115]

Mr. Wills: No official estimate has been made of the cost to the Department of the introduction of an additional public holiday. The financial impact is expected to be restricted to overtime payments for staff running services such as prisons that operate 24 hours a day, 365 days a year. This cost will be quantified if and when an additional public holiday is agreed.

For most staff, salary costs are fixed and offices, courts and tribunals will not operate on public holidays. The impact of a lost working day would be managed by:

Prioritising urgent work and re-scheduling less urgent work.

Using the flexible working arrangements that are in place for most staff to ensure that urgent work and front-line services are not affected. These arrangements enable staff to work extra hours when necessary and recoup the time when less busy.

Senior staff absorbing the impact across the rest of the year at no extra cost to the Ministry of Justice.

Tobacco: Sentencing

Chris Grayling: To ask the Secretary of State for Justice how many and what proportion of people convicted of an offence of selling tobacco to a minor have received (a) a fine, (b) a community sentence, (c) a custodial sentence and (d) an alternative punishment in each year since 1998; and what the (i) lowest, (ii) average and (iii) highest fine was for such people who were fined in each such year. [314819]

Claire Ward: The following table shows the total number of persons sentenced to a fine, community sentence, custodial sentence or an alternative punishment for each year since 1998. The data also shows the average, maximum and minimum fine imposed on those sentenced for selling tobacco to a minor in each year. This data is presented on the principal offence basis. Where an offender has been sentenced for more than one offence, the principal offence is the one for which the heaviest sentence was imposed. Where the same sentence has been imposed for two or more offences, the offence is the one for which the statutory maximum is most severe.

Offenders sentenced and disposals for selling tobacco to a minor and the average maximum and minimum fine, 1998 to 2008

	1998	1999	2000	2001	2002	2003	2004	2005	2006	2007	2008
Fine	115	90	113	74	67	82	50	56	51	49	70
Fine %	89	88	84	82	87	88	88	81	89	98	74
Community Sentence	0	0	0	0	1	0	0	0	0	0	0
Community Sentence %	0	0	0	0	1	0	0	0	0	0	0
Custodial Sentence	0	0	0	0	0	0	0	0	0	0	0
Custodial Sentence %	0	0	0	0	0	0	0	0	0	0	0
Discharge	14	12	21	16	9	11	7	13	5	1	22
Discharge %	11	12	16	18	12	12	12	19	9	2	23
Otherwise dealt with	0	0	0	0	0	0	0	0	1	0	2
Otherwise dealt with %	0	0	0	0	0	0	0	0	2	0	2
Total	129	102	134	90	77	93	57	69	57	50	94
Maximum fine (£)	2,000	1,500	2,000	2,000	2,000	1,700	1,500	2,000	1,650	2,500	2,000
Minimum fine (£)	10	10	50	50	50	50	35	30	40	60	50
Average (£)	226	237	349	301	283	322	274	328	330	324	374

Notes:

1. These figures have been drawn from administrative data systems.

2. Although care is taken when processing and analysing the returns, the detail collected is subject to the inaccuracies inherent in any large scale recording system.

Victim Support Schemes

Mr. Burrowes: To ask the Secretary of State for Justice how much funding his Department has allocated to the National Victims Service in (a) 2009-10 and (b) 2010-11. [315347]

Claire Ward: My right hon. Friend the Secretary of State for Justice and Lord Chancellor (Jack Straw) committed the Department to £2 million funding for the National Victims' Service in 2009-10 and £8 million in 2010-11.

This is new money for victims which has come from efficiency savings within the Ministry of Justice.

Angela E. Smith: For a charity in England or Wales to amend its charitable objects, it would usually require the Charity Commission's consent or a legal scheme of the court or Charity Commission. The Charities Act 2006 has recently modernised charity law, including the process under which alterations can be made to charitable objects. It is important that mechanisms exist with appropriate safeguards which enable charities to amend their charitable objects either to keep pace with changes to the environment in which they operate, or to enable them to expand their charitable activities.

A statutory review of the Charities Act 2006 is due to begin in 2011, and will report to Parliament. This will include examining the changes made by the Charities Act 2006 in relation to alterations to charitable purposes.

Civil Servants: Manpower

Mr. Hurd: To ask the Minister for the Cabinet Office which public bodies had their staff included in civil service headcounts in 2009. [315321]

Angela E. Smith: The information requested falls within the responsibility of the UK Statistics Authority. I have asked the authority to reply.

Letter from Stephen Penneck, dated 3 February 2010:

As Director General for the Office for National Statistics, I have been asked to reply to your recent Parliamentary Question concerning which public bodies had their staff included in Civil Service headcounts in 2009. (315321).

A list of public bodies included in Civil Service headcounts in 2009 is attached at Annex A.

Annex A

Public bodies included in civil service headcounts in 2009 (Civil Service Employment Q3 2009)

Attorney General's Departments

Crown Prosecution Service

Crown Prosecution Service Inspectorate

Attorney General's Office

CABINET OFFICE

10 Downing Street: Repairs and Maintenance

Mr. Hurd: To ask the Minister for the Cabinet Office how much her Department has budgeted for the works in Downing Street covered by Westminster city council planning application with the reference 09/00619/LBC. [315202]

Angela E. Smith: I refer the hon. Member to the answer given to the right hon. Member for Horsham (Mr. Maude) on 27 January 2010, *Official Report*, column 964W.

Charities

Mr. Gordon Prentice: To ask the Minister for the Cabinet Office if she will review the effectiveness of the statutory provisions which determine the circumstances in which charities are able to change their charitable objects; and if she will make a statement. [315444]

Serious Fraud Office
 Treasury Solicitor
 Revenue and Customs Prosecution Office
Business, Innovation and Skills
 Business, Innovation and Skills¹
 Advisory Conciliation and Arbitration Service
 Companies House
 Insolvency Service
 Office of Fair Trading
 Office of Gas and Electricity Market
 Postal Services Commission
 National Measurement Office
 UK Intellectual Property Office
Cabinet Office
 Cabinet Office excluding agencies
Other Cabinet Office agencies
 Central Office of Information
 National School of Government
 Office of the Parliamentary Counsel
Charity Commission
 Charity Commission
Children, Schools and Families
 Department for Children, Schools and Families
Communities and Local Government
 Department for Communities and Local Government
 Fire Service College
 Ordnance Survey
 Planning Inspectorate
 Queen Elizabeth II Conference Centre
Culture, Media and Sport
 Department for Culture Media and Sport
 Royal Parks
Defence
 Ministry of Defence
 Defence Support Group
 Defence Science and Technology Laboratory
 Meteorological Office
 UK Hydrographic Office
Environment, Food and Rural Affairs
 Department for Environment Food and Rural Affairs¹
 Centre for Environment Fisheries and Aquaculture Science
 Food and Environment Research Agency
 Marine Fisheries Agency
 OFWAT
 Rural Payments Agency
 Animal Health
 Veterinary Laboratories Agency
 Veterinary Medicines Directorate
Export Credits Guarantee Department
 Export Credit Guarantee Department
Foreign and Commonwealth Office
 Foreign and Commonwealth Office (excluding agencies)
 Wilton Park Executive Agency
Government Equalities Office
 Government Equalities Office
Health
 Department of Health (excluding agencies)
 Food Standards Agency
 Meat Hygiene Service

Medical and Healthcare Products Regulatory Agency
 National Healthcare Purchasing and Supplies
 NHS Business Services Authority
HM Revenue and Customs
 HM Revenue and Customs
 Valuation Office
HM Treasury
 HM Treasury
Chancellor's other departments
 Debt Management Office
 Government Actuary's Department
 National Savings and Investments
 Office of Government Commerce
 OGC Buying Solutions
 Royal Mint
Home Office
 Home Office (excluding agencies)
 Criminal Records Bureau
 Identity and Passport Service
 UK Border Agency
International Development
 Department for International Development
Justice
 Ministry of Justice (excluding agencies)
 HM Courts Service
 Land Registry
 National Archives
 The Office of the Public Guardian
 Tribunals Service
 Scotland Office
 Wales Office
 National Offender Management Service
Northern Ireland Office
 Northern Ireland Office
Ofsted
 Ofsted
Security and Intelligence Services
 Security and Intelligence Services
Transport
 Department for Transport
 Driver and Vehicle Licensing Agency
 Driving Standards Agency
 Government Car and Despatch Agency
 Highways Agency
 Maritime and Coastguard Agency
 Office of Rail Regulation
 Vehicle Certification Agency
 Vehicle and Operator Services Agency
UK Statistics Authority
 UK Statistics Authority
Work and Pensions
 DWP Corporate and Shared Services
 Jobcentre Plus
 Pensions and Disability Carers Service
 Child Maintenance Enforcement Commission
 The Health and Safety Executive
Scottish Government
 Scottish Government (excluding agencies)
 Scottish Housing Regulator

Crown Office and Procurator Fiscal Service
 General Register Scotland
 HM Inspectorate of Education
 Historic Scotland
 National Archive for Scotland
 Office of Accountant in Bankruptcy
 Registers of Scotland
 Scottish Court Service
 Scottish Prison Service Headquarters
 Scottish Public Pensions Agency
 Social Work Inspection Agency
 Student Awards Agency
 Transport Scotland
 Office for the Scottish Charity Regulator
 Disclosure Scotland
 Scottish Law Commission

Welsh Assembly

Welsh Assembly Government
 ESTYN

¹ Due to not having its own payroll, staff employed by the Department for Energy and Climate Change (DECC) are still reported, as part of the Quarterly Public Sector Employment Survey (QPSES), from the Department they were transferred. DECC was created in October 2008, bringing together energy policy (previously with BERR—the Department for Business, Enterprise and Regulatory Reform) with climate change mitigation policy (previously with DEFRA—the Department for Environment, Food and Rural Affairs).

Departmental Internet

Grant Shapps: To ask the Minister for the Cabinet Office how much has been spent on (a) strategy and planning, (b) design and build, (c) hosting and infrastructure, (d) content provision and (e) testing and evaluation for the No. 10 Downing Street website in each of the last three years; and what budget has been allocated for such activity in 2009-10. [310213]

Angela E. Smith: I refer the hon. Member to the answers given to the hon. Member for Lewes (Norman Baker) on 17 October 2007, *Official Report*, column 1135W, and to the hon. Member for North-East Hertfordshire (Mr. Heald) on 26 November 2008, *Official Report*, column 1482W.

It is not possible to provide a single comparable figure for the running costs of the No. 10 website for 2008-09. However, the total cost of the Digital Communications Unit, which includes the operational and staffing costs, including equipment and audio and visual production associated with all digital communications, was £452,754 for the financial year 2008-09. This includes the running costs of the number10.gov.uk website which serves up to 1 million unique users per month, the Prime Minister's communications on channels such as Twitter (1.6 million followers) and YouTube (1.4 million film views per year); and the Government's e-petitions service (3 million signatures from 1.8 million unique e-mail addresses per year).

Figures for the 2009-10 financial year will be available only when the Department's resource accounts have been fully audited and laid before Parliament.

Departmental Official Hospitality

Mr. Maude: To ask the Minister for the Cabinet Office for how long records of visitors to the Downing Street/Cabinet Office complex are retained. [312307]

Tessa Jowell: Records of visitors to the Downing street/Cabinet Office are currently retained for a maximum period of 10 years for operational/security purposes.

Mr. Hurd: To ask the Minister for the Cabinet Office how much her Department spent on its recent event held on HMS Illustrious; and how many staff from her Department attended the event. [315227]

Angela E. Smith: A search of all available records has been unable to identify any events held by Cabinet Office staff on HMS Illustrious.

Newspaper Licensing Agency

Mr. Hurd: To ask the Minister for the Cabinet Office what payments were made to the Newspaper Licensing Agency in respect of the provision of services to the Leader of the House's Office in each of the last 10 years. [315588]

Angela E. Smith: Since 2006-07 the Office of the Leader of the House of Commons has not made any payments to the Newspaper Licensing Agency.

Following a machinery of government change, information relating to expenditure incurred by the Office of the Leader of the House of Commons prior to 2006-07 is available at only disproportionate cost.

BUSINESS, INNOVATION AND SKILLS

Adult Education

Mr. Evennett: To ask the Minister of State, Department for Business, Innovation and Skills how many people (a) started and (b) completed a course at an adult education college in each of the last five years. [314294]

Kevin Brennan: Adult education colleges are not specifically identified in data collected centrally. Programmes are delivered through a variety of different provider types.

The following table shows the number of adults participating and achieving in LSC-funded further education (FE colleges including Learn Direct, adult and community learning, work-based learning, Train to Gain) in each of the last five years, 2004/05 to 2008/09 (provisional).

Adult (19+) participation and achievement in FE and skills

	2004/05	2005/06	2006/07	2007/08	2008/09
Total Learners Participating	4,669,100	3,983,800	3,206,400	3,306,000	3,697,200
Below Level 2 (excluding Skills for Life)	2,097,300	1,031,800	589,500	532,500	427,000

Adult (19+) participation and achievement in FE and skills

	2004/05	2005/06	2006/07	2007/08	2008/09
Skills for Life	940,100	979,400	809,900	826,500	938,700
Full Level 2	395,000	441,300	516,300	740,100	959,400
Full Level 3	228,700	264,200	267,600	328,100	423,300
Level 2	1,348,700	1,235,300	1,118,400	1,319,400	1,542,600
Level 3	598,700	524,900	485,800	528,200	619,300
Level 4+	73,000	68,300	59,900	53,200	57,700
No Level Assigned	610,800	1,050,300	842,300	803,600	862,600
<i>Total Learners Achieving</i>	3,347,400	2,931,400	2,233,100	2,243,600	2,435,500
Below Level 2 (excluding Skills for Life)	1,551,600	758,100	430,200	406,500	317,500
Skills for Life	690,100	737,800	540,900	520,700	620,900
Full Level 2	179,200	216,500	235,600	320,300	491,600
Full Level 3	79,500	110,000	115,000	134,400	169,300
Level 2	785,100	759,200	660,600	734,700	895,500
Level 3	311,800	285,600	271,400	285,600	312,100
Level 4+	33,100	33,100	30,300	25,800	26,700
No Level Assigned	512,800	866,600	689,700	682,800	652,800

¹ Provisional

Notes:

1. Volumes are rounded to the nearest 100.

2. Figures for 2008/09 are not directly comparable to earlier years as the introduction of demand led funding has changed how data is collected and how funded learners are defined from 2008/09 onwards. More information on demand led funding is available at <http://www.lsc.gov.uk/providers/funding-policy/demand-led-funding.htm>

3. Tables use age as at 31 August of the academic year.

4. Full-year numbers are a count of the number of learners that participated/achieved at any point during the year. Learners undertaking/achieving more than one course will appear only once in the 'total learners' category for each data collection. However, learners that are included in different data collections, whether that relates to different years or different funding streams, will be counted more than once. All learners undertaking/achieving a full level 2 or 3 qualification will also appear in the level 2 or level 3 category, respectively.

Source:

Individualised Learner Record

Blaydon

Mr. David Anderson: To ask the Minister of State, Department for Business, Innovation and Skills if he will set out, with statistical information related as directly as possible to Blaydon constituency, the effects on Blaydon of the policies and actions of his Department and its predecessors since 2000. [315306]

Mr. McFadden: Since 2000, the policies and actions of the Department for Business, Innovation and Skills (BIS), and its predecessors have focused on building a competitive economy and on delivering prosperity and sustainable economic growth. Examples of how BIS policies and actions have impacted on Blaydon include:

The levels of skills levels in the Blaydon constituency have increased significantly since 2000, with the proportion of people qualified to at least NVQ level 4 has risen from 15.4 per cent. to 24.7 per cent. —an increase of over 60 per cent. Over the same period performance has increased from 77.4 per cent. to 82.1 per cent. at NVQ level 1, from 56 per cent. to 69.6 per cent. at NVQ level 2 and from 33.9 per cent. to 44.4 per cent. at NVQ level 3. Furthermore, the proportion of people in the constituency with no recognised skills has fallen from 17.1 per cent. to 11.7 per cent. over the same period.

Source:

2009 Annual Population Survey

Blaydon constituency residents are now also earning considerably more. The average gross full-time weekly earnings in the constituency has risen from £356.10 in 2002 to £457.20 in 2009, an increase of some 28 per cent.

Source:

Annual Survey of Hours and Earnings. Residence-based data

Counterfeit Manufacturing: International Cooperation

Mr. Watson: To ask the Minister of State, Department for Business, Innovation and Skills how many officials from (a) his Department and (b) the Intellectual Property Office are planning to attend the Anti-Counterfeiting Trade Agreement negotiations in Mexico in January 2010. [313943]

Mr. Lammy: One official from the Intellectual Property Office (IPO) attended the Anti-Counterfeiting Trade Agreement (ACTA) negotiations in Mexico. The IPO is an executive agency of the Department for Business, Innovation and Skills, and IPO officials represent the UK Government in intellectual property negotiations, including ACTA.

No other officials from the Department attended the negotiations.

Mr. Watson: To ask the Minister of State, Department for Business, Innovation and Skills pursuant to the answer of 20 January 2010, *Official Report*, column 402W, on the Anti-Counterfeiting Trade Agreement, on what date (a) he and (b) other Ministers last discussed the proceedings of the Anti-Counterfeiting Trade Agreement negotiations; when he next expects to meet Ministers who have a departmental interest in the negotiations to discuss the agreement's progress to date. [314019]

Mr. Lammy: I regularly meet ministerial colleagues to discuss various aspects of my Intellectual Property portfolio. I have not recently met other Ministers to discuss the proceedings of the Anti-Counterfeiting Trade

Agreement negotiations, but relevant Ministers have been kept fully informed and briefed on its progress where necessary.

Mr. Watson: To ask the Minister of State, Department for Business, Innovation and Skills pursuant to the answer of 20 January 2010, *Official Report*, column 402W, on the Anti-Counterfeiting Trade Agreement, on what date officials in his Department last met their counterparts in other Government Departments to discuss the Anti-Counterfeiting Trade Agreement; and if he will make a statement. [314028]

Mr. Lammy: Officials in the Department last met their counterparts in other Government Departments to discuss the Anti-Counterfeiting Trade Agreement on 26 August 2009. Since this meeting officials in other Departments have been regularly briefed and consulted on the progress of the negotiations. The next meeting is planned for February.

Mr. Watson: To ask the Minister of State, Department for Business, Innovation and Skills pursuant to the answer of 20 January 2010, *Official Report*, column 402W, on the Anti-Counterfeiting Trade Agreement, what information has been provided to businesses on the negotiations; and if he will make a statement. [314037]

Mr. Lammy: The officials have discussed with the European Commission and other member states ways to inform businesses and other interested parties about the Anti-Counterfeiting Trade Agreement negotiations. As a result of these discussions, the European Commission held a public consultation meeting on 23 June 2008, with a second meeting on 21 April 2009 and another planned soon. In addition, regular updates, including a summary of key elements under discussion, can be found on the website of the Intellectual Property Office.

Mr. Watson: To ask the Minister of State, Department for Business, Innovation and Skills pursuant to the answer of 20 January 2010, *Official Report*, column 402W, on the Anti-Counterfeiting Trade Agreement, if he will make it his policy to seek the agreement of his negotiating partners the publication of the latest draft held by his Department of the anti-counterfeiting trade agreement. [314067]

Mr. Lammy: It is current UK policy on the Anti-Counterfeiting Trade Agreement to seek the agreement of our negotiating partners to publish the draft text. However, it is the practice in trade negotiations that working documents are not disclosed without the consent of all the negotiating parties. Not all parties currently agree to the release of the Anti-Counterfeiting Trade Agreement (ACTA) draft text. My officials continue to press for greater transparency with our negotiating partners.

Departmental Billing

Dr. Cable: To ask the Minister of State, Department for Business, Innovation and Skills what assessment he has made of the length of time taken by (a) his Department and (b) its agencies to pay invoices from (i) small and medium-sized enterprises and (ii) all creditors. [315068]

Mr. McFadden: The Prime Minister announced in October 2008 that all central Government Departments will aim to pay invoices within 10 days. The Department of Business, Innovation and Skills commenced reporting of 10-day payment performance in November 2008.

In November 2008, 93.1 per cent. of invoices were paid within 10 days. The latest available data are for December 2009, when 95.8 per cent. of invoices were paid within 10 days. This means that payment performance has increased by 2.7 percentage points over this period.

We do not differentiate payments by supplier size as we have determined to pay all suppliers within 10 days.

I have approached the chief executives of the Insolvency Service, Companies House, the National Measurement Office and the Intellectual Property Office and they will respond to the hon. Member directly.

Departmental Visits Abroad

Mr. Evennett: To ask the Minister of State, Department for Business, Innovation and Skills how many officials represented his Department at events abroad in each of the last five years. [314295]

Mr. McFadden: The Department does not centrally record numbers or details of officials representing the Department at overseas events. The Department holds information on officials travelling overseas for business but does not specifically relate these costs to events abroad, to obtain this information would entail disproportionate costs.

The Department publishes details of senior staff on overseas business visits on the Department for Business, Innovation and Skills website at:

<http://www.bis.gov.uk/about/board/expenses>

Educational Institutions

Mr. Evennett: To ask the Minister of State, Department for Business, Innovation and Skills which (a) universities and (b) independent training provider institutions have been visited by Ministers in his Department since it was established. [314756]

Mr. Lammy: My noble Friend the Secretary of State has visited the following universities: Loughborough, Smith School of Enterprise and the Environment Oxford, Advanced Manufacturing Research Centre Sheffield, Said Business School Oxford, Birkbeck College London, Birmingham, and Imperial College London.

I have visited the University of Edinburgh, Liverpool John Moores University (twice), University of Liverpool, University of Exeter, Bournemouth University, Birkbeck College London, Middlesex University, Arts University College Bournemouth and St. Mary's University College, London. Overseas I have visited Johns Hopkins University (Baltimore, USA), Emory University (Atlanta, USA), Howard University (Washington DC), Columbia University (New York), Kazakh-British Technical University (Almaty, Kazakhstan) and Kazakh National University (Almaty, Kazakhstan).

My right hon. Friend the Minister of State for Business, Innovation and Skills has visited Swansea University.

My noble Friend the Minister of State for Trade and Investment has visited the University of Cambridge, Bangor University (in his capacity of Chair of the Council), Judge Business School Cambridge, Royal College of Physicians, London Metropolitan University Business School, University of Sheffield, London Business School, University of Oxford, Loughborough University and University of Nottingham. Overseas he has visited Hong Kong University Business School and Shri Ramdeobaba Kamla Nehru Engineering College (Nagpur, India).

My noble Friend the Minister of State for Science and Innovation has visited the University of Surrey, University of Leicester, University of Oxford, Imperial College London and University of Cambridge.

My noble Friend the Parliamentary Under-Secretary of State for Postal Affairs and Employment Relations has visited Thames Valley University, University of Edinburgh, Middlesex University, University of Gloucestershire, University of Bedfordshire, University of Central Lancashire, University of East London and University of Bath.

My hon. Friend the Parliamentary Under-Secretary of State for Business and Regulatory Reform has visited Bristol University.

BIS Ministers have also made several visits to employer based training facilities that provide a variety of apprenticeships, onsite training provision and accreditation. They also engage regularly with the Association of Learning Providers, the representative body for Independent Training Provider Institutions, including attendance at their recent conference and have committed to speak at their annual conference later in the year.

Fertility: Freedom of Information

Mr. Amess: To ask the Minister of State, Department for Business, Innovation and Skills what requests for information on (a) the Human Fertilisation and Embryology Authority, (b) the Human Fertilisation and Embryology Act 1990, (c) reproductive cloning and (d) stem cell research were made to his Department under the Freedom of Information Act 2000 in each year since 2005; and what decision was taken on each such request. [313932]

Mr. Lammy: The Department for Business, Innovation and Skills (BIS) was created in June 2009 from the merger of the former Department for Business, Enterprise and Regulatory Reform (BERR) and the former Department for Innovation, Universities and Skills.

A search of all relevant FOI databases for the period was conducted.

During the period specified, only two FOI requests on topics (a) to (d) listed in the PQ have been recorded.

One request was received by the former DIUS on 10 February 2009. The response was that no information was held.

One request was received by BIS on 2 September 2009. All information requested was withheld under section 36 (prejudice to the effective conduct of public affairs) and s22 (information intended for future publication) of the FOIA.

Fisheries: Compensation

Mr. Hurd: To ask the Minister of State, Department for Business, Innovation and Skills with reference to the answer of 21 July 2009, *Official Report*, column 1142W, on Government departments: accounts, what the nature was of the direction in relation to property and notified regularity and the Icelandic Water Trawlerman Scheme; and if he will place a copy of the letter of direction in the Library. [314827]

Mr. McFadden: The direction authorised the then permanent secretary of the then Department for Business, Enterprise and Regulatory Reform to make payments under the latest Icelandic Water Trawlermen scheme, which was subsequently launched in July 2009. I have placed a copy of the direction, which my right hon. and noble Friend the Secretary of State issued to the then permanent secretary on 6 January 2009, in the Libraries of the House.

Flexible Retirement

David Simpson: To ask the Minister of State, Department for Business, Innovation and Skills what estimate his Department has made of the number of people who wish to continue working beyond the existing retirement age. [313677]

Mr. McFadden: The age discrimination legislation that we brought into force in 2006 was a significant step in helping older people in the employment market. The age regulations provide for a default retirement age of 65. However, we recognise that many older workers would remain in work past their normal retirement age if given that opportunity and the regulations give them a statutory right to request this opportunity.

According to the seasonally adjusted Labour Force Survey (LFS) in September to November 2009 12.2 per cent. of people at or above state pension age were in employment and this figure has grown in recent years. Other figures showed that 12.5 per cent. of people of that age were economically active and so were in the labour force. Analysis of the July-September 2009 Labour Force Survey shows that 1.8 per cent. of those who are economically inactive and are above state pension age would like to work.

Further Education: Finance

Stephen Williams: To ask the Minister of State, Department for Business, Innovation and Skills if he will tabulate the adult learner responsive budget in respect of each further education college in England for the years (a) 2010-11, (b) 2009-10 and (c) 2008-09; and if he will make a statement. [315747]

Kevin Brennan: The Adult Learner Responsive (ALR) budget is one of the funding streams currently supporting learners aged 19 and above across a range of activities, subjects and levels.

For 2008-09, 2009-10 and 2010-11 financial years, the planned total ALR budgets (including employability programmes) were published in the Skills Investment Strategy 2010-11 (November 2009).

<i>Financial Year</i>	<i>Adult learner responsive budget (£ million)</i>
2008-09	1.66
2009-10	1.75
2010-11	1.78

Spreadsheets detailing allocations of all funding streams, including ALR, to all FE colleges and training organisations for the 2008-09 and 2009-10 academic years are provided on the Learning and Skills Council website under “Providers,” “Funding Policy”, and then “Allocations”:

www.lsc.gov.uk

The allocation of the ALR budget (excluding employability programmes) to individual FE colleges for the 2010-11 academic year is currently underway. Initial funding calculations were communicated in January 2010 and provide an indication of the likely level of funding, to inform discussions between Skills Funding Agency account managers and individual FE colleges. After a national moderation process, confirmed allocations will be issued by 31 March.

Google: Copyright

Mr. Drew: To ask the Minister of State, Department for Business, Innovation and Skills if he will hold discussions with his French counterpart on steps which can be taken in cases of alleged breaches of copyright by Google. [314823]

Mr. Lammy: I discuss copyright issues regularly with my colleagues in member states and further afield in various forums. However, it would not be appropriate for the Government to intervene or give opinion on specific allegations of copyright infringement, as such considerations are a matter for the courts.

Identity and Passport Service

Mr. Djanogly: To ask the Minister of State, Department for Business, Innovation and Skills whether Cabinet Committee MISC 33 has discussed the procurement of the front office identity services subject to the Identity and Passport Service tender notice 2009/S 247-354963. [315510]

Mr. McFadden: Information relating to the proceedings of Cabinet Committees, including when, how often and for how long they meet, is generally not disclosed.

Lord Mandelson

Mr. Hurd: To ask the Minister of State, Department for Business, Innovation and Skills on what date Lord Mandelson was appointed a Church Commissioner. [315233]

Mr. McFadden: Lord Mandelson was appointed a Church Commissioner on 5 June 2009, when he was appointed Lord President of the Council.

Photography: Government Assistance

Bob Spink: To ask the Minister of State, Department for Business, Innovation and Skills what steps his Department (*a*) has taken in the last 12 months and (*b*) plans to take in the next 12 months to assist the photography industry through the recession. [314494]

Mr. Simon [*holding answer 1 February 2010*]: I have been asked to reply.

Arts Council England supports photography through its regularly funded organisations and its lottery funded Grants for the Arts programme. In 2008-09 Arts Council England’s funding to photography regularly funded organisations was £5,426,330. In 2009-10 this increased to £5,591,311 and will increase again in 2010-11 to £5,746,570.

Additionally, in 2008-09 Arts Council England made 106 photography awards totalling £1,145,574 from the Grants for the Arts programme.

As a direct response to the impact of the recession on arts organisations, the Arts Council also set up the Sustain Programme. The Photographers’ Gallery was awarded £232,000 as part of this scheme.

Post Offices

Peter Luff: To ask the Minister of State, Department for Business, Innovation and Skills on what dates Cabinet Committee MISC 33 has met in the last 12 months; which additional Government services have been awarded to Post Office Limited as a result of that Committee’s activity; and if he will make a statement. [314578]

Mr. McFadden: Information relating to the proceedings of Cabinet Committees, including when, how often and for how long they meet, is generally not disclosed.

The Government have demonstrated their commitment to putting business through the Post Office. The decision to award the Post Office a new contract for the Post Office Card Account, the decision by the DVLA to award the Post Office the contract for biometric data capture for the 10-year renewal of driving licences, the decision by UK Borders Agency to allow biometric enrolment for ID cards for foreign nationals at the Post Office, and the recent joint BIS/Post Office/Local Government Association conference on encouraging local authorities to make greater use of Post Office services, all demonstrate this commitment.

Peter Luff: To ask the Minister of State, Department for Business, Innovation and Skills what recent guidance his Department has issued on the (*a*) requirement for Government departments to put out to public tender contracts that could be awarded to Post Office Limited and (*b*) grounds on which the award of such a contract is to be considered; and if he will make a statement. [314579]

Mr. McFadden: The Department is subject to the legislative and best practice frameworks applying to public sector procurement and would conduct any procurement activity accordingly.

No specific guidance has been issued to other Departments on tendering contracts that could be awarded to Post Office Ltd.

The grounds of award of any contract will differ on a case by case basis but would be governed by the need to meet our legal duties relating to competition and the requirement to deliver best value for money to the taxpayer.

Postal Services Sector Review

Mr. Jim Cunningham: To ask the Minister of State, Department for Business, Innovation and Skills what representations his Department has received on the Hooper report on the postal services sector. [314856]

Mr. McFadden: The Department met a range of stakeholders about the Hooper report. The general consensus of stakeholders was that Royal Mail must modernise if it is to secure its future and that the Hooper report's package of recommendations would secure the universal postal service.

The Government remain committed to the package of measures proposed by Hooper and we believe that this continues to offer the best prospect for achieving change and modernisation in Royal Mail.

Market conditions have made it impossible to conclude the process to identify a minority strategic partner for Royal Mail on terms that we could be confident would secure value for the taxpayer. When market conditions improve we will return to the issue, and we continue to monitor these conditions.

Royal Mail: Pensions

Mr. Jim Cunningham: To ask the Minister of State, Department for Business, Innovation and Skills what recent discussions his Department has had with the Communication Workers Union on Royal Mail's pensions deficit. [314855]

Mr. McFadden: The Department has meetings with representatives of the Communication Workers Union on a regular basis at which a range of issues are discussed, including Royal Mail pensions.

Students: Disabled

Mr. Harper: To ask the Minister of State, Department for Business, Innovation and Skills (1) how many individual applications for disabled students allowance have been made in the academic year 2009-10; and how many and what proportion of the received applications have (a) been processed and (b) resulted in an award being paid to the applicant on time; [307710]

(2) what estimate he has made of the number of applications for disabled students allowance made in the 2009-10 academic year which (a) had not been reviewed and (b) were still pending a decision about an award on 1 December 2009; [307711]

(3) pursuant to the answer to Lord Addington of 5 November 2009, *Official Report, House of Lords*, column 372, on disabled people: student loans, when he expects the Student Loans Company to complete its review into delays in providing financial support to

disabled students in the academic year 2009-10; and if he will place in the Library a copy of the completed review. [307714]

Mr. Lammy [*holding answer 15 December 2009*]: I am advised by the Student Loans Company that, as at 25 January 2010, 19,224 applications had been made for Disabled Students' Allowance (DSAs) for academic year 2009-10.

Of these: 1,361 (7 per cent.) were received in the last three weeks and SLC is working though them to carry out an initial assessment of evidence of the applicant's disability, mental health condition or specific learning difficulty, to confirm their eligibility for DSA support; 5,179 (27 per cent.) are awaiting the result of an assessment at a specialist independent assessment centre to determine the specific help the applicant needs to undertake their higher education course; for 1,662 cases (9 per cent.) SLC is considering completed needs assessment reports; in 4,297 (22 per cent.) cases further information has been requested from the applicant; 218 applications (1 per cent.) were ineligible; payments have been made on 5,642 applications (29 per cent.) and for the remaining 865 (4 per cent.), payment will be made to the student once the necessary equipment or support has been procured and an invoice sent to SLC.

The percentage figures have been rounded to the nearest 1 per cent.. The total may not add to 100 per cent. due to rounding.

I refer you to my written ministerial statement to the House on 8 December. The report and statement can be found at the following URL:

<http://www.bis.gov.uk/hopkin>

Thanet

Dr. Ladyman: To ask the Minister of State, Department for Business, Innovation and Skills if he will set out, with statistical information related as directly as possible to South Thanet constituency, the effects on South Thanet of the policies and actions of his Department and its predecessors since 2000. [315636]

Mr. McFadden: Since 2000, the policies and actions of the Department for Business, Innovation and Skills (and its predecessors) have focused on building a competitive economy and on delivering prosperity and sustainable economic growth. The implementation of BIS policy in Thanet, has been taken forward primarily by SEEDA and GOSE, working in partnership with the local authority and other relevant bodies.

There are no data on South Thanet as it is not a local authority and consists of a number of wards. Data for Thanet have been used to respond to this question.

Examples of how BIS policies and actions have impacted on Thanet include:

The stock of VAT registered businesses has increased from 2,420 businesses in 2000 to 2,835 businesses in 2007¹.

The proportion of business registrations (including VAT and PAYE) per 10,000 resident population aged 16 and above has increased from 40.6 in 2002 to 48.4 in 2008.²

The number of business creation has also increased from 415 new businesses registering for VAT and/or PAYE in 2002 to 425 in 2008.³

The percentage of small businesses showing growth in employment has increased from 10.27 per cent. in 2003 to 13.78 per cent. in 2008.⁴

Levels of skills have changed in Thanet since 2001⁵.

Performance at level 2 has increased from 57.5 per cent. to 58.7 per cent.

Performance at level 3 has decreased from 41.0 per cent. to 36.7 per cent.

Performance at level 4 has decreased from 23.0 per cent. to 19.2 per cent.

Specific data for South Thanet⁶.

Between 2000 and 2008 the number of businesses units in the constituency of South Thanet increased by 600, which represents a 25 per cent. increase in business stock. This compares to an increase of just 14 per cent. in the South East as a whole over the same period.

Between 2000 and 2008 employment (excluding self employment) within South Thanet increased by 5,180, or 20 per cent., while in the South East as a whole employment grew by just 3 per cent. in the same period.

For further information on South Thanet specifically, 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/>

¹ Extracted from NOMIS, source: BERR—VAT registrations/de-registrations by industry.

² Data produced by BIS and available on the BIS website:

http://stats.berr.gov.uk/ed/national_indicators/index.htm

³ As above.

⁴ As above.

⁵ APS—Annual Population Survey data. The data on skills levels is subject to large confidence intervals at district level and shows variation on a year to year basis.

⁶ Annual Business Inquiry 2008.

Unemployment: Leeds

Greg Mulholland: To ask the Minister of State, Department for Business, Innovation and Skills what estimate he has made of the proportion of unemployed graduates of universities in Leeds who have received assistance from the Flying Start initiative in the latest period for which figures are available. [315574]

Mr. Lammy: The Flying Start - Make it Happen (MIH) initiative launched in September 2009 and delivered by the National Council for Graduate Entrepreneurship has so far had registrations from 202 graduates from the University of Leeds and Leeds Metropolitan University. 137 of these graduates have attended Make it Happen events in the area and 55 of these have pledged to start the self-employment and business start-up follow-on programmes.

No estimate can be made on the proportion of unemployed graduates receiving assistance from the Initiative until July 2010 when the Destination of Leavers in Higher Education survey results are published.

TREASURY

Capital Gains Tax

Chloe Smith: To ask the Chancellor of the Exchequer what estimate he has made of the revenue gain to the Exchequer of raising the rate of capital gains tax (a) for individuals from 18 per cent. to an individual's marginal income tax rate and (b) to 40 per cent. for trusts (i) while retaining entrepreneurs' relief in its current form and reintroducing indexation for inflation from March 1998 and (ii) while retaining entrepreneur's relief in each fiscal year from 2010-11 to 2013-14; how the estimated revenue gain to the Exchequer is distributed between (A) financial assets, (B) agricultural land and buildings, (C) commercial and industrial land and buildings, (D) residential land and buildings and (E) other non-financial assets in each year; and how the estimated revenue gain to the Exchequer is distributed between different marginal tax rates in each of those years. [313012]

Mr. Timms [*holding answer 28 January 2010*]: No such estimate has been made.

Due to the difficulties of assessing the large behavioural responses, which would result from changes of this kind, a reliable estimate can be determined only at disproportionate cost.

Economic and Monetary Union

Mr. Hurd: To ask the Chancellor of the Exchequer on what date the Standing Committee on Preparations for the Euro last met. [315312]

Ian Pearson: The last meeting of the Standing Committee on Preparations for the Euro took place on 16 July 2004.

Government Departments: Aviation

Mr. Maude: To ask the Chancellor of the Exchequer with reference to the answer of 11 November 2009, *Official Report*, column 589W, on the Government Air Programme, what the provisional, estimated amount is that will be spent on domestic flights per year under the Framework Agreement; and how many flights that will entail. [312437]

Ian Pearson: I refer the right hon. Gentleman to the answer I gave him on 21 July 2009, *Official Report*, column 1346W.

Data on volumes and the performance of the Government Air Programme is not available until the end of the financial year 2009-10.

Income Tax

Hywel Williams: To ask the Chancellor of the Exchequer what estimate his Department has made of the additional amount of revenue that would be raised in 2010-11 if higher rate income tax pension relief was abolished. [315725]

Mr. Timms: Latest detailed estimates of the annual cost of tax relief in relation to registered pension schemes are available in Table 7.9 on HM Revenue and Customs' website at:

<http://www.hmrc.gov.uk/stats/pensions/menu.htm>

If relief on pension contributions were constrained to the basic rate of tax, the amount of this relief would fall by one third.

The estimates do not account for behavioural effects, which are likely to be large.

Lehman Brothers: Insolvency

Jim Cousins: To ask the Chancellor of the Exchequer whether (a) he, (b) his Department or (c) his Department's agencies have made representations to the US administration on the return to Lehman Brothers UK of its (i) funds and (ii) assets transferred to the US. [313909]

Mr. Timms: The administration of the Lehman Brothers group, including its UK and US subsidiaries, is a matter for the courts and the court-appointed administrators in the relevant jurisdictions. It would be inappropriate for the Government to intervene in independent, court-governed proceedings such as these. Where UK-based creditors have a claim against any part of the Lehman Brothers group, it is appropriate for them to present this claim to the administrators of the relevant entity in the appropriate jurisdiction.

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 were on the Rating List in each local authority area in 1997. [311744]

Ian Pearson: I refer the hon. Member to the answer given on 29 January 2010, *Official Report*, column 1146W.

PAYE

Mr. Liddell-Grainger: To ask the Chancellor of the Exchequer when he expects the National Insurance and pay-as-you-earn system to be completed; what the project's initial cost was; and what its final cost is expected to be. [315014]

Mr. Timms: The last major IT release for the National Insurance and PAYE Service (NPS) will take place on 6 April 2010.

The original business case for the programme responsible for the delivery of NPS was produced in January 2007. This estimated the programme's cost at £262 million over the period 2004 to 2014, delivering estimated efficiency savings of £399 million.

Since 2007 there have been significant changes in the scope and delivery timeline of the programme including major changes to meet the latest security requirements. The overall cost of the programme is currently estimated at £397 million, covering the period from the start of the programme in 2004 to 2015, delivering estimated efficiency savings of £546 million over the same period. The programme's cost and efficiency savings estimates will be updated once delivery is complete.

Revenue and Customs: Redundancy

Mr. Curry: To ask the Chancellor of the Exchequer what recent estimate he has made of the number of people likely to accept a voluntary redundancy package as part of HM Revenue and Customs' redundancy programme; and what estimate he has made of the likely average cost per individual entitlement. [314321]

Mr. Timms [*holding answer 29 January 2010*]: On 13 January 2010 HM Revenue and Customs (HMRC) announced the next stage of its Workforce Change programme, which has been running since 2006. The announcement confirmed that HMRC will be vacating 130 offices during the 2010-11 financial year.

The 1,700 surplus staff in these offices who have not yet found alternative posts are now eligible to be considered for voluntary redundancy on compulsory terms; the best terms available under the Civil Service Compensation Scheme. Individual financial entitlement is dependent upon pay, grade and time in service. Whether an individual decides to accept these terms is a personal decision for them to make; an average cannot be calculated until these decisions have been made.

HMRC remains committed to avoiding compulsory redundancies wherever possible and will make every effort to redeploy people who wish to remain in the Department.

Valuation Office: Contracts

Mr. Stewart Jackson: To ask the Chancellor of the Exchequer what suppliers provided goods and services to the Valuation Office Agency in 2008-09. [314960]

Ian Pearson: A list of suppliers who provided goods and services to the Valuation Office Agency in 2008-09 will be placed in the Library of the House.

COMMUNITIES AND LOCAL GOVERNMENT

Affordable Housing

Grant Shapps: To ask the Secretary of State for Communities and Local Government how many homes were purchased under the (a) HomeBuy Direct, (b) New Build HomeBuy, (c) Open Market HomeBuy, (d) First Time Buyer's Initiative and (e) Social HomeBuy in each region in each year since 2005. [315675]

John Healey: The following tables are a breakdown of purchases from 2005-06 to 2008-09.

	2005-06			
	New Build HomeBuy	Open Market HomeBuy	FTBI	SHB
Eastern	961	0	0	0
East	831	0	0	0
Midlands				
London	1,971	0	0	0
North East	139	0	0	0
North West	550	0	0	0
South East	2,327	0	0	0
South West	929	0	0	0

2005-06

	<i>New Build HomeBuy</i>	<i>Open Market HomeBuy</i>	<i>FTBI</i>	<i>SHB</i>
West Midlands	785	0	0	0
Yorkshire and the Humber	221	0	0	0
Total:	8,714	0	0	0

2006-07

	<i>New Build HomeBuy</i>	<i>Open Market HomeBuy</i>	<i>FTBI</i>	<i>SHB</i>
Eastern	1,211	277	0	—
East Midlands	810	52	0	3
London	3,549	988	10	24
North East	100	0	0	2
North West	724	65	0	4
South East	2,844	873	6	2
South West	825	84	0	
West Midlands	651	137	7	
Yorkshire and the Humber	303			
		31	0	12
Total	11,017	2,507	23	47

2007-08

	<i>New Build HomeBuy</i>	<i>Open Market Homebuy</i>	<i>FTBI</i>	<i>SHB</i>
Eastern	1,770	455	0	4
East Midlands	1,301	70	41	2
London	4,786	627	149	76
North East	106	12	52	7
North West	905	190	24	34
South East	2,963	935	242	20
South West	1,317	345	95	2
West Midlands	1,339	145	124	6
Yorkshire and the Humber	393	97	92	6
Total	14,880	2,876	819	157

2008-09

	<i>New Build HomeBuy</i>	<i>Open Market Homebuy</i>	<i>FTBI</i>	<i>SHB</i>
Eastern	1,106	1,011	29	2
East Midlands	982	250	138	—
London	3,755	1,424	225	38
North East	203	31	178	7
North West	762	256	13	23
South East	2,451	1,804	191	10
South West	1,177	719	190	—
West Midlands	971	426	88	12
Yorkshire and the Humber	413	295	19	1
Total	11,820	6,216	1,071	93

For New Build HomeBuy the table shows completions of homes built, as the FICA holds information on completions and not purchases. The first HomeBuy Direct sales were from April 2009.

Building Alterations: Castle Point

Bob Spink: To ask the Secretary of State for Communities and Local Government if he will take steps to ensure the appropriate expenditure by Castle Point local authority of funds for independent living adaptations and equipment; if he will visit Castle Point constituency for that purpose; and if he will make a statement. [315448]

Mr. Ian Austin: All local authorities, including Castle Point borough council, are required to complete an annual claim and monitoring form to the Department and maintain financial records which are subject to auditing requirements for disabled facilities grants. In fulfilling the audit requirements local authorities have to be able to document that they have spent the grant appropriately.

Building Alterations: Finance

Bob Spink: To ask the Secretary of State for Communities and Local Government what estimate he has made of the number of local authorities which exhausted their allocated funds for independent living adaptations and equipment within a 12 month period in each of the last five years. [315453]

Mr. Ian Austin: The information requested is not held centrally and could be provided only at disproportionate cost.

Buildings: Energy

Grant Shapps: To ask the Secretary of State for Communities and Local Government how many and what percentage of properties entered onto the non-domestic Energy Performance Certificate database to date have had an energy banding of G. [315677]

John Healey: Up to and including 2 February 2010 there have been 13,381 properties that have had Band G rated Energy Performance Certificate (EPC) lodged on the Non-Domestic EPC Register. This equates to 9.25 per cent. of the total non domestic EPCs lodged.

Council Tax: Students

Mr. Drew: To ask the Secretary of State for Communities and Local Government if he will bring forward proposals to ensure that students undertaking the National Day Nursery Association Early Years Professional Status full-time Pathway training course in partnership with the Open University are exempted from liability for council tax; and if he will make a statement. [314830]

Barbara Follett: Full-time students are exempted from council tax liability and are disregarded in the calculation of the liability of the council tax payers with whom they live. It is for the relevant billing authority to decide whether an individual qualifies for the disregard and exemption. The Government do not intend to make

special provisions for students undertaking the National Day Nursery Association Early Years Professional Status Full-time Pathway training course.

Departmental Consultants

Julia Goldsworthy: To ask the Secretary of State for Communities and Local Government 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. [313995]

Barbara Follett: Figures for (a) the amount the Department has spent on consultancy can be found in its published reports for the last three years here:

For 2006-07 spend (contained in chapter 10, table 4—page 115)

<http://www.communities.gov.uk/documents/corporate/pdf/2007-annual-report.pdf>

For 2007-08 spend (contained in chapter 10, table 5—page 141)

<http://www.communities.gov.uk/documents/corporate/pdf/05.pdf>

For 2008-09 spend (contained in chapter 10, table 13—page 165)

<http://www.communities.gov.uk/documents/corporate/pdf/1281142.pdf>

Figures for earlier years could be supplied only at disproportionate cost.

The amounts paid in (b) reimbursable expenses could be supplied only at disproportionate cost.

The Department's agencies report the following expenditure on consultants:

FY	Planning Inspectorate	QEH Conference Centre	Fire Service College	£
2008-09	1,173,485	206,432	821,774	
2007-08	1,351,804	123,196	942,487	
2006-07	1,604,378	173,549	1,444,602	
2005-06	3,272,864	184,245	1,293,929	
2004-05	2,824,952	97,782	1,224,406	
2003-04	2,892,751	190,116	235,523	
2002-03	3,774,926	38,499	75,616	
2001-02	3,463,951	144,245	121,786	
2000-01	1,453,263	81,448	77,696	

Reimbursable expenses and these could be identified only at disproportionate cost.

Departmental Public Expenditure

David Simpson: To ask the Secretary of State for Communities and Local Government how much his

Department spent on (a) new furnishings, (b) works of art and (c) new vehicles in each of the last three years. [312423]

Barbara Follett: The Department has spent the following on new furnishings:

	£
2007-08	461,611
2008-09	504,003
2009-10	1,487,482

This is part of Open Space Works and Spaceflex projects which moves Communities and Local Government staff from two buildings into one, enabling savings of £4.5 million per annum on reduced operating costs.

The Department for Communities and local Government has not incurred expenditure on works of art in the last three years. Works of art displayed in Eland House are on loan from the Government Art Collection (GAC), which publishes an annual list of acquisitions.

The Department has not purchased any new vehicles in the last three years.

Empty Property

Mrs. Spelman: To ask the Secretary of State for Communities and Local Government which 20 local authorities have the highest level of (a) long-term empty social housing and (b) long-term empty private housing. [306408]

Mr. Ian Austin: The term social housing has been interpreted as social rented dwellings let by local authorities or registered social landlords. The term "long-term empty" has been interpreted as dwellings that have been vacant for more than six months.

Figures for the 20 local authorities with the highest proportion of social rented dwellings which are long-term vacant are shown in the following tables.

Estimates of the proportion of private dwellings which are long term vacant are not available. Figures for the 20 local authorities with the highest proportion of dwellings across all tenures which are long term vacant are shown in the tables. The reasons for homes becoming and remaining vacant are varied ranging from an over supply of accommodation, the redevelopment of an area to the standard of accommodation and in some circumstances individual failure to maintain a property in good repair. Numbers of empty properties within local authorities should not therefore be seen as a reflection of the approach adopted by local authorities to tackle these issues.

Local authorities with the highest percentage of long-term empty social sector dwellings

Local authority	Social dwelling stock	Social long-term vacants	Social long-term vacants as percentage of social dwelling stock
Middlesbrough UA	15,528	704	4.5
Walsall	26,634	831	3.1
Oldham	20,044	572	2.9
Redcar and Cleveland UA	12,390	332	2.7
Sunderland	34,048	892	2.6
Knowsley	18,198	448	2.5

Local authorities with the highest percentage of long-term empty social sector dwellings

<i>Local authority</i>	<i>Social dwelling stock</i>	<i>Social long-term vacants</i>	<i>Social long-term vacants as percentage of social dwelling stock</i>
Havering	12,901	304	2.4
Kingston upon Hull UA	34,475	780	2.3
Liverpool	55,197	1,192	2.2
Hackney	41,767	878	2.1
Newham	29,311	605	2.1
Hyndburn	4,825	99	2.1
Copeland	6,435	122	1.9
Mansfield	8,750	163	1.9
Teesdale	688	12	1.7
Newcastle upon Tyne	36,697	596	1.6
Bradford	31,896	497	1.6
North East Lincolnshire UA	10,271	158	1.5
Hartlepool UA	9,681	147	1.5
Cheltenham	6,746	102	1.5

Local authorities with the highest percentage of long-term empty dwellings

<i>Local authority</i>	<i>Total dwelling stock</i>	<i>Total long term vacants</i>	<i>Total long term vacants as percentage of total dwelling stock</i>
Pendle	39,614	2,196	5.5
Manchester	213,965	10,972	5.1
Salford	104,325	3,960	3.8
Teesdale	11,797	446	3.8
Durham City	38,961	1,461	3.7
Liverpool	212,359	7,571	3.6
Burnley	40,585	1,427	3.5
Bradford	204,893	7,068	3.4
Hyndburn	36,319	1,246	3.4
Wear Valley	30,346	990	3.3
Calderdale	91,719	2,986	3.3
Barrow-in-Furness	33,130	933	2.8
Blackburn with Darwen UA	59,495	1,657	2.8
Berwick-upon-Tweed	14,171	391	2.8
Bolton	119,254	3,289	2.8
Oldham	92,639	2,440	2.6
Derwentside	41,516	1,086	2.6
Macclesfield	70,509	1,844	2.6
Hackney	96,596	2,467	2.6
West Lindsey	39,521	1,001	2.5

Sources:

Total vacants: Council Taxbase and Council Taxbase Supplementary (CTB1 and CTB1S) returns from local authorities for October 2008.

Local authority: Housing Strategy Statistical Appendix (HSSA) and Business Plan Statistical Appendix (BPSA) submitted to Communities and Local Government by local authorities for 1 April 2008.

RSL: Regulatory Statistical Return (RSR) as reported to the Housing Corporation by registered social landlords for 31 March 2008.

Housing: Prices

Grant Shapps: To ask the Secretary of State for Communities and Local Government what the ratio of lower quintile house prices to lower quintile earnings was in 2009. [315679]

Mr. Ian Austin: The ratio of lower quintile house prices to lower quintile earnings in England in 2009 was 6.18, its lowest level in five years.

Source:

Land Registry and the Annual Survey of Hours and Earnings (ONS)

Local Strategic Partnerships: Members

Jacqui Smith: To ask the Secretary of State for Communities and Local Government on how many

boards of local strategic partnerships hon. Members are represented. [314154]

Barbara Follett: Local Strategic Partnerships (LSPs) are groups of local organisations and their representatives which come together voluntarily to work in partnership for the benefit of the communities they serve.

A Survey of Local Strategic Partnerships conducted in 2008 reported that 50 per cent. are chaired by either the council leader or executive mayor and a further 6 per cent. by a councillor who is a member of a local authority executive (cabinet).

Local authority executive councillors were reported as being members on 94 per cent. of LSPs and non-executive councillors on 43 per cent. The survey also reported that 10 per cent. of LSPs included Members of Parliament or Members of the European Parliament.

Mortgages: Government Assistance

Grant Shapps: To ask the Secretary of State for Communities and Local Government how much has been spent by his Department on the Mortgage Rescue Scheme at the latest date for which figures are available. [315676]

John Healey: The Homes and Communities Agency will report spend through the Mortgage Rescue scheme in the normal way in their annual report for 2009-10.

Non-domestic Rates: Garages and Petrol Stations

Sir Paul Beresford: To ask the Secretary of State for Communities and Local Government how many properties there were to which rateable values for petrol retail outlets applied in (a) in 1990, (b) 2000 and (c) 2008. [311054]

Barbara Follett: There were 9,860 petrol filling stations in the rating lists for England as at 1 April 2000 and 6,040 in the rating lists as at 1 April 2008. Figures for 1990 are unavailable. These figures include all property recorded as petrol filling stations using VOA Special Category (SCAT) Code 209. It is not possible to identify and include in the figures supermarkets and other properties retailing petrol. These are recorded under other SCAT codes. All figures have been rounded to the nearest 10.

The data for 1 April 2000 has been taken from the Valuation Office Agency operational database.

Mr. Dunne: To ask the Secretary of State for Communities and Local Government what assessment his Department has made of the economic effects of the 2010 business rates revaluation on the network of independent petrol filling stations. [314042]

Barbara Follett: As no decisions were required to proceed with revaluation 2010, no formal impact assessment has been prepared on its impact upon any specific sector. However, an impact assessment on the transitional arrangements for revaluation 2010 was published in July 2009.

In addition, ratepayers have received summary valuation information about their properties from the Valuation Office Agency. From 1 October 2009, ratepayers have been able to put their new rateable values into the business rates calculator on the Business Link website to see the impact of the revaluation for their property.

The five-yearly business rates revaluations make sure each business pays its fair contribution and the 2010 revaluation will not raise a single extra penny for Government. Over a million properties will see their business rate liabilities come down as a result of revaluation.

In the last five years, alongside rising petrol prices and increasing turnover, the rents paid on many petrol filling stations has grown. It is only fair to all ratepayers this is reflected in rate bills. The Government have put in place a £2 billion relief scheme to limit the impact on business properties facing increases.

Mr. Dunne: To ask the Secretary of State for Communities and Local Government if he will make his policy to postpone the implementation of the 2010 business rates revaluation for petrol filling stations. [314068]

Barbara Follett [holding answer 28 January 2010]: We have no plans to postpone the revaluation for petrol filling stations or any other class of property. The five-yearly business rates revaluations make sure each business pays its fair contribution and no more and will not raise a single extra penny for Government. Over a million properties will see their business rate liabilities come down as a result of revaluation.

In the last five years, alongside rising petrol prices and increasing turnover, the rents paid on many petrol filling stations has grown. It is only fair to all ratepayers this is reflected in rate bills. The Government have put in place a £2 billion relief scheme to limit the impact on the minority with bill increases, which in 2010-11 will ensure no business property sees its rates bill increase by more than 11 per cent. as a result of the revaluation, with maximum increases capped at just 3.5 per cent. for small properties. That is on top of the wider support available to help ease business pressures including discounted rate bills for small businesses and deferring tax payments.

Planning Permission

James Duddridge: To ask the Secretary of State for Communities and Local Government pursuant to the answer of 1 February 2010 to Question 314719, how long elapsed between issuing an Article 14 Direction and announcing his decision on whether or not to call in the application on each occasion where he has issued an Article 14 Direction (a) in each of the last five years, (b) in respect of airport-related cases and (c) in cases subsequently called in. [315746]

John Healey: As set out in my answer of 1 February, *Official Report*, columns 11-12W a total of 878 Article 14 Directions were issued over the period from 1 January 2005 to 31 January 2010. Listing the time period for each application between issuing the Article 14 Direction and the decision on call-in can be provided only at disproportionate cost.

The following tables summarise the information requested regarding the 4 airport-related cases and the 128 cases subsequently called-in:

	<i>Airport cases¹</i>		
	<i>Shortest time taken between issuing Article 14 Direction and call- in (calendar days)</i>	<i>Longest time taken between issuing Article 14 Direction and call- in (calendar days)</i>	<i>Average time taken between issuing Article 14 Direction and call- in (calendar days)</i>
2005	2—	—	—
2006	—	—	—
2007	28	28	28
2008	28	28	28
2009 ³	32	32	32

¹ Excluding one case for which an Article 14 Direction has been issued but no decision has yet been taken on call-in.

² No cases

³ To 31 January 2010

All cases which were subsequently called in

	<i>Shortest time taken between issuing Article 14 Direction and call-in (calendar days)</i>	<i>Longest time taken between issuing Article 14 Direction and call-in (calendar days)</i>	<i>Average time taken between issuing Article 14 Direction and call-in (calendar days)</i>
2005	10	334	83
2006	2	147	51
2007	3	113	43
2008	3	73	41
2009 ²	1	133	38

1 Same day

2 To 31 January 2010

Property Development

Tim Farron: To ask the Secretary of State for Communities and Local Government what estimate he has made of the number of permits that have been issued for building development on agricultural land in each of the last five years. [315583]

Mr. Ian Austin: Information on the number of permits issued for building development on agricultural land is not held centrally.

Sustainable Communities Act 2007

Mr. Laws: To ask the Secretary of State for Communities and Local Government when he will make a final decision on the 199 proposals shortlisted by the Local Government Association under the Sustainable Communities Act 2007 sent to him on 22 December 2009. [314186]

Barbara Follett: The Government are consulting the Local Government Association in its role as selector under the Sustainable Communities Act 2007 and are seeking to reach agreement on which of the 199 short-listed proposals should be implemented. Many of the proposals are complex and raise significant practical issues but the Government are anxious to make progress as quickly as possible on those proposals that offer practical benefits and new ways of meeting local needs.

Working Neighbourhoods Fund: Birmingham

Richard Burden: To ask the Secretary of State for Communities and Local Government what progress he has made in his assessment of the effectiveness of the use of the Working Neighbourhoods Fund in Birmingham. [314299]

Ms Rosie Winterton: My right hon. Friend the Secretary of State has received a report from the regional director of the Government office for the west midlands, outlining the ways in which Birmingham intend to improve their delivery of the Working Neighbourhoods Fund (WNF) programme.

Improvements are being made but we still have concerns over the pace of the delivery of WNF programmes. The Secretary of State has written to the chair of Birmingham's LSP saying that issues that are impeding the delivery of WNF projects need to be addressed as a matter of urgency. We are determined that that the people of Birmingham should not be penalised for slow action by their local authority.

A further report on Birmingham and WNF will be provided to the Secretary of State in March.

FOREIGN AND COMMONWEALTH OFFICE

Iraq

David Howarth: To ask the Secretary of State for Foreign and Commonwealth Affairs what reports his predecessor received on resolutions proposed in the Italian Senate in (a) 2002 and (b) 2003 recommending the exile from Iraq of Saddam Hussain; what steps his Department took in consequence; and if he will make a statement. [314891]

Chris Bryant [*holding answer 2 February 2010*]: We have no record of my right hon. Friend Jack Straw having received specific reports on Resolutions by the Italian Senate concerning the possible exile of Saddam Hussein. This is however likely to have been part of the routine political reporting from our embassy in Rome. Chapter VII of the Charter of the UN provides that the Security Council shall decide what measures are to be taken to maintain or restore international peace and security.

Pitcairn Islands

Mr. Watson: To ask the Secretary of State for Foreign and Commonwealth Affairs on how many occasions he has visited the Pitcairn Islands on official business in the last five years. [315452]

Chris Bryant: No Minister has visited in the last five years.

ORAL ANSWERS

Thursday 4 February 2010

	<i>Col. No.</i>		<i>Col. No.</i>
ENVIRONMENT, FOOD AND RURAL AFFAIRS	431	ENVIRONMENT, FOOD AND RURAL AFFAIRS—	
Anaerobic Digestion	445	<i>continued</i>	
Bovine Tuberculosis	434	Landfill	437
Common Fisheries Policy	439	Private Drains and Sewers.....	441
Dangerous Dogs	445	Recycling (Local Authorities).....	440
Endangered Species	437	River Pollution (House Building).....	443
Endangered Species	446	Sea Defences (East Anglia)	442
Food Labelling.....	431	Sustainable Fisheries.....	444
International Whaling Commission	433	Topical Questions	447
		Water Abstraction Licensing.....	444

WRITTEN MINISTERIAL STATEMENTS

Thursday 4 February 2010

	<i>Col. No.</i>		<i>Col. No.</i>
CABINET OFFICE	21WS	HEALTH—continued	
Public Bodies 2009	21WS	Out-of-Hours Primary Care Services (Report).....	24WS
ENERGY AND CLIMATE CHANGE	22WS	Out-of-Hours Primary Care Services (Response)...	24WS
Offshore Oil and Gas Licensing Round.....	22WS	INTERNATIONAL DEVELOPMENT	27WS
ENVIRONMENT, FOOD AND RURAL AFFAIRS	23WS	Haiti.....	27WS
Commons Act (Part 1).....	23WS	TRANSPORT	29WS
HEALTH	24WS	Private Hire Vehicle Contract Exemption	29WS
National Pandemic Flu Service	25WS	TREASURY	21WS
		Terrorist Asset Freezing	21WS

WRITTEN ANSWERS

Thursday 4 February 2010

	<i>Col. No.</i>		<i>Col. No.</i>
BUSINESS, INNOVATION AND SKILLS	508W	CHILDREN, SCHOOLS AND FAMILIES	468W
Adult Education	508W	Class Sizes.....	468W
Blaydon.....	509W	GCSE	469W
Counterfeit Manufacturing: International		GCSE: South West.....	469W
Cooperation.....	510W	Head Teachers: Milton Keynes	469W
Departmental Billing	511W	Head Teachers: Suffolk	470W
Departmental Visits Abroad	512W	Streatham.....	471W
Educational Institutions.....	512W	Stroud	471W
Fertility: Freedom of Information	513W	Students: Finance	472W
Fisheries: Compensation.....	514W	Teachers: North East	473W
Flexible Retirement	514W	Teachers: South West	474W
Further Education: Finance.....	514W	Teachers: Training.....	479W
Google: Copyright	515W	United Church Schools Trust: Finance	479W
Identity and Passport Service.....	515W	Vocational Education: South West.....	480W
Lord Mandelson	515W	COMMUNITIES AND LOCAL GOVERNMENT ..	522W
Photography: Government Assistance	516W	Affordable Housing.....	522W
Post Offices	516W	Building Alterations: Castle Point.....	524W
Postal Services Sector Review	517W	Building Alterations: Finance	524W
Royal Mail: Pensions.....	517W	Buildings: Energy.....	524W
Students: Disabled	517W	Council Tax: Students.....	524W
Thanet	518W	Departmental Consultants.....	525W
Unemployment: Leeds	519W	Departmental Public Expenditure.....	525W
CABINET OFFICE	503W	Empty Property	526W
10 Downing Street: Repairs and Maintenance	503W	Housing: Prices	527W
Charities	503W	Local Strategic Partnerships: Members.....	527W
Civil Servants: Manpower.....	504W	Mortgages: Government Assistance.....	529W
Departmental Internet	507W	Non-domestic Rates: Garages and Petrol Stations ..	529W
Departmental Official Hospitality.....	508W	Planning Permission	530W
Newspaper Licensing Agency	508W	Property Development	531W

	<i>Col. No.</i>		<i>Col. No.</i>
COMMUNITIES AND LOCAL GOVERNMENT—		HEALTH—<i>continued</i>	
<i>continued</i>		Local Government: Data	486W
Sustainable Communities Act 2007	531W	Nurses: Schools.....	487W
Working Neighbourhoods Fund: Birmingham	531W		
CULTURE, MEDIA AND SPORT	441W	HOME DEPARTMENT.....	461W
Arts Council England: Correspondence.....	441W	Departmental Disclosure of Information.....	461W
Arts Council: Public Relations	442W		
Arts: Economic Situation.....	442W	JUSTICE.....	487W
Arts: Redundancy	442W	Burglary: Sentencing.....	487W
Arts: Young People	443W	Crime: Convictions	488W
Libraries	443W	Debt Collection: Powers of Entry	489W
Museums and Galleries: Domestic Visits	444W	Departmental Billing	489W
Passports.....	444W	Departmental Freedom of Information	490W
Public Libraries.....	444W	Drugs: Fines	490W
Royal Parks: Parking.....	445W	Drugs: Rehabilitation.....	493W
Television: Licensing	445W	Elections	497W
		Electoral Register.....	497W
DEFENCE.....	463W	Firearms: Convictions.....	498W
Armed Forces: Health Services	463W	Hunting Act 2004: Prosecutions.....	499W
Armed Forces: Housing	463W	Interpleader Actions	500W
Armed Forces: Mental Health Services	464W	Kingston Prison.....	500W
AWE Management: Government Shareholding	465W	Knives and Firearms: Sentencing.....	501W
Ex-servicemen: Care Homes	465W	Offenders	501W
Military Bases: Security	465W	Parole.....	501W
Nuclear Submarines: Decommissioning.....	466W	Public Holidays.....	502W
Stress.....	466W	Tobacco: Sentencing	502W
Warships: Decommissioning	466W	Victim Support Schemes	503W
ELECTORAL COMMISSION COMMITTEE.....	441W	PRIME MINISTER	468W
Electoral Commission: Public Relations.....	441W	Departmental Responsibilities: Females	468W
ENERGY AND CLIMATE CHANGE	446W	TRANSPORT	454W
Fuel Oil: Safety	446W	Aviation: Security.....	454W
Fuel Poverty: Stroud	446W	Civil Servants: Pay	454W
		Dartford-Thurrock Crossing.....	455W
ENVIRONMENT, FOOD AND RURAL		Departmental Drinking Water	455W
AFFAIRS.....	448W	Departmental Written Questions	455W
Biodiversity.....	448W	Government Car and Despatch Agency: Finance ..	455W
Chorley	449W	Heathrow Airport	456W
Departmental Advertising.....	449W	Kemble-Swindon Railway Line.....	456W
Departmental Compensation	450W	Motor Vehicles: Excise Duties.....	457W
Departmental Empty Property.....	450W	Park and Ride Schemes.....	458W
Departmental Mobile Phones	451W	Railway Signals	458W
Departmental Public Consultation.....	451W	Roads: Construction	459W
Detergents: Phosphorus	451W	Roads: East Riding	459W
Farms.....	451W	Roads: Gloucestershire	459W
International Whaling Commission	448W	Roads: Snow and Ice.....	459W
Local Government Finance	452W	Thameslink	460W
Nature Conservation: Crime.....	452W	Transport: East of England	460W
North East Sustainable Resources Board	452W		
Streatham.....	453W	TREASURY	520W
Sustainable Fisheries.....	448W	Capital Gains Tax	520W
Wood: NDPBs	454W	Economic and Monetary Union	520W
		Government Departments: Aviation	520W
FOREIGN AND COMMONWEALTH OFFICE.....	532W	Income Tax	520W
Iraq.....	532W	Lehman Brothers: Insolvency	521W
Pitcairn Islands	532W	Non-domestic Rates: Aerials.....	521W
		PAYE	521W
HEALTH.....	481W	Revenue and Customs: Redundancy	522W
Alcoholic Drinks: Misuse.....	481W	Valuation Office: Contracts.....	522W
Blaydon.....	481W		
Capacitybuilders: Finance.....	483W	WORK AND PENSIONS	446W
Cleethorpes	483W	Crisis Loans	446W
Health.....	485W	Departmental Buildings.....	447W
Hospitals: Admissions	485W	Post Office Card Account	447W
		Social Security Benefits: Ex-servicemen	447W
		State Retirement Pensions.....	447W
		Winter Fuel Payments.....	448W

Members who wish to have the Daily Report of the Debates forwarded to them should give notice at the Vote Office.

The Bound Volumes will also be sent to Members who similarly express their desire to have them.

No proofs of the Daily Reports can be supplied, nor can corrections be made in the Weekly Edition. Corrections which Members suggest for the Bound Volume should be clearly marked in the Daily Report, but not telephoned, and *the copy containing the Corrections must be received at the Editor's Room, House of Commons,*

**not later than
Thursday 11 February 2010**

STRICT ADHERENCE TO THIS ARRANGEMENT GREATLY FACILITATES THE
PROMPT PUBLICATION OF THE VOLUMES

Members may obtain excerpts of their Speeches from the Official Report (within one month from the date of publication), on application to the Stationery Office, c/o the Editor of the Official Report, House of Commons, from whom the terms and conditions of reprinting may be ascertained. Application forms are available at the Vote Office.

PRICES AND SUBSCRIPTION RATES

DAILY PARTS

Single copies:

Commons, £5; Lords, £3.50.

Annual subscriptions:

Commons, £865; Lords, £525.

WEEKLY HANSARD

Single copies:

Commons, £12; Lords, £6.

Annual subscriptions:

Commons, £440. Lords, £225.

Index:

Annual subscriptions:

Commons, £125; Lords, £65.

LORDS VOLUME INDEX obtainable on standing order only. Details available on request.

BOUND VOLUMES OF DEBATES are issued periodically during the session.

Single copies:

Commons, £105; Lords, £40.

Standing orders will be accepted.

THE INDEX to each Bound Volume of House of Commons Debates is published separately at £9.00 and can be supplied to standing order.

WEEKLY INFORMATION BULLETIN compiled by the House of Commons, giving details of past and forthcoming business, the work of Committees and general information on legislation, etc. The Annual Subscription includes also automatic despatch of the *Sessional Information Digest*.

Single copies:

£1.50.

Annual subscriptions:

£53.50.

All prices are inclusive of postage

CONTENTS

Thursday 4 February 2010

Oral Answers to Questions [Col. 431] [see index inside back page]
Secretary of State for Environment, Food and Rural Affairs

Parliamentary Scrutiny of EU Business [Col. 455]
Answer to urgent question—(Sarah McCarthy-Fry)

Business of the House [Col. 462]
Statement—(Ms Harman)

Crime and Security Bill (Ways and Means) [Col. 480]
Motion—(Claire Ward)—agreed to

Corporation Tax Bill [Col. 491]
Read the Third time and passed

Taxation (International and Other Provisions) Bill [Col. 500]
Read the Third time and passed

East Coast Main Line [Col. 504]
Debate on motion for Adjournment

Westminster Hall
Human Rights [Col. 149WH]
Debate on motion for Adjournment

Written Ministerial Statements [Col. 21WS]

Written Answers to Questions [Col. 441W] [see index inside back page]
