



House of Commons  
Wednesday 27 January 2010  
**Votes and Proceedings**

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The House met at 11.30 am.

PRAYERS.

1 Private Bill [*Lords*]: London Local Authorities Bill [*Lords*]: Second Reading

Motion made, That the London Local Authorities Bill [*Lords*] be read a second time.

Objection taken (Standing Order No. 20(2)).

Bill to be read a second time on Wednesday 3 February.

2 Questions to (1) the Minister for the Cabinet Office

(2) the Prime Minister

3 School Admissions Bill: Presentation (Standing Order No. 57)

Mr Paul Burstow, supported by Tom Brake, presented a Bill to enable admission authorities to have regard for local authority boundaries and other defined localities when allocating school places; to provide for the appointment of an independent lay majority on local school admission forums; and for connected purposes.

Bill read the first time; to be read a second time on Friday 12 March, and to be printed (Bill 57).

4 Young People Leaving Care (Accommodation): Motion for leave to introduce a Bill (Standing Order No. 23)

*Ordered*, That leave be given to introduce a Bill to make provision for minimum standards in respect of accommodation for young people leaving care; to impose a duty on local authorities to ensure that such standards are met; and for connected purposes;

That Helen Southworth, Derek Twigg, David Cairns, Ms Karen Buck, Ann Coffey, Mr Kevin Barron, Mrs Janet Dean, Christine Russell, Mr Mike Hall, Mr Russell Brown and Annette Brooke present the Bill.

Helen Southworth accordingly presented the Bill.

Bill read the first time; to be read a second time on Friday 12 March, and to be printed (Bill 56).

5 Opposition Day: Leader of the Opposition (3rd allotted day (Standing Order No. 14))

(1) Dementia Services and Care of the Elderly

Motion made and Question proposed, That this House wishes to see the quality of life improve for the 700,000 people in the UK with dementia; pays tribute to their families and carers and all those who campaign and fundraise for dementia charities; is concerned about the findings published in the National Audit Office report on Improving dementia services in England, HC 82, that showed the Government had failed to implement robustly the Dementia Strategy; calls on the Government to publish the report of the Nutrition Action Plan Delivery Board, which was submitted in July 2009, and in particular to respond to the inappropriate tube feeding of those in dementia care; deplors the inappropriate use of anti-psychotic drugs in the

care of those with dementia; is concerned that 50,000 elderly people are forced to sell their home every year to pay for their long-term care; is concerned that the effect of the Personal Care at Home Bill will not help those with dementia in residential care; calls on the Government to prioritise research to combat dementia; proposes that the National Institute for Health and Clinical Excellence assess the wider societal value of treatments in its appraisals; and further calls on the Government to adopt a social care insurance model for residential care costs and to recognise dementia within a wider reform of social care.—(*Mr Stephen O'Brien.*)

Amendment moved, in line 3, to leave out from 'charities' to the end of the Question and add 'welcomes the Dementia Strategy launched in 2009 which contains a programme of work to transform services for those with dementia over five years and is backed by funding of £150 million over two years; notes that the Government will shortly publish the report of the Nutrition Action Plan Delivery Board; rejects the use of tube feeding on any grounds other than clinical need; welcomes the independent clinical review of anti-psychotic drugs which contains recommendations for the reduction in the use of these drugs for people with dementia; further welcomes the appointment of a National Clinical Director for dementia to promote better care and provide leadership for the implementation of the strategy; welcomes the creation of a Ministerial group to develop dementia research; recognises that the enactment of the Personal Care at Home Bill will help some 400,000 people with the highest need; supports the Government's proposals to create the National Care Service, the first national, universal, entitlement-based system for care and support in England; and acknowledges that the Government's Dignity in Care campaign is working to engage local people in a social movement and to put dignity of those in care at the heart of services.'—(*Secretary Andy Burnham.*)

Mr Stephen O'Brien claimed to move the closure (Standing Order No. 36).

Question put, That the Question be now put.

Question agreed to.

Question put, That the original words stand part of the Question (Standing Order No. 31(2)).

The House divided.

Division No. 63.

Ayes: 162 (Tellers: Mr Stephen Crabb, Bill Wiggin).

Noes: 275 (Tellers: Mark Tami, Mr Bob Blizzard).

Question accordingly negatived.

Question, That the proposed words be there added, put forthwith (Standing Order No. 31).

Question agreed to.

Main Question, as amended, put and agreed to.

*Resolved*, That this House wishes to see the quality of life improve for the 700,000 people in the UK with dementia; pays tribute to their families and carers and all those who campaign and fundraise for dementia charities; welcomes the Dementia Strategy launched in 2009 which contains a programme of work to transform services for those with dementia over five years and is backed by funding of £150 million over two years; notes that the Government will shortly publish the report of the Nutrition Action Plan Delivery Board; rejects the use of tube feeding on any grounds other than clinical need; welcomes the independent clinical review of anti-psychotic drugs which contains recommendations for the reduction in the use of these drugs for people with dementia; further welcomes the appointment of a National Clinical Director for dementia to promote better care and provide leadership for the implementation of the strategy; welcomes the creation of a Ministerial group to develop dementia research; recognises that the enactment of the Personal Care at Home Bill will help some 400,000 people with the highest need; supports the Government's proposals to create the National Care Service, the first national, universal, entitlement-based system for care and support in England; and acknowledges that the Government's Dignity in Care campaign is working to engage local people in a social movement and to put dignity of those in care at the heart of services.

(2) Out-Of-Hours NHS Services and Urgent Care

Motion made and Question proposed, That this House supports family doctors as the bedrock of healthcare services in the NHS; recognises the need for high-quality out-of-hours care; believes in simpler, reliable access to urgent care and primary care on a 24 hours a day, seven days a week basis; regrets that the Government's 2004 GP contract has not achieved this and has in many places divorced GPs from the service provided to their patients; is concerned that services are variable and the burden on accident and emergency services has increased as a result; is deeply concerned by failures in the out-of-hours system; calls on the Government to allow GPs to take responsibility for commissioning of both out-of-hours care and urgent care services; and further calls on the Government to publish its report on out-of-hours services which has been submitted to the Department of Health.—(*Mark Simmonds.*)

Amendment moved, in line 2, to leave out from 'NHS' to the end of the Question and add 'welcomes the improvements in out-of-hours and urgent care services over the last 12 years; notes that the Carson report in 2000 identified the need for the reform of out-of-hours care which was carried out in 2004; further notes that by the start of 2004 only five per cent. of patients saw their own GP out of hours; acknowledges that GP organisations say that they do not want a return to the system which existed in 1997; understands the continuing need to improve the quality of out-of-hours care; notes that the Government commissioned the first national out-of-hours benchmark to help primary care trusts and providers improve the quality and productivity of out-of-hours services and to reduce local variation; recognises the improvement in healthcare after the introduction of the GP contract in 2004, which has significantly extended weekend and evening opening of surgeries for routine, bookable appointments; recognises that over 77 per cent. of GP practices now offer extended opening hours and that every primary care trust is developing a new GP-led health centre, open from 8 am until 8 pm, seven days a week, 365 days a year; and welcomes plans for people who need urgent care to be able to dial 111 for advice 24 hours a day, seven days a week.'—(*Mr Mike O'Brien.*)

Question put, That the original words stand part of the Question (Standing Order No. 31(2)).

The House divided.

Division No. 64.

Ayes: 176 (Tellers: Mr Stephen Crabb, Bill Wiggin).

Noes: 267 (Tellers: Steve McCabe, Mrs Sharon Hodgson).

Question accordingly negatived.

Question, That the proposed words be there added, put forthwith (Standing Order No. 31).

Question agreed to.

Main Question, as amended, put and agreed to.

*Resolved*, That this House supports family doctors as the bedrock of healthcare services in the NHS; welcomes the improvements in out-of-hours and urgent care services over the last 12 years; notes that the Carson report in 2000 identified the need for the reform of out-of-hours care which was carried out in 2004; further notes that by the start of 2004 only five per cent. of patients saw their own GP out of hours; acknowledges that GP organisations say that they do not want a return to the system which existed in 1997; understands the continuing need to improve the quality of out-of-hours care; notes that the Government commissioned the first national out-of-hours benchmark to help primary care trusts and providers improve the quality and productivity of out-of-hours services and to reduce local variation; recognises the improvement in healthcare after the introduction of the GP contract in 2004, which has significantly extended weekend and evening opening of surgeries for routine, bookable appointments; recognises that over 77 per cent. of GP practices now offer extended opening hours and that every primary care trust is developing a new GP-led health centre, open from 8 am until 8 pm, seven days a week, 365 days a year; and welcomes plans for people who need urgent care to be able to dial 111 for advice 24 hours a day, seven days a week.

## 6 Statutory Instruments: Motions for Approval

(1) Motion made and Question put forthwith (Standing Order No. 118(6)), That the draft Motor Vehicles (International Circulation) (Amendment) Order 2010, which was laid before this House on 5 January, be approved.—(*Helen Jones.*)

Question agreed to.

(2) Motion made and Question put forthwith (Standing Order No. 118(6)), That the draft Overhead Lines (Exempt Installations) Order 2010, which was laid before this House on 6 January, be approved.—(*Helen Jones.*)

Question agreed to.

## 7 EU Enlargement Strategy

Motion made and Question put forthwith (Standing Order No. 119(11)), That this House takes note of European Union Document No. 14513/09, Commission Communication on Enlargement Strategy and Main Challenges 2009–10; and supports the Government's policy that Turkey, Croatia, Iceland and all the countries of the Western Balkans should be able to join the EU when they meet the criteria.—(*Helen Jones.*)

The Deputy Speaker's opinion as to the decision of the Question was challenged.

Division deferred until Wednesday 3 February (Standing Order No. 41A).

## 8 Business of the House

Motion made, That, at the sitting on Thursday 28 January, notwithstanding Standing Order No. 20 (Time for taking private business) the Private Business set down by the Chairman of Ways and Means may be entered upon at any hour, and may then be proceeded with, though opposed, for three hours, after which the Speaker shall interrupt the business.—(*Helen Jones.*)

Objection taken (Standing Order No. 9(6)).

## 9 Section 5 of the European Communities (Amendment) Act 1993

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

Objection taken (Standing Order No. 9(6)).

## 10 Public Petitions

A Public Petition from persons resident in the Sheffield Hallam parliamentary constituency relating to Badman Report (Sheffield Hallam) was presented.

## 11 Adjournment

Subject: Funding for primary and secondary education in Devon (Richard Younger-Ross).

*Resolved*, That this House do now adjourn.—(*Helen Jones.*)

Adjourned at 7.43 pm until tomorrow.

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*Other proceedings*

*First reading and printing of Lords Bills*

12 Marriage (Wales) Bill [*Lords*]

Bill read the first time; to be read a second time on Friday 5 February, and to be printed (Bill 59).

*General Committees: Reports*

## 13 Fifth Delegated Legislation Committee

Dr William McCrea (Chairman) reported the draft Communications Act 2003 (Disclosure of Information) Order 2010.

## 14 Sixth Delegated Legislation Committee

Mrs Joan Humble (Chairman) reported the draft Infrastructure Planning (Decisions) Regulations 2010.

## 15 Seventh Delegated Legislation Committee

John Cummings (Chairman) reported the draft Jobseeker's Allowance (Skills Training Conditionality Pilot) Regulations 2010.

*General Committees: Appointments*

*The Speaker appoints the Chairman of General Committees and allocates Statutory Instruments to Delegated Legislation Committees.*

*The Committee of Selection nominates Members to serve on General Committees (and certain Members to serve on Grand Committees).*

## 16 Children, Schools and Families Bill Committee

Additional Chairman: Mr Clive Betts

## 17 First Delegated Legislation Committee (Draft Gambling Act 2005 (Operating Licence Conditions) (Amendment) Regulations 2010)

(1) Chairman: Mr Eric Illsley;

(2) Members: Mr David Chaytor, Rosie Cooper, Mr Tobias Ellwood, Michael Fabricant, Paul Flynn, Mr Don Foster, Mr John Greenway, Mr Michael Mates, Mr Alan Meale, Mr Adrian Sanders, Mr Gerry Sutcliffe, Paddy Tipping, Derek Twigg, Mr Robert Walter, Mr David Winnick and David Wright.

## 18 Second Delegated Legislation Committee (Draft Passengers' Council (Non-Railway Functions) Order 2010)

(1) Chairman: Mr George Howarth

(2) Members: Norman Baker, Mr Douglas Carswell, Colin Challen, Jon Cruddas, Mr Brian H. Donohoe, Mr John Grogan, Stephen Hammond, Stephen Hesford, Mr Sadiq Khan, Mr John Leech, Mr Edward Leigh, Mr Humfrey Malins, Mr Denis Murphy, Mr Marsha Singh, Mark Tami and Mr Rob Wilson.

## 19 Third Delegated Legislation Committee (Draft Electronic Commerce Directive (Hatred against Persons on Religious Grounds or the Grounds of Sexual Orientation) Regulations 2010)

(1) Chairman: Mr David Wilshire

(2) Members: Charlotte Atkins, Mr Henry Bellingham, Mr David S. Borrow, Peter Bottomley, Ann Clwyd, Dr Evan Harris, Mr Tom Harris, Mr Oliver Heald, David Howarth, Helen Jones, Daniel Kawczynski, Alan Simpson, Mr Don Touhig, Claire Ward, Jeremy Wright and Derek Wyatt.

## 20 Sixth Delegated Legislation Committee (Draft Infrastructure Planning (Decisions) Regulations 2010)

Members: Mr Philip Dunne discharged and Bill Wiggin nominated in substitution.

21 Seventh Delegated Legislation Committee (Draft Jobseeker's Allowance (Skills Training Conditionality Pilot) Regulations 2010)

Members: Mr Andrew Smith and Steve Webb discharged and Laura Moffatt and Andrew Stunell nominated in substitution.

22 Committee B in respect of European Union Document No. 15647/09, relating to Future relations between the EU and the Overseas Countries and Territories

Members: Chris Bryant, Mr Ronnie Campbell, Mr James Clappison, Jim Cousins, Mr Edward Davey, Mr David Heathcoat-Amory, Keith Hill, Mr Brooks Newmark, Mr Keith Simpson, Sir Peter Soulsby, Mr John Spellar, Jo Swinson and Dr Desmond Turner.

23 European Committee B in respect of European Union Document No. 17691/09, relating to the Green Paper from the Commission of the European Communities on obtaining evidence in criminal matters from one Member State to another

Members: Tom Brake, James Brokenshire, Mr Simon Burns, Mr William Cash, Mrs Ann Cryer, Jim Dobbin, Meg Hillier, Chris Huhne, Eric Joyce, Mr Jim McGovern, Patrick Mercer, Helen Southworth and Mr John Spellar.

24 European Committee B in respect of European Union Documents No. 12139/09 and Addenda 1 and 2, Unnumbered Explanatory Memorandum dated 18 August 2009, No. 12668/09 and Addendum, No. 14998/09 and Addendum, No. 16632/09, Unnumbered Explanatory Memorandum dated 2 December 2009, Unnumbered Explanatory Memorandum dated 3 December 2009, and No. 17588/09, relating to Financial Management

Chairman: Bob Russell.

25 European Committee B in respect of Unnumbered Explanatory Memorandum dated 11 November 2009, relating to an Agreement between the European Union and Japan on the Mutual Legal Assistance in Criminal Matters

Chairman: Mr Graham Brady.

#### *Reports from Select Committees*

26 Business, Innovation and Skills, Defence, Foreign Affairs and International Development Committees

*Strategic Export Controls:*

(1) Evidence, to be printed (HC 202-ii);

(2) Written evidence, to be published

(Roger Berry).

27 Children, Schools and Families Committee

*Young people not in education, employment or training:*

(1) Evidence, to be printed (HC 316-ii);

(2) Written evidence, to be published

(Mr Barry Sheerman).

28 Energy and Climate Change Committee

(1) *The Proposals for National Policy Statements on Energy:* Evidence, to be printed (HC 231-vi) (Paddy Tipping)

(2) *The Proposals for National Policy Statements on Energy:* Evidence, to be printed (HC 231-vii) (Dr Alan Whitehead).

## 29 Environment, Food and Rural Affairs Committee

*The National Forest*: Evidence taken before the Sub-Committee, to be printed (HC 281-ii) (Mr Michael Jack).

## 30 European Scrutiny Committee

- (1) Ninth Report, to be printed, with the Formal Minutes relating to the Report (HC 5-viii);
- (2) *Ministerial Correspondence*: Written evidence, to be published (Michael Connarty).

## 31 Foreign Affairs Committee

- (1) *The Work of the British Council 2008–09*: Second Report, with written evidence, to be printed, with the Formal Minutes relating to the Report (HC 333);
- (2) *The Work of the BBC World Service 2008–09*: Third Report, with written evidence, to be printed, with the Formal Minutes relating to the Report (HC 334) (Mike Gapes).

## 32 Procedure Committee

*Election of the Speaker and of the Deputy Speakers*: First Report, with written evidence, to be printed, with the Formal Minutes relating to the Report (HC 341) (Mr Greg Knight).

## 33 Public Accounts (Committee of)

*Ministry of Defence: Major Projects Report 2009*: Evidence, to be printed (HC 338-i) (Mr Edward Leigh).

## 34 Science and Technology Committee

- (1) *Bioengineering*: Evidence taken before the Sub-Committee, to be printed (HC 220-iii);
- (2) *The work of the UK research councils*: Written evidence, to be printed (HC 102);
- (3) *The disclosure of climate data from the Climatic Research Unit at the University of East Anglia*: Written evidence, to be published;
- (4) *The Government's review of the principles applying to the treatment of independent scientific advice provided to government*: Written evidence, to be published (Mr Phil Willis).

## 35 Scottish Affairs Committee

- (1) *Enforcement of the National Minimum Wage: Government Response to the Committee's Sixth Report of Session 2008–09*: Second Special Report, to be printed (HC 318);
- (2) *Scotland and the UK: cooperation and communication between governments*: Evidence, to be printed (HC 256-ii) (Mr Mohammad Sarwar).

## 36 Statutory Instruments (Joint Committee on)

Sixth Report, to be printed (HC 3-vi) (David Maclean).

## 37 Transport Committee

*The proposal for a National Policy Statement on Ports*: Evidence, to be printed (HC 217-iii) (Mrs Louise Ellman).

## 38 Work and Pensions Committee

- (1) *Decision Making and Appeals in the Benefits System*: Second Report, to be printed, with the Formal Minutes relating to the Report (HC 313);

- (2) *Local Housing Allowance*: Written evidence, to be published;  
(3) *Management and Administration of Contracted Employment Programmes*: Written evidence, to be published  
(Mr Terry Rooney).

***John Bercow***

*Speaker*

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The Speaker will take the Chair at 10.30 am.

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### Sitting in Westminster Hall

No. 19

The sitting began at 9.30 am.

#### Adjournment

##### Subjects:

- Future of dairy farming in the UK (Mr Stephen Crabb).  
Drought and famine in Kenya (Mr Gregory Campbell).  
Human rights in Colombia (Jim Sheridan).  
Role of HM Revenue and Customs in monitoring imports under the EU–Israel trade agreement (Dr Phyllis Starkey).  
Water and sewerage charges in the South West (Mr Adrian Sanders).  
Motion made and Question proposed, That the sitting be now adjourned.—(*Mark Tami.*)  
Sitting adjourned without Question put (Standing Order No. 10(11)).

Adjourned at 5.10 pm until tomorrow.

***Alan Haselhurst***

*Deputy Speaker*

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#### APPENDIX

##### *Papers presented or laid upon the Table:*

##### *Papers subject to Affirmative Resolution:*

#### 1 Children and Young Persons

- (1) Draft Protection from Tobacco (Sales from Vending Machines) (England) Regulations 2010 (by Act), with an Explanatory Memorandum and an Impact Assessment (by Command) (Secretary Andy Burnham); and  
(2) draft Safeguarding Vulnerable Groups Act 2006 (Regulated Activity Devolution and Miscellaneous Provisions) Order 2010 (by Act), with an Explanatory Memorandum (by Command) (Secretary Ed Balls).



## 2 Constitutional Law

Draft Welsh Zone (Boundaries and Transfer of Functions) Order 2010 (by Act), with an Explanatory Memorandum (by Command) (Mr Secretary Hain).

## 3 Electricity

Draft Renewables Obligation (Amendment) Order 2010 (by Act), with an Explanatory Memorandum and an Impact Assessment (by Command) (Secretary Edward Miliband).

## 4 Legal Services

Draft Damages-Based Agreements Regulations 2010 (by Act), with an Explanatory Memorandum and an Impact Assessment (by Command) (Secretary Jack Straw).

## 5 Legal Services Commission

Draft Criminal Defence Service (Information Requests) (Amendment) Regulations 2010 (by Act), with an Explanatory Memorandum (by Command) (Secretary Jack Straw).

## 6 Licences and Licensing

Draft Licensing Act 2003 (Mandatory Licensing Conditions) Order 2010 (by Act), with an Explanatory Memorandum and an Impact Assessment (by Command) (Secretary Alan Johnson).

## 7 Pensions

Draft Occupational and Personal Pension Schemes (Automatic Enrolment) Regulations 2010 (by Act), with an Explanatory Memorandum and an Impact Assessment (by Command) (Secretary Yvette Cooper).

## 8 Public Health

Draft Tobacco Advertising and Promotion (Display of Prices) (England) Regulations 2010 (by Act), with an Explanatory Memorandum and an Impact Assessment (by Command) (Secretary Andy Burnham).

## 9 Representation of the People

Draft Political Parties, Elections and Referendums (Civil Sanctions) Order 2010 (by Act), with an Explanatory Memorandum and an Impact Assessment (by Command) (Secretary Jack Straw).

## 10 Representation of the People, Scotland

Draft Representation of the People (Scotland) (Amendment) Regulations 2010 (by Act), with an Explanatory Memorandum (by Command) (Secretary Jim Murphy).

## 11 Social Security

(1) Draft Social Security (Contributions) (Amendment) Regulations 2010 (by Act), with an Explanatory Memorandum (by Command) (Stephen Timms); and

(2) draft Social Security Benefits Up-rating Order 2010 (by Act), with an Explanatory Memorandum (by Command) (Secretary Yvette Cooper).

*Papers subject to Negative Resolution:*

## 12 Customs

Export Control (North Korea) (Amendment) Order 2010 (S.I., 2010, No. 132), dated 26 January 2010 (by Act), with an Explanatory Memorandum (by Command) (Mr Pat McFadden).

## 13 Employment Tribunals

Employment Tribunals (Constitution and Rules of Procedure) (Amendment) Regulations 2010 (S.I., 2010, No. 131), dated 25 January 2010 (by Act), with an Explanatory Memorandum (by Command) (Mr Pat McFadden).

## 14 Sports Grounds and Sporting Events

Football Spectators (2010 World Cup Control Period) Order 2010 (S.I., 2010, No. 130), dated 25 January 2010 (by Act), with an Explanatory Memorandum (by Command) (Secretary Alan Johnson).

*Other Papers:*

## 15 House of Commons Members' Fund

Account of the House of Commons Members' Fund for 2007–08, with the Report of the Comptroller and Auditor General (by Act); to be printed (HC 303) (Clerk of the House).

## 16 Justice (Northern Ireland)

Report and Accounts of the Northern Ireland Judicial Appointments Commission for 2008–09, with the Report of the Comptroller and Auditor General (by Act); to be printed (HC 226) (Secretary Jack Straw).

## 17 Public Accounts

Treasury Minutes on the Fortieth and the Fifty-first to the Fifty-third Reports from the Committee of Public Accounts, Session 2008–09 (by Command) (Cm. 7793) (Sarah McCarthy-Fry).

## 18 Social Security Administration

(1) Report by the Government Actuary on the draft Social Security Benefits Up-rating Order 2010 and on the determination not to lay a draft Social Security (Contributions) (Re-rating) Order 2010 (by Act) (Secretary Yvette Cooper); and

(2) Treasury Report on the Annual Review of National Insurance Contributions (NICs) (by Act) (Stephen Timms).