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**HOUSE OF COMMONS  
OFFICIAL REPORT**

**PARLIAMENTARY  
DEBATES**

**(HANSARD)**

**Thursday 31 March 2011**

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# House of Commons

*Thursday 31 March 2011*

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

## PRAYERS

[MR SPEAKER *in the Chair*]

## Oral Answers to Questions

### BUSINESS, INNOVATION AND SKILLS

*The Secretary of State was asked—*

#### Apprentices

1. **Andrea Leadsom** (South Northamptonshire) (Con): What plans he has to encourage small and medium-sized businesses to take on apprentices. [49964]

5. **Justin Tomlinson** (North Swindon) (Con): What plans he has to encourage small and medium-sized businesses to take on apprentices. [49968]

21. **Andrew Selous** (South West Bedfordshire) (Con): What plans he has to encourage small and medium-sized businesses to take on apprentices. [49987]

**The Minister for Further Education, Skills and Lifelong Learning (Mr John Hayes):** Last week, this Government announced a new £75 million programme of training and other targeted support focused specifically on small and medium-sized enterprises to help them access advanced and higher-level apprenticeships. We also announced on Monday that we will be working to reduce bureaucracy for SMEs, making it easier for them to take on those new apprentices.

**Andrea Leadsom:** Will my hon. Friend join me in congratulating the Silverstone motorsport college on its outstanding Ofsted report and on the fact that 50% of its motorsport technicians get apprenticeships in this high-tech, innovative industry? What more can he do to support increasing apprenticeships in this area?

**Mr Hayes:** In anticipation of my hon. Friend's question, and because I know of her passionate interest in and advocacy of this subject, I have asked the National Apprenticeship Service to take further the work that I know she wants to be completed on offering a new motor race technician qualification. We will do that work, because we understand the points she makes, the value of that industry and its importance to our whole country.

**Justin Tomlinson:** I strongly welcome plans to expand the apprenticeships scheme further. The biggest barrier to the participation of small businesses is the lack of information, so will my hon. Friend consider moves to include promotional material in the annual business rates mailing?

**Mr Hayes:** That is a most welcome suggestion. I am perhaps known for my understatement, rather than my overstatement, but I do not think we can speak too loudly or clearly about apprenticeships, and that information is vital if we are to engage the businesses to create the prosperity we seek and build the opportunities we want.

**Andrew Selous:** Is my hon. Friend aware of the scale of the challenge facing the automotive industry, with the Institution of Mechanical Engineers saying that we need at least 10,000 apprenticeships a year for the United Kingdom to be at the forefront of the electric vehicle industrial revolution that is about to occur?

**Mr Hayes:** Yes, indeed. We recently announced that we are going to work with all the interested parties in the industry to bring about the kind of technological advance to which my hon. Friend refers. This is a real potential area for growth and we are determined, with the industry, to make that growth happen.

**Mr Barry Sheerman** (Huddersfield) (Lab/Co-op): The Minister will know that we are all in favour of apprenticeships these days—we welcome the coalition to the cause—but the fact is that this is all something of a fig leaf, given that all the other educational policies seem to be falling apart. Higher education is in meltdown, but all we hear about is apprenticeships and the university technical colleges. This is a fig leaf covering up the lack of policy across the whole education and skills debate.

**Mr Hayes:** I would hardly plead guilty for my advocacy of the causes that the hon. Gentleman highlights, but I can assure him that this is part of a coherent and holistic approach that means that everyone will get their chance of glittering prizes.

**Alison McGovern** (Wirral South) (Lab): The Minister will know that the number of apprenticeships in this country was just 65,000 in 1996. It has increased to nearly 280,000 now, but young people face worse unemployment than ever and growth is down. He will not set a target for the number of apprenticeships, but what will he do if the number falls back?

**Mr Hayes:** The hon. Lady rightly identifies that apprenticeships and pre-apprenticeship training can provide an important vehicle to bring people from disengagement to engagement. That is why my right hon. Friend the Secretary of State for Education has cemented the work done in the Budget to create those extra apprenticeships for people moving from the very circumstances the hon. Lady describes to the skills and success they deserve.

**Mr Andrew Love** (Edmonton) (Lab/Co-op): The Government's flagship policy on employment and small businesses is the national insurance holiday for all companies outside London and the south-east. We heard only yesterday from Treasury officials that that has created only thousands of jobs, so is it time to go back to the drawing board on this policy?

**Mr Hayes:** I learned long ago never to pitch above my pay grade or outside my purview, and I rather suspect that that question might be both.

### Low-carbon Technologies

2. **Tony Lloyd** (Manchester Central) (Lab): What steps he is taking to promote expenditure on the manufacture of low-carbon technologies in each region. [49965]

**The Minister of State, Department for Business, Innovation and Skills (Mr Mark Prisk):** The Government are supporting a range of projects across the country including offshore wind, nuclear manufacturing, low-carbon vehicles and marine energy.

**Tony Lloyd:** It is self-evident that if every part of this country is to take advantage of the strong future in low-carbon technologies, we need investment in skills and research and, of course, access to finance. We heard some platitudes in answer to the first set of questions from the Minister's colleague, but will the Minister tell us in hard terms what will be done to ensure that young people get those skills, that we have the research and that we have access to a finance system that knows that technologies north of Watford are worth investing in?

**Mr Prisk:** I refer the hon. Gentleman to what the Budget set out very clearly last week, but let me give him the tangible example he requests. The technology innovation centre for advanced manufacturing is designed specifically to ensure that clusters where we have excellence can be enabled. It will help Rotherham, Coventry, Sedgefield, Bristol, Strathclyde and Redcar. I hope he welcomes that support.

**Dan Rogerson** (North Cornwall) (LD): Given the consultation on changes to feed-in tariffs and the effect it might have had on decisions about solar investment, will the Minister work with his colleagues in the Department of Energy and Climate Change to examine what might be done to consider alternative ways of stimulating the manufacturing and assembly of solar equipment in this country?

**Mr Prisk:** Solar power is important and I am well aware that it is of paramount importance in Cornwall. We are working with our ministerial colleagues, but I would welcome any contribution from my hon. Friend.

**Mr Pat McFadden** (Wolverhampton South East) (Lab): We are about to enter a new financial year, so will the Minister take the opportunity to reconsider the Government's denial of the loan to Sheffield Forgemasters that the Labour Government planned to boost our position in civil nuclear trade? More broadly, will he confirm that the Government are still committed to a new generation of nuclear power stations given the awful unfolding tragedy in Japan and the comments made by the Deputy Prime Minister to journalists?

**Mr Prisk:** Our commitment is clear and the right hon. Gentleman knows exactly where the Government stand. We have debated the question of affordability and Sheffield Forgemasters before, but I would say to the right hon. Gentleman and to Labour Members that we have the regional growth fund and we have worked with a range of businesses, including the business to which he refers, and we are happy to ensure that they have the chance to bid for that money as that part of the fund develops.

### World Trade

3. **Stephen Metcalfe** (South Basildon and East Thurrock) (Con): What steps he is taking to increase United Kingdom Trade and Investment's share of world trade. [49966]

**The Secretary of State for Business, Innovation and Skills (Vince Cable):** UK trade increased by 55% in real terms between 1998 and 2008. None the less, the relative share of world trade declined from 5.7% to 3.9%. Our recent trade and investment White Paper sets out how we will assist exporters, focusing UKTI and new trade finance products on small and medium-sized enterprises.

**Stephen Metcalfe:** A businessman in my constituency has traded successfully in north Africa for many years, but now does not know when his invoices will be paid, which affects his cash flow and business viability. Will my right hon. Friend consider introducing some form of payment guarantee scheme that will give SMEs the confidence to increase their share of world trade in the knowledge that they will be paid for it?

**Vince Cable:** I am aware of the firm that my hon. Friend describes and of its difficulties in Libya. If companies are operating in difficult markets, such as Libya, they are advised to take out trade insurance. Where the market cannot provide that, the Export Credits Guarantee Department will underwrite it. We are expanding the range of ECGD products and the Treasury has authorised payments to companies in Libya for which insurance is due.

**Mr Adrian Bailey** (West Bromwich West) (Lab/Co-op): Over the next four years, UKTI is set to have its budget cut by some 17%. The schemes most commended by the CBI are passport to export and gateway to global growth. Will the Minister give an assurance that among the budget cuts those services will be protected?

**Vince Cable:** I can assure the hon. Gentleman that UKTI is capable of and committed to providing an increased range of activities and a better service even within its budget.

**Tim Farron** (Westmorland and Lonsdale) (LD): More than 50% of dairy farms in the UK closed under the previous Labour Government yet demand for dairy products across the world is rocketing. Will my right hon. Friend the Secretary of State set out what proposals we have to launch an ambitious plan to export dairy products across the world?

**Vince Cable:** Many of the problems of the dairy industry relate to the system of EU CAP financing, but I will look at the specific issue described by my hon. Friend and see what we can do to promote it.

### Enterprise Zones

4. **Mrs Sharon Hodgson** (Washington and Sunderland West) (Lab): What discussions he has had with the North Eastern local enterprise partnership on the location of proposed enterprise zones; and if he will make a statement. [49967]

**The Minister of State, Department for Business, Innovation and Skills (Mr Mark Prisk):** Last Thursday, I was in the north-east and met the North Eastern local enterprise partnership. We had a very useful discussion about the way in which enterprise zones will help the growth of the local economy and I was encouraged by the positive response I received.

**Mrs Hodgson:** I am very pleased to hear that the Minister got a positive response—I would expect nothing less of the friendly north-east. The Chancellor said in his Budget statement last Wednesday that there would be an enterprise zone on Tyneside, but the Red Book refers to an enterprise zone in the North Eastern local enterprise partnership, and I am sure the Minister is aware that they are not one and the same. The Secretary of State for Energy and Climate Change told the *Sunderland Echo* that Sunderland had a really good chance of getting an enterprise zone. Will the Minister confirm that the Chancellor misled the House last week and that a decision has not yet been made on where—

**Mr Speaker:** Order. I am sure the hon. Lady means “inadvertently” misled.

**Mrs Hodgson:** Of course, inadvertently.

**Mr Prisk:** Well, I am glad we cleared that up, Mr Speaker. I can make it very simple for the hon. Lady: we are not going to impose a command and control model. We are working with local enterprise partnerships and we have offered zones where LEPs would like to locate them within their areas. We will discuss this with partnerships in the north-east and elsewhere.

**Mr Speaker:** I call Mr Zahawi, on the subject of the north-east from the vantage point of Stratford-on-Avon.

**Nadhim Zahawi (Stratford-on-Avon) (Con):** Like the North Eastern local enterprise partnership, Coventry and Warwickshire local enterprise partnership would very much like to talk to the Minister about our proposal for an enterprise zone—

**Mr Speaker:** Order. That was a nice try but the hon. Gentleman’s question must specifically relate to the north-east, about which I thought the hon. Gentleman probably had extensive knowledge.

**Mr Nicholas Brown (Newcastle upon Tyne East) (Lab):** Is not the danger of the Minister’s enterprise zone policy that it enriches landlords and developers by drawing economic activity from one area to another? When considering locations for the north-east, will he focus on the creation of jobs in industrial areas?

**Mr Prisk:** We are absolutely committed to doing precisely that. I am sorry that the right hon. Gentleman is quite so negative; at is not what they are saying in Sunderland and Salford.

#### Citizens Advice

6. **Barbara Keeley (Worsley and Eccles South) (Lab):** What recent discussions he has had with ministerial colleagues on the future levels of Government funding to Citizens Advice; and if he will make a statement.

[49970]

**The Parliamentary Under-Secretary of State for Business, Innovation and Skills (Mr Edward Davey):** Last month I met the Minister with responsibility for civil society, the Parliamentary Secretary, Cabinet Office, my hon. Friend the Member for Ruislip, Northwood and Pinner (Mr Hurd), and other Ministers with an interest in advice services to co-ordinate our national efforts. The Department for Business, Innovation and Skills has already agreed to protect the core funding for the umbrella organisations Citizens Advice and Citizens Advice Scotland.

**Barbara Keeley:** I thank the Minister for that answer, which I did not hear much of. Walkden citizens advice bureau, which is in Salford, serves an area in the 7% most deprived in the country and has done since 1939, but it is now under threat because of uncertainty about funding and because of cuts. Will the Minister call a halt to the cuts in funding for advice services, and will he conduct an urgent review on the future of the funding of those vital organisations?

**Mr Davey:** The hon. Lady will know that local citizens advice bureaux are funded by local authorities and that the Government have called on local authorities to play their part, as the national Government are playing their part, and to pass on funding to CAB services. Those services are very important and are valued, and we are looking to all local authorities to play their part.

**Nia Griffith (Llanelli) (Lab):** At a recent meeting I chaired, representatives from individual CAB and other advice centres from across the country gave the loud and clear message that the current uncertainty about the funding of advice services means that advice service centres are closing their doors, expert advice workers are being made redundant and vulnerable people will soon have nowhere to turn for advice. It is all very well the Minister’s blaming the closure of individual CABs on local government decisions, but those decisions are often taken in the light of extreme uncertainty about the future of other funding streams. His Government admits that there is much cause for concern, so why has he not sought an immediate moratorium on all cuts to Government funding streams for advice services for the coming financial year in order to allow time for a longer-term strategy to be developed?

**Mr Davey:** I am very surprised that the hon. Lady did not mention the £27 million that the Government announced last month for face-to-face debt advice. That has been strongly welcomed by citizens advice bureaux across the country, and I would have thought that she would have given us credit.

**Andrew Percy (Brigg and Goole) (Con):** The CABs in Goole and Scunthorpe provide excellent advice to my constituents on debt-related issues. While I welcome the money that has been announced, is it not time that we tried to achieve a national approach, because CABs have a battle, year in, year out, to secure funding, which clearly does not help our constituents.

**Mr Davey:** As I said in my initial response, we are working across government with other Ministers to make sure that we co-ordinate national efforts. We will soon respond to the call for evidence on personal consumer credit and personal insolvency, which will deal with issues such as debt advice.

### Apprentices

7. **Kevin Brennan** (Cardiff West) (Lab): What recent assessment he has made of the attitudes of employers to taking on apprentices. [49972]

**The Minister for Further Education, Skills and Lifelong Learning (Mr John Hayes):** With over 85,000 employers offering apprenticeships, it is clear that many businesses already recognise the associated benefits of improved business and personnel performance. The evidence of strong demand is supported by research. The findings of the skills economy research from July 2010 are that 83% of employers rely on their apprenticeship programme to provide the skilled work force that they need.

**Kevin Brennan:** The Minister has been quite generous in the past about the work done by Ministers in the previous Government, including me, on apprenticeship numbers, and he has made a commitment to build on that. Does he have any concerns about the targets on apprenticeships over the coming period, given the pretty dire figures on GDP for the economy?

**Mr Hayes:** The hon. Gentleman, like me, is fond of Yeats, who said:

“Do not wait to strike till the iron is hot; but make it hot by striking.”

That is what we have done. The hon. Gentleman is right. I have followed him, and he is a hard act to follow, because he was a very competent Minister. I can tell the House—and I know that you, Mr Speaker, will be pleased to hear it—that the Statistical First Release published today illustrates that we are likely, or certainly on target, to reach the ambitions I have set out, which is good news for the hon. Gentleman, good news for me and good news for Britain.

**Robert Halfon** (Harlow) (Con): Is my hon. Friend aware that the number of 16 to 18-year-olds taking apprenticeships in Essex has increased by 44% over the past year, and that Essex council and Harlow college are investing £100,000 in 50 apprenticeships for people from poorer backgrounds? Will he look at rolling out that scheme across the country?

**Mr Hayes:** I know of the good work done by my hon. Friend and by Harlow college. He will wish to know that there was a 20% increase in apprenticeship starts in 2010-11 compared with the same period in the previous year. That is because of the work of organisations such as Harlow college and the advocacy of hon. Members such as my hon. Friend.

**Mr Mike Weir** (Angus) (SNP): Over the past few years, the oil and gas industry in north-east Scotland has created many new apprenticeships and skilled many new workers for the future. Does the Minister accept that that has been put at risk by the massive tax increase announced without any consultation in the Budget?

**Mr Hayes:** The figures will speak louder than any words—the hon. Gentleman’s words or even my own.

### Adult Vocational Learning

8. **Mr David Evennett** (Bexleyheath and Crayford) (Con): What steps he is taking to increase the status and prestige of adult vocational learning. [49973]

**The Minister for Further Education, Skills and Lifelong Learning (Mr John Hayes):** The aesthetic of vocational learning is at the very heart of our ambitions. I want apprenticeships to become the primary work-based learning route and apprentices to be recognised for their achievements. For too long, we have allowed the myth to be perpetrated that only academic accomplishment can lead to work. That is not so, and it is certainly not so for this Government.

**Mr Evennett:** I congratulate my hon. Friend on the work he has done in this area, and I thank him for that answer. However, does he agree that community and vocational courses are absolutely invaluable, not only for career advancement and upskilling but for younger people not in education, employment or training.

**Mr Hayes:** Yes, we spoke earlier about the importance of using those skills to create a bridge from disengagement to engagement. No one has been a doughtier champion of the need to stand up for those people than my hon. Friend. That requires a raising of the status of apprenticeships, but it also requires better progression, which is why I want to build an accessible, navigable and seductive vocational ladder that people can climb.

**Helen Jones** (Warrington North) (Lab): May I ask the Minister what discussions he has had with his counterparts in the Department for Education? The Secretary of State for Education consistently downgrades vocational qualifications in school. We cannot expect adults to value vocational education if we do not value it throughout the system. Is there not a disjunction in Government policy?

**Mr Hayes:** I am, for the purposes of this conversation at least, the Department for Education, and I can assure the hon. Lady that the Secretary of State for Education is wholly committed to this route. Indeed, his oral statement to the House earlier this week cemented and reinforced his commitment to apprenticeships and vocational learning.

### Life Sciences

9. **George Freeman** (Mid Norfolk) (Con): What steps he is taking to support the commercial development of life sciences through industry partnerships. [49974]

**The Minister of State, Department for Business, Innovation and Skills (Mr Mark Prisk):** The Budget included a plan for growth for life sciences, including the development of a new technology innovation centre, the speeding up and reforming of clinical trials and the establishment of research partnerships to support the new model of open innovation and collaboration in the industry.

**George Freeman:** I thank the Minister for his reply and congratulate him on his commitment to business. Last week’s Budget set out a clear strategy for growth based on science, innovation and enterprise, particularly

in my area, the biotech corridor between Cambridge and Norwich. Does he agree that the challenge is to ensure that our leading research institutes link up with industry so that our science is driven around the world in the three biggest markets: food, energy and medicine?

**Mr Prisk:** My hon. Friend is an outstanding champion in this field, and I was pleased that we were able to support Norwich research park in that context, for which he has fought and argued for many months. Our plan is about accelerating innovation, investing in the way collaboration takes place and ensuring that we retain this country's world-class role in life sciences and biotechnology.

#### Fuel Costs

10. **Mr Peter Bone** (Wellingborough) (Con): What recent discussions he has had with the Secretary of State for Energy and Climate Change on the effects on businesses of trends in the cost of fuel. [49975]

**The Secretary of State for Business, Innovation and Skills (Vince Cable):** I recently discussed the rising cost of energy with my counterpart at the Department of Energy and Climate Change to assess the cumulative burden of climate change policies and see what the Government can do to secure the competitiveness of energy-intensive industries as we decarbonise the economy.

**Mr Bone:** We have an absolutely splendid coalition team in DBIS, led by a fantastic Secretary of State. In the past, energy was always the responsibility of the Business Department. Surely it should come back to that Department so that we can send out the message that we do care about business in relation to energy, and I could not think of a better set of people to look after it.

**Vince Cable:** I am very flattered by the suggestion, if a little surprised, but I am already fully employed with my existing duties. In my recent conversation with my counterpart at DECC, we agreed that considerable progress had been made with Ofgem's recent report on opening up competition and benefiting consumers, both industrial and personal.

**Angela Smith** (Penistone and Stocksbridge) (Lab): Energy-intensive industries in my constituency, of which there are many, are worried about the cumulative impact of regulations relating to a carbon floor price on their competitiveness. Is the Secretary of State having discussions with the Treasury and DECC to ensure that our industries do not lose out to foreign competition?

**Vince Cable:** I am doing just that. On Monday I was in Port Talbot to talk with Tata Steel about that exact question. It is absolutely right that the Government press ahead with our ambition to decarbonise the economy, but the system of tax and regulation is complex and we must structure it in a way that supports our energy-intensive industries.

#### Business Regulation

11. **Harriett Baldwin** (West Worcestershire) (Con): What steps he is taking to reduce the level of regulation of businesses. [49976]

16. **Gavin Williamson** (South Staffordshire) (Con): What steps he is taking to reduce the level of regulation of businesses. [49982]

**The Secretary of State for Business, Innovation and Skills (Vince Cable):** We have introduced the one-in, one-out rule to stem the flow of new regulation. We have also introduced sunset clauses on new domestic regulation, stopped gold-plating EU directives and launched a consultation on tribunals. In the Budget we announced a three-year moratorium on new regulation for micro-businesses. We will shortly launch a public review of the existing stock of over 21,000 regulations.

**Harriett Baldwin:** I welcome all those measures, but spin-offs and start-ups in West Worcestershire are discovering that in order to win Government procurement contracts they need to have accounts for the past two years, and I wonder whether the Secretary of State would urgently review that.

**Vince Cable:** We are taking steps to open up public procurement for the kinds of small spin-offs the hon. Lady describes. There is, of course, an aspiration to increase public procurement from SMEs to 25%. At the beginning of the year the pre-qualification questionnaires, which were appallingly complex, were simplified, and they will shortly be removed altogether from companies trading at over £100,000.

**Gavin Williamson:** Will my right hon. Friend assure the House that he will work very closely with industry to tackle increasing environmental regulation, which has already been touched on, especially that coming over from the European Union, so that we do not have uncompetitive industries?

**Vince Cable:** Environmental regulation is covered by the moratorium that I have just described. Of course, if it is European Union regulation, we cannot unilaterally disband it, but we can ensure that there is no gold-plating, which is why we are following a minimal copying-out procedure for EU legislation.

**Nick Smith** (Blaenau Gwent) (Lab): The regulation of business is important for promoting employment. In my constituency, youth unemployment is 30%, which is way too high, so will there be an enterprise zone to look at business regulation and employment in the south Wales valleys?

**Vince Cable:** As I discovered when I discussed the matter with them on Monday, the Welsh Assembly Government have responsibility for designated enterprise zones. I hope they will follow the model we are pursuing in England, and indeed we strongly commended it to them.

**Gordon Banks** (Ochil and South Perthshire) (Lab): The Secretary of State's very own figures show that he is not a deregulator but a regulator. It is 53-in, 3-out, not one-in, one-out, but apparently there is hope on the horizon, because he is going to repeal another regulation, one introduced to seize German-owned property after the war. I am sure Chancellor Merkel will be happy about that, but the point will be lost on UK business.

We hear from the Secretary of State about his plans to review 21,000 business regulations, but at this rate it will take more than 7,000 years to achieve that aim—and looking at the Secretary of State I do not think he has the time on his side. When will he ditch his rhetoric and begin practising what he preaches before it is too late?

**Vince Cable:** The regulations that related to my Department were either European or related to the implementation of the minimum wage. I know the Opposition are showing considerable political versatility at the moment, but I did not think that they had got around to demanding the abolition of the minimum wage.

### Company Profits (Reporting)

12. **Margaret Curran** (Glasgow East) (Lab): What discussions he has had with his international counterparts on steps to increase transparency in the reporting of company profits. [49977]

**The Parliamentary Under-Secretary of State for Business, Innovation and Skills (Mr Edward Davey):** I, personally, have not had any recent discussions with my international counterparts on the matter, but the Government are committed to greater transparency through corporate reporting. Internationally, the Treasury is leading the Government's efforts with the Organisation for Economic Co-operation and Development's task force on tax and development, which is exploring the issues of country-by-country reporting on tax and profits.

**Margaret Curran:** In the light of his answer, the Minister will be aware of the OECD's recognition that poor countries lose more money each year to corporate tax-dodging than they receive in aid, and Christian Aid estimates that to amount to \$160 billion. May I ask him to have a conversation with the Secretary of State? The right hon. Gentleman said in opposition:

"New accounting standards are needed to force multinational companies to declare publicly the profits they make and the taxes they pay in every country in which they operate. That way anomalies will be quickly spotted."

Can I reasonably assume that, in the light of his commitment to the issue, the Government will raise it at the G20 in November?

**Mr Davey:** I think that the Government—both my right hon. Friend the Secretary of State and the Chancellor—actually have a very good record on the issue. We are contributing to the OECD taskforce, because it is about ensuring not just that UK companies report their profits as they need to, but that we improve corporate performance throughout the world.

**Dame Anne Begg** (Aberdeen South) (Lab): What guarantees can the Government give for those companies that report their profitability transparently that, at the next Budget, the Treasury will not come along and, completely out of the blue, wallop them with a great windfall tax, as it just has with the offshore oil and gas industry?

**Mr Davey:** That was a very good attempt by the hon. Lady, who is obviously trying to champion her constituency, and that is exactly right, but I am sure she will attend the next Treasury questions.

### Student Loans

13. **Anna Soubry** (Broxtowe) (Con): What recent assessment he has made of the administrative efficiency of the student loans system. [49979]

**The Minister for Further Education, Skills and Lifelong Learning (Mr John Hayes):** The service provided by the Student Loans Company in the desperate, dying days of the previous Government was woeful, and it led to an independent report that said so. We replaced the chairman of the company immediately after we entered office, and I am pleased to report that the SLC answered more than 95% of telephone calls in the peak period from August to September 2010, compared with just 13% during a similar period in the previous year.

**Anna Soubry:** I am very grateful to the Minister for that response and to hear of those improvements. I have had a number of complaints from families in my constituency about repeated requests for information. Will the Minister assure families in constituencies such as mine and, indeed, throughout the United Kingdom that they will not have to suffer as they have because of past inefficiencies?

**Mr Hayes:** My right hon. Friend the Minister for Universities and Science is absolutely determined that the service provided by the Student Loans Company should be up to scratch. I can tell the House, and my hon. Friend, that 99% of applications received from students who applied by the relevant deadlines with the correct documentation were ready for payment at the start of term. This is real progress, but we are not complacent, and we will always insist that we do the very best with the Student Loans Company.

### Science and Research

14. **Stephen Mosley** (City of Chester) (Con): What recent representations he has received on the future funding of science and research. [49980]

**The Secretary of State for Business, Innovation and Skills (Vince Cable):** During the allocation of science and research funding, BIS consulted the national academies, business groups and universities and agreed a flat-cash ring-fenced settlement for science and research of £4.6 billion a year for 2011-15. In the Budget, the Government invested a further £100 million in science capital, including £10 million at Daresbury.

**Stephen Mosley:** I welcome the announcement in last week's Budget of the extra £100 million in capital spending, including the £10 million at Daresbury. Will my right hon. Friend confirm that that £100 million comes from the permanent bank levy, which was introduced by this coalition Government against opposition from Labour Members?

**Vince Cable:** I can confirm that. Of course, the bank levy has a good economic basis because it is the payment that the banks make for the protection that the state provides for banks that are too big to fail. The £100 million is new money—new capital investment—and I am delighted that my hon. Friend's campaign for Daresbury has borne fruit in this way.

**Chi Onwurah** (Newcastle upon Tyne Central) (Lab): In November, the Chancellor took £1.4 billion out of capital investment for science. Last week, he gave back about £100 million—strangely, all of it to Conservative constituencies. Our country's leading reputation in science deserves better than that. When this week's Royal Society report, "Knowledge, networks and nations", spelled out the rise of China, India, Korea and Brazil as science superpowers, it was unable to set out the UK's long-term plan because there is not one. Will the Secretary of State prevail on the Chancellor to agree a long-term plan for science funding, as we had under Labour?

**Vince Cable:** There is a long-term plan for science funding. The hon. Lady obviously has not followed the comments that were made by the Royal Society and many others in the science community welcoming the flat-cash settlement and the ring-fencing of the science budget.

### Tuition Fees

15. **Diana Johnson** (Kingston upon Hull North) (Lab): How many universities he expects to charge less than £7,500 in tuition fees from 2012. [49981]

**The Secretary of State for Business, Innovation and Skills (Vince Cable):** No university wishing to charge over £6,000 yet knows for certain how much it will charge, since no university has yet signed an access agreement with the Office for Fair Access. We expect there to be a wide range of charges, and those institutions discussing higher charge levels all look set to include substantial waivers for students from poorer backgrounds.

**Diana Johnson:** Hull university is reported to be planning to charge up to the £9,000 limit. Combined with this week's announcement about the slashing by two thirds of the education maintenance allowance support to students, how will this help to attract more students from areas such as Hull to university, bearing in mind the excellent progress that was made under the last Labour Government?

**Vince Cable:** As the hon. Lady knows, and as we have discussed many times in this Chamber, the introduction of graduate contributions at the level we have will ensure that universities are indeed properly funded and maintain funding at world-class levels.

**Simon Hughes** (Bermondsey and Old Southwark) (LD): Is my right hon. Friend still reminding universities that it is unreasonable of them to charge fees significantly above the cost of providing the course and asking them to make sure that when they set their final fees in the coming weeks, they honour the cost that they said they would charge some months ago?

**Vince Cable:** May I first thank my right hon. Friend for the extraordinarily useful work that he has been doing on social mobility? On his question, the Browne report estimated that universities would need to charge something in the order of £7,500 simply to replace their income, but no more, and that if they made the kind of efficiencies that other institutions are effecting, it could be as little as £6,000.

**Mr Gareth Thomas** (Harrow West) (Lab/Co-op): We have had the damaging row over student visas—still not sorted—and a Treasury growth paper that largely ignored the central role that universities have to offer for our economic future. However, the most serious problem is the considerable hole the Government are now staring at in their higher education budget—all because they ignored the many independent experts who warned, even before the tuition fees vote, that universities would charge close to the maximum fee level. Given the huge uncertainties facing university finances, all of them Government-created, does the Secretary of State not recognise that this House is entitled to know how that funding gap will be plugged?

**Vince Cable:** First, the hon. Gentleman is terribly behind the times. He may not have listened to the Home Secretary's statement on student visas, but she made it absolutely clear that there is no cap on student visas and that the study to work route is still available for overseas students. The universities have acknowledged that. There is no hole in the finances. If he had followed the public announcements that universities have made, he would have seen that of the 36 that we are aware of, 13 propose to charge up to the maximum. That is well below the 80% quoted by the Leader of the Opposition yesterday. Of those universities, many will have substantial fee remission on the Oxford model.

**Mr Rob Wilson** (Reading East) (Con): I have discussed on many occasions with the Minister for Universities and Science my view that Governments should avoid unnecessary interference in universities. The enhanced role given to OFFA is causing great unease in the sector and among some Government Members. Will the Secretary of State clarify the powers that OFFA has and how it will be expected to deploy them in relation to universities that set fees above £6,000?

**Vince Cable:** I think that there is complete clarity. I set out the position in a letter that I sent to OFFA some weeks ago, which is available and which I can certainly make available to the hon. Gentleman. It is absolutely right that, in return for being allowed to charge the higher fee levels, universities should make the maximum possible access available to people from disadvantaged backgrounds. There is a particular problem with traditional universities, where social mobility declined in the last decade. We are determined to overcome that.

### Small and Medium-sized Enterprises

17. **David Rutley** (Macclesfield) (Con): What plans he has to increase levels of employment in small and medium-sized enterprises. [49983]

**The Minister of State, Department for Business, Innovation and Skills (Mr Mark Prisk):** Small businesses are vital to the economy and to future employment. That is why we have tackled the cost of employment by reversing the last Government's plans for a payroll tax increase, and why the Under-Secretary of State for Business, Innovation and Skills, my hon. Friend the Member for Kingston and Surbiton (Mr Davey) has launched a comprehensive review of employment law to make the system easier and fairer for employees and employers.

**David Rutley:** I was pleased to see that the Federation of Small Businesses welcomed the Government's three-year moratorium on new domestic legislation for micro-businesses. Will my hon. Friend assure the House that that and other measures to reduce the regulatory burden and increase job creation by small and medium-sized enterprises will be taken forward at pace, and that there will be regular updates to the House on their progress?

**Mr Prisk:** I am delighted to confirm that to the House. Those measures are crucial. We have to remember that under the previous Government, the proportion of employers who were small businesses dropped from well over a third to well under a quarter, and that was in a period of growth. We need to ensure that we reverse that trend.

**Robert Ffello** (Stoke-on-Trent South) (Lab): One way to increase employment in small and medium-sized businesses in Stoke-on-Trent would be for us to have an enterprise zone. Following the Prime Minister's very positive response to a question from my hon. Friend the Member for Stoke-on-Trent North (Joan Walley) yesterday and the extensive meetings that north Staffs MPs have had with the Secretary of State, can the Minister give some comfort to people in north Staffordshire that the local enterprise partnership will be looked on favourably, and could we have a meeting?

**Mr Prisk:** The hon. Gentleman is right that enterprise zones will be advantageous for small businesses. There is a second opportunity for 10 further enterprise zones. We are happy to talk to the local enterprise partnership in that area to ensure that it is able to put forward a positive dialogue. If the hon. Gentleman and other Members wish to participate in that, I suspect that my diary secretary will not be thrilled, but I am happy to see them.

#### Corporate Social Responsibility

18. **Bridget Phillipson** (Houghton and Sunderland South) (Lab): What recent discussions he has had with his G20 counterparts on corporate social responsibility. [49985]

**The Parliamentary Under-Secretary of State for Business, Innovation and Skills (Mr Edward Davey):** I have had no such discussions in the context of the G20. However, in January, I met Professor Ruggie, the UN special representative on business and human rights. The Government welcome the guiding principles developed by Professor Ruggie and will work to build consensus for their adoption.

**Bridget Phillipson:** I thank the Minister for that answer. In opposition, the Secretary of State was a keen supporter of global action to tackle corporate tax dodging in developing countries, but the Department's recent White Paper did not include a single reference to it. When will the Government put that right?

**Mr Davey:** The hon. Lady was not listening to the answer that I gave a few moments ago to her colleague, the hon. Member for Glasgow East (Margaret Curran). The Government are working hard with the OECD taskforce on tax and development, because we want greater transparency in the reporting of profits and tax.

**Mr Speaker:** Liz Kendall. Not here.

#### Groceries Code Adjudicator

20. **Neil Carmichael** (Stroud) (Con): What progress he has made on the implementation of his proposals for a groceries code adjudicator. [49986]

**The Parliamentary Under-Secretary of State for Business, Innovation and Skills (Mr Edward Davey):** The groceries code adjudicator Bill is being drafted. I had hoped to publish it before Easter, but now I expect that publication will happen soon after Easter.

**Neil Carmichael:** I thank the Minister for that encouraging reply. Farmers in my constituency are very anxious to see the introduction of an adjudicator. Will it have sufficient powers to impose financial penalties if there is persistent avoidance of the code of practice?

**Mr Davey:** When we publish the Bill, the hon. Gentleman will see that we wish to have a reserve power for the adjudicator on penalties, but there is also a real case to be made for the adverse publicity that large supermarkets would face if they breached the groceries supply code of practice.

**Jim Shannon** (Strangford) (DUP): Last week we had a debate in Westminster Hall on the pig industry, and Members indicated clearly that if there was no immediate action to restore the balance between supermarkets' profits and the profitability of farmers, many farmers would go out of business. What steps is the Minister taking to ensure that that does not happen?

**Mr Davey:** I may have to refer the hon. Gentleman to Ministers in the Department for Environment, Food and Rural Affairs, who are obviously responsible for agriculture. We should be clear that the groceries code adjudicator will not be a price regulator—that has never been proposed. It will be there to enforce the groceries supply code of practice. That is very important, because it is in the interests not just of the producers and farmers who supply the large supermarkets but of consumers.

#### Topical Questions

T1. [49988] **Kevin Brennan** (Cardiff West) (Lab): If he will make a statement on his departmental responsibilities.

**The Secretary of State for Business, Innovation and Skills (Vince Cable):** My Department has a key role in supporting business to deliver growth, rebalancing the economy, bringing enterprise, manufacturing, training, learning and research closer together and, in the process, creating a stronger, fairer British economy.

**Kevin Brennan:** On tuition fees, has the Secretary of State read the reports of the Deputy Prime Minister's visit to Mexico, where he was humiliated first by a Mexican student who said that he could no longer afford to come and study in Britain, and then by the Mexican President, who said that British students should go to study in Mexico instead? Is the Secretary of State in any way embarrassed by the fact that his policy on tuition fees has become a laughing stock across the world?

**Vince Cable:** I was not in Mexico, I was in another country—Wales—discussing the issue. The simple truth is that, as I am sure we have communicated to the Mexican authorities, Mexican students are welcome to come to this country and there is no cap on the number of overseas students.

T3. [49991] **David Rutley** (Macclesfield) (Con): The Macclesfield, Richmond and Wandsworth chambers of commerce are developing local mentoring schemes to help better support smaller businesses, and have submitted a related bid to the regional growth fund. Does the Minister agree that such approaches deserve serious consideration and will provide important insights to other local communities?

**The Minister of State, Department for Business, Innovation and Skills (Mr Mark Prisk):** I would be wise not to over-promote a live bid to the regional growth fund, but my hon. Friend is absolutely right that business-to-business mentoring is the best way forward. That is why we are developing a national scheme, and the contribution in the areas that he mentions sounds eminently sensible.

**Mr John Denham** (Southampton, Itchen) (Lab): We would not have destroyed regional development agencies in the chaotic and Maoist manner that the Secretary of State has described, but as a constructive Opposition, we have proposed that RDA assets be transferred to local economic partnerships to promote growth and jobs. Will he confirm that many RDAs, including those in the north-west, the east midlands, the south-west, Yorkshire and Humberside and the south-east have also proposed that assets be transferred to local authorities in LEP areas, which will pay for them as jobs and growth are created? Why has he blocked those transfers?

**Vince Cable:** In our Dengist phase, the LEPs are doing extremely well in constructing business-led leadership at local level. The process by which RDA assets are allocated is set out in the White Paper. As the right hon. Gentleman will know, some of the RDAs have negative net worth, so the issue of asset distribution does not apply. There will be different allocations, and my departmental officials are working through the RDAs' legacy carefully.

**Mr Denham:** The Secretary of State does not seem to know what is on his own website, which makes it very clear that he has blocked the transfer of those assets to local authorities. Will he confirm that the assets of RDAs that will now be sold will be worth more than the investment in enterprise zones? Is not the Conservative leader of Fareham council, who heads the Solent LEP, right when he says:

“Selling them at this time in the economic cycle is the worst possible solution. Treasury is looking for quick wins but that will undermine the growth agenda. We are meant to be focusing on growth but that will undermine the growth agenda”?

Why does the Secretary of State believe that Whitehall knows best, or has he been overruled yet again by the Treasury, who are the people who really run his Department?

**Vince Cable:** The right hon. Gentleman seems to have forgotten that those are taxpayers' assets, the disposal of which should be done in a way that produces best

value for money for the taxpayer. Some will be disposed of and sold, and some will be transferred when that will produce a good outcome. The process is being carefully worked through at departmental level, and it will produce a sensible outcome that remains supportive of local initiatives through the local enterprise partnerships.

T5. [49993] **Harriett Baldwin** (West Worcestershire) (Con): The funding for technology innovation centres is extremely welcome. Will the Secretary of State update me on any representations he has received on a bid from Malvern to the Technology Strategy Board?

**Vince Cable:** Technology innovation centres are proving extremely welcome in the research community because they represent a bridge between academic research and business application. The first of those—the advanced manufacturing TIC—has been launched, and I went to Rotherham at its outset. Others are being prepared, and I am sure that the one in my hon. Friend's constituency will be carefully considered by the TSB.

T2. [49990] **Mr Clive Betts** (Sheffield South East) (Lab): On enterprise zones, do the Government agree that it is important that subsidies are not given simply to jobs and development that would have happened anyway? It is fairly easy to see how the Government could stop, and take measures to prevent, a firm from simply transferring to an enterprise zone with public money, but if a firm decides to expand into an enterprise zone, or if a new firm is created in one, how can the Government ensure that money is not simply given to a development and jobs that would have existed without the subsidy?

**Mr Prisk:** Care needs to be taken in respect of the displacement effects of this policy, and indeed any other spatial economic policy, because of the danger to which the hon. Gentleman alludes. We are working deliberately with local enterprise partnerships to minimise that danger, and looking to ensure that we understand the dynamics of the economy in those areas. That is why the whole Government are ensuring that we do not simply impose the policy from the centre, but work with enterprise partnerships.

T6. [49994] **Elizabeth Truss** (South West Norfolk) (Con): Since 1997, the proportion of A-level students studying core academic subjects has fallen, despite the fact that those subjects are preferred by universities. I think that that is partly down to the equivalence of UCAS points and the league tables. What action will the Minister take to ensure that universities make specific subject offers rather than points offers, and that they publish students' results?

**The Minister for Further Education, Skills and Lifelong Learning (Mr John Hayes):** My hon. Friend knows that universities are independent organisations and that they decide which offer they make to applicants. Nevertheless, the Government are working with UCAS to explore how it can publish for each course the most popular qualifications of previously accepted applicants. We welcome the Russell group publication, “Informed Choices”, which includes advice on subjects. Universities, as Disraeli said, should be places of life, liberty and learning.

T4. [49992] **Yvonne Fovargue** (Makerfield) (Lab): There are still high numbers of rogue operators in the fee-paying debt management industry and they often charge high amounts and pay not one penny to creditors. Does the Minister agree with the argument advanced in Wednesday's *Daily Mirror* by the free advice sector that it is no longer tenable to stand by and fail to protect vulnerable individuals from those companies?

**The Parliamentary Under-Secretary of State for Business, Innovation and Skills (Mr Edward Davey):** The hon. Lady is right to raise this matter. She will know from her time working in the citizens advice bureau in her area how significant this matter is. Some debt advice agencies out there—frankly—do not act in an acceptable way. We are considering this issue under the consumer credit and personal insolvency review, and will make an announcement after the Easter recess.

T9. [49997] **Bob Blackman** (Harrow East) (Con): I am all in favour of encouraging enterprise and start-up businesses. However, what will my hon. Friend do about the current scandal of businesses trading, taking people's money, closing down overnight, then starting up the next day with the same directors and defaulting on all due payments? That is a scandal in society and we must stop it.

**Mr Davey:** My hon. Friend is exactly right, so I hope he welcomes the statement that I have made today on this very issue. Following a consultation launched by the previous Government, we have concluded that action needs to be taken on phoenix companies when assets are sold to connected parties without open marketing. Our proposals, which are in the statement, include insolvency practitioners giving three days' notice to all creditors before the sale, which we think will be valuable.

T7. [49995] **Alex Cunningham** (Stockton North) (Lab): The proposed changes to the feed-in tariff for solar energy projects has dealt the industry a massive body blow and left in tatters plans by Norton sports and social club in my constituency to build one to finance their community work. How many more projects have been deferred, and what does the Secretary of State have to say to this job-creating industry?

**Vince Cable:** As the hon. Gentleman knows, the feed-in tariff consultation is being conducted by the Department of Energy and Climate Change, but I will certainly communicate his concerns to it.

T10. [49998] **Jason McCartney** (Colne Valley) (Con): I am very lucky to have many successful manufacturing businesses in my constituency, and I am always one to talk up our manufacturing expertise, whether it is David Brown Engineering in Lockwood, Thornton and Ross pharmaceuticals in Linthwaite, Equi-Trek horseboxes in Meltham or any one of many others. However, some of my smaller businesses are still reporting problems with bank lending. How aware is the ministerial team of this problem, and what can we do to help such businesses to achieve multimillion pound turnovers?

**Vince Cable:** The hon. Gentleman is right that manufacturing is a success story. It is now growing at double-digit levels annually, in stark contrast with what

happened in the period after 1997, when we had a hollowing out of manufacturing more rapid than anywhere else in the world. However, he is right that there is a threat to small and medium-sized enterprises in particular from bank-lending practices. We have secured commitments to 15% more lending from the banks, but much more needs to be done.

T8. [49996] **Gregg McClymont** (Cumbernauld, Kilsyth and Kirkintilloch East) (Lab): Given that demand for student places was always going to exceed supply this coming year, is the Secretary of State surprised that universities are charging as much as he has allowed them to charge?

**Vince Cable:** The hon. Gentleman might be confusing the coming year with the year for which fee levels are being announced. However, as I said earlier, there is a wide distribution of proposed charge levels by the universities that have already made announcements—less than a quarter of all universities—and this reflects the policy that we introduced.

**Margot James** (Stourbridge) (Con): Will my right hon. Friend assure the House that the Government will not attempt to reduce the number of places at universities charging the full rate of £9,000 a year in order to oblige a greater proportion of students to attend universities that charge less?

**Vince Cable:** We certainly wish to encourage providers that charge highly competitive fee levels, but we also wish to encourage high-quality universities of the kind my hon. Friend described. I do not think that the two are in any way incompatible.

**John Cryer** (Leyton and Wanstead) (Lab): Will the three-year moratorium that the Secretary of State mentioned earlier apply to health and safety legislation? I ask that question in view of the fact that two people are killed every week in construction.

**Mr Prisk:** We are reviewing health and safety legislation following a report on a common-sense approach to it. The moratorium approach to domestic regulation for micro-businesses will extend across health and safety, but it will be a common-sense approach based on ensuring that when public safety or national security are involved, measures are progressed.

**Mr James Clappison** (Hertsmere) (Con): In the light of the excellent question from my hon. Friend the Member for Reading East (Mr Wilson), surely it is a matter for universities to decide who to admit on individual merit, not for us to have a central Government control model—a command and control model—that inevitably produces unfair discrimination. We are trying to build a big society, not recreate the Soviet Union, are we not?

**Vince Cable:** There is no command and control. Indeed, we are seeking to free universities from the complex, rather Stalinist system that we inherited. None the less, it is right that the Office for Fair Access judge universities that wish to charge the top rate according to its access criteria.

**Mark Durkan** (Foyle) (SDLP): The Minister might be aware that the Office of Fair Trading is receiving complaints about the market dominance and business practices of Electoral Reform Services. Will he encourage the OFT to be more attentive and responsive to those complaints than it has been to previous complaints?

**Mr Davey:** The hon. Gentleman will know that the OFT is an independent body, and I am sure that he would not want the Government to breach the law by intervening in that way. However, I am sure that the OFT has heard his question.

**Nadhim Zahawi** (Stratford-on-Avon) (Con): The excellent Coventry and Warwickshire local enterprise partnership is considering imaginative ways to make an offer for the next tranche of enterprise zones. Will the Minister meet it and me to discuss its imaginative ideas?

**Mr Prisk:** Mr Speaker, I think we have both now got our maps out and are sorting out the geography. However, the important thing is that the LEPs will be able to talk to the Government. The policy is led by the Department for Communities and Local Government, but we are working with it, and I am sure that the Government would be happy to hear from my hon. Friend.

**Mr David Lammy** (Tottenham) (Lab): Given that Leeds Met is the latest university to announce fees of £8,500, does the Minister think, in advising parents, that an English degree at Leeds Met is the same as an English degree at Oxford?

**Vince Cable:** I would not presume to make that kind of differentiation: it is their choice and they will both be considered by OFFA in due course. I would, however, single out Oxford for compliment, because of its ambitious programme for fee remission.

**Amber Rudd** (Hastings and Rye) (Con): Although I am irrepressibly optimistic about future growth in Hastings,

I was stunned to find last week that, on the index of multiple deprivation, we had fallen from 31 to 19. May I therefore urge the Minister to give careful consideration to stimulating areas of the south-east that have particular deprivation problems, and not to concentrate all the tools from his toolbox on the north-east region?

**Mr Prisk:** That is an image that I will not pursue. I am well aware that coastal towns in particular often feel that they are at the end of the economic line. I would welcome the opportunity to talk to parliamentary colleagues about that to see how we can focus in on this important issue.

**Mr Ben Bradshaw** (Exeter) (Lab): May I thank the Minister for the role that he has played and congratulate Exeter's Labour-led council on its doggedness in ensuring that Exeter has a guaranteed place on the Devon and Cornwall LEP? Will he urge the Under-Secretary of State for Culture, Olympics, Media and Sport, the hon. Member for Wantage (Mr Vaizey) to give urgent and positive attention to the bid for superfast broadband money, which has been submitted today and is supported by every Member of Parliament in Devon and Somerset?

**Mr Prisk:** We have issued a written statement today precisely on the new Heart of the South West local enterprise partnership for Devon and Somerset, as I think the right hon. Gentleman meant. I am grateful to him for his collaborative help on the scheme, which we are going to get under way. It is the next local enterprise partnership, and I shall certainly pass on his point to the Under-Secretary of State for Culture, Olympics, Media and Sport, my hon. Friend the Member for Wantage (Mr Vaizey).

**Several hon. Members** *rose*—

**Mr Speaker:** Order. We must move on.

## Ivory Coast (Humanitarian Situation)

11.31 am

**Mark Lazarowicz** (Edinburgh North and Leith) (Lab/Co-op) (*Urgent Question*): To ask the Secretary of State for International Development if he will make a statement on the humanitarian situation in Ivory Coast.

**The Parliamentary Under-Secretary of State for International Development (Mr Stephen O'Brien)**: Whatever events are taking place elsewhere in the world, Britain has not forgotten the people of Ivory Coast or Liberia. The Government are deeply concerned about the ongoing serious political crisis in Ivory Coast, the risk of regional instability, and the humanitarian impact on those who have been displaced by the violence or otherwise affected. The latest information we have is that almost 500 lives are estimated to have been lost as a result. That is why my right hon. Friend the Secretary of State announced last Friday that Britain would provide a significant emergency aid package to help tens of thousands of people affected by fierce fighting and violence who are in urgent need in Ivory Coast and Liberia.

In Liberia, Britain's support will provide food, shelter and basic services to 15,000 refugees; food, water and improved sanitation systems to 5,000 people living in border villages that have been overwhelmed by the refugee influx; and assistance for UNICEF's work in ensuring that thousands of women and children affected by the crisis are protected from violence, abuse and exploitation. In Ivory Coast, Britain is planning to supply £8 million of aid to provide 25,000 displaced men, women and children with food for six months; tents for 15,000 people; and support to treat 10,000 children and adults for malnutrition, and help 3,000 west African nationals return to their home countries. Access to populations in conflicted areas remains extremely difficult, and fighting is hindering the humanitarian response. Our support is being delivered through trusted UN and NGO partners. In addition to our support, I hope and plan to meet leading NGOs working in Ivory Coast and Liberia shortly before I leave for Liberia to see for myself the facts on the ground.

**Mark Lazarowicz**: I thank the Minister for his answer. The humanitarian situation in Ivory Coast is clearly becoming more desperate by the day and, as he said, is increasingly affecting neighbouring countries in west Africa. As well as in Liberia, there are now refugees from Ivory Coast in Togo and Ghana. The United Nations High Commissioner for Refugees estimates that 1 million people have already fled their homes, with the potential for up to 500,000 more refugees to arrive in Liberia alone over the next two months.

The Opposition certainly welcome the emergency assistance that the UK has given so far, but in view of what is obviously a deteriorating situation, can the Minister say how much of the assistance announced by the UK has been able to reach the countries concerned? What efforts are being made to reach the more remote areas of Ivory Coast, where tens of thousands are reported to be trapped, with no access to humanitarian assistance or medical supplies? Can he give us an update on how the rest of the international community is responding, given that the two UN emergency appeals so far have been grossly underfunded?

What steps are the Government taking to continue to monitor the situation in Ivory Coast and the neighbouring states, and are we in a position to provide more emergency assistance immediately any such need is identified? What discussions are the Government having with our international partners, particularly in the European Union, to ensure that our assistance efforts are co-ordinated with those of other countries? Is any consideration being given to strengthening the UN peacekeeping presence in Ivory Coast? Can the Minister give the House an update on the steps being taken by the international community to resolve the underlying conflict and to ensure that the outgoing regime respects the result of last year's presidential elections?

**Mr O'Brien**: I am grateful to the hon. Gentleman for raising those questions. He is absolutely right to focus on the extreme difficulty in accessing certain areas, particularly around Abidjan on the coast, where harassment, even of the international community, appears to be growing. In general, aid agencies have had some access to the north and the west of Côte d'Ivoire, though access to other parts of the country is changing on a daily basis. About 117,000 refugees have now crossed the border into Liberia, where access is not a significant issue at the moment.

We are seeking to produce the necessary humanitarian assistance, channelled through our tried and trusted UN and humanitarian non-governmental organisation partners. We have had direct contact with the NGOs. Indeed, officials in my Department are meeting representatives of Save the Children and Oxfam this morning, and the Foreign Secretary will meet representatives of leading British NGOs next week. He and the Minister of State will be meeting the president of the International Committee of the Red Cross. I am trying to organise a meeting with the NGOs that are leading the delivery of humanitarian responses in Côte d'Ivoire and Liberia before I leave for Liberia.

The hon. Gentleman asked about other diplomatic and political activity. There is an enormous amount of activity taking place within a number of bodies. The UK strongly supports the position taken by the Economic Community of West African States—ECOWAS—in seeking to co-ordinate supportive action in the United Nations and the European Union for ECOWAS. We also support what is going on in the African Union. It is important that the UN, which passed Security Council resolution 1975 last night, is now able to use that resolution as its authority to ensure that assistance is given within the context of finding the most peaceful means of allowing the duly elected President Ouattara to take his proper place in Côte d'Ivoire. In the meantime, we have to deal with the difficulties along the western side of the country, where the refugees are flowing into Liberia, as well as the serious humanitarian crisis in Côte d'Ivoire itself.

Initiatives are also being taken by the African Union in an effort to find a peaceful outcome to the crisis. It has been active in meeting and drawing up proposals, but, as we speak, a number of violent actions are taking place throughout Côte d'Ivoire, and the concern is that the peace processes are not as yet ahead of the actions on the ground. I compliment the African Union on its actions, however, and it is important that we recognise that the UN Security Council resolution does not impede

the AU's freedom to continue its process. The resolution neither competes with nor substitutes for that activity; it is a complementary process, and the sanctions imposed by the Security Council are designed to be persuasive rather than punitive, and will not cut across the AU process.

The hon. Gentleman mentioned funding. The \$32.7 million UN appeal for Ivory Coast and for neighbouring countries, excluding Liberia, is currently fully funded, but an appeal revision is under way, reflecting the significant increase in humanitarian need. The \$146 million UN appeal for Liberia is just 41% funded, and overall the response is reaching only a small proportion of those affected and displaced by the conflict. We have recently supported an uplift of 2,000 troops in the UN peacekeeping mission, the United Nations Operation in Côte d'Ivoire, and they will be coming through in the next few weeks.

**Several hon. Members** *rose*—

**Mr Speaker:** Order. There is understandably a lot of interest in this subject, but there is very heavy pressure on time today, so single, short supplementary questions and brief replies from the Treasury Bench are vital.

**Tony Baldry** (Banbury) (Con): I commend the fact that the UK Government are in the vanguard of funding the relief effort for Liberia and Ivory Coast, but is it not important that we encourage the African Union not just to engage to try to find a peaceful solution to disputes such as the one in Côte d'Ivoire, but to develop the logistical capacity to do more in these humanitarian situations in the future? It is fine for the G7 countries to fund the effort, but there needs to be more capacity within Africa to sort out the challenges that Africa faces.

**Mr O'Brien:** My hon. Friend, who has great experience of these matters, raises an important point about capacity building behind what is indeed the good political intent and the increasingly consensual process of the African Union, which is making its best efforts to find a peaceful solution. I am sure that his comments will be widely heard. He raises an important point for the future; in the meantime, we have to tackle the immediate issues.

**Hugh Bayley** (York Central) (Lab): I welcome the Government's humanitarian aid and the passage of Security Council resolution 1975. Does the Minister believe that there are enough UN troops on the ground? I am pleased to see beside him the Under-Secretary of State for Foreign and Commonwealth Affairs, the hon. Member for North West Norfolk (Mr Bellingham), who has responsibility for Africa. Taking a political track through the EU and bilaterally, what is the UK doing to address the problem of the polarisation between the north and south of the country in the longer term?

**Mr O'Brien:** The hon. Gentleman, with his expert knowledge, is right to highlight those issues. He gives me the opportunity to make the important point that Her Majesty's Government are working right across a number of Departments, not least through my hon. Friend the Minister with responsibility for Africa. The hon. Gentleman is also right about the north-south divide in the country, especially as we hear that troops loyal to President Ouattara are now only about 120 km north of the port of San Pedro, and may have captured

Yamoussoukro, the political capital. It is vital to find a way of pulling together a political process that unites a riven faction that has caused desperate humanitarian crises in the past.

**Richard Fuller** (Bedford) (Con): I welcome the Minister's statement on the provision of humanitarian relief and I note the UN resolution, but does he accept that what is really needed is a political solution that ejects Laurent Gbagbo from the presidency? This is a man who has rebuffed his people, rebuffed the Economic Community of West African States and rebuffed the African Union and is rebuffing the United Nations. Does the Minister accept that in this situation we have not done enough and not moved fast enough, and that this Government should do more to make sure that there is a peaceful resolution?

**Mr O'Brien:** Of course a political and peaceful solution has to be the overriding and most desirable outcome, but we have to deal with the facts on the ground as we know them to be. Enormous initiatives are taking place across ECOWAS, the African Union, the European Union and the United Nations. I know that the Foreign Secretary spoke to President Ouattara on 21 March and discussed the need for firm action in the UN against those who obstruct the African Union's attempts to broker a peaceful transfer of power, and on 25 March my right hon. Friend the Secretary of State for International Development spoke to President Ellen Johnson Sirleaf of Liberia to ensure that we address the humanitarian concerns developing in that country.

**Tony Lloyd** (Manchester Central) (Lab): The Minister rightly mentioned the need for a political solution and the role of the African Union. In fact, ECOWAS has a well deserved reputation for efficient delivery on the ground. Will the Minister tell us whether the Minister with responsibility for Africa has been in active discussion with ECOWAS so that we can engage further with it to deliver practical support for that political solution?

**Mr O'Brien:** I can. Indeed, I have just had it confirmed that my hon. Friend the Minister with responsibility for Africa met ECOWAS in Abuja three weeks ago and has continuing contacts with it, as do I in my travels through west Africa. It is a very important body to be developed to help these peaceful processes.

**Henry Smith** (Crawley) (Con): I welcome the Government's efforts. The Minister mentioned assistance to refugees. Will he expand on that and explain what assistance the Government are providing not only for refugees from Côte d'Ivoire in west Africa, but for refugees in this country as well?

**Mr O'Brien:** As I mentioned in my opening remarks, at this stage, when thousands of people are crossing the border westwards from Côte d'Ivoire to Liberia, the principal task is to provide shelter, potable water and improved sanitation systems, to ensure their survival and also the protection of thousands of children and women from violence, abuse and exploitation. It is equally important to recognise that helping west African and, indeed, other nationals to return home is part of the humanitarian response. My hon. Friend is right to highlight those issues.

**Ann Clwyd** (Cynon Valley) (Lab): Children in particular are innocent victims in this conflict. Will the Minister make it clear that we will not tolerate the increasing recruitment of children to take part in armed conflict?

**Mr O'Brien:** We do indeed hear reports that children are again being recruited to fight as soldiers, mainly to replace members of the armed forces loyal to former President Gbagbo who are now leaving the forces or switching sides. For the former president and those who surround him to imagine that it is ever legitimate even to contemplate recruiting anyone who is under age to fight for him is completely unacceptable. No doubt NGOs and others will document the incidence of such recruitment to ensure that evidence is available should it be required for the purpose of bringing those responsible before the International Criminal Court.

**Martin Horwood** (Cheltenham) (LD): I welcome the humanitarian assistance, but experience in Africa suggests that very large refugee camps invariably become difficult and dangerous places, especially for the most vulnerable. May I urge Ministers to redouble their efforts to remove people's reasons for leaving the country in the first place, and to try to prevent it if possible? May I also urge them to ensure that when assistance is provided for the camps, the needs of the most vulnerable—particularly the elderly, women and children—are given priority?

**Mr O'Brien:** The hon. Gentleman is absolutely right. I know from my recent visit to the Dadaab refugee camp in Kenya, on the border with Somalia, that a large refugee camp is extremely difficult to manage. In Liberia, which I shall visit shortly, I hope to go to where the refugees are to see what the conditions are like and how they can best be managed in a humanitarian way. As for the refugees' reasons for leaving the country, they are very plain: deep fear, deep instability, and the aggression that is being directed at their own people. All those factors are causing them to flee for their own safety. Clearly, the underlying aim must be to return Côte d'Ivoire to political stability and some semblance of democratic legitimacy.

**Jeremy Corbyn** (Islington North) (Lab): The situation in Ivory Coast is obviously terrible and tragic, and I welcome any aid and support that can be given, but a failure of politics has brought about that situation and there must be a political solution. Although there may be different interpretations of the election result on both sides, it must be recognised that there is considerable support for Gbagbo and Ouattara in their respective hinterlands, and any political solution must take that into account. Can the Minister confirm that working with the African Union and ECOWAS is the way forward, rather than allowing the country to descend into a terrible civil war?

**Mr O'Brien:** Like everyone else in the House, the hon. Gentleman naturally wishes to avoid any descent into civil war. The primary focus of our efforts must be on the African Union and ECOWAS, because a locally owned solution is much more likely to be both sustainable and peaceful and to take account of the relative strengths of the support currently available to each of the warring parties.

**Simon Hughes** (Bermondsey and Old Southwark) (LD): As well as encouraging Ministers to persist in their efforts to resolve the conflict, may I have an assurance that they are keeping in touch with the small but not insignificant community here in order to enable their insights and information to be used to assist such a resolution?

**Mr O'Brien:** We must indeed maintain those links. As I have said, I am making every effort to meet all the relevant trusted NGOs and representatives of UN agencies here before I leave for Liberia, which is the closest that I shall be able to get to the scene of what is taking place. The right hon. Gentleman is right: any influence that can be brought to bear, not least by diasporic communities, will be of great importance to the future.

**Mr Tom Clarke** (Coatbridge, Chryston and Bellshill) (Lab): I welcome the Minister's proposal to visit the region fairly soon. May I encourage him to go to the borders, where NGOs—particularly the Catholic Fund for Overseas Development—are involved in a special mission? They are deeply worried about the situation, and are anxious for the final solution and agreements that we reach, if indeed we are able to do so, to reflect the wishes of the people rather than what we may think is right for them.

**Mr O'Brien:** I am grateful to the right hon. Gentleman for his question. We are in touch with CAFOD, and it is part of the plan for my visit that I will go not just to Monrovia but up country to the borders so I can see for myself what is taking place. It is vital that we work with the grain of what people need locally, and that we are there to provide support rather than what might be regarded as a UK solution. On the contrary, it has to be a local Liberian and Côte d'Ivoirian solution to the problems the people there face.

**Mr Chuka Umunna** (Streatham) (Lab): The economic sanctions imposed by the EU, the US and some African states are clearly having some effect, as I understand Mr Gbagbo is running out of cash. However, it has been reported that he continues to be supported by a couple of African leaders, including Robert Mugabe, who has reportedly been sending him arms. Does the Minister know whether these reports are true, and if so, does he agree that it is of paramount importance that democracy is allowed to flourish and is respected, and that people get out and vote in other elections in the region, in particular those starting in Nigeria this weekend?

**Mr O'Brien:** We have been hearing reports of that, too. However, a significant number of countries and leaders across Africa are deeply supportive of a peaceful political process through the African Union, ECOWAS and other institutions, not least the United Nations—and I might mention Ghana and Angola, to name just two countries. It would be totally unacceptable for any leader or country to seek to supply arms to either of the warring factions, and particularly former President Gbagbo. If that were to happen, it should receive the roundest criticism from all of us who are concerned and want a peaceful outcome to this very difficult situation.

**Thomas Docherty** (Dunfermline and West Fife) (Lab): May I press the Minister to outline what contingency plans his Department, the Foreign Office and the Ministry

of Defence are putting in place if we have to move quickly to evacuate British nationals and others from Ivory Coast?

**Mr O'Brien:** The hon. Gentleman raises an important issue. We believe that about 80 British citizens would be involved, and there are, indeed, contingency plans in place for their safe return if that becomes necessary.

**Anas Sarwar** (Glasgow Central) (Lab): I welcome the Government's actions in providing humanitarian assistance to the region. Comparisons will inevitably be drawn with the situation in Libya. What assessment has been made of the number of civilian lives that have been lost in Ivory Coast, and what efforts are we and our international partners making to ensure we protect civilians from another brutal leader refusing to leave?

**Mr O'Brien:** The latest information we have is that about 500 civilians have so far lost their lives in Côte d'Ivoire, but that is very much an estimate—as the hon. Gentleman can imagine, reliable information is extremely hard to come by. All possible political and diplomatic processes are under way, and have been under way—we have been deeply engaged in trying to help and co-ordinate efforts to support that since the leadership crisis first arose in December. It is vital that we work down that track. Of course we do not want to have to take other measures, and it is extremely helpful that the UN Security Council passed resolution 1975 last night.

**Mr Speaker:** I am grateful to colleagues for their co-operation.

## Prisons Competition

11.53 am

**The Lord Chancellor and Secretary of State for Justice (Mr Kenneth Clarke):** With permission, Mr Speaker, I should like to make a statement.

The House will be aware that in 2009 my predecessor announced a competition for the management of five prisons: Her Majesty's prisons at Birmingham, Buckley Hall in Rochdale, Doncaster, Wellingborough and the new prison, currently called Featherstone 2, near Wolverhampton, which is due to open in 2012. I am now able to announce the results of that competition process.

Let me remind the House that these prisons were selected by the right hon. Member for Blackburn (Mr Straw) for a variety of reasons. Birmingham and Wellingborough are currently managed by the public sector and were chosen after being identified by the National Offender Management Service as performing poorly. Buckley Hall and Doncaster are establishments that have been previously competed and their contract is due for renewal. Buckley Hall is currently managed by the public sector and Doncaster is currently managed by Serco.

During the preparations for the bid it became apparent that competition could not produce improvements at HMP Wellingborough without significant capital investment to secure its long-term viability. In the current financial climate, this is clearly not a tenable proposition, so I took the decision to remove it from the competition process. HMP Wellingborough will continue to be managed by the public sector, and will need to deliver approximately 10% efficiency savings, in line with other public sector prisons, over the next four years.

I am now able to announce the results of the four remaining prison competitions. HMP Birmingham will be run by G4S plc. HMP Buckley Hall will be run by HM Prison Service. HMP Doncaster will be run by Serco Group plc. Featherstone 2 will be run by G4S plc. The new contracts will be effective from October 2011 for the prisons at Birmingham, Buckley Hall and Doncaster, and from April 2012 for Featherstone 2. I would like to put on record my thanks to all the bidders for contributing to what has been a challenging contest, which will secure significant quality improvements and savings at all the establishments involved.

The Government are committed to delivering reform in our public services. This process shows that competition can deliver innovation, efficiency and better value for money for the taxpayer, but also that it can do so without compromising standards. Before the bids were evaluated for anything else, they needed to demonstrate their fundamental ability to provide safe and secure custodial services. I can confirm that over the spending review period the new contracts will deliver savings of over £21 million for the three existing prisons. In the same period, the new Featherstone 2 prison will be delivered at £31 million less than the costs originally approved by the previous Government. Cumulative savings over the lifetime of the contracts for the three existing prisons are a very impressive £216 million.

But public protection is not just about how we manage prisons in order to punish people. It is also about how we achieve genuine and long-lasting reductions in crime by cutting reoffending. I am therefore particularly pleased

[*Mr Kenneth Clarke*]

to be able to announce that, for the first time, the contract award for HMP Doncaster will include an element of payment by results in reducing reoffending. Payment by results is central to our rehabilitation reform plans, because it means that we can concentrate on paying for what works to reduce reoffending. The current system funds services, but not outcomes. Providers of services face few consequences if what they offer does not succeed in cutting reoffending, and little reward if they do succeed in cutting reoffending. Payment by results looks to change this by rewarding performance against the outcomes specified in a contract. In the Green Paper I outlined plans to develop this policy further and commission at least six new pilots for payment by results. The contract for HMP Doncaster is an important first step towards fulfilling this commitment.

The new contract price for HMP Doncaster will in itself deliver significant annual savings. In addition, however, the introduction of payment by results means that 10% of the contract price will be payable only if the operator reduces the reconviction rates of offenders a year after they are discharged from the prison by 5 percentage points. If they achieve this, the contract will, of course, have significantly reduced crime, and for a cost of at least £1 million below what we currently pay. I regard this as a win-win approach. It translates to savings for the taxpayer, lower reoffending rates and a return for the service provider that improves their performance.

I know that Members on both sides of the House recognise the benefits of effective competition—at least I hope they still do. Today's announcement shows it has a significant role to play in delivering value for money, better outcomes and broader reform. I encourage providers from any sector to rise to the challenge. The public are entitled to expect safety and security and better results to go hand in hand with efficiency and innovation. I commend this statement to the House.

**Sadiq Khan** (Tooting) (Lab): I thank the Secretary of State for advance sight of today's statement, and I welcome its tenor and how he delivered it. He will be aware that our policy was and is based on what works, rather than dogma. During our time in government, nine new private sector prisons were provided and three new establishments had been opened and run by the public sector, and I recognise that they have played a successful role in our prison system. It is right that we began the market testing that he is reporting on today.

I wish to ask the Justice Secretary a number of questions arising from his statement. First, he refers to the fact that during the bid preparations it became apparent that competition could not produce improvements at HMP Wellingborough without significant capital investment, so may I ask him what plans he has for such investment at Wellingborough prison? How much will be invested, and over what period? Does he understand the frustration of hard-working prison officers and other staff working in public sector prisons that need capital investment when they are compared with prison officers and other staff in newly built or refurbished private prisons? Can he confirm that the decisions on the Birmingham and Doncaster prisons are no reflection on the hard work of prison officers and staff there?

May I echo the Justice Secretary's comments about the importance of delivering efficiency, innovation and better value for money for the taxpayer without compromising standards? Indeed, he has referred to the £216 million that will be saved as a consequence of this process, which was begun by the Labour Government. Does he therefore accept that the savings he is now championing are actually the fruits of the previous Government's attempts to improve the efficiency of the Prison Service? Can he confirm that he will reinvest that money in the Prison Service?

The Justice Secretary's announcement on payment by results is interesting and welcome. He will be aware that we began piloting payment by results in Peterborough, where we were trying to reduce reoffending. However, that is a pilot scheme and we recognised that lessons would need to be learnt before any full roll-out. What lessons have already been learnt from the yet to be completed Peterborough pilot? Can he confirm that Doncaster is a pilot and he will wait to see the results before the approach is rolled out further? His statement referred to the criteria for payment by results. He will be aware that 20% of offenders reoffend within three months of leaving prison and that 43% do so within a year, so will he explain further the criteria by which he will judge "if the operator reduces the reconviction rates of offenders a year after they are discharged from the prison by five percentage points"?

Finally, I wish to ask the right hon. and learned Gentleman about the workers in the prisons that he listed. Staff at HMP Birmingham and HMP Doncaster will understandably be worried about their future in these uncertain times. Does he anticipate any redundancies as a result of his decision? Can he confirm to the House that public sector terms and conditions will be protected under Transfer of Undertakings (Protection of Employment) Regulations arrangements? In addition, he will doubtless have seen the newspaper reports of contingency planning by his Department to deal with any industrial action that might result from his announcement. We have read that troops have been put on alert. Will he confirm whether that is the case? May I ask what discussions he or his Prisons Minister have had with the Prison Officers Association and others who represent prison staff? Does he agree that it is crucial that he and/or his Prisons Minister should meet the appropriate representatives today and begin a dialogue to avoid the sort of speculation reported in the media from becoming a reality?

**Mr Clarke:** I am grateful to the right hon. Gentleman, because I was interested to see whether the Labour party was in the position that I thought it was going to be in, and I am reassured by what he said. As he said, putting competition into the system in order to ensure the best standards at the lowest cost to the taxpayer is a continuous policy, and things have moved on an awful long way since I was Home Secretary 20 years ago, when privately managed prisons were a highly controversial subject. We got the first one under way at Wolds, but under Blairism the policy was taken a whole lot further, with all the private finance initiative prisons. As I readily acknowledge, the right hon. Member for Blackburn (Mr Straw) started this tendering process, which we have taken to what I believe to be this successful conclusion. It must be in the public interest and it must be right—I readily acknowledge what the right hon. Member for

Tooting (Sadiq Khan) just said—that we leave aside stale ideology and dogma, and instead look at what works and what produces the right solutions for the public.

We have problems with the building at HMP Wellingborough. It is not a terribly old building—as I recall, it is largely a 1960s construction—but we are under notice that something has to be done about it and it cannot just carry on as it is. The building is not going to be adequate for very much longer. We are considering what to do about HMP Wellingborough. Its staff are responding very well to the problems that they face, but I hope to be able to come back soon to announce what will happen at Wellingborough.

The contract for Birmingham prison is now going to G4S. I acknowledge that the staff at Birmingham have made considerable efforts and that they put in a good public sector bid as part of the tendering process, but the fact is that that process is objective and the private sector bid was just better, and somewhat less costly. On the right hon. Gentleman's later comments, the National Offender Management Service will, of course, have high regard to the interests of the staff at Birmingham. A new prison is opening not far away, which may offer some opportunities, but we will give all the appropriate support and hope to avoid an unnecessary number of redundancies.

Payment by results was indeed initiated at Peterborough by the previous Government, and we strongly support that worthwhile experiment. The only political claim that I would make is that I believe the previous Government responded to the policies suggested by the then Conservative Opposition in advocating payment by results. We suffered the fate that often happens to Opposition parties—I hope that this will happen to the right hon. Gentleman, too—of putting forward good ideas which then get stolen by the Ministers in power. However, at least we are at one on this policy.

The Doncaster scheme is another pilot. For the first time, the prison operator is entering into having a payment by results element in the contract; the operator will get extra reward if it succeeds, but it will share the risk with the Government, and will lose if it does not succeed. Five percentage points is what has been negotiated—a somewhat impenetrable figure. It means five percentage points down from the current percentage, so an 8.3% reduction from the current reoffending rate would be required for the operator to be paid.

It is indeed true that we have undertaken contingency planning in case we get the wrong sort of reaction to today's announcement, although of course we very much hope that we shall not, because industrial action will be no more in the interests of prison officers than it is in the interests of anyone else. Contingency planning for disorder in prisons has always been done, as it has to be. It has been done for as long as I can remember, although I think the previous Government suspended it when they reintroduced the criminal law making it illegal to strike in prisons. They carried out an experiment when they lifted the legal ban, but they had a very bad strike in 2007, and put it back again. We have been bringing the contingency planning up to date, but we very much hope that that is a mere precaution. In the interests of public order, we have to ensure that we are prepared in case anything goes wrong in a major prison, but we very much hope not to have to put any of this

into effect. We have had discussions with the Prison Officers Association and we are open to further such discussions, and we hope to be able to answer its legitimate queries in any way that we can.

**Several hon. Members** *rose*—

**Mr Speaker:** Order. I remind the House of the pressure on time and the consequent need for brevity.

**Mr Peter Bone** (Wellingborough) (Con): The Secretary of State's announcement will be widely welcomed in Wellingborough. Is he aware that the POA there and the management worked tirelessly together, doing so against the national union policy, to come up with a bid that has driven down the cost of prison to £19,000 per prisoner and has reduced the number of prison officers from 147 to 101? Could either the Secretary of State or a member of his team visit Wellingborough prison to see the improvements?

**Mr Clarke:** I join my hon. Friend in congratulating the staff at Wellingborough, because they face a difficult situation, given the uncertainties caused by the unsuitable and deteriorating buildings in which they are operating. They certainly have succeeded, and my hon. Friend the Prisons Minister says that he can certainly take up the invitation to visit to see what they have achieved. I hope that the uncertainties will be resolved as soon as possible, but obviously it is difficult to find money for a large capital programme, which is what Wellingborough really needs.

**Mr David Hanson** (Delyn) (Lab): As the Prisons Minister at the time the decision was made to undertake the market testing, I can confirm that we not only undertook the market testing but encouraged public sector bids. Now that those public sector bids have failed in Birmingham, could the Justice Secretary tell the House what will happen to the assets of Birmingham and Doncaster prisons? What is the cost of the TUPE arrangements? Will it be borne by the private sector contractor? If there are redundancies, will it be the Ministry of Justice that bears them?

**Mr Clarke:** The right hon. Gentleman was indeed involved in the competition process, so he cannot start protesting—however mildly—about the outcome. I assume that he contemplated that either the private or the public sector bids would win, and that is what has happened. The public sector has the contract at Buckley Hall and the private sector has the contract at Birmingham and the other prisons. Serco was already the contractor at Doncaster. To show how ideology is fading, the irony is that Buckley Hall, when it opened, was a private sector prison, but it has been in the public sector and this renewal of the contract has been won by the public sector again. The law on TUPE remains in place, but we are consulting on the wider implications on transfers of ownership from the public to the private sector. The outcome of this competition should be the kind of thing that the right hon. Gentleman was perfectly happy to contemplate when he was party to the decision in 2009.

**Sir Alan Beith** (Berwick-upon-Tweed) (LD): I welcome the Lord Chancellor's decision to build reducing reoffending into the Doncaster contract, but will he assure us that he recognises that that will require the provider to work

[*Sir Alan Beith*]

closely with a range of other organisations, and that they too increasingly need to be incentivised to reduce the reoffending that creates more victims of crime?

**Mr Clarke:** My right hon. Friend is right. There are two major voluntary parties with which the provider at Doncaster proposes to be in contact, but their names escape me—one is called Catch22 and the other is something else—and there will be local voluntary and charity groups subcontracted below them. Serco will manage the prison and will be the principal contractor, but the delivery that it hopes to achieve will be effected by subcontractors. I have emphasised to those who have attended seminars on this subject that I hope that the operator will deal responsibly with the small local contractors. Serco is entitled to use its bargaining power when negotiating with the representatives of Government to get the best deal it can, but I hope that it will not overdo it when dealing with smaller voluntary and charitable bodies that are also entitled to expect to boost their funds if they deliver the results required.

**Simon Danczuk** (Rochdale) (Lab): It is important to put on the record the fact that my constituents and staff at Buckley Hall prison in my constituency have been concerned about the process, but I am sure that they will appreciate the stability that should now be provided. The reason why I raise this matter is that, as the Secretary of State pointed out, there has been constant change at Buckley Hall prison, and I hope that this decision will provide some stability. May I have some assurance that the staff, who do an excellent job there, can now get on with that, and that there will be no redundancies at the prison?

**Mr Clarke:** I think I can give the assurances that the hon. Gentleman requires. As far as I am aware, the public sector bid did not contemplate any redundancies; I do not have that information at my fingertips, but I would be surprised if it did. The provider has won a contract, and it is now up to it to deliver that contract on the basis on which it was won; the provider cannot now backslide from what was offered. I do not think that that is likely to happen, and fortunately, the staff at Buckley Hall now have some welcome stability for the period of the contract.

**Mr Stewart Jackson** (Peterborough) (Con): I warmly welcome my right hon. and learned Friend's statement, and I know that he and his ministerial colleagues have been to Peterborough. May I add my voice to the calls to consider the social impact project at Peterborough with a view to extending it across the private prison estate? It could have an impact on prisoner education and in reducing recidivism.

**Mr Clarke:** I entirely agree with my hon. Friend, and I was immensely encouraged by what I saw on my visit to Peterborough. I have discussed Peterborough widely elsewhere, and there was tremendous enthusiasm for the social impact bond that raised the ethical investment that has gone in to the project and for the determination to deliver it on the part of the St Giles Trust, which is the partner, the YMCA and the other people who are involved. We are finding this enthusiasm reflected elsewhere, and I hope—Peterborough being another private sector

prison—that public sector prisons will get equally keenly involved. There are people in the public sector prison service who wish to contract on such a basis. I hope that payment by results will take off, and social impact bonds are one model for raising important capital to get them under way.

**Mr George Howarth** (Knowsley) (Lab): I welcome the inclusion of reoffending rates in the Doncaster contract. Can the Secretary of State assure the House that Serco will not be allowed to cherry-pick which offenders it takes at Doncaster, so that it will be possible to make meaningful comparisons between that establishment and other institutions?

**Mr Clarke:** I think I can. A cohort will be allocated rather than some carefully selected group, so a positive result will reflect some move in reoffending rates, with the consequent reduction in the number of further crimes and victims. I give credit to Serco, because when I went to Doncaster I broached the subject slightly tentatively there, because we were already in a competition process and Serco could just have proceeded perfectly ordinarily on the basis it had already agreed for the tenders with the previous Government. Yet Serco was positively enthusiastic, and I think it sees the pilot as a way of finding out whether it can enter into more such arrangements elsewhere in the criminal justice system.

**Mr David Nuttall** (Bury North) (Con): I too welcome the statement from my right hon. and learned Friend. Further to the previous question, in view of the fact that prisoners move around the prison estate, what proportion of a prisoner's sentence must have been served at HMP Doncaster for that prisoner's record to be taken into account in the statistics?

**Mr Clarke:** I will consult those who negotiated the details of the contracts and write to my hon. Friend with an answer to that extremely pertinent question.

**Mr Elfyn Llwyd** (Dwyfor Meirionnydd) (PC): The Secretary of State will be aware of the recent report on HMP Bronzefield, a privately run women's prison. It found seven cases of self-harm per day, one woman who self-harmed 93 times in a month, and one woman who was kept in segregation for three years with very little human contact. Health care was shockingly poor, with no female GPs, and pharmacy services were tortuous and inconsistent. How on earth can it be for the public good to extend private sector prisons?

**Mr Clarke:** Her Majesty's inspectorate of prisons does extremely valuable work and over the years, and has exposed things that can be praised or strongly criticised in both public and private sector prisons. If we look back over the years, we see that no rule and no measure can be produced that shows that either sector is overwhelmingly likely to produce praise while the other is overwhelmingly likely to produce criticism. We must look at the inspectorate's reports, take them seriously and ensure that where there are serious problems they are addressed. In my opinion—with respect—it is extremely out of date to say that what is wrong in such a case is the fact that the prison is private, whereas when another prison is criticised it somehow does not matter so much because it is public. The whole point of contracting and

competition is that one specifies the quality one wants and the right price for the taxpayer, and then the inspectorate system ensures that real failings are addressed—and at the same time, we sometimes have penalties in the contract if providers fail to deliver.

**Ben Gummer** (Ipswich) (Con): I enormously welcome the statement by my right hon. and learned Friend. Given the cross-party support for what he has just announced, what plans does he have to continue the excellent policy of the previous Administration in market testing across the entire prison estate? Will payment by results contracts be extended across other prisons? Finally, will he consider agglomerating PBR contracts in prisons with probation trusts?

**Mr Clarke:** We are out to consultation at the moment on the Green Paper on sentencing in general and we floated in that the prospect, about which my hon. Friend rightly asks, of having a regular programme of competitive tendering throughout the prison system so that we can revisit quality and cost, in an organised way, gradually over the years. We have not finalised the form, but we will come back in due course once we have finished our consultations and responded, and we will answer his question about exactly what we want to do on that front. Probation trusts are equally involved. I hope, in the development of the payment by results policy. We are as anxious to see public sector bodies involved as private sector bodies. The best of the probation trusts seem to me, in my contact with them, to be quite enthusiastic about becoming involved in such a contracting process.

**John McDonnell** (Hayes and Harlington) (Lab): The Secretary of State may consider that privatisation is no longer controversial within this House across certain parties, but it is deeply controversial among Prison Officers Association members. He should meet the POA as a matter of urgency, and should look well beyond TUPE for the protection of staff who are currently being made vulnerable by privatisation; otherwise I believe that there will be industrial conflict.

**Mr Clarke:** I have every respect for the hon. Gentleman's opinions, in which he has always been consistent. He has always been an articulate advocate, and I almost welcome him as a voice from the past. I realise that the POA is rather stuck in its traditional attitudes towards this kind of thing, but I really hope that it will reflect on what is almost a universal view in this House that we are moving on to a proper, fair, competitive basis for deciding how best to run prisons and at what cost, without being so obsessed about whether they are private sector or the public sector. Of course, the Under-Secretary of State for Justice, my hon. Friend the Member for Reigate (Mr Blunt) and I will continue our close contact with the POA. We have had to have contingency plans in case anyone is so foolish as to start industrial action—but it is illegal to take industrial action. The sensible thing for people to do is to look at the tendering process and, if they are in the public sector, decide how their prisons can achieve a better score in future. They have won one this time, but it is up to them to put in the best bids as we develop the policy.

**Mr Matthew Offord** (Hendon) (Con): I welcome the statement, and agree that there is consensus in the House about this. I see that three of the four contracts

mentioned today are being awarded to the private sector. Could the Secretary of State please advise the House of the percentage of prisons in England and Wales that are currently run by the private sector?

**Mr Clarke:** The answer is 11%, and that is one of the many things that surprised me when I started in this office. When I was Home Secretary we introduced the first private prison, HMP Wolds, which was regarded as a flaming political issue—we had crossed the Rubicon and it was a dramatic change. One way in which Britain has modernised is that we have inherited a lot of private finance initiative-financed private prisons, and now we have this open tendering between the two sectors across the country.

**Paul Flynn** (Newport West) (Lab): To underline his claim that prisons are well run, will the right hon. and learned Gentleman remind the House of the precise number of prisons that are free of the use of illegal drugs?

**Mr Clarke:** I would not like to guarantee that for any prison in the country. In far too many prisons drugs are, although more expensive, rather more readily available than in the outside world. That is a serious disgrace and I assure the hon. Gentleman that we are working very actively on our plans to begin with drug-free wings and then drug-free prisons. This issue has to be addressed, and people in the service are keen to do that. I hope to come back later this year—as soon as possible—with some announcement of progress on that front.

**Rehman Chishti** (Gillingham and Rainham) (Con): I welcome the Secretary of State's statement. Can he confirm that armed forces personnel are being trained to be deployed to man prisons if the need arises?

**Mr Clarke:** Yes, and there always used to be military contingency plans, because Governments must have contingency plans for all kinds of disasters. Unfortunately, if people are so unwise as to take industrial action in prisons, the situation can rapidly become far worse than in a normal strike because we start getting disorder among the prisoners. We have updated those contingency plans, and the military are indeed involved, but I should make it clear that no one is contemplating a military takeover of any prison. The Prison Service and prison governors would still be in charge. None the less, it is only prudent to make sure that we have the military preparedness that could, but almost certainly would not, be required. It has not been required in living memory, because one begins by using management staff and other teams that have been drafted in. Only in extremis would one start using the military for perimeter guarding and that kind of thing.

**Mr Dennis Skinner** (Bolsover) (Lab): Following on from the question asked by my hon. Friend the Member for Hayes and Harlington (John McDonnell), when the Secretary of State meets prison officers will he give them a guarantee regarding TUPE? He seemed a little vague at the beginning. Will he give an assurance that TUPE arrangements will apply not only in the present circumstances but in the whole period of this Parliament if there are any further changes?

**Mr Clarke:** TUPE is part of the law of the country, but the hon. Gentleman probably knows that there is currently a consultation about TUPE-related agreements that have previously been in existence in relation to transfers from the public sector to the private sector. I am not anticipating the outcome of that consultation, which is why I gave the answer I did.

**Tom Brake** (Carshalton and Wallington) (LD): Does the Secretary of State agree that localism is as important in the prison sector as anywhere else, and that there is a risk that if a very small number of very large conglomerates take over the running of all the private prisons, the voluntary sector, social enterprises and charities will be excluded from taking part in the exciting rehabilitation agenda that the Government are pursuing? How can he ensure that does not happen?

**Mr Clarke:** I agree that localism is extremely important in this field, and I think it will be preserved because of the process whereby major contractors subcontracts to voluntary and charitable groups. The relevant voluntary and charitable groups are different from place to place, and some of them are quite local. The people who set up the arrangements in Peterborough dealt with a collection of voluntary and charitable bodies quite different from those dealt with by the people who negotiated the contract at Doncaster, because local services and local ideas for tackling reoffending are different. I very much hope that, as the hon. Gentleman says, we shall keep that quality of local enthusiasm and commitment when we rope voluntary, charitable and third sector people into tackling reoffending.

**Nadhim Zahawi** (Stratford-on-Avon) (Con): Will the Secretary of State tell the House how many contracts awarded to private sector contractors have been terminated due to poor performance?

**Mr Clarke:** None has been terminated due to poor performance, as far as I am aware.

**Gavin Williamson** (South Staffordshire) (Con): I am sure that my right hon. and learned Friend is aware that not only Featherstone 2 but Featherstone and Brinsford are in my constituency. The latter two are excellent prisons because of the dedication and commitment of their prison staff. Can he assure me that the same levels of training and support offered to the prison officers at those two prisons will be offered to the staff at Featherstone 2?

**Mr Clarke:** That is provided for in the contract and I very much hope it will be the case. Like my hon. Friend, I have great optimism about the future of Featherstone 2. It is very good that we have that kind of investment coming on stream so that we can help to modernise the service in all possible ways. The proper training and support of staff is a key part of delivering the contract properly.

**Mr Rob Wilson** (Reading East) (Con): I congratulate the Secretary of State on his statement, and I particularly welcome the savings to the taxpayer. Some would have argued in the past that they would lead to a lower quality service, so can he tell us whether Her Majesty's inspectorate of prisons has shown any differences in recent reports between the quality of private sector and public sector prisons?

**Mr Clarke:** As I have said, I do not think it is possible to draw general conclusions such as "private sector good, public sector bad"—or vice versa—in any area. The regime at the best private prisons is very good and is hard to match in the public sector, and the savings are very considerable and useful. Sections of the media are enjoying themselves by constantly accusing me of letting people out of prison, but as far as I am aware I have not let anyone out of prison. I rather prefer cutting the costs of running prisons to letting prisoners out, and we are cutting costs in an extremely sensible way that should raise quality and performance in the Prison Service.

**Henry Smith** (Crawley) (Con): I strongly welcome the awarding of two of the prison contracts to Crawley-based G4S. Can the Secretary of State say how long the contracts are for, and what reviews of performance will take place throughout the contract and over which periods?

**Mr Clarke:** G4S has done very well in this particular round. It had some strong competitors, which will no doubt come back in future rounds when we arrange them. The contracts are for 14 years, but are reviewable after seven years so that performance can be checked at that stage. I wish G4S well in delivering the very strong bids that it put in.

**Mr Speaker:** I thank the Secretary of State and colleagues for their co-operation.

## Business of the House

12.28 pm

**The Leader of the House of Commons (Sir George Young):** With permission, I should like to make a statement about the business for next week. The business for the week commencing 4 April will be:

**MONDAY 4 APRIL—**Opposition Day (14th Allotted Day). There will be a debate entitled “Police Cuts” followed by a debate entitled “The Government’s Green Policy”. Both debates will arise on an Opposition motion.

**TUESDAY 5 APRIL—**General debate on Britain’s contribution to humanitarian relief and Libya, followed by a general debate on matters to be raised before the forthcoming Adjournment as nominated by the Backbench Business Committee.

Colleagues will wish to be reminded that the House will meet at 11.30 am on this day.

The business for the week commencing 25 April will include:

**MONDAY 25 APRIL—**The House will not be sitting.

**TUESDAY 26 APRIL—**Second Reading of the Finance (No.3) Bill.

**WEDNESDAY 27 APRIL—**Opposition Day (15th allotted day). There will be a debate on an Opposition motion, subject to be announced, followed by motion on section 5 of the European Communities (Amendment) Act 1993.

**THURSDAY 28 APRIL—**Second Reading of the London Olympic Games and Paralympic Games (Amendment) Bill.

The provisional business for the week commencing 2 May will include:

**MONDAY 2 MAY—**The House will not be sitting.

**TUESDAY 3 MAY—**Consideration in Committee of the Finance (No.3) Bill (Day 1).

I should also like to inform the House that the business in Westminster Hall for 28 April 2011 will be:

**THURSDAY 28 APRIL 2011—**A debate on Sudan.

**Hilary Benn** (Leeds Central) (Lab): I am grateful to the Leader of the House for that statement. First, may I join the House in offering our condolences to the hon. Member for South East Cornwall (Sheryll Murray) on her tragic loss? We are all thinking of her.

The House has welcomed the two statements this week on Libya, and we saw the news overnight that the former Foreign Minister has fled to the United Kingdom. Will the Leader of the House tell us what plans he has to keep Members informed during the recess, and whether he will consider seeking the recall of Parliament should circumstances warrant it? May I also welcome the changes he has made in response to my request to extend topical questions to the Department for International Development and the Cabinet Office? After the failure of Ministers from the Department for Business, Innovation and Skills to clarify matters in oral questions, may we have a full debate on the spectacular incompetence that is the Government’s policy on higher education? The White Paper has still not appeared, and most of today’s students will probably graduate before it does so. What was clearly promised as the exception—universities charging students fees of £9,000 a year—has become the norm, because the Government are simply incapable of getting their policy and their sums right.

May I say how much we are looking forward to Monday’s debate, so that we have the chance to discuss the Government’s complete mishandling of police cuts? Local communities will be astonished to discover that police officers are to be taken off the streets to be put into offices so that they can cover the work of civilian staff who are losing their jobs, and will be surprised by the news that special constables could be offered Nectar points to boost recruitment. Yesterday, the Minister for Policing and Criminal Justice was completely unable to answer a very simple question: will front-line police numbers fall? Perhaps his boss will be able to do so on Monday.

As for the greatest disaster of all—the NHS reforms—may we have a statement from the Prime Minister, now that we read in *The Times* that he is cutting the Health Secretary loose and taking personal control because he is worried that the plans will backfire. A Government source is quoted as saying:

“Are we doing this in one step or a number of steps? There’s no settled course.”

In other words, they do not have a clue.

May we have a debate on personal privacy and the serious and persistent problem of open microphones being attached to members of the Cabinet? Is it not unfair that at a time at which the Deputy Prime Minister is desperately trying to distance himself from the policies of his own Government, we should discover by those underhand means that in fact he agrees with the Prime Minister on everything? So concerned is he that we read that he has asked for good news initiatives with which he could be associated. Does that sound familiar? Perhaps he could be frogmarched to the nearest cashpoint to pay back the young people who will still lose their education maintenance allowance despite this week’s U-turn?

We also learn that, as the Lib Dems face catastrophe at the polls, there are plans for a total rethink of their image which, according to insiders, could

“even include changing the name and logo”.

What a stroke of genius, so may we have a statement from the Deputy Prime Minister on whether he has any plans to change the law on party names and symbols to permit that? It would be a great pity to lose the bird completely. What about a dodo or an albatross, although I am not entirely sure that it would fit on the ballot paper? As for that embarrassing party name, I can quite understand why some Lib Dems want to get rid of it, so why not change it to, say, “the Conservative party” and just get on with it?

Finally, has the Leader of the House seen the Private Member’s Bill that is due to be debated tomorrow that would abolish our much-loved national park authorities? Having seen off the Bill to cut the minimum wage, and after helping me to overturn Westminster’s barmy byelaw, the right hon. Gentleman is now on a hat-trick, so will he assure the House that he will oppose that measure too, and will he write about it in his blog? The House will have noticed with great sadness that he has not blogged since I began to read it. He once modestly wrote that he is just the B movie after Prime Minister’s questions, so may I assure him that if he begins again we will try to make a star of him yet? On that note, I wish the right hon. Gentleman, the Deputy Leader of the House, you, Mr Deputy Speaker, and all Members a very happy Easter.

**Sir George Young:** I thank the right hon. Gentleman for his kind words about my hon. Friend the Member for South East Cornwall (Sheryll Murray) which were appreciated by Members from all parts of the House. It was a tragedy that took place after she had taken part in a debate on coastguards and marine safety. On recall, as I have said previously, we will keep the position under active consideration. The right hon. Gentleman will know that at the request of a Minister, Mr Speaker can recall Parliament. We will do so if circumstances require it.

On the defection of the Libyan Foreign Minister, there will be an opportunity on Tuesday morning in the debate on humanitarian aid and Libya to update the House. We want to encourage those around Gaddafi to abandon him, and we welcome the further defection, which we hope will allow political transition and real reform to take place. Moussa Koussa is one of the most senior members of the Gaddafi regime, and the Foreign Secretary has regularly been in touch with him, most recently last Friday.

On policing, we welcome the fact that there is a debate on that subject next Monday in Opposition time. It remains our view that the police can make the necessary savings while protecting front-line services and prioritising the visibility and availability of policing. On health, the one change that the Government will not make is the change advocated by the right hon. Gentleman's party to reduce resources for the NHS—cuts that would plunge the NHS into crisis, put at risk cancer drug funds, thousands more health visitors and better support for carers, to which we are all committed.

The right hon. Gentleman took a side swipe at the two previous Prime Ministers. I am surprised that he wanted to refresh our memory of the Gillian Duffy incident, and the embarrassment of the previous Prime Minister. He then took a side swipe at Tony Blair and his cashpoint policy. The distancing of the Labour party from its history is well under way.

I am happy to say that the Deputy Prime Minister will answer questions at the Dispatch Box on Tuesday. We have extended the length of time for questions to the Deputy Prime Minister to 40 minutes, which will give him ample time to sweep away the somewhat frivolous suggestions that we have just heard from the right hon. Gentleman. Finally, may I reassure the right hon. Gentleman that we will block the Bill to which he referred? We will all miss during the month of April the refreshing contributions that he makes every Thursday morning.

**David Tredinnick** (Bosworth) (Con): Will my right hon. Friend update the House on the situation in Parliament square before an event at the end of April?

**Sir George Young:** I welcome my hon. Friend's interest. There may be an opportunity later today in the remaining stages of the Police Reform and Social Responsibility Bill to raise the issue. As he knows, we are changing the law so that in future police will have powers to remove those encampments. In the meantime, we welcome what the Greater London authority has done to remove the encampments on the green. We welcome the enforcement action taken by Westminster city council to deal with the encampments on the pavement, and further discussions are under way between the police and the relevant authorities to make sure that Parliament square is in a fit and proper condition for the royal wedding.

**Thomas Docherty** (Dunfermline and West Fife) (Lab): The House will be shocked to learn that yesterday, during an evidence hearing held by the Select Committee on Environment, Food and Rural Affairs, the Secretary of State for Environment, Food and Rural Affairs told the Committee that she planned to restart the sale of Forestry Commission land. Will the Leader of the House update us as to why we have had yet another U-turn by the most hapless Secretary of State in Cabinet?

**Sir George Young:** We inherited an ongoing programme of sales of Forestry Commission land from the previous Government. All new sales of forestry land were halted on 17 February. We will decide on the level of any future sales and the conditions to be attached, but only once we have received advice from the independent panel that we recently set up.

**Sarah Newton** (Truro and Falmouth) (Con): Will my right hon. Friend find time to allow the Under-Secretary of State for Transport, the hon. Member for Hemel Hempstead (Mike Penning), who has responsibility for shipping, to make an oral statement in the Chamber at the conclusion of the current consultation on plans to modernise the coastguard service? My right hon. Friend will understand that the future of the UK coastguard is of great concern to Members from all nine parties represented in this House and across the UK. During two debates in Westminster Hall, 33 Members were able to speak, but many more were unable to do so because of a shortage of allotted time.

**Sir George Young:** I welcome my hon. Friend's interest in this important subject. She will know that we have extended the consultation period. The Minister responsible has said that the Government will not give their response to the consultation until the Transport Committee, which is looking at the matter, has reported on it. She will know that this is a genuine consultation. We have already received 1,200 responses and look forward to getting more. The proposals will hopefully deliver a better joined-up and more resilient search and rescue co-ordination service.

**Angela Smith** (Penistone and Stocksbridge) (Lab): The regeneration of Barnsley town centre depends on Barnsley council being able to access the assets currently owned by Yorkshire Forward, the now-defunct regional development agency, and yet the Government are determined to flog them off. May we have a debate on this crucial issue, which is important to communities up and down the country?

**Sir George Young:** I understand the hon. Lady's concern. My right hon. Friend the Secretary of State for Business, Innovation and Skills is aware of the issue and is looking at the individual assets concerned to see whether he can come to a speedy decision. I will pass on her renewed concern to him and ask him to write to her.

**Tom Brake** (Carshalton and Wallington) (LD): On the subject of distancing by parties, has the Leader of the House had any request to debate the implications of a party dropping the word "New" from its full e-mail addresses?

**Sir George Young:** I had not caught up with that piece of information. We look forward to seeing whether there are any further transformations as the Labour party tries to regain popularity with the public outside.

**Mrs Sharon Hodgson** (Washington and Sunderland West) (Lab): The Government were required by law to publish the child poverty strategy and appoint a commission to scrutinise it by midnight tonight. Will the Leader of the House explain the delay, when the strategy will be published and how it feels to be a law-breaker?

**Sir George Young:** I am grateful to the hon. Lady. This subject has been raised in previous business questions. The answer is that the Government will launch the child poverty strategy before the House rises for the Easter recess. That statement will address the specific point, which she raised, of how the Government intend to proceed on the issue of legality on which she has just touched.

**Mrs Anne Main** (St Albans) (Con): When asked, the majority of people in this country apparently describe themselves as middle class, yet there are concerns that they are being discriminated against positively. May we have a debate on the hard-pressed, squeezed middle class?

**Sir George Young:** I hope that I can identify myself with that part of the population. There will be an opportunity to look at that issue during the Second Reading of the Finance Bill. My hon. Friend will know that a wide range of measures have been introduced that I think will be welcomed by the middle class, and indeed by all classes, particularly some of the steps we have taken to promote growth. The freeze on council tax will be welcomed by upper, middle and lower classes, and indeed by every member of this society.

**Mr Elfyn Llwyd** (Dwyfor Meirionnydd) (PC): Earlier this month there was a very disappointing announcement that the Cardiff to Swansea rail line would not be electrified by the Government, a decision that was predicated on what was called an unfavourable business case. In a written answer on 7 March, the Minister of State, Department for Transport, the right hon. Member for Chipping Barnet (Mrs Villiers) said that she would deposit the business case in the Library. It is yet to be deposited. May we have a debate in Government time on the need for observance of the ministerial code and timely responses from the Government?

**Sir George Young:** I was in the House when my right hon. Friend the Minister made that statement, which was warmly received. I recall that no extra time would be saved by the further electrification to which the hon. Gentleman refers, but I will of course pass on his request for more information to my right hon. Friend and see that it is promptly delivered.

**Karl McCartney** (Lincoln) (Con): My right hon. Friend will be well aware of my view, which is shared by many Members across the House, that the Independent Parliamentary Standards Authority is an overly-expensive and bureaucratic organisation. Will he confirm that I am right to be dismayed, having heard last week that in the near future it will preside over not only our salaries, but our pensions, with the inherent and astronomical costs that that will entail?

**Sir George Young:** My hon. Friend may know that under the Constitutional Reform and Governance Act 2010, IPSA will assume responsibility not only for

allowances, but for pay and pensions. That is enshrined in statute. We believe that it makes sense to have one body responsible for allowances, pay and pensions, rather than divided responsibilities, which we have at the moment.

**John Cryer** (Leyton and Wanstead) (Lab): The Leader of the House may be aware that the funding axe is hovering over certain long-standing national health service surveys that provide us all with information about public perceptions. That might not be unconnected with the fact that they show public satisfaction levels to be at an all-time high, roughly double or triple what they were in 1997. I had an Adjournment debate about that yesterday in Westminster Hall, but the answers were not forthcoming, so may we have a statement from the Dispatch Box from the Secretary of State for Health?

**Sir George Young:** As the hon. Gentleman has said, he has just had an Adjournment debate, and I am not sure that it would make sense immediately after that to repeat it at the Dispatch Box. I will pass on his concern to my right hon. Friend the Secretary of State and see if there is any way he can add to the information he was asked for in the debate.

**Mr Peter Bone** (Wellingborough) (Con): Yesterday, I made some comments in the House for which I must unreservedly apologise to the Leader of the House, because I gave the impression that he had done a good job and understand that that has affected his career prospects. To make up for that, would he make a statement next week about having another question time in the House? Would it not be a good idea to have the second most powerful Minister here to answer questions: the Chief Whip?

**Sir George Young:** I am grateful for my hon. Friend's earlier comments. I think that my career has peaked, so he need not be too worried about jeopardising my future. I am not sure that there is time in the congested programme for ministerial questions to squeeze in my right hon. Friend the Chief Whip, but his door is ever open, as my hon. Friend knows, and he is always particularly pleased to see him.

**Luciana Berger** (Liverpool, Wavertree) (Lab/Co-op): Last week's Budget did little to help hard-working people up and down the country. More than 55,000 families in Liverpool will pay on average an extra £450 in VAT this year. With inflation at 4.4%, food and energy bills rising rapidly, but wages staying flat, household budgets are really being squeezed. May we please have an urgent debate on falling standards of living and the Government's lamentable response to the problem?

**Sir George Young:** The short answer is no. We have just had a four-day debate on the Budget, during which there was ample opportunity to make those points. Nonetheless, there will be the Second Reading of the Finance Bill when we return after Easter, during which the hon. Lady will have an opportunity to share her concerns and have them addressed by one of my hon. Friends.

**Mr David Nuttall** (Bury North) (Con): Given the news that the banks in the Republic of Ireland are likely to need yet another €30 billion bail-out, may we please have a statement on the impact this will have on this

[Mr David Nuttall]

country and, in particular, confirmation that we will not be adding to our existing liability under the Loans to Ireland Act 2010?

**Sir George Young:** As my hon. Friend knows, the Chancellor of the Exchequer made a statement earlier this year outlining the assistance we are giving to Ireland. Ireland is carrying out stress tests on its major banks. As I know from my time as a Treasury Minister, it is not always helpful to comment from the Dispatch Box on the stability or otherwise of other countries. He will understand if I do not comment any further.

**Mr John Spellar** (Warley) (Lab): Last week I asked the Leader of the House how we could get an apology from his Cabinet colleague, Baroness Warsi, over the claim she made last year that the Conservatives failed to win an overall majority at the general election because of electoral fraud, predominantly in the Asian community. That accusation was completely refuted last month by the Electoral Commission, which reported that there had been only two prosecutions and one conviction. The Leader of the House generously replied last week that

“I am sure she will have heard what the right hon. Gentleman has said and will want to respond to it in the appropriate way.”—[*Official Report*, 24 March 2011; Vol. 525, c. 1103.]

I am sure that he will be shocked to hear that I have heard nothing from her. Will he persuade his colleague to provide an answer?

**Sir George Young:** I repeat what I said last week: I am sure that my noble Friend will have heard what the right hon. Gentleman has just said. I will make renewed attempts to ensure that he gets a reply to the issues he has raised.

**James Morris** (Halesowen and Rowley Regis) (Con): May we have a debate about the continued problem of antisocial behaviour in many of our communities? In particular, may we have a debate about the interesting proposals put forward by Baroness Newlove, which outline how communities in places like my constituency can take more control over the problem of combating antisocial behaviour?

**Sir George Young:** I welcome the Newlove report, which was published yesterday. My hon. Friend might have an opportunity later today in proceedings on the Police Reform and Social Responsibility Bill—perhaps on Third Reading—to develop his points, but we look to act upon Baroness Newlove’s imaginative recommendations to encourage local agencies and central Government to change and make a real difference to local communities.

**Andrew Miller** (Ellesmere Port and Neston) (Lab): Yesterday, Members from all parts of the House received an e-mail from the Financial Secretary to the Treasury with some helpful information about the financial services compensation scheme. The covering note, however, states:

“I hope you will find this helpful in replying to queries.... Please use this letter in responding to any constituent correspondence”

on the subject. Does this mean that specific queries will be ignored by the Treasury? Will the Leader of the House ensure that specific queries on that very important subject are responded to?

**Sir George Young:** My hon. Friend the Financial Secretary to the Treasury was genuinely trying to assist the House, as I am sure the hon. Gentleman recognises, by letting Members have a response to a question that is asked quite frequently. Of course, it remains the case that any specific requests for more details or information will get prompt consideration from my hon. Friend.

**Julian Smith** (Skipton and Ripon) (Con): May we have a debate about the daft decision by Her Majesty’s Revenue and Customs to force the PAYE system on to town and parish councils?

**Sir George Young:** I was not aware that that was in the pipeline. There will be an opportunity on Second Reading of the Finance Bill to raise the matter, but in the meantime I will do so with my hon. Friends at the Treasury in order to find out what is going on.

**Diana Johnson** (Kingston upon Hull North) (Lab): The Read it Together scheme in Hull, which has 200 volunteers working with six or seven children each in 69 schools in the city, has been going for 35 years and is a great success story. All its funding has been cut, however, because of the cut in funding from national Government to Hull city council. May we have a debate about why voluntary sector groups in some of the poorest areas in the country are being let down by the funding from councils and from the coalition Government, especially in areas where there is no private sector involvement?

**Sir George Young:** I welcome the resources of those who run the Read it Together scheme. We had a debate in February about local government finance, and it is up to Hull city council to decide how best to allocate resources to the scheme. I hope that the council will take those decisions sensibly and sensitively and do what other local authorities have done by protecting worthwhile schemes such as the one that the hon. Lady mentions.

**Gavin Barwell** (Croydon Central) (Con): I am sure that my right hon. Friend will have seen the article in the *Daily Express* yesterday about the large proportion of the year when the House does not sit. May we have a debate about the parliamentary timetable and the ability of Members to hold the Government to account?

**Sir George Young:** I did indeed see the article, and of course my hon. Friend will know that when the House is not sitting it does not mean that MPs are not working; there is work to be done in the constituencies. We have made some significant changes to the way in which we organise the parliamentary calendar, and yesterday we actually added four days to the sitting calendar. This year we are going to sit longer than last year and, indeed, the year before, so any implication that we are working less hard is wholly unfounded.

**Mr Angus Brendan MacNeil** (Na h-Eileanan an Iar) (SNP): Given the opaque answer on coastguards provided to the hon. Member for Truro and Falmouth (Sarah

Newton), may we have a debate about the coastguards, either in Government time or Backbench Business Committee time, before the relevant consultation ends? That would allow the Government to show how seriously they take our maritime insurance policy, namely the coastguards, especially as the two debates in Westminster Hall were inadequate in both time and structure.

**Sir George Young:** I am not sure that those two debates in Westminster Hall were inadequate; they enabled a large number of people to speak. I have no plans to hold another debate in Government time, but as I said earlier the Transport Committee is conducting an inquiry into the matter, and that might be an opportunity for the hon. Gentleman to make any points that he feels have not already been made.

**Paul Flynn** (Newport West) (Lab): As no nuclear power station has ever been built on time or on budget, is there not an urgent need to extend the review of nuclear power in this country to include the cost, the timetable and the danger of an attack from a terrorist group—and in order to give the Deputy Prime Minister the opportunity to explain to the House his view that the fallout from Fukushima, both radioactive and political, may make our nuclear plans unaffordable?

**Sir George Young:** It remains the Government's policy that nuclear has a key role to play in future power supply. We are doing a review under Dr Weightman to see whether there are any lessons to be learned from what has happened in Japan, but there was enough delay to the matter under the previous Government, and we do not propose to add to that any more.

**Chris White** (Warwick and Leamington) (Con): In south Leamington Spa, an employment club has been set up in the Brunswick healthy living centre, and it is proving successful at getting people back into work. It costs just £27 an hour to run and has so far helped more than 100 people, of whom 18 are now in employment again. Will the Leader of the House provide Government time for a debate about measures to boost employment and the use of such job clubs elsewhere?

**Sir George Young:** I welcome what my hon. Friend says about the work club in his constituency. He will know that, in the Budget the week before last, the Chancellor included additional funding for work clubs—for precisely the reason that my hon. Friend gives. They are effective ways of helping those who are out of work to find work; they give support to them in making contacts, finding opportunities and helping with CVs; and we very much want to continue our support for those worthwhile organisations.

**Mr David Winnick** (Walsall North) (Lab): Given the situation in Libya, it seems unlikely that the House will not be recalled during the three-week recess, and I hope that the Leader of the House will reaffirm what he said a few moments ago. Can the House be informed, however, about the position of Libya's former Foreign Minister, who undoubtedly had a great deal of involvement with terrorism? Should not the House be told as much information as possible about Lockerbie? As the person who effected it first and foremost, he would have the maximum amount of information, which I hope he would be willing to reveal to the British authorities.

**Sir George Young:** As I said in response to the shadow Leader of the House, we will keep under review the need to recall the House. We have kept the House in the picture on Libya, with regular statements and debates in Government time, and there will be another opportunity on Tuesday to address the situation there. I believe that my right hon. Friend the Secretary of State for International Development who will open that debate will update the House on the position, and if the hon. Gentleman is here on Tuesday, he may have an opportunity to speak in the debate and to develop the point that he has just made.

**Christopher Pincher** (Tamworth) (Con): A number of small to medium-sized enterprises in my constituency, Alcon, Forensic Pathways and Aspire to name just three, have raised concerns about the excessive bureaucracy that they have faced in the past, so will my right hon. Friend arrange for a debate about the reduction of bureaucracy for SMEs, so that we can learn more about what the Government propose to do to help such businesses to do more business?

**Sir George Young:** I am grateful to my hon. Friend, who will know that the issue was covered to some extent in our debate about the Budget. We want SMEs to be the drivers of growth in this country, and there was a deregulation package in the Budget. We have extended the small business rate-relief holiday, increased the SME rate for research and development tax credits and created enterprise zones, so I think that the Government are doing a lot to encourage SMEs to grow and develop.

**Nic Dakin** (Scunthorpe) (Lab): I declare my interest as a former college principal.

I was astounded to hear the Secretary of State for Education say on Monday that further education colleges, which the majority of post-16 students attend, "do not have cafeterias or kitchens in place."—[*Official Report*, 28 March 2011; Vol. 526, c. 59.]

Will the Leader of the House arrange for the Secretary of State to come to the House and put the record straight by apologising to students, staff and governors in colleges?

**Sir George Young:** I will relay those remarks to my right hon. Friend. I think he said "some" do not have, rather than "all", but I will certainly relay the hon. Gentleman's concern. As someone with an FE college in his constituency, I know that there was considerable confusion about the capital programme under the previous Government, and we are now busy trying to recover from that.

**Brandon Lewis** (Great Yarmouth) (Con): Businesses in my constituency and, indeed, the New Anglia local enterprise partnership are excited by the Chancellor's announcement of enterprise zones, which my right hon. Friend the Leader of the House has just mentioned. Will he arrange for a debate in the House about the effect that such zones will have on the local economies of the areas where they go and, indeed, on the national economy?

**Sir George Young:** I am slightly surprised that the Opposition have not chosen enterprise zones as the subject for a debate on Monday. In view of the large number of Labour MPs who want one in their constituency,

[*Sir George Young*]

it would have been a popular subject for the Opposition to have chosen, but my hon. Friends in the Treasury will have noted the substantive bid that my hon. Friend has just made.

**Kerry McCarthy** (Bristol East) (Lab): I gather that after last week's business questions, when the issue of the child poverty strategy was raised, there was then a frantic ring-round of child poverty campaign groups telling them that the strategy would be launched next Tuesday—5 April. Can the Leader of the House tell us why he did not think it fit to tell MPs that that was going to happen, and why it is being left until the last day before the recess when we are on a one-line Whip and not many MPs will be around? What is he trying to hide?

**Sir George Young:** Next Tuesday is a sitting day, and it seems an appropriate day on which to make a statement. I hope that the hon. Lady is not implying that I misled the House in any way in last week's business statement, when I announced the business that I knew was forthcoming, as I have done this week. In response to an earlier question from the hon. Member for Washington and Sunderland West (Mrs Hodgson), I indicated that before the Easter recess the Government will be making a statement on the child poverty strategy and dealing with the legal situation that she raised with me.

**Henry Smith** (Crawley) (Con): Can consideration be given to a debate on the criteria that mortgage lenders use to approve loans, particularly with respect to those who carry out community work? I have an example in my constituency of a foster carer whose legitimate income from community work is being denied by a major UK mortgage provider. I would very much welcome consideration of that.

**Sir George Young:** I am sorry to hear of the problems that confront my hon. Friend's constituent. This might be an appropriate subject for an Adjournment debate, or he might like to raise it with Treasury Ministers to see whether they could pursue it with the mortgage lender to which he referred.

**Mike Gapes** (Ilford South) (Lab/Co-op): Can we have an early debate on the contradictions between Government Departments' policies? In particular, can he get the Secretary of State for Education to come here to explain why his Department, in connivance with the free schools organisation, E-ACT, has conspired with the Conservative-Liberal leadership of Redbridge council to evict, without consultation, elderly groups, ethnic minority groups, young people's groups and disabled groups from a community centre in my borough without any right of scrutiny or recall?

**Sir George Young:** I will share the hon. Gentleman's concerns with my right hon. Friend the Secretary of State. I say to the hon. Gentleman, however, that there is a real appetite in many parts of London for a free school. The legislation has been warmly welcomed and a number of parents are very anxious that this initiative should be developed with great speed.

**Neil Carmichael** (Stroud) (Con): In my constituency, farmers and residents are struggling to make known their views about the plans for reviewing the Severn estuary flood arrangements through the Environment Agency. There is concern about the need to listen to local views. May we therefore have a debate about the accountability mechanism for the Environment Agency, to encourage it to embrace a localism agenda?

**Sir George Young:** I am sure that the Environment Agency will have heard what my hon. Friend has said. It very much wants to work with community groups. I do not know whether he has flood wardens or flood action groups in his constituency, but the Environment Agency would very much like to liaise with them as it develops its plans and orders its priorities. I will bring his remarks to the attention of the EA.

**Mr Barry Sheerman** (Huddersfield) (Lab/Co-op): Given the bombshell in the Chancellor of the Exchequer's Budget speech about sweeping away planning protections, our green spaces and green belt are now vulnerable to any developer. Can we have an urgent debate on this, because middle-class folk, and all classes, are very concerned about the threat to our green spaces and our green belt? We have the local elections on 5 May. Surely the Government should come clean on green belt and green space protection before people vote in those elections.

**Sir George Young:** Green belt is specifically protected, so the hon. Gentleman should not have any concern about that. The rest of this issue lies in the context of the Localism Bill and the national planning strategy, and the hon. Gentleman should wait and see how the policy is developed in July.

**Bob Blackman** (Harrow East) (Con): Last year, we had the second highest recorded level of anti-Semitic incidents, and there is a strong feeling in the Jewish community that anti-Semitism is on the rise. Clearly, we as MPs have a right and a duty to set an example, but Cabinet Ministers have an even greater responsibility. Can the Leader of the House remind his right hon. Friends that it is unacceptable to accuse other colleagues of being Nazis or using Goebbels-type tactics in the media?

**Sir George Young:** Yes, I agree that not only Cabinet Ministers but every Member of the House should be very careful about the language that they use. I will certainly draw my hon. Friend's remarks to the attention of my fellow Ministers. I am sure that you, Mr Deputy Speaker, will do all you can to ensure that no inappropriate remarks are made in this Chamber.

**Nick Smith** (Blaenau Gwent) (Lab): This week at the Ebbw Vale metallurgical society, I met the top brass from the Tata steel company. They are very concerned about the Chancellor's carbon floor price proposals, which impose massive unilateral costs on the UK steel industry—costs that no other European country will enforce. Can we have a statement from the Energy Secretary and a debate on this issue?

**Sir George Young:** As the hon. Gentleman knows, the Administration are committed to moving towards a less carbon-intensive future. At Business, Innovation and

Skills questions earlier—he may have been in his place—my right hon. Friend the Secretary of State said that he would have a good look at those who are intensive users of energy to see whether the problem that the hon. Gentleman has described might be overcome.

## Points of Order

1.15 pm

**Paul Flynn** (Newport West) (Lab): On a point of order, Mr Deputy Speaker. Two worrying claims have been made about our troops in Afghanistan. One of those was today's report from the National Audit Office, which suggests that two out of three deliveries of vital equipment are not arriving in time. Another claim made is that bullet-proof vests are not being supplied in order to provide funds for the alternative vote referendum. Have you news of any statement to the House that can point out the seriousness of the first claim and the stupidity of the second?

**Mr Deputy Speaker (Mr Lindsay Hoyle)**: There is no indication of such a statement being made. I know that the hon. Gentleman recognises that that is not a point of order, but it has certainly gone on the record, and I am sure that the Secretary of State for Defence will have taken notice.

**Andrew Miller** (Ellesmere Port and Neston) (Lab): On a point of order, Mr Deputy Speaker. In September last year, the Independent Parliamentary Standards Authority wrote to all honourable colleagues about employer liability insurance, telling us that it was going to expire today. Last week, it issued its new guidelines. Included in those guidelines was section 10.8, which tells us that we can claim for employer's liability insurance and public liability insurance. Today, and in some cases yesterday, some Members but not all Members—I did not receive it—were sent an e-mail saying:

“Please find attached your Employer's Liability Insurance certificate to be displayed”.

This is not only causing concern and additional work to our staff, who are rigorously ensuring that we are properly protected, but will waste public money. Will you, Mr Deputy Speaker, perhaps in liaison with the Leader of the House and his shadow, ensure that proper guidance is issued urgently to MPs so that what is actually the case is very clear?

**Mr Deputy Speaker**: That is not a point of order, but the hon. Gentleman has raised a very important point. Perhaps the Leader of the House would like to make a comment—it is up to him.

**The Leader of the House of Commons (Sir George Young)**: I am sorry if the hon. Gentleman has not received the e-mail, which I certainly received yesterday, and which had attached the certificate to be pinned up in my office and all the relevant offices. I will find out from IPSA what has gone on.

**Mr Barry Sheerman** (Huddersfield) (Lab/Co-op): On a point of order, Mr Deputy Speaker. May I raise the fact that there seems to be no consultation with Members of Parliament on the closure of the Members' services centre in Portcullis House? It came as a total surprise to me when a member of staff said that it is all to be closed down imminently. If that is the case, it is disgraceful that Members of this House have not been consulted properly.

**Mr Deputy Speaker:** That is not a point of order, but it is a matter for the House of Commons Commission, and I am sure that the hon. Gentleman's voice will have been heard.

## Police Reform and Social Responsibility Bill

[2ND ALLOCATED DAY]

*Further consideration of Bill, as amended in the Public Bill Committee*

### New Clause 1

#### POWER FOR LICENSING AUTHORITIES TO SET FEES

(1) The Licensing Act 2003 is amended as follows.

(2) After section 197 insert—

“197A Regulations about fees

(1) Subsection (2) applies where the Secretary of State makes regulations under this Act prescribing the amount of any fee.

(2) The Secretary of State may, in determining the amount of the fee, have regard, in particular, to—

(a) the costs of any licensing authority to whom the fee is to be payable which are referable to the discharge of the function to which the fee relates, and

(b) the general costs of any such licensing authority;

and may determine an amount by reference to fees payable to, and costs of, any such licensing authorities, taken together.

(3) A power under this Act to prescribe the amount of a fee includes power to provide that the amount of the fee is to be determined by the licensing authority to whom it is to be payable.

(4) Regulations which so provide may also specify constraints on the licensing authority's power to determine the amount of the fee.

(5) Subsections (6) and (7)—

(a) apply where, by virtue of subsection (3), regulations provide that the amount of a fee is to be determined by a licensing authority, and

(b) are subject to any constraint imposed under subsection (4).

(6) The licensing authority—

(a) must determine the amount of the fee (and may from time to time determine a revised amount),

(b) may determine different amounts for different classes of case specified in the regulations (but may not otherwise determine different amounts for different cases), and

(c) must publish the amount of the fee as determined from time to time.

(7) In determining the amount of the fee, the licensing authority must seek to secure that the income from fees of that kind will equate, as nearly as possible, to the aggregate of—

(a) the licensing authority's costs referable to the discharge of the function to which the fee relates, and

(b) a reasonable share of the licensing authority's general costs;

and must assess income and costs for this purpose in such manner as it considers appropriate.

197B Regulations about fees: supplementary provision

(1) Subsections (2) and (3) apply for the purposes of section 197A.

(2) References to a licensing authority's costs referable to the discharge of a function include, in particular—

(a) administrative costs of the licensing authority so far as they are referable to the discharge of the function, and

(b) costs in connection with the discharge of the function which are incurred by the licensing authority acting—

(i) under this Act, but

(ii) in a capacity other than that of licensing authority (whether that of local authority, local planning authority or any other authority).

(3) References to the general costs of a licensing authority are to costs of the authority so far as they are referable to the discharge of functions under this Act in respect of which no fee is otherwise chargeable and include, in particular—

- (a) costs referable to the authority's functions under section 5;
- (b) costs of or incurred in connection with the monitoring and enforcement of Parts 7 and 8 of this Act;
- (c) costs incurred in exercising functions conferred by virtue of section 197A.

(4) To the extent that they prescribe the amount of a fee or include provision made by virtue of section 197A(3) or (4), regulations may—

- (a) make provision which applies generally or only to specified authorities or descriptions of authority, and
- (b) make different provision for different authorities or descriptions of authority.

(5) Subsection (4) is not to be taken to limit the generality of section 197.”

(3) In section 10(4) (sub-delegation of functions by licensing committee etc)—

- (a) omit “or” at the end of paragraph (c), and
- (b) after paragraph (d) insert “or
- (e) any function conferred by virtue of section 197A (regulations about fees).”.—(*James Brokenshire.*)

*Brought up, and read the First time.*

1.8 pm

**The Parliamentary Under-Secretary of State for the Home Department (James Brokenshire):** I beg to move, That the clause be read a Second time.

The new clause addresses the point about the local setting of licensing fees that was debated in the Public Bill Committee. I welcome the hon. Member for Kingston upon Hull North (Diana Johnson) to the Opposition Front Bench. She will recall the discussions that we had on this point in Committee. I welcome other Members who sat on the Committee, and other hon. Members who are present.

In my response to the consultation on the Bill, I said that we intended

“to enable licensing authorities to set licensing fees based on full cost recovery”.

Since then, as I confirmed in Committee, I have been working with colleagues across Government to ensure that we achieve that aim in a way that is fair to all sides. I know that fee payers will be concerned about a change that is likely to see fee income rise overall. However, the fact is that licensing fees have not been increased, even for inflation, since the Licensing Act 2003 came into force in 2005.

The new clause does not represent a change of principle. The current fees are supposed to cover the legitimate costs of licensing authorities in discharging their functions under the 2003 Act. However, there has been widespread agreement for some time that they do not achieve that. The previous Government recognised the problem, and promised an independent review of their proposed fees as early as 2004. The independent panel published its report, known as the Elton report, in December 2006. The recommendations included an increase in fees, but no action was taken. Therefore, the question for this Government is not whether the situation needs to be addressed, but how best to address it.

We could set the fees centrally again, which would have the advantage of providing consistency for fee payers. However, I have chosen to move to set fees locally because I consider that it may be difficult to achieve a close approximation to full cost recovery with nationally set fees. Different areas do not have the same costs, and it is unavoidable that a blanket fee level would leave some councils with a deficit or provide an excessive income to others. No system is ideal, but as a matter of principle, council tax payers in areas with higher costs should not subsidise the administration of the licensing regime, and fee payers in lower-cost areas should not fund wider council activities.

Fee payers should be reassured that locally set fees will not mean that licensing authorities can set whatever fees they like. First, they will only set the level of the fee. They will not be permitted to design new fees or their own fee structure; nor will they be able to use licensing fees as an income stream. The only basis on which they will be able to set fees is to recover their costs in discharging their functions under the 2003 Act. I will issue guidance to local authorities on the setting of fees, including statutory guidance under section 182 of the 2003 Act. To ensure that costs are kept to appropriate levels, that will include guidance on the principles of good regulation, including risk-based and targeted inspection.

To provide further reassurance to fee payers, there will be a nationally set cap on fee levels. Under the new clause, that is provided for by the ability of the Secretary of State to apply constraints to the licensing authority's ability to set fees. I intend that the level of the cap will be set in regulations after consultation. The consultation will contain a detailed impact assessment of the proposal.

In short, this measure is an important step towards ensuring that the Licensing Act 2003 works as it was intended to work, with fees fully funding licensing authorities' administration of the Act.

**Diana Johnson** (Kingston upon Hull North) (Lab): As the Minister pointed out, we debated this issue in the Public Bill Committee on the basis of an Opposition amendment. I am pleased, because he has obviously listened carefully to the arguments that we made. The Opposition were clearly championing the localism agenda, which I know is close to the heart of the coalition Government, so I am pleased that they have decided, at this late stage, to bring forward an amendment of their own on the issue.

We have heard from local government that since 2005, when the regulations of the Licensing Act 2003 were implemented, the licensing system has cost council tax payers more than £100 million more than was anticipated because of the centrally set fee structure. As the Minister said, that structure does not allow licensing authorities to set cost-neutral local charges.

As the Minister pointed out, the Government had indicated that they were considering giving licensing authorities the power to set licensing fees based on full cost recovery. I am sure that there has been considerable interdepartmental wrangling on this issue, and that that is why the new clause has been brought forward rather late in the day on Report. A number of trade organisations, the Local Government Association and others were concerned to see the original clause in the Bill, so no doubt they will be pleased to see this new clause. However, I wish to raise a number of issues with the Minister.

1.15 pm

In the current economic climate, with local authority budgets being squeezed, it needs to be clear to local authorities what funding will be available to them and what charges they will be able to set. It would be helpful if the Minister said when he believes the new fees structure will be implemented so that local authorities can begin to amend their budgets accordingly.

We also discussed at length in Committee the new fees framework for the late-night levy. It is the view of a number of organisations that a new fees structure is far preferable to the bureaucratic and complicated late-night levy scheme that is to be introduced by the Government. Only a minority of authorities would be able to utilise the late-night levy, and it clearly does not address any of the pre-midnight alcohol-related issues that we talked about at length in Committee. The LGA feels that including the new fees framework in the Bill is the quickest and simplest way to remedy the problem, rather than using the late-night levy solution.

Businesses have raised concerns about the new scheme. As I have set out, there is concern about the current economic climate. A number of small businesses are concerned that they may have to pay considerably more for licence applications and in fees to their local authority. It was clear in the amendment that we tabled in Committee, just as it is in the new clause, that fee levels would be restricted.

In Committee, I referred to what has happened under the Gambling Act 2005, which gives a discretion to set fee levels within nationally set bands. The Department for Culture, Media and Sport undertook a three-stage high-level review of the premises licence fees set by licensing authorities in 2007-08 under that scheme. The overall conclusions of the review were that there was no justifiable concern about the level of the fee maximums set by DCMS from either an industry or licensing authority perspective, and that the introduction of the new system appeared to be working well and had produced a good spread of premises licence fees among licensing authorities, with no obvious systematic setting of fees at the maximum level. Clearly, the matter has to be kept under review. Will the Minister carry out a similar review after a short period to check what is happening up and down the country?

In Business, Innovation and Skills questions earlier today, the Secretary of State reiterated the one in, one out policy for regulation. Under the Bill, a number of new burdens are being placed on business, such as the vicinity test, which will have an impact on the costs of the applications process for businesses. We know from the Home Office impact assessment that the annual cost of reform to the industry will be between £21.5 million and £52.1 million, with the best estimate being £36.8 million. The Association of Licensed Multiple Retailers estimates that the average cost per pub will be from £1,842 to £5,280, but could double with reform of the annual fees. I am interested to know whether the Minister feels that the Bill will take any regulatory burden away from businesses in relation to fees.

Proposed subsection (6)(a) of the new clause sets out that there will be an opportunity for local authorities to change the fees from time to time. Can the Minister give any indication of what he thinks the time scale for such changes will be? For instance, does he think that fees would be set for a minimum of three years, or

longer? Businesses have to plan their budgets and need to be clear about any additional costs that they will have to meet.

Will businesses in the late-night economy that already contribute time and money to schemes such as Best Bar None and community alcohol partnerships be credited with a reduction in the licence fee? Is there any opportunity for local authorities to provide such credit?

Although the Bill sets out a sufficiently flexible and clear framework, the amendment that the Opposition tabled in Committee would have provided licensing authorities with an opportunity to exercise discretion to reduce or waive fees for individual premises or events for organisations such as charities or voluntary sector groups, or for those benefiting from small business rate relief. Can the Minister confirm whether that discretion will be available to local authorities under the new clause? We need to see the details of how the fees will operate, and we look forward to seeing the draft regulations as soon as possible.

The Elton report on fees, which the Minister mentioned, made it very clear that local authorities could benefit from sharing best practice about how licence fee applications were dealt with. It made recommendations about using staff involved in related activities in local government and using good communication and mediation to avoid expensive appeals. What thought has he given to those specific recommendations, which could enable local authorities up and down the land to share best practice?

Will the Minister be clear about what local authorities will be allowed to charge for under the new clause? They clearly incur costs in dealing with licence applications, but what about the costs of the work that responsible authorities do in examining applications? I refer in particular to the involvement of the police, but the Minister will know that under clause 105, primary care trusts are also to become responsible authorities. Could any costs of their work in providing information to a licensing committee be charged for? Will the Minister also confirm whether the local authority will be able to include the costs of the work of trading standards under its enforcement powers in deciding on the level of fees?

Costings will need to be provided in a clear and transparent way, so that businesses understand exactly what they are paying for. I hope that that will be set out clearly in the guidance that the Minister referred to. Finally, when does he think the new fees regime will come in?

**Dr Julian Huppert** (Cambridge) (LD): It is a great pleasure to continue this reunion event of the Public Bill Committee into a second day, and to follow the hon. Member for Kingston upon Hull North (Diana Johnson), particularly as I had the great pleasure of being able to read some of her words in the briefings that I, too, received. That helped me to follow some of the details. I do not wish to detain the House for long in speaking to the new clause.

First, I should put it on record that I am a vice-president of the Local Government Association, and in that capacity I am delighted to be able to welcome this change, for which the LGA has pressed for a very long time. Not for the first time, I extend my thanks to the Minister for taking this and many other issues seriously,

and for the time that he has taken to have meetings outside the Bill Committee structure on a range of issues.

It is right that the system should not impose a cost on councils. The fundamental problem with the current system is that it has been a huge drain on council resources at a time when councils have many other things to do and many other calls on the public purse. Rather unusually, I am not going to blame the previous Government and say that they got it wrong on purpose. I believe that the fees were simply wrongly set, and that the required updates have not been made. I do not think the intention was to make councils pay, but that was how it evolved.

It is important that we move from the previous Government's approach of having things set centrally to a more localist agenda. Councils should be free and have more power. For example, it should be open to a council to set fees below the cost-recovery level if, for some reason, it felt that an important thing to do. I am not entirely sure why taxpayers might feel that that was the right thing to do, but then councils should be allowed to do things for which I do not understand the reasoning. Indeed, on many occasions they do so.

I will not go through all the details of the new clause, as the hon. Member for Kingston upon Hull North mentioned them. However, I have one concern to put to the Minister. He talked about the Secretary of State's powers and used the word "cap". He will be aware that we had discussions yesterday on concerns about the Secretary of State's capping powers over the police precept. I understand where the Minister is heading and why he wants such a power in this case, but can he assure me that he wants the Secretary of State's capping power to be used rarely, and that, ideally, it should not be the driving force as it has been in other cases in local government, such as police precepts?

I am delighted to see the new clause, and I thank the Minister again on behalf of the Liberal Democrats, and on behalf of the LGA as one of its vice-presidents.

**Justin Tomlinson** (North Swindon) (Con): Although I was not a member of the Committee, I declare an interest as the vice-chair of the all-party leisure group and a former nightclub manager. I spent a number of years in the late-night economy, and I stress that 99.9% of people who go out and enjoy their time in the evenings are good, responsible people out for an office party, leaving do or birthday party. The problems are all about dealing with the small minority.

One reason why I wished to speak was to make a point about transparency. It is in the interests of venues to have a safe environment, and the licensing authority can ensure that. I wish to make a few points about the late-night levy. I have met a number of representatives of venues, and of course nobody likes paying extra money, but it is very much in their interests that the money from the levy is used to create a safe environment. I should like the venues to have a greater opportunity to help to shape how the money is spent. My understanding is that local authorities will receive 30% of it and 70% will go to the police. The venues, which pay that money, should help to shape that decision. Ultimately, the final decision should be for the police or the local authority, because they are the ones who are accountable, but the venue owners see the situation at first hand.

In the areas where I worked, I saw that when people were enjoying themselves, they were generally well behaved, but when they wanted to go home, they found themselves unable to do so. I would therefore have suggested that the money from the levy be spent on a taxi rank co-ordinator in my area, so that people could get home swiftly and efficiently. In other areas, the venues might suggest that there should be better lighting, because generally, where there is good visible access there is a lot less trouble than in areas with only a handful of people around, which are not so well policed. My plea is that the Government ensure that there is transparency, and that venues that contribute to the late-night levy have a say.

**Andrew Percy** (Brigg and Goole) (Con): I come at the matter from a different viewpoint from my hon. Friend's, because I used to be the chairman of the licensing authority in the city of Hull. Transparency is important on the late-night levy, and on fees in general, but do we not have to ensure that we get the split right, too? When I was the licensing chairman, many of the solutions to problems in the late-night economy came from the council rather than from the police. We should therefore keep the percentage split under review at all times.

**Justin Tomlinson**: That is a valid point, and my hon. Friend speaks with first-hand experience and authority. The layout of the night-time economy is different in every town, which means that each town creates unique challenges that either the local authority or the local police must challenge. That is why I keep coming back to the need to ensure that venues feed into the system. The people who run them will know where the minority of people are generating problems.

**Steve McCabe** (Birmingham, Selly Oak) (Lab): I very much agree with the hon. Gentleman. Does he think it is important that nothing in the proposals detracts from existing models of good practice in arrangements involving the police, the local authority and the business community, such as the one in Broad street in Birmingham?

1.30 pm

**Justin Tomlinson**: I absolutely agree, and I am familiar with Broad street—I have seen how it has been transformed into a relatively safe place over the years. There will always be a minority who cause problems, but if local late-night economy establishments, the local authority and the police work together proactively, they can transform an area. Although it is a burden to pay additional fees through the late-night levy, the venues will be paid back, because if more customers can see that the levy has created a safe environment, they will have the confidence to go to the venues and spend money.

**Nigel Mills** (Amber Valley) (Con): My hon. Friend said that every town is different, and I am interested in his experience of running a late-night venue. The Bill would apply the provision to a whole council area, and not just to one town in it. As a nightclub owner, would he have been happy to pay for problems in a different town, and for none of his money to be spent in his town?

**Justin Tomlinson**: My understanding is that that is why picking areas has been delegated to local authorities. I would extend it so that the measure is venue-specific.

[Justin Tomlinson]

There are some proactive, good venues and there should be an incentive to encourage that; the opposite should apply to establishments that are perhaps less proactive and more responsible for the minority of problems.

**Penny Mordaunt** (Portsmouth North) (Con): I agree absolutely with my hon. Friend's last point. The measure would be very effective in creating a safe environment in some areas of Portsmouth such as Guildhall walk, but in the north of the city, which I represent, many venues have no problems at all, and yet they would be severely penalised by such fees.

**Justin Tomlinson:** To sum up on that point, my plea is for common sense to be applied to each local area. I would go one step further. The Best Bar None and various Pubwatch schemes are so essential that they ought to be compulsory. It should be part of the licensing arrangement that somebody who is responsible for a venue attends those meetings. Clearly, the best examples are when local authorities, the local police and local venues work together. It is unacceptable if a late-night economy venue does not proactively participate in such schemes, so I would include such participation as a condition of the licence.

**James Brokenshire:** This has been a useful debate, and I welcome the contributions from the hon. Members for Kingston upon Hull North (Diana Johnson) and for Cambridge (Dr Huppert)—I am grateful for the hon. Gentleman's kind comments and thank him for his support and participation in Committee—and my hon. Friend the Member for North Swindon (Justin Tomlinson).

Obviously, new clause 1 relates to the general setting of licensing fees and the administration of the Licensing Act 2003 locally, rather than to the late-night levy. I recognise the points that my hon. Friend the Member for North Swindon has just raised, and perhaps we will debate the late-night levy in further detail when we debate another group of amendments in this part of our consideration of the Bill.

The late-night levy is a discretionary arrangement, so local authorities can decide whether one is appropriate in their area. The Government have indicated that there could be exemptions for establishments that make arrangements under schemes such as Best Bar None. Further detail will come forward in regulations and guidance, as I indicated in Committee, which I hope my hon. Friend he accepts.

The hon. Member for Birmingham, Selly Oak (Steve McCabe) mentioned in an intervention the business improvement district in Broad street, Birmingham, which I have had the pleasure to visit. I saw how that partnership-type approach of drawing together the relevant licensed premises and other businesses to provide funds to look after and manage the area. A sad and tragic occurrence led to the establishment of that business improvement district, but it is a good example of how partnership working involving the police, the local authority, licensed premises and other businesses can work.

The Government do not seek to prescribe one specific model of partnership or how partnerships operate, or to say how a local authority should approach its management of licensing-related issues. Those things

can be done in various ways, including through a business improvement district, a late-night levy, an early morning restriction order or voluntary arrangements such as community alcohol projects. I went to see the St Neots project when that started, and it is now being rolled forward. We support many such consensual voluntary arrangements whereby various parts of business work with local councils to come up with innovative, practical solutions to address problems on the ground.

The hon. Member for Kingston upon Hull North and others highlighted a number of specific points in relation to new clause 1. As she said, the previous Government tasked the independent fees review panel with consideration of the deficit between the costs and income of licensing authorities. In 2006, it estimated that a 7% increase in fee income was necessary for full-cost recovery. Obviously, important points were made in the course of that review and, as I indicated, it was first and foremost in our considerations in introducing the new clause. The Government did not suddenly alight on the new clause at the last moment. Indeed, the original consultation document, which we published last summer, clearly refers to fees. In addition, full-cost recovery was very much part and parcel of the consultation, to which we are therefore responding.

We will issue statutory guidance under section 182 of the 2003 Act on the application of good regulation, including risk assessment and targeted inspection, to which licensing authorities must have regard. That will be important as a further framework to the structure of the new arrangements.

Hon. Members mentioned burdens on business. We are obviously cognisant of statements in the recent Budget and the intention to introduce a moratorium to exempt micro and start-up businesses from new domestic regulation. There will be exemptions from the moratorium, and we will obviously need to consider the new licensing legislation, including locally set fees, within that framework. However, I say to the hon. Member for Kingston upon Hull North that there is a clear need to address the gap highlighted in the Elton report. It does not seem right for local authorities effectively to subsidise the processing and activities of the 2003 Act when dealing with licensing arrangements, and I shall say more about that.

**Diana Johnson:** Will the Minister therefore confirm that the one in, one out principle will not apply in relation to the Bill, which certainly places a range of regulatory burdens on business?

**James Brokenshire:** The hon. Lady actually made that point in Committee. The Government take one in, one out seriously. Regulatory burden was considered closely and carefully during the approvals that led up to the Bill, as part of our broader consideration of the wider arrangements concerning burdens on business. We want to strip away things that are not needed, bureaucratic and unnecessary, but we will come to that in due course when we consider the next group of amendments, which relate to alcohol disorder zones, which clearly have not worked, because no one has taken them up. We obviously consider the new clause to be an important step towards getting the right balance.

The hon. Lady mentioned periodically reviewing the maximum fee level. That is certainly something that we will do. As I said in my opening comments, we also

intend to consult properly on the details of the proposals, so that we can take on board the different opinions. There will, therefore, be an opportunity for a number of these matters to be considered further. The hon. Lady asked about the time scale for that. We anticipate that the necessary regulations will be laid in October 2012 to allow that detailed consultation to take place. That is the time scale we are working to in the laying of the relevant regulations. She also asked about guidance. There will be guidance on how locally set fees will operate and on how to set the fees. It is important that there is transparency on how this is undertaken—in many ways, that reflects the comment from my hon. Friend the Member for North Swindon—and clarity on how the fees will be set locally.

A question was asked about what the assessment for setting fees locally will include and what full-cost recovery will encapsulate. The new clause makes it clear that the costs that a licensing authority may recover in its fees include those of other responsible authorities and other relevant parts of the licensing authority. That means that marginal costs that relate to duties arising from the Licensing Act can be included. However, policing costs would not be included. In other words, we are looking at the administration of the Act by the relevant local authority. That is how the new clause has been framed. Obviously, however, further consideration of the details can take place as part of the consultation as we move towards introducing the regulations that will sit behind this provision. That also applies to the necessary guidance that will help to inform the framing of the arrangements. Obviously, fees must not represent a blank cheque for local authorities, and fee payers need to be reassured of that. As I have said, a maximum level for each fee will be set in regulations. We will consult formally on the level before we introduce it, and will take evidence from a variety of authorities and fee payers to ascertain the satisfactory maximum sum for each fee.

I hope that I have addressed hon. Members' comments made during the debate. I also hope that all hon. Members will recognise that this is a sensible proposal, that we have listened to representations made from different quarters and that this provision will deal with the shortfall for local authorities. We are introducing the measure in a considered way, recognising the pressures on local authorities and businesses, and we believe that it is appropriate. We consulted on the new clause last August, and I hope that hon. Members will be minded to support it.

*Question put and agreed to.*

*New clause 1 read a Second time, and added to the Bill.*

## New Clause 2

### ALCOHOL DISORDER ZONES: REPEAL

'Sections 15 to 20 of the Violent Crime Reduction Act 2006 (alcohol disorder zones) are repealed.'—(*James Brokenshire.*)

*Brought up, and read the First time.*

**James Brokenshire:** I beg to move, That the clause be read a Second time.

**Mr Deputy Speaker (Mr Lindsay Hoyle):** With this it will be convenient to discuss Government amendment 56.

**James Brokenshire:** New clause 2 will repeal the previous Administration's alcohol disorder zones. This optional power for local authorities was so well considered and useful that it has been completely unused by local licensing authorities to date. Alcohol disorder zones were heavy on bureaucracy and potentially expensive to introduce and administer. I am genuinely sorry that the hon. Member for Bradford South (Mr Sutcliffe) is in his place to hear me say this, because he was involved in the consideration of these zones. I recognise some of the challenges that he probably faced at the time in trying to introduce the policy, but we believe that it is time to call time on alcohol disorder zones. The Government do not believe that they are the right approach to tackling alcohol-related nuisance, annoyance or crime and disorder, and as such we seek their repeal.

Alcohol disorder zones were designed to tackle areas with a specific problem with alcohol-related nuisance, annoyance or disorder. To apply a zone, a licensing authority was required first to gather evidence that a specific area was responsible for causing alcohol-related nuisance, annoyance or disorder. Adoption of a zone further required that all premises subscribed to an action plan. If there was evidence that the action plan had failed, local authorities could impose a charge on local businesses to pay for additional enforcement, but had to provide a calculation of the cost of enforcement in order to levy the charge. That was a prohibitive bureaucratic process.

1.45 pm

**Michael Ellis (Northampton North) (Con):** Does the Minister agree that one of the unattractive features of the disorder zone plan was that it required areas to be described, or to describe themselves, as having places of disorder? In itself, that was a most unattractive prospect.

**James Brokenshire:** It would be fair to say that it probably was not the biggest selling point of the policy to have that tag attached to a local area. It was probably, therefore, one of the disincentives. However, the problem had more to do with the levels of bureaucracy, including the impact of making some of the extremely challenging calculations necessary. I do not think that any local authority has felt brave enough to come forward. The Government are committed, therefore, to reducing the burden. The tools and powers available to local authorities must be simple to adopt and proportionate to the problem. Early morning restriction orders, for example, will, by stopping the sale of alcohol, be a simple way for local authorities to tackle specific problems at specific times and on specific days. That is something that we recognise and have taken forward in the Bill. We have sought to apply a more flexible approach through early morning restriction orders.

The late-night levy will be an optional power for local authorities to raise a contribution to the large policing costs incurred in the late-night economy, as well as supporting costs of local authorities in managing the late-night economy. The levy has been specifically designed to be simple for licensing authorities to adopt. We considered the repeal of alcohol disorder zones in our public consultation last year. The responses overwhelmingly supported repeal. Local authorities and the police spoke of the evidential burden, while businesses identified the policy as ineffective. I am sure that hon. Members will

[James Brokenshire]

agree that alcohol disorder zones should no longer be on the statute book. I therefore ask that the new clause be incorporated in the Bill so that we can finally put this failed policy to rest.

**Diana Johnson:** Clearly, the new clause is a housekeeping matter for the Government in tidying up licensing legislation. I listened carefully to the Minister's comments on the need for simplicity and a proportionate response to alcohol problems late at night. However, I do not think that the blanket approach being adopted under the late-night levy is proportionate. I would caution the Minister. Let us consider a large area of the country such as the East Riding of Yorkshire. If the local authority was minded to apply a late-night levy to the whole of the East Riding, small country pubs with no problems would have to pay the levy as well as places in more built-up areas, such as Bridlington, that do have problems late at night. The Government's approach through the late-night levy might almost be described as the son of the alcohol disorder zones.

**Mark Tami** (Alyn and Deeside) (Lab): Does my hon. Friend also accept that the club that people end up in will sometimes not be where they start consuming alcohol? In fact, they might not even have a drink there, but that can be where the problem occurs.

**Diana Johnson:** My hon. Friend makes an important point. Indeed, when it comes to licensing, one disappointing aspect of the Bill is the failure to deal with pre-loading and the low cost of alcohol in supermarkets. This Bill would have been an opportunity for the Government to legislate to deal with those issues, and there is concern that they seem to have missed it.

I am concerned that businesses that already contribute to voluntary arrangements—they include Pubwatch and Best Bar None, to which hon. Members have referred—may feel penalised if they are then asked to make contributions to the late-night levy as well. There is also concern that because the provision will affect only licensed premises that sell alcohol, it will not deal with, say, problems with late-night takeaways. If the Minister is minded to do so, it would be worth considering whether the late-night licence should include all parts of the late-night economy. That would seem to be the fairest way of dealing with the issue.

**Dr Huppert:** I am delighted to support new clause 2. It would remove sections 15 to 20 of the Violent Crime Reduction Act 2006, which were totally ineffective and did not work. I suggest that those provisions were also slightly tokenistic. Indeed, the previous Government fell into the trap of doing a lot of things that were token demonstrations. It is an easy trap to fall into, and I do not think that doing things for tokenistic reasons was unique to the last Government. I hope that this Government will learn the lesson of not doing things because they look good, but will continue to make great efforts to ensure that whoever forms the next Government will not have the same things to say about us.

One of the lessons learned about why those provisions were ineffective is set out in clause 125(4), which deals with the late-night levy requirement. That lesson, which

has just been discussed, is how we draw the boundaries of an area. We cannot take the model of the past, which involved drawing boundaries very roughly. Therefore, the Minister decided that an area must be an entire council area, as has been said, although that causes problems in Cornwall, which is a large council area. Perhaps we should learn a slightly different lesson, which is that although we should not have complete flexibility of boundaries, we could have some flexibility. Perhaps the rule should be that we can combine entire ward areas, which would avoid the problems of the provisions that we are getting rid of, but make their replacement work a little better.

**Mark Tami:** Does the hon. Gentleman accept that wherever we draw the line, there will be one premises one side of it and another premises on the other, which could literally be next door to one another? Wherever we draw the line, there will still be a problem.

**Dr Huppert:** That is obviously the case, but unless the hon. Gentleman has a fantastic suggestion for solving that problem—a problem that applies to waste collection and everything else, and in every other country—I do not see how we can address it. The same problem would apply with council boundaries, which are not always in the perfect location for all purposes.

**Penny Mordaunt:** My hon. Friend mentions large council boundaries. Portsmouth, which I think is the most densely populated city in Europe apart from London, has a small council boundary, yet we have the same problem. There are areas with no problems where, if a fee was applied, it would be problematic for businesses to keep running.

**Dr Huppert:** I agree, and I think that my hon. Friend and I share the same objective. We do not want to return to the alcohol disorder zone approach, which clearly did not work and involved having to draw a complex wiggly line that would have exacerbated the problems. That is why I am suggesting ward-sized boundaries, which, while never being perfect, would take us a lot further and allow the various areas of Portsmouth to be separated—I do not know the city as well as she does, and I am sure that she could say which wards were more of an issue than others.

**Steve McCabe:** If we accept that alcohol disorder zones were not a success—perhaps it is right to repeal them at this stage—is it not also fair to say that what we are hearing today are legitimate concerns about the unintended consequences of the new approach? Given the hon. Gentleman's desire not to have ineffective legislation, does he feel that it would be in the Government's interests for the Minister to promise an early review of the proposal?

**Dr Huppert:** It is hard to argue that alcohol disorder zones were effective, given that nobody used them, so I hope that the hon. Gentleman was not trying to make that case. I am not calling for an early review, because we have to give things a certain amount of time. I would not necessarily have said, for example, that getting rid of alcohol disorder zones at the beginning of 2007 would have been the right thing to do either. It takes time to realise that something simply has not worked. I

am not calling for an early review, but I am sure that the Minister will comment on my suggestion of using ward boundaries. We did not discuss it in detail in Committee, either here or in the other place, but it might provide a way of making the scheme a bit easier for councils to use, because we want to ensure that what the Minister intends is, in fact, what we see in the end.

**Andrew Percy:** I had not intended to speak in this debate, but it is about an issue in which I am quite interested, given my former role as chairman of the licensing authority in Hull, one of the two councils in East Yorkshire. My coalition colleague, the hon. Member for Cambridge (Dr Huppert), stole some of my thunder, proving that on this issue we are a happy coalition.

I chaired the licensing authority in Hull for a number of years, at the time when powers were transferred to us from the justices, so I was involved in writing the city's licensing policy. It was clear from the beginning that the powers that we had been given were insufficient. In some ways, I understood why the Government had come up with a solution, given the national outcry at the time and the problems that we had all read about. However, when I sat down with our council officers and said, "Alcohol disorder zones—what's your advice?", they said, "We're not going to go anywhere them, and we doubt anyone else will." It would have taken some time for alcohol disorder zones to become effective, but it was clear from the beginning that they were incredibly bureaucratic and would not be introduced in any part of England. Indeed, we have had similar problems with cumulative impact zones, which the local authority in Hull has twice rejected, and on very much the same grounds—the unfairness that could be meted out to premises with no problems at all, but which could none the less be drawn into such zones.

I take the point made by the shadow Minister—my near neighbour, the hon. Member for Kingston upon Hull North (Diana Johnson)—about the late-night levy. In many ways, I understand the Government's intentions. Indeed, when I was a licensing chairman, all we wanted was a little more power—as all councillors and politicians always do—to do something about the premises with which we knew we had repeated problems. At the time, we could not always rely on the police to make review applications, and we could little with the review applications that we received from residents, because of the weight of evidence that they put was insufficient, so we do need something.

I have concerns, however, particularly—as the shadow Minister said—in areas such as the East Riding of Yorkshire, or in the other part of my constituency, in north Lincolnshire. A late-night levy could draw in the Percy Arms—the pub four doors from my house, in a small, quiet, East Riding village—at the same time as nightclubs in Bridlington and Withernsea, which seems a little unfair.

Indeed, that would be unfair in a city as well. In Hull, as well as in Scunthorpe and other towns in our area, the problems are generally in the town or city centre, yet pubs in the suburbs or outside the city could also be drawn into the levy. I therefore support the suggestion made by Members in all parts of the House, including by my hon. Friend the Member for Cambridge, that we should think carefully about how to apply the levy. I

understand the Government's intention, and I agree with the early-hours orders, which could be particularly effective. However, we need to ensure flexibility in the system. In my time as a licensing chairman, we wanted a bit more power to do something against certain premises. However, as with all legislation, we need to ensure that we do not draw in premises that are innocent of any trouble. Like the hon. Member for Birmingham, Selly Oak (Steve McCabe), I would urge the Government to give an assurance that the provisions will be reviewed at some time in the future.

**Justin Tomlinson:** Obviously I have already covered some of this issue with my earlier comments on the late-night levy, but the buzz word that is coming across is greater flexibility. A number of Members have highlighted possible solutions to the problems of setting boundaries, but I think that the only way to set a boundary is to be venue-specific. Venues that conduct themselves in the right manner need an incentive. It has been suggested that venues in the East Riding with no history of problems, which do everything by the rule book and are nowhere near the problem areas, could be caught by the provisions. If we adopted more specific boundaries, we might have a ward boundary between two different establishments, with the well-behaved one on the wrong side of the boundary.

2 pm

The measure should be venue-specific and should be reviewed on a 12-month basis. A venue might be perfectly well behaved, but have a change of manager or a change in its cycle. In my experience, a new venue has novelty value and people queue to enter it, so it can afford to be picky and choosy, but when it gets towards the end of its natural life before being refurbished or simply closed it might cut corners to try to keep people coming in. This can result in a prevalence of under-age drinking, and its associated problems, so the measure should be venue-specific and reviewed regularly. The venues should also help to shape the way in which the late-night levy is paid.

I welcome local authorities having greater powers to deal with problem venues because we have a duty to protect the vast majority of people who go out on a Friday and Saturday night to enjoy themselves. If a venue is causing problems and encouraging a small minority to ruin things for the vast majority, the local authority should have the power to deal with that. Again, such measures should be venue-specific, and time-specific in relation to the venue. Generally, when people are out enjoying themselves, they are well behaved, but if they are trying to get home having not had a very good night problems can arise. People might try to jump the queue for a taxi, for example, which is why I have mentioned the need for a taxi co-ordinator. If all the venues in an area close at the same time, everyone will be spilling on to the streets at once. Closing times should therefore be staggered throughout the night. We should allow the responsible venues that have all the checks in place to stay open until 3 o'clock in the morning, if that is what the area wants, and close a problem venue at a different time to allow the limited police resources to deal with any associated problems. My plea is therefore for greater flexibility and for measures to be venue-specific and reviewed regularly.

**Diana Johnson:** It has been interesting to listen to the practical experiences of the hon. Members for Brigg and Goole (Andrew Percy) and for North Swindon (Justin Tomlinson). Given his practical business experience, what does the hon. Member for North Swindon think about the possibility of having a late-night levy and an early morning restriction order operating at the same time?

**Justin Tomlinson:** There would be obvious challenges. For example, if a local authority decided to charge any venue open after midnight a late-night levy but made it close at 12.15, that would not give it an opportunity to generate enough additional income to pay for the late-night levy. My proposal would be to bring the local authority, the police and the late-night venues together to discuss the matter. No venue will openly say that it wants to pay a late-night levy, because it adds an extra cost to its bottom line, but if that money were seen to be spent on improving the safety and enjoyment of the vast majority of people, allowing them to get home safely and quickly after a night out, they would be more likely to go out again and spend money.

I am trying to strike a balance between being proactively supportive of people going out and enjoying themselves and considering those who have to deal with the minority who cause problems. To ensure that this works, I would make it compulsory for those responsible for running venues—the managers, the keyholders, the licence holders—to sit round the table with the local authority, the licensing people and the police. This practice can encompass schemes such as Best Bar None and Pubwatch, and approaches that bar troublemakers from all the venues in an area if they cause trouble in just one. In that way, the vast majority who go out to enjoy themselves on Friday and Saturday nights will have their experience enhanced, and the industry will benefit because its perception and reputation will be greatly improved.

**Steve McCabe:** I agree with the comments made by the hon. Member for North Swindon (Justin Tomlinson); his experience has been of benefit to all of us. This is not a party political issue. We all want to see successful pubs and licensed premises where people can enjoy themselves and the businesses can make money and provide the jobs that are very much needed in some places. Perhaps I did not make myself clear to the hon. Member for Cambridge (Dr Huppert): I am happy to accept that alcohol disorder zones were not a success. I think that they were genuinely conceived as an attempt to deal with a problem that we all recognised, but they were not a success. I am not in any sense troubled to see the Government scrapping them and trying a different approach. I honestly hope that that approach will work, and I wish it well.

There are some obvious concerns, however, and several of them have been mentioned today. Problems could arise when a rural area is adjacent to an intensively developed town, for example. The application of the rules in such a situation could be problematic. The west midlands has several local authorities in close proximity, and there is a risk that the application of certain levy arrangements in, say, Solihull could have a knock-on effect in neighbouring Birmingham. It is reasonable to say that we are concerned about how this will work in practice.

I urge the Minister to review the provisions, not because I want to be able to come back here in 12 or 18 months to have a bit of fun at his expense. On many occasions, I would quite enjoy that, but in this context it probably would not be terribly useful. As I have said, this problem does not involve any party politics. We are all grappling with the same issue, and want to get to the same end point. I therefore urge the Minister to have a review, perhaps even a rolling review, so that we can see what problems are developing, what solutions are being tried, and whether there is a way of developing best practice. Instead of reaching a point at which we have to say, “Oh well, that didn’t work either. We’ll repeal it and start all over again”, I would much rather see the approach being modified as we go along. It might be in the Minister’s interest to agree to report regularly to us on the lessons that have been learned from the application of the measure, so that we can call on the experience of people such as the hon. Member for North Swindon, who could suggest adjustments that might make a difference.

I wish the measure well, and I hope that it will work, but I urge the Minister to think about introducing a regular review process that will allow us to learn lessons and ensure that we tackle the problem.

**James Brokenshire:** I am grateful to the hon. Member for Birmingham, Selly Oak (Steve McCabe) for his contribution. He talked about not wanting to have fun at my expense, but I genuinely take on board his point.

I am sorry that the hon. Member for Gedling (Vernon Coaker) was in the Chamber only fleetingly. Perhaps he did not want to be present at the denouement. I remember him, when he was a Minister, grappling to try to make the alcohol disorder zone policy work. I was an Opposition spokesman at the time, and I used to pick holes in it, saying that parts of it would not work and that it was too complicated. I asked how areas would be defined and which businesses would be part of the scheme. I also asked how the costs and charges would be calculated, and what steps would have to be taken to set the scheme up. I could almost see the beads of sweat forming on the hon. Gentleman’s brow, because those were all fair questions that many people were asking. I do not claim any great credit in that sense, because many outside agencies, including the Local Government Association, shared the view that it was a nice idea but that it really would not work. It is now right and proper to accept that, to move on and to learn the lessons from that time.

I respect the comments of the hon. Member for Kingston upon Hull North (Diana Johnson), who I know probably wants to gloss over the alcohol disorder zone episode, as does everybody nowadays, and move on to a new chapter. The ADZ episode taught us that in seeking to apply a charge in that way, defining the area can seem quite straightforward initially but prove devilishly difficult. That was one of the issues behind the ADZ problem.

We have sought to take a different approach by looking at the issue on a time basis rather than at a specific area and by dealing with the problems of managing the late-night economy. Research showed that there were pressures on the police and increases in crime in the early hours of the morning, suggesting the importance of the time at which this was happening. That is why clause 126 makes it clear that the late-night levy must “begin at or after midnight, and... end at or before 6 am.”

I hear the points made about rural areas, for example, where there might not be a problem. I note the question about whether, if the levy were applied more generally across the whole local council area, it would capture the well-run community pubs in the locality. If this were set to start only at midnight, I would suggest that those well-run community pubs are most likely to have shut by that time—before the levy comes into operation. If this is a problem, there is flexibility in the setting of the time at which the levy starts; it could begin from 1 am, for example. That flexibility is built into the measure.

**Nigel Mills:** It would help us and the industry if we understood how we are going to deal with the problem of events accidentally going beyond midnight or 1 am. Although there might not be any problems, a licence might be sought to cover a wedding or other event. At times such as new year's eve places are open for a long time, which might technically tip them into the levy, although that is not the Government's intention.

**James Brokenshire:** I think I made it clear in Committee that in those circumstances we would allow people to change their licence conditions to avoid the levy. Temporary event notices for specific issues would be considered under the TENs regime.

**Diana Johnson:** Will the Minister confirm that if a pub or venue operates just once in a year for which the late-night licence after midnight or 1 am applies, it will be subject to a late-night levy? Will the Government consider allowing, say, five or 10 opportunities for a pub to open during the year before the late-night levy kicks in?

**James Brokenshire:** Again, I think I said in Committee that we would want to look at such issues in the detail of the regulations. There are some specific points, as I said in Committee, that it would be appropriate to examine further. As part of that, we would want to give flexibility to encapsulate the schemes we have debated this afternoon—the Best Bar None and other voluntary schemes—so that some credit could be applied. I stress that the provisions are intended to be flexible, but if it became clear that the levy was not effective, at that stage—once implementation has taken place and an appropriate period had elapsed—it would be appropriate, as with any measure, to review it. We believe, however, that the provisions already have the required flexibility and are workable, and that they will not have the same bureaucratic problems as alcohol disorder zones. We believe that they are an important means of aiding the management and control of the late-night economy, many areas of which have been badly affected by the introduction of the Licensing Act 2003, without necessarily taking account of the consequences that have occurred.

2.15 pm

**Justin Tomlinson:** I welcome the suggestion that there is greater flexibility in the provision, but setting the levy according to time is still likely to capture venues that conduct themselves appropriately but just happen to be operating beyond a certain time. There is an analogy with football policing. A big local football club will contribute to policing costs because it attracts all the supporters, but no one would dream of charging the part-time or amateur football clubs that play on the local recreation grounds. It should be venue-specific

and it should take into account the need to be proactive in working with the local authority and the police authority.

**James Brokenshire:** On the venue-specific point, if there are problems, a review of licensed premises can be conducted. That is also why we included provisions to strengthen the enforcement of under-age sales.

Can problems with pre-loading, post-loading and so forth be pinned down to one specific area or not? We think that setting the levy on a time basis is fair and equitable, involving the provision of funding for local authorities to look at taxi marshals and manage the late-night economy in its broadest sense. By narrowing it down, the provision might start to lose some of the intent behind it, which is to help the police and local authorities to manage the late-night economy—if that is what they choose to do. I remind hon. Members that this is a discretionary power for local authorities to determine.

**Diana Johnson:** The Minister has made it clear again that this is a discretionary power that local authorities can exercise, but he has also made it clear that there were no alcohol disorder zones, so I wonder how many local authorities he expects to apply the late-night levy. That knowledge will help us to gauge its success in the future.

**James Brokenshire:** Strangely enough, this Government do not believe in central targets. The hon. Lady tempts me down that path, but I have to say that I have no specific target. I refer her to the regulatory impact assessment, which she will have read assiduously, as it sets out the level of fees forecasted. The regulatory impact assessment sought to examine possible options and estimate what might be recovered by the late-night levy. Rather than count up the number of local authorities, however, I point her to that assessment. We hope it will be successful.

**Andrew Percy:** The Minister is generous with his time and in being willing to take some of our points into account. I welcome the suggestion that we might be able to find a way, by means of regulation, of excluding village pubs such as the ones in my area. The problem with the alcohol disorder zones was not necessarily the setting of the boundaries, but the paperwork and bureaucracy that went with them. I commend to the Minister one area of law that seems to have worked very well—the designated alcohol zones. These are no-drinking zones, which have a set boundary and were quite easy to set up in comparison with ADZs. Having boundaries or setting boundaries around problem areas is not necessarily that complicated if we ensure that the process is simplified.

**James Brokenshire:** There might be a distinction to be drawn between seeking to calculate costs and charges as with the ADZs, and local byelaws drawn up by some local authorities. As I have already said, the early morning alcohol restriction orders are relevant, along with cumulative impact zones. They show that there are ways of seeking to control the behaviour of individuals within a particular area. Calculating costs and levying charges and fees for licences appropriately has to be done in a broader way to make it effective so that we do not get drawn down into the bureaucratic mechanism that we are seeking to put to bed in respect of the alcohol disorder zone.

**Michael Ellis:** The Minister has been urged to make the Bill location-specific, but would that not confer a stigma on certain locations? Would it not also create excessive bureaucracy, as local authorities would have to do far more work? Moreover, would it not depart from the principle that the Bill seeks to implement, namely the establishment of a balance that will assist the police and allay public concern about such problems as disorder?

**James Brokenshire:** My hon. Friend makes some powerful points, which bring us neatly back to the subject of alcohol disorder zones. I do not think that they met the tests that my hon. Friend has just identified. For that reason, we think it right to end a policy that sadly became an alcohol disarray zone, given the challenges that stood in the way of its being brought to fruition. We believe that there is merit in providing local authorities and the police with funds enabling them to manage the late-night economy; we believe that the right way in which to do that is through the late-night levy; and we believe that it is time to end the ADZ episode, which has clearly been a failure.

*Question put and agreed to.*

*New clause 2 accordingly read a Second time, and added to the Bill.*

### New Clause 3

#### GENERAL DUTIES OF LICENSING AUTHORITIES

(1) The Licensing Act 2003 is amended as follows.

(2) In section 4 (General duties of licensing authorities) insert—

(a) protecting and improving public health.”.—(*Diana Johnson.*)

*Brought up, and read the First time.*

**Diana Johnson:** I beg to move, That the clause be read a Second time.

The Licensing Act 2003 sets out the four licensing objectives that must currently be taken into account when a local authority carries out its licensing functions: the prevention of crime and disorder, public safety, the prevention of public nuisance, and the protection of children from harm. The new clause would introduce a fifth objective: to protect and improve public health. We tabled it to deal with three key issues. First, there is the fact that public health is far more prominent and talked about than ever before. Secondly, there is the role of primary care trusts and, in future, local authorities, which is relevant to clause 104. Thirdly, there is the current position in Scotland.

Let me explain first why we think the issue of public health is so important. As an Opposition spokesman, the Secretary of State for Health made clear his strong commitment to it. So committed was he that he planned to rename the Department of Health “the Department of Public Health” if the Conservatives came to power. Obviously that has not happened, but the Secretary of State is very busy with his Health and Social Care Bill, and we know that he is trying to rename the NHS “the HS”—to get rid of the “national”.

The widespread view is that there is a proper role for Government in the promotion of good public health. We know from the provisions of the Health and Social Care Bill that one of the few budgets that will be

ring-fenced in future is the public health money that will pass from the PCTs to local authorities in 2013. However, the Government have experienced big problems in their approach to public health. This month we have seen the fall-out from their stance on self-regulation by the drinks industry through the responsibility deal. A number of health groups have walked away from the discussions and the agreement, including the British Heart Foundation.

Don Shenker, the chief executive of Alcohol Concern, made clear his view that the Government’s approach to public health will not work. He said that the responsibility deal was

“the worst possible deal for everyone who wants to see alcohol harm reduced”,

and that it had no sanctions to impose if the industry failed to fulfil its pledges. He described those pledges as “half-hearted”,

and that the

“government has clearly shown that when it comes to public health its first priority is to side with big business and protect private profit.”

Let us consider what has already been said about this issue, and the action that the Government have taken so far. Yesterday the hon. Member for Totnes (Dr Wollaston) presented a ten-minute rule Bill to restrict the marketing of alcohol to children and young people. She made a telling point in expressing concern about the fact that the Government were putting the fox in charge of the chickens. They have, for instance, set their face against the idea of making personal, social and health education compulsory. That would have provided an excellent opportunity for young people to be taught about the effects of alcohol and the long-term health consequences of drinking too much.

In January, the Minister set out the coalition Government’s plans in relation to minimum pricing. He said that they wanted alcohol to be sold at the level of duty plus VAT. Many people, including representatives of many health organisations, have pointed out that that will have little effect on the price of alcohol in supermarkets, many of which will continue to sell alcohol that is cheaper than bottled water. It also contradicts the view of Liam Donaldson, the former chief medical officer, that there should be a minimum price of 50p per unit.

**Dr Huppert:** I wonder whether the hon. Lady can help me, given that I am a new Member, by reminding me what the minimum price was under the last Government.

**Diana Johnson:** As I am sure the hon. Gentleman knows, because he pays close attention to these issues, there has been a continuing debate for some time about the need to reach a conclusion that everyone considers appropriate. The problem with the announcement from the coalition Government is that it is causing most people to think that it will have no effect at all.

I know that the hon. Gentleman sets great store by academic research and evidence. According to research carried out by Sheffield university, pricing measures will only be significantly effective from around the 40p per unit mark. It is feared that the coalition Government’s preferred level will be not 40p but much lower, and that they have missed the opportunity to make significant strides in dealing with the problem of alcohol abuse.

As I pointed out during a previous debate, the Bill contains no provisions dealing with minimum pricing, and I think most people would consider that a great shame. We were looking forward to legislation shortly after the announcement in January. The Government are clearly in some disarray when it comes to public health and alcohol, but the new clause offers them a real opportunity to reassert their commitment to improving public health and dealing with some of the public health problems associated with alcohol. We believe that we are helping them to achieve what I am sure all Members agree is the very proper aim of ensuring that alcohol-related problems are dealt with properly by the House. Therefore, if the Government were to add in health and this further objective in respect of licensing, it would show that they are serious about the problem of public health, and it would also deal with the problems they have faced since taking office last May.

2.30 pm

My next point is about primary care trusts. The Minister will recall that we had a debate in Committee about primary care trusts becoming responsible authorities under clause 104. In that debate, I raised a number of issues about how the primary care trust, which is a health body, would effectively be able to make representations to the licensing committee on the four objectives of licensing, none of which currently includes the issue of health, and there was an exchange of views between the Minister and me about how this would work. It would clearly make sense for health to be one of the objectives, as the PCT would therefore be able to deal specifically with the health implications for the community concerned. I believe this fifth condition would make sense within the terms of the Bill and clause 104.

I would also like the Minister to comment on another issue. Under the Health and Social Care Bill provisions, the primary care trust will be removed and the public health function will be taken up by the local authority. The local authority would therefore be exercising its responsibilities as a licensing authority and would also have a public health promotion and high-level strategic role. If health is not one of the conditions of licensing, might not local authorities be facing both ways at the same time? That is an important issue.

Under the Licensing (Scotland) Act 2005, the Scottish Government have introduced a fifth condition into their licensing objectives: to protect and improve public health. In Scotland, there has been genuine concern for some time about the levels of alcohol consumption and the effect on the health of the nation. The Nicholson Committee deliberated at length on whether health should be included as one of the conditions under the Act. When that idea went out to public consultation, there was widespread support for it, and I think that that would also be the case in the rest of the UK if the Government were to put it forward.

In Scotland, there has been no final evaluation of the impact of adding health as one of the conditions, and it is still quite early days. However, West Dunbartonshire council has used the local alcohol and drug partnership information and guidance as a tool for the licensing boards to address health objectives, and that has proved a very positive step. That council is certainly considered to be at the forefront of local authorities in Scotland in

dealing with this issue in a sensible way. This measure is breaking new ground however, and there is great concern about how licensing boards implement it and the information they take into account. Whenever we break new ground, there will always be lawyers in the background examining whether there is an opportunity to appeal, and, unfortunately, that has happened a great deal in Scotland, but that is no excuse for not taking the step and addressing the issue of health.

Under the Scottish model, the main way the measure is being assessed is by looking at the over-provision of pubs and other licensed premises within an area to give some indication as to the impact on the health of the community. The statistics that are available through the alcohol and drug partnership should also be considered, as that has been effective.

The Government have an opportunity to lead the way in introducing this provision, and to join Scotland at the forefront of taking public health and alcohol concerns seriously and shaping the debate in the rest of the world. Many countries are already looking at what happens in Scotland, and thinking that they may want to join in. It would be a great pity if England and Wales did not consider the matter properly and fully, and did not take some positive steps to deal with this issue, which many of our constituents feel has been ignored for too long.

**James Brokenshire:** That was an interesting contribution from the hon. Lady. She said that she felt public health had been ignored for a long time, but she made a slight mistake by highlighting that. That is why I am delighted that my colleagues in the Department of Health are taking this matter seriously in their approach to Public Health England, which is giving proper attention to public health. It is a shame that the hon. Lady made those comments because we have had a reasonable debate and she unfortunately decided to make more partisan attacks during that contribution. Perhaps it is worth reminding ourselves of how we reached this point on the accident and emergency issues and of all the pressures that are brought to bear on our health service and on the police. The vibrant café culture had been promised and written up as part of the reforms introduced by the Licensing Act 2003, but it failed to materialise. That is why we are taking steps in this Bill to address licensing issues.

I agree with the hon. Lady that public health issues are involved here and that there is merit in making health a material consideration in the 2003 Act. The Government stated that in their response to the "Rebalancing the Licensing Act" consultation, which contained a specific consultation point on the matter, and we committed to considering the best way to take this issue forward. However, my view is that the issue requires further consideration, alongside wider Government work, to address the harm alcohol causes to health.

It is important to highlight the fact that the Bill has sought to bring certain changes into effect, such as enabling primary care trusts, as health bodies, to make representations. Health bodies have a clear interest in the existing 2003 Act objectives of "public safety" and "crime reduction", as illustrated in: alcohol-related accident and emergency attendances; ambulance journeys following road traffic accidents and other accidents; glassing and other injuries; alcohol poisoning cases and so on. That

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directly relates to how those health bodies are able to make representations under the Bill. Drunken accidents and injuries comprise a high proportion of accident and emergency attendances—the estimate is up to 70% on Saturday nights. When added to ambulance costs, they cost the NHS about £1.1 billion a year, so this is a legitimate focus for licensing.

**Diana Johnson:** Members on both sides of the House want to ensure that we get the best possible policy on alcohol and public health—we all have an interest in doing that—but can the Minister explain to me what he expects the PCT to provide on an individual licence application? A lot of bureaucracy will be involved if the individual licence application has to involve accident and emergency statistics. Are they what he expects the PCT to provide?

**James Brokenshire:** In some areas, NHS organisations already share anonymised A and E data with the police. Such intelligence can highlight where violent incidents occur and any hot-spot premises, thus supporting police representations at licensing hearings and wider law enforcement. Making local health bodies responsible authorities will encourage the effective collection and sharing of anonymised A and E data and other robust and targeted evidence for licensing authorities to consider.

The hon. Lady specifically asked how the role of local authorities will be managed in the context of Public Health England. She will be well aware that licensing authorities become responsible authorities under the Bill and are therefore able, in essence, to make their own representations. Obviously, different functions are carried out by different parts of the local authority, as happens in planning. The licensing committee is able to consider applications and relevant legislative issues, so there is a broad read-across in how a local authority is able not only to make representations but to determine things. A local licensing panel will have an almost quasi-judicial role in that situation, as does a planning authority.

I want to return to some of the hon. Lady's other points.

**Steve McCabe** *rose*—

**James Brokenshire:** Before I do so, I shall give way to the hon. Gentleman.

**Steve McCabe:** Whether or not the Minister accepts the new clause, does he accept the central point made by my hon. Friend the Member for Kingston upon Hull North (Diana Johnson)? As the Bill stands, a local authority could license a supermarket to sell cheap alcohol, creating a problem. If that local authority then imposed a levy that applied to other premises in the near vicinity but not to the supermarket, the health sector would not necessarily benefit from any of the levy, but it might suffer some of the worst cost effects of the problem. Does he accept that he must do something about the central health issue?

**James Brokenshire:** I will come to that. If the late-night levy is effective in managing the night-time economy and in supporting the police, it will have an impact. For

example, it might affect the accident and emergency attendances that might otherwise arise in an area. Indirect benefits could accrue from the operation of the levy in that way. Different points need to be discussed, but I will come on to the issue of price, which is a fair point and was raised by the hon. Member for Kingston upon Hull North (Diana Johnson).

Protecting public health is a complex issue and that was reflected in the mixed nature of the responses the Government received when, in our “Rebalancing the Licensing Act” consultation, we asked about adding the prevention of health harm as a fifth licensing objective. Although those who supported the proposal acknowledged the benefits of improving public health, reducing the burden on the NHS and increasing responsibility among licensees, those who opposed it were concerned that it would be onerous and unworkable.

Adding protecting and improving public health as a licensing objective, as the new clause proposes, would mark a fundamental change to the Licensing Act. The four existing licensing objectives underpin the Act and, as the hon. Lady highlighted, the licensing authority is required to carry out its functions with a view to promoting these objectives. We believe that before we make such a fundamental change, it is essential that full consideration is given to the potential impact to ensure that any changes are workable and do not have any unintended consequences. We should undertake such considerations alongside wider Government work to address the harm done by alcohol to health. For example, if we were to introduce the objective now, we would need to consider carefully—as we are—what the knock-on consequences might be.

If an area has public health challenges caused by deprivation, does that mean, strictly applying such a rule, that it should automatically have no licensed premises and is that acceptable? We need to consider such detailed factors carefully in the context of the consequences of making such a radical change. That is why we need to consider the question carefully and cautiously, albeit that I have sympathy with the points about public health. That was why we raised the issue in our consultation last August but felt, on the basis of the representations we received, that it was important to reflect on the matter and to consider it further in that context and in the context of the wider work that is taking place.

The hon. Lady made a good point about the Scottish licensing laws, which have an objective to protect and improve public health. We are keen to learn any lessons from the Scottish experience. The Licensing (Scotland) Act 2005 only came into force in September 2009, it will be evaluated and we look forward to learning from it. There are other differences in the Scottish framework, such as the powers to control density of premises, which raise their own issues and would need to be taken into account.

As announced in the “Healthy lives, healthy people” document, we want to improve alcohol treatment services through a greater focus on outcomes and payment by results. We also want to improve the commissioning of preventive services, including brief interventions by health professionals, so there is a broader focus that we wish to take on board. The hon. Lady mentioned the responsibility deal, but this is only a first step. The initial pledges will form an important platform for future work. Networks are already developing the next

tranche of pledges, which we expect to go much further and to demand much greater commitment and action on the industry's part.

2.45 pm

On pricing, which has been raised by the hon. Member for Kingston upon Hull North and the hon. Member for Birmingham, Selly Oak (Steve McCabe), we have announced that we intend to ban below-cost sales, setting at the level of duty plus VAT. That is an important first step in setting out a framework that we can evaluate and work from, so I see it as an important first step in dealing with the impact of alcohol prices on public health and on crime and disorder. These are complex issues, which is why it is important to do things in a measured way.

**Diana Johnson:** The Minister announced in January his intention to legislate on minimum pricing. Can he update us on when those measures will come before the House?

**James Brokenshire:** We are considering this matter very carefully so that it is introduced in a less bureaucratic and a straightforward way. We will put further proposals before the House in due course because this is something we are committed to. Having made the announcement, we will be following through on this. It is important to ban below-cost sales and introduce the duty-plus-VAT measure that we announced at the start of the year. The Government are committed to following through on that.

The Government have already made provision in the Bill to make primary care trusts and local health bodies responsible authorities. That will ensure that local health bodies can influence licensing determinations by making representations based on local health evidence such as accident and emergency statistics. Those representations will need to be linked to existing licensing objectives to be relevant. Health bodies have a clear interest in the existing Licensing Act objectives, as I have mentioned, so we think it is an important step to recognise their role in that way.

For the reasons I have given, I ask the Opposition not to press the new clause and to allow the Government to examine this issue further and learn from the evidence and experience that is emerging from elsewhere. We can then consider what is the best way of legislating to make public health a material consideration within the licensing process, thereby recognising the points that have been made this afternoon and, equally, that this is a complex area. Doing things effectively and in the right way is the best course of action.

**Diana Johnson:** I am grateful to the Minister for his warm words about looking at public health and alcohol and I hope that we will see some more action on this. On minimum pricing, I am concerned that the announcement was back in January but I think there is genuine willingness to move forward on this. I have set out my concerns that the minimum pricing level that the coalition has announced is not high enough, but if we are going to do this, let us get on and do it. I do not quite understand why there is delay because the coalition has made its announcement and stated its position. I listened to the Minister's comments about the time

frame, but "in due course" can mean quite a few things in the House of Commons, so I will certainly be looking to see what progress is made because it is time to get on with this.

It is disappointing that the Bill does not address the issues of pre-loading and the concerns that people are expressing up and down the land about the low cost of alcohol in supermarkets. I am keen to work positively with the coalition on this important issue and I strongly hope that there will be real progress in the coming months. I hope also that the health organisations that have walked away from the responsibility deal negotiations can be brought back in and reassured that there is genuine commitment on behalf of the coalition to deal with health and alcohol issues. On the basis of what the Minister has said, I beg to ask leave to withdraw the motion.

*Clause, by leave, withdrawn.*

**James Brokenshire:** I beg to move amendment 22, page 87, line 26, leave out 'authorisations' and insert 'premises licences and club premises certificates'.

**Mr Deputy Speaker (Mr Nigel Evans):** With this it will be convenient to discuss Government amendments 23 to 30.

**James Brokenshire:** These are minor amendments to the late-night levy clauses in part 2 that clarify the effect of the provisions. To avoid possible misinterpretation, the Bill should use consistent terminology. Amendments 22 and 30 intend to achieve that end. Amendments 26 and 27 amend clause 133 merely by making it clear that if licensing authorities amend the categories of premises in their area that benefit from an exemption or reduction in their levy liability for a subsequent year there may already be none as well as one or more premises in those categories for the existing year.

Amendments 28 and 29 remove a drafting error in clause 133 and clarify the basis on which licensing authorities must ensure that any exemption or reduction categories that apply in their areas in a subsequent year accord with the categories prescribed in regulations. Amendments 23, 24 and 25 ensure that local authorities do not suffer a burden in introducing the late-night levy. They do not change the intention underlying the levy; nor do they change the burden on business.

The Bill as it stands allows licensing authorities to deduct the costs that they incur in the "collection, administration or enforcement" of the levy from the levy revenue. However, it has become clear that that phraseology, including the reference to administration, does not include the specific costs of introducing the levy. A licensing authority will need to carry out a number of administrative procedures before collecting the levy. First, it will hold a consultation on the way in which it wishes to operate the levy. That is an important process, and it ensures that the community's opinions are heard. Following a decision to adopt the levy, the licensing authority will announce its intentions. Some businesses will decide that they do not open long enough in the levy period to make it worth while to pay it. To avoid the levy, those businesses will be able to make a free change to their licence. However, that means that licensing authorities must process the licence variations without recovering costs. Amendments 22, 23, 24 and 25

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will ensure that licensing authorities can deduct the costs of those introductory processes from the levy revenue.

I do not want the levy to become a burden on licensing authorities. It has always been my intention that it should be self-funding while raising a significant amount of money for the police and other organs of local government. The amendments ensure that that is the case. Let me reiterate that the amendments will have no further impact on business. We have published indicative levy charges, which will remain the same. To make some simple clarifications and to ensure licensing authorities bear no burden as a result of the late-night levy, I urge the House to accept the amendments.

**Diana Johnson:** May I ask the Minister to clarify a few points? There will be a number of changes to the licensing provisions in the months and years to come, and I should be grateful if he set out his intentions on whether additional support or resources will be provided for local authorities when those new schemes are adopted. For instance, will additional financial resources be made available to assist local authorities with the late-night levy and early morning restriction orders in ensuring that information is provided to businesses? Clear guidance should be issued about what that will mean for businesses.

We have held a number of short debates about the late-night levy and the possibility that operating just one night a year can make a business liable for the levy. Businesses are often busy just trying to operate on a daily basis without having to get to grips with the minutiae of new legislation. Will the Minister set out what the Home Office intends to do to ensure that businesses are fully acquainted with the requirements of the new legislation and exactly what it will mean for them? Costs can be deducted from the late-night levy if someone has participated in the consultation on whether to have a late-night levy. Will that all be set out in a clear and transparent way so that businesses understand exactly why they will have to pay a certain amount? Setting things out in a clear format that is easy to understand will be the key to ensuring that the new licensing provisions operate well. If the other amendments in the group are intended just to tidy up the legislation and make it read more smoothly, my only question is on how the operation of getting information out to businesses would be provided.

**James Brokenshire:** I thank the hon. Lady for her comments. Her point on guidance is relevant. As I have indicated, as part of the implementation of the late-night levy it is intended that guidance would be drawn up on the process and that it would deal with some of the detail in regulations on the issues I have already highlighted. [Interruption.] I have only started and already the hon. Lady wants me to give way.

**Diana Johnson:** Will the guidance provided on that basis be statutory guidance, or guidance that can be ignored?

**James Brokenshire:** I am not sure that guidance can be ignored. It is intended to be of assistance in the implementation of the proposals on the late-night levy. The key element that the hon. Lady has highlighted

relates to costs and resourcing. We are bringing forward some of these changes to ensure that licensing authorities can take account of the set-up costs relating to the late-night levy, which might otherwise be an issue. We think that it is important to introduce the amendment to ensure that, as with the different examples I have already given, there are no unintended consequences and that, if we are seeking to ensure that costs are properly attributed, that is built into the structure of the late-night levy.

The hon. Lady made a general point on transparency and how costs are to be drawn up. That is a fair point which I take on board, and we will work through that in detail on implementation so that businesses are clear about the calculation and which costs will be brought into effect for the deduction. It is worth saying, however, that it is a deduction and the levy itself is a fixed figure; we are talking simply about what is being deducted and the 70:30 split, with which she will be familiar. In some ways that relates to our previous debate on the general licensing fees and the costs that can be attributed for the maintenance of the Licensing Act. Some of her comments may be addressed in that direction as well.

Clearly, we want to ensure that the late-night levy is a success. We want local authorities to come forward with it. We believe that allowing the set-up costs is an important part of ensuring that the levy operates well and does not have unintended consequences. That will ensure—this reflects some of the comments in the preceding debate—that the levy will be used by local authorities, will be useful and will contribute to managing the late-night economy and dealing with some of the challenges we have heard about this afternoon. That is why we believe that the Bill and its provisions on the late-night levy mark an important step forward in assisting local communities and local authorities to manage the problems of alcohol and the late-night economy. I therefore hope that hon. Members will be minded to support the amendment.

*Amendment 22 agreed to.*

### Clause 130

#### NET AMOUNT OF LEVY PAYMENTS

*Amendments made:* 23, page 89, line 20, leave out from ‘of’ to ‘may’ in line 22 and insert ‘relevant expenses which’.

Amendment 24, page 89, line 23, leave out third ‘the’ and insert ‘any’.

Amendment 25, page 89, line 28, at end insert—

‘(2A) In subsection (2)(a), “relevant expenses” means expenses incurred by a licensing authority in the administration of the late night levy requirement including, in particular, such expenses incurred in, in connection with or in consequence of—

- (a) any decision mentioned in section 134(1);
- (b) collection of payments of the late night levy;
- (c) enforcement of the late night levy requirement.

(2B) Expenses incurred by a licensing authority which fall within subsection (2A)(a) include, in particular, expenses which it incurs in connection with any application made by virtue of section 134(2)(c).’—(*James Brokenshire.*)

### Clause 133

#### AMENDMENT OF LATE NIGHT LEVY REQUIREMENT

*Amendments made:* 26, page 90, line 38, leave out ‘different’ and insert ‘any’.

Amendment 27, page 90, line 39, after ‘apply’, insert ‘in addition to any that currently apply, or to cease to apply.’

Amendment 28, page 91, line 7, leave out ‘by virtue of section 132(1)(b) or (iii)’

and insert

‘as the result of a relevant decision’.

Amendment 29, page 91, line 11, at end insert—

‘( ) In subsection (4)(b), “relevant decision” means a decision under—

(a) section 132(1)(b)(ii) or (iii), or

(b) subsection (1)(c) of this section.’—(*James Brokenshire.*)

### Clause 135

#### PERMITTED EXEMPTION AND REDUCTION CATEGORIES

*Amendment made:* 30, page 92, line 41, leave out from ‘all’ to ‘that’ in line 42 and insert

‘holders of relevant late night authorisations in’.—(*James Brokenshire.*)

### Clause 140

#### DEMONSTRATIONS IN VICINITY OF PARLIAMENT: REPEAL OF SOCPA 2005 PROVISIONS

**John McDonnell** (Hayes and Harlington) (Lab): I beg to move amendment 162, page 94, line 27, leave out subsection (2).

**Mr Deputy Speaker (Mr Nigel Evans):** With this it will be convenient to discuss the following:

Amendment 163, page 94, line 32, leave out clause 141.

Amendment 164, page 95, line 7, leave out clause 142.

Amendment 171, page 95, line 7, leave out clause 142 and insert—

‘142 Injunctions to prevent a prohibited activity in controlled area of Parliament Square

(1) The High Court may grant an injunction against a person under this section if—

(a) it is satisfied beyond reasonable doubt that the respondent has engaged in, or is about to engage in, a prohibited activity; and

(b) the injunction is necessary to stop the person doing a prohibited activity or from starting a prohibited activity.

(2) For the purposes of this part, a “prohibited activity”; is an activity—

(a) which may result in serious public disorder or serious damage to property; or

(b) where the purpose of the activity is the intimidation of others with a view to compelling them not to do an act they have a right to do, or to do an act they have a right not to do.

(3) A person who fails without reasonable excuse to comply with a prohibition in an injunction order under section 143(1) is in breach of the injunction.’.

Amendment 176, page 95, line 8, clause 142, leave out ‘constable’ and insert ‘senior police officer’.

Amendment 185, page 95, line 8, leave out ‘or authorised officer’.

Amendment 177, page 95, line 12, at end insert—

‘(1A) In subsection (1) a “senior police officer” means the most senior in the rank of police officers present at the scene.’.

Amendment 195, page 96, line 12, leave out ‘5’ and insert ‘3’.

Amendment 165, page 96, line 13, leave out clause 143.

Amendment 172, page 96, line 13, leave out clause 143 and insert—

‘143 Injunctions under section 142: content and duration

(1) A condition included in an injunction ordered by the High Court under section 142(1) may prohibit the person from—

(a) being in the controlled area of Parliament Square for the purpose of undertaking a prohibited activity; or

(b) entering the controlled area of Parliament Square for the purpose of undertaking a prohibited activity.

(2) An injunction prohibiting a person from being in or entering the controlled area of Parliament Square continues in force until—

(a) the end of such period on which the injunction is made as may be specified by the court making the injunction; or

(b) if no period is specified, the end of the period of seven days beginning with the day on which the injunction is made.

(3) A period specified under subsection (2)(a) may not be longer than seven days.’.

Amendment 178, page 96, line 20, clause 143, leave out ‘constable’ and insert ‘senior police officer’.

Amendment 193, page 96, line 22, leave out ‘90 days’ and insert ‘seven days’.

Amendment 194, page 96, line 24, leave out ‘90 days’ and insert ‘seven days’.

Amendment 186, page 96, line 20, leave out ‘or authorised officer’.

Amendment 179, page 96, line 26, leave out ‘constable’ and insert ‘senior police officer’.

Amendment 187, page 96, line 26, leave out ‘or authorised officer’.

Amendment 166, page 96, line 40, leave out clause 144.

Amendment 173, page 96, line 40, leave out clause 144 and insert—

‘144 Applications for injunctions under section 142

(1) An application for an injunction under section 142 may be made by the Commissioner of Police of the Metropolis to the High Court.

(2) Notice of any application under subsection (1) must be served on the respondent in accordance with the rules of the court.

(3) The court must give the respondent an opportunity to make representations in proceedings before it about the making of an injunction.’.

Amendment 180, page 96, line 41, clause 144, leave out ‘constable’ and insert ‘senior police officer’.

Amendment 188, page 96, line 41, leave out ‘or authorised officer’.

Amendment 181, page 96, line 43, leave out ‘constable’ and insert ‘senior police officer’.

Amendment 189, page 96, line 43, leave out ‘or officer’.

Amendment 182, page 97, line 1, leave out ‘constable’ and insert ‘senior police officer’.

Government amendment 57.

Amendment 183, page 97, line 6, leave out ‘constable’ and insert ‘senior police officer’.

Amendment 190, page 97, line 6, leave out ‘or authorised officer’.

Government amendment 58.

Amendment 184, page 97, line 7, leave out ‘constable’ and insert ‘senior police officer’.

Amendment 167, page 97, line 28, leave out clause 145.

Amendment 174, page 97, line 28, leave out clause 145 and insert—

‘145 Breach of injunction

(1) The court may impose a fine not exceeding level 3 on the standard scale where—

(a) an injunction under section 142 is granted against a person, and

(b) on an application made by the Commissioner of Police of the Metropolis, the court is satisfied beyond reasonable doubt that the person is in breach of the injunction without reasonable excuse.

(2) For the avoidance of doubt, subsection (1) grants the only powers available to the court where it finds that an injunction under section 142 has been breached.’

Amendment 196, page 97, line 28, leave out clause 145 and insert—

‘145 Power of court on conviction

(1) The court may, following the conviction of a person under section 141, make an order requiring the person not to enter the controlled area of Parliament Square for such period as may be specified in the order which may not exceed seven days.

(2) Power of the court to make an order under this section is in addition to the court’s power to impose a fine under section 142(8).’

Amendment 168, page 98, line 1, leave out clause 146.

Amendment 175, page 98, line 1, leave out clause 146 and insert—

‘146 Discharge of injunction

(1) The court may discharge an injunction if an application to discharge the injunction is made.

(2) An application to discharge the injunction may be made by

(a) Commissioner of Police of the Metropolis who applied for the injunction; or

(b) the respondent.

(3) Before applying for the discharge of an injunction, the applicant mentioned in subsection (2) must notify the other.’

Amendment 191, page 98, line 34, clause 147, leave out ‘authorised officer and’.

Amendment 169, page 98, line 34, leave out clause 147.

Amendment 170, page 99, line 4, leave out clause 148.

**John McDonnell:** I almost feel like apologising to the House for burdening it with so many amendments, but let me just explain the grouping of the amendments, which come in three blocks.

3 pm

The first block starts with amendment 162, and includes consequential amendments 163 to 170. I will discuss the effect of the block later, but effectively it would remove the provisions in the previous Government’s legislation and prevent the current proposals from going through.

The second block includes amendments 171 to 174, amendment 196 and amendment 175, and it is an attempt to ameliorate the Government’s proposals.

The third block, which includes amendment 176 and amendment 185 onwards, is the last resort and an attempt to try to introduce some protections to the legislation. I would welcome the opportunity, ideally, to vote on the first block, which means voting on

amendment 162, and at least on the last block, which means voting on amendment 185. If there is a choice, may I ask that we vote at least on amendment 185?

I declare an interest, because this part of the Bill deals with protestors in Parliament square, and I am a regular protestor there. I support Brian Haw, Maria and all the others. In fact, I was photographed on the demonstration at one point, and the image was included in the Tate Britain exhibition that won the Turner prize—so Members are now being addressed by a Turner prize.

**Michael Ellis** (Northampton North) (Con): That says a lot about the Turner prize!

**John McDonnell:** We shall have another discussion, on aesthetics, later.

I am sure that all Members will be aware that Brian Haw is being treated for cancer, and, whatever our feelings about the protest camp and, in particular, Brian himself, I am sure that we all wish him well in his recovery, even though some might not want a specific geographical location designated for that recovery.

I will explain the background to the amendments, because the issue was excellently debated in what was an entertaining Committee. I am not often placed on such Committees—on average, it happens once every 10 years—but I read the Committee notes and thought that it was an excellent debate about the background to the Bill and the amendments themselves.

As people know, Brian took up his protest a decade ago, and anyone who has ever talked to him will understand his fervent belief in the need for peace and for the avoidance of war, and his concern for the innocent victims of war. His chosen method of protest has been to bear witness in front of the Houses of Parliament to the suffering of others as a result of war, and he has done so by choosing to place an encampment in the square, by addressing Members and others with a loudhailer and by engaging in discussions with others to try to convince them of the errors of entering into military action.

Brian reminds us all of the consequences of the decisions that we take in this place, and he perhaps attempts to influence us in our future decisions. His is a traditional form of protest: peaceful, non-violent and similar to protests that have occurred elsewhere in this country and throughout the world.

When the original proposals came forward under the previous Government, we engaged in that debate and a number of Members expressed their extreme dislike of Brian Haw and his colleagues’ presence outside Parliament. I sat through endless pompous speeches about the sanctity of Parliament square, complaints about not being able to work for the noise of the loudhailer that Brian used, and long-winded debates about the aesthetics of Parliament square. I have a sneaking suspicion that what a number of Members did not like was being reminded of the impact of the decisions that they had taken in this House—decisions that have caused so much human suffering.

The previous Government nevertheless brought forward legislation, which, I think we all agree now, was tedious, bureaucratic and unworkable—and has degenerated into farce. I commend the comedian Mark Thomas for his

work to expose its farcical nature. Interestingly, the poor drafting of that legislation meant that it failed to deal with what many Members thought was the harm being done by Brian's presence, because the legislators—I did not like to point it out to them at the time—failed to make it retrospective, so it never addressed the issue of the encampments. In addition, the permit system became a mockery of what the legislation intended. It degenerated into farce when one person was arrested simply for reading out the names of the dead in Iraq and Afghanistan.

I welcomed—and I said so publicly—the statements by the former Opposition that that legislation would be repealed. I made that very clear before the election and during the election campaign as a result of which the coalition Government were formed. The problem is that this Bill does not scrap the previous Government's proposals. In fact, it impedes peaceful protest. I give this warning: if it goes through, it will degenerate into the same unworkable and unmanageable farce that the previous legislation degenerated into. Having looked at the evidence from Committee and read the discussions, I think that these proposals will put an unmanageable burden on police officers and local authority officers, and increase their vulnerability to conflict rather than reducing it.

In my view, the Government's proposals are unacceptably restrictive. They replace one unworkable system with another and have the same effect of restricting, for no good, sensible reason, the right of peaceful protest and assembly and free speech in Parliament square. These proposals are still specific to Parliament square, although I accept that the definition is narrower than in the previous Government's legislation. The proposals still place a burden on a constable, but extend it to a local council officer to direct a person to stop doing something and to use physical force to take equipment away. Under the proposals, a person who is convicted may be fined up to £5,000, which is a level 5 offence—I find that draconian, to say the least, and well over the top—and a formal application would still have to be made concerning loudspeaker use and to prevent the erection of sleeping structures.

The bizarre debate in Committee about what is a sleeping structure was extremely entertaining. The most intense and heated part of the debate involved the modernist versus the traditionalist: those who supported the duvet approach to sleep as against those who supported the blanket and sheet approach. That is the nature of the judgments and valuations that individual police officers will have to make: "Is that a sleeping bag I see in your pocket or are you just pleased to see me?"; "Is that a sleeping structure you're carrying with you or a banner supporting the Police Federation?" It will become absolutely ludicrous. The other issue is this: what if someone can sleep standing up, leaning against a structure or against a wall? Does that become a sleeping structure itself? We will go through the same old problems that we had with the previous legislation.

I will be brief, because other Members want to speak, and there is another important group of amendments to discuss. The reasons for the amendments are very straightforward; they have been rehearsed in Committee and in debates on the previous Government's legislation. In this country, we pride ourselves on a strong democratic tradition of peaceful protest. That has created climates of opinion external to Parliament that have influenced

decisions in this House and the decisions of Governments of all political persuasions. It is linked to the fundamental right to free speech and fundamental right of assembly and association. In everything that we do in this House, it behoves us to guard against undermining any of those basic human rights.

**Mr James Gray** (North Wiltshire) (Con): I entirely agree with the hon. Gentleman about the right of peaceful protest and the strength of our great British democracy in allowing that. Surely, however, there is a distinction to be made between those who are genuine protesters—I rather agree with him about loudspeakers, incidentally—and those who are campers and dossers staying on a permanent basis, and who are demonstrably an eyesore.

**John McDonnell**: I do not think that the peace campaigners in Parliament square are vagrants or dossers; they are performing a basic democratic service. If they were vagrants or dossers, other legislation, which is used on a regular basis across the country, is available to address that problem. Spending parliamentary time specifically to target half a dozen people who are trying to express their democratic wishes demonstrates to the outside world that we might not have our priorities right.

**Jeremy Corbyn** (Islington North) (Lab): I am sorry that I missed the earlier part of my hon. Friend's contribution. He will be aware that a great deal of parliamentary time has been spent discussing Parliament square over the years, all of which has been unsuccessful from the point of view of those who want to clear it of all signs of protest. Is he aware that in the United States, there has been a peace camp outside the White House for some 15 years, and that there have been peace camps outside the Australian Parliament and other places? Is it not part of something that we should be proud of, namely the democratic tradition?

**John McDonnell**: It is exactly that. Before my hon. Friend arrived, I mentioned that it is a traditional form of expressing democratic views. Rather than banning or impeding it, we should celebrate it. It is as simple as that.

This matter is linked to fundamental human rights. In the Human Rights Act 1998, we adopted those human rights specifically in legislation, but we accepted that they are qualified and can be limited. I accept that, but any limit has to be proportionate and for a legitimate aim. We have to be clear what harm is being inflicted as a result of an individual's activities if we are going to restrict their fundamental rights. That is the problem with this debate and the debate under the previous Government. There has been no clarification of exactly what harm is being done outside Parliament that requires such disproportionate legislation. As far as I can see, there is no legitimate aim in the proposals of this Government, just as there was not in those of the previous Government.

The issue of security was raised by the previous Government and in the Public Bill Committee. People will remember the ludicrous debate that was held last time around when we were all worried that members of al-Qaeda would hide behind the banners erected by Brian Haw. That was actually suggested in this Chamber. I remember the last IRA attack in London because it nearly hit us when I was in my office. It came from a

[John McDonnell]

Transit van that fired missiles, which landed near No. 10. The police officer made it very clear in Committee that the peace campaigners out there have allowed their tents to be searched whenever they have been asked. There is no security risk.

The other issue is whether there is a threat to public order or any form of violent behaviour associated with the peace camp. As far as I am aware, none of the peace campers, including Brian Haw, has been prosecuted for violent behaviour. That issue has not been raised to promote this legislation.

The main objection is therefore the aesthetic one. People do not like the look of a few tents and campaigners outside Parliament. I do not accept that people's aesthetic judgments can be used to undermine someone's basic human rights of free speech, association and assembly. And anyway, the protest won the Turner prize, so there are different judgments here about aesthetics. However, I do not want to get hon. Members going about the Turner prize. It reduces the argument ad absurdum that we regularly spend a few hours in Parliament on an aesthetic judgment because some peace campaigners outside Parliament annoy a small, or perhaps even a large, number of Members.

**Paul Flynn** (Newport West) (Lab): My hon. Friend will know that the processions of our fallen will no longer go through Wootton Bassett, and that an attempt was made to move the announcement of the names of the fallen from Wednesday to a Monday and a Tuesday. The Government wished to bury the bad news. Is it not a matter for celebration that Brian Haw, through all weathers and for 10 years, has reminded us in the House of the terrible results of war and the price of those who have fallen?

3.15 pm

**John McDonnell:** Whether or not people agree with Brian, and I do, he provides us with an essential service in reminding us of the consequences of our decisions in the House. That might offend some people, but sometimes it is helpful to have such offence to draw our attention to the consequences of what we do here. Whatever Members think, and whether or not the tents annoy people who think they are messy or untidy, that is no reason to take away people's right to choose their method of peaceful protest.

**Mr Gray:** If the hon. Gentleman was not prepared to accept the distinction that I proposed to him a moment ago, might he not accept that there is a distinction to be made between Brian Haw, who is quite possibly a genuine peace protester and possibly to be respected for his commitment, and the large number of other people who have appeared in recent months and put up their tents? Who knows who they are? If he will not accept that distinction, how many more tents should we accept in Parliament square before we decide that the people in them are illegal campers rather than protesters?

**John McDonnell:** The hon. Gentleman has an exceptionally valid point, which has to be addressed reasonably. Wherever in the country we find that constructions have been erected that people find

objectionable, we use planning legislation to deal with them. That legislation already exists. The other people who have joined Brian Haw are mostly peace protesters, and others have come along in support of other causes. If the hon. Gentleman remembers, we had the Tamils come along when the war in Sri Lanka was going on. They camped there for a week, and it would have been heart-rending to try to shift them when they were seeking to influence us to intervene to seek peace, which we did. We helped as best we could to prevent further disaster in Sri Lanka. It is all a matter of reasonable judgment and trying to ensure that we protect basic human rights. The grounds for incursions on human rights cannot just be about the aesthetic displeasure of a number of Members of the House. That is why repealing the previous Government's legislation was extremely important.

In the debate on that legislation, and I believe in Committee on the Bill, the question was asked whether allowing one group of people to protest precluded others from turning up to protest. Shami Chakrabarti of Liberty, to which I pay tribute for the support it has given us on the issue, has made it clear that there has been no evidence of other people saying that they cannot protest, or of a backlog of protesters unable to get to Parliament square.

**Jeremy Corbyn:** Perhaps I can help my hon. Friend on that point. I can recall at least two demonstrations in the square that Brian Haw and others possibly did not support. One was when a pig, Winston, was kept there for some months by a pig breeders association, until Winston became too big for the square and had to move on to pastures new. There was also the pro-hunting lobby, for which I do not think Brian Haw had a huge amount of sympathy. Nevertheless, the pro-hunting lobby and the peace campaigners managed to co-exist for quite a long time. That proves that democracy can work even in Parliament square.

**John McDonnell:** There was a worrying consequence of one of those cases—I think Winston got eaten, as a form of capital punishment introduced as a result of what happened. However, a range of protests have taken place in Parliament square unhindered by Brian Haw and the other protesters. If there were a specific harm caused, and one protestor or group of protestors was preventing others from protesting, we should legislate on that specifically rather than have the blanket approach in the Bill.

The amendments are fairly extensive and are in three basic batches. The first begins with amendment 162, and suggests scrapping the previous scheme and preventing the new scheme from being introduced. The proposal is based on the commitments that both coalition parties made before the election, and the argument is the same: this Government's proposals disproportionately target protests and protestors, just as the previous Government's measures did. The amendments would remove the powers to harass peaceful protestors. It is very straightforward: there is enough legislation on the books already to prevent protests in Parliament square that we feel impede the operation of Parliament or in any way cause disorder. In effect, the amendments would remove the restriction on protests in Parliament square overall.

The second of three batches of amendments begins with amendment 171. They propose a reasonable, and a more appropriate and proportionate, alternative. Basically, amendment 171 would introduce an injunction process, whereby people concerned about prohibited activity within the square could apply to the High Court for an injunction. It defines “prohibited activity” not as tents or the use of loudhailers, but specifically as something that

“may result in serious public disorder or serious damage to property; or... where the purpose of the activity is the intimidation of others with a view to compelling them not to do an act they have a right to do, or to do an act that they have a right not to do.”

Existing public order legislation can already deal with security concerns and violence within the square, but if hon. Members want specific powers, the amendment would give people the opportunity to seek an injunction, which would be imposed by the High Court if it reasonably believed that a prohibited activity or serious disorder was being planned or had taken place. Basically, that would introduce due process into the act of preventing people from undertaking protests within the square when that could result in public harm. The harm on which someone’s human rights can be restrained and constrained is thereby defined. Amendment 174 would in addition reduce the overall penalty to level 3, which attracts a £1,000 penalty, rather than the current £5,000 penalty.

Our next batch of amendments—the batch of last resort—addresses who will implement the legislation. As I said, at the moment, the existing legislation and the Bill put an unmanageable burden on police officers. At the same time, the Bill introduces local authority officers into what could be very difficult and dangerous waters.

I propose that if a police officer is to take such decisions, it should be a senior police officer rather than a constable. We should remember that the decision will be to direct someone that they cannot protest in a certain way, and that they must give over their loudhailers, sleeping equipment or whatever. The officer will also have the ability to use force to take such things and arrest people, which is an extensive power that could cause unnecessary conflict. That should be done by a senior officer.

Amendment 185 would mean that if an officer is to arrest someone, that officer should at least be a police constable—I do not believe that that should be the role of a local authority officer. The Bill introduces a vulnerability to local authority officers, who are not trained to undertake such work, and who are not capable of exercising the judgment that police officers exercise. Police officers are trained to make judgments instantaneously on whether someone is committing an offence, and on balancing human rights and an individual’s behaviour. A series of linked amendments would mean that a court could prohibit someone for only seven days rather than 90, although I can understand why certain Labour Whips do not want that for some of us.

As I said, amendment 174, which is in this batch, seeks to reduce the scale of the fine from £5,000 to £1,000—from level 5 to level 3. It is a matter of judgment, but I feel that the fine of £5,000 is so heavy that it will intimidate anyone seeking to organise a protest on the square or even thinking of applying for a licence, because something could go wrong and they would then be held

liable. Rather than risk people thinking twice and therefore not coming along to protest legitimately, we should err on the side of caution before deterring people from such activity.

The amendments would define the powers on court conviction much more clearly to avoid the individual summary offence. They also address issues involving the forfeiture of any items. There is a danger that, under the wide and vague power given to police officers at the moment, police officers can take goods from people in a summary way without there being recourse to the courts.

I have rattled through the amendments, because I know that a lot of Members want to speak. *[Interruption.]* Well, I think they do. Certainly, members of the Committee will want to speak. However, the issue before us sets a test for individual Governments. It relates not only to major issues, but to smaller ones such as this. It is a test of whether Governments are, as they say they are, truly liberal and committed to human rights, and whether they really want to be reforming Governments. This might seem like a minor issue for the House to be addressing—I do not think that we should be wasting our time, and we should not be introducing this sort of legislation—but it is an important test on which the Government will be judged.

In opposition, the Conservative party agreed that this legislation was outrageous and illiberal, and it promised before the election that it would scrap it and support the right of peaceful protest, which I supported as well. Now the Government have introduced proposals that vary very little from the existing regime. In fact, they will become equally contradictory. As a result of this small matter, I believe judgments will be made on the illiberality of the coalition Government, and on their competence too. If this measure is implemented, and individual officers seek to enforce it, it will produce conflict. It will demonstrate an illiberality of mind and the oppressive nature of the Government’s approach.

On that basis, it would be wrong to legislate in this way. I appeal to the traditions not only of my own side but of the Liberals in respect of the right to protest and to freedom of speech, and those of the Conservative party in respect of individualism. I think Disraeli said that man is great when he is motivated by his passions. Those people out there are motivated by a passion for peace and against war. We should not do anything to impede the expression of their views, but that is what this legislation does, and that is why I urge the Government either to withdraw the provisions or support at least elements of my amendments.

**Mr Mark Field** (Cities of London and Westminster) (Con): Unlike the hon. Member for Hayes and Harlington (John McDonnell)—and, I suspect, every other Member in the House at the moment—I did not have the privilege of being on the Bill Committee. As he will appreciate, however, Parliament square stands in my constituency.

I have quite a lot of sympathy with a number of the things the hon. Gentleman said in speaking to his amendments. Above all, there is nothing worse than the sheer powerlessness of this place in the public’s eye. He was right about the indeterminate number of hours spent on this small matter over the past 10 years. We need only consider the incidents and terrible disturbances last weekend on Piccadilly circus and Oxford street. There is a sense of powerlessness. Many constituents—they

[Mr Mark Field]

would not necessarily blame the police, and neither would I—think, “These events are allowed to go ahead, yet we have absolutely no say in the matter.”

In many ways, I agree with what the hon. Gentleman said about the sense in which Parliament is weak and almost entirely marginalised when these sorts of debate take place. A decision can be taken by Executive order to go to war and then be rubber-stamped 48 hours later in a parliamentary debate. I know that he and I take very different views about the rightness of what has happened, but I would agree with him in this regard: we spend endless hours debating these sorts of matters to no avail and end up with unworkable legislation. We have had some unworkable legislation in the past, so I share some of the hon. Gentleman’s fears that we might be going down that route again.

3.30 pm

I agree with the hon. Gentleman that it is important to have open opportunities for the public to protest. Whether we like it or not, Parliament square is an iconic place, in front of the Parliament building. There can be no other place where a more legitimate protest can take place, on an occasional and high-profile basis. I would be loth to repeat the idea of the erstwhile Administration, which was to have a 1-mile exclusion zone around Parliament, on the spurious grounds, as the hon. Gentleman pointed out, of security. That was entirely wrong and an absolutely absurd route to go down. To that extent, my party has gone down the right route in this Bill by trying to row back from that position.

However, I share fears about the legislation still being slightly unworkable, not least because so many different authorities are involved, from the police and Transport for London, to the Mayor of London and Westminster city council. I entirely agree with the hon. Gentleman about too much power potentially being in the hands of local authority officers. I do not doubt their ability: many are very able and have shown great judgment. Indeed, in places such as Westminster, local authority officers deal with such problems on a more day-to-day basis than they might in—with great respect—a borough such as Hillingdon. Ultimately, however, these are policing matters. Given the security, the high profile and the difficulty of a lot of what happens in Parliament square, it makes sense for the Metropolitan police to be involved in the process, rather than local authority officers.

**John McDonnell:** Can the hon. Gentleman update us and clarify whether it is true that the local authority and the Mayor have now secured sufficient legal judgments in the courts to remove the peace camp in due course anyway?

**Mr Field:** I understand that that will be “in due course”, and there is of course an important event on 29 April, which is in everyone’s minds when it comes to trying to clear the square, which is very much a focus.

**Paul Flynn:** Is the hon. Gentleman seriously saying that we have to trample on the precious freedom to demonstrate in order to tidy the background for the royal snapshots?

**Mr Field:** The hon. Gentleman might not be quite as much of a royalist and a monarchist as I am, but he will appreciate that that is not what I am saying. However, there was a focus on trying for this thing, although the wheels of the law take a while to turn—there are a number of lawyers in the House, including, either side of me in the Chamber, some rather more distinguished lawyers than I ever was in my brief legal career. I understand that there will be no further legal proceedings on the matter until considerably after 29 April.

**Jeremy Corbyn:** It occurs to me that the people in Parliament square might actually be awaiting the royal wedding and have got themselves a good place from which to see it. They have got there early. We should commend them for their enterprise in being there so far ahead of the date.

**Mr Field:** I suspect that it is only a matter of time before the *Evening Standard* discovers a secondary market for the tents that are already erected, let alone any new ones that go up.

**John McDonnell rose—**

**Mr Field:** I suspect I will never get off this point.

**John McDonnell:** But it is a valid point, which was also addressed in Committee. We get ourselves into a ludicrous position in which someone turning up with a sleeping bag to wait for the wedding—as the Prime Minister did, when, as he told us, he turned up with his sleeping bag for a previous royal wedding—could be arrested under the legislation in the same way.

**Mr Field:** Ad absurdum, the hon. Gentleman’s argument is right. However, that is also precisely the distinction that we have to face: the distinction between a one-off arrangement for the one, exciting night before a major public event, and having a permanent encampment around Parliament square. It is to the latter that most sensible people—not those only in this House, but many millions of our constituents—would turn their minds. It is not acceptable that a UNESCO world heritage site—Parliament square, the parliamentary buildings and Westminster abbey—is blighted by having a large permanent encampment. That is an issue, in part, of aesthetics. However, millions of tourists come to Parliament and they must be dismayed by what they see, week after week, month after month. It cannot make much sense for us to allow it to continue.

To an extent, I had sympathy with elements of what the erstwhile Government were trying to do, such as their idea of having a licensed system covering demonstrations when major debates were taking place. In my view, it would have been entirely legitimate, for example, on the day we had our debate on Libya, for those who felt strongly about the issue, on either side, to have held a large, peaceful demonstration. But the notion that encampments can exist day after day, week after week, is another matter. The hon. Gentleman referred to the Tamil encampment that was in Parliament square in the autumn of 2009, which reached a ludicrous stage. There was a lot of noise and disturbance. There were old-fashioned local authority health and safety issues, as well as the whole question of toilet provision, and the area became something of a health hazard as the Tamil group camped there for six weeks before finally leaving.

Many of our constituents are bemused by our sheer powerlessness, and by the fact that we have not been able to get our act together to get the necessary workable legislation in place to ensure that we can achieve our goal.

**Stephen Phillips** (Sleaford and North Hykeham) (Con): One of the reasons that the previous Administration were on such a sticky wicket in regard to the legislation was that it simply did not work. This provision seeks to create a legal regime within which legitimate demonstrations can take place and be adequately controlled in accordance with the UNESCO status of Parliament square.

**John McDonnell:** That's what the last lot said.

**Mr Field:** Indeed, one has heard those words before. My hon. and learned Friend the Member for Sleaford and North Hykeham (Stephen Phillips) is a relative newcomer to the House, but I fear that we have been having this debate for many years. As we all know, the workability, or otherwise, of legislation often does not become apparent until well after an Act has been placed on the statute book.

It is essential that we do our best, and we must protect the right to protest. I appreciate that Parliament square is a special place for protest, and I would be very loth to see the perhaps spurious ground of security being used to prevent legitimate, high-profile protest on days when debates were taking place in the House of Commons on high-profile legislation. This encampment, however, does disturb some local residents. That certainly happened when the Tamils were here in great numbers in 2009, and many residents wrote to me to say that their sleep was being disturbed.

We need to strike a balance. Either we have to solve this problem or we have to move on, because there is now a sense that we are powerless. Parliament and all the authorities are becoming a laughing stock. This should be a tremendous site for millions of tourists to visit from across the globe. Parliament is the most iconic building in the United Kingdom, and having that eyesore here is unacceptable. I hope that the Minister will take on board some of the very valid comments that have been made by the hon. Member for Hayes and Harlington, but I also hope that we will move hastily towards getting a workable provision on to the statute book to ensure that that eyesore becomes a thing of the past.

**Jeremy Corbyn:** I am sorry that I missed the earlier part of the speech by my hon. Friend the Member for Hayes and Harlington (John McDonnell). I pay tribute to the hon. Member for Cities of London and Westminster (Mr Field) for the measured way in which he has represented his constituents in the debate. He is fortunate to represent this constituency, but he also recognises that this area is a centre of national life and that there are bound to be demonstrations here. One should thank him for that.

I thank my hon. Friend the Member for Hayes and Harlington for tabling the amendment and for his consistency in standing up for civil liberties and the right to protest. We have debated Parliament square on many occasions. Indeed, a Select Committee once took it upon itself to examine the issue, and the former

Member for Macclesfield, Sir Nicholas Winterton, invited me to give evidence. The Committee sat in due deliberation for several weeks discussing Parliament square. I gave my evidence, and the former Member for Macclesfield questioned me at some length. I think the House is beginning to get the flavour of the occasion. A report was duly prepared and legislation was duly proposed. That legislation was duly carried, and duly challenged in the courts.

The Herculean parliamentary effort to remove Brian Haw and non-existent protestors from Parliament square succeeded in being passed into law—and the only person unaffected by it was Brian Haw, because he successfully challenged the legislation on the basis that he was a pre-existing resident of Parliament square. One has to pay tribute to Brian Haw for making legal history by doing nothing more than taking up residence in Parliament square. Parliament made itself look a total ass during the whole process, sitting in all due majesty, but having no effect whatever on what Parliament wanted to achieve. We should thank Brian Haw for that. I know he has not been well recently, and I am sure all Members will join me in wishing him well in his recovery. He has shown courage, principle and determination. Not everybody agrees with him, but I think we have to respect it when somebody is prepared to give up such a long period of their life for a cause. Let us all respect it and admire it.

We should also recognise something about the importance of this building and this area of London. The previous Mayor of London, Ken Livingstone, had a plan for reducing traffic in Trafalgar square. He succeeded by closing the north side to through traffic and wanted to carry out a similar plan for Parliament square. I am not sure which side of Parliament square was due to be closed, but we should think about this. I feel constantly sorry for the number of visitors arriving to see Parliament. Because of the size of the building, the difficulty of ensuring its security and so forth, the number of people who get in is much smaller than the number who would like to get in. I realise that we are slowly changing that, which is welcome, but most people have to spend most of their time fighting traffic lights and motor traffic simply to see the building. We should invite the Mayor to revisit the whole question of traffic planning, traffic layout, widening pavements and reducing traffic through the square so that everyone can see a very fine and very beautiful building, and enjoy the experience. It is possible to spend some time seeing other national assemblies and Parliaments around the world without having to dodge traffic—I am thinking of the United States, Sweden and a number of other places.

History often turns on itself on these occasions. This country is very good at the incorporatist view of history, as I put it. It is ironic, and many visitors do not always appreciate it, that Oliver Cromwell has a statue outside Parliament, while further up the road is a statue of Charles I and, indeed, not so far away, one of Charles II. They are all part of our history, and they should all be remembered and commemorated for what they did. Many people are vilified for their protests, yet commemorated later. Why do we have a plaque in St Stephen's entrance to Marjory Hume, who chained herself to a statue there? The statue was damaged during the removal of her chains, when she was there demanding votes for women. Downstairs we have a

[Jeremy Corbyn]

plaque to Emily Wilding Davison, who locked herself in the broom cupboard to protest about the census of 1911 and in support of voting rights for women. Many other examples of people who have participated in protest outside this building and in this area have become part of our history and part of the road towards what one hopes will be a more democratic society.

Attitudes have changed quite a lot. The Sessional Orders used to be enforced extremely rigorously so that whenever the House was sitting no procession was allowed within a mile of Parliament. The police then relented slightly and changed their attitude. As I recall it, the first time they relented was when General Pinochet was in this country—detained in luxury in Virginia Water. “El Pikete”, as it was known, the Chilean picket that dogged him all the time, had a candle-lit event overnight in Parliament square. It was approved by the police and was an iconic and memorable event; it was part of our history that Pinochet was here. The Stop the War protest took over the square on 18 March 2003. When we debated Trident, the CND protest was here, and others have drawn attention to protests by Tamils, by pig farmers, by the Countryside Alliance and by the pro-hunting lobby—all kinds of people have demonstrated in Parliament square. We are a national Parliament. We are supposed to be the focus of political debate. I think that we make ourselves look more than a little ridiculous if we go to enormous lengths to stop people demonstrating outside Parliament. It is part of a democratic tradition, and it is part of our life.

3.45 pm

Every Member will have observed, on television, what happened in Tahrir square in Cairo, in the central square in Tunis or at the Pearl roundabout in Bahrain, and will probably have said “Good on you, well done, you have stood up against a state that tried to prevent you from demonstrating.” I am not suggesting that the current regime or indeed any other regime in Britain is or has been the equivalent of the regimes in those countries, but I do believe that the principle of the right to protest and to dissent is the very stuff and centre and heart of a democratic society. I hope the House will recognise that the amendments are designed to ensure that the traditional right to protest is maintained, and that protests can take place outside.

The hon. Member for Cities of London and Westminster said that aesthetic considerations should apply to a world heritage site, and that is true. Some would argue that siting the wheel—the London Eye—across the road was aesthetically inappropriate. Indeed, I advanced that argument very strongly, and for the first 15 years of the London Eye’s existence I refused to go on it. I finally swallowed my pride, relented and went on it last year, and it is a fine experience, particularly on a cloudy day when it is impossible to see anything. I still consider that siting it there disfigured the area, but anyway it has happened.

The hon. Gentleman said that because this was a world heritage site, protests should not be allowed. At least, I think that that is what he was saying, and I do not entirely go along with him. Protests have taken place outside Menwith Hill listening station in Yorkshire for a very long time. Which is the bigger

eyesore, the protest or the listening station? I think I know the answer to that, and I think everyone else does as well.

**Mr Field:** May I clarify what I said? I did not say that there should be no protests, but the permanence of the encampment means that all the paraphernalia of the barricades is there permanently, which is clearly not compatible with a world heritage site under UNESCO rules. I was trying to draw a contrast between that and large-scale demonstrations on, perhaps, half a dozen days a year relating to debates that are taking place in the House.

**Jeremy Corbyn:** I was not trying to put words into the hon. Member’s mouth. The agreement of the police to the anti-Pinochet demonstration some years ago showed sensitivity, intelligence and involvement on their part. If we approach the issue in a co-operative way, recognising the right to protest, rather than immediately reaching for the law and the barricades and confiscating equipment, we may proceed a bit further down the road.

**John McDonnell:** The problem with the Bill is that it addresses the issue of protesters sleeping in the square overnight, but does not adequately address the concept of permanence. The peace protesters say “We are not here permanently; we are just here while the country is at war. Cease the wars and we will depart.”

**Jeremy Corbyn:** That is a fair point. It does no harm for Members who come into and go out of the building every day to be reminded that we are involved in wars. I do not think that we should be, but others disagree. In any event, we need to be reminded of the decisions we have taken and of why we have taken them, and there is a constant reminder out there.

British television shows what some people consider to be shocking scenes in Westminster on the occasion of the state opening of Parliament, but other people around the world say to me “Thank God you live in a democracy where protest is allowed even on a day like that.” The Queen goes past in the gilded coach, and we see Brian Haw behind her. I think he once gave her a wave, actually. That is an example of protest in a democracy.

Other countries have experienced significant protests, such as Mexico. After the 2006 election, the result of which was hotly disputed, 1 million people occupied the centre of Mexico City for weeks on end in encampments. The mayor of Mexico city decided that it was impossible to move them, and that it would be wrong to do so because they were mounting a legitimate protest. Had he tried to move them, the consequences would probably have been pretty serious and severe.

Democracy is never simple or straightforward, and our image is never straightforward. We do not live on a chocolate box cover or in a postcard environment. We live in a working parliamentary building, and that working parliamentary building ought to be the centre of our democracy. The centre of our democracy is the right to support, the right to protest, the right to dissent, the right to campaign. It is a very powerful tradition.

This House is full of powerful traditions. I think of Charles Bradlaugh and the way he stood up for what he believed, and Tony Benn standing up on the issue of hereditary peerages, and so many others. They are part

of our life and our history. We will make ourselves look very silly if we simply stop people taking part in such protests, because if we deny them the right to protest here, they will protest somewhere else; we will move the law somewhere else and make ourselves look even more ridiculous. We should be a bit grown up about this and accept that diversity and differences of view are good things. That is what makes a democracy vibrant and real.

**Dr Huppert:** It is a pleasure to follow the hon. Members who have spoken on this topic so far. I absolutely respect the stance of the hon. Member for Hayes and Harlington (John McDonnell), the passion with which he has spoken on these issues over so many years, and the spirit in which he moved his amendments. I had some sympathy for him, especially after the past 13 years, when he appealed to the Liberal vision of freedom and said that he could not appeal to his own party's tradition on that.

It is also a pleasure to speak after the hon. Member for Cities of London and Westminster (Mr Field), who clearly knows about these topics, and who perhaps represents in his constituency more historic buildings than I do in Cambridge, which I envy slightly. *[Interruption.]* It is close, however, as he says.

It was great that the hon. Member for Islington North (Jeremy Corbyn) paid tribute to one of my predecessors as Member for Cambridge, Oliver Cromwell, who was probably one of the greatest political reformers the House has ever had. I am not saying I agree with everything he did, but as he is one of my predecessors, I feel I should speak up for him.

Peaceful protest plays a critical role in our country, and I hope that everybody agrees that we should encourage and respect it—I hope we all share that spirit. It is good that the Government are undoing some of the worst things the previous Government did in this area. I share the hon. Gentleman's concern about the speed of the changes and his wish that they would move faster. I am grateful for the progress that has been made however, and I will continue to try to unwind even faster all the problems that have arisen.

I am not as persuaded as some of the Members serving on the Public Bill Committee—both Government and Opposition—that the encampment in Parliament square is a problem. I do not share the concerns about it being an eyesore; although it is not something I particularly like to see, it does not bother me. We also had a discussion about the effect on tourism, and I do not share that concern to the same extent as some other Members.

I am delighted that the Government are repealing sections 132 to 138 of the Serious Organised Crime and Police Act 2005. We said we would do that when we came into government—both coalition parties were clear on that. The key question is: should there be any lesser replacement for those provisions? The Metropolitan police have made their attitude to peaceful protest very clear. I have been pressing them on this in the Joint Committee on Human Rights, on which I have the pleasure of serving. They are very clear that their role is not to prevent peaceful protest, and it is not even to allow peaceful protest; Assistant Commissioner Lynne Owens was very clear that their role is to facilitate peaceful protest. That is absolutely right. The job of the

police is to make it easier for such protests to take place. That does not mean I agree with all the protests—I happen to disagree absolutely with a number of them—but the role of the police must be to try to make it easier for them to happen.

The key question was put very clearly by the director of Liberty, Shami Chakrabarti—she is always very clear—when she asked: what is the harm? I should declare an interest: I used to be on the national council of Liberty, so I am perhaps biased in my opinion of her, but I am sure that other hon. Members would join me in paying tribute to her efforts over so many years in that cause. We need to address the question: what is the harm? We should be having only those controls appropriate to that harm. I do not agree with the level of assessment of harm put forward by some people so I understand the separate blocs of amendments suggested by the hon. Member for Hayes and Harlington, although I hope he is not going to put them all to the vote, because that would take a long time and some of us were hoping to get home to do some constituency work tonight.

The idea of having no constraints is unlikely to attract support—that is a shame, but I have accepted that that is the case—so the debate has been about the practicality of how to work out something that interferes as little as possible with the right to peaceful protest, which I take extremely seriously. We discussed a number of aspects of that in Committee.

**John McDonnell:** It is important to put on record the fact that this debate is not about having no constraints, because the public order legislation is in place. It contains those constraints, which prevent violent disorder and public disturbance.

**Dr Huppert:** That is a very good point. A range of legislation applies, and in Committee we discussed some aspects that could or could not be used. The hon. Gentleman is absolutely right to make that point, but the question is whether the provisions before us are required.

I do not propose to detain the House by going through all the discussions we had in Committee, because I am sure that Members can read *Hansard*, if they have not already done so—I am sure that many Members have. Questions arise on the scale of activity. There is a spectrum and we need to consider: who should be allowed to do what; how often; and for how long? The worst of the Bill's original proposals was the one to give council officials, or even non-council officials given authority by a council, the power to use reasonable force to try to deprive a protestor of an item of property. I was extremely alarmed by that. I am not comfortable with the idea that those people, who are not trained, should be allowed to use that power, and I was not alone. I thank the Minister for listening to me when I voiced my concerns early on and for having to endure our talking about it extensively in Committee.

In one of the Committee's evidence sessions, I asked what our witnesses thought about that proposal. Shami Chakrabarti, from Liberty, made her position very clear:

"I am also very nervous about non-police personnel exercising those powers."

None of us would be surprised about that. Metropolitan police assistant commissioner Lynne Owens made the

[Dr Huppert]

point that police officers receive a lot of training and operate within a legislative framework and a misconduct procedure, but she said:

“The provision on the use of force would make us nervous.”—  
[Official Report, *Police Reform and Social Responsibility Public Bill Committee*, 20 January 2011; c. 113, Q32.]

**Mr Mark Field:** As the hon. Gentleman will have gathered from my contribution, I have considerable sympathy with what he is saying. However, how would he view the counter-argument, which is that there is a risk of upping the ante by having people in uniform—police officers—doing this work, rather than making this a local-authority-related civil offence? Does he think there is a risk that bringing uniformed officers into the piece could turn a peaceable situation nasty?

**Dr Huppert:** There would be no requirement to bring the police in if one did not want to use “reasonable force” powers. I am very alarmed at the idea of a council official, who might not be particularly well trained, who might not be in uniform and who might not have any obvious form of authority, having the power to use reasonable force in such an instance. If I was involved in a situation like that, I would not expect that person to have such powers. If one did not wish to escalate the situation, one could simply not use reasonable force—one could use no force at all.

**Mr Field:** But does the hon. Gentleman not accept that the use of the words “reasonable force” in the legislation is to protect the council officer, rather than to reflect what might take place?

**Dr Huppert:** I think that that was indeed the intention, but “reasonable force” is not a beautifully defined phrase and it is tough to define it. It is particularly tough for people who are not experienced to work out what is and what is not “reasonable force”, particularly in a situation that may well be inflamed. I would not want to see council officials having to make those tough judgment calls.

4 pm

That brings to me to the comments made in Committee by my hon. Friend the Member for Edinburgh West (Mike Crockart), who used to be a police officer and policed public order situations. He made the point that it is hard enough as a police officer to deal with such situations during public order protests. Some people will resist and some will be reluctant to accept authority, and that is in the context of the specific training received by the police, which would realistically not be available to council officials. Bringing police into such a situation, if it escalates, is relatively easy. We are talking about an area that the police can get to pretty quickly if requested—I do not think we are short of police officers around Parliament. Bringing the police in would also comply with other situations. For example, bailiffs will often have the police standing by; they hope not to use them, but they are available if necessary.

The power for council officials and others to take such action was, to me, the single worst item in this part of the Bill and I am therefore delighted that after a

number of discussions the Minister and the Government propose to get rid of it. I thank the Minister for his work and for accepting the points that were made. We are not yet in the position I would like to reach, and I hope that there will be opportunities in the other place to discuss the next level up and whether those council officials should make judgments about property confiscation.

I am relatively relaxed, within the context of the framework, with the idea that council officials should be able to give a direction, because non-trained officers are often allowed to do that. Confiscation powers give me a little more pause for thought, however, and I hope that the Minister will consider them. I hope that he will also reflect on our discussions in Committee and elsewhere about the interplay of various other aspects of the situation. A direction can be given lasting for 90 days, it can be given orally and it can be given by one of the officials. I understand the reason for each part—for example, I understand why an oral direction would be needed for a large crowd—and that is why I do not think that the amendments dealing with senior police officers will work. If there were a large number of people, it would be odd to make one police officer go round individually to each one.

There need to be some constraints. A 90-day period under an oral direction is very hard on the person subjected to it, so there should be a written record if at all possible. I hope that the Minister will reflect on that and give us some assurances that such a provision will be made in the legislation, expressed in his comments or contained in regulations.

**Paul Flynn:** The Prime Minister, in one of his more messianic moods, recently told the House that he defended the right to protest from Tahrir square to Trafalgar square. It would not have had the same resonance had he said from Tahrir square to Parliament square, because of the Bill before us today.

I do not know whether Members are familiar with some of the restrictions on our rights as hon. Members to raise certain issues. On two occasions, I have read out the names of the fallen in Iraq and later in Afghanistan, but it is no longer possible to do that because it would be declared out of order—a ruling was made in the previous Parliament. It is now very difficult to read out the names from Afghanistan because there are 320 and, if one included the ranks, it would take half an hour to read them out. We are forbidden as MPs to read out the names of the fallen in the wars who died as a result of our decisions. A woman read out the names of those who had fallen in Iraq at the end of Downing street, and for doing so she was arrested and jailed under, I believe, the Terrorism Act 2000.

Other restrictions have been introduced more recently. There has been a change to the route by which the bodies of the fallen are taken through Wootton Bassett. They will not be taken by that route, a good reason has been given and the town has been given a royal prefix as a tribute to what its people have done. I think we all appreciate the reminder they gave us; it was a powerful picture to see the bodies being brought through Wootton Bassett and to hear the sobs of the families. The grief is obvious on the television. That will not happen any more.

Twice last year, the names of the fallen were announced first on a Monday and next on a Tuesday, and it was only as a result of points of order and early-day motions that we returned to having announcements made at the right time, when they should be made: at Prime Minister's questions, a time of maximum attendance in this House and maximum attention from the world outside.

I am afraid that the previous Government and this Government want to ignore the consequences of our actions. For 10 years Brian Haw, heroically, has given us and many people in the country a reminder of our decisions.

**Mr Denis MacShane (Rotherham) (Lab):** The practice of the Prime Minister's reading out the names of those who have fallen in Iraq or Afghanistan started in June 2003 with Tony Blair. It never happened before. Does my hon. Friend think that we should have read out those names in the Kosovo conflict, the first Iraq war or the Falklands conflict?

**Mr Deputy Speaker (Mr Nigel Evans):** Order. We are going wide of the amendment.

**Paul Flynn:** In the first world war there were pages in newspapers listing the fallen and those missing in action, so it would not have been practical then, but it is practical in this conflict. Sadly, we are still losing soldiers—about one soldier a week dies in Afghanistan—so it is absolutely right to continue reading out their names and making such announcements. The Government should not stop doing that. I do not know whether my right hon. Friend agrees that MPs should be forbidden from reading out the names of the fallen, but I do not think that was a reasonable decision. I have challenged it and been stopped and I am sure that you would stop me now, Mr Deputy Speaker, if I attempted to read out the names of the fallen.

We really must pay tribute to Brian Haw. On nights when we have finished here and gone out, even in the middle of winter and sometimes in the early hours of the morning, he has been there, night after night, with his simple, anti-war message. Whether we agree with him or not he deserves our admiration and we do not need any attempt to sweep him and his companions out of sight to have a cosmetic effect on the square for an event that will be forgotten in a few years' time.

I agree entirely with those who have said that the right to protest is honourable. It is a matter of pride when visitors come to London from countries in which any sign of protest would be swept away from their well-manicured streets and tourist attractions. The majority of the world's countries would not allow such protest to take place in such a situation, but we are better and more advanced than them, and we should be proud that we have the right to protest. It is not available in the House, as it might be, but it is in Parliament square.

**Simon Hart (Carmarthen West and South Pembrokeshire) (Con):** I join the diverse coalition of interests championing the right to protest in Parliament square, but I suspect that that is where the similarity between my interests and theirs comes to an end. Suffice it to say that the Government's proposals take us a long way towards the goal we are all attempting to reach. Some Members might be aware that between 2000 and

2004 I was responsible for eight protests, in different forms, in and around Parliament square, six of which were resoundingly successful but two of which were not. I shall explain why things went wrong on those two. In each circumstance there were conditions that made it almost impossible for the police to safeguard the community and the protestors in a reasonable way. We are getting away from that situation and I commend the Government for their measures in that regard.

In championing the rights of legitimate protest, there are three areas that I want to address—accessibility, affordability and spontaneity. My first point on accessibility is fairly obvious: most protestors need to have the necessary access to make their point while the interests of other users of Parliament square and this building, as well as those of members of the public going about their business, are safeguarded.

Affordability is a rather different issue. It must be in the interests of those of us in this House and outside it to ensure that people who wish to protest can do so with the minimum of obstacles in their way in the lead-up to their protest. If any protestor has to go through a process that involves going as far as obtaining a licence in some instances—not in this one, I add—we will be putting obstacles in the way of those who wish to register, often in the only way they can, their distaste for what we are doing in this House.

**Paul Flynn:** Does the hon. Gentleman's tolerance for protest extend to defending those who invaded this Chamber in support of a cause that he represented?

**Simon Hart:** I shall say only that I am surprised that it took so long for that point to be made. I prefaced my contribution by saying that I was going to discuss legitimate protest, so I hope that that answers the hon. Gentleman's question.

I want to discuss spontaneity. It is vital that we enable people who wish to do so to rise up in anger, frustration and exasperation and express their view loudly and lawfully in the minimum amount of time. If there was a problem with the previous legislation it was that the preparation time for protest was rather lengthy if people followed the measures sequentially. The Government's proposals will ease that, which is why I am a big supporter, but it is right and proper to enable people who have read the papers one morning metaphorically to bang on the gates the next morning. If we prevent them from doing so we will fall into the trap to which most speakers have referred of setting one set of rules for our country while condemning those in other countries who adopt a different procedure on protests.

I have referred to the two occasions on which protests in which I was involved went wrong. The first took place in 2004, and there was a legitimate presence of angry protesters as well as of police to ensure the safety of the community. The protesters came that day with every intention of being peaceful, and the police policed the event with every intention of its remaining peaceful. However, Members who have taken part in a protest know that it is a potent and often high-temperature environment, and it does not take much to spark something that leads to a sequence of events which, in our case, led to 425 complaints from members of the public, about 60 people being treated in hospital for serious head injuries, a number of arrests, and an inquiry by the

[Simon Hart]

Independent Police Complaints Commission that lasted nearly a year, cost a fortune and regrettably resulted in a number of Metropolitan policemen being recommended for disciplinary action or worse. That was a thoroughly unsatisfactory conclusion to what should have been a perfectly legitimate protest.

We could debate the cause for hours, but I will suggest one particular reason for ending up in that unsavoury position. Both parties were the victims of legal rigidity. In the case of the protesters, there was arguably not enough flexibility to enable nearly 20,000 people at one stage to engage in reasonable protest. From the police's point of view, the confines or boundaries were set too tightly to enable them to adapt and adjust their policing as the protest unfolded over the day. When the IPCC report was eventually published, it focused on three things including, first, a complete breakdown of communications for technical reasons between the police and the protesters. That is not an issue for the Government—it is an issue for protesters and police in future—but the second and third reasons are important.

The IPCC confirmed without any doubt that the lack of loudspeaker equipment in the south-east corner of Parliament square led to an inability by the organisers and the police to communicate with a crowd that was contained and angry, which led to unfortunate downstream consequences. That happened because there was confusion about whether Westminster city council, I think, would allow us to have loudspeakers lest we contravene noise abatement conditions. In the circumstances, the police, in my humble opinion, should have had the operational ability to insist on having equipment on site that could prevent that incident arising in the first place.

**Jeremy Corbyn:** The hon. Gentleman is making an interesting point. During one of the Tamil demonstrations that I attended with a number of colleagues from the House, loud speakers were not allowed for the demonstration. People needed to be moved, because there was a crush in one corner, and the police lent us loud hailers so that we could address the crowd. One could argue that that is breaking the law, but it was sensible and practical. We just need to be a bit more sensible, because there is a safety issue about being unable to communicate with a loud crowd.

**Simon Hart:** The hon. Gentleman makes a good point. The point I am trying to make is that in such circumstances the police should not be encumbered in any way by having to refer to a local authority, some guidelines or a piece of statute. They should be able to make decisions that protect public safety and the interests of this building and of the demonstrators as an event unfolds. It was the inability to do that on the day in September 2004 that led directly to the unfortunate consequences I have described.

4.15 pm

**Dr Huppert:** It is interesting to see the coalitions developing across the Chamber on shared interests.

The hon. Gentleman will presumably be pleased to see that clause 142(3)(a) states that for police purposes it is not an offence to proceed with such activity, which I

think will allay his concerns. On a slightly broader point, has he seen the transcript of the discussions that the Joint Committee on Human Rights has had with the TUC and the Metropolitan police about the planning for the demonstration on 26 March, which looked at the use of loud hailers, other facilities and social media? Would he welcome that level of preparation for events so that problems can be planned for?

**Simon Hart:** I thank the hon. Gentleman for his intervention. The short answer to his question is yes, notwithstanding my earlier comments about the need for spontaneity in—perhaps smaller—events. Steps are being taken in the right direction. However, having been personally responsible for a number of events between 2000 and 2004, I know that we were always led to believe that lessons had been learned from previous protests, but it became quite clear that they had not.

In more recent events in and around Parliament square, and indeed at the G20 demonstrations, it was quite obvious that some of the findings of the IPPC report, which were produced several years ago, had not been implemented, which was unfortunate. Perhaps there is some value, despite the views of one or two Opposition Members, to having this discussion and debate yet again, because it would perhaps lead us a little closer to a situation that is in the interests of protesters first and foremost and parliamentarians last and least.

The third point made in the IPCC's findings was loosely described as relating to lines. I recall only too vividly being told at my meeting with the responsible commander on the morning of the demonstration in September 2004 that there was an invisible line—a line on his order paper—across which protestors could not pass under any circumstances. It was a ludicrous situation, as he admitted. We explained that it was ludicrous because there was no way to guarantee safely with 20,000 people that none of them would at any stage drift across that line for one reason or another. Flexibility was needed, but there was none. The result was that when protestors did drift across the line, officers fulfilled their orders, which was absolutely right, and started to make arrests, which led to a sudden and irreversible rise in the temperature. That contributed to the transition from an angry but peaceful protest to one that fell apart and resulted in serious injuries for a number of protestors and career-threatening implications for the officers concerned.

**John McDonnell:** That is an extremely valid point. When a particular line is used to demarcate a geographical area, often the protest spills out into another area and matters become confusing. On that basis, I believe that the legislation will simply lead to encampments elsewhere. It is almost a provocation for other encampments breaking out around the city. We should watch Trafalgar square in future; we will be back here in a few months' time, with Members urging us to bring forward further legislation to deal with other areas of London.

**Simon Hart:** The hon. Gentleman makes a good point. He might be interested to learn that a week after the demonstration we held in September 2004 in Parliament square, the same angry army protested outside the Labour party conference in Brighton. It would be fair to say that the organisers—me—were getting quite nervous

at that stage about what might happen in Brighton, but the lessons learned by Sussex police in those few short days in between the two protests were very evident when we got there, because they successfully achieved a flexible attitude to protestors, and as the temperature rose so they retreated, and vice versa.

The second point that the hon. Member for Hayes and Harlington (John McDonnell) made, which I should address, and which the Metropolitan police acknowledged at the time and subsequently, is that although the law said one thing back in those days, which was, “You cannot march within a mile of the Palace of Westminster when Parliament is sitting,” its enforcement by the police would have been entirely foolhardy. They knew and made it very clear to us that, had they prevented legitimate and angry protestors coming to the gates of Parliament to make their point, the consequences might have been even worse.

I am encouraged by the fact that the Government are moving a significant, if not the whole, way towards a situation in which there is greater recognition of the arguments that I have set out—enabling, I hope, the police to exercise that operational flexibility which is so important, which was so lacking and which led so directly to very unfortunate injuries and consequences for a large number of people who were already angry and frustrated.

I endorse absolutely the comments made by pretty well every other speaker. We should not underestimate the anger and the frustration sometimes at the consequences of the decisions that we make in this House, or the helplessness felt by many people who perhaps reside a long way from here, who can play no part in the political process and for whom protest is the only way in which they can make their feelings loudly and clearly heard not just to us in here, but to the media and the wider public.

I support any measure that makes it easier for protestors to exercise that absolutely ancient and important right, and I am not persuaded by arguments, which I hope will be put not too seriously, that the tidiness of Parliament square for the royal wedding is somehow more important than the ability of people to protest. If in the next few weeks we make a decision that has profound consequences for very many people, and those very many people wish to make their feelings heard, why on earth should they not do so? If that happens to coincide with the royal wedding, I argue that their right to protest is far more important, and I am glad that the Government recognise that point and are enabling protest to take place legitimately.

**Mr MacShane:** I much appreciate the speech from the hon. Member for Carmarthen West and South Pembrokeshire (Simon Hart)—his *apologia pro vita sua*.

I am trying to find out who was responsible for the dramatic changes to Parliament in my short time here, including, for example, the security screen that we now have between us and the Public Gallery. That came about because somebody who felt passionately about the cause of Fathers 4 Justice also felt that he had the right to come in here and throw a pink powder over the Bench—actually, where the hon. Gentleman is sitting; it did not quite arrive on the Front Bench. As a result, we changed the security laws dramatically.

Then, people felt so passionately about fox hunting that an hon. Member allowed a protestor to infiltrate this very Chamber, and as a result we have much tougher security. In the name of protest, we thus have a denial of the right of British citizens to come freely and easily into this House of Commons. When I was first elected, not so long ago, I took an American intern to Central Lobby, where he watched people coming in. I told him, “Any citizen can come here and ask to see his Member of Parliament,” and he replied, “My God. You let your voters get that close?”

On Monday night, I hosted the Belarus Free Theatre with Mr Jude Law and Kevin Spacey, the two actors. It was a marvellous moment, except that our police—acting under orders; I do not blame them—kept out the men who had been booted out of Belarus by dictatorial policemen. They were not even allowed into our House of Commons in time, so we need to set in some context the importance of access to this Parliament for MPs and for citizens who want to exercise their parliamentary, political and constitutional right to talk to their MPs.

**Dr Huppert:** I am concerned about what the right hon. Gentleman has just said. Will he clarify whether the problem was that the police would not allow those people into Parliament, or that they did not get in in time because of inefficiencies in the queuing process?

**Mr MacShane:** My point is that we have now instituted such draconian security systems as a result of the invasion of this House—I do not think the hon. Gentleman was here at the time—and the attack from the Gallery that things have become all but impossible, and the police famously do not have the flexibility to allow certain people to come through ahead of ordinary—

**Mr Deputy Speaker (Mr Nigel Evans):** Order. I know that the right hon. Gentleman is in full flow, but he will see that we have before us amendment 162 and a lot of other amendments. There is a lot of meat here, and he is on another meal. I ask him to restrict himself to the amendments.

**Mr MacShane:** Having enjoyed many happy meals with you in Strasbourg, Mr Deputy Speaker, I always thought we were sharing the same plate.

I will not enter into the question of reading out the names of those who have fallen in war, on which my hon. Friend the Member for Newport West (Paul Flynn) animadverted at great length, and the curious proposition that if one person falls his name should be mentioned, but if 20 or 100 fall there are too many names to read out.

We return, then, to a very important point—the centrality of Parliament and all democratic institutions to which all people should have easy and free access. In several democracies, there is, for good reason, the notion of the parliamentary mile, which means that for approximately 1 mile—a given space—around a Parliament, there should be no protests or demonstrations, and lawmakers should be able to go into their Parliament without being shouted at, as was the case here for a number of years by the Iraq war protestor with the very loud loudspeaker. We should certainly be able to confront citizens who are protesting or on their way to attend their protests in Trafalgar square, Speaker’s corner in

[Mr MacShane]

Hyde park, or wherever. One only has to walk up Whitehall to see a demonstration outside the Prime Minister's house every day, but a Parliament is not a pressure cooker; it is a place for deliberation.

I recall being outside the White House a few years ago when there was a protest about President Clinton's policy on Haitian refugees, and Arthur Ashe, the tennis player, was arrested and taken away. Those protestors were very brave. They went there, they knew they were going to be arrested, and they were making a profound point. However, American law says that when the President is in the White House—or when Congress is sitting—people cannot organise demonstrations directly under his nose.

That is a very important principle that dates back to the 19th century—

**Mr Mark Field** *rose*—

**Jeremy Corbyn** *rose*—

**John McDonnell** *rose*—

**Dr Huppert** *rose*—

**Mr MacShane:** Let me just finish my sentence, and then of course I will give way.

This is a very important principle going back to earlier times when there were huge pressures on parliamentarians. For example, fascists in France tried to stop the French National Assembly meeting in the 1930s. That is why the same rules apply here. I am not saying that any one individual is going to stop any of us, but it is reasonable to say that around Parliament we do not have people permanently demonstrating, and when Parliament is sitting we do not have people permanently trying to break into it.

**Mr Field:** But surely the right hon. Gentleman recognises that this flies in the face of many of the great traditions of democracy that we have in this country. Nothing could be worse, in the current environment, than having the political class divorced evermore from the public at large.

**Mr MacShane:** I took part in Saturday's demonstration, and that showed that the political class, at least those among it who care for public services, is not divorced—although part of it is, given that the Home Secretary said last week that the only march she has been on was to protect foxes, not to protect libraries and disabled people from cuts.

Our forefathers won the right to vote in the great demonstrations of the 1880s by shaking down the railings of Hyde park. Since my school and student days, I have marched, and marched again, in London, but I have not demanded to come and stay here permanently or to scream abuse at MPs coming into the House. I am happy to go up to Downing street to join protests that I associate myself with. That is right, fit and proper. This is not about the political class. Frankly, we have allowed a general degrading and devaluation of the role of MPs. The hon. Member for Cities of London and Westminster (Mr Field) is not disconnected. No hon. Member is disconnected: we go back to our constituencies and talk

to far more people than any journalist, pontificator or professional. I still say that we should protect the notion that Parliament is a special place and not just another venue for whatever protest people feel passionate about.

**John McDonnell:** It is important to put it on the record that no evidence has been presented and no representations have been put forward that allege that the encampment opposite Parliament has prevented Members of Parliament from entering the House. All the evidence that has been brought before us shows that there is sufficient legislation to ensure that legal action will be taken against anybody who does impede an MP. I am sure that my right hon. Friend is not trying to allege that that has happened.

4.30 pm

**Mr MacShane:** I will take the intervention from my hon. Friend the Member for Islington North (Jeremy Corbyn).

**Jeremy Corbyn:** My right hon. Friend seems to be drawing a distinction between demonstrations outside Parliament and elsewhere. Does he recall that a number of MPs, including me, were arrested outside South Africa house in 1984? The police decided to prosecute us, bizarrely, for behaviour that was offensive to a foreign mission, to which we happily pleaded guilty, given that the protest was against the apartheid regime in South Africa. The court found us innocent on the basis that we had a moral right to protest. As a result, there was a permanent picket outside South Africa house, despite many objections by the then South African embassy. That played its small part in ending apartheid. Surely my right hon. Friend recognises that the right to permanent protest is enshrined in judicial precedent in this country.

**Mr MacShane:** Yes; if one goes to the Chinese embassy in Portland place, the Falun Gong are always there. I am not talking about the other streets of London, and I am not talking about Downing street; I am talking exclusively about the law-making building of our nation, which requires slightly different consideration. I do not see that as the political class dividing itself from the population. I want more protest. However, that is different from saying that one particular issue can stay there for ever. One could be flippant and say that we could have a rota of issues. There could be a right-wing protest, when the fascists, the British National party and the UK Independence party can all come and make their little points.

I think that we are conspiring—perhaps that is an exaggerated word—in devaluing the centrality of democratically elected legislatures when we allow protest and noise. Of course it is not preventing anybody from getting in, although hon. Members were prevented from coming in by the foxhunting protest.

**Dr Huppert** *rose*—

**Mr Mark Field** *rose*—

**Mr MacShane:** I will give way briefly to the hon. Members for Cambridge (Dr Huppert) and for Cities of London and Westminster, and then I must finish.

**Dr Huppert:** I am having trouble following the logic of the right hon. Gentleman's argument. He is right to say that this is a place of deliberation, and I think we all share the belief that there should not be protests inside this Chamber, other than those of Members of Parliament. However, we are not talking about that, we are not talking about protests in the Members' Lobby or Central Lobby, and we are not even talking about allowing protests within the precincts of the Palace. We are talking only about protests outside the Palace of Westminster. That is outside of where the deliberation is happening. I would love him to explain why he thinks it is all right to protest outside Downing street, but not outside the Palace.

**Mr Field:** Does the right hon. Gentleman not accept the fear that many of us in this Chamber feel, that once we go down the path of saying that Parliament—

**Mr Deputy Speaker (Mr Nigel Evans):** Order. Being an apprentice Deputy Speaker, I should have reminded the right hon. Gentleman the first time he failed to do so that he must respond to the intervention that he has taken.

**Mr MacShane:** I am so sorry. I was just trying to put the interventions together to save time—your time, Mr Deputy Speaker.

I shall try to explain my point to the hon. Member for Cambridge. It is a concept common in many countries, and Britain can exclude itself from it, that the legislators of the democracy should be able to come to the area around the legislature—not around the Executive, not outside Downing street, not in the great centres where people gather such as Trafalgar square or Hyde park, and not anywhere else, such as outside embassies or town halls, but outside Parliament—without being told directly how or on what to vote at that moment. Anybody can come to my surgery on a Saturday or write to me to tell me how to vote. We have colluded in saying that Parliament needs to be protected from the people, which is why we have the absurd security systems that are now in place. If we do not re-establish the principle of parliamentarianism being something that requires reflection, debate and deliberation, with all of us voting in the Aye or the No Lobby to pass a law, and if we say that Parliament is simply an adjunct to a process of protest, it will weaken Parliament.

I will take the intervention, but I will then sit down because other colleagues may want to speak.

**Mr Field:** I will be very brief. Does the right hon. Gentleman not recognise that many of us fear that this will be the thin end of the wedge? The moment we say that Parliament is special, people can say that every local government chamber is special, then that Downing street is special, then that all our courts are special. We have a passion and a love for living in an open, democratic society. I disagree profoundly with many of the protestors who have been in my constituency, and obviously with the violent disturbances, but peaceful protestors are the essence of the democracy that we all hold close to our heart.

**Mr MacShane:** I am happy to accept the sincerity of the hon. Gentleman's point of view. Arguments have been held for 200 or 300 years about whether Parliament is different from the Executive, and whether elected

representatives have something called privilege—not just privilege to speak in Parliament but privilege to come here and make up their minds on how to speak and vote as they see best.

We have been talking about an individual, and I admire his sacrifice over a number of years, but let us remember what happened not so long ago when passions were so high that the very security of this place was changed. As a result, the one, 100, 1,000 or 10,000 demonstrators who had filled Parliament square for their particular moment, expressing their right to protest directly to parliamentarians within the narrow area around Parliament, found that they had prevented many other citizens from being able to enter freely into the House of Commons to discuss matters with us calmly and peacefully.

There is a difference of opinion, and I respect everybody's point of view. I am just dismayed that compared with when I came into the House, the level of security has changed, denying people access to MPs, as a result of protests that have gone too far and gone wrong. That has caused us some damage. I see quite good rules working in other democracies. If anybody wants to be arrested in Parliament square, or walk through it to make a protest and move on, so be it. However, the notion that there should be a permanent encampment or that Parliament square should be a place where anybody can come to protest at any time goes just a bit too far.

**Michael Ellis:** I respect the views of the hon. Member for Hayes and Harlington (John McDonnell). I do not agree with them, but I respect them and the way in which he expressed them. However, I strongly support the provisions in the Bill.

I respect the right to protest, but a number of speakers in the debate have conflated or confused the issue of protest with that of the encampment outside. This is not a personality driven debate, or it should not be, and one should not sentimentalise the issues involved. I wish to focus, I hope succinctly, on the rights and views of people other than the handful of individuals who have been camped outside for a prolonged period.

People have the right of quiet enjoyment of Parliament square and the facilities therein. I remind hon. Members that the statues have been put up over many years by public subscription. The public have a right to enjoy them, but for at least the past six months there have been fences around them. The taxpayers—not only the residents of the cities of Westminster and London, but people who come from far and wide to Parliament square and Parliament—have the right to use the park, and perhaps have a lunch sandwich.

Some consideration ought also to be given to the servants and agents of this place, and to the police who help to guard it and have to stand in very close proximity to the protest all day for month after month.

**John McDonnell** *rose*—

**Michael Ellis:** I am sorry, I cannot give way, because I have been told that I have only two minutes.

The reality is that the encampment is not a traditional form of protest, as it has been described. In my respectful submission, the problem does not have much to do with

[Michael Ellis]

aesthetics, either. I, for one, am not really interested in what the protest looks like. I am interested in the rights of others to use the square without their quiet enjoyment being obstructed. The nuisance factor also has to be taken into consideration.

The question of sleeping impedimenta is one of fact and degree. We frequently ask police constables to exercise their discretion in many areas of law, some of which are difficult to define, which is part of the reason why we must give them discretion. The term “reasonable” cannot be easily susceptible to definition, because what is “reasonable” will vary depending on the individual circumstances of the event.

We in this country pride ourselves on protest and I certainly support the right to protest, but there must be some balance. Nowhere else in the world would put up with that type of protest over such a prolonged period. That does not mean that other countries are undemocratic for not putting up with 10 years of an encampment—of course they are democratic. They maintain proudly their democracy, and so would we, but we must balance the right of the handful of people who wish to live in Parliament square to the disadvantage of others, and bear in mind the rights of the latter.

Hon. Members have asked, “What harm is being done by the protest?” Criminal damage is one example of harm. Anything that causes action to be taken by another amounts to criminal damage if it means undertaking repair work. Nuisance, noise, hygiene and health and safety issues, and the loss and effect on tourism, also indicate harm. Such persistent protests do harm. We seek not to stop demonstrations, but just to stop people permanently encamping and sleeping in the square, and disguising that as a right to protest.

**Vernon Coaker** (Gedling) (Lab): I shall be very brief and make only a couple of comments, because the Minister will need a few minutes to speak, and my hon. Friend the Member for Hayes and Harlington (John McDonnell) will no doubt wish to respond to the debate for a couple of minutes before 5 o’clock. This has been a good debate—we also had one in Committee, when hon. Members on both sides raised many of the issues that we have debated this afternoon.

The Opposition support the Government in the repeal of the Serious Organised Crime and Police Act 2005 provisions. On both sides of the House, there is a general recognition that despite the intention, those provisions went much further than any of us would have wanted. For example, a woman was arrested for reading out the names of the war dead. Many of us—perhaps all of us—thought that inappropriate.

The Opposition agree with the repeal of the SOCPA provisions, but our position has always been that there is a need to balance the right to protest with the right of others to enjoy Parliament, and to protect their freedom, as the hon. Member for Cities of London and Westminster (Mr Field) said. We want to balance freedoms and to protect the right to protest.

In Committee, we concentrated on the workability of the Bill. I say to the Minister that considerable problems remain. I pay tribute to my hon. Friend the Member for Hayes and Harlington and my hon. Friends. He has

carefully drafted, obviously with some help, a set of alternatives. I do not agree with his alternative, but he has also sought to address some of the problems that the Government seek to address.

I am surprised that the Minister has tabled only two Government amendments—57 and 58—to deal with one of the major problems with the Bill, namely that reasonable force can be used not only by a constable, but by an authorised officer of the council. In the Opposition’s view, the amendments simply do not go far enough. If my hon. Friend the Member for Hayes and Harlington were minded to press amendment 185 to a Division, he would find support on the Opposition Front Bench.

Why do the Government amendments not go far enough? The Bill still allows an authorised officer to do all sorts of things with respect to activities in the prohibited area of Parliament square. The hon. Member for Cambridge (Dr Huppert) pointed out that even with the Government amendment, the Bill still gives the authorised officer—the council employee—significant powers to seize and retain property in the area described in clause 144(1). That is an extension of the power that one would expect authorised officers to have in any circumstances. This is the policing of public protest—not littering, loud music or neighbour nuisance—and the involvement of anybody other than a warranted police officer would be a dangerous extension of power to people who are not servants of the Crown.

4.45 pm

The devil will be in the detail. There is still not an adequate definition—the hon. Member for Northampton North (Michael Ellis) and I debated this in Committee—of “sleeping equipment”. Lawyers will have a field day over this. The hon. Gentleman is right that we would expect an officer to act reasonably and so on, but there will be endless litigation over what reasonableness means in the Bill. What does “sleeping equipment” mean? Sleeping out? Sleeping on concrete? Is the concrete “sleeping equipment”? That is the sort of debate that we have started to get into? What would be the consequences of displacing this sort of activity? My hon. Friend the Member for Hayes and Harlington made this point. The hon. Member for Cities of London and Westminster will find that if we deal with the protest outside, it will simply move across the road or down the road, and similar problems will persist. In repealing the legislation—we support the repeal of SOCPA—the Government need to be extremely careful that they do not find themselves in exactly the same situation as the previous Government: with unworkable legislation that simply results in many court actions as people seek to exercise their right to protest.

**James Brokenshire:** This useful debate has given the House the opportunity to discuss an important issue. We made it clear when we introduced our proposals that it was right and proper that the House should have a proper say on the Bill’s provisions relating to Parliament square, and I believe that the House has had that say this afternoon.

There are clearly issues of agreement on both sides of the House. The right to protest is a cherished and important right that the Government seek to uphold, and it is a positive step forward if the Opposition

Front-Bench team accept that fact and accept that the draconian approach that in many ways had become their hallmark was a wrong turn. I certainly welcome therefore the comments from the hon. Member for Gedling (Vernon Coaker) about scrapping SOCPA, which had a very chilling effect on the right to protest. That is why one of the fundamental effects of the Bill will be to scrap those provisions and to return to treating Parliament square the same, in many ways, as the rest of the country.

The question before us relates to the extent of the right to protest. I think that it has been accepted that it is not an exhaustive right or something that we can do to the nth degree, and that there are limits to the right to protest. In her evidence to the Bill Committee, Shami Chakrabati made that point very clearly. We are discussing the limits to and the extent of that right. We have to take a step back and say, “We have that right to protest, but what is the issue at hand?” The issue at hand is that the right to protest does not mean the right to permanent encampment. That is at the heart of what we are seeking to address and why the provisions in the Bill are structured in the way they are.

I hear those who say that it does not make any difference, that it is not a problem and that we should not be seeking to introduce changes in respect of Parliament square and the surrounding area that contrast with the rest of the country. However, I would make the point that the square has been fenced off for six months to allow remedial and repair work, and has therefore been unavailable, which has clearly affected not just people’s access to it, but the right to protest there. That is why it is important that we examine the issue, and why the proposals in the Bill reflect that approach.

**Bob Stewart** (Beckenham) (Con): Is it not true that the vast majority of the public would think that any encampment outside Parliament should go? I have heard a lot of speeches this afternoon about why it should stay, but the vast majority of our public would say, “Get rid of it. It shouldn’t be there.”

**James Brokenshire:** The act of protest does not by default give individuals the right to erect permanent encampments in Parliament square or on the pavements outside it. That is the essence of what we are proposing. We want to protect the right to protest, but that does not mean that we endorse the permanent encampment that has arisen and that, in essence, has deprived others of access to that space.

I heard the points that the hon. Member for Gedling made about practicability and workability—in some ways he summarised the reasonable discussions and detailed debate that we had in Committee. However, we have had discussions with the Metropolitan police—he will be aware of the exchange of correspondence—and I have spoken to Assistant Commissioner Lynne Owens in recent days, in advance of this afternoon’s debate. One of the challenges has been about differences of ownership, between Greater London authority and Westminster city council, and ensuring that the proper protocols are agreed. However, with those protocols in place, our strong belief is that our proposals are workable; otherwise we would not be bringing them before the House.

I hear the debate about the language and the drafting. The Government recognise that any new law will be robustly tested by determined individuals—indeed, that would be the case for any proposals. We have therefore sought to capture attempts to circumvent the legislation that have been raised with us by the police. However, that necessarily carries the potential of capturing others, which is why we have allowed some discretion, as it is important that the provisions should be used proportionately.

Let me turn to the amendments tabled by the hon. Member for Hayes and Harlington (John McDonnell). I suppose that the debate comes down to the context and this issue of a permanent encampment, which we think is so significant. As we have heard, Parliament square is a world heritage site, surrounded by important historic buildings such as Westminster abbey. Given its location opposite the Houses of Parliament and the limited space, we are seeking to balance the competing and legitimate needs of members of the public who come to the area as visitors or protesters, with those of Members of Parliament and others who need to be able to carry out their daily work and enjoy the space.

The Government are clear that no one particular person or group of persons should take over the area to the detriment of others. Encampments remaining on Parliament square in defiance of the byelaws have caused significant damage to the garden and the space, which has underlined the unworkability of the Serious Organised Crime and Police Act thus far. The encampments have required considerable remedial work by Greater London authority, during which time nobody has been able to enjoy the unique space. In relation to the democracy village occupation, the courts found that Parliament square gardens were not a suitable area for any sort of encampment. More recently, the High Court has said:

“Parliament Square Gardens is not a suitable location for prolonged camping; such camping is incompatible with the function, lawful use and character”

of Parliament square gardens, and

“it is also inconsistent with the proper management of the area as a whole”.

The Government and, I think, most Members of this House and the other place would agree with the court’s findings.

Encampments prevent the public’s enjoyment of this unique location and deter people from visiting the area. They even deter and prevent others from protesting, although I have heard the points that have been made in that regard. Let me stress again that we are not seeking to prevent people from protesting on or around Parliament square. We are not seeking to put time limits on protests or to regulate them in that way.

The package of measures in part 3 is aimed at preventing encampments, at dealing with disruptive activity by anyone on Parliament square and at giving the police and authorised officers of the Greater London authority and Westminster city council powers to ensure that Parliament square can be enjoyed by all. So, for example, anyone who pitches a tent in the controlled area defined in the Bill may be directed to take it down. If they fail to comply with the direction, the tent may be seized and they may be charged with an offence.

I welcome the constructive debate that we had in Committee, during which Opposition Members recognised the problem with the current SOCPA provisions and

[James Brokenshire]

acknowledged the need for new measures. We have heard this afternoon, however, that some of them do not agree with our proposals and continue to have issues. We have introduced a co-ordinated package of provisions that will link into byelaws to ensure that the issues of displacement that have been identified are addressed.

We have listened and reflected on what has been said, which is why the Government have tabled amendments 57 and 58, which deal with authorised officers using powers of force. We continue to believe that the right of authorised officers properly to manage and support the activities in Parliament square, and people's enjoyment of the square, requires them to have the ability to give directions and to seize items, but not to use reasonable force, because that is the role of the police. That is why we have tabled amendments 57 and 58. They reflect the point that has been highlighted by my hon. Friend the Member for Cambridge (Dr Huppert) and others inside and outside the House. We believe that the package in the Bill strikes a proportionate balance.

We will continue our discussions with the police, with Westminster city council and with the Greater London authority on the management of Parliament square, and on any moves that might result in more co-ordinated ownership and management of the site. Fundamentally, we believe in the right to protest, but that right does not mean permanent encampments. The measures before the House are proportionate and appropriate, because they will enable those who want to protest to have their say outside the House while ensuring that that does not result in the permanent despoiling of Parliament square.

**John McDonnell:** I wish to press amendments 162 and 185 to a vote. The debate has been helpful in that it has reassured me that we support the right to protest. I look forward to Members joining me in protests in the coming months. There is a disagreement over the difference between protest and permanent protest. There is a tradition of effective permanent protest in this country, and that is the tradition that we are seeking to support.

There is a basic human right, enacted in legislation in this Parliament, to assembly, association and speech. Members must have due cause if they want to tamper with that right in any way. If there is an argument that the encampment causes noise, nuisance or any form of obstruction, legislation already exists to deal with that. Indeed, the Minister has just demonstrated that the court is now dealing with the matter in relation to the grassed area. There is therefore no need for the House to waste its time in introducing specific legislation for a small encampment of principled people who are reminding us of the consequences of our actions in this House.

Let me advise Members and warn that we will come back again on this issue. What we are doing here is counter-productive: it will cause further conflict; it will put police officers in an impossible position and council officers in an even worse position. The encampment will move elsewhere and the Government will then have to come back to the matter, as the last Government tried to do with their Civil Contingencies Bill to ban protest elsewhere and outside other public buildings. I believe that this is an error.

I wish the coalition parties had adhered to their promise before the election to—

5 pm

*Debate interrupted (Programme Order, 30 March).*

*The Speaker put forthwith the Question already proposed from the Chair (Standing Order 83E), That the amendment be made.*

*The House divided: Ayes 8, Noes 280.*

**Division No. 247]**

**[5 pm**

**AYES**

Campbell, Mr Ronnie  
Hopkins, Kelvin  
Jackson, Glenda  
Llwyd, rh Mr Elfyn  
McDonnell, John  
Skinner, Mr Dennis

Williams, Hywel  
Wood, Mike

**Tellers for the Ayes:**

**Paul Flynn and  
Jeremy Corbyn**

**NOES**

Adams, Nigel  
Afrjyie, Adam  
Aldous, Peter  
Amess, Mr David  
Andrew, Stuart  
Bacon, Mr Richard  
Baker, Steve  
Baldry, Tony  
Baldwin, Harriett  
Barclay, Stephen  
Bebb, Guto  
Beith, rh Sir Alan  
Bellingham, Mr Henry  
Beresford, Sir Paul  
Berry, Jake  
Binley, Mr Brian  
Birtwistle, Gordon  
Blackman, Bob  
Blunt, Mr Crispin  
Boles, Nick  
Bone, Mr Peter  
Bottomley, Sir Peter  
Bradley, Karen  
Brady, Mr Graham  
Brake, Tom  
Bray, Angie  
Brazier, Mr Julian  
Brine, Mr Steve  
Brokenshire, James  
Brooke, Annette  
Bruce, Fiona  
Bruce, rh Malcolm  
Burley, Mr Aidan  
Burns, Conor  
Burns, rh Mr Simon  
Burrowes, Mr David  
Burstow, Paul  
Burt, Alistair  
Byles, Dan  
Cairns, Alun  
Campbell, rh Sir Menzies  
Carmichael, Neil  
Cash, Mr William  
Chishti, Rehman  
Clappison, Mr James  
Clark, rh Greg  
Clarke, rh Mr Kenneth  
Coffey, Dr Thérèse  
Collins, Damian  
Colville, Oliver  
Cox, Mr Geoffrey  
Crabb, Stephen

Crouch, Tracey  
Davey, Mr Edward  
Davies, David T. C.  
(*Monmouth*)  
Davies, Glyn  
de Bois, Nick  
Dinenage, Caroline  
Djanogly, Mr Jonathan  
Dorrell, rh Mr Stephen  
Dorries, Nadine  
Drax, Richard  
Duddridge, James  
Dunne, Mr Philip  
Ellis, Michael  
Ellison, Jane  
Elphicke, Charlie  
Eustice, George  
Evans, Graham  
Evennett, Mr David  
Fabricant, Michael  
Featherstone, Lynne  
Field, Mr Mark  
Foster, rh Mr Don  
Francois, rh Mr Mark  
Freeman, George  
Freer, Mike  
Fuller, Richard  
Gale, Mr Roger  
Garnier, Mr Edward  
Garnier, Mark  
Gibb, Mr Nick  
Gilbert, Stephen  
Gillan, rh Mrs Cheryl  
Glen, John  
Goldsmith, Zac  
Gove, rh Michael  
Graham, Richard  
Grant, Mrs Helen  
Grayling, rh Chris  
Green, Damian  
Greening, Justine  
Gummer, Ben  
Gyimah, Mr Sam  
Halfon, Robert  
Hammond, Stephen  
Hancock, Matthew  
Hancock, Mr Mike  
Harper, Mr Mark  
Harrington, Richard  
Harris, Rebecca  
Hart, Simon  
Harvey, Nick

Hayes, Mr John  
Heald, Mr Oliver  
Heath, Mr David  
Henderson, Gordon  
Herbert, rh Nick  
Hinds, Damian  
Hoban, Mr Mark  
Hollingbery, George  
Hollobone, Mr Philip  
Holloway, Mr Adam  
Hopkins, Kris  
Howarth, Mr Gerald  
Howell, John  
Hughes, rh Simon  
Huhne, rh Chris  
Hunt, rh Mr Jeremy  
Hunter, Mark  
Huppert, Dr Julian  
Hurd, Mr Nick  
Jackson, Mr Stewart  
James, Margot  
Javid, Sajid  
Jenkin, Mr Bernard  
Johnson, Gareth  
Johnson, Joseph  
Jones, Andrew  
Jones, Mr David  
Jones, Mr Marcus  
Kawczynski, Daniel  
Kelly, Chris  
Kirby, Simon  
Knight, rh Mr Greg  
Kwarteng, Kwasi  
Laing, Mrs Eleanor  
Lancaster, Mark  
Lansley, rh Mr Andrew  
Laws, rh Mr David  
Leadsom, Andrea  
Lee, Jessica  
Lee, Dr Phillip  
Leech, Mr John  
Lefroy, Jeremy  
Leigh, Mr Edward  
Leslie, Charlotte  
Letwin, rh Mr Oliver  
Lewis, Brandon  
Liddell-Grainger, Mr Ian  
Lidington, rh Mr David  
Lloyd, Stephen  
Lord, Jonathan  
Loughton, Tim  
Lumley, Karen  
Macleod, Mary  
Main, Mrs Anne  
May, rh Mrs Theresa  
McCartney, Jason  
McCartney, Karl  
McLoughlin, rh Mr Patrick  
McPartland, Stephen  
McVey, Esther  
Menzies, Mark  
Mercer, Patrick  
Metcalfe, Stephen  
Miller, Maria  
Mills, Nigel  
Milton, Anne  
Mordaunt, Penny  
Morgan, Nicky  
Morris, Anne Marie  
Morris, David  
Morris, James  
Mosley, Stephen

Mowat, David  
Munt, Tessa  
Murrison, Dr Andrew  
Neill, Robert  
Newmark, Mr Brooks  
Newton, Sarah  
Nokes, Caroline  
Norman, Jesse  
Nuttall, Mr David  
O'Brien, Mr Stephen  
Offord, Mr Matthew  
Ottaway, Richard  
Parish, Neil  
Patel, Priti  
Pawsey, Mark  
Penrose, John  
Percy, Andrew  
Phillips, Stephen  
Pickles, rh Mr Eric  
Pincher, Christopher  
Poulter, Dr Daniel  
Prisk, Mr Mark  
Pritchard, Mark  
Pugh, John  
Raab, Mr Dominic  
Randall, rh Mr John  
Reckless, Mark  
Redwood, rh Mr John  
Rees-Mogg, Jacob  
Reevell, Simon  
Reid, Mr Alan  
Robathan, rh Mr Andrew  
Robertson, Hugh  
Robertson, Mr Laurence  
Rogerson, Dan  
Rosindell, Andrew  
Rudd, Amber  
Russell, Bob  
Rutley, David  
Sanders, Mr Adrian  
Sandys, Laura  
Scott, Mr Lee  
Selous, Andrew  
Shannon, Jim  
Shapps, rh Grant  
Sharma, Alok  
Shelbrooke, Alec  
Simpson, Mr Keith  
Skidmore, Chris  
Smith, Miss Chloe  
Smith, Henry  
Smith, Julian  
Smith, Sir Robert  
Soames, Nicholas  
Soubry, Anna  
Stephenson, Andrew  
Stevenson, John  
Stewart, Bob  
Stewart, Iain  
Stride, Mel  
Stuart, Mr Graham  
Stunell, Andrew  
Sturdy, Julian  
Swales, Ian  
Swayne, Mr Desmond  
Swinson, Jo  
Swire, rh Mr Hugo  
Syms, Mr Robert  
Teather, Sarah  
Thurso, John  
Timpson, Mr Edward  
Tomlinson, Justin

Tredinnick, David  
Truss, Elizabeth  
Turner, Mr Andrew  
Tyrie, Mr Andrew  
Uppal, Paul  
Vaizey, Mr Edward  
Vara, Mr Shailesh  
Vickers, Martin  
Villiers, rh Mrs Theresa  
Walker, Mr Charles  
Walker, Mr Robin  
Wallace, Mr Ben  
Walter, Mr Robert  
Watkinson, Angela  
Weatherley, Mike  
Webb, Steve  
Wheeler, Heather  
White, Chris

Whittaker, Craig  
Whittingdale, Mr John  
Wiggin, Bill  
Willets, rh Mr David  
Williams, Mr Mark  
Williams, Roger  
Williams, Stephen  
Williamson, Gavin  
Willott, Jenny  
Wilson, Mr Rob  
Wollaston, Dr Sarah  
Wright, Jeremy  
Wright, Simon  
Young, rh Sir George  
Zahawi, Nadhim

**Tellers for the Noes:**  
**Norman Lamb and**  
**Mr Robert Goodwill**

*Question accordingly negated.*

*The Deputy Speaker then put forthwith the Questions necessary for the disposal of the business to be concluded at that time (Standing Order No. 83E).*

#### Clause 142

PROHIBITED ACTIVITIES IN CONTROLLED AREA OF  
PARLIAMENT SQUARE

*Amendment proposed:* 185, in page 95, line 8, leave out 'or authorised officer'.—(*John McDonnell.*)

*The House divided:* Ayes 158, Noes 276.

**Division No. 248]**

**[5.13 pm**

#### AYES

Abrahams, Debbie  
Ainsworth, rh Mr Bob  
Alexander, rh Mr Douglas  
Alexander, Heidi  
Ali, Rushanara  
Allen, Mr Graham  
Anderson, Mr David  
Austin, Ian  
Bailey, Mr Adrian  
Bain, Mr William  
Balls, rh Ed  
Banks, Gordon  
Barron, rh Mr Kevin  
Bayley, Hugh  
Beckett, rh Margaret  
Begg, Dame Anne  
Berger, Luciana  
Betts, Mr Clive  
Blackman-Woods, Roberta  
Blenkinsop, Tom  
Blunkett, rh Mr David  
Bradshaw, rh Mr Ben  
Brennan, Kevin  
Brown, rh Mr Gordon  
Brown, rh Mr Nicholas  
Bryant, Chris  
Buck, Ms Karen  
Campbell, Mr Alan  
Campbell, Mr Ronnie  
Caton, Martin  
Coaker, Vernon  
Cooper, Rosie  
Cooper, rh Yvette  
Corbyn, Jeremy

Creasy, Stella  
Cruddas, Jon  
Cryer, John  
Cunningham, Alex  
Cunningham, Mr Jim  
Cunningham, Tony  
Curran, Margaret  
Dakin, Nic  
Danczuk, Simon  
Davidson, Mr Ian  
Davies, Geraint  
De Piero, Gloria  
Denham, rh Mr John  
Dobbin, Jim  
Dobson, rh Frank  
Doyle, Gemma  
Eagle, Ms Angela  
Efford, Clive  
Elliott, Julie  
Ellman, Mrs Louise  
Engel, Natascha  
Farrelly, Paul  
Fitzpatrick, Jim  
Fiello, Robert  
Flynn, Paul  
Fovargue, Yvonne  
Gapes, Mike  
Gilmore, Sheila  
Glindon, Mrs Mary  
Goodman, Helen  
Green, Kate  
Greenwood, Lilian  
Gwynne, Andrew  
Hain, rh Mr Peter

Hanson, rh Mr David  
 Harman, rh Ms Harriet  
 Hepburn, Mr Stephen  
 Heyes, David  
 Hillier, Meg  
 Hilling, Julie  
 Hodgson, Mrs Sharon  
 Hopkins, Kelvin  
 Howarth, rh Mr George  
 Jackson, Glenda  
 Jarvis, Dan  
 Johnson, Diana  
 Jones, Helen  
 Jones, Mr Kevan  
 Joyce, Eric  
 Kaufman, rh Sir Gerald  
 Kendall, Liz  
 Khan, rh Sadiq  
 Lammy, rh Mr David  
 Lavery, Ian  
 Lazarowicz, Mark  
 Leslie, Chris  
 Llwyd, rh Mr Elfyn  
 Love, Mr Andrew  
 Mactaggart, Fiona  
 Mahmood, Mr Khalid  
 Mahmood, Shabana  
 Mann, John  
 Marsden, Mr Gordon  
 McCabe, Steve  
 McCann, Mr Michael  
 McCarthy, Kerry  
 McClymont, Gregg  
 McDonnell, John  
 McFadden, rh Mr Pat  
 McGovern, Alison  
 McGovern, Jim  
 McGuire, rh Mrs Anne  
 Meale, Mr Alan  
 Mearns, Ian  
 Miliband, rh David  
 Miller, Andrew  
 Morrice, Graeme (*Livingston*)  
 Morris, Grahame M.  
 (*Easington*)  
 Munn, Meg  
 Murray, Ian  
 Nandy, Lisa

Onwurah, Chi  
 Osborne, Sandra  
 Pearce, Teresa  
 Phillipson, Bridget  
 Qureshi, Yasmin  
 Raynsford, rh Mr Nick  
 Reynolds, Emma  
 Robinson, Mr Geoffrey  
 Rotheram, Steve  
 Roy, Mr Frank  
 Roy, Lindsay  
 Ruddock, rh Joan  
 Sarwar, Anas  
 Seabeck, Alison  
 Sharma, Mr Virendra  
 Sheerman, Mr Barry  
 Shuker, Gavin  
 Skinner, Mr Dennis  
 Slaughter, Mr Andy  
 Smith, Nick  
 Smith, Owen  
 Spellar, rh Mr John  
 Sutcliffe, Mr Gerry  
 Tami, Mark  
 Thomas, Mr Gareth  
 Thornberry, Emily  
 Timms, rh Stephen  
 Trickett, Jon  
 Twigg, Derek  
 Umunna, Mr Chuka  
 Vaz, rh Keith  
 Vaz, Valerie  
 Walley, Joan  
 Whitehead, Dr Alan  
 Wicks, rh Malcolm  
 Williams, Hywel  
 Williamson, Chris  
 Wilson, Phil  
 Winnick, Mr David  
 Winterton, rh Ms Rosie  
 Wood, Mike  
 Wright, David  
 Wright, Mr Iain

**Tellers for the Ayes:**  
**Angela Smith and**  
**Mr David Hamilton**

#### NOES

Adams, Nigel  
 Afriyie, Adam  
 Aldous, Peter  
 Amess, Mr David  
 Andrew, Stuart  
 Bacon, Mr Richard  
 Baker, Steve  
 Baldry, Tony  
 Baldwin, Harriett  
 Barclay, Stephen  
 Bebb, Guto  
 Beith, rh Sir Alan  
 Bellingham, Mr Henry  
 Beresford, Sir Paul  
 Berry, Jake  
 Binley, Mr Brian  
 Birtwistle, Gordon  
 Blackman, Bob  
 Blunt, Mr Crispin  
 Boles, Nick  
 Bone, Mr Peter

Bottomley, Sir Peter  
 Bradley, Karen  
 Brady, Mr Graham  
 Brake, Tom  
 Bray, Angie  
 Brazier, Mr Julian  
 Brine, Mr Steve  
 Brokenshire, James  
 Brooke, Annette  
 Bruce, Fiona  
 Bruce, rh Malcolm  
 Burley, Mr Aidan  
 Burns, Conor  
 Burns, rh Mr Simon  
 Burrows, Mr David  
 Burstow, Paul  
 Burt, Alistair  
 Byles, Dan  
 Cable, rh Vince  
 Cairns, Alun  
 Campbell, rh Sir Menzies

Carmichael, Neil  
 Cash, Mr William  
 Chishti, Rehman  
 Clappison, Mr James  
 Clark, rh Greg  
 Clarke, rh Mr Kenneth  
 Coffey, Dr Thérèse  
 Collins, Damian  
 Colvile, Oliver  
 Cox, Mr Geoffrey  
 Crabb, Stephen  
 Crouch, Tracey  
 Davey, Mr Edward  
 Davies, David T. C.  
 (*Monmouth*)  
 Davies, Glyn  
 de Bois, Nick  
 Dinenage, Caroline  
 Djanogly, Mr Jonathan  
 Dorrell, rh Mr Stephen  
 Dorries, Nadine  
 Drax, Richard  
 Duddridge, James  
 Dunne, Mr Philip  
 Ellis, Michael  
 Ellison, Jane  
 Elphicke, Charlie  
 Eustice, George  
 Evans, Graham  
 Evennett, Mr David  
 Fabricant, Michael  
 Featherstone, Lynne  
 Field, Mr Mark  
 Foster, rh Mr Don  
 Francois, rh Mr Mark  
 Freeman, George  
 Freer, Mike  
 Fuller, Richard  
 Gale, Mr Roger  
 Garnier, Mr Edward  
 Garnier, Mark  
 Gibb, Mr Nick  
 Gilbert, Stephen  
 Gillan, rh Mrs Cheryl  
 Glen, John  
 Goldsmith, Zac  
 Gove, rh Michael  
 Graham, Richard  
 Grant, Mrs Helen  
 Grayling, rh Chris  
 Green, Damian  
 Greening, Justine  
 Gummer, Ben  
 Gyimah, Mr Sam  
 Halfon, Robert  
 Hammond, Stephen  
 Hancock, Matthew  
 Hancock, Mr Mike  
 Harper, Mr Mark  
 Harrington, Richard  
 Harris, Rebecca  
 Hart, Simon  
 Harvey, Nick  
 Hayes, Mr John  
 Heald, Mr Oliver  
 Heath, Mr David  
 Henderson, Gordon  
 Herbert, rh Nick  
 Hinds, Damian  
 Hoban, Mr Mark  
 Hollingbery, George  
 Hollobone, Mr Philip

Holloway, Mr Adam  
 Hopkins, Kris  
 Howarth, Mr Gerald  
 Howell, John  
 Hughes, rh Simon  
 Huhne, rh Chris  
 Hunt, rh Mr Jeremy  
 Hunter, Mark  
 Huppert, Dr Julian  
 Hurd, Mr Nick  
 Jackson, Mr Stewart  
 James, Margot  
 Javid, Sajid  
 Jenkin, Mr Bernard  
 Johnson, Gareth  
 Johnson, Joseph  
 Jones, Andrew  
 Jones, Mr David  
 Jones, Mr Marcus  
 Kawczynski, Daniel  
 Kelly, Chris  
 Kirby, Simon  
 Knight, rh Mr Greg  
 Kwarteng, Kwasi  
 Laing, Mrs Eleanor  
 Lancaster, Mark  
 Laws, rh Mr David  
 Leadsom, Andrea  
 Lee, Jessica  
 Lee, Dr Phillip  
 Leech, Mr John  
 Lefroy, Jeremy  
 Leigh, Mr Edward  
 Leslie, Charlotte  
 Letwin, rh Mr Oliver  
 Lewis, Brandon  
 Liddell-Grainger, Mr Ian  
 Lidington, rh Mr David  
 Lloyd, Stephen  
 Lord, Jonathan  
 Lumley, Karen  
 Macleod, Mary  
 Main, Mrs Anne  
 May, rh Mrs Theresa  
 McCartney, Jason  
 McCartney, Karl  
 McLoughlin, rh Mr Patrick  
 McPartland, Stephen  
 McVey, Esther  
 Menzies, Mark  
 Mercer, Patrick  
 Metcalfe, Stephen  
 Miller, Maria  
 Mills, Nigel  
 Milton, Anne  
 Mordaunt, Penny  
 Morgan, Nicky  
 Morris, Anne Marie  
 Morris, David  
 Morris, James  
 Mosley, Stephen  
 Mowat, David  
 Munt, Tessa  
 Murrison, Dr Andrew  
 Neill, Robert  
 Newmark, Mr Brooks  
 Newton, Sarah  
 Nokes, Caroline  
 Norman, Jesse  
 Nuttall, Mr David  
 O'Brien, Mr Stephen  
 Offord, Mr Matthew

Ottaway, Richard  
Parish, Neil  
Patel, Priti  
Pawsey, Mark  
Penrose, John  
Percy, Andrew  
Phillips, Stephen  
Pickles, rh Mr Eric  
Pincher, Christopher  
Poulter, Dr Daniel  
Prisk, Mr Mark  
Pritchard, Mark  
Pugh, John  
Raab, Mr Dominic  
Randall, rh Mr John  
Reckless, Mark  
Redwood, rh Mr John  
Rees-Mogg, Jacob  
Reevell, Simon  
Reid, Mr Alan  
Robathan, rh Mr Andrew  
Robertson, Hugh  
Robertson, Mr Laurence  
Rogerson, Dan  
Rosindell, Andrew  
Rudd, Amber  
Russell, Bob  
Rutley, David  
Sanders, Mr Adrian  
Sandys, Laura  
Scott, Mr Lee  
Selous, Andrew  
Shapps, rh Grant  
Sharma, Alok  
Shelbrooke, Alec  
Simpson, Mr Keith  
Skidmore, Chris  
Smith, Miss Chloe  
Smith, Henry  
Smith, Julian  
Smith, Sir Robert  
Soames, Nicholas  
Soubry, Anna  
Stephenson, Andrew  
Stevenson, John  
Stewart, Bob  
Stewart, Iain  
Stride, Mel

Stuart, Mr Graham  
Stunell, Andrew  
Sturdy, Julian  
Swales, Ian  
Swayne, Mr Desmond  
Swinson, Jo  
Swire, rh Mr Hugo  
Syms, Mr Robert  
Teather, Sarah  
Timpson, Mr Edward  
Tomlinson, Justin  
Truss, Elizabeth  
Turner, Mr Andrew  
Tyrie, Mr Andrew  
Uppal, Paul  
Vaizey, Mr Edward  
Vera, Mr Shailesh  
Vickers, Martin  
Villiers, rh Mrs Theresa  
Walker, Mr Charles  
Walker, Mr Robin  
Wallace, Mr Ben  
Walter, Mr Robert  
Watkinson, Angela  
Weatherley, Mike  
Webb, Steve  
Wheeler, Heather  
White, Chris  
Whittaker, Craig  
Whittingdale, Mr John  
Wiggin, Bill  
Willets, rh Mr David  
Williams, Mr Mark  
Williams, Roger  
Williams, Stephen  
Williamson, Gavin  
Willott, Jenny  
Wilson, Mr Rob  
Wollaston, Dr Sarah  
Wright, Jeremy  
Wright, Simon  
Young, rh Sir George  
Zahawi, Nadhim

**Tellers for the Noes:**  
Mr Robert Goodwill and  
Norman Lamb

*Question accordingly negated.*

#### Clause 144

##### POWER TO SEIZE PROPERTY

*Amendments made:* 57, page 97, line 6, leave out

‘The constable or authorised officer’  
and insert ‘A constable’.

Amendment 58, page 97, line 7, leave out from ‘under’  
to end of line 8 and insert ‘this section’.—(*James  
Brokenshire.*)

#### Schedule 17

##### TEMPORARY CLASS DRUG ORDERS

*Amendments made:* 53, page 215, line 26, after first  
‘that’, insert ‘—

- (a) the Secretary of State has consulted in accordance with  
section 2B and has determined that the order should  
be made, or

- (b) the Secretary of State has received a recommendation  
under that section that the order should be made.

‘(3A) The Secretary of State may make the determination  
mentioned in subsection (3)(a) only if’.

Amendment 54, page 216, line 6, at end insert—

‘(6A) The power of the Secretary of State to make an order  
under this section is subject to section 2B.’.

Amendment 55, page 216, line 10, at end insert—

‘2B Orders under section 2A: role of Advisory Council etc

(1) Before making an order under section 2A the Secretary of  
State—

- (a) must consult as mentioned in subsection (2), or  
(b) must have received a recommendation from the  
Advisory Council to make the order.

(2) The Secretary of State must consult—

- (a) the Advisory Council, or  
(b) if the order is to be made under section 2A(1) and the  
urgency condition applies, the person mentioned in  
subsection (3).

(3) The person referred to in subsection (2)(b) is—

- (a) the person who is for the time being the chairman of  
the Advisory Council appointed under paragraph  
1(3) of Schedule 1, or  
(b) if that person has delegated the function of responding  
to consultation under subsection (1)(a) to another  
member of the Advisory Council, that other member.

(4) The “urgency condition” applies if it appears to the  
Secretary of State that the misuse of the substance or product to  
be specified in the order as a drug subject to temporary control,  
or the likelihood of its misuse, poses an urgent and significant  
threat to public safety or health.

(5) The duty of the Advisory Council or any other person  
consulted under subsection (1)(a) is limited to giving to the  
Secretary of State that person’s opinion as to whether the order  
in question should be made.

(6) A recommendation under subsection (1)(b) that a  
temporary class drug order should be made may be given by the  
Advisory Council only if it appears to the Council that—

- (a) the substance or product is a drug that is being, or is  
likely to be, misused, and  
(b) that misuse is having, or is capable of having, harmful  
effects.’.

Amendment 59, page 219, line 24, after ‘2A,’ insert  
‘2B,’.—(*James Brokenshire.*)

#### Title

*Amendment made:* 56, line 3 after ‘alcohol’, insert  
‘, and for the repeal of provisions about alcohol disorder  
zones;’.—(*James Brokenshire.*)

#### Third Reading

5.24 pm

**The Secretary of State for the Home Department  
(Mrs Theresa May):** I beg to move, That the Bill now be  
read the Third time.

I start by thanking the hon. Members who sat on the  
Public Bill Committee for the scrutiny they have given  
this important piece of legislation. I thank in particular  
my ministerial colleagues, the Minister for Policing and  
Criminal Justice and the Under-Secretary of State for  
the Home Department, my hon. Friend the Member for  
Old Bexley and Sidcup (James Brokenshire), for their  
work in Committee. I also thank all hon. Members who  
have contributed on Report, when we had further detailed  
debate about the impact and implications of the Bill. In

[Mrs Theresa May]

addition, I thank all the officials and Officers and staff of the House who have enabled the Committee's work to take place.

The Prime Minister recently said that we had the best police force in the world, and I agree, but that does not mean that there is no room for improvement. The Bill will help our courageous police in the fight against crime, and police and crime commissioners will reconnect the police with the public they serve. An overhaul of the licensing regime will help the police and local communities to crack down on problem drinking premises, and temporary banning powers will stop the harm from so-called legal highs. Powers to deal with permanent encampments will give Parliament square back to the British public and a fairer process for universal jurisdiction arrest warrants will allow Britain to engage properly with prominent international statesmen.

**Mark Tami:** Bearing in mind the reorganisation and costs involved, will the Home Secretary confirm that she will be at Monday's debate on police cuts?

**Mrs May:** Yes; what a strange question.

**Chris Bryant (Rhondda) (Lab) rose—**

**Mrs May:** I have been generous in giving way once already, but I can never resist giving way to the hon. Gentleman.

**Chris Bryant:** Those words will not do her any good I am afraid, but I am grateful to the Home Secretary for giving way.

I am sure we all agree that we have the best police force in the world. Has the Home Secretary come across Chief Constable Steve Finnigan of the Lancashire constabulary, who has said that

"we can do an awful lot of work around back-office, around efficiency, around bureaucracy and certainly in Lancashire, in my force, we are doing a lot of that, but we cannot leave the frontline untouched and that is because of the scale of the cuts"?

Will the Home Secretary be straight with the British people and say that there are going to be front-line cuts because of what she is bringing in?

**Mrs May:** Many chief constables have made the point that what is happening will not mean that there will be no change to front-line services but that they can protect front-line services. That is exactly what chief constables such as the chief constable of Greater Manchester have made clear. There might need to be reform in front-line services, but that does not mean a reduction in the front-line services available to members of the public.

Directly elected police and crime commissioners will bring real accountability to local policing. They will ensure that the police focus on what local people want and not on what the national Government think they want.

**Yvette Cooper (Normanton, Pontefract and Castleford) (Lab) rose—**

**Mrs May:** I see that the piece of paper has been passed to the right hon. Lady, so I will give way to her.

**Yvette Cooper:** I want to follow up that point with the Home Secretary. She is right, I have the full quote to which my hon. Friend the Member for Rhondda (Chris Bryant) referred, which was from the "Today" programme. Chief Constable Finnigan was asked:

"You are chief constable of Lancashire which has a bit of both"—

meaning urban and rural areas—

"are you going to have to reduce frontline policing in order to meet the budget cuts that the government wants to see?"

His answer was: "I absolutely am". Faced with that categorical statement from a chief constable, will she admit that front-line services are being hit as a result of her decisions?

**Mrs May:** I have to say to the right hon. Lady that her intervention and that of the hon. Member for Rhondda betray the difficulty that the Labour party has had, both in government and in opposition, with this issue on front-line services. Chief constables such as Chief Constable Steve Finnigan have said that they are determined to protect the front-line service that is provided to members of the public. There is a difference between the service that can be provided and the number of police who are there, and the trouble with Labour is that it has always focused on numbers. What we have seen recently is that there are great variations in, for example, invisibility and availability of the police who are out there on the streets being seen by members of the public. Percentages can vary from 9% of police being available and visible to the public to 17%, as in Merseyside. If that highest figure was followed by every force, then just under 8,000 more officers would be visible and available to members of the public. This is about the efficient use of resources. Police and crime commissioners, as I have said, will bring accountability to local policing.

**Mr Elfyn Llwyd (Dwyfor Meirionnydd) (PC) rose—**

**Geraint Davies (Swansea West) (Lab/Co-op) rose—**

**Mrs May:** I might be able to help the right hon. Gentleman and the hon. Gentleman in a few minutes, as I am going to make a specific comment in relation to Wales. I suspect that they are going to ask me about Wales, so it might be in their interest to wait until then before they intervene.

**Penny Mordaunt:** I have been through police numbers with my chief constable in Hampshire, and there is not going to be any change to police numbers in community policing and in the policing of serious crime, or in the number of police who deal with sex offenders.

**Mrs May:** I am grateful to my hon. Friend. That is a good example, and there are other examples of forces such as Gloucestershire, where the number of officers visible and available has been increased by the chief constable as a result of what he has been able to do in other ways to deal with his budget.

We have already given communities across England and Wales access to detailed street-level crime and antisocial behaviour data. Only two months after launching the country's first-ever nationwide street-level crime maps, the website has received over 400 million hits, so

we are already giving power back to the public. The Bill takes that local accountability to the next stage. The Association of Chief Police Officers has been fully engaged in the process of refining our proposals. We have listened to its suggestions, and to those of hon. Members. We have responded and been able to accommodate some of those suggestions.

We have included provision for each chief officer to become a corporation sole, which will allow them to employ staff and will give them greater control over their own force. We have strengthened the proposed oversight arrangements by including provisions for candidates to be subject to confirmation hearings by police and crime panels, who will be able to veto an appointment with a three-quarters majority. We have amended the Bill so that anyone who has been convicted of an imprisonable offence at any time will be unable to stand as a PCC. Any PCC convicted of such an offence would automatically be disqualified from office.

We have made a commitment with ACPO, the Association of Police Authorities and the Association of Police Authority Chief Executives to develop a protocol setting out the distinct role and powers of chief officers, PCCs and other bodies in the new policing landscape. It will be my responsibility as Home Secretary to issue a strategic policing requirement for the response to national threats. These are all sensible and constructive changes that will give us a better Bill and ultimately an even better police service. I thank ACPO and hon. Members for their help with that.

I am delighted that in Committee, the Opposition conceded the principle of democratic reform in policing. Unfortunately, they are still suggesting the wrong type of reform. Only 7% of people have even heard of police authorities, and only 8% of local authority wards in England and Wales are represented on their police authority. Police authorities are not effective at doing what they are supposed to do. Fewer than one in three police authorities inspected last year were found to be performing well. They have neither the democratic mandate to set police priorities nor the capability to scrutinise police performance, so tinkering at the edges of police authorities, as the Opposition spokesmen seemed to suggest in Committee, will not do.

**Geraint Davies:** On democratic accountability, does the Home Secretary accept that voter turnout is likely to be much higher in low-crime, leafy suburbs than in high-crime, poorer areas, so the democratic mandate is likely to contradict directly the need to prioritise the focus on crime? What is more, people will lose access to the interface with MPs, Assembly Members, councillors and so on, so there will be less democracy, less crime prevention and more cost.

**Mrs May:** I completely reject what the hon. Gentleman says, particularly the idea that people who live in high-crime areas will somehow have less incentive to take an interest in the way in which their local area is policed or in going out to vote for PCCs. It is in precisely those areas that people are concerned about what is happening to local policing. We need a properly elected and accountable individual, with the mandate, the capabilities and the powers to set police priorities locally and to hold their chief constable to account for police performance.

Steve McCabe *rose*—

**Mrs May:** If the hon. Gentleman will forgive me, I am conscious of time and wish to make a little more progress.

The Opposition's scepticism about the merits of directly elected police and crime commissioners will be tested when it comes to deciding whether to field candidates for the elections next year. Indeed, according to media reports, the former Home Secretary, Jacqui Smith, intends to run as a candidate. Before moving on, I would like to make it clear that responsibility for policing and policing governance in Wales is reserved to this House. This House has determined that the provisions for police and crime commissioners should be implemented in Wales and in England. There cannot be two tiers of governance for a police service whose officers and assets so regularly cross the regional boundary between England and Wales in tackling crime.

**Mr Llwyd:** Will the Home Secretary give way?

**Mrs May:** The right hon. Gentleman may wish to intervene after I have completed my point about the vote that took place in the National Assembly for Wales. I think that it is regrettable that the Assembly did not agree to the legislative consent motion that would have allowed police and crime panels to reflect the unique nature of local government in Wales, as we wanted. That would have included giving the Welsh Assembly Government a seat on the police and crime panels in Wales.

**Mr Llwyd:** The reason they did not endorse it is quite simply because they do not believe in the idea of a directly elected police commissioner. They did not want the panels and so voted against the proposal. Unfortunately, this place decided to ride roughshod over their wishes and the wishes of democratically elected people in Wales, thus showing little of the respect agenda and acting in a hugely undemocratic way.

**Mrs May:** That is not correct. It is precisely because we respect the Assembly's decision that we are removing police and crime panels from local government structures in Wales. The Assembly had the opportunity to put in place a legislative consent motion that would have enabled that to take place. Such a motion was tabled by the Welsh Assembly Government, but they then chose not to support it, even though they had put it forward. As a result, the view of the Welsh Assembly was that police and crime panels should not form part of the local government structure in Wales. Instead, the PCPs will be freestanding bodies.

I want to make it clear that in taking a power to appoint those freestanding bodies I will not be telling, instructing or forcing any authority to do anything. I will invite local authorities to nominate a member to the PCP for each force area, and if an authority fails to nominate a member, I will invite members directly while having regard to the political balance within the force area. I think that the amendments will ensure that the appropriate checks and balances on police and crime commissioners can apply in all force areas in England and in Wales.

**Mr Speaker:** Order. I am listening carefully to the Home Secretary, who has given way generously, which is appreciated by the House, but I gently point out to

[Mr Speaker]

both Front Benches that there are some Back Benchers who would like the chance of a snippet as well if the opportunity presents itself.

**Mrs May:** Thank you, Mr Speaker.

We have also taken the opportunity in the Bill, as Members can see, to make improvements to the police complaints system. There are of course other important aspects to the Bill, notably those relating to licensing. I think that Labour's disastrous Licensing Act 2003 made the problem of binge drinking in this country worse, not better. Far from giving us the continental café culture that we were promised at the time, the Act did nothing to help police and local communities in their ongoing fight against alcohol-fuelled crime and disorder. That is why the Bill will help to turn the tide by ensuring that all those affected by licensed premises have a chance to have a say in the licensing process, allowing early morning restriction orders and the late-night levy on licensed premises opening after midnight to help pay for late-night policing and other services, such as taxi marshals or street wardens.

We have brought forward an amendment to introduce locally set licensing fees so that the fees can achieve what they were intended to, which is to recover fully the costs of licensing authorities in discharging their duties. I think that local government will feel that this is long overdue. We have also repealed the previous Administration's legislation on alcohol disorder zones, and there was overwhelming support in our consultation for doing that. Those measures, together with a number of others, show that we are committed to stopping the harm caused by alcohol abuse.

As well as measures to tackle alcohol abuse, we will be providing powers to crack down on the damage caused by so-called legal highs. The Bill introduces the power to make year-long temporary class drug orders, which will allow us to take swift action to ban temporarily substances that have been specifically developed to get around existing drugs legislation but that can still cause significant harm.

I hope that the whole House will agree that for too long Parliament square has been subjected to unacceptable disruption and damage from the long-term encampment.

**John McDonnell:** No.

**Mrs May:** No, the whole House does not agree, and I should have pointed out that the hon. Gentleman made his views very clear in our previous debate and through the amendments that he spoke to.

The Bill contains, I think, a tough but proportionate package of measures to deal with encampments and other disruptive activity, and we have responded to Members' concerns about the powers for authorised officers.

The Bill also makes sensible changes to the procedures for obtaining an arrest warrant for universal jurisdiction offences. We have heard the objections from a small number of hon. Members on the matter, but the Government continue to believe that the requirement to

seek the agreement of the Director of Public Prosecutions that a case has a realistic chance of success is a fair and proportionate measure.

The Bill is a balanced package of measures to tackle real problems in our society. It includes directly elected police and crime commissioners, to give back people power over policing locally and to help to cut crime; tougher rules on licensing and drugs to help stop the harm that alcohol-fuelled disorder and legal highs can cause; and appropriate powers to restore the right to peaceful protest outside the mother of Parliaments, while removing the long-term encampments that cause so much damage, disruption and distress. We have had very good scrutiny of, and good debates about, the Bill. I believe that it is a very good Bill, and I commend it to the House.

5.40 pm

**Yvette Cooper** (Normanton, Pontefract and Castleford) (Lab): After 50 hours of debate and evidence, the Commons stage of the Police Reform and Social Responsibility Bill has come to a close. The Members from all parts who endured the Committee stage will doubtless be delighted that in 19 minutes they will be released from custody. The Policing and Criminal Justice Minister will, I am sure, be relieved to have reached the end of this round of interrogation and hope to be released without charge, with his DNA destroyed and his fingerprints wiped.

I thank all Opposition Members for their work, but I pay particular tribute to my hon. Friend the Member for Gedling (Vernon Coaker), aka Station Sergeant Coaker, who has ably led our investigative team, and of course to my hon. Friend the Member for Alyn and Deeside (Mark Tami), Custody Sergeant Tami, who has granted but few bail applications and always on the toughest terms.

Members have had the pleasure of debating the details of pub drinking, the definitions of a duvet and whether a toothbrush counts as sleeping equipment, and during the passage of the Bill we have welcomed some of the Government's measures to which the Home Secretary referred, such as those on supporting local government, on licensing and on universal jurisdiction.

Other measures still have us baffled, however. The last time the Home Secretary spoke in the House on legislation she told us that the Government offered

"a chance to roll back the creeping intrusion of the state into our everyday lives, and to return individual freedoms to the heart of our legislation."—[*Official Report*, 1 March 2011; Vol. 524, c. 205.]

Today, she has defended a Bill that lets councils leap to the barricades when their byelaws are breached. She will support them in confiscating dogs that foul verges, guitars that are played near churches and even shoes that leave mud on the pavements. More importantly, she has supported a Bill that puts at risk centuries of independent policing, free from political interference, and concentrates considerable policing powers in the hands of one individual with hardly any checks and balances. That is hardly a defence of traditional British liberties.

**Mrs May:** I hesitate to interrupt what started as a comic turn by the right hon. Lady, but she knows full well that throughout the debate on the Bill we have been

at great pains to ensure that there is operational independence for chief officers and for forces. We will defend that operational independence. The police and crime commissioners do not have policing powers; they have powers to ensure police accountability and that they respond to local people.

**Yvette Cooper:** That is what the right hon. Lady says, but where is the protocol? Time and again we have been told that there will be some sort of code of practice or some kind of protocol to reassure people that there will be operational independence, but where is it? We have not yet seen it, and the House is being asked to let the Bill go through without being given the opportunity to vote on such a protocol or agreement when it is reached. A draft has been given to the Association of Chief Police Officers, yet this week ACPO still raised some serious concerns about the way in which impartial policing will be protected, and that leaves us with considerable suspicions that she is not yet close to reaching an agreement with ACPO about how the operational protocol will perform. I have to say to the Home Secretary that asking the House to give consent to this Bill without providing crucial reassurances about the operational independence of our police is frankly irresponsible in the light of the traditional and historic British liberties that she has previously been so keen to defend.

During these 50 hours of debate, the Bill has not changed in its fundamentals. This period follows one in which crime fell by over 40%, public confidence in policing went up, and substantial improvements were made in the fight against crime. Yet instead of building on those improvements made under the previous Labour Government, this Government instead want to launch a massive experiment in governance alongside the steepest cuts in many generations.

The Government are putting considerable policing powers in the hands of individual politicians without any of the serious safeguards or checks and balances that are needed. We do not support the approach of elected police commissioners. During the passage of the Bill, we have tried to suggest ways of limiting the damage and providing additional checks and balances, yet each time they have been rejected. People want responsive and accountable policing, but they also want impartial policing that is accountable to the rule of law—a tradition secured in Britain since Peel. The Government face a grave challenge from the most senior police officers in the country, who have argued this week that that tradition is being put at risk by the Bill. ACPO said that

“the developing framework of safeguards is too undeveloped and uncertain, and in several respects too weak, to be confident that it will effectively ensure that this Peelian principle will not be compromised.”

That is a very serious charge.

We still wait for the protocol and for other explanations of how this will work. This is about the impartiality of our police force and the public perception of that impartiality. For the first time, policing powers will be concentrated in the hands of individual politicians, with hardly any checks and balances on what they do. The Home Secretary at least has to answer to Parliament. She has to persuade her Cabinet colleagues. She can be scrutinised, she can be challenged, and she can even be

sacked if she makes a real mess of it—which I am sure, of course, that she will not—but a police and crime commissioner is there for four years, with just a toothless watchdog to keep guard in between.

**Mrs May:** The right hon. Lady is continuing to use the term “policing powers” in relation to the responsibilities of the police and crime commissioners. That is inaccurate and wrong. These individuals will not be “policing”—they will be elected to hold the chief constable to account to ensure that the local voice is heard and that what local people want in policing is being undertaken. There will be checks and balances through the police and crime panels. She talks about politicians having a relationship with the chief constable in relation to operational independence. Politicians already have a relationship with the chief constable through the police authority.

**Yvette Cooper:** Unfortunately, none of those reassurances has been enough to convince the most senior chief constables in the land that their operational independence will be safeguarded. That is the primary issue that this House should be worried about. We do not think that the Home Secretary has done enough to, for example, provide enough powers for the police and crime panels to allow them a stronger role as checks and balances in the system. Time and again, she has not provided enough safeguards for national policing. She will know that some experts have raised concerns about corruption, too. Of course, the public do not want this either. A YouGov poll commissioned for Liberty found that 65% of people preferred to have a chief constable reporting to a police authority, compared with 15% who wanted her reforms.

Then, of course, there is the cost: £100 million to be spent on elections and bureaucracy at a time when 2,000 of the most experienced officers are being forced into early retirement. If she ditched the police and crime commissioners and put that money back into policing, she could save almost a third of those jobs.

**The Minister for Policing and Criminal Justice (Nick Herbert)** *rose*—

**Yvette Cooper:** I will give way if the right hon. Gentleman will tell us what he would do to safeguard the jobs of the 2,000 experienced police officers whom he is pushing off the front line as a result of his cuts.

**Nick Herbert:** The right hon. Lady challenged us on cost. Can she tell us how much her proposal for directly elected police authority chairs would cost, and is she aware that it would cost considerably more than our proposal?

**Yvette Cooper:** My proposal is to ditch all of it, and that would save £100 million. [*Interruption.*] I am afraid that it is. We have offered Government Members several ways to limit the damage of their proposals if they want to protect British freedoms. If they really want to do something sensible, they should save £100 million by ditching it altogether. That is what we will be voting for this evening.

Most importantly, this drastic re-engineering at the top of policing—this massive experiment in governance—comes in the middle of the deepest cuts that police

[Yvette Cooper]

forces have had to face for many generations; at a time when 12,500 officers and 15,000 police staff will go; at a time when a report by Her Majesty's inspectorate of constabulary shows that 95% of police officers are not in back-office work; and at a time when front-line services across the country are being hit. If the Home Secretary and the Minister for Policing and Criminal Justice continue to deny that front-line services are being hit, they will just show how out of touch they are, not just with the police but with communities across the country who can already see changes happening in their areas and know exactly who is to blame. We know that neighbourhood police officers who want to stay in their jobs are being cut, and that steep cuts are being made in probation, youth services and action to prevent crime.

We know why the Home Secretary really wants police and crime commissioners: so she has someone else to blame when it all goes badly wrong. These policies were not the Home Secretary's idea. It was not her idea to cut 20% from the police—it was the Chancellor's, but she did not fight to stop it. It was not her idea to bring in police and crime commissioners—it was the Prime Minister's, but she did not stand up against it. It was not her proposal to cut DNA use and limit the power of the police—it was the Deputy Prime Minister's, but she did not prevent it. She is ducking the big battles and is not standing up for people across the country, who need a Home Secretary who will defend their views. She is the Home Secretary, and in the end she carries the can. On Second Reading, she claimed that that crime would be cut as a result of these reforms. The truth is that she is starting to fear that the opposite is happening, and she needs someone to blame.

The clouds are gathering over the Government's crime and policing plans, and we have raised the warning. We will vote against these plans today, just as we will vote against the police cuts next week. Ministers are creating a perfect storm; at some point it will blow, and it will be communities across the country who pay the price.

**Several hon. Members** *rose*—

**Mr Speaker:** Order. A number of Members still wish to contribute and time is extremely limited. I appeal to the next Member who speaks to show consideration for others who wish to contribute.

5.52 pm

**Mark Reckless** (Rochester and Strood) (Con): As the only Member of this House who is a member of a police authority, I congratulate Ministers on this Bill and welcome it. The Home Secretary made it clear on Monday that she wanted elected commissioners "in charge". She said just now that commissioners will make sure that what local people want to happen in policing will happen. That is to be welcomed.

Unfortunately, Opposition Members are on the wrong side of this debate. The shadow Minister, the hon. Member for Gedling (Vernon Coaker), said that

"ACPO is clearly telling the Minister that he needs to amend the Bill"—[*Official Report*, 30 March 2011; Vol. 526, c. 404.]

Apparently, the Association of Chief Police Officers thinks that

"the Bill places too much emphasis on local considerations giving disproportionate power to the"

elected commissioner. But it is this House that decides, not ACPO. The Minister for Policing and Criminal Justice has said that we have to rebalance the tripartite system and put greater emphasis on the local and democratic element because too much power has gone to the centre. He was too diplomatic to say it, but ACPO has taken that power as much as the Home Office, and it needs to be rebalanced.

We will attempt to reach agreement on this protocol, and Ministers are no doubt working hard on that. We believe, of course, that in individual investigations and arrests, there has to be complete independence for the police, and that politicians should have no influence in that. However, in wider issues such as policing policy, the budget and the priorities, it is surely right that there should be democratic control and oversight.

**Steve Baker** (Wycombe) (Con): I welcome my hon. Friend's remarks, and associate myself with them. I also welcome the way that he set out the law on operational independence yesterday. Does he agree that it is vital that senior police officers and Opposition Members accept the legitimacy of elected representatives ensuring that the public get the policing that they deserve?

**Mark Reckless:** Of course I accept that, and I thank my hon. Friend for his comments.

In the short time available, I want to make one point about an aspect of the Bill that I disagree with and how it is to be implemented, and that is the setting of the precept. There is a great focus on having more local democratic control, but there is perhaps some misunderstanding about how the panel will work in relation to the precept.

We have heard that Liberal Democrat Members want a strong panel, and that there is currently something called a veto in the Bill. However, the small print shows that the panel will have no veto on the precept. All that it will get to do is say, "We don't like this." The elected commissioner will have to take into account what it has said, but he can then impose what he wants. At the moment, it is the Secretary of State who is to have the power to intervene and hold a referendum, not the local panel. I hope that will be reconsidered and changed in the other place.

When the Minister for Policing and Criminal Justice explained the relevant regulations on Report, he said it would be for the panel to put forward an alternative, and then the public would decide. In Committee, however, he said that it would be for the police and crime commissioner to give an alternative that was not excessive, and then the referendum would be to choose between the two. The local people should be in charge—that is the focus of the Bill, and I hope the matter will be considered in the other place. I commend the Bill.

5.55 pm

**Mr David Blunkett** (Sheffield, Brightside and Hillsborough) (Lab): Who would ever have believed that it would be a Conservative Home Secretary who took the Home Office back to the pre-Michael Howard era, when there was an overwhelming belief that neither the Home Secretary nor the Home Office had any part to play in reducing crime, co-ordination across boundaries or understanding the sophistication of organised criminality? Today, of course, e-crime and cybercrime can be added to that list.

Who would have believed that a Conservative Home Secretary would oversee a 20% cut in policing in this country, or chide a Labour Opposition for being obsessed with police numbers? I was proud to be the Home Secretary for the four years when we increased the uniformed police service by 15,000 officers. That was what the communities that we represented were demanding, and that was what they got. That was why there was a 43% reduction in overall crime in this country, and a much greater reduction in burglary and car crime.

Perhaps the Home Secretary could never in her wildest dreams have realised that she was going to come to the House and say that she could not present a protocol for the relationship between the new elected police and crime commissioners and chief constables, because the Government had not yet managed to put it together. They do not know what the relationship is going to be.

The Minister for Policing and Criminal Justice rightly quoted the document about accountability that I presented to the last Home Secretary but one. He was right to say that I was concerned about power lying where accountability was held, and that, of course, is with the chief constable, the leadership team and the neighbourhood commander who respond directly to the neighbourhood that they represent. I was proud to introduce the neighbourhood beat teams and police community support officers, which brought us close to our neighbourhoods.

Now we are going to see total confusion, with policy decided by an elected police commissioner and delivery decided by a chief constable who has to do as they are told, and with no proper, organised cross-boundary working. There will be a breakdown of direct accountability, including in the role of elected councillors, and of the partnership approach that is so crucial to the reduction of crime and the engagement of the citizenry. That engagement is part of the process needed to ensure that we can continue to have the tremendous legacy that we left the current Government.

5.58 pm

**Dr Huppert:** I will try to be very brief. I thank Ministers for the helpful discussions that they have had with us and for the fact that we have managed to improve the Bill. I thank them for agreeing to our suggestions on removing the power for council officials to use reasonable force in protests and on ensuring that the Advisory Council on the Misuse of Drugs plays a role in assisting on temporary banning orders. I thank them very much for agreeing to those requests, because that has improved the Bill.

There are still some issues to discuss as the Bill continues through the Lords, but it is very good. Liberal Democrats stood on a manifesto commitment to bring democracy into such matters. Unlike the right hon. Member for Normanton, Pontefract and Castleford (Yvette Cooper), I think the public should have their say. Democracy is very important.

I am particularly pleased that the Government propose to use a preferential voting system to elect the commissioner. That is a much fairer way of electing people who have such a critical role.

I am also pleased that we are unwinding some of the disgraceful measures introduced by the previous Government to stop protests in Parliament square. Unlike the right hon. Member for Rotherham (Mr MacShane),

I do not believe that Parliament should be protected from the public. Parliament and the police should be accountable to them, which is what will now happen.

*Question put,* That the Bill be now read the Third time.

*The House divided:* Ayes 274, Noes 161.

**Division No. 249]**

**[5.59 pm**

**AYES**

Adams, Nigel	Drax, Richard
Afriyie, Adam	Duddridge, James
Aldous, Peter	Duncan, rh Mr Alan
Amess, Mr David	Dunne, Mr Philip
Andrew, Stuart	Ellis, Michael
Bacon, Mr Richard	Ellison, Jane
Baker, Steve	Elphicke, Charlie
Baldry, Tony	Eustice, George
Baldwin, Harriett	Evans, Graham
Barclay, Stephen	Evennett, Mr David
Bebb, Guto	Fabricant, Michael
Beith, rh Sir Alan	Featherstone, Lynne
Bellingham, Mr Henry	Field, Mr Mark
Beresford, Sir Paul	Foster, rh Mr Don
Berry, Jake	Francois, rh Mr Mark
Binley, Mr Brian	Freeman, George
Birtwistle, Gordon	Freer, Mike
Blackman, Bob	Gale, Mr Roger
Blunt, Mr Crispin	Garnier, Mr Edward
Boles, Nick	Garnier, Mark
Bone, Mr Peter	Gauke, Mr David
Bottomley, Sir Peter	Gibb, Mr Nick
Bradley, Karen	Gilbert, Stephen
Brady, Mr Graham	Gillan, rh Mrs Cheryl
Brake, Tom	Glen, John
Bray, Angie	Goldsmith, Zac
Brazier, Mr Julian	Gove, rh Michael
Brine, Mr Steve	Graham, Richard
Brokenshire, James	Grant, Mrs Helen
Brooke, Annette	Grayling, rh Chris
Bruce, Fiona	Green, Damian
Bruce, rh Malcolm	Greening, Justine
Burley, Mr Aidan	Gummer, Ben
Burns, Conor	Gyimah, Mr Sam
Burns, rh Mr Simon	Halfon, Robert
Burrowes, Mr David	Hammond, Stephen
Burt, Alistair	Hancock, Matthew
Byles, Dan	Hancock, Mr Mike
Cable, rh Vince	Hands, Greg
Cairns, Alun	Harper, Mr Mark
Carmichael, Neil	Harrington, Richard
Cash, Mr William	Harris, Rebecca
Chishti, Rehman	Hart, Simon
Clappison, Mr James	Harvey, Nick
Clark, rh Greg	Hayes, Mr John
Clarke, rh Mr Kenneth	Heald, Mr Oliver
Coffey, Dr Thérèse	Heath, Mr David
Collins, Damian	Henderson, Gordon
Colville, Oliver	Herbert, rh Nick
Cox, Mr Geoffrey	Hinds, Damian
Crabb, Stephen	Hoban, Mr Mark
Crouch, Tracey	Hollingbery, George
Davey, Mr Edward	Hollobone, Mr Philip
Davies, David T. C.	Holloway, Mr Adam
(Monmouth)	Hopkins, Kris
Davies, Glyn	Howarth, Mr Gerald
de Bois, Nick	Howell, John
Dinenage, Caroline	Hughes, rh Simon
Djanogly, Mr Jonathan	Huhne, rh Chris
Dorrell, rh Mr Stephen	Hunt, rh Mr Jeremy
Dorries, Nadine	Hunter, Mark

Huppert, Dr Julian  
Hurd, Mr Nick  
Jackson, Mr Stewart  
James, Margot  
Javid, Sajid  
Jenkin, Mr Bernard  
Johnson, Gareth  
Johnson, Joseph  
Jones, Andrew  
Jones, Mr David  
Jones, Mr Marcus  
Kawczynski, Daniel  
Kelly, Chris  
Kirby, Simon  
Knight, rh Mr Greg  
Kwarteng, Kwasi  
Laing, Mrs Eleanor  
Lancaster, Mark  
Laws, rh Mr David  
Leadsom, Andrea  
Lee, Jessica  
Lee, Dr Phillip  
Leech, Mr John  
Lefroy, Jeremy  
Leigh, Mr Edward  
Leslie, Charlotte  
Letwin, rh Mr Oliver  
Lewis, Brandon  
Liddell-Grainger, Mr Ian  
Lidington, rh Mr David  
Lilley, rh Mr Peter  
Lloyd, Stephen  
Lord, Jonathan  
Loughton, Tim  
Lumley, Karen  
Macleod, Mary  
Main, Mrs Anne  
Maude, rh Mr Francis  
May, rh Mrs Theresa  
McCartney, Jason  
McCartney, Karl  
McLoughlin, rh Mr Patrick  
McPartland, Stephen  
McVey, Esther  
Menzies, Mark  
Metcalfe, Stephen  
Miller, Maria  
Mills, Nigel  
Milton, Anne  
Mordaunt, Penny  
Morgan, Nicky  
Morris, Anne Marie  
Morris, David  
Morris, James  
Mosley, Stephen  
Munt, Tessa  
Murrison, Dr Andrew  
Neill, Robert  
Newmark, Mr Brooks  
Newton, Sarah  
Nokes, Caroline  
Norman, Jesse  
Nuttall, Mr David  
O'Brien, Mr Stephen  
Offord, Mr Matthew  
Opperman, Guy  
Ottaway, Richard  
Parish, Neil  
Patel, Priti  
Pawsey, Mark  
Penrose, John  
Percy, Andrew

Phillips, Stephen  
Pickles, rh Mr Eric  
Pincher, Christopher  
Poulter, Dr Daniel  
Prisk, Mr Mark  
Pritchard, Mark  
Pugh, John  
Raab, Mr Dominic  
Randall, rh Mr John  
Reckless, Mark  
Redwood, rh Mr John  
Rees-Mogg, Jacob  
Reid, Mr Alan  
Robathan, rh Mr Andrew  
Robertson, Hugh  
Robertson, Mr Laurence  
Rogerson, Dan  
Rudd, Amber  
Russell, Bob  
Rutley, David  
Sanders, Mr Adrian  
Sandys, Laura  
Scott, Mr Lee  
Selous, Andrew  
Sharma, Alok  
Shelbrooke, Alec  
Simpson, Mr Keith  
Skidmore, Chris  
Smith, Miss Chloe  
Smith, Henry  
Smith, Julian  
Smith, Sir Robert  
Soames, Nicholas  
Soubry, Anna  
Stephenson, Andrew  
Stevenson, John  
Stewart, Iain  
Stride, Mel  
Stuart, Mr Graham  
Stunell, Andrew  
Sturdy, Julian  
Swales, Ian  
Swayne, Mr Desmond  
Swinson, Jo  
Swire, rh Mr Hugo  
Syms, Mr Robert  
Thurso, John  
Timpson, Mr Edward  
Tomlinson, Justin  
Tredinnick, David  
Truss, Elizabeth  
Turner, Mr Andrew  
Tyrrie, Mr Andrew  
Uppal, Paul  
Vaizey, Mr Edward  
Vara, Mr Shailesh  
Vickers, Martin  
Villiers, rh Mrs Theresa  
Walker, Mr Charles  
Walker, Mr Robin  
Wallace, Mr Ben  
Walter, Mr Robert  
Watkinson, Angela  
Weatherley, Mike  
Webb, Steve  
Wheeler, Heather  
White, Chris  
Whittaker, Craig  
Whittingdale, Mr John  
Wiggin, Bill  
Willets, rh Mr David  
Williams, Roger

Williams, Stephen  
Williamson, Gavin  
Willott, Jenny  
Wilson, Mr Rob  
Wollaston, Dr Sarah  
Wright, Jeremy  
  
Abrahams, Debbie  
Ainsworth, rh Mr Bob  
Alexander, rh Mr Douglas  
Alexander, Heidi  
Ali, Rushanara  
Allen, Mr Graham  
Anderson, Mr David  
Austin, Ian  
Bailey, Mr Adrian  
Bain, Mr William  
Balls, rh Ed  
Banks, Gordon  
Barron, rh Mr Kevin  
Bayley, Hugh  
Beckett, rh Margaret  
Begg, Dame Anne  
Berger, Luciana  
Betts, Mr Clive  
Blackman-Woods, Roberta  
Blenkinsop, Tom  
Blunkett, rh Mr David  
Bradshaw, rh Mr Ben  
Brennan, Kevin  
Brown, rh Mr Gordon  
Brown, rh Mr Nicholas  
Bryant, Chris  
Buck, Ms Karen  
Campbell, Mr Alan  
Campbell, Mr Ronnie  
Caton, Martin  
Clarke, rh Mr Tom  
Coaker, Vernon  
Cooper, Rosie  
Cooper, rh Yvette  
Corbyn, Jeremy  
Creasy, Stella  
Cruddas, Jon  
Cryer, John  
Cunningham, Alex  
Cunningham, Mr Jim  
Cunningham, Tony  
Curran, Margaret  
Dakin, Nic  
Danczuk, Simon  
Davidson, Mr Ian  
Davies, Geraint  
De Piero, Gloria  
Denham, rh Mr John  
Dobbin, Jim  
Dowd, Jim  
Doyle, Gemma  
Eagle, Ms Angela  
Efford, Clive  
Elliott, Julie  
Ellman, Mrs Louise  
Engel, Natascha  
Farrelly, Paul  
Field, rh Mr Frank  
Fitzpatrick, Jim  
Ffello, Robert  
Flynn, Paul  
Fovargue, Yvonne  
Gapes, Mike

Wright, Simon  
Young, rh Sir George  
Zahawi, Nadhim

**Tellers for the Ayes:**  
**Norman Lamb and**  
**Mr Robert Goodwill**

#### NOES

Gilmore, Sheila  
Glindon, Mrs Mary  
Goodman, Helen  
Green, Kate  
Greenwood, Lilian  
Gwynne, Andrew  
Hain, rh Mr Peter  
Hamilton, Mr David  
Hanson, rh Mr David  
Harman, rh Ms Harriet  
Hendrick, Mark  
Hepburn, Mr Stephen  
Heyes, David  
Hillier, Meg  
Hilling, Julie  
Hodgson, Mrs Sharon  
Hopkins, Kelvin  
Howarth, rh Mr George  
Jackson, Glenda  
Jarvis, Dan  
Johnson, Diana  
Jones, Mr Kevan  
Joyce, Eric  
Kaufman, rh Sir Gerald  
Kendall, Liz  
Khan, rh Sadiq  
Lammy, rh Mr David  
Lavery, Ian  
Leslie, Chris  
Llwyd, rh Mr Elfyn  
Love, Mr Andrew  
MacShane, rh Mr Denis  
Mactaggart, Fiona  
Mahmood, Mr Khalid  
Mahmood, Shabana  
Mann, John  
Marsden, Mr Gordon  
McCabe, Steve  
McCann, Mr Michael  
McCarthy, Kerry  
McClymont, Gregg  
McDonnell, John  
McFadden, rh Mr Pat  
McGovern, Alison  
McGovern, Jim  
McGuire, rh Mrs Anne  
Meacher, rh Mr Michael  
Meale, Mr Alan  
Mearns, Ian  
Miliband, rh David  
Miller, Andrew  
Morrice, Graeme (*Livingston*)  
Morris, Grahame M.  
(*Easington*)  
Munn, Meg  
Murray, Ian  
Nandy, Lisa  
Onwurah, Chi  
Osborne, Sandra  
Pearce, Teresa  
Phillipson, Bridget  
Qureshi, Yasmin  
Raynsford, rh Mr Nick

Reynolds, Emma	Thornberry, Emily
Robinson, Mr Geoffrey	Timms, rh Stephen
Rotheram, Steve	Trickett, Jon
Roy, Mr Frank	Twigg, Derek
Roy, Lindsay	Umunna, Mr Chuka
Ruddock, rh Joan	Vaz, Valerie
Sarwar, Anas	Walley, Joan
Seabeck, Alison	Whitehead, Dr Alan
Sharma, Mr Virendra	Wicks, rh Malcolm
Shuker, Gavin	Williams, Hywel
Skinner, Mr Dennis	Williamson, Chris
Slaughter, Mr Andy	Wilson, Phil
Smith, rh Mr Andrew	Winnick, Mr David
Smith, Angela	Winterton, rh Ms Rosie
Smith, Nick	Wood, Mike
Smith, Owen	Wright, Mr Iain
Spellar, rh Mr John	
Straw, rh Mr Jack	<b>Tellers for the Noes:</b>
Sutcliffe, Mr Gerry	<b>Mark Tami and</b>
Thomas, Mr Gareth	<b>David Wright</b>

*Question accordingly agreed to.*

*Bill read the Third time and passed.*

**Mr David Hanson** (Delyn) (Lab): On a point of order, Mr Speaker. I wonder whether you have had a request for a statement, either tonight or tomorrow morning, from the Minister of State, Cabinet Office. In response to a question from my hon. Friend the Member for Edinburgh South (Ian Murray), he told the Environmental Audit Committee this afternoon:

“we took the view collectively in Cabinet that we faced an immediate national crisis in the form of less growth and jobs than we needed”,

in relation to the recent Budget. We were not aware of those conditions before the Budget vote on Tuesday. The Minister accepts that we have an “immediate national crisis”, so has he given any indication of the need for a statement? We face unemployment at a 17-year high, a contracting economy, increasing VAT, and a jobs growth crisis in Britain. If the Minister is discussing with the Environmental Audit Committee, he should come to the House to explain himself.

**Mr Speaker:** I have received no request for any such statement, but I am reminded of why it was that the right hon. Gentleman once served as the Parliamentary Private Secretary to a former Prime Minister. I think we will leave it at that.

**Ian Murray** (Edinburgh South) (Lab): Further to that point of order, Mr Speaker. I was serving on the Environmental Audit Committee this afternoon. Given collective Cabinet responsibility and the admission of a national crisis, I wonder whether you could help us new Members of the House by saying whether, under the circumstances, Cobra should meet.

**Mr Speaker:** I have no knowledge of, intelligence about or opinion to volunteer on that matter, but I think that the hon. Gentleman is enjoying playing on the training ground, if I can put it like that.

## Business without Debate

### EUROPEAN UNION DOCUMENTS

*Motion made, and Question put forthwith (Standing Order No. 119 (11)),*

That this House takes note of European Union Document No. 6007/11, and the Addenda 1 and 2, relating to the draft Directive on the use of Passenger Name Record data for the prevention, detection, investigation and prosecution of terrorist offences and serious crimes; welcomes the opportunity to hold a Parliamentary debate on the criteria the Government will take into account when making its opt-in decision within the three month deadline under Protocol 21 to the Treaty on the Functioning of the European Union and the Treaty on the European Union; and endorses the Government’s aim of working with other Member States to strengthen the security of EU citizens whilst also protecting their data by developing an effective EU passenger name record system. —(Mr Dunne.)

*Question agreed to.*

## Zurbaran Paintings (Auckland Castle)

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

6.13 pm

**Helen Goodman** (Bishop Auckland) (Lab): When I requested this debate I did not know about the Church Commissioners' announcement, and I wondered whether there should be a question mark in the title. However, I was just looking at the Order Paper, and I see that we now have a full stop, which is the right thing to have. I am absolutely delighted by the announcement that the Church Commissioners have made to secure in perpetuity the Zurbarans at Auckland castle.

Every politician dreams of receiving a brown envelope containing leaked documents that they can reveal to the press, but when I received mine and saw that it contained proposals for the sale of these national treasures in my constituency I was really alarmed. I was clear that I did not want my constituency to be asset-stripped. Equally, I do not hold to the view that every cultural icon should reside within the orbit of the M25.

Jonathan Ruffer has most generously provided the money to keep the Zurbarans in Auckland castle. When I read the interview with him in *The Spectator* and saw his emotional response to the story, I felt vindicated that I had given the documents to *The Northern Echo*. I hope that the Under-Secretary will note the importance of having a free, independent-minded press that can speak up for local communities at all times.

Many people have been thanked over the past 24 hours, but I particularly want to thank the anonymous person who sent me those documents. We will never know who it was, but they took a risk, and it was definitely a risk worth taking. I know that their action annoyed the Church Commissioners, and I can understand that, but the time and effort that have gone into solving the problem mean that we now have a much better solution than we would have had a year ago. I hope that the Church Commissioners feel that as well. Obviously, it is the mission of the Church to provide pastoral care at parish level, but it is also its mission to speak the great truths about humanity and to use art and stories to do that. Now we have the opportunity to do both those things.

In making the case for keeping the pictures in Auckland castle, and setting out our vision for a regenerated Bishop Auckland, we knocked on many doors. We were immensely strengthened and supported by the sympathetic hearing that we received from everyone from the Archbishop of Canterbury down. All the bishops were immensely supportive, as were the directors of the British Museum and the National Gallery. Another positive outcome is the fact that we have built up a well of support that will help us in progressing the project to create something very beautiful in Bishop Auckland.

**Sir Alan Beith** (Berwick-upon-Tweed) (LD): I want to assure the hon. Lady that there is equal delight right across the north-east that this wonderful philanthropic gesture has been made, and that this happy outcome has been secured.

**Helen Goodman:** I am grateful to the right hon. Gentleman for his support; I know that he has spoken about this matter in our region.

This is an important day, because the pictures have historical significance. Francisco de Zurbaran was a Spanish counter-reformation painter whose paintings can be seen across the world. I went to Chartres in the new year and saw one of his paintings there. Of course, it was in the bishop's residence. The collection in Auckland castle is particularly special because 12 of the 13 paintings belong together. The series is known as Jacob and his 12 sons. The long dining room at the castle was specially modified to hold the pictures.

Bishop Trevor, who bought the pictures, had previously lived in Downing street, but he became Bishop of Durham in the middle of the 18th century. He did a lot of work at Auckland castle. He built a deer house, which probably meant that the deer were better housed than the tenants at that time, and he bought those fantastic pictures. It is believed that he did that out of solidarity with the Jewish community. Like all the Anglican bishops, he supported the legislation to extend the civil rights of the Jewish community, and he preached on the suffering of those in the Jewish diaspora. When the so-called Jew Bill was repealed by the Tories, the bishop bought the pictures and hung them in the long dining room at Auckland castle.

The director of the British Museum, Neil MacGregor, who had the paintings displayed in London in 1994, has called them the

"first multicultural document of Britain".

That is why, if these paintings had been lost, moved or exported, it would have been a loss not only to the town of Bishop Auckland and our region, but to the nation. That is why I am extremely grateful to Jonathan Ruffer for his extraordinary generosity, which has enabled the establishment of a trust that will keep the paintings in the castle in perpetuity.

I would like to ask the Second Church Estates Commissioner, the hon. Member for Banbury (Tony Baldry), if he has any more details about the objects of the trust or who the trustees might be. Does he know how many of the priests employed through the money that Mr Ruffer donated will be in the Durham diocese?

The research undertaken by John McDonnell, QC, in recent months has shown that Bishop Trevor undoubtedly intended the pictures to stay at Auckland castle. As a result of this development, the legal issues surrounding the pictures will not be tested at this juncture. I want to note, however, that the case for incorporating the pictures as part of the grade I listing at Auckland castle still stands.

I want to pay particular tribute to Bob McManners, who is the chair of the Bishop Auckland Civic Society. He wrote a book about the history of the paintings and it turned out to be a fantastically valuable campaigning tool, which played a vital part in the success of this campaign.

The importance of inter-faith dialogue has obviously grown in the last 250 years, while our understanding of the difficulties and dilemmas of building a successful multicultural society has also developed. As well as having the paintings in Auckland castle as a symbol of commitment to inter-faith dialogue and multiculturalism, I hope there will also be space to allow people of all different faiths to meet together.

The land on which Auckland castle stands was gifted by King Canute to the Church. I particularly like this detail, because my mum, who is Danish, comes from

the same village as King Canute. Since 1138, the bishops of Durham have made Auckland castle their first residence. Over the years, the bishops of Durham grew in power and authority, and temporal power backed up spiritual power. County Durham was the last place in England to send Members of Parliament to Westminster. Some people think that politics in our area is still somewhat behind that of the rest of the country!

What will attract people to visit the castle is not just its very interesting history, as the main reason people will come is that it is in a fantastically beautiful spot. Auckland castle is a Gothic building, with probably the largest private chapel in Europe, and it is situated in beautiful park land on a wooded promontory overlooking the river Wear.

The partnership proposed between Durham county council and the National Trust is a really positive development, alongside the generous donations of other individuals and other institutions. Another question for the Second Church Estates Commissioner is whether the Church Commissioners will be open to the possibility of involving other people in the partnership. I am thinking, in particular, of the contribution that the World Monuments Fund might be able to make.

I had originally thought that the Second Church Estates Commissioner rather than the Under-Secretary of State for Culture, Olympics, Media and Sport, the hon. Member for Wantage (Mr Vaizey), would respond to this debate. I hope that the Minister is in his place to tell us that the Department for Culture, Media and Sport is going to make a financial contribution as well as a moral one, so I look forward to hearing what he has to say.

The attraction of this project is that it is multi-layered: it is of historic interest, religious interest and artistic interest. Particularly exciting is the offer made by the director of the National Gallery, Dr Nicholas Penny, to lend paintings to Auckland castle so that we can turn it into an artistic centre.

For the people of Bishop Auckland this is obviously a question of identity, but it also presents a great opportunity to regenerate a town that has suffered significantly in recent years. Unemployment has been high, and several of our wards are among the 10% that are the most deprived in the country. It is easy to underestimate the number of jobs that can be created from tourism because they are generally in small businesses, but there are already 12,000 such jobs in County Durham, and tourism brings in £650 million a year. I am sure that we can build on that. It would be fantastic if we could create a trail from Lindisfarne down through Jarrow to Durham and on to Bishop Auckland, repeating the journey of St Cuthbert's shrine.

I want to thank many people for contributing to today's happy outcome, not least the Second Church Estates Commissioner—as well as the secretary to the Church Commissioners, whom I see sitting in the Box. They came to Bishop Auckland in the snow, they pushed my car, and they listened to what was said by people in Woodhouse Close about why they wanted to hold on the paintings and have public access to the castle.

I thank my parliamentary colleagues in both Houses for their support, and I thank Durham county council, which has done a great deal of work but has a great deal more to do. I thank people throughout the country who

have written to us and prayed for us. I thank Barbara Longett, Margerie Kellett, Ann Golightly and the many others who organised the petition. Most of all, however, I thank my constituents for defending their heritage so staunchly. After 900 years a Bishop of Durham will still live at the heart of our community, which is fantastic, because you can't take the Bishop out of Bishop Auckland.

6.27 pm

**The Second Church Estates Commissioner (Tony Baldry):**

I congratulate the hon. Member for Bishop Auckland (Helen Goodman) on securing this timely debate, and thank her for her kind personal comments. She has been a tireless and dedicated campaigner on this issue on behalf of those who live close to Auckland castle and those who come to enjoy it, its grounds and, especially, its paintings. As she made clear, both she and the people of Bishop Auckland, along with those in the wider region, are delighted about today's announcement by the Church Commissioners that they are working to keep the Zurbaran paintings in Auckland Castle.

As Second Church Estates Commissioner, I am well aware of the strength and intensity of feeling that the castle and its paintings inspire in the hon. Lady and her constituents, and indeed in the diocese and the wider Church. It has been my pleasure to work with the hon. Lady on this issue in recent months. I was privileged to visit her constituency last November to view the paintings, along with other representatives of the Church Commissioners.

As the hon. Lady said, it is proposed that the 13 paintings by the Spanish artist Francisco de Zurbaran that currently hang in the Long Dining Room of Bishop Auckland castle should stay there, thanks to—I do not think that we can underline this too much—an extraordinary act of generosity by Jonathan Ruffer, chief executive of Ruffer. The paintings will be sold to a new trust, which will have a specific obligation to ensure their preservation and continued public display at Auckland castle. We are immensely grateful to him for an act of generosity that will ensure continued public access to those works of art in their natural home.

While I am giving credit where it is due, let me take the opportunity to thank Sir Paul Nicholson, Lord Lieutenant of Durham, for his chairmanship of the working party; Christopher Higgins, Vice-Chancellor and warden of Durham university; the Right Rev. Mark Bryant, Bishop of Jarrow; and all the others whose help, advice and assistance in recent months have proved invaluable in securing this resolution. I also thank my fellow Church Commissioners who have engaged so actively in the matter.

Although the Church Commissioners are significant owners of land and property, they are not, by and large, in the business of owning, maintaining and displaying paintings. I have made that point in the House before during questions on this issue, and I will return to it in a moment. However, I should first make a short detour. The Church Commissioners as we know them today came about in 1948 as the result of the merger of two bodies: Queen Anne's Bounty and the Ecclesiastical Commissioners. The older of these, Queen Anne's Bounty, was created in 1704 out of concern for the poverty of the clergy and the disrepair of their parsonages. Over a

[Tony Baldry]

century later, Parliament created the Ecclesiastical Commissioners to manage the historic assets in order to make financial provision for the Church's mission in areas of need and opportunity as well as to fund bishops and some cathedral costs, and in order to oversee a reorganisation of dioceses and cathedrals. Financing clergy pensions came much later.

The theme running throughout our 300-year history, which is very much alive today, is of supporting the Church's mission throughout England. Today, the commissioners are responsible for all clergy pensions earned up to 1998, the stipends and working costs of all the Church of England's bishops, the housing costs of all diocesan bishops and support of their local and national ministries, cathedral grants, stipends to cathedral deans and canons—and the list goes on. Currently, the Church Commissioners manage an investment portfolio of about £5 billion, largely in property and shares, which is derived from the Church's historic resources. From this sum, they are able to contribute about 16p in every pound to the cost of the Church of England's mission, with most of the balance coming from the generous giving of today's parishioners. The majority of the commissioners' other assets are in land and property, and as such they are not readily available to fund the day-to-day running of the Church of England. As a result of their investment performance, the Church Commissioners have distributed £31 million more each year to the Church for the past 10 years than if they had performed as an average fund. The point I would make in connection with all of this is that, although the Church of England owns and maintains about 16,000 places of worship and is responsible for 45% of this country's grade I listed buildings—and so is arguably the nation's leading heritage organisation, a point my hon. Friend the Minister and colleagues in the Department for Culture, Media and Sport well understand—the holding of heritage assets, of which the Zurbaran paintings are a prime example, has never been central to the commissioners' asset portfolio.

The hon. Lady described very well the history of how the Zurbarans came to Auckland castle. The £125 spent by Bishop Trevor in 1756 was clearly a very worthwhile investment, because what it bought is now worth £15 million. With the moneys released by the sale of the Zurbaran paintings to the proposed trust, it will be possible to fund 10 additional clergy in perpetuity and to offer ministry to deprived areas of the nation. Doubtless some of the benefit of this arrangement will be enjoyed by communities in the north-east.

It is a matter of public record that the Church Commissioners have been reviewing the suitability of Auckland castle as the home of the Bishop of Durham and as the base for his local and national ministry. As part of this, the commissioners have been in discussions with representatives of the diocese and other local people. With the question of the Zurbaran paintings settled, the Church Commissioners now intend to work towards a future for the castle that not only maintains the strong and historic working link between it, the Bishop and the diocese, but that helps the site become, in the words of the hon. Lady herself,

“the focus for the development of tourism and an engine of regeneration.”

I look forward to working with her as future plans develop, and with heritage bodies, the county council, the people of Bishop Auckland and the Heritage Lottery Fund. The hon. Lady mentioned other organisations, and, indeed, other heritage organisations wish to be involved with this regeneration project, which I am sure would be welcomed.

I should stress that Auckland castle will remain the base for the Bishop of Durham's ministry; he will continue to work there and pray in the chapel there, so it will be the centre of his work. I should also stress that what happens at Auckland castle sets no precedent in respect of the continued assessments and feasibility studies of all bishops' residences. The commissioners continue to have a responsibility to ensure that the Church's diocesan bishops are housed appropriately so as to enable them to fulfil their ministry locally and nationally. They are subject to a regular review process, and that process will continue, with decisions made on an individual basis.

I conclude by quoting from a letter that appeared in the *Church Times* on 25 March 2011 from the Rev. Richard Deimel, a local vicar in Bishop Auckland. Having been unhelpfully misquoted by a different newspaper—we might all sympathise with that—he wanted to set the record straight. Given that he makes some insightful and eminently sensible points, they are worth repeating. He said:

“The question of the sale of the Zurbarán paintings from Auckland Castle is complex and sensitive. I am a Vicar of five parishes from the edge of Bishop Auckland to Hamsterley forest. People here feel that they have very little significant heritage or art or architecture in their community. Many are very proud of the paintings and the castle. They find meaning and identity in their story. It would be incredibly damaging, indeed a bit like a kick in the teeth from the church and the state, if these left the North East or went into private hands.

I fully support attempts to build a partnership to retain them in some kind of shared ownership. This would be a real boost to the local community and economy. It would, also release the Church from the responsibility of being a custodian of heritage, because that is not the purpose of the Church.”

I agree with all those sentiments and I hope that those in the north-east will feel that that is what we have managed to deliver on. I have confidence that what the commissioners have announced today will reassure not only Rev. Richard Deimel, but the hon. Lady and her constituents, and all those petitioners in the region and beyond who have made their concerns known. What has been achieved is, I hope, in the best interests of the north-east, the Church and the Church in the north-east.

6.36 pm

**The Parliamentary Under-Secretary of State for Culture, Olympics, Media and Sport (Mr Edward Vaizey):** This is one of those rare debates when the House can unite in unalloyed joy and pay tribute to the extraordinary efforts of a number of people and organisations in producing an extraordinarily good news story. Some of the speeches we have heard have, to a certain extent, sounded like Oscar speeches, because many people have had to be thanked. Of course the hon. Member for Bishop Auckland (Helen Goodman) could not thank herself, so let me thank her for all her efforts in securing Zurbaran's paintings. I had not quite appreciated the vigour of her campaign and I listened to her speech with great joy as I heard what an extraordinary campaign

she had led. When the roll call—perhaps I should say the battle honours—of those who saved the Zurbaran paintings comes to be written, I hope that her name will be prominent.

Francisco de Zurbaran, a contemporary of Velazquez and El Greco, was honorary painter to King Philip IV of Spain, who hailed him as the king of painters. Although fashion turned against him, his reputation was restored by Napoleon Bonaparte, who acquired many of his paintings, some of which are on display in the Louvre. As the hon. Lady pointed out, the Zurbarans at Auckland castle came there by way of Bishop Trevor. They were completed in the 1640s and turned up again only in 1720, in the possession of Sir William Chapman, a director of the ill-fated South Sea Company. So sometimes a financial crash can have a silver lining, because they were auctioned in 1756 and bought by Bishop Trevor, the Bishop of Durham.

As the hon. Lady pointed out, Bishop Trevor had persuaded his fellow bishops in the House of Lords to support the “Jew Bill”—the Jewish Naturalisation Bill—which would allow Jewish immigrants to naturalise as British citizens. The support of the bishops proved crucial to the Bill being passed. Bishop Trevor bought 12 of the 13 Zurbarans now on display in Auckland castle for £124 to demonstrate his sympathy for the disfranchised Jews following the repeal of that legislation in 1755. Somehow one painting—the painting of Benjamin—eluded him. Bishop Trevor was so desperate to complete his set of Zurbarans that he commissioned the foremost portrait painter of the day, Arthur Pond, to paint a facsimile of the final one in the series, for which he paid £21.

I know that the Church Commissioners understood the important considerations and strength of public feeling over the future of the paintings, so I was as delighted as anyone to learn what had happened. The Church Commissioners have announced that they are working on exciting new plans for the future of Auckland castle and I do not think we should lose sight of that. Not only have the Zurbaran paintings been saved, but the partnership with Durham county council and the National Trust will, we hope, establish innovative uses for the castle and grounds in a new venture that would not only continue to care for the paintings but enable much greater public access for a wider range of activities.

I must obviously take this opportunity to express official thanks on behalf of the Government to Jonathan Ruffer for his donation. It is particularly astonishing

given that, according to the article in today’s edition of *The Spectator*, he brought them sight unseen but I gather he is in the north-east this weekend and will see the paintings he has saved for the nation and the north-east. I commend the article in *The Spectator* as showing an example of what it means to be a philanthropist.

May I also thank the Rothschild Foundation, which has donated £1 million towards an endowment for Auckland castle, and Lord Rothschild himself? The cultural life of this nation would be significantly poorer without the work of someone like Jacob Rothschild, not only because of the money that he gives but because of the money that he encourages others to give. I do not know Jonathan Ruffer, but he is a self-effacing man and he said of Jacob Rothschild in the interview today:

“The battle honours in all of this go to him, not me”.

There is certainly some truth in that, because Jacob Rothschild has been at the heart of our cultural world for many decades and continues to be an incredibly important figure.

May I also thank the National Gallery, which I know is looking to help and support this venture—possibly with loans from its collection? I also thank the Church Commissioners, who continue to be in conversation with the Heritage Lottery Fund, the Art Fund and a number of other parties to consider how further funds can be raised. My Department, I am afraid, is not in a position to give direct financial support, but we have been kept closely in touch with developments and we will continue to work with all parties to broker some support. It might also be appropriate to pay tribute to Hillary Bauer, who is herself a cultural icon in my Department and has done a great deal to support these developments.

This is an unequivocally good news story. Joy has almost come out of the heavens, one could say. Jonathan Ruffer stands testament to philanthropy in this country; the hon. Lady stands testament to a campaigning MP for her constituency; the Church Commissioners stand testament to an organisation that is prepared to listen and negotiate before making a final decision; and the work of Durham county council, the National Trust, the Heritage Lottery Fund, the Art Fund and everyone else involved stands testament to what can be achieved by co-operation.

*Question put and agreed to.*

6.43 pm

*House adjourned.*



# Westminster Hall

Thursday 31 March 2011

[MR CHARLES WALKER *in the Chair*]

## High-Speed Rail

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

2.30 pm

**Mr Peter Bone** (Wellingborough) (Con): It is a pleasure to serve under your chairmanship, Mr Walker. I speak as a representative of the Backbench Business Committee, and will briefly set the scene for this debate. As Members know, every Tuesday we hold an evidence session for Members of Parliament, who come to the Committee to try to secure a debate. They have to overcome many hurdles: the subject should not be Government business, or business that the Labour Opposition might want to discuss; and a number of Members must be interested in it. Judging by the numbers present this afternoon, that hurdle has probably been overcome. There must also be cross-party interest, and we like there to be internal dispute between the parties on the issue. The ideal debate, of course, is one that Members on neither Front Bench would want put on.

This debate on high-speed rail ticks almost all those boxes. We want this to be a wide-ranging debate. The Backbench Business Committee did not want it to be just about local constituency interests; we also wanted it to be about the principle of high-speed rail, and whether it is correct to spend billions of pounds on it. A Member who represents a constituency in the south-west might feel that it is not appropriate to do so, and that the money could be spent elsewhere. We hope that those points will be debated today.

We in the Backbench Business Committee are keen to stress that this Chamber is on a par with the main Chamber. Members taking part in Westminster Hall debates have absolute privilege, as they do in the main Chamber. The only difference is that we are not able to table a substantive motion in this Chamber. In the past, when a debate in this Chamber has produced a lot of interest and a lot of different points of view, we in the Backbench Business Committee have been keen to put on another debate on the same subject in the main Chamber, where there might be a substantive motion.

One of our problems in the Backbench Business Committee is that we are not in control of the allocation of time. In the main Chamber, we are given only limited notice by the business managers of when our time will be. Moreover, we do not know how many days we will get this Session. We have more certainty about Westminster Hall, which is why high-speed rail is being debated here today. That does not mean that we would not be prepared to consider, at a later stage, putting on this debate in the main Chamber.

Many Members want to speak, so I shall conclude my remarks. I have parliamentary business elsewhere, Mr Walker, so I apologise for the fact that I shall have to leave shortly.

2.33 pm

**Kelvin Hopkins** (Luton North) (Lab): It is a pleasure to speak in this debate. I have a great interest in rail and, generally speaking, I am positive and passionate about the railways. Unfortunately, however, on this occasion I have to speak negatively about High Speed 2. I am deeply sceptical of it, for a variety of reasons. It is an unnecessary route and will be very expensive, and that money would be better spent elsewhere on modernisation, electrification, re-signalling and a variety of other expenditures. Eddington took the same view in his report. He was absolutely right to say that the focus should be on commuter and inter-urban routes, above all to relieve congestion, which causes extreme expense for the whole economy; that expense will rise to tens of billions of pounds in the next two or three decades, unless we do something to relieve congestion.

Congestion is caused by a number of things, the first being passengers using cars when we should be using rail. It is also caused by heavy freight, not directly so much as indirectly, because heavy freight on roads causes road damage. The fourth power law of road damage relates axle weights to road damage, and it is lorries per se, but a lot of the traffic that goes by road should actually go by rail. Road damage means that motorways have to be coned off time and again so that roads can be repaired, which means having two lanes for long stretches instead of three. The same applies to towns. It is necessary, for the future, to get heavy freight off road and on to rail.

I spoke on this theme in a recent debate in this Chamber, and explained how we ought to spend the money in alternative ways. For example, HS2 will run from north to south. There are already north-south routes, but they have not had sufficient investment, despite their modernisation, and they do not have enough capacity as they stand. They could, however, have enough capacity if we invested heavily in modern signalling, got many more train paths on the same tracks, and got freight off those lines. Before anyone jumps in and says, "Ah, but if we build HS2, we can put the passengers on that and leave the other lines free for freight," that is nonsense, because it is impossible for the gauge sufficiently to provide, all the way up the backbone of Britain, for getting trailers on trains and even full-scale containers on flat-bed trucks. It is not possible to rebuild all those mainline railway lines on a gauge that is sufficient to take all the freight necessary. Moreover, scores of other major stations on those lines have to serve passengers, so passenger trains have to run on those routes, whatever is done about HS2.

HS2 serves only major cities. All those hon. Members who are enthusiastic about HS2 but who are not actually served by it might find that money that could have been invested in their own routes will be sucked away and spent on HS2. People who live in Milton Keynes, Coventry—my hon. Friend the Member for Coventry North West (Mr Robinson) is sitting to my right—Luton and many other areas are not served. Before anyone says that I am a nimby, I am not, because HS2 will not serve or go anywhere near Luton.

**Stephen Pound** (Ealing North) (Lab): Those of us in Perivale certainly feel the pain, and there is no discernible indication of gain. On my hon. Friend's analysis of the

[Stephen Pound]

finances, can he enlighten us about the extent of private sector investment and involvement in this great, vast, glittering scheme?

**Kelvin Hopkins:** That is for the Minister to pronounce on and explain. I am a traditional socialist of the left and believe in public investment, which I think is much cheaper—the markets can be borrowed from much more cheaply, but I will not go into that now, because we will end up getting into private finance initiatives, public-private partnership and all those other financial disasters. I do not want to tread on dangerous ground, but the tube was not exactly a success, in terms of PPP. I believe in public investment, but wherever the investment comes from, it will be a very large sum that could be spent elsewhere. The opportunity costs will be great.

It would be easy to modernise the east coast main line. We could double the viaduct north of Welwyn to make four tracks instead of two; it is a pinch-point at the moment. A flyover is already being built for the Cambridge line at Hitchin. We would then need a passing loop at Peterborough, which would not be difficult, and a flyover at Newark. The whole line would then be open for 140 mph working, non-stop from King's Cross to Edinburgh. In 1992, a test train did that route, non-stop apart from a two-minute stop at Newcastle, in three and a half hours. Interestingly, the proponents of HS2 suggest a time of three and a half hours—the exact same time that could be achieved on the existing route with a bit of modernisation.

The west coast main line is much more heavily used and serves more areas. Modernisation could get it to work at 135 mph, and similar route modifications could make it much better. We need to get the freight off that line. I repeat that freight and heavy axle weights cause more damage to tracks, which then need more repairs and more maintenance work. If we got freight off that line, and had modern signalling and many more train paths, we would have what we need up the west coast. As for passenger numbers, certainly the east coast has plenty of scope already; on the west coast, there is enough to cope for the long-term future.

I am arguing for a new, dedicated rail freight line; some hon. Members may know that I have been proposing that for a long time. I have been involved with a group of people who have a scheme that has been thought through in detail and involves a precise route. It would use old track bed and existing routes, and would involve only 14 miles of new line, nine of which is in tunnels. There would be a dedicated rail freight route up the backbone of Britain, serving all the major conurbations and linked to the channel tunnel; freight could go from Glasgow to Rome direct. The trains would be able to take full-scale lorry trailers, and double-stacked containers if necessary, all the way from the continent of Europe right through to Scotland. That is what Britain needs. That proposal would take 5 million lorry-loads off the roads, and much of the north-south freight off the east coast and west coast main lines. The supermarkets and a number of commercial organisations support the scheme.

**Julian Smith** (Skipton and Ripon) (Con): Does the hon. Gentleman not think it is absolutely crackers that I can get to Paris quicker than to Leeds, which I go to

when I travel to my constituency, Skipton and Ripon? Is it not absolutely crackers that Britain is one of the only developed nations not to have a high-speed network?

**Kelvin Hopkins:** High-speed networks work brilliantly in areas where there are long gaps between major conurbations—in Spain, France and so on. Britain is much more densely populated. There are many stops and more towns en route. As I have suggested, we need more investment in the conventional railways that we already have, so that we can get to those destinations more quickly. I am sure that we can easily raise the speeds to Leeds, and certainly to other areas, with a lot of investment.

**David Mowat** (Warrington South) (Con): The point is often made that high-speed rail works better over longer routes. Would he concede that the Paris-Lille, Osaka-Tokyo and Cologne-Frankfurt routes are all about 120 km long, which is quite similar to the first part of high-speed rail that is planned?

**Kelvin Hopkins:** We would have to be prepared to spend that kind of money. I have been on the Cologne-Frankfurt route and it is fantastic. A third of it is in tunnels, which are vastly expensive. The Germans have decided to build that route and it is a wonderful line. We do not have the resources to build lines like that everywhere. Some high-speed routes do not go through much on the way; we almost invariably have significant towns en route that have to be served on the same line.

**David Mowat:** I was responding to the hon. Gentleman's point that high-speed rail works only over vast distances. The examples I quoted are not vast distances; they are very similar to what is envisaged in the first part of high-speed rail.

**Kelvin Hopkins:** In the best of all possible worlds, it would be nice to have fast routes everywhere. However, we must consider the resources involved. The significant routes are where people would choose to travel by air, rather than by land; people would go by aeroplane from Madrid to Barcelona, for example. Routes become economical where large numbers of people want to travel between conurbations that are fairly widely spaced, there is not a great deal in between, and it is easier to get the high-speed track without too much cost.

**Mr Bob Ainsworth** (Coventry North East) (Lab): My hon. Friend's proposition for a dedicated freight line has been around in one form or another for a very long time and has always attracted the same level of opposition as HS2. Is it not almost inevitable when such a major infrastructure project is planned that there will be huge opposition to it?

**Kelvin Hopkins:** My right hon. Friend is absolutely right. There is always opposition to such plans. I stressed at the beginning that I do not object to the line because it goes near me or anybody else; I am objecting to it on the basis that it is unnecessary and expensive, and the money should be spent elsewhere. I am taking up too much time, Mr Walker. I can see that many hon. Members want to speak.

**Mr Charles Walker (in the Chair):** There are plenty of hon. Members who want to speak.

**Kelvin Hopkins:** I have made my main points. I have made them before in this Chamber, and I shall continue to make them, because they are rational. A lot of people in the industry also support my view, which is not based on nimbyism but on what Britain really needs. Britain does not need HS2; it needs more investment in conventional rail and, indeed, in rail freight.

**Andrea Leadsom** (South Northamptonshire) (Con): On a point of order, Mr Walker. For several months, the hon. Member for Coventry North West (Mr Robinson), my hon. Friend the Member for North Warwickshire (Dan Byles) and I have attempted to secure this debate via the Backbench Business Committee. We have been preparing for this incredibly important debate for a long time, and I was assured only yesterday by the Table Office that my hon. Friend the Member for Wellingborough (Mr Bone) would make a few brief comments, and then I would be the first speaker.

**Mr Charles Walker (in the Chair):** It is always helpful if the Table Office conveys to the Chair the discussions it has had with Members' researchers. If there has been confusion, I will get to the bottom of it.

2.45 pm

**Andrea Leadsom** (South Northamptonshire) (Con): It is a pleasure to serve under your chairmanship today, Mr Walker. I am delighted to see so many right hon. and hon. Members in this Chamber. I would particularly like to mention my hon. Friends the Members for Lichfield (Michael Fabricant), for Kenilworth and Southam (Jeremy Wright) and my right hon. Friend the Member for Uxbridge and South Ruislip (Mr Randall), who are present today.

I am sick to the back teeth about the way in which the debate on high-speed rail is being trivialised into the nimbys versus business recovery, the poverty-stricken north versus the privileged south, and the commuter versus the community. The debate about high-speed rail should be about how best to deliver the transport infrastructure that Britain desperately needs to ensure a rebalancing of our economy, with prospects for private sector recovery coming from all parts of the UK and not just the dominant south-east.

High-speed rail will be an eye-wateringly expensive project, costing at least as much as the renewal of Trident. It is crucial that a project that would cost each family in Britain £1,000 is properly scrutinised to deliver not just the benefits of extra capacity, but the value for money that taxpayers are entitled to expect. I will make the case that high-speed rail does not deliver value for money. That is not a nimby perspective. I have spent 23 years in banking and finance, including in project finance. I do not believe that the economic case stacks up and I am certainly not alone in that view.

My hon. Friend the Member for Chichester (Mr Tyrie), Chairman of the Treasury Committee, gave a speech immediately following the Budget. He said:

"In our efforts to return to sustained growth, we need to make the best use of every pound invested in our public services. Another example of the need to make sure we have coherence in growth policy has been put to me by colleagues on both sides of

the House. They have asked whether spending £17 billion on a high-speed rail link is better use of the money than investing in modern rolling stock and improving the existing tracks."—[*Official Report*, 23 March 2011; Vol. 525, c. 973.]

That is precisely the question that Parliament needs to debate and resolve. Others who question high-speed rail, and whom, I feel sure, could not be accused of nimbyism, include the TaxPayers' Alliance, the Adam Smith Institute, the Institute of Economic Affairs, Friends of the Earth, the Sustainable Development Commission, rail experts and the Countryside Alliance. So let us have a proper debate today and acknowledge that all who speak here are in favour of the central goal of achieving better transport infrastructure, in support of rebalancing our economy and a private sector-led recovery.

**Graham Evans** (Weaver Vale) (Con): All three major parties had HS2 in their manifestos, including the party for which my hon. Friend stood. Why is she choosing this moment to put these points forward, rather than before the general election?

**Andrea Leadsom:** I thank my hon. Friend for those remarks. Ever since Lord Adonis introduced the proposal, I have opposed it, as I am sure my right hon. Friend the Minister will recall.

**Angie Bray** (Ealing Central and Acton) (Con): The proposal was, of course, in our manifesto. That is a particularly important point for my constituency because we were deadily opposed to the third runway at Heathrow. One of the most important alternatives our party suggested was putting people on trains rather than planes. I appreciate that the proposal will not make a difference to travel from Birmingham, because there are no planes from there to Heathrow but, when we push up north, it could make a significant difference to the use of domestic flights to Heathrow. For that reason alone, it is very easy for me to support the proposal.

**Andrea Leadsom:** I agree absolutely with my hon. Friend. We desperately need to improve dramatically the capacity in our train infrastructure. I hope that she will bear with me, because I intend to show that we can achieve that without needing to spend the amount of money that we are talking about for high-speed rail.

**Dan Byles** (North Warwickshire) (Con): On that point, lest people think that that argument means that this is somehow a green solution, is it not the case that any slots freed up at Heathrow from domestic airlines will be taken up by long-haul airlines, thus increasing not decreasing emissions?

**Andrea Leadsom:** Yes, indeed. There have been plenty of anecdotal reports from low-cost airlines suggesting that they would welcome the opportunity to put on more cheap long-haul flights.

I plan to challenge four aspects of the case for HS2: the business case, the environmental case, the claims about job creation and the potential for regeneration. I am a firm believer that one cannot attack something without providing an alternative. I will therefore also discuss a viable alternative to HS2. I have based my challenges on phase 1 of HS2, in spite of the fact, unfortunately, that the consultation incorporates the entire Y-shaped project. There is too little detail on the

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assumptions underlying phase 2 to be able to assess the figures properly. I also need to point out that the original business case, written by Atkins for the Department for Transport in March 2010, was updated last month. The new business case is considerably less attractive than the old one.

I will deal first with the business case for HS2. HS2 Ltd claims a net benefit ratio, which includes the wider economic impacts, of 2. That means that for every pound spent, there will be £2 of benefit. That is about the minimum return that could be expected from a rail project—the bar for roads projects is significantly higher. Even that modest claim, however, makes enormous assumptions. Specifically, one of the core and somewhat ludicrous assumptions is that all the time spent on a train journey is wasted, and therefore that every minute of a train journey that is saved can be given a value in pounds—the number of minutes saved, multiplied by the earnings of an individual. That would not matter so much except that the journey time savings account for more than 50% of the £20 billion of total economic benefit claimed for the project. I urge the Department for Transport to look again closely at that point.

**David Mowat:** On the first point, the ratio of 2 is for the London to Birmingham link. As my hon. Friend will know, the ratio is 2.6 for the link to Manchester and to Leeds. Including the wider economic benefits, it is 2.6. I have the business case for Crossrail, which my hon. Friend may have had the chance to have a look at. The business case in that is 1.87. The final point that my hon. Friend might wish to consider is the idle time point, which is very important.

**Mr Charles Walker (in the Chair):** Order. We have had too many questions.

**Andrea Leadsom:** I am struggling to follow some of my hon. Friend's numbers, because I think that he might be looking at the numbers from the original business case, not from the current one. I do not want to address his points specifically because those numbers do not quite register with me. I apologise for that.

Passenger forecasts are another major assumption in the business case, relying on a 216% rise in demand for train travel. That figure remains wildly optimistic, in spite of being downgraded from the original business case, in which growth of 267% was forecast. The Department for Transport's own national travel survey shows that overall transport demand is no longer growing with GDP. Eurostar's passenger numbers in 2009 had reached only 37% of the level that was forecast, as a result of building the HS1 link. The Public Accounts Committee took evidence from the Department for Transport on that point and was reassured by it that lessons had been learned and that any future major project would factor in more severe downside assumptions—that has clearly not been the case. The only comparable forecasts for long distance rail travel by 2036 are from Network Rail, which predicts a range of growth of 45% to 89%, versus that forecast by HS2 Ltd in its original business case of 133% growth by 2033. I urge the Department for Transport to look closely again at that assumption.

Of course, in cash terms HS2 will never pay for itself. Once built, only one third of the total claimed benefits will be captured through fares. The value of the net revenues once it has been built—with a presumption of fares of £14 billion, less operating costs of £6 billion over a 60-year project life—will cover only less than half of the capital costs. At a time when families up and down the country are feeling the pinch, we must make sure that infrastructure projects offer value for money. Many people would argue that not a penny will be spent until 2015 anyway, but between 2009 and 2015 the Department for Transport expects to spend around £1 billion just on preparing the way for high-speed rail.

Secondly, on the environmental impact, HS2 Ltd itself says that the project is, at best, carbon neutral. It predicts that 65% of passengers will either transfer from existing rail services, where faster trains inevitably increase carbon emissions, or are additional new journeys as a result of the faster trains, which will also increase emissions. The shorter journeys by air that will transfer to HS2, will ironically, as my hon. Friend the Member for North Warwickshire (Dan Byles) said, provide more capacity at our regional airports for cheaper long-haul flights. It is estimated that the modal shift from car to high-speed train will be approximately 7%. In fact, HS2 Ltd forecasts that the traffic volumes on the M1 will be reduced by only 2% as a result of HS2. So, it is not green. There will also be a significant environmental impact during construction, as well as permanently, to the English countryside, wildlife and historic sites.

Thirdly and fourthly, on the prospects for job creation and regeneration, the Department for Transport claims that HS2 will create 30,000 new jobs. Some 9,000 will be construction jobs and are likely to be temporary. The rest are skewed towards property development and retail near stations.

**Craig Whittaker (Calder Valley) (Con):** It is not often that I am at odds with my hon. Friend and her point of view. However, only yesterday 90 business leaders from Yorkshire published an open letter in the *Yorkshire Post*, which sent a resounding message to the Government and said very clearly that high-speed rail is vital for Yorkshire's success in the future. Who is right: the 90 business leaders in Yorkshire, or my hon. Friend?

**Andrea Leadsom:** I agree with my hon. Friend that it is very unusual for us to disagree. The reality is that we all share the same goal: to regenerate our economy and to provide good value for money to the taxpayer. What we are arguing about is how we achieve that. Surely my hon. Friend would agree that HS2 is not the only possible means by which to achieve that regeneration. We have to look at what gives us the best value for money.

Up to 70% of the new jobs created by HS2 will benefit London, where Old Oak Common is believed to be the best location for regeneration. I am sure that many hon. Members across the House do not feel that regeneration benefits to London represent good value for money. In fact, research on capital expenditure in the wider economy suggests that the cost of creating one job in the first phase is about four times the cost of capital expenditure in the wider economy. Again, I urge the Department for Transport to consider whether the

project will create jobs. Would it be better to spend the money elsewhere and get four times the number of jobs in the wider economy?

**Mr Andy Slaughter** (Hammersmith) (Lab): The hon. Lady is falling into the trap into which she said she did not want to fall—the north-south divide. In the ward in my constituency where the interchange will be based, just over half the working-age population are currently in employment. Investment in employment is needed in large parts of London, and in the south as well as the north, and she should perhaps have regard to that.

**Andrea Leadsom:** I thank the hon. Gentleman for his comments. Of course, he is absolutely right, but one of the key advantages that is talked about by those who advocate HS2 is the regeneration potential for the north of the country, and the scheme's contribution to rebalancing our economy between the north and the south. I am sure he will agree that while there are benefits to regeneration in some desperate parts of the south as well, HS2 will not provide the regeneration in the north that is claimed for it.

**Stuart Andrew** (Pudsey) (Con): Does my hon. Friend not recognise that HS2 coupled with the northern hub would actually provide many jobs in the north and help to end the north-south divide?

**Andrea Leadsom:** I thank my hon. Friend for his comments. I absolutely am a supporter of the northern hub—there is no doubt about that—but I refer him to my comments. HS2 is an extraordinarily expensive way of achieving jobs. In the wider economy, the cost of providing one job through capital expenditure is believed to be some 25% of the cost of providing one job through this project. I do not believe that it is a good way to create jobs, whether in the north or the south.

In summary, I believe that HS2 is a deeply flawed proposal that will not deliver the economic, environmental, employment or regeneration benefits that are claimed for it. However, I absolutely recognise the shortcomings of our existing transport infrastructure, and I commend the Government for the many measures they are taking to sort out long-standing bottlenecks.

The rebalancing of our economy and a private sector-led recovery will depend on significant investment in infrastructure, but there is an alternative to HS2 that can achieve the capacity the country needs at far better value for money: Rail Package 2. RP2 can provide 135% extra capacity, extendable to 176%, and a significant advantage is that it can be introduced incrementally as passenger demand increases. It requires certain things: lengthening all Pendolino trains to 11 cars from the current mix of nine and 11 cars; replacing some commuter trains with 125 mph stock so as not to delay faster trains; dealing with bottlenecks at seven specific points along the line; adding platforms at Euston and Manchester, and considering laying more track into Birmingham.

RP2 to the west midlands has a benefit-cost ratio of 1.9 versus 1.6 for HS2 London to west midlands, excluding the wider economic impacts. The benefit-cost ratio of the whole Y-shaped project is higher, at 2.2, but there is not enough information about the assumptions to evaluate that. In any case, I have provided plenty of information to challenge the assumptions.

**The Minister of State, Department for Transport (Mrs Theresa Villiers):** Is my hon. Friend aware that the analysis of the business case for RP2 does not take into account the huge cost that would come from disruption to services as a result of the kind of upgrade she is talking about?

**Andrea Leadsom:** I thank my right hon. Friend for her intervention. I had not written that into my contribution because there is so much to say. As she well knows, HS2 requires the complete rebuilding of Euston station, and it would be extraordinarily difficult for services to be able to continue on the west coast main line during that period. In addition, as I am sure she knows, the proposals in RP2 are not the same as the first incremental improvements to the west coast main line in the first phase of regeneration, which required rebuilding virtually the whole of the track and the signals. The incremental proposals are entirely achievable while existing network services are utilised along the west coast main line.

**Mrs Villiers:** Does my hon. Friend accept that the more intensively a transport system is used, the higher the price paid in terms of lack of resilience? One of the major concerns about RP2 is that the line is intensively used at present, and the kind of even more intense use that she advocates would have a significant impact on it and cause major deterioration in reliability. There would be a significant negative impact on the quality of the passenger experience.

**Andrea Leadsom:** I thank the Minister again, but I have to disagree with her. There is no evidence that suggests that RP2 would involve a desperately intensive use of the west coast main line. Not only that, the capacity created by it would significantly exceed the likely demand, certainly in the short and medium term. Other rail experts argue that the forecasting model that is being used by the Department for Transport is suitable for forecasting demand up to 10 years only, not the 43 or 45 years for which the Department is forecasting. There is no clear evidence that my proposal would entail that intensity of west coast main line usage.

Another significant benefit of RP2 is that it can be delivered far quicker than HS2, thereby dealing with the problems of overcrowding now, rather than leaving the commuters of Manchester, Birmingham, Rugby and Milton Keynes to wait until 2026 for proper relief. The danger that is inherent in forecasting out to 45 years, as the Department has done, is removed by using RP2. It can be implemented incrementally—it is not all or nothing—and problems can be dealt with as they arise.

I fear that HS2 is a flawed project. There is no doubt that we have to improve our transport infrastructure, but I urge the Department to reconsider RP2, which is cheaper and more environmentally friendly. It would deal with the problems sooner and far more accurately than HS2.

I shall conclude with a final call to action. The original mandate of HS2 Ltd was to look at the feasibility of, and the business case for, a new high-speed rail line between London and the west midlands, and to consider the case for high-speed rail services linking London, northern England and Scotland. Because of that mandate, HS2 Ltd inevitably has a vested interest in seeing HS2 built. For the credibility of the project, the Department should undertake an independent comparison of the

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merits of HS2 versus RP2. Legitimate concerns have been ignored because of the insistence that opposition is just nimbysm. We must put that aside and have a rigorous debate on how to achieve our shared goals while getting the greatest bang for our buck. Thank you, Mr Walker.

3.7 pm

**Mr Geoffrey Robinson** (Coventry North West) (Lab): I am pleased to follow the hon. Member for South Northamptonshire (*Andrea Leadsom*). This is, indeed, a most important debate, and I would like to thank the hon. Member for Wellingborough (*Mr Bone*), who is a member of the Backbench Business Committee, for giving it to us. As he made clear, we had wished for a debate on the Floor of the House, and he almost promised us one once we are further into the consultation period. I am pleased to see such a good cross-party alliance forming here against HS2, and I hope briefly to follow the hon. Member for South Northamptonshire in setting out some of the reasons why it is a monumental waste of money and diversion of scarce resources.

I assure my hon. Friends who represent certain London and home counties constituencies, and others such as my right hon. Friend the Member for Coventry North East (*Mr Ainsworth*), that those who oppose HS2 absolutely recognise the need for more capacity. We recognise that greater connectivity would be of great benefit, but we believe—I agree here with the hon. Member for South Northamptonshire—that Rail Package 2, which was worked out by Atkins, as the Minister knows, offers a much better prospect for being able to do that in a shorter time and on a much more cost-effective basis than HS2. I will say a few more things about that in a moment, if I may.

Those who represent Manchester and Leeds will naturally have an interest in seeing their constituents and businesses able to come down to London much more quickly than they can at present. I urge them to read about and get into the alternatives in RP2. It does most of what they could reasonably expect, given the scarcity of resources for capital projects, and all other areas of revenue expenditure as well, that this country faces in this difficult period.

The project mysteriously appeared at the tail end of the previous Government's tenure of office, and was somehow or other—remarkably quickly—brought to the fore by Lord Adonis. One has to congratulate him on his coup in that respect. To many people, it came out of the blue, and provided the preponderant Tory part of the present Government with a marvellous reason for being able to cover their strange decision against the Heathrow extension—I know that many people had an interest in it. They managed to cover it by being able to say that they would replace it with HS2 going up to Birmingham and on to the north. It does not really do that at all. It is a great pity that the coalition Government missed the opportunity at least to subject this huge expenditure to a proper review. Instead, they jumped on the bandwagon to justify their stance over Heathrow.

As for the justification for HS2, I pay tribute to the work done by the HS2 Action Alliance against the project and I recommend its papers to everyone in the debate—I

am sure some of them will be available, and Members should study them. For those of us who are against the project, it is a relief not to have to fix the numbers or to choose the numbers that suit our case best, as all Governments and Oppositions do, because every time we look at the Government's numbers, they collapse. The Department for Transport brought some numbers out last March, and they brought some more out this year. Every time they bring numbers out and we examine them—there is no party political point in this—they are downgraded, just like current Government forecasts. At the end of my speech I will return to the point about what the Government should do in the present situation.

If one adopts some realistic assumptions on demand for HS1 and on the time benefit, the net benefit ratio is now down to 50p per pound spent. No time presently spent travelling by rail is counted at all, but the entire time spent on HS1 is counted at an annual rate of £70,000 a year, and every minute is brought into the so-called net benefit ratio. That is a monstrous distortion. One does not have to calculate other figures; one simply has to expose what the Government and the Department are up to.

Another point that has been made is that there is no alternative. I will deal with the subsidiary points in a moment. As I said, there is an alternative: it is called Rail Package 2, and it is in the Atkins alternatives. Before the Department published the revised forecast earlier this month, we urged it to study RP2. Instead, it bundled it together with two or three inadequate alternatives and tried to tar them all with the same brush. What we need the Government to do—they have made a useful start in this respect—is to set up an office to objectively and independently consider major infrastructure projects, in the same way that they set up the Office for Budget Responsibility. We do not have such an office, and nobody has looked at this issue other than the Government and the Department, whose minds are set in favour of HS2. What we are embarking on is not consultation; those who are against the project and those who are in favour of it can put their points, and ne'er the twain shall meet. The outcome, of course, will be a Division in the House in due course.

The Government are not listening; their mind is made up. Instead of just putting forward the same old flawed figures, why do they not look at the situation again, study RP2 objectively, try to develop it and see what alternatives emerge? They should do that productively and positively, not so that they can dismiss RP2 before they have made a decent analysis of it.

**Mrs Villiers:** I am sure I am not going to convince the hon. Gentleman on everything, but I hope that I can convince him that the Government have an open mind on this issue. We are listening to the concerns that are being expressed now and that will be expressed during the consultation. That is one reason why about half the route we inherited from our predecessors has been altered with a view to mitigating its local environmental impact.

**Mr Robinson:** I am grateful to the Minister. I hope that we can take that assurance at face value, as we are meant to. The test will be whether the Department is prepared objectively to get into the detail of RP2,

because it has not done so yet. The Government should just study the papers produced by the HS2 Action Alliance and look at where they have tried to conflate a whole set of different alternatives. The Government and the Department—not the Minister, of course—should look at where they have tried to obfuscate the obvious advantages of RP2. From being 25% of the capital cost of HS2, RP2 has suddenly become 50%. That is all about the sudden increase in the cost of the rolling stock for RP2. Why has that happened? Can the Minister answer that basic question? After all, the Government say that they have studied this objectively.

**Mrs Villiers:** There are two different ways to analyse RP2, one of which involves purchasing rolling stock and one of which involves leasing it. That may be the source of the hon. Gentleman's confusion.

**Mr Robinson:** We have suddenly gone from finding rolling stock available to having to purchase it. The change is not justified; it is not even spelled out. People will have their houses razed and they will suffer enormously. Every taxpayer will have to pay well over £1,000 towards HS2, but there is no real justification for this project yet.

If the Department is serious, if it wants to get back some credibility with those who look at these issues and if it wants to justify a real national case to people, including some in my constituency, as well as citizens elsewhere in Coventry and in Stoke, who will simply be bypassed and have a much worse service from HS2—businesses in Coventry will be adamantly against it, and those in Leeds and Manchester can no doubt be brought to say that they are, too—the least it can do is set up a proper inquiry into the business case for HS2 and explain why RP2 would not be a far better alternative or, at the very minimum, a valid alternative.

Conversations with Centro have made it clear that we need the added capacity, and no one in the debate has any doubt that HS2 would provide it, but at what cost? It will cost £18 billion to Birmingham and £30 billion to Manchester and Leeds. The cost per job created will be £600,000, which is monstrous. It has been said that that is about four times more than a normal job, for which the cost is £150,000, but even that figure is a gross exaggeration, and infrastructure projects can create jobs elsewhere in the economy at a much lower cost. The figure of £600,000 is mind-blowing.

Incidentally, I cannot imagine where the Treasury is on this. It has never been known to be terribly favourable to transport projects—on the contrary. It is also notorious for cutting waste and stopping projects that do not have a proper financial justification. How has the Department managed to convince the Prime Minister and now the Chancellor that it is in favour of the project? I cannot imagine why the Treasury has not stopped it. The only reason can be that the Government need something to explain why they have come out—this was purely for electoral reasons—against the development of Heathrow.

**Graham Evans:** Perhaps the fact that the Chancellor is a northern MP has something to do with that. However, on the previous point, Lord Adonis said that the likes of Rail Package 2 would be a classic British compromise and a mistake.

**Mr Robinson:** We have these generalisations, and people talk about a classic British compromise. We have all these platitudinous, stupid arguments, with people saying, “The Germans have one”, “We've got one” and “My dad's bigger than your dad.” I have never heard anything so daft. We should look at the facts and figures and study these things objectively. If the hon. Gentleman cannot, the people in the Department can.

One Government Member has said that the terms of reference mean that the whole process has been hijacked by the pro-HS2 lobby, and there it has stayed. Nothing else has been analysed objectively. The OBR was set up to make sure that the Government's general finances, economic policy and investments at the national level that are unrelated to infrastructure are properly evaluated, and the case for doing the same for infrastructure projects is stronger still. The Government should introduce such a body, and I would commend them if they did.

The green case has also collapsed. There is no net benefit in terms of the reduction in carbon from the scheme. The movement from air traffic constitutes only 7% of the eventual traffic to be carried on HS2, which is terribly small. Most importantly, this project is so long term that all the forecasts are meaningless; they have to be. Many of us will have heard Robert Chote on the “Tonight” programme saying that forecasts are very difficult. Robert Chote has all the power of the Institute for Fiscal Studies and all the stuff that he has brought into the new OBR, but the OBR has not got a forecast right from the Budget last June, to last November's pre-Budget report, to the Budget this month. In about 10 months, it has changed its mind three times. To justify their demand forecasts, the Government have pushed them out 35 years; they have added 10 years on to get the volume increase they need to justify the project. What they are doing is so obvious, and that sort of stupidity is invalidating their case and making all of us who will be affected by this project, including those whose homes will be torn up, increasingly angry.

**John Stevenson (Carlisle) (Con):** The same could apply to the hon. Gentleman's forecasts. They could be underestimates as well. The economic benefits could be far greater than any of us anticipate.

**Mr Robinson:** That is a very fair point. It is difficult when one looks at such wildly different forecasts. One has to look at the history. Let us take demand forecasts for the rail industry. Nine out of 10 have been grossly exaggerated by at least twice. That is roughly the proportion we have between the conservative forecast and the Department for Transport's forecast today. In the case of HS1, it has only just now, after nearly a decade of some sort of operation, reached the lowest level of forecast we ever thought remotely possible. As we know, HS1 has just been sold off as a dead loss, at a loss of £3 billion.

**John Stevenson:** On the west coast line the increase in traffic has been far beyond the forecasts made originally.

**Mr Robinson:** I do not think I can talk to that point. We come back to the fact that it can be done much more cheaply—I hope the Minister is listening. RP2 should be analysed and developed properly. It can also be done much earlier. In this period of difficult recovery, we

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need projects that generate growth and employment now. This is not going to come in—on the best of cases—until 2026 to Birmingham, and then it goes another 20 years beyond that. That is far too late. I was speaking to Geoff Inskip, managing director of Centro the other day, and he said we cannot wait so long, we need the increasing capacity now, as soon as possible. He is convinced that four-tracking between Coventry and Birmingham should be proceeded with forthwith. That is the first step towards RP2 and it should be taken now; we should not wait until 2026. That is an absurd proposition for meeting the country's capacity needs for rail transport.

**Mr Ainsworth:** By raising the historical context, my hon. Friend is making a good case against every major infrastructure project that has ever been built. All the Victorian railway lines went broke; the channel tunnel never made any money; HS1 has just been exposed by my hon. Friend. Is he suggesting that we should never have built any railways, we should not have built the channel tunnel and we should not have built HS1? He appears to be saying that we can squeeze yet more—and there is a law of diminishing returns—out of the existing infrastructure. We have had years of disruption on the west coast main line for an upgrade. He is saying that huge benefit can be gained by yet more disruption to the existing lines.

**Mr Robinson:** That point was made earlier. My right hon. Friend asserts one thing that leads me to assert another. I believe it can be developed in that way. I believe it because the Atkins report, which also made a projection for the HS2 line, said it and worked it out in detail. It very clearly dealt with pinch points, length of trains, length of carriages, and calculated the number of problems it would create in disturbance on the line. We want it worked out and properly investigated by an independent body. That is what we need. Nobody is against it; we all want to extend the rail line. We all want to extend rail capacity and increase speeds.

**Tony Baldry (Banbury) (Con):** Will the hon. Gentleman give way?

**Mr Robinson:** I will give way to the Minister in a second. RP2 will take us up to 136 mph, which many people think adequate.

**Tony Baldry:** In fact, I am a humble Back Bencher, and proud to be so. I do not wish to intrude in family grief in Coventry, but I think that the hon. Gentleman is failing to make his best point. His best point on behalf of Coventry should be a concern that HS2—which quite rightly, if it goes ahead, will connect certain cities in the country—is likely to be to the disadvantage of other cities, such as Coventry. He has not made that point in terms, and I am sure it is one he would wish to.

**Mr Robinson:** I am grateful to the hon. Gentleman. I was trying not to participate in nimbyism. I have been sworn not to do that. I make no apology: I am here to represent Coventry's interest. Call me a nimby or whatever. I can find nothing in the proposal that brings any benefit to Coventry. I think that if my hon. Friend the

Member for Stoke-on-Trent Central (Tristram Hunt) were here he would agree with that point. I can see that many others have a different point of view. We want capacity, we want modernisation, we believe we can get it, there is an alternative, and we want it evaluated. I cannot see what is wrong with that proposition. I cannot see how anyone could oppose it when, looking at capital costs on present forecasts, it would cost half of what HS1 cost.

**David Mowat:** Will the hon. Gentleman give way?

**Mr Robinson:** We have taken up a bit of time. The hon. Gentleman will have better use of his time if I curtail mine.

Welcome as a public consultation is, it is no more than an opportunity for the pros and cons to be stated on a large project on which the Government have already made up their mind. Opening up the mind is very good, and I appreciate what the Minister has said on that point. I have to warn all those who for personal and national reasons are joining us in opposition to HS2 that it is going to require a sustained, strong exercise in parliamentary and people power, to get the Government to change their mind. Do not underestimate the difficulties we all face in that respect.

3.7 pm

**Dan Byles:** I congratulate my hon. Friend the Member for South Northamptonshire (Andrea Leadsom) on securing the debate after months of dogged perseverance, along with myself and the hon. Member for Coventry North West (Mr Robinson), and for her tour de force of a speech, which I think we all agree made the points very eloquently. I am also delighted to see Mr Speaker here; he obviously has a great interest in the matter.

The high number of Members attending demonstrates the importance of the issue, not just to those whose constituencies are affected, but to the entire country. It also clearly demonstrates the need for a full debate on the matter on the Floor of the House before the end of the consultation period. This involves a huge sum of money on a hugely important national infrastructure project. I believe it deserves full debate and discussion by the House.

Due to the large number of Members wishing to speak, and in particular due to the excellent job that my hon. Friend made in pointing out the serious flaws in the business case, I will not speak for too long. I see no need to repeat many of the points that have been made. We have heard that the net benefit ratio is potentially lower than some of the alternatives that we do not believe have been adequately explored. The NBR depends on extremely optimistic passenger growth numbers over which there are serious questions. As the hon. Member for Coventry North West said, we know that the Department for Transport's record on estimating passenger numbers for HS1 was frankly diabolical. To risk £17 billion of taxpayers' money on what might be equally diabolical passenger forecast numbers would be very wrong, without considerably more work being done.

I oppose the proposal in respect of the national business case. However, I would also like to point out my serious concern about the impact on the regions that the project might have. There has been a lot of discussion

and talk about the benefits of rebalancing the economy and pushing economic growth from the south-east to the regions. That is often used as a principal argument in favour of this project. However, I do not believe that the Department or HS2 Ltd have adequately analysed the evidence from existing high-speed rail networks in other countries. The impact assessments produced by HS2 Ltd clearly demonstrate that one of the costs of HS2 will be slower and less frequent train services for some of the surrounding towns and cities—a point made by my hon. Friend the Member for Banbury (Tony Baldry). I am less shy than the hon. Member for Coventry North West in saying that Coventry will see its direct rail services potentially slashed from three to one an hour. The remaining one will be slower.

**Mrs Villiers:** That is simply not true. There are some indicative forecasts in the HS2 analysis about how services might be configured in future. The reality is that Coventry is going to continue to enjoy frequent fast services. With HS2, it gets additional capacity for other journey opportunities, in particular, commuters get vital relief from overcrowding and lack of reliability as a result of overcrowding on the network.

**Dan Byles:** I am delighted to hear the Minister say that that is not true.

**Andrea Leadsom:** I would like to make the point that it is not possible for my right hon. Friend to make that claim. The transport network is actually in the private sector. Therefore, if the rail operators find that they are losing revenue because there is no longer the overcrowding that there was because of the 65% transferral of passengers to high-speed rail, they will inevitably either put up fares or reduce services. The most likely outcome is a reduction of services, because fares are capped.

**Dan Byles:** I am grateful to my hon. Friend for making that point. The very fact that the Minister referred to indicative figures—they are out there in the public domain, are causing concern, and are often quoted—shows that we have not yet had sufficient discussion or debate about the impact. From a sedentary position, hon. Members have rubbished some of the claims for Rail Package 2, and say that work has been done and shows that some of our claims for it are simply not true. Where is that work? Why is it not being published? Why is the Department for Transport not addressing the questions that opponents of HS2 are asking? Instead, it is addressing motives, and using words such as “nimby” and so on instead of addressing arguments. The Department should address those questions, but it is not doing so adequately.

Of more concern is the fact that there is evidence from studies of existing high-speed rail services in other countries that, far from pushing economic growth from the centre to the regions, they may have the opposite effect. They may suck economic activity from the regions toward the centre. There is a real danger of economic growth draining away from, for example, Birmingham and the surrounding region towards London. The Research Institute of Applied Economics at the university of Barcelona studied existing high-speed rail networks in Japan, France, Germany, Spain and Italy. Its findings should cause policy makers in the UK to sit up and take notice. It suggested that smaller cities linked to larger cities by high-speed rail lines sometimes suffer from a

negative agglomeration effect. That may take several forms, but the report is very clear about the risks for smaller cities such as Birmingham when linked to a larger city such as London.

I shall quote briefly from the report. It states:

“It is consistently reported that HSR does not generate any new activities nor does it attract new firms and investment, but rather it helps to consolidate and promote ongoing processes as well as to facilitate intra-organizational journeys for those firms and institutions for whom mobility is essential.”

It continues:

“In fact, for regions and cities whose economic conditions compare unfavorably with those of their neighbors, a connection to the HST line may even result in economic activities being drained away and an overall negative impact”

**Craig Whittaker:** The business people of Yorkshire are not particularly interested in rebalancing on a regional basis. All they want is a balanced playing field. It is unacceptable for Yorkshire businesses when competing in our capital in our country that it takes longer to get here than it takes the French and Belgians.

**Dan Byles:** I thank my hon. Friend for his intervention. It sounds ideal to suggest that linking the two systems will benefit the regions, but the university of Barcelona looked at high-speed rail systems on the continent, and found that the benefits often flow the other way. Economic activity might drain away from the north towards the south.

**Stephen Hammond (Wimbledon) (Con):** I am listening carefully to the point that my hon. Friend is making. He will know, of course, that the 1970s experience in Japan is contrary to the findings of the study. More importantly and more locally, the study from the North West Business Leadership Team only yesterday points in a completely different direction from that in the Spanish study.

**Dan Byles:** I give way to my hon. Friend the Member for Warrington South (David Mowat)

**David Mowat:** I want to make the same point. A recent survey by the West Midlands Chamber of Commerce, which I think includes Coventry and north Warwickshire, estimated that there would be £6 billion of wider economic benefits. Does my hon. Friend not believe that some of that would go to his constituency?

**Dan Byles:** Warwickshire borough council and, I believe, Warwick district council, as well as Warwickshire county council and Staffordshire county council, have all come out formally against the proposal. They obviously do not believe that there will be wider economic benefits for the midlands and their council areas.

The point made by my hon. Friend the Member for Wimbledon (Stephen Hammond) demonstrates that we need to do more work before spending 17 billion quid of taxpayers' money. If some reports say one thing, and others say something else, where is the fundamental, independent, root and branch economic analysis of existing high-speed rail systems in other countries around the world? I genuinely do not believe that what HS2 and the Department for Transport published represents that.

**Stephen Hammond:** Will my hon. Friend say who would satisfy his classification of independence?

**Dan Byles:** I am delighted that the Transport Committee has said that it would look at the matter. I have the greatest respect for the Select Committee system in the House, and I hope that the Transport Committee will take an independent view of the various economic evidence.

The fact is that there are high-speed rail systems in operation throughout the world, and some of the evidence from some of those systems suggests that the claims being made for high-speed rail's ability to regenerate regions are questionable. I have not yet seen a fundamental or overarching review and analysis of existing systems. We can physically look at them, and measure the numbers and the impact, and some of those numbers are negative. We must discuss that, and analyse the figures before we spend the money.

**Damian Collins (Folkestone and Hythe) (Con):** I am interested in my hon. Friend's core argument that high-speed rail may suck economic growth from the regions, because that seems to run contrary to what most people lobbied for—greater speed of connection to the capital. Most places in the regions that have travel times to London of one hour or less market themselves heavily on the basis of the shorter journey time. They see it as a positive advantage, and that seems to run contrary to what the academics in Barcelona are saying.

**Mr Charles Walker (in the Chair):** Order. I do not want to impede debate, but a huge number of hon. Members want to speak this afternoon.

**Dan Byles:** I will sum up with a quote from the conclusion of the report from the university of Barcelona, which looked at five high-speed rail systems around the world. It states;

"Finally, the economic impacts of HSR are somewhat limited. The largest cities in the network might receive limited gains, but this is not the case for intermediate cities, which might see economic activities being drained away and suffer an overall negative impact."

The report is not definitive, but before we spend £17 billion of taxpayers' money, the issues raised in it should be addressed. I will be delighted if the Transport Committee looks at that, and I shall certainly send it a copy. We must thoroughly understand what we are doing, because we could do untold damage to our country at very great cost if we do not get it right.

**Mr Charles Walker (in the Chair):** Order. It is not within my powers to impose a time limit on debates, but hon. Members could look at the huge number of colleagues who want to speak and do the mathematics themselves—it is about six minutes each.

3.37 pm

**Frank Dobson (Holborn and St Pancras) (Lab):** I declare an interest as the representative for King's Cross, Euston and St Pancras stations, and as a member of the National Union of Rail, Maritime and Transport Workers—I pay it a subscription; it pays me nothing. I do not apologise if I seem nimbyish. I understand that the Secretary of State has attacked people for being nimbys, but 350 to 360 people in my constituency face the demolition of their homes, and "nimby" does not

cover that. For many of my constituents, it is not "not in my backyard", but "not in my front room". My job is to try to represent them.

The proposed 50-metre extension to the west of Euston station would involve, in addition to knocking down people's homes, concreting over a small park and preventing the proposed rebuilding of Maria Fidelis convent school. In addition to the formal extension, all sorts of changes would be needed to the approach roads. There would have to be provision for off-station taxi ranks and all sorts of other things, which would involve further demolition outside the lines that have so far been drawn on the map. My opposition started with those points, and I make no apology for it.

However, the more I look at the proposals, the more doubtful I have become. Let us assume that High Speed 2 is a good idea. Even if it is, it is not a good idea to have Euston as the terminus. It has no connection with the Heathrow Express, and never will. It will have no connection with Crossrail, and it has no connection with High Speed 1, so it is not well connected.

**Tony Baldry:** I seek information, as I am now totally confused. Will the right hon. Gentleman explain to the Chamber what the connection is between HS2, Heathrow airport and Crossrail?

**Frank Dobson:** As I understand it, because Euston does not have a connection to Heathrow Express and Crossrail, it has been necessary to propose a parkway station at Old Oak Common that will have connections to those lines. That additional expense could otherwise have been avoided. As a result of the inadequacies of Euston, the parkway proposition for Old Oak Common—alias Wormwood Scrubs—had to be added to the proposal. Instead, the line could be brought into Paddington station, which already has links to Heathrow Express and will be on Crossrail. When I pushed that point, people from High Speed 2 said that Paddington could not cope with the number of passengers. Paddington has as many tube connections as Euston and, as I have pointed out, it will link to Heathrow Express and Crossrail. That excuse for not using Paddington appears to be of little relevance.

**Kelvin Hopkins:** Another point is that unlike Paddington, the Euston option would require expensive tunnelling to get through London. Once Crossrail is built, Paddington will have extra capacity for a platform for HS2, were we to go ahead with it.

**Frank Dobson:** I entirely agree with my hon. Friend. Another point is the connection with HS1. We are told that great strategists with vinegar-soaked towels around their heads came up with HS2 as the first stage of a great, high-speed rail network. They seemed not to notice that they had not proposed a connection with the only existing part of the high-speed rail network, High Speed 1, which comes into St Pancras station.

**Mrs Villiers:** I assure the right hon. Gentleman that the mistake that the previous Government made in not providing for a link between domestic and international services has been remedied by the current Government; such a link is part of our plans.

**Frank Dobson:** I know the Minister is an optimist, but if she thinks I am going to leap to the defence of Lord Adonis, she is a super-optimist. There was no connection—oh dear, the great strategists clean forgot. Now they have bodged a connection. There will be a third bore—if hon. Members will excuse the term—from Old Oak Common, coming out at Primrose Hill. The tunnel will be bored in parallel with the other two tunnels coming into Euston, and will proceed along the North London line to connect to HS1. So far, no one has explained whether it will connect to HS1 through the HS1 line, or by going into the HS1 part of St Pancras station. Perhaps the Minister can elucidate, but I doubt it because I do not think the people at HS2 quite know what they are talking about. Something else that did not appear in the announcement is that the proposal is for that tunnel, and the bit on the North London line, to proceed only at conventional speed. It will be HS2, then a slow bit, then HS1—and we are still supposed to regard the people who came up with that proposition as a set of railway strategists.

When HS1 was being built, I recall that the people from Bechtel looked at the possibility of using the North London line as the route into St Pancras. They decided that the cuttings, embankments and bridges along that line were so lousy that it would be cheaper to bore through to St Pancras, which was a considerable distance. When I pointed that out to someone from HS2, they were unaware of that small and apparently irrelevant fact.

If we talk of strategy, we must look at the promises made for the high-speed rail network. People have been told that it will be a great network, and that we will continue it further north. Under the strategy, the line will split at Birmingham and part of it will go to Manchester and eventually to Glasgow. In the east it will go first to Leeds and then to Newcastle and Edinburgh. The proposal is for the line to get as far as Birmingham by 2026. I, however, am confident enough to make two forecasts of my own about the London to Birmingham line. First, it will not be in operation by 2026, and secondly it will cost more than the present estimate. I am willing to take bets from any hon. Members present at the end of the debate. If I lose, they will no doubt have to pursue my grandchildren for the debt.

I do not pay attention to the prognostications, if there are any, about the likely weight of traffic on the route, or what the scheme is likely to bring in. As my hon. Friend the Member for Coventry North West (Mr Robinson) said, if the Office for Budget Responsibility cannot come up with a suggestion for what is likely to happen at the end of the current year, there are slim chances of anyone—whether for, against or doubtful about the project—coming up with an accurate prognostication about what will happen in 2025-26 or, in the case of Leeds and Manchester, 2035 or 2040. Then there are Glasgow and Edinburgh. My grandchildren, who now reappear in this story, are likely to go on the train from London to Glasgow using their senior railcards; that is the time scale we are talking about.

**David Mowat:** The right hon. Gentleman speaks well about the difficulties in forecasting, particularly far into the future. That is why it is extremely important that the business case for the scheme is based on a conservative estimate. Does he admit that while long-distance rail travel has increased by 5% per annum over the past

15 years, in its business case, the Department for Transport has put that increase at 1.4% over the next decade or so? That is pretty conservative.

**Frank Dobson:** I do not wish to be rude, but the only thing to add to the hon. Gentleman's contribution is, "Or I will eat my hat." I do not have the faintest idea which of those estimates is true, and the odds are that neither will prove true. He knows that as well as I do. We should not be whacking in all this money on the basis of estimates that nobody can back up. All we are really faced with is the proposition that we should support a fast shuttle between Birmingham and London.

**Angie Bray:** Will the right hon. Gentleman give way?

**Mr Charles Walker (in the Chair):** Order. We are now in the 11th minute of the right hon. Gentleman's speech. If hon. Members wish to speak they should stop intervening. If they do not want to speak, they can continue to intervene.

**Angie Bray:** I will be very brief. The right hon. Gentleman's case seems to be that we should never do anything on the basis that we might not be absolutely certain about it. Sometimes projects have to be started. If we never start a project, we will never get any progress.

**Frank Dobson:** I will finish on that point. I was always a strong supporter of the channel tunnel and the channel tunnel link. When the same preposterous railway strategists came up with a proposal to place the terminus for High Speed 1 in a cave under King's Cross station, I was among those who led the opposition to that and proposed St Pancras station instead; we were not entirely nimbyist. Whatever anybody says, that has been a brilliant success. I do not believe that the people who come up with these proposals have done the work properly. If we are to have a proper high-speed network, this is the last way and last place in which to start it.

3.49 pm

**Iain Stewart (Milton Keynes South) (Con):** It is a great pleasure to speak under your chairmanship, Mr Walker. I add my congratulations to my hon. Friends the Members for South Northamptonshire (Andrea Leadsom) and for North Warwickshire (Dan Byles) and to other right hon. and hon. Members who lobbied for the debate.

I wanted to speak for three reasons. First, I have a long-standing interest in the subject. One reason why I came into politics was to help shape the big strategic decisions that we have to take as a country. I do not want us to look back in 30 or 40 years and realise that we have made the wrong decision.

Secondly, I have a local, constituency interest. My Milton Keynes seat is not on the proposed route for High Speed 2, but it could benefit from the knock-on effects that High Speed 2 would deliver in freeing up capacity on the west coast main line for both commuter services and longer distance stopping services. Anyone who wants to commute from Milton Keynes in peak hours will know that we are severely overcrowded. My other local interest is that although the line does not come through Milton Keynes, it comes close enough for me to have a real understanding of the fact that communities

[Iain Stewart]

along the line of route will be severely affected. We should not just dismiss the concerns of local residents as though they were Lady Ludlow in “Cranford” objecting to the coming of the railways. They are real communities with real concerns about the impact of the line.

Thirdly and most significantly, I am a member of the Select Committee on Transport and we have recently agreed to conduct a strategic inquiry into high-speed rail. It will not relate specifically to this line of route, but look more widely at the strategic cases for and against high-speed rail in the United Kingdom. I can genuinely say that I will consider all the arguments and evidence objectively. If the strategic case is not made or the detailed plans do not meet the strategic need, I will not support them. However, my starting point is to give high-speed rail in the United Kingdom a fair wind.

As my hon. Friend the Member for Skipton and Ripon (Julian Smith), who is no longer in his place, and my hon. Friend the Member for Warrington South (David Mowat) have mentioned, the other countries that have developed high-speed rail networks—Spain, Germany, France, China and Japan—cannot all be wrong. Yes, there will be differences of detail, but they cannot all be wrong, so we must give high-speed rail a fair wind.

It is clear that we need additional north-south rail capacity in the United Kingdom. Anyone travelling on the west coast main line knows that. I will not go into the detailed arguments now, because of the time constraints. Upgrades could be made to that line and to the east coast main line. There is the Rail Package 2—RP2—project. There are measures such as lengthening trains, improving signalling and removing some of the pinchpoints. All those things can and, I would argue, should happen, but I fear that that is not the complete answer. Those upgrades would buy time. If the High Speed 2 proposals went through, the first trains would start running in 2026—15 years from now. The upgrades to the classic rail network would buy us time over those 15 years, and they should happen, but we need to consider what comes next, because I fear that the upgrades have a finite capacity. This is not an either/or situation; we need to consider both.

The nub of the issue is this: what long-term strategic capacity do we need on our railways? I hope that in the course of our investigation in the Select Committee, we will be able to test robustly the likely demand in respect of freight and passengers, for both inter-city and commuter journeys. All the evidence is that there will be upward pressure, but we need to test that robustly. We also need to consider whether High Speed 2 will be active or passive in meeting that demand. Do we simply assume that that increase in demand will happen, or is there a finite point at which, without any other economic change, a total number of journeys will be reached? In my view, it should be active in looking at how high-speed rail can stimulate economic growth.

My hon. Friend the Member for North Warwickshire referred to the university of Barcelona, but there are also many other studies. I draw right hon. and hon. Members' attention to the work of Professor Roger Vickerman of the university of Kent, who has written widely on this subject and gave evidence to the Transport Committee in a separate inquiry that we conducted into

transport and the economy. I will not summarise all his work—it is very detailed and complex—but one of his findings was that the issue is not just putting in a new line. That in itself will not be enough. It is what else happens, connecting towns and cities around the sites of the termini—the extra capacity and the linkage that go in there. That makes a difference.

**Damian Collins:** Of course, my constituency is at the end of the High Speed 1 network. I do not think that we would find anyone in east Kent who does not see the High Speed 1 connection as a catalyst for further economic regeneration that will be delivered for many years to come.

**Iain Stewart:** My hon. Friend makes a very important point. We need to consider that broader strategic case. Yes, we are considering the first phase, from London to Birmingham, and then the second phase, the Y shape, to Leeds and Manchester, but we need to go further than that. We need to consider the case for connecting this to Scotland. Recently, I was at a launch jointly held by the leaders of Glasgow and Edinburgh city councils, who have proposed that as well as building from south to north, we should build from north to south. We need to ensure that we consider the case for connecting the airports and for freeing up capacity on the classic lines to ports so that increased freight can be transferred there. All those lessons can also come from abroad to influence our considerations here.

I come now to the environmental points. Again, we need to consider what has happened abroad. The proposed high-speed line will have an operating speed of 250 mph, which is a significant increase on the operating speeds of most high-speed lines in the country. I urge caution on that point. Let us consider Japan, for example. The new generation of the Shinkansen or bullet train can operate at about 250 mph, but it is being limited in its speed because of noise pollution concerns.

I would need to dust down my physics textbooks from school to go into the detail, but there are concepts such as tunnel boom noise—if a train operates at such a high speed, it creates additional noise pollution that does not affect conventional TGV lines. We need to consider that. It is significant because some of the possible routes for High Speed 2 have been ruled out by the 250 mph operating speed. That has to do with the curvature of the line. If we conclude that we can operate a high-speed network at a lower speed, at about 180 or 190 mph, we open up the possibility of looking at the high-speed line following the line of route of an existing transport corridor—perhaps the M40, the M1 or the M6. We need to consider all those points.

I am conscious of the time; I know that many other hon. Members want to speak. The point is that we need to consider all the arguments carefully. This is one of the biggest and most significant transport infrastructure projects that we have had to face for a generation. Get it right and we will have a world-class transport system in this country. Get it wrong and we will have wasted billions of pounds and disrupted many communities without having proper gain from it.

3.58 pm

**Mr Andy Slaughter** (Hammersmith) (Lab): I am glad that we are seeing all-party support as well as opposition to High Speed 2 today. I believe that the UK needs and

deserves high-speed rail. Notwithstanding the comments made by my hon. Friend the Member for Coventry North West (Mr Robinson), I wonder who now regrets the building of High Speed 1 or the channel tunnel. Crossrail was a very difficult project to get through. Again, it affects my own constituency. The Thames tunnel is another one of those major infrastructure projects that this country used to be well known for, and used to have the courage to go ahead with, but which we are now seen to be fearful of pursuing. Unfortunately, the spirit of Brunel does not seem to have infected many of those on the Government Benches.

Why should the benefits of high-speed rail, whether as an alternative to air travel, as something that provides commercial benefits for trade or simply as a more civilised way for people to get around and meet friends and relations, be restricted in this country? Why should people in this country be restricted simply to getting to the continent and getting beyond that? Unlike my right hon. Friend the Member for Holborn and St Pancras (Frank Dobson), I would praise the contribution of Lord Adonis. He took it by the scruff of its neck and pushed it forward. I shall resist praising the Secretary of State, because I may be lynched if I mention his comments to *Metro*. He said:

“There is not much more to their argument than Nimbyism. I hear lots of arguments about whether the country can afford it, value for money and the business case. But 95 per cent of these arguments come from people who just happen to live in Wendover, Aylesbury or Amersham.”

I suspect that invitations to the Secretary of State for constituency dinners are rather fewer; perhaps that is why he said what he did. I rarely disagree with my right hon. Friend, but I do on this occasion. I have never before heard Shepherds Bush described as a parkway.

I visited the site of the Old Oak interchange two weeks ago; it is in the north of my constituency. It is a large brownfield site that has always been railway land, and it is a wholly suitable location. There will be six new platforms for High Speed 2, and eight new platforms for the Great Western line, Crossrail and the Heathrow express—and, indeed, the direct link to High Speed 1. It seems entirely sensible to put the interchange just outside London; it is only a few minutes away from Euston but it gives a direct link. It will be the UK’s major rail interchange, and it is a sensible place to put it.

**Tony Baldry:** It seems that the hon. Gentleman does not have any constituents whose homes will be demolished. Does his speech not reinforce what Lord Adonis said—that with the HS2 project everyone wants the stations but no one wants the track?

**Mr Slaughter:** I shall say a word in favour of nimbyism in a moment.

Yes, it is true that my constituency will suffer no loss of property, and I am obviously delighted by the fact. Indeed, 5,000 jobs and a minimum of 1,600 homes will be created by the new infrastructure. It will be a positive development in one of the most deprived areas of the country—White City, Shepherds Bush and Old Oak. I should say that I live five minutes from there, but it will put my constituents 10 minutes from Heathrow and just over 40 minutes from Birmingham. These are the sort of projects of which the country used to be proud, and it

used to seek mitigation for them rather than avoiding them altogether on the basis that such decisions are difficult to make.

Having said that, I believe that the project is good not only because the route and the interchange have some parochial benefit but because they give direct access to the Great Western line, Crossrail, the Heathrow express and HS1 just a few minutes outside central London. That is an improvement.

I have two caveats for the Minister, if she will take the advice. First, the Government need to look for friends wherever they can, but they have not done that so far. Last year’s debate was on 11 March, almost a year ago, and the Minister was then Opposition spokesman. Her aggressive stance rather belied the fact that she supported the announcement made by Lord Adonis. Her questions then are ones that she could answer today. She asked:

“Will they match our commitment to start work immediately on taking the line beyond Birmingham to Manchester and Leeds as part of stage 1?...Why will they not match our commitment to start construction by 2015? What guarantees can they give that fares will be kept within the reach of ordinary families on modest incomes?”

Those are all questions that the Minister might want to answer today. Rather churlishly I thought, she then said about Old Oak:

“Although we do not rule out use of that site for dispersal, the idea that some kind of ‘Wormwood Scrubs international’ station is the best rail solution for Heathrow is just not credible.”—[*Official Report*, 11 March 2010; Vol. 507-08, c. 450.]

I remind the Minister of this every time the subject comes up, and I know that she is happy to eat those words.

**Mrs Villiers** *rose*—

**Mr Slaughter:** I shall give way in a moment. So that bygones can be bygones perhaps the Minister will say, “I would be delighted if it was called Wormwood Scrubs International” when she comes to open it.

**Mrs Villiers:** It would be a pleasure. I hope that the hon. Gentleman is aware that the Government’s proposals include a direct link to Heathrow as part of phase 2 of the project.

**Mr Slaughter:** Absolutely, but that was always in Lord Adonis’ mind. The report that he commissioned from Lord Mawhinney clearly said that Old Oak was an appropriate, good-quality terminus and connection point to the airport, and pointed out that the Conservatives’ previous scheme of having the interchange at Heathrow would cost between £2 and £4 billion more; he effectively rubbished that scheme in favour of the Adonis project, which is what we have gone back to.

As I say, we should let bygones be bygones—except for this point. When the Secretary of State launched the scheme on 20 December, he made a statement in the House without presenting Members with plans and documents, so we were entirely in the dark. He went to Old Oak and launched the scheme that morning, giving notice to everyone, including the Conservative party, but not the constituency MP. The Minister and HS2 are rather short of friends at the moment, and they should look to cultivate people a little more if they wish to continue to have them speak out on their behalf.

[*Mr Slaughter*]

As far as I am aware—other Members may have seen it—there is no HS2 briefing for this debate. I had no correspondence until I approached HS2 about a visit to the site. The consultation is not adequate. The only consultation for my constituents is to be held at the Westfield shopping centre, which is a long way from the site and an entirely inappropriate location, for one day; it happens to be tomorrow. If the Minister has some influence, she could take the message back to High Speed 2 that it is not making friends through its their approach.

A more serious point is this. Notwithstanding what I said in response to the hon. Member for Banbury (Tony Baldry) about the effect on individual constituencies, mitigation will be the key to the project's success. That applies to my constituency, as much of the tunnelling will take place from the Old Oak interchange. When it comes to the disposal of spoil, the road network in the area is entirely inadequate given the traffic that will be generated. We may not have anything quite like the Chilterns in Shepherds Bush, but we do have Wormwood Scrubs. It is a large open space that is ecologically sensitive, and I have been protecting it not for years but for many decades. If HS2 and the Government wish to have, if not their support, then at least the acquiescence of hon. Members, they need to go a lot further.

**Stephen Pound:** I shall be very brief, as I know that my hon. Friend is reaching the end of his peroration. I know that people are listening, as ever, to his words with great interest, but does he agree with Councillor Ed Rennie of Perry Vale, who says that it is ludicrous to hold the HS2 consultation that affects Perry Vale in Greenford, and would it not be better to hold it in Perry Vale? That is very much in line with what my hon. Friend said about the vast echoing distances between Wormwood and Westfield.

**Mr Slaughter:** I can only say that if I could end all my speeches with a quote from Perry Vale I would be a much greater orator.

**Mr Charles Walker (in the Chair):** Colleagues seem to have a fairly elastic idea of six minutes, but six minutes is a good idea.

4.8 pm

**Tony Baldry (Banbury) (Con):** We are all agreed that we want the UK economy to grow, and that we want a greater rebalancing of the economy. That means giving more impetus to the regions. We are all agreed that we want to reduce internal aircraft flights so as to reduce carbon emissions. The question for the House is whether spending the same, or even a lesser, amount of money than is proposed for HS2 in other ways would give us the same or better policy outcomes.

The right hon. Member for Holborn and St Pancras (Frank Dobson) was right to say that the policy was put upon us, fully formed and out of the blue, shortly before the general election. This is the first debate in which the House has had the chance to give intensive scrutiny to this multi-billion pound project. That puts an enormous responsibility on the hon. Member for Liverpool, Riverside (Mrs Ellman) and the Select

Committee on Transport; on behalf of the House, they have undertaken to inquire into HS2 and the alternatives. We all need to look to the Select Committee to carry out an independent and objective inquiry. One thing that I have learned in my time in the House is that when both Front-Bench teams are in agreement, the Back Benchers have to start counting the spoons. It is always dangerous when both Front-Bench teams are in agreement.

**Mrs Louise Ellman (Liverpool, Riverside) (Lab/Co-op):** The inquiry being undertaken by the Transport Committee is of a strategic nature. Its terms of reference have been set out, and I would not want there to be any misunderstanding about the scope and nature of the inquiry.

**Tony Baldry:** I understand the exact terms of reference. In holding a strategic inquiry, the hon. Lady and her Committee are doing the House a great service, because the earliest that the House could consider this matter otherwise would be in the hybrid Bill Committee. Such are the curious rules of the House that many of us would not be able to submit evidence to that Committee. This is exactly the time when we need a strategic inquiry into the principles of HS2 and the alternative. As I said, when both Front-Bench teams are in agreement, there is always a danger that things can get overlooked.

Let me explain how it is possible for our country, in its understandable desire to incorporate and embrace what was in the 1960s called the white heat of technology, to get things really badly wrong. More than 20 years ago, my first job in Government as a junior Minister was helping John Wakeham to privatise the electricity industry. Part of my brief was responsibility for nuclear power. We had to consider whether we could incorporate nuclear power within the privatisation. I could not understand why no one had thought of the contingent liabilities of decommissioning the nuclear power stations and the cost of nuclear waste. I will not detain the House, save to say that I went back and looked at the ministerial papers and press cuttings of some 20 or 30 years previously, when nuclear power stations were first being built. No one, either in government or outside, had given any proper consideration to the costs of decommissioning nuclear power stations, or of storing and disposing of nuclear waste.

We are all here representing the taxpayers. I think this is the first debate in Westminster Hall at which Mr Speaker has thought it appropriate to be present. It was also telling that for quite a long time my hon. Friend the Member for Isle of Wight (Mr Turner) was in his place. Unless I have badly misunderstood the routing of HS2, it does not affect Isle of Wight strategically, either in a nimby way or any other way. He was here, as we all are, representing taxpayers and the national interest. This is a project that will cost billions and billions of pounds. If we get it wrong, we get it seriously wrong. We all have a collective duty to get it right, so far as taxpayers are concerned.

I do not pretend to be a rail engineer. I do not pretend to know or to be able to make a value judgment on the benefits of HS2 versus the benefit of the Atkins or other reports. I hope that the Transport Committee and others will start to give some independent and objective analysis of that. I hope that they will pick up the rather important point made by the right hon.

Member for Coventry North East (Mr Ainsworth), with a little prompting from me: the scheme could have a detrimental impact on parts of the regions. Birmingham might benefit from the line, but Coventry might not; Leeds might benefit, but Wakefield might lose out. All those things have to be properly assessed.

This is not a debate that can be dealt with in set-piece forums such as this. We are talking about an issue that the country will live with for years and years. It behoves Parliament to get it right, and it behoves us, as Back Benchers, to ensure that the structures of the House, and especially the Select Committee, subject the project to the intellectual rigour and investigation that it needs, so that present taxpayers and future generations get the right answers.

4.15 pm

**Thomas Docherty** (Dunfermline and West Fife) (Lab): It is a pleasure to serve for the first time under your chairmanship, Mr Walker. The hon. Member for Banbury (Tony Baldry) suggested that when both Front-Bench teams are in agreement, we should count the spoons. Given that I broadly agree with him, I am not sure what we should be counting. Hopefully, as a member of the Transport Salaried Staffs Association and a former Network Rail employee who worked on a number of civil engineering and major projects, I will bring something to this debate.

The past 30 years of rail infrastructure projects in the UK have been somewhat chequered. There are some great successes: we have reopened a number of rail lines; reconnected communities; and brought social and economic benefits to large parts of the United Kingdom, and a permanent link to mainland Europe. Those are, I hope, benefits in everyone's eyes. However, we have had some significant failures in those rail projects. Each one has been over budget, if we look at what the politicians claimed originally and the actual bill the taxpayer received. Many require ongoing subsidy and many communities have been blighted, including one in my area, thanks to the Stirling-Alloa-Kincardine railway.

The hon. Gentleman was right to make a point about budgets. This is not a party political point. The channel tunnel came in desperately over budget, and there has been talk about ongoing problems with High Speed 1. To look at a small-scale project, the Stirling-Alloa-Kincardine railway, which only involved the reopening of seven miles of track, went from being £20 million originally to £77 million when it was finally delivered, and compensation cases are still to be resolved. The Airdrie Bathgate project, which I helped to deliver, was £40 million when it was first mooted and £300 million when it was actually delivered. For that reason alone, I do not believe a single figure that has been bandied around for the cost of any section of HS2 and its successor projects.

If the line reaches Edinburgh, a whole new station would have to be constructed, because Edinburgh cannot take high-speed rail. The current station is right in the city centre and there is no capacity left for any more track or platforms. That means that a whole new set of connecting track would need to be laid from the parkway station that would be required to the network, and those costs have not been worked out.

The question is: who benefits from high-speed rail? It only works if it travels great distances between stops. It needs to get up to high speed to make the time savings. This is a blindingly obvious thing to say, but every time we add a stop, it adds several minutes to the journey. That is not just because the train has to slow down and pick up speed again, but because passengers have to get off and on the train.

I hope that the Minister will learn from successive Ministers, both in Scotland and elsewhere in the UK, that leadership is required. When a route is set out, she must not give in to the very eloquent lobbying that she will get from many Members who will say, "Of course I support it, but you need to add my local area to it." The line can only work if it is genuinely high-speed and connects only the great conurbations. I doubt that either Warrington or even Carlisle will qualify on those grounds, despite the eloquent cases that will be made for them.

The Minister must recognise that we need to have rolling stock in place before we start to build. One of the great reasons for the failure of the Edinburgh airport rail link was that Ministers in Scotland tried to build a rail link under a live airport without any clear sense of what the rolling stock would actually look like. For instance, for safety reasons, it is impossible to send a diesel train underground, and a whole network would need to be electrified. That project floundered because it was impossible to find suitable rolling stock that worked anywhere in the world. One of my great concerns about High Speed 2 and its successors is that I have not heard a clear articulation of what the required rolling stock is. Perhaps when the Minister responds to the debate she can say whether the Government have identified suitable rolling stock that actually exists somewhere on track, rather than on paper.

I sound a final note of caution about the independence of the business case. The Minister is fully aware of the ongoing dispute between the TSSA and Network Rail, which she has been helping to mediate. That dispute is about the past leadership of Iain Coucher, the former chief executive of Network Rail. I do not wish to detain the House, but there are some very serious concerns about Mr Coucher's financial practices and about why he has spent so much taxpayers' money lobbying for a high-speed rail project. I hope that the Minister will give a cast-iron guarantee that Mr Coucher and his associates will play no part in the delivery of high-speed rail, if and when it goes ahead.

In conclusion—I am trying to stick to your six-minute limit, Mr Walker—there are five key things that the Minister must demonstrate for this project to go ahead. First, there must be robust and independent analysis of the business case and the time savings. Secondly, clear leadership must be given on delivery. Thirdly, there must be no compromises on stations once the route is set out. Fourthly, there must be rolling stock that actually exists on track somewhere, rather than in someone's head. Fifthly, there must be honesty about ongoing costs for the subsidy of the line of route and the rolling stock.

**Mr Charles Walker (in the Chair):** I call Graham Evans. Six minutes.

4.21 pm

**Graham Evans** (Weaver Vale) (Con): I am grateful to you, Mr Walker, for calling me to speak. It is a pleasure to serve under your chairmanship.

[Graham Evans]

First, I want to congratulate my hon. Friend the Member for South Northamptonshire (Andrea Leadsom) on securing this debate. I know that this issue is a major concern for her constituents and she is an extremely diligent campaigner who serves them well. I also regard her as a much-valued colleague.

I have been very keen to have the opportunity to debate the plans for high-speed rail. Indeed, just last month I called for this debate so that Members would have the chance to take on the misinformation that has been spread by the alliance of luddites and nimbys who oppose the plans. It appears that my comments sparked outrage in some quarters and I am truly sorry for that. I did not intend to cause offence. My only aim was to describe accurately the opponents of High Speed 2 and I firmly believe that my description of them was accurate.

That belief was compounded after I was bombarded by letters from furious people. Curiously enough, they all live very near to the proposed route for HS2 and many of them wore the “nimby” label unashamedly and with pride. Having said that, my favourite of those letters said:

“I am not a nimby, I just don’t want a railway line built near my house.”

Other letters suggested that northerners should be grateful that they already have a railway line and a motorway, and should stop complaining.

I could joke all day about the ridiculous comments made by nimbys, but on a serious note it is worrying when a very small group of people from a tiny slither of one of the wealthiest areas in the country seek to thwart a major infrastructure project that would be of huge benefit to the whole country and that was a manifesto promise of all three main parties, who received a combined 88% share of the vote at the general election.

The nimbys are attempting to thwart the project by peddling a series of myths. First, they are trying to present the debate about high-speed rail as a false choice. They claim that, instead of funding HS2, we should focus on improving rail capacity, but the high-speed rail link will free up capacity for existing commuter lines and, crucially, for freight on a network that is already overstretched. Network Rail supports the plans for that reason, saying:

“HS2 solves the capacity challenge”.

That leads me neatly to the second myth, that doing nothing is an option. Our key rail routes are expected to be completely full in the next 20 years. Our international competitors are already ahead of the game and have invested heavily in high-speed rail. If we do not act now, we will be left behind and the long-term effects on our global competitiveness could be devastating.

Thirdly and most importantly for our nimby friends, let us deal with the myth that the proposals for high-speed rail will lead to the destruction of the countryside. The Government have rightly gone to considerable lengths to reduce noise and to minimise the number of properties that will be affected by the route. In total, 340 properties will be affected, 216 of which are in central London. Only 10 properties will suffer from high noise levels.

Next, let me answer those who claim that the business case has yet to be made for high-speed rail, despite conservative estimates that the project will have initial

economic benefits of £43 billion and will create 40,000 jobs. I have already touched on the importance of high-speed rail to our international competitiveness, which is very hard to quantify. However, the benefits to businesses based in my constituency and the rest of the north are very clear.

**Dan Byles:** Does my hon. Friend accept that, in less than 12 months, the new business case has already halved the estimated economic benefit and that that does not give us a great deal of confidence in the business case as it stands, including the figures that he cites?

**Graham Evans:** I am most grateful to my hon. Friend for his intervention. Varying and conflicting figures are bandied around, but there is a fundamental issue that was mentioned earlier. These train stations will not be built and these train lines will not reach my constituency until the 2020s. I have a young family and I am thinking of the futures of my children and my children’s children. It is very important that we make these very difficult decisions now. We could argue all day about conflicting figures, but it is very important that we push ahead with this project, which is important for our country’s future, including that of our children and our children’s children.

High-speed rail gives businesses the gift of time. Anyone who has a business background, as I do, knows the truth of the old saying, “Time is money”. In this case, that means more than slashing travel times to less than 80 minutes between Manchester and London. Neil Stephenson, the chief executive of a Newcastle-based IT firm, put it best in a recent article. He wrote:

“The failure of Britain’s transport system translates into missed meetings, unexpected overnight stays, disappointed customers and frazzled staff. A quick, cheap, reliable train service means I can build a customer base in places our employees couldn’t previously service without expensive hotel bills and missed night-time stories for their kids. And it means I can recruit from the high-end IT talent pools of London. These are tangible benefits that will help me build my business.”

**Angie Bray:** Would the business case for high-speed rail be even better for some of the businesses up north if there was a stop on the main route at Heathrow? Part of the case that is made for extending high-speed rail up to the north is that business men who want to travel abroad and need to get to Heathrow could go on a train rather than a plane. Therefore, would it not be sensible and would it not make the business case even more persuasive if Heathrow was on the main route, which of course it was in some of the alternative proposals?

**Graham Evans:** I am most grateful to my hon. Friend for that very good point, but perhaps the Minister can answer her question in her summing-up.

**Several hon. Members rose—**

**Graham Evans:** If I may, I will make progress. I am keen to keep to the six-minute limit that the Chairman suggested, so that colleagues can have their say.

**Chris White (Warwick and Leamington) (Con):** Will my hon. Friend give way very briefly?

**Graham Evans:** Okay. My hon. Friend has persuaded me.

**Chris White:** I thank my hon. Friend. He mentioned the business man in the north who wants to recruit high-quality IT talent. Does he not think that that high-quality IT talent might be using the internet rather than wanting £34 billion of money to be spent on high-speed rail infrastructure?

**Graham Evans:** Well, I am sorry that I gave way to my hon. Friend. [*Laughter.*] I can only go on what business men in the north of England are saying and it is true that markets in the south-east of England should be open to the whole of the UK. That is why many high-profile business leaders have backed high-speed rail and why it will help to reduce the north-south divide. My colleague from Yorkshire, my hon. Friend the Member for Calder Valley (Craig Whittaker), is no longer in his place but he made that point earlier.

There are many reasons why the south is more prosperous than the north, but one of the most obvious is the south's proximity to our major trading markets in Europe. High-speed rail allows us to close that gap between north and south, and to bring our country closer together. I am therefore very proud to support the Government's high-speed rail plans and I also praise the previous Labour Government and Lord Adonis in particular for the important steps that they took.

Having said that, I am increasingly concerned about the current Labour party and its position on HS2. The shadow Transport spokesman, the hon. Member for Garston and Halewood (Maria Eagle), has indicated that HS2 has been dumped by Labour, along with every other policy now that Labour has started again with "a blank piece of paper". Last week the deputy Leader of the Opposition, the right hon. and learned Member for Camberwell and Peckham (Ms Harman), said that most of Labour's cuts would come from holding back on capital investment. Some clarification is urgently required. If Labour were to oppose this once-in-a-lifetime investment in the north, I know that my constituents would never forgive them.

Let me conclude by saying that railways have always been a crucial part of Britain's economic prosperity. They drove the massive growth in living standards during the 19th century and created new opportunities for people from every corner of our country, but even then small-minded obstructionists stood in the way of progress who were not too dissimilar to those we have today. The ladies of Cranford eventually came round to the idea of the railway. I hope that the opponents of high-speed rail will also see the light some day, as our future economic competitiveness depends on high-speed rail.

**Mr Charles Walker (in the Chair):** It is very polite of you, colleagues, to take interventions, but if you continue to do so, you will deny other colleagues the opportunity to speak.

4.29 pm

**Christopher Pincher (Tamworth) (Con):** I shall adhere to your injunction to be brief, Mr Walker. I thank my hon. Friend the Member for South Northamptonshire (Andrea Leadsom) for securing the debate, and also my hon. Friend the Member for Lichfield (Michael Fabricant)—who is not in his place—for leading the charge to secure an inquiry from the Transport Committee into HS2.

I assure my hon. Friend the Member for Weaver Vale (Graham Evans) that I shall not invite him to any of my supper clubs in the near future. My constituents are not nimbys. I have spoken to several hundred of them over the past months, and I saw about 80 last Saturday. They tell me that if it can be demonstrably proven that the business case stacks up, if there are proper mitigations in place in their vicinity, and if they get fair and reasonable compensation for the loss they suffer, they will, through gritted teeth, accept the proposal. The trouble, as we have heard today, is that the business case has not been proven, mitigations are not yet known—the route was announced last December but in the Tamworth area we are still waiting for a roadshow, which we will not get until June—and, although we have had hints about compensation for blight, we still do not know anything about what we might get. People are understandably very concerned.

I will not dwell on the value side of the business case and the holes that have been found in it during the debate, because my hon. Friend the Member for South Northamptonshire has already done that very eloquently, as have other Members. However, let me say this about it: the net value ratio, which has been significantly reduced by HS2 Ltd—so it accepts that it is wrong—still uses as its basis for generating demand the Passenger Demand Forecasting Handbook, version 4.1, which Sir Rod Eddington has said is out of date, uses incorrect views on saturation of demand, future technological advances and competition that might affect demand, and that we should be using version 5.0. I look forward to my right hon. Friend the Minister's making it clear in her remarks that that particular handbook will be used to generate demand, and that HS2 Ltd will be directed to do its sums again.

I want to focus on the cost side of the business case. Other Members have pointed out that one should never believe a Government when they talk about how much they will spend on capital infrastructure projects. Phase 1 of HS2 has been identified as costing £17.1 billion, but phase 2, the Y-shaped link, adds a further £13 billion or so, taking the total cost to more than £30 billion. We have heard that those figures might be right—they might be wrong—but the fact of the matter is that some figures that do not appear in the cost side should be included.

One of those key figures is the cost of blight. From Eversholt Road down by Euston all the way up to Whittington, businesses and properties are blighted by the proposed railway. They are blighted now, because if people in those places manage to sell their properties, they will lose 30%, 40% or even 50% of the value, and stamp duty accruing to the Treasury will fall. That is not costed in the business case, but it means that estate agents and solicitors will do less business, and vendors' buying power will be reduced. None of that is in the cost side of the business case, and it ought to be.

Then we come to compensation. We have heard, and I have it in a letter—which I do not have in front of me, so I will not put words into his mouth—that the Secretary of State has indicated that the Government will look at innovative ways of providing some form of compensation. That needs to go into the business case, so that we know the true cost of the proposition, which I think could run into several hundred million pounds, further reducing the proposed net benefit ratio and further undermining HS2 Ltd's case for building the railway.

[Christopher Pincher]

I shall end here, as I am conscious that other Members wish to speak. I call upon the Minister to look again at the business case proposed by HS2 Ltd, and again, and more carefully, at Rail Package 2. There is still time for her to change her mind, and I hope that she considers doing so.

**Mr Charles Walker (in the Chair):** We have 30 minutes before I call the Front-Bench spokespeople and we have eight colleagues who want to speak, so do the mathematics.

4.35 pm

**Chris White (Warwick and Leamington) (Con):** There were some emotional comments earlier, and I shall try to avoid making any more in my remarks in opposition to HS2.

In my view, any project of this scale should pass three key tests. Can we afford it, how effective is it, and will it achieve the kind of return on investment that justifies the expenditure? As we all know, HS2 will cost about £17 billion for the first part of the line, rising to £32 billion in total. That is more than we plan to spend on transport in the whole of next year, and more than we will collect in council tax in England and Wales. It comes at a time when we have to make considerable reductions in public spending in, for example, policing and defence. Although I respect the fact that the project will be carried out over many years, we should not pretend that it is somehow not extremely large or extremely expensive.

The Department for Transport has said that the project is affordable. Its own website states, in answer to a question on affordability:

“The country can’t afford not to invest in its future. All other major economies are pressing ahead with ambitious high speed rail plans - we cannot allow Britain to be left behind.”

I recently visited India with the International Development Committee, and we talked about the space programme in which the Indian Government are investing. I do not see the Minister for Universities and Science, my right hon. Friend the Member for Havant (Mr Willetts) coming before the House to seek its support for such a programme so that we do not get left behind.

The Department for Transport also says that HS2 will cost only £2 billion a year, and that most of the expenditure will occur after the next election. That is a dangerous way to consider a project. Such an approach has seen Departments such as the Ministry of Defence end up with a £38 million spending black hole. Every project should be considered carefully, and the issue of cost not avoided just because it happens to fall many years in the future. Moreover, £2 billion a year is almost as much as we spend on the pupil premium, which could arguably do more for our competitiveness and productivity. Given the fiscal pressure that we are under and the number of schemes across the country that have to operate in tight financial circumstances, we should not so lightly throw around £2 billion.

The scheme’s objectives have changed several times. When the Conservative party first articulated its support for HS2, it said that it did so because the project would ensure that a third runway at Heathrow would not be necessary. Then it was because HS2 would be good for the economy and for better connectivity. Now it is

because extra capacity is necessary, but how effective will HS2 be in achieving those goals? One of the biggest problems with the project, and part of the reason why the cost is so important, is that we cannot know for certain what good will occur because of the new line. We should be extremely careful in claiming benefits when we simply do not know exactly what they will be.

Nevertheless, we should for one moment consider the nature of the economic world in which we live. Hundreds of years ago, during the industrial revolution, the necessity of physical access to materials and workplaces meant that being able quickly to get from one place to another had a considerable economic benefit. It was due to the development of the railways that Britain could take such a lead over competitor nations, but these days another economic revolution has occurred—the internet revolution. Increasingly, people do not need to move from one place to another because they can work from offices that can connect people all over the world to share data and hold meetings. Video conferencing is becoming more and more sophisticated and cost-effective, leading companies to reduce their travel and boost their productivity. Goods are made in several different locations, with the design and manufacturing taking place in totally different areas. That movement leaves HS2 looking more and more like a relic of our economic past.

Increases in capacity are of course important, and I agree that we need to ensure that we can meet future demand and increase access for freight to reduce costs in the long term. The point is that capacity, not speed, will lead to increased economic benefits—the chairman of HS2 Ltd said so himself, publicly. Unlike countries such as France and Spain, which have created high-speed rail lines, we already have high levels of interconnectivity between our major urban areas; we are, after all, a relatively small island. Back in 2007, the Eddington transport study confirmed that to be the case. The Department for Transport accepted the study and its analysis. What is needed, therefore, is investment in our existing transport infrastructure to boost the capacity we so desperately need.

4.39 pm

**Mr John Leech (Manchester, Withington) (LD):** It is a pleasure to serve under your chairmanship for the first time, Mr Walker. I am delighted to have the opportunity to speak in this debate. As I am mindful of the time, I certainly will not take my six minutes.

This is a timely debate, given that the Transport Committee is about to embark on an inquiry into high-speed rail. I urge the many right hon. and hon. Members who show a keen interest in the issue to make their views known so that our inquiry can take them into consideration when reaching a decision on the strategic viability of high-speed rail.

To put my cards on the table, I have always been a big supporter of creating a high-speed rail network that not only connects Birmingham and the northern cities of Manchester and Leeds but goes all the way to Scotland and allows rail services from Scotland to compete with domestic flights. At the same time, I recognise that an infrastructure project of such size can create a great deal of controversy, and that it will have a terrible impact on some people who live along the line.

I certainly would not decry any hon. Member for doing their job in representing their constituents' concerns. Any infrastructure project of such a size will cause significant disruption and heartache for the people whom it affects. I have some sympathy with the right hon. Member for Holborn and St Pancras (Frank Dobson), given the impact that the project will have on his constituents.

In my constituency, the extension of the Metrolink is certainly causing a significant amount of heartache among many of my constituents who support the project on the whole but have problems with non-adherence to promises made before work was commenced. One can understand why some residents turn against schemes and have major concerns about their impact. That is why it is vital that clear and transparent decisions are made about the local environment and how it will be protected for the people most affected by the route, and that those decisions are stuck to. However, I certainly hope that high-speed rail will go ahead, and I will comment briefly on why I think it must.

By pressing ahead with a high-speed rail network, we can ensure sufficient rail capacity for the foreseeable future. Some opponents have argued that upgrading the existing main line networks would deal with any capacity constraints, but that would only address the problem in the short term. Ultimately, a high-speed rail network will inevitably be necessary. We must consider the next 100 years, not just the next 10. Some £10 billion has already been spent on upgrading the west coast main line, yet on 1 March, the new chief executive of Network Rail made it clear that the west coast main line would be at full capacity again within six to 10 years. In an answer to my question, he said that

“the West Coast line, within 10 years at the absolute maximum, and probably six years, will be at capacity, and that is with additional carriages included in the area. We can look at other tactical interventions in that line to put more capacity in there, but in the end it comes down to capacity: we will, across a number of key parts of our network, run out of capacity.”

The chief executive of Network Rail is absolutely clear that even with extra costly improvements, the west coast main line will not have enough capacity to deal with the growth in rail travel. We need the high-speed network to accommodate future rail travel.

Competing services and franchises are already battling for space on the network. We in Manchester are lucky to have a good service to London. I suppose that I should declare an interest as a regular user of that service, including the 9 o'clock train this evening. Due to the success of the franchise, Virgin is considering extending the service to four trains an hour rather than three, but doing so would adversely affect both local and regional services, so the local integrated transport authority understandably opposes any additional trains on the Manchester to London service. The creation of a high-speed network will release significant capacity on the existing network, allowing the expansion of regional and local services that are completely constrained at the moment by the needs of longer distance services.

To add a word of caution, I hope that the Minister can put hon. Members' mind at rest about the impact of spending on high-speed rail. Many people have argued that we should not proceed with high-speed rail because it will result in a lack of investment in the existing network as all the money is diverted into paying for the

high-speed network. It is worth pointing out that the coalition Government have already shown a commitment to investing in rail infrastructure, despite the difficult economic times. Again, I welcome the announcement in the Budget of funding for the Ordsall curve in Manchester, which will have a dramatic impact on capacity and journey times, but I hope that she can assure us that high-speed rail will not get the go-ahead at the expense of investment in the existing network. I hope that she will make that clear in her remarks.

4.46 pm

**Stuart Andrew** (Pudsey) (Con): It is a pleasure to serve under your chairmanship, Mr Walker. I will try to be quick. I congratulate my hon. Friend the Member for South Northamptonshire (Andrea Leadsom) on securing the debate. I take a completely different view from her. As a supporter of High Speed 2, I am rather glad that Mr Speaker is not here, as I do not think that he would ever call me again.

This subject has been mentioned in numerous debates, but a specific, dedicated debate is long overdue. We lag behind other countries. France, Spain, Italy, Japan and China have the technology and show that it works. As we debate the issue, France is finishing its seventh line. As I see it, we have a lot to learn from those countries. Not to do so would be a huge mistake. Our increasingly slow, congested and unreliable system is in danger of slowing our economic performance. Sometimes, when I leave King's Cross station to go to Leeds, passengers are forced to stand up until Peterborough. Capacity is bursting at the seams. It threatens to increase the north-south divide. It is important that we consider the national as well as the local interest.

All sorts of figures have been bandied around in this debate. Some hon. Members claim that those figures are correct and some dispute them, but the economic benefits are suggested to be about £44 billion. The creation of 8,000 construction jobs and another 30,000 associated jobs is to be welcomed. It is a strategic investment that I believe will benefit Leeds and Manchester, and I am particularly delighted that the Government chose the Y option.

It is not true that the likes of Wakefield will not benefit. We are working on a city-region approach in Leeds, Bradford and other parts of Yorkshire. Many cities will enjoy the same benefits as Leeds. The project will reshape the economic geography of this country. High-speed rail will complement investment in the northern hub, which will allow faster and more frequent trains—an extra 700 a day—between cities in the north and could bring a benefit of up to £4 billion and 23,000 jobs to the region.

High-speed rail is not entirely a solution to the north-south divide, but it will go a long way towards solving the problem. *The Independent* said:

“All governments promise to shift national growth away from the south-east; high-speed rail is a policy that should help turn those good intentions into reality.”

I agree entirely with those sentiments.

High-speed rail is also a solution to fast-growing demand on an already crowded network. Travel on the London to Leeds route is forecast to increase by 44% between 2006 and 2016. It is a pressing problem. High-speed rail will reduce travel times from London to Leeds by an

[Stuart Andrew]

hour to 80 minutes, a fact that I will probably try to keep from the Independent Parliamentary Standards Authority.

The journey time from Birmingham to Leeds will be reduced from two hours to an hour and five minutes. The east coast main line was closed when we had that bad snow over winter. I had to travel via Birmingham and then across to Leeds. It is a long and arduous journey, and it would be good to connect those two great cities.

I recognise the opposition that many of my right hon. and hon. Friends face in their constituencies. One action group has said that this is a

“vanity project for politicians who want fast trains for fat cats.”

No, it is not. Members want to see benefits brought to their constituencies. This is something that we have needed in the north for generations. As the Secretary of State for Transport has said:

“Ironically the further north we get the easier it will get”

and

“people seem to understand more clearly the argument on jobs and growth.”

We do, because we have had problems economically for years and this will help us to get there.

I also have a warning shot to people in the north, because we have been far too quiet. It is time for us to stand up and shout louder. It has been said recently that high-speed rail might be killed by apathy. I fear that that may be right, which is why I am speaking today. We must trumpet our support. I am delighted that the *Yorkshire Post* has gathered the names of politicians, council leaders and businesses as a call to arms to support the project. High-speed rail may do the one thing that we all thought impossible—unite Lancashire and Yorkshire in one voice.

4.51 pm

**David Mowat** (Warrington South) (Con): I congratulate my hon. Friend the Member for South Northamptonshire (Andrea Leadsom) on securing this debate. I shall start by agreeing with her on a few points, but, unfortunately, our paths will then diverge. We should not do high-speed rail just because the rest of the world is doing it. Just because every other country in Europe is forging ahead with this does not mean that we should—I accept that argument. We should not do High Speed 2 just because the business case for High Speed 1, and the reason why it went to St Pancras, was that it could be linked to the north. That should not be the reason why we do it. We should not do it just because of the carbon saved. As has been pointed out, the modal shift is quite small. We should not do it as cover for our plans in relation to Heathrow.

We should do it only if three conditions exist: the business case has to be robust; we must be satisfied that there are transformational benefits; and, on a cash-flow basis, it has to be affordable. My hon. Friend the Member for Warwick and Leamington (Chris White) has talked about that final point, and I shall address that first. Roughly speaking, the cost in cash-flow terms is £2 billion a year, which is a great deal of money. However, it is, roughly speaking, the same as we are

currently spending on Crossrail—I see the Minister nodding, which encourages me—and, by and large, it will start as Crossrail finishes. I support Crossrail and have no issue with it, but it is important that that point is understood.

We agree that the business case is vital, and this debate must centre on it. Some of the points that have been made about the business case during this debate are misinformed. Yes, there have to be forecasts of the future—that is what a forecast does. As I said in an intervention, rail usage has increased by 5% per annum over the past decade and a half. The business case upon which this project is justified assumes that it will continue to increase at 1.4% per annum. I agree that that might be too high, but it is certainly not radical.

The hon. Member for Coventry North West (Mr Robinson) made the point that the project is predicated on time savings. Yes, it is—it is a transport project and that is how we tend to justify such projects in terms of benefit. That is how Crossrail was justified and it will be how this is justified.

Another point is often made—I want to address this before it gets too much currency. We can work on the train these days. We have personal computers and so on, and are therefore productive. That is true and the business case does not properly take it into account. It does not take into account the fact that productivity of that nature exists and that, if someone is standing up on a crowded train, the losses are enormous. In fact, that precise issue is addressed on page 51 of the Department for Transport’s business case. The fact is that the business cost ratio increases if productivity due to internet usage on a train is taken into account.

I want to put a couple of things on the record in relation to transformational benefits. We can take the Barcelona view or we can take other views. During an earlier speech, somebody said that the train might not stop at Warrington. I agree, but that is not the point. The point is that the North-West chamber of commerce believes that the scheme will bring £8 billion-worth of benefits to my region. Those benefits will accrue to Warrington in the same way that they will accrue to Banbury and—dare I say it—Northampton. Let us at least get that clear.

A recent report that KPMG produced for Greengauge 21 estimates that there will be an incremental, steady-state increase in jobs of 40,000 in the north and the north-west due to the scheme. That might not be right—I am pleased that the Select Committee on Transport is going to validate the numbers—but these are important transformational issues, and they must be taken seriously.

My hon. Friend the Member for Colne Valley (Jason McCartney) is signalling to me—I think he wants to speak next. This debate must not be tarnished by nimbyism and all that goes with it. It is more important than that and too important for it. I accept that the most vociferous opposition comes from those counties that are impacted the most. In all fairness, I live in Cheshire and it may well be that, when the next bit is announced, I will be a nimby as well. Members are entitled to respect their constituents. I want to put on the record that I discovered during my research yesterday that two of the consultants who represent one of the most influential rail action groups against the proposal both live in Great Missenden. It is important, as we evaluate the scheme, that we get it right.

Finally, mitigation is important and the hon. Member for Hammersmith (Mr Slaughter) has made some good points about it. We need to take it seriously, but it is not as important as the transformational benefits that may accrue from the scheme if it happens.

4.57 pm

**Jason McCartney** (Colne Valley) (Con): I am aware that I no longer have six minutes to speak, but that is, coincidentally, a thirteenth of the time that it will take to get from Leeds to London using high-speed rail. The Government have already done a lot to address the imbalance between the north and south, but I want them and colleagues to have the vision and ambition to crack on with high-speed rail. Across the north of England, Members of Parliament of all parties, civic leaders, the business community, higher education leaders and residents have all made clear that viewpoint. People have already referred to the *Yorkshire Post* letter, which was signed by 21 MPs from all three main parties, 14 council leaders and more than 50 major companies, including O2, Yorkshire Bank and Eversheds. The demand clearly exists, as those of us who have endured several hours of standing on packed trains when returning to our constituencies will know. I hope that I will not have to do that on the train back to west Yorkshire this evening.

The issue is about capacity as well. Even Network Rail says that it supports high-speed rail,

“because it is the best solution to meet the challenge of fast-growing demand on an already crowded network”.

It forecasts a growth in passenger numbers of 44% by 2016. That time is near, so I hope that it is accurate.

High-speed rail will close the gap between the south and the north of England. It will boost competitiveness, create jobs and attract international businesses. At a time when we are seeking to demonstrate to the world that Britain is open for business, actions speak louder than words. High Speed 2 is the action that the north of England has needed for many years. The economic case is clear, the public desire is overwhelming, and the benefit to the region's economy cannot be understated. Without high-speed rail, we risk a two-speed nation. To remain internationally competitive, we cannot allow that to happen. I urge the Government to deliver for the north of England and to deliver HS2.

4.59 pm

**Andrew Gwynne** (Denton and Reddish) (Lab): I am pleased to contribute to this very important debate about the High Speed 2 programme. I suspect that I may be interrupted by a Division in the House. I congratulate Conservative Members and my hon. Friend the Member for Coventry North West (Mr Robinson) on applying to the Backbench Business Committee to allocate time for the debate. We have been provided with the opportunity to listen to the views, opinions and concerns of right hon. and hon. Members from across the House.

As mentioned, Labour in government set out a vision for a high-speed rail line running from London to Birmingham and on to Leeds, Manchester and eventually Scotland. I welcome the public consultation on High Speed 2 launched by the Government in February. They boasted that it would be one of the biggest and most

wide-ranging consultations every undertaken by a Government. We need to have a full discussion about high-speed rail, especially for the communities that will be directly affected by the construction of the line.

5 pm

*Sitting suspended for Divisions in the House.*

5.25 pm

*On resuming—*

**Andrew Gwynne:** Before I was interrupted, I was about to say that it is clear that a project of this size and scale will not be without controversy, which I shall come on to later. However, I certainly recognise the importance of increasing capacity and connectivity in rail, particularly in respect of the west coast main line and the Chiltern line. The previous Labour Government rightly assessed that improved transport capacity would be needed from the 2020s between our major cities, starting with the route from London to the west midlands, two of Britain's largest conurbations. The projections show that by then, the west coast main line will be at capacity. It is projected that, by 2033, the average long-distance west coast main line train will be 80% full, with routine severe overcrowding for much of the time.

Perhaps there will be benefits from some of the suggestions put forward by my hon. Friend the Member for Luton North (Kelvin Hopkins), the hon. Member for South Northamptonshire (Andrea Leadsom) and my hon. Friend the Member for Coventry North West and others, but I also understand the argument that the development of the 335-mile Y-shaped network would bring our major cities closer together and, as such, create the potential to boost investment and economic growth in the north. I would like to ask the Government how much extra capacity they anticipate high-speed rail will bring, and what estimates they have made of the modal shift from air travel that would result from the extension.

Labour remains committed to investing in a world-class rail system, and high-speed rail could have an important role to play in delivering it. That is why we began this process in government. As Members will know, Labour has just embarked on a fundamental review of all its policies, which is exactly what the Conservatives did after the Prime Minister became leader of that party. We will look at all areas of policy, and fundamental questions will be asked about how we can make transport more affordable and help to reduce inequality and increase social mobility.

**Mr Leech:** In the past, the hon. Gentleman has been supportive of the concept of high-speed rail to Manchester and beyond. Does he agree with the assessment of the new chief executive of Network Rail about capacity on the west coast main line?

**Andrew Gwynne:** Absolutely. As I have said, capacity on the west coast main line is of fundamental importance, and the issue must be resolved. We have to look at future capacity on rail lines and how we will deal with such issues. Clearly, everything will be on the table as part of our policy review, and we encourage as many members of the public as possible to get involved in our ongoing discussions, including those on both High Speed 2

[Andrew Gwynne]

and Rail Package 2; we need to study alternatives for viability as well. It would be unwise for any future support for high-speed rail not to be at the heart of that policy review when it involves a £30-billion commitment for future Parliaments. Perhaps the hon. Member for Weaver Vale (Graham Evans) will be interested in that. In the meantime, the Government will have our support as they move forward with the next stage of planning the route.

Clearly, there is concern about the hybrid Bill that the Government propose. The Opposition have real doubts about their commitment to taking the planned high-speed rail line beyond Birmingham, as Labour had planned. They have decided not to use the forthcoming legislation to do that. As I have said in previous debates, we will support the Government if they want to put powers in the Bill to extend the line to Leeds and Manchester.

I wish to turn briefly to interoperability. If we are to proceed with high-speed rail, we need to look now at ways to integrate it with the traditional rail network. We also need to look at how we can maximise the benefits for rail all over the country, including London-based projects such as Crossrail and Thameslink. How will we plan for the wider impacts of high-speed rail, to ensure that the benefits are shared in other parts of the network? For instance, can the Minister tell us how many more fast trains to London there will be from places such as Coventry, Liverpool and Sheffield as a result of released capacity from the HS2 line? In short, what will be the benefit to areas not directly connected by high-speed rail?

**Kelvin Hopkins:** The fundamental problem we have on many of our rail routes is old-fashioned signalling; it is 50 years out of date, or even longer. If we can get modern signalling with some of the money that could be saved, we could get many more train paths and much faster frequencies. That is the way to increase capacity on existing routes.

**Andrew Gwynne:** I share my hon. Friend's assessment of that issue. I know he made that case at a recent reception with ASLEF in the House of Commons.

I recognise that a lot of right hon. and hon. Members in all parties have concerns about high-speed rail. Those living near the proposed route have understandable concerns. I understand those hon. Members whose constituencies will be directly affected by the construction. Like my right hon. Friend the Member for Holborn and St Pancras (Frank Dobson), I do not know how sensible it is for the Secretary of State for Transport to refer to anyone who is against the scheme as a nimby, as he recently did in a newspaper article.

I also note that in *The Daily Telegraph* yesterday there was a letter signed by no fewer than eight northern Conservative MPs, saying:

"We urge the Government not to be blown off course by the protests of a minority in the home counties."

It seems unfair to intrude on the private grief of the Conservatives, not least because there are differences in our party, too. However, the previous Labour Government were always mindful that, in proposals for a route, there has to be an attempt to minimise local impacts while achieving the wider objectives. We need to ensure that

people are fully consulted about changes that will affect their area. I welcome that the fact that the consultation is now under way, and will conclude in July this year. It gives those who will be directly affected by the construction route a chance to put forward their concerns and have them looked at, and I hope that their views will be taken seriously by the Government.

However, there are a number of questions that I would like to ask. What impact will the changes to the route, the additional compensation and hardship payments, and other commitments have for the £750 million allocated in this spending period? Can the Minister offer an assurance that there will not be a knock-on effect on other rail schemes already facing cuts and delays? In opposition, the Minister said:

"failing to take HSR through Heathrow would be a big mistake".

It is reassuring that she has, I think, now confirmed a direct link in the second phase. Perhaps she can give a bit more information about that.

My hon. Friend the Member for Dunfermline and West Fife (Thomas Docherty) touched on an important point. Will the Minister confirm whether the cost of the trains to run on the high-speed line has been included in the figures used for the costs of the scheme? Or, as with other schemes such as Crossrail, are they separate expenditure, yet to be identified?

One topic almost missing from the debate, although it was rightly touched on by my hon. Friend the Member for Hammersmith (Mr Slaughter), has been the likely cost of using the service. Surely if all taxpayers are to contribute so significantly to the cost of constructing the route, it cannot be a service with ticket prices outside the grasp of most people. What work has the Department done to look at anticipated ticket-pricing plans for high-speed rail? How much of the revenue raised by high-speed rail will be used on the high-speed rail line, and how much will be spent on conventional rail improvements?

To conclude, as I have said before, our policy review will be completely open-minded about all the transport priorities the country faces, and high-speed rail will clearly form an important part of our future discussion. In the meantime, we urge the Government to reconsider expanding the scope of the hybrid Bill to include powers to continue to Leeds and Manchester, so that preparations are in place to bring the potential benefits of high-speed rail to the whole country.

5.34 pm

**The Minister of State, Department for Transport (Mrs Theresa Villiers):** It is a pleasure to serve under your chairmanship, Mr Walker. This has been an excellent, high-quality debate, with some great contributions from hon. Members from all parties, and I congratulate them all. I congratulate the hon. Members who secured the debate: my hon. Friend the Member for South Northamptonshire (Andrea Leadsom), the hon. Member for Coventry North West (Mr Robinson), and my hon. Friend the Member for North Warwickshire (Dan Byles).

I welcome what seems to be qualified support from the shadow Minister; we are not quite sure where he is going on this matter. I reassure him that we are fully committed to taking high-speed rail to Leeds and Manchester. We were the first to champion that in opposition, and we continue to do so. In response to a

number of questions, let me say that work is under way on route and station options for the route north of Birmingham. HS2 Ltd has been asked to report to the Secretary of State on those options later this year.

It is good to see my right hon. Friend the Member for Uxbridge and South Ruislip (Mr Randall), and my hon. Friends the Members for Lichfield (Michael Fabricant), and for Kenilworth and Southam (Jeremy Wright), here. They have all been assiduous in pressing their concerns on Government and representing their constituents fully. Their frequent representations have been much valued by the Secretary of State and continue to have an influential impact on our thinking.

Let me turn to the points raised in debate. First, on the local environmental impact, let me make it clear that I fully recognise the concerns of those whose homes and communities could be affected by the preferred line of route. Responding to the concerns of the hon. Member for Coventry North West, we are putting a huge amount of work in to mitigate and reduce the potential impact. Approximately half the length of the preferred route to the west midlands in the plans we inherited has been changed. We have added more than a mile and half of green tunnels to maintain local access and minimise noise and visual impact.

Large sections of the routes have been lowered into deeper cuttings, reducing the number of viaducts to cut down on visual intrusion. We have made several route alterations to avoid settlements and important heritage sites. Under the revised proposals, the Chilterns will be crossed predominantly in tunnels and deep cuttings, or alongside the existing A413 transport corridor. The number of properties where high noise levels will be expected has fallen from about 350 in previous versions of the plans to around 10 properties, and we will plant 2 million trees between Birmingham and London. We will continue to listen to ideas for mitigation as part of the consultation process, at the end of which we will carefully consider all representations.

Let me turn to the points on the business case. On the criticisms made by my hon. Friend the Member for South Northamptonshire in relation to our passenger growth figures, the consultation document forecasts that passenger demand will roughly double for long-distance services on the west coast main line. That projection covers 30 years and is based on modest growth rates of just under 2% a year; that compares to a 5% growth rate between 1994 and 2009. If anything, the numbers are cautious. For example, demand between London and Manchester rose by almost 60% over the four years to 2008.

My hon. Friend the Member for Tamworth (Christopher Pincher) expressed concern about the methodology in relation to other industry practices. There is widespread industry consensus, as highlighted by the both the shadow Minister and my hon. Friend the Member for Manchester, Withington (Mr Leech), that the west coast main line will be full within around a decade; some people think sooner, some later, but there is consensus that the line is filling up fast.

My hon. Friend the Member for South Northamptonshire also expressed the concern, in her eloquent and well-argued contribution, that our analysis does not take account of the fact that time can be used productively on a train. We have listened, and we have carried out sensitivity testing on our numbers, and the

results we have had indicate that factoring in productive time would have a broadly neutral impact on the business case for HS2, because failing to deliver a new line would leave trains more and more overcrowded, making it less and less feasible to do any productive work on the trains currently on our network.

As for the allegation made by one or two hon. Members that we are proposing a rich man's railway, and the concerns expressed about fares by the hon. Member for Hammersmith (Mr Slaughter) and the shadow Minister, our research indicates that 70% of passengers would be travelling for reasons other than business, with leisure trips particularly important. All our modelling is based on fares that are in line with existing services. Our assumptions about the expected fare-box do not factor in or depend on any premium for high-speed services.

The hon. Member for Luton North (Kelvin Hopkins) and other hon. Members expressed concern that the project would see the rest of our railways starved of funds. There is simply no evidence to back that allegation. On the contrary, despite a crisis in the public finances as grave as any that this country has faced in its peacetime history, the coalition is investing more than £30 billion in road, rail and local transport schemes throughout Britain over the next four years, and that includes the most extensive programme of rail upgrades in modern history, to which was recently added the Ordsall Chord scheme, which was welcomed by my hon. Friend the Member for Manchester, Withington.

Budgets have not been set beyond 2015, but we expect the case for investment in transport to continue to be strong in the years ahead, as evidenced by the commitments that we have made on Thameslink, Crossrail, electrification, the intercity express programme, and road improvements that stretch beyond the current spending review period.

A key element in the crux of the arguments by opponents of HS2 is the question of whether journey time savings delivered by high-speed rail will be worth the cost of building the new line. The Government's proposals, as hon. Members have pointed out this afternoon, are about more than just speed. One of the biggest advantages of our plans is that a new line would release additional capacity on our existing railways, benefiting places such as Coventry and Milton Keynes, as my hon. Friend the Member for Weaver Vale (Graham Evans) pointed out. That would help to address crowding problems for long-distance passengers, and provide more space for commuter services and the freight services that the hon. Member for Luton North championed so well, and it would also improve network resilience and reliability.

**Mr Ainsworth:** I recognise what the Minister says about Coventry. The city is split, and the council is opposed, as is my hon. Friend the Member for Coventry North West (Mr Robinson), but I cannot understand how it would be damaged by being only eight miles to the east of what would be the country's major transport spine. The benefits are clear for anyone who wants to see them.

**Mrs Villiers:** The right hon. Gentleman puts the case very well. Coventry stands to benefit hugely from the plans under consideration this afternoon. Journey time savings matter. For example, the Y network would enable people living in Manchester and Leeds to get to

[Mrs Villiers]

Canary Wharf in roughly one hour and 40 minutes, and Heathrow in 75 minutes or less. I assure the shadow Minister that the plans for phase 2 include the direct link to Heathrow that we called for in opposition.

I believe that bringing the capital within 49 minutes of Birmingham and 80 minutes of Manchester and Leeds would spread the massive benefits of London's global pull. It would do more to bridge the north-south divide than virtually all previous efforts to address a problem that has defied solution for decades, which is probably one reason why so many people north of Birmingham support the project so strongly.

**Mr Robinson:** The Minister spoke about regional benefits, and we increasingly see the Secretary of State and the Prime Minister emphasising in person the north-south divide. First, how does she explain the fact that of the jobs created—about 30,000—seven in 10 will be in London, not the regions? Secondly, does she really believe that £600,000 a job is good regional investment policy?

**Mrs Villiers:** The project will create jobs throughout the country. The suggestion that all the cities that are calling for high-speed rail will see their economic growth sucked away by London just does not hold water. Look around Europe, where cities such as Lille and Lyons have been transformed. In Europe and Asia, cities are fighting hard to be on the high-speed rail networks that other countries have the courage and determination to deliver.

**Andrea Leadsom:** Does my right hon. Friend accept that unemployment in Lille rose after high-speed rail went there?

**Mrs Villiers:** What I know is that Lille's prospects were transformed by high-speed rail, and its unemployment level fell to much closer to the French average. If people in Lille were asked whether high-speed rail was bad for them, or whether they would like it to be shut down, I suspect that they would say no.

As my hon. Friend the Member for Pudsey (Stuart Andrew) said, shrinking journeys between cities in the north will have a hugely beneficial impact, enabling them increasingly to merge into a single economic area. I emphasise that with its potential to regenerate regional economies, create thousands of jobs, and boost our national economy by about £44 billion, the project is about much more than shaving half an hour off the journey time to Birmingham.

That brings me to the next allegation—that the project is not affordable. In practice, most of the spending will not kick in for at least five years, so it is not competing directly with other priorities in the current period of austerity. Spending will then be phased in over the period of construction, which we all know is, sadly, a long one. The annual average cost will not be out of line with projects such as Crossrail, as my hon. Friend the Member for Weaver Vale pointed out. The figures in the consultation document also make no allowance for possible private sector contributions, which could be considerable, as hon. Members have pointed out, particularly in relation to the expected benefits of station redevelopment.

Perhaps most important is that delivering a major uplift in inter-urban transport capacity is not some nice-to-have luxury. It is absolutely essential if we are to prevent a capacity crisis on the west coast line and other key transport corridors in the years to come. No Government can afford to sit back, ignore the problem, and pretend that it does not exist.

Despite the valiant efforts of my hon. Friends the Members for South Northamptonshire, and for North Warwickshire, and the hon. Member for Coventry North West, the opponents of HS2 have not made a convincing case that there is a better way of dealing with the expected growth in demand for inter-city travel. My hon. Friend the Member for Warwick and Leamington (Chris White) suggested that information technology will provide the answer. I certainly hope that future advances in technology will make video-conferencing an alternative to more journeys, but I am afraid that after in-depth research, the Committee on Climate Change concluded that the net impact of such technology on travel is likely to be minimal, and I am afraid that improvements to the existing network just cannot provide the capacity that HS2 would. The Government are already committed to delivering a 30% uplift in capacity on the west coast line, with new carriages being introduced from April 2012, but that will simply not be enough to meet the demand for inter-city travel in the decades to come.

In response to the shadow Minister's question about the capacity to deliver, HS2 would deliver 14 trains an hour, each of which would have about 1,100 seats. RP2 simply will not meet the future needs of this country's transport system. The practical realities of further work on the existing line have a serious downside. As the right hon. Member for Coventry North East (Mr Ainsworth) said, passengers were subjected to a decade of disruption with the improvements to the west coast line, which have just been completed.

For the information of my hon. Friend the Member for South Northamptonshire, the work required at Euston for RP2 would be considerably more disruptive than those required there for HS2, because they would have to be carried out within Euston's current footprint, making it much more difficult to keep current services going. Disruption would be much worse this time, because the west coast line is twice as busy as it was seven years ago.

The most viable journey time savings that could be achieved using the existing line would involve cutting out intermediate stops, which we all know would be deeply upsetting for the affected communities. Moreover, line upgrades cannot deliver any released capacity benefits, and squeezing even more into the current timetable to allow more intense use of the line would compromise resilience, and is virtually guaranteed to lead to a serious deterioration in reliability. In contrast, infrastructure-related delays on HS1 average just 6.8 seconds. The simple truth is that whatever is done to the existing line, it could never match the economic benefits of faster journey times, capacity uplift, and regeneration that HS2 would deliver.

The hon. Member for Dunfermline and West Fife (Thomas Docherty) called for leadership in delivering the project, and we intend to provide that. He asked whether appropriate rolling-stock designs were available. Our research and analysis is based on rolling stock that

is already in use in the many countries that have embarked on high-speed rail. My hon. Friend the Member for Weaver Vale pointed out that the high-speed rail link is a manifesto promise, and it is one that we intend to keep. My hon. Friend the Member for Tamworth expressed concern about the current status of compensation, and I assure him that the exceptional hardship scheme is already in operation.

Lastly, I will address the allegation that high-speed rail is not green and offers no environmental benefits. Our analysis shows that the shift from road and aviation that would come with delivering the west midlands section of the line would broadly offset any increase in carbon emissions from the new line, despite the significant increase in passenger journeys that it would accommodate. We would get a major economic boost without increasing carbon emissions, which is just the sort of sustainable growth most people in the country say we should have. The modal shift resulting from the Y-shaped network to the north of England would be greater still, with as many as 6 million journeys by air and 9 million by road expected to migrate to rail. The carbon benefits of rail over aviation are set to grow as we make progress on decarbonising the electricity supply.

The consultation under way is one the most wide-ranging ever undertaken. We will listen to and consider all responses with care, including those that will help us

further mitigate potential local impact, which I know hon. Members are concerned about. I genuinely believe that with care, effort and high-quality engineering, we can address the worst local impacts and provide much-needed reassurance to the constituents of hon. Members who have taken part in the debate. Similar things were done for HS1.

Today, we still rely almost entirely on railways built by the Victorians, and I think it is time we started catching up with the high-speed rail revolution on which our European partners embarked more than a generation ago. I believe that we can—and should—aspire to the sort of high-quality long-distance travel network that other countries take for granted. Our high-speed rail plans provide a once-in-a-generation chance to address the transport capacity needs of our economy in the future, transform our economic geography, and generate a boost for jobs and growth worth billions of pounds. We know that it will not be an easy process, but we should not let this opportunity slip through our fingers. I have welcomed the opportunity to set some of our plans before the House this afternoon.

*Question put and agreed to.*

5.52 pm

*Sitting adjourned.*



# Written Ministerial Statements

Thursday 31 March 2011

## BUSINESS, INNOVATION AND SKILLS

### Pre-packaged Sales in Administrations

**The Parliamentary Under-Secretary of State for Business, Innovation and Skills (Mr Edward Davey):** Everyone who is affected by insolvency is entitled to have confidence that insolvency procedures are used fairly and that insolvency practitioners deliver the best possible outcome in what are often difficult and challenging circumstances. It is particularly important that suppliers, who often extend credit on unsecured terms, have confidence in the insolvency regime, as a lack of confidence is likely to restrict the availability of credit.

I am today announcing measures to improve transparency and confidence in pre-packaged (pre-pack) sales in administration. These will help ensure that in these cases as much is fairly returned to creditors as possible. These measures are in line with the policies of this Government to drive balanced and sustainable growth and will provide real benefits to business.

The merits of pre-pack sales have continued to be the subject of much debate. In response to the concerns raised, the previous Government launched a consultation exercise in March 2010. The responses make it clear that the greatest cause for concern is where the business and assets are sold back to the current management or a connected party—something that is often referred to as “phoenixism”.

I recognise that pre-pack sales offer a flexible and speedy means of rescue and can be the best way of maximising returns for creditors. I do not wish to outlaw them. But they must be done fairly and reasonably. Where such sales are at undervalue, creditors get less than they should. Competitors who pay their debts in full also suffer. I want to make sure that creditors have a fair chance to have their voice heard. I also want to enable others to scrutinise such transactions after the event to ensure that deals being struck are fair in the circumstances.

In order to inject greater transparency into the process I intend to require administrators to give notice to creditors where they propose to sell a significant proportion of the assets of a company or its business to a connected party, in circumstances where there has been no open marketing of the assets. This will enable creditors to express concerns, which the administrator would need to consider, or to make a higher offer for the assets, and in cases where the circumstances justify it, apply to the court for injunctive relief. These options can be exercised before the sale has taken place, and therefore reflect concerns raised by stakeholders in their responses to the consultation.

The new requirements will apply not just to pre-packs but to any sales back to connected parties in an administration where there has been no open marketing of the assets.

Administrators already need to provide a detailed explanation of why a pre-pack sale was undertaken to creditors in compliance with professional standard Statement Of Insolvency Practice 16. These will in future need to be included in their administration proposals which are lodged at Companies House, making the information available to business as a whole, including, for example, credit reference agencies. This information may be of particular interest to suppliers and others considering doing business with the purchasing company. Administrators will also need to confirm that the sale price represents, in their view, best value for the creditors.

We are today also publishing a report on compliance with the Statement Of Insolvency Practice 16 (a professional standard setting out what information must be disclosed to creditors in pre-packs) during 2010. Overall levels of compliance have increased, showing that in the great majority of cases necessary statements are now being given (after the event) to creditors. However in a minority of cases the information is insufficient, and in these cases the concerns have been reported to the relevant authorising body. My officials will be liaising with the various bodies to ensure that there is a consistent approach taken to lack of compliance.

A copy of the consultation and summary of responses, together with the report on compliance with the Statement Of Insolvency Practice 16, can be found on The Insolvency Service’s website at [www.insolvency.gov.uk](http://www.insolvency.gov.uk).

### Local Enterprise Partnerships

**The Minister of State, Department for Business, Innovation and Skills (Mr Mark Prisk):** The Minister of State for Communities and Local Government, my hon. Friend the Member for Tunbridge Wells (Greg Clark), the Minister responsible for decentralisation, and I would like to inform the House that today we have written to the proposed Heart of the South-West local enterprise partnerships, covering Devon, Somerset, Plymouth and Torbay, inviting them to put their governance arrangements in place.

Local enterprise partnerships see a real power shift away from central Government and quangos and towards local communities and the local businesses who really understand the barriers to growth in their areas. This announcement brings the total number of partnerships so far invited to put their governance arrangements in place to 32. We will continue to work with other areas with a view to establishing further local enterprise partnerships across England.

## TREASURY

### Tax Consultation Framework and Updated Consultation Tracker

**The Exchequer Secretary to the Treasury (Mr David Gauke):** Since the June Budget 2010 the Government have been developing a new approach to tax policy making, with consultation on policy and scrutiny of legislation as the cornerstones.

On 9 December 2010 the Tax Consultation Framework was published in draft for comment. Today the Government are publishing their response to the comments received including the finalised framework showing amendments made to the draft version.

Respondents have generally welcomed the framework as a positive step towards achieving the Government's aims of predictability, stability and simplicity for the tax system. Many of the suggestions have been incorporated into the finalised framework, while others will be addressed through the guidance and training provided to policy officials.

Responding to feedback from interested parties the Government are also publishing today their updated tax consultation tracker which is available on the HM Treasury website at: [http://www.hm-treasury.gov.uk/tax\\_updates.htm](http://www.hm-treasury.gov.uk/tax_updates.htm).

The new version of the tracker includes specific anticipated launch dates wherever possible, to help representative groups and others manage their engagement with the Government on tax policy development.

## DEFENCE

### Government Profit Formula

**The Parliamentary Under-Secretary of State for Defence (Peter Luff):** I announced to the House on 26 January 2011 that I had asked my noble Friend Lord Currie of Marylebone to undertake a fundamental review of the Government's single source pricing regulations, which include the Government Profit Formula (GPF) overseen by the review board for Government contracts. In the announcement I said that the review board has been asked to maintain the existing arrangements pending the outcome of Lord Currie's review (which is due to report in July 2011), and to complete their 2011 annual review of the GPF.

The Government have subsequently considered and accepted the review board's recommendations in their 2011 annual review, and all changes have been agreed with industry. This will reduce the profit and capital servicing allowances payable by the Ministry of Defence (MOD) on new single source work that is placed after 1 April 2011. An agreed change to the GPF methodology will be of benefit to small and medium-sized enterprises; and agreed changes to Government accounting conventions setting out the treatment of costs in single source pricing will improve the MOD's negotiating position. The board's recommendations will be implemented in accordance with arrangements subsequently agreed with the industry side and recorded in an addendum to the published report. I will be placing a copy of the report in the Library of the House. The recommendations will be implemented for new single source work with effect from 1 April 2011.

### Service Complaints Commissioner's Report

**The Parliamentary Under-Secretary of State for Defence (Mr Andrew Robathan):** I am pleased to lay before Parliament today the service complaints commissioner's third annual report on the fairness, effectiveness and efficiency of the service complaints system.

The commissioner continues to provide an independent oversight of the system and has been effective in beginning to drive improvements in the way in which we handle service complaints. She has added value and challenged the services' established ways of working.

The Ministry of Defence and the services have worked closely with the commissioner over the last three years to take practical steps to implement her recommendations for improving further the service complaints process. I and the service chiefs welcome the fact that this report acknowledges the progress that has been made, and the initiatives that have been implemented in a number of the areas since the first report was published in 2009.

While progress has been made, we recognise that we can improve further the manner in which we handle complaints.

I will provide a formal response to the commissioner once I and the services have had time to consider in full the findings of the report and the recommendations made.

### UK Gulf Veterans (Mortality Data)

**The Parliamentary Under-Secretary of State for Defence (Mr Andrew Robathan):** Today we have published the most recent figures on the mortality of veterans of the 1990-91 Gulf conflict, covering the period 1 April 1991 to 31 December 2010. These figures have been published as a national statistic notice on the Defence Analytical Services and Advice website.

The data for Gulf veterans are compared to that of a control group known as the "Era cohort" consisting of armed forces personnel of a similar profile in terms of age, gender, service, regular/reservists status and rank, who were in service on 1 January 1991 but were not deployed to the Gulf. As in the previous release, the "Era" group has been adjusted for a small difference in the age-profile of those aged 40 years and over, to ensure appropriate comparisons.

Key points to note in the data are:

There have been 1,193 deaths among the Gulf veterans and 1,216 in the age-adjusted Era comparison group.

The 1,193 deaths among Gulf veterans compare with approximately 1,998 deaths which would have been expected in a similar sized cohort taken from the general population of the UK with the same age and gender profile. This reflects the strong emphasis on fitness when recruiting and retaining service personnel.

These statistics continue to confirm that UK veterans of the 1990-91 Gulf conflict do not suffer an excess of overall mortality compared with service personnel that did not deploy.

The full notice can be viewed at the following address: <http://www.dasa.mod.uk/applications/newWeb/www/index.php?page=66&pubType=1>

A copy has been placed in the Library of the House.

## DEPUTY PRIME MINISTER

### Service Voting (Afghanistan)

**The Parliamentary Secretary, Cabinet Office (Mr Mark Harper):** The Government have put in place an initiative to support the participation of members of the armed forces serving in Afghanistan who wish to vote in the referendum and elections on 5 May.

Following a dedicated registration push for those facing the most difficult of circumstances while serving in Afghanistan, service personnel will be able to use either a proxy or postal vote to take part in the polls.

Special forms produced by the Electoral Commission have been provided to relevant units, both for those going out to Afghanistan and those already there, to fill out to register to vote, and to choose how they wish to vote. The Ministry of Defence is undertaking targeted activity to encourage soldiers to register to vote before they leave the UK and each person arriving in Afghanistan will be briefed on the initiative.

Troops who fill out the forms and request a postal vote will be sent ballot forms via the British Forces Post Office (BFPO), utilising existing supply routes.

Once completed by the service voters, the ballot papers will be returned to the UK and distributed to returning officers using a network of BFPO, Royal Mail and local authority support put in place for the initiative.

Alongside this, counting officers and returning officers have been asked to prioritise the production of all postal ballot packs that are to be sent overseas. Those heading for BFPO addresses will be treated as a priority by BFPO to facilitate service personnel participation in the polls more widely.

This initiative builds on that put in place for the general election in 2010. It is right that we make it as easy as possible for our service personnel on operations in Afghanistan to take part in the referendum and elections on 5 May.

## ENERGY AND CLIMATE CHANGE

### Departmental Expenditure Limits (Changes 2010-11)

**The Secretary of State for Energy and Climate Change (Chris Huhne):** I am announcing the following DEL budget switches, in accordance with the Treasury's consolidated budgeting guidance. Resource DEL will be decreased by £64,000,000 from £1,290,579,000 to £1,226,579,000 and Capital DEL will be increased by £64,000,000 from £1,987,933,000 to £2,051,933,000. The impact of these non-voted DEL switches on the Resource and Capital DEL is as set out in the following table:

	£'000		Change Non- Voted	New DEL	
	Voted			Non- Voted	Total
Resource DEL	-20,000	-44,000	434,820	791,759	1,226,579
<i>Of which:</i>					
Administration Budget	-	-	117,939	-	117,939
Capital DEL*	20,000	44,000	744,751	1,307,182	2,051,933
Less Depreciation**	-	-	-7,516	-4,389	-11,905
<b>Total DEL</b>	<b>-</b>	<b>-</b>	<b>1,172,055</b>	<b>2,094,552</b>	<b>3,266,607</b>

\*Capital DEL includes items treated as resource in estimates and accounts but which are treated as Capital DEL in budgets.

\*\*Depreciation, which forms part of Resource DEL, is excluded from the total DEL in the table above, since Capital DEL includes capital spending and to include depreciation of those assets would lead to double counting.

The transfer from voted Resource DEL to Capital DEL of £20,000,000 relates to the cost of keeping open the Warm Front scheme for two weeks longer than budgeted during a period of extreme bad weather.

The transfer from non-voted Resource DEL to Capital DEL of £44,000,000 is in respect of work by the Nuclear Decommissioning Authority at the Sellafield site, as a result of a final assessment of the split of the cost of

decommissioning activities on the site between capital and resource expenditure in accordance with the ONS/ESA95 agreed definitions.

## ENVIRONMENT, FOOD AND RURAL AFFAIRS

### Bovine TB Reactor Identification

**The Minister of State, Department for Environment, Food and Rural Affairs (Mr James Paice):** I wish to inform the House that I have received evidence suggesting that a very small minority of farmers in the south-west and midlands have been illegally swapping cattle eartags to retain TB test-positive animals in their herds and sending other less productive animals to slaughter in their place. The suspected fraudulent activity is now subject to formal investigations.

If this kind of practice is taking place it is totally unacceptable. We are taking immediate action to prevent activity of this kind happening in future, and any farmer who tries to cheat the system should know that they will be identified and prosecuted. I should stress that the health risks to consumers from this suspected fraud are very low.

Anyone who retains TB test-positive cattle increases the risk of disease spread within their herd, to their neighbours' herds, and to wildlife. We are moving quickly to introduce new measures to prevent this occurring in future.

In particular, from mid-April DNA tags will be applied immediately to cattle that test positive for TB. This quick action is only possible because of the commitment and support of the veterinary profession, for which I am grateful. Animal Health will then cross-check on a random sample basis and, where there is any suspicion of eartag tampering, the DNA of TB test-positive animals against the DNA of animals sent to slaughter.

I would emphasise that the vast majority of cattle farmers fully comply with TB control measures, but their considerable and tireless efforts to help us control this terrible disease risk being undermined by an irresponsible minority. I am confident that our quick and decisive action, including the DNA tagging of TB reactors, will help protect the interests of all cattle farmers.

### Departmental Expenditure Limit (Budget Control Totals)

**The Secretary of State for Environment, Food and Rural Affairs (Mrs Caroline Spelman):** I wish to announce that for 2010-11 DEFRA will switch £9 million available Resource DEL budget to cover a forecast deficit against its Capital DEL control total, in accordance with HM Treasury's consolidated budgetary guidance. Although the financial outturn for the year is not final, the current assessment of the required switch is £9 million. The movement in spend from Resource DEL to Capital DEL is in respect of flood defences where the exact nature and classification of the expenditure is determined by the Environment Agency, as they undertake the work.

	Change		Voted	New DEL	
	Voted	Non-Voted		Non-Voted	Total
Resource DEL	-	-9,000	3,695,767	-	2,423,816
				1,271,951	
<i>Of which:</i>					
Administration Budget	-	-	282,088	-	282,088
Capital DEL*	-	9,000	122,977	463,887	586,864
Less Depreciation**	-	-	-100,441	-109,235	-209,676
Total DEL	-	-	3,718,303	-917,299	2,801,004

\*Capital DEL includes items treated as resource in estimates and accounts but which are treated as Capital DEL in budgets.

\*\*Depreciation, which forms part of Resource DEL, is excluded from the total DEL, since Capital DEL includes capital spending and to include depreciation of those assets would lead to double counting.

### Single Payment Scheme

**The Minister of State, Department for Environment, Food and Rural Affairs (Mr James Paice):** In my statement of 4 March, *Official Report*, column 47-48WS, I updated the House on the Rural Payments Agency's (RPA) progress in both addressing its daunting legacy of errors in relation to the single payment scheme (SPS) and ensuring that accurate payments under the SPS 2010 reached farmers as soon as possible. In that statement I explained I was considering additional measures to speed the flow of SPS 2010 payments and, following discussions in the RPA oversight board, I can now report on the decisions that have been reached.

Since 4 March, RPA has continued to make SPS 2010 payments as claims are validated, and to undertake further work to identify those that are ineligible and not, therefore, due a payment for this year. As a result, the agency calculates that there are now in the region of 6,300 eligible claims remaining to be paid, with a combined value of around £215 million. The frustrations felt by these farmers have been made very clear to me, both directly and through farmers' representative bodies. They want both the remaining sums paid as soon as possible and a line to be drawn under the legacy issues so uncertainty over past years is removed and greater confidence is provided that subsequent scheme year payments will not be affected. The oversight board shares these aims and has been looking very closely at how the former can be achieved without significantly impacting on the latter.

Against that background, the oversight board has now approved two decisions which, between them, should ensure that less than 1% of the monetary value of SPS 2010 payments remains outstanding at the end of the regulatory payment window which closes on the 30 June. This would be in line with, or would better, performance in previous years and would ensure the EU requirement to make 95.238% of payments by 30 June is met, thus avoiding late payment penalties.

The first decision is that, after rigorous testing on a sample to ensure accuracy of the process, fully validated manual payments will be made to approximately 2,000 farmers under the 2010 scheme who would otherwise not be paid until after the payment window. These payments will be made over the next two months and take account of known entitlement corrections that have yet to be fully processed on the agency's systems.

Should there be any additional changes identified once payment has been made, the farmers concerned will be informed.

The second decision relates to those remaining SPS 2010 payments where there are outstanding queries on earlier scheme years. Where the SPS 2010 claim has been fully validated, payment for that scheme year will now be made. Should any changes be identified for earlier scheme year payments in due course, the farmers concerned will be informed. RPA plan to complete the work required before the opening of the SPS 2011 payment window on 1 December.

The net result of these decisions is that the flow of remaining SPS 2010 payments will now increase. The oversight board did additionally consider requests from various sectors of the industry to make partial payments. However, RPA's analysis suggests that this would not significantly increase the speed at which remaining claims are paid to farmers, but would add disproportionately to the backlog of corrective work required and introduce additional risks of EU fines. Consequently, it was agreed that the agency should not make partial payments.

In order that all farmers with payments outstanding at the end of March understand how these decisions might affect them, RPA will be writing to each of those concerned next week to explain what issues remain on their claims and the likely month of payment.

Alongside this work, RPA will continue to review the remaining backlog of potential error cases that need to be reviewed. Corrective work undertaken to date, combined with earlier decisions by the oversight board on ensuring entitlements were regularised wherever legally possible, has made a real impact to date. The board will be monitoring these efforts closely to ensure a line is finally drawn under all the legacy data issues over the coming year.

I will continue to keep the House informed on the agency's progress.

### FOREIGN AND COMMONWEALTH OFFICE

#### "Human Rights and Democracy: The 2010 Foreign and Commonwealth Office Report"

**The Secretary of State for Foreign and Commonwealth Affairs (Mr William Hague):** "Human Rights and Democracy: The 2010 Foreign and Commonwealth Office Report" will be published today. The report covers the period from 1 January to 31 December 2010, although some key events in early 2011 have also been included. It highlights what the Government are doing to promote our values around the world, the serious concerns we have, and the important human rights progress being made.

The report was laid before Parliament on 30 March. Copies are available in the Vote Office and Printed Paper Office in the House of Lords. The report will be available online at: [www.fco.gov.uk/hrdreport](http://www.fco.gov.uk/hrdreport). I commend the report to the House.

### HOME DEPARTMENT

#### Civil Partnerships (Religious Premises)

**The Minister for Equalities (Lynne Featherstone):** The Government are committed to advancing equality for lesbian, gay and bisexual (LGB) people and to ensuring

freedom of religion or belief for all people. To further both of these aims, the Government are committed to removing the legal barrier to civil partnerships being registered on the religious premises of those faith groups who choose to allow this to happen. This will be done by implementing section 202 of the Equality Act 2010. This is a permissive measure; section 202 makes it clear that there will be no obligation on faith groups to host civil partnerships.

Today we are publishing a consultation document setting out proposals to implement section 202. The proposals set out in the consultation document are designed to respect the wishes of faith groups whether they wish to host civil partnership registrations or not, and to keep burdens on local authorities to a minimum. To this end we are proposing a two-stage process. First, faith groups must agree whether to permit civil partnership registrations on their premises to enable individual religious premises to apply to host them. Secondly, individual religious premises must obtain approval from the local authority for their area by following a process similar to that for venues such as hotels where civil marriages and partnership registrations are held now. The consultation will run until 23 June.

This consultation document deals only with this specific measure and does not set out proposals for any other changes to civil partnerships or any changes to marriage. However, in our work on civil partnerships we have identified a desire from many to move towards equal civil marriage and partnerships, and will be consulting separately on how legislation can develop, working with all those who have an interest in this area.

Copies of the consultation document are being placed in the House Library and will also be available from the Vote Office.

### **Remuneration and Conditions of Service for Police Officers and Staff**

**The Secretary of State for the Home Department (Mrs Theresa May):** On 8 March I issued a written statement to the House—*Official Report*, column 59WS—announcing that Tom Winsor had published the first report of his review of remuneration and conditions of service for police officers and staff in England and Wales.

We have the best police force in the world, but I said when the review was launched, it is vital that we have a modern and flexible service to meet the demands placed on it. The Government recognise and value the professionalism of the police and have made clear their commitment to supporting and maximising front line services to the public. Police officers and staff should be rewarded fairly and reasonably for what they do. They deserve to have pay and work force arrangements that both recognise the vital role they play in fighting crime and keeping the public safe and enable them to deliver effectively for the public.

The Government have also been clear that action is needed to tackle the deficit responsibly to ensure that the taxpayer gets a fair deal from all parts of the public sector. The police service has its part to play, and in an organisation like the police, where pay is 80% of police revenue expenditure, there is no question that pay restraint and pay reform must form part of the package. In this context, it is more important than ever that the police

leadership has the flexibility to manage forces and protect the front line services.

The review has an important role in enabling the police service to do this. Tom Winsor was asked to look at how remuneration arrangements and conditions of service for police officers and staff can best support and enable the police service to serve the public and provide value for money for the public taxpayer.

In particular, the terms of reference asked for recommendations on how to:

- use remuneration and conditions of service to maximise officer and staff deployment to front line roles where their powers and skills are required;
- provide remuneration and conditions of service that are fair to and reasonable for both the public taxpayer and police officers and staff;
- enable modern management practices in line with practices elsewhere in the public sector and the wider economy.

In recognition of the urgency of these matters, the review was asked to report in two stages: the first on short-term improvements and a second report on longer-term reforms.

The Government have now had the opportunity to consider the review's first report. It sets out the following broad principles:

- Fairness is an essential part of any new system of pay and conditions.
- The Office of Constable is the bedrock of British policing.
- The demands of policing should be given full and proper weight.
- People should be paid for what they do, the skills they have and are applying in their work, and the weights of the jobs they do.
- People should be paid for how well they work.
- A single police service—distinctions in pay and other conditions of service between police officers and staff should be objectively justified.
- Arrangements should be simple to implement and administer.
- Phased introduction of reform.

We welcome these principles, and believe that they provide a framework for fair and sustainable arrangements for remuneration and conditions of service.

The review also sets out a package of specific recommendations for police officers' and staff remuneration and conditions of service, based on these guiding principles. I have consulted the Independent Chair of the Police Negotiating Board and Police Advisory Board for England and Wales and I will direct those bodies to consider the proposals that are within their respective remits for police officers in England and Wales as a matter of urgency. I will also be writing to the Association of Police Authorities and the Police Staff Council to recommend that they consider the report's recommendations in respect of police staff in England and Wales.

### **Changes in Immigration Rules**

**The Minister for Immigration (Damian Green):** My right hon. Friend the Home Secretary is today laying before the House a statement of changes in the immigration rules that will bring about the first of the changes to the student visa system, which I announced on 22 March.

The changes will take effect on 21 April and will introduce an interim limit on those sponsors who do not currently meet the new accreditation criteria and will limit the number of students they can sponsor. These rules changes also implement the changes to the

English language requirement so that those coming to study at degree level will have to speak English at an upper-intermediate level. Others will have to speak English at an intermediate level. We are also publishing a statement of intent on the UK Border Agency website which sets out the detail of the proposed policy changes to tier 4 and I will arrange for a copy to be placed in the House Library.

This statement of changes also includes some changes to the tier 4 rules to clarify some existing rules and to bring some requirements into the rules.

We are also making some minor amendments to rules laid on 16 March, relating to prospective entrepreneurs and tier 2 intra-company transfers. We are also correcting omissions from the new criminality requirements at settlement and to clarify the application of the new settlement rules for highly skilled migrant programme participants.

## JUSTICE

### Her Majesty's Courts and Tribunals Service

**The Parliamentary Under-Secretary of State for Justice (Mr Jonathan Djanogly):** I am announcing today the launch of Her Majesty's Courts and Tribunals Service as an executive agency of the Ministry of Justice. It brings together Her Majesty's Courts Service and the Tribunals Service into one integrated agency providing support to the judiciary in the administration of justice in courts and tribunals.

The agency is responsible for the administration of the criminal, civil and family courts and tribunals in England and Wales and non-devolved tribunals in Scotland and Northern Ireland. It provides for a fair, efficient and effective justice system delivered by an independent judiciary.

I believe that operating as a single organisation will provide the platform to improve accessibility, drive up quality and provide a better environment for service users. Integration will enable those who need to use the agency's services to do so in a simple and straightforward way, using a single point of access. Bringing corporate functions together will remove duplication in management functions and enable efficiencies which do not impact on front line services. Integration will also enable more efficient use of the combined estate, using facilities flexibly across jurisdictions.

Her Majesty's Courts and Tribunals Service uniquely operates on the basis of a partnership between the Lord Chancellor, the Lord Chief Justice and the Senior President of Tribunals as set out in Her Majesty's Courts and Tribunals Framework Document. I have laid this document before Parliament today.

## NORTHERN IRELAND

### Dissolution of the Independent Monitoring Commission and Independent International Commission on Decommissioning

**The Secretary of State for Northern Ireland (Mr Owen Paterson):** We have previously announced that the work of the Independent Monitoring Commission (IMC) and Independent International Commission on Decommissioning (IICD) has been nearing completion. We have agreed with the IMC and IICD that the time is now right to bring the commissions to a close and the necessary

arrangements have been put in place to wind down both commissions. They will be dissolved on 31 March.

As requested by the UK and Irish Governments, the IMC and IICD have provided both Governments with reports on each commission's experience and lessons learned. Due to the pre-election period, the reports will be published after the Assembly elections in May on a date to be agreed by both Governments.

I would like to take this opportunity to thank the IMC and IICD commissioners and commission staff who have played a crucial part in supporting and enabling historic changes over the years, assisting in Northern Ireland's transition to a peaceful, stable and inclusive society.

## WORK AND PENSIONS

### Social Fund Allocations

**The Minister of State, Department for Work and Pensions (Steve Webb):** I am pleased to announce that the gross discretionary Social Fund Budget for 2011-12 will be £732 million.

With the net funding available, I have been able to allocate a gross national Social Fund Loans Budget of £590 million and a national Community Care Grants Budget of £141 million from 1 April 2011.

To provide help to Jobcentre Plus budgets facing unexpected and unplanned expenditure I will retain centrally £1 million as a contingency reserve.

I will allocate a gross national Social Fund Loans Budget in line with the provisions in the Welfare Reform Act 2007. The aim is to control and manage the national allocation whilst providing consistency of outcomes for budgeting loan applicants wherever they live. All loans budget expenditure will be made from the gross national loans budget of £590 million.

The Community Care Grant annual allocations to social fund budget areas are provisional and will be subject to in year adjustment once the current review of the funding allocation methodology has been completed. The overall national budget will remain at £141 million. The purpose of the review is to determine a fairer distribution of resources between areas and to move to the optimal funding position for the new locally based service from 2013.

Details of individual Community Care Grant allocations will be placed in the House Libraries.

### *Background note about the discretionary Social Fund Budget*

The discretionary social fund budget is cash limited. Funding for Community Care Grants is allocated to each budget area for management by Jobcentre Plus Social Fund Benefit Delivery Centres on 1 April each year. The gross discretionary social fund budget allocated for 2011-12 is £732 million. This is made up of:

New money (net AME)	£178.2m
Forecast loan recovery	£553.8m

This is to be allocated as follows:

Loans	£ 590m
Grants	£141m
Contingency reserve	1m

# Written Answers to Questions

Thursday 31 March 2011

## LEADER OF THE HOUSE

### Independent Commission on Banking

**Mr Umunna:** To ask the Leader of the House if he will take steps to ensure a debate on the interim findings of the Independent Commission on Banking after 11 April 2011. [50132]

**Sir George Young:** I have no plans to provide time for a debate on this subject. As the Chancellor has previously stated, the Government are not going to pre-empt in any way the conclusions that the Independent Commission on Banking may come to in its final report or the Government's response.

## NORTHERN IRELAND

### Public Inquiries

**Mr Dodds:** To ask the Secretary of State for Northern Ireland what the cost to his Department was of public inquiries in each of the last 10 years. [49901]

**Mr Paterson:** The four Northern Ireland public inquiries established by the previous Government have cost a total of £301.1 million over the last 10 years.

The Bloody Sunday Inquiry closed in June 2010 and cost a total of £191.5 million. The Billy Wright Inquiry closed in September 2010 and cost £30.5 million. The Robert Hamill Inquiry closed in February 2011 and cost £33.0 million. The Rosemary Nelson Inquiry has cost £46.1 million to date. Detailed costs relating to the Bloody Sunday and Billy Wright Inquiries, broken down by year, are available on the Northern Ireland Office website:

[www.nio.gov.uk](http://www.nio.gov.uk)

### Victims Support

**Mr Dodds:** To ask the Secretary of State for Northern Ireland how many meetings he has had with victims' representatives since his appointment. [49899]

**Mr Paterson:** I have had 23 formal meetings with a range of victims' groups and other victims' representatives from across the community in Northern Ireland, as well as groups representing victims in Great Britain since my appointment.

The Minister of State has also had a similar number of such meetings since his appointment.

## JUSTICE

### Bribery Act 2010

**Catherine McKinnell:** To ask the Secretary of State for Justice pursuant to the answer to the hon. Member for Orpington of 15 February 2011, *Official Report*, columns 750-1W, on what date he expects (a) guidance on the implementation of the Bribery Act 2010 to be published and (b) the Bribery Act 2010 to be implemented. [49701]

**Mr Djanogly:** I refer the hon. Member to the Lord Chancellor and Secretary of State for Justice's written ministerial statement of 30 March 2011, *Official Report*, column 21WS.

### Courts: Closures

**Mr Llwyd:** To ask the Secretary of State for Justice (1) what steps he is taking to ensure that the work of the family courts is not affected by the closure of family court venues; [50251]

(2) whether family court proceedings will be kept separate from proceedings on criminal cases following the completion of planned court closures in Wales and England; [50252]

**Mr Djanogly:** HMCS will carefully manage the transfer of workload and administration of cases using the detailed implementation plans that are being developed for each court that is closing.

Over recent years HMCS has been pursuing a Unified Family Court policy which has taken the majority of Family Proceedings Court hearings out of magistrates courts buildings and into the county courts. The court estate already contains a number of co-located courts that include both magistrates and county courts and Crown and county courts and to a smaller extent all three. There will be some additional co-location of criminal and family jurisdictions in magistrates and county courts as a result of court closures. However, there are operational advantages to co-location and so long as suitable arrangements are made, such as segregated facilities or separate days for family and criminal matters, HMCS will seek to increase the flexibility of court buildings and provide multi-jurisdictional services.

### Domestic Violence

**Mrs Moon:** To ask the Secretary of State for Justice (1) what recent assessment he has made of the outcomes of the Integrated Domestic Abuse Programme; and if he will make a statement; [49743]

(2) what recent estimate he has made of the cost to the public purse of the Integrated Domestic Abuse Programme; and if he will make a statement. [49755]

**Mr Blunt:** Positive shifts in attitudes and beliefs are made by participants over the course of the Integrated Domestic Abuse Programme, and research is planned to look at the impact of perpetrator programmes on reoffending rates.

The funding for the supervision of offenders and the delivery of programmes in the community is part of the general grant given to probation trusts. The costs will

vary and depend on a number of factors including the risk presented by the individual, the level of supervision required, and the arrangements for delivery in the particular area. It is not possible to accurately disaggregate the cost of this work. However, work is in hand to ensure that all offender services delivered in the community are properly specified and costed so that commissioners can ensure resources are targeted effectively to protect the public and reduce reoffending.

**Mrs Moon:** To ask the Secretary of State for Justice what recent assessment has been made of the effectiveness of restorative justice in cases of domestic violence; and if he will make a statement. [49746]

**Mr Blunt:** The use of restorative justice conferencing for domestic abuse cases is contentious as it has implications for the safety of victims. Current guidelines do not encourage this approach in domestic violence cases, with victim-offender mediation pointing to the risks for victims.

An alternative approach is the Integrated Domestic Abuse Programme (IDAP), a programme for convicted offenders aimed at tackling physical and psychological domestic abuse, and linked behaviour issues such as control and misuse of power. It also provides support for victims and their families and, where appropriate, the victim may play a role in demonstrating the impact and consequences of the abuse as part of an offender's rehabilitation.

More generally, the Ministry of Justice assessment of general restorative justice evidence suggests that restorative justice can, in appropriate cases, have a positive impact on the offender's likelihood of re-offending in the future as well as providing more positive outcomes for victims. As set out in the recent MoJ Green Paper on "Breaking the Cycle", we are committed to increasing the range and availability of restorative justice approaches and to give victims a greater chance of seeking reparation for the crimes committed against them. We are looking at how we can make restorative justice a fundamental part of the sentencing process.

#### Prison Service: Pay

**Philip Davies:** To ask the Secretary of State for Justice pursuant to the answer of 16 February 2011, *Official Report*, column 796W, on the Prison Service: ICT, whether the Director of Corporate Affairs of HM Prison Service received a bonus in respect of performance in 1999-2000 (a) in that year and (b) subsequently. [49802]

**Mr Blunt:** Records from the Home Office Pay Service (HOPS) date back to July 2001 and there is no indication of a bonus payment in respect of performance made to the Director of Corporate Affairs since July 2001.

#### Prisons: Private Sector

**Tom Brake:** To ask the Secretary of State for Justice pursuant to the answer of 3 March 2011, *Official Report*, column 577W, on prisoners, how many projects in prisons run by the private sector remunerate prisoners for work they do; and how many prisoners are participating in each such project. [49768]

**Mr Blunt:** Prisoner remuneration for work is devolved to governors, and in the private estate, to directors of prisons. Central records of local pay scales and, for the private sector, the amount of prisoners involved in specific initiatives are not kept and could be gained only at disproportionate cost.

### FOREIGN AND COMMONWEALTH OFFICE

#### Afghanistan: Females

**Jo Swinson:** To ask the Secretary of State for Foreign and Commonwealth Affairs if he will provide support to the work of (a) Malalai Joya and (b) other Afghan human rights activists in publicising the situation of women in Afghanistan; and if he will make a statement. [50068]

**Alistair Burt:** We continue to work closely with a wide range of Afghan women's rights advocates to improve the status of women in Afghanistan through funding and capacity building support. Malalai Joya visited the UK in October 2008 to discuss human rights with UK Government officials.

#### British Nationals Abroad: Homicide

**Jackie Doyle-Price:** To ask the Secretary of State for Foreign and Commonwealth Affairs if he will establish in his Department a specialist team to support those bereaved by homicides of UK nationals overseas. [45234]

**Mr Jeremy Browne:** The Foreign and Commonwealth Office has no plans to establish a specialist team to support those bereaved by homicides of UK nationals overseas and intends to continue to provide support through its existing country casework teams. Country casework teams work closely with other organisations such as the Victim Support National Homicide Service, and I have met non-governmental organisations such as Support After Murder and Manslaughter Abroad and Missing Abroad to ensure that our support meets the needs of bereaved families.

#### Departmental Public Bodies

**Tessa Jowell:** To ask the Secretary of State for Foreign and Commonwealth Affairs (1) what estimate his Department has made of the level of savings which will accrue from the abolition of the Government Hospitality Advisory Committee on the Purchase of Wine; [48666]

(2) what estimate his Department has made of the level of savings which will accrue from the abolition of the Diplomatic Service Appeals Board; [48667]

(3) what estimate his Department has made of the level of savings which will accrue from the abolition of the Caribbean Board; [48668]

(4) what estimate his Department has made of the level of savings which will accrue from the change in function of the UK-India Round Table; [48770]

(5) what estimate his Department has made of the level of savings which will accrue from the change in function of the Foreign Compensation Commission. [48771]

**Mr Lidington:** On 16 March 2011, *Official Report*, column 9-10WS, the Minister for the Cabinet Office issued a written ministerial statement updating Parliament on progress on public bodies reform. That statement also announced that departments estimate cumulative administrative savings of at least £2.6 billion will flow from public bodies over the spending review period. I estimate net overall administrative savings from the change in function of the UK-India Round Table over the spending review period of £80,000.

The Foreign Compensation Commission has not changed its function. While it is anticipated that the reform process will generate efficiencies or cost savings, at the current time no estimate of the potential level of either has been made.

The Government Hospitality Advisory Committee on the Purchase of Wines is no longer a non-departmental public body and its members did not receive any salary for their role.

The Diplomatic Service Appeals Board has been formally wound up and only incurred costs when it heard a case. Each case costs approximately £6,000 and we estimate on average we had one case per year.

The abolished Caribbean Board did not incur any costs over the past two years. There was no budget planned for it, and therefore its abolition did not generate any savings.

#### League of Arab States

**Mr Douglas Alexander:** To ask the Secretary of State for Foreign and Commonwealth Affairs on what occasions (a) Ministers and (b) officials in his Department have been in contact with (i) Arab League officials and (ii) the Secretary-General of the League of Arab States since the beginning of 2011. [47766]

**Mr Hague:** Both officials and Ministers are in regular contact with the Arab League. The Under-Secretary of State for Foreign and Commonwealth Affairs (Alistair Burt) spoke to Amr Moussa on 22 March 2011. My right hon. Friend the Prime Minister spoke to him on 21 March 2011 and I spoke to him most recently on 16, 19 and 26 March 2011.

#### Mumbai: Terrorism

**Kevin Brennan:** To ask the Secretary of State for Foreign and Commonwealth Affairs what steps his Department has taken to provide compensation to British nationals involved in the Mumbai terrorist attacks in 2008. [43824]

**Mr Bellingham:** Lead responsibility for ensuring provision of support services and compensation to victims of violent crime rests with the Ministry of Justice.

Previous proposals for compensating victims of terrorism overseas are being considered alongside a review of the Criminal Injuries Compensation Scheme and wider victims' services by the Ministry of Justice.

#### Somalia: Piracy

**Mr Spellar:** To ask the Secretary of State for Foreign and Commonwealth Affairs whether he has assessed the merits of seeking international agreement to declare the sea off the coast of Somalia a conflict zone. [49477]

**Mr Bellingham:** Somali pirates are engaged in the criminal act of piracy as defined by the United Nations Convention on the Law of the Sea. The UK does not regard the operation of pirates off the coast of Somalia as meeting the criteria for an armed conflict. Naval forces in the region are conducting law enforcement operations to take robust action against pirates, including detention and prosecution of pirates and the seizure and disposal of piratical equipment in accordance with the requirements of international law, including customary international law of the sea and the UN Convention on the Law of the Sea.

The area remains high risk to merchant shipping and the Government work closely with international partners and the international shipping industry to ensure this is as widely understood as possible and necessary precautions are taken. On 16 December 2010, the Lloyd's Joint War Committee added the Indian Ocean/Arabian Sea/Gulf of Aden/Gulf of Oman/Southern Red Sea to the Hull War, Strikes, Terrorism and Related Perils Listed Areas. This increases the insurance requirement for all merchant shipping transiting this area. Industry agreed Best Management Practice has also defined the region as a high risk area, recommending strongly the implementation of increased protection measures for all ships transiting it. In February 2011, the Foreign and Commonwealth Office changed its travel advice to advise against all but essential travel in the area by yacht and leisure craft.

**Mr Spellar:** To ask the Secretary of State for Foreign and Commonwealth Affairs for what reason he announced that additional funding would be provided to tackle piracy by issuing a press release rather than in a written ministerial statement or in a written answer to a parliamentary question. [49506]

**Mr Bellingham [holding answer 28 March 2011]:** The Secretary of State for Foreign and Commonwealth Affairs, my right hon. Friend the Member for Richmond (Yorks) (Mr Hague), referred at "The Times Summit" on Africa on 22 March to the Government's provision of £6 million of support during this year for continued building-up of the counter-piracy capacity of regional countries in the Indian Ocean area. This implements the Government's existing counter-piracy assistance policy as outlined in my reply to my hon. Friend the Member for Morecambe and Lunesdale (David Morris) on 5 July 2010, *Official Report*, column 31W. The cumulative total of £6 million represents a total of 12 separate piracy-related projects taken forward recently in Kenya, the Seychelles and in Somalia itself, including support for courts, prisons, police and coastguard. One project related to the gift of an advanced surveillance camera to the Seychelles coastguard, which was handed over on 24 March and enables more effective surveillance of pirate activity and now provides evidence-standard photography for use in prosecutions. Collectively this represents an important reaffirmation of the UK's commitment to provide comprehensive political, military and capacity building support to our partners in the region in their fight against piracy. I will write to the right hon. Member with more details of these projects, and will place a copy in the Library of the House, along with a copy of the Secretary of State's speech on Africa.

### Yemen: Politics and Government

**Mr Douglas Alexander:** To ask the Secretary of State for Foreign and Commonwealth Affairs what recent assessment he has made of the situation in Yemen; and if he will make a statement. [47560]

**Mr Hague:** The situation in Yemen is fragile and serious. Over 50 protestors were killed and hundreds wounded in Sana'a on 18 March. In a statement on the same day I expressed my utter condemnation of violence and called for those responsible immediately to cease this brutal reaction to protests and to be held accountable for their actions. Such violence undermines the opportunities for dialogue between all parties in Yemen. The subsequent declaration of a state of emergency does not absolve the Government of Yemen.

In response to the increase in violence, a number of senior Yemeni ministers, ambassadors and military figures have resigned, expressed their support for the protestors and called for an early and peaceful transition of power.

The Government of Yemen must take urgent action to build trust with the opposition and with the protestors. Without this trust, no agreement can be reached. It is vital that President Saleh and the opposition agree on a politically inclusive and democratic process and an orderly transition to find a lasting settlement.

Our travel advice currently advises against all travel to Yemen and recommends that all British nationals in Yemen leave now by commercial means.

## DEFENCE

### Afghanistan: Peacekeeping Operations

**Angus Robertson:** To ask the Secretary of State for Defence how many RAF aircraft movements there were between Camp Bastion and Kandahar Airbase for each type of aircraft in each of the last 12 months; what cargo was shipped in each such case; and what the cost to the public purse was of such movements in each such month. [48070]

**Nick Harvey:** Information on numbers of RAF helicopter movements per month and what freight was shipped on each such air movement between Bastion Airfield and Kandahar, is not held.

Information on numbers of RAF fixed wing aircraft movements per month and what freight was shipped on each such air movement between Bastion Airfield and Kandahar Airfield prior to September 2010, is not held.

The numbers of movements of RAF fixed wing aircraft between Bastion Airfield and Kandahar Airfield for each month since September 2010 is as follows:

	<i>Number of RAF fixed wing aircraft movements</i>
September 2010	308
October 2010	277
November 2010	222
December 2010	247
January 2011	242
February 2011	195

The average total monthly marginal cost of these moves was £310,000.

Marginal cost is cost which would not have been incurred had the moves not occurred, the majority of which is the cost of fuel.

Information on what freight was shipped on each such RAF fixed wing air movement between Bastion Airfield and Kandahar Airfield from September 2010, is not held centrally and could be provided only at disproportionate cost.

**Mrs Moon:** To ask the Secretary of State for Defence whether any helicopters and their crews deployed in Afghanistan will be redeployed as part of Operation Odyssey Dawn; and if he will make a statement. [49737]

**Nick Harvey:** There are currently no plans to redeploy UK helicopters or their crews from Afghanistan to support operations in Libya.

### Armed Forces: Housing

**Bob Russell:** To ask the Secretary of State for Defence if he will take steps to ensure that the level of the food and incidentals allowance to which military personnel who are required to live in private rented accommodation because of lack of accommodation within military bases are entitled to is maintained. [49628]

**Mr Robathan [holding answer 28 March 2011]:** The food and incidentals allowance (FIA) is being continued but will be reduced from £12.41 to £8.50 per day from 1 May 2011. This is largely as a result of basing the estimated cost of the 'food basket', which is used to fix the value of FIA, more closely on prices experienced across the UK.

### Departmental Theft

**Luciana Berger:** To ask the Secretary of State for Defence pursuant to the answer of 24 March 2011, *Official Report*, column 1227W, on departmental theft, whether he has taken steps to ensure that equipment with a military use stolen from his Department does not fall into enemy hands. [50154]

**Mr Robathan:** All allegations of theft of military equipment are carefully examined and where appropriate the necessary resources, including the Ministry of Defence police, are allocated to investigate the loss, and wherever possible recover the equipment.

The Ministry of Defence has recently set up a Defence Crime Board to provide strategic direction and initiatives aimed at combating the harm done to Defence by crime.

**Luciana Berger:** To ask the Secretary of State for Defence pursuant to the answer of 24 March 2011, *Official Report*, column 1227W, on departmental theft, from which of his Department's sites items of a monetary value of £100 or more have been taken without authorisation since his appointment. [50155]

**Mr Robathan:** Information regarding the locations of alleged thefts of departmental property recorded on the Ministry of Defence Police crime database, over the value of £100 within the UK, will be placed in the Library of the House.

**Luciana Berger:** To ask the Secretary of State for Defence pursuant to the answer of 24 March 2011, *Official Report*, column 1227W, on departmental theft, from which site or sites the money intended as compensation was taken; what sums were to be disbursed from this money; and who the intended recipients of such compensation were. [50156]

**Mr Robathan:** Three Ministry of Defence (MOD) cheques for compensation related matters were dispatched to a non-MOD site in London. The cheques were for £60,000, £16,500 and £8,000. I am not able to identify the location of the offence, nor the degree of losses, as the investigation is ongoing. Nor am I able to identify the intended recipients for privacy and Data Protection reasons. However, I can confirm that neither the intended recipients nor the MOD have suffered a financial loss as a consequence.

#### HMS Ark Royal

**Mr Jim Murphy:** To ask the Secretary of State for Defence how much his Department expects to save through the decommissioning of HMS Ark Royal in each financial year until 2020. [49912]

**Peter Luff:** Savings from the withdrawal from service of HMS Ark Royal are estimated at £10 million in financial year 2011-12, £25 million in 2012-13, £35 million in 2013-14, £35 million in 2014-15 and broadly £30 million each year thereafter.

#### HMS Illustrious

**Mr Jim Murphy:** To ask the Secretary of State for Defence (1) when HMS Illustrious is due to return to service; [49910]

(2) on what date HMS Illustrious was taken out of service. [49911]

**Peter Luff:** HMS Illustrious left operational service in January 2010, and entered her docking period in Rosyth in March 2010. She is scheduled to return to operational service in spring 2012, to assume her landing platform helicopter role.

#### Navy

**Mr Offord:** To ask the Secretary of State for Defence what plans he has for future deployment of the Royal Navy in (a) collaborative operations and (b) core responsibilities. [49104]

**Nick Harvey:** It is not our policy to provide details of future deployments as to do so would, or would be likely to, prejudice the capability, effectiveness or security of the armed forces.

#### Operation Ellamy

**Mr Jim Murphy:** To ask the Secretary of State for Defence how many service personnel have participated in Operation Ellamy to date. [49920]

**Nick Harvey** [*holding answer 30 March 2011*]: As at 29 March 2011, the number of service personnel participating in Operation Ellamy overseas was 1,400, rounded to the nearest 100.

The precise number of personnel participating in Operation Ellamy will fluctuate on a daily basis for a variety of reasons, including the roulement of forces, visits and a range of other factors. We do not, therefore, publish specific figures for personnel deployed in support of operations.

**Mr Jim Murphy:** To ask the Secretary of State for Defence what equipment and capabilities from (a) the Royal Navy, (b) the Royal Air Force and (c) the Army have been deployed in Operation Ellamy. [49922]

**Nick Harvey** [*holding answer 30 March 2011*]: The Royal Navy has deployed Type 22 and Type 23 Frigates (HMS Cumberland and HMS Westminster respectively), with a Royal Marine Fleet Standby Rifle Troop onboard. A Trafalgar Class submarine has also been deployed.

The Royal Air Force has deployed a Nimrod R1, Sentinel reconnaissance aircraft and the E3D Sentry Airborne Warning and Control System aircraft: Tornado GR4 ground attack aircraft have been deployed to support strike operations in support of the UN Security Council Resolution (1973) No Fly Zone. Typhoon aircraft have also been deployed to enforce the No Fly Zone. VC10, Tristar, C130, C17, HS125 and HS146 aircraft have been deployed for logistic support including air-to-air refuelling.

The Army has deployed forward elements of 30 Signal Regiment and Lead Air Support Squadron to Italy for communications and engineering support respectively.

#### Piracy

**Mr Spellar:** To ask the Secretary of State for Defence what discussions his Department has had with (a) the International Maritime Organisation, (b) Shrivenham Defence College, (c) the International Institute for Strategic Studies, (d) Newport News and (e) other external bodies on naval doctrine concerning the threat of piracy. [49461]

**Nick Harvey:** The Development, Concepts and Doctrine Centre, located with the Defence Academy at Shrivenham, is integral to the Ministry of Defence and its work informs development of naval doctrine. The Department also has good links with the International Maritime Organisation, the International Institute for Strategic Studies, the US Maritime Warfare Development Organisations and other international bodies, including NATO and the EU, and conducts routine liaison including on the issue of counter piracy.

#### Somalia: Piracy

**Mr Spellar:** To ask the Secretary of State for Defence if he will assess the relevance of the UK maritime doctrine to the situation of piracy off the coast of Somalia and in the western Indian Ocean. [49476]

**Nick Harvey:** UK maritime doctrine is at the forefront of both the UK and NATO effort to counter piracy off the coast of Somalia and in the Indian Ocean and is reflected in NATO established doctrine contained in EXTAC 789, which is kept under regular review. Recognised as a lead NATO nation in this area, the UK recently took over ownership of this NATO publication which is widely employed by the Royal Navy alongside UK standard operating procedures for boarding operations.

EXTAC 789 is amended on a regular cycle and discussed annually at the NATO maritime operations working group.

## CULTURE, MEDIA AND SPORT

### Creative Industry Council

**Mr Ivan Lewis:** To ask the Secretary of State for Culture, Olympics, Media and Sport who the (a) members and (b) Chair will be of the Creative Industry Council announced in the 2011 Budget; and what its remit will be. [49883]

**Mr Jeremy Hunt** [holding answer 29 March 2011]: I anticipate that the members of the Council will contain a representation of the key sub sectors and trade associations from across the creative industries. Currently the Council is co-chaired by myself and the Secretary of State for Business, Innovation and Skills.

**Mr Ivan Lewis:** To ask the Secretary of State for Culture, Olympics, Media and Sport whether the Creative Industry Council announced in the 2011 Budget will be led by industry or by Government. [49884]

**Mr Jeremy Hunt** [holding answer 29 March 2011]: The purpose of the council is to provide a forum which can act as a voice for industry both within Government and outside, including in the financial sector. To that end the agenda needs to be led by industry as they are best placed to identify the most pressing problems facing the sector.

### Departmental Domestic Visits

**Mr Ivan Lewis:** To ask the Secretary of State for Culture, Olympics, Media and Sport how many (a) arts and cultural performances and (b) competitive sports events he has attended in an official capacity since his appointment. [48796]

**Mr Jeremy Hunt** [holding answer 24 March 2011]: Since my appointment I have attended 11 arts and cultural performances and eight competitive sports events in an official capacity.

### Museums: Finance

**Mr Ivan Lewis:** To ask the Secretary of State for Culture, Olympics, Media and Sport if he will put in place mechanisms to monitor the effect on admission charges to local and regional museums of changes in funding to (a) local authorities, (b) regional development agencies and (c) higher education institutions; and if he will publish the outcomes of such monitoring. [49948]

**Mr Jeremy Hunt** [holding answer 30 March 2011]: The Museums, Libraries and Archives Council (MLA)

monitor the overall effects of changes in local government funding to local and regional museums, particularly the effects of local government funding changes on the museums funded through the MLA's Renaissance in the Regions programme. There are no plans to publish data on the specific impact of changes in funding from local authorities, regional development agencies and higher education institutions on the price of admission to local and regional museums.

## Third Sector

**Chris Ruane:** To ask the Secretary of State for Culture, Olympics, Media and Sport whether (a) he and (b) Ministers in his Department are participating in volunteering activities as part of his Department's involvement in the Big Society initiative. [42656]

**Mr Jeremy Hunt:** I and my Department's Ministers are actively involved with numerous charities on a private basis as detailed in the list of Ministers' interests, recently published by the Cabinet Office, as well as our involvement in local voluntary activities in our constituencies.

## Youth Sport Trust Young Ambassadors

**Ian Austin:** To ask the Secretary of State for Culture, Olympics, Media and Sport whether Ministers in his Department plan to meet Youth Sport Trust Young Ambassadors when they deliver their petition against changes in his Department's expenditure. [27412]

**Tim Loughton:** I have been asked to reply.

I was very pleased to have been able to meet the Young Ambassadors when they delivered their petition about funding for school sport. In addition, I had a further, very productive, meeting with the Young Ambassadors steering group at the House of Commons on 21 February 2011.

## WORK AND PENSIONS

### Children: Poverty

**Chris Ruane:** To ask the Secretary of State for Work and Pensions how many children in each ethnic group were living in poverty in each of the last 10 years. [48478]

**Maria Miller:** Estimates of the number and proportion of children living in poverty are published in the Households Below Average Income (HBAI) series. HBAI uses household income adjusted (or 'equivalised') for household size and composition, to provide a proxy for standard of living. The latest available data cover 2008-09.

Due to small sample sizes involved, estimates by ethnic group are based on a three year average.

Percentage of children living in relative poverty before housing costs (BHC) by ethnic group of head of household

Period	Percentage of children				
	White	Black and Black British	Indian	Pakistanil Bangladeshi	All other categories
1997-98 to 1999-2000	24	39	36	68	37
1998-99 to 2000-01	23	37	34	68	33
1999-2000 to 2001-02	22	34	33	66	31
2000-01 to 2002-03	21	33	25	65	31
2001-02 to 2003-04	20	34	28	64	31
2002-03 to 2004-05	20	33	28	60	32
2003-04 to 2005-06	19	33	30	56	32
2004-05 to 2006-07	20	31	27	55	31
2005-06 to 2007-08	20	30	28	58	30
2006-07 to 2008-09	20	34	27	58	30

**Notes:**

1. These statistics are based on Households Below Average Income (HBAI) data sourced from the Family Resources Survey (FRS). These use disposable household income, adjusted using modified OECD equivalisation factors for household size and composition, as an income measure as a proxy for standard of living.
2. All estimates are based on survey data and are therefore subject to uncertainty. Small differences should be treated with caution as these will be affected by sampling error and variability in non-response.
3. The reference period for Households Below Average Income figures are single financial years. Due to small sample sizes involved, estimate by ethnic group are based on three year averages.
4. From 2001-02 it is possible to split the ethnic groups further. It is not possible to separate out definitional and real effects.
5. The 'all other categories' group includes mixed, Chinese and other.
6. Data up to 2001-02 correspond to Great Britain, while data from 2002-03 correspond to the United Kingdom.
7. These statistics are based on incomes before housing costs.
8. Relative poverty is defined as: children living in households with less than 60% of contemporary median household income.
9. These statistics are publicly available in the Households Below Average Income report on the DWP website:  
[http://research.dwp.gov.uk/asd/hbai/hbai\\_2009/index.php?page=contents](http://research.dwp.gov.uk/asd/hbai/hbai_2009/index.php?page=contents)  
Table 4.5, page 74 for latest three-year average.

**Source:**

Households Below Average Income, DWP

**Departmental Public Consultation**

**Alok Sharma:** To ask the Secretary of State for Work and Pensions how many public consultations his Department and its predecessors have conducted in each of the last 10 years; for how long each consultation was open; how many responses were received to each consultation; and what the cost to the public purse of conducting each consultation was. [46590]

**Chris Grayling:** The information is not held centrally in the Department, and could be provided only partially, and at disproportionate cost.

This Department publishes consultation information on its website which can be accessed at:

<http://www.dwp.gov.uk/consultations/>

This website contains information about consultations undertaken, and any published responses, from 2009 to date. This will show each consultation and how long it was open for. Consultation responses, where published, will show the number of responses received in that consultation. We do not quantify costs of consultations, primarily because the main cost in most cases is that of the staff time involved.

Earlier consultations are archived at:

<http://www.dwp.gov.uk/publications/publications-archive/consultations-papers/>

It is possible to request published consultations and responses on an individual basis.

**Disability Living Allowance**

**Margaret Curran:** To ask the Secretary of State for Work and Pensions how many people with each disability are in receipt of an indefinite award of disability living allowance. [39400]

**Maria Miller:** The information requested is contained in the following table:

Number of indefinite awards of disability living allowance in payment by main disabling condition—May 2010

Condition	All awards	Indefinite awards
All	3,157,300	2,239,500
Arthritis	585,400	509,500
Muscle/Joint/Bone Disease	215,700	169,200
Blindness/Visual Disease	69,900	61,800
Stroke Related	111,300	95,300
Learning Difficulty	360,300	210,900
Mental Health Causes	514,900	277,500
Epilepsy	73,100	42,300
Deafness	41,500	27,700
Malignant Disease	82,300	37,700
Chest Disease	93,800	84,500
Back Ailments	247,300	196,300
Heart Disease	140,100	124,900
Parkinson's Disease	18,700	18,300
Diabetes Mellitus	60,200	33,800
Renal Disorders	15,500	8,300
AIDS	8,600	7,300
Skin Disease	16,400	5,400
Frailty	2,900	2,800
Multiple Sclerosis	68,800	64,800

*Number of indefinite awards of disability living allowance in payment by main disabling condition—May 2010*

<i>Condition</i>	<i>All awards</i>	<i>Indefinite awards</i>
Other	430,600	261,100

*Notes:*

1. Caseload figures are rounded to the nearest 100.
2. Totals show the number of people in receipt of an allowance, and exclude people with entitlement where the payment has been suspended, for example if they are in hospital.
3. Where more than one disability is present only the main disabling condition is recorded.
4. A diagnosed medical condition does not mean that someone is automatically entitled to DLA. Entitlement is dependent on an assessment of how much help someone needs with personal care and/or mobility because of their disability. These statistics are only collected for administrative purposes.
5. The preferred statistics on benefits are now derived from 100% data sources. However, the 5% sample data still provide some detail not yet available from the 100% data sources, in particular, more complete information on the disabling condition of DLA claimants. DWP recommends that, where the detail is only available on the 5% sample data, or disabling condition (DLA) is required, the proportions derived should be scaled up to the overall 100% total for the benefit.

*Source:*

Department for Work and Pensions, Information Directorate. DLA figures are from 5% sample data.

**Mr Bain:** To ask the Secretary of State for Work and Pensions pursuant to the answer of 18 March 2011, *Official Report*, column 739W, on disability living allowance, what discussions he has had with (a) the Secretary of State for Education and (b) the devolved Administrations on (i) the introduction of a single assessment process for a child's social care, health and special educational needs and (ii) the use of such a process for personal independence payments. [49162]

**Maria Miller:** I have had discussions with the Minister of State for Children and Families about the best approach to exploring a single assessment process and education, health and social care plan and I have also agreed to explore whether the single assessment process might also be used to support claims for disability living allowance and personal independence payment.

I have written to the Deputy Minister for Social Services in the Welsh Assembly Government and the Cabinet Secretary for Health and Wellbeing in the Scottish Government about disability living allowance reform. In addition, officials at the Department for Work and Pensions are in regular contact with their counterparts in the territorial offices as work on reform of disability living allowance and its replacement with personal independence payment progresses. Officials from the territorial offices are members of the Cross Whitehall Working Group on reform of disability living allowance and have been sent updates.

**Tom Blenkinsop:** To ask the Secretary of State for Work and Pensions what estimate he has made of the number of people in (a) the UK, (b) England, (c) the North East and (d) Middlesbrough South and East Cleveland constituency who will have their disability living allowance (i) reduced and (ii) removed as a result of his Department's planned welfare reforms. [49306]

**Maria Miller:** Support in personal independence payment will be focussed on those who face the biggest barriers to independent living. The assessment is being developed and at this stage, therefore, an assessment is not available

of the impact changes could have on existing disability living allowance, or future recipients. We are working with disabled people and organisations that represent them on the detailed design and delivery of personal independence payment and the outcomes from this work will be reflected in updates to the impact assessment for this change. We have already announced that personal independence payment will be a non taxable, non means-tested benefit payable to people in and out of work.

**Mr Jim Cunningham:** To ask the Secretary of State for Work and Pensions if he will assess the effects on the ability of care home residents to participate in community activities of removing the mobility component of disability living allowance; and if he will make a statement. [49891]

**Maria Miller:** The Government have listened to charities and other stakeholders and will not remove the mobility component of the disability living allowance for people funded by the state in residential care in October 2012.

The needs of care home residents will be considered at the same time as other current and future recipients of DLA as part of the wider reform of DLA. The Government remain fully committed to supporting disabled people.

### Disability: Motor Vehicles

**Tom Greatrex:** To ask the Secretary of State for Work and Pensions (1) what assessment he has made of the eligibility criteria for road tax exemptions for vehicles adapted for use by disabled people; [49487]

(2) if he will review legislation on the exemption from road tax of adapted vehicles for disabled people over the age of 65 years who are ineligible for disability living allowance. [49525]

**Justine Greening:** I have been asked to reply.

Vehicle excise duty exemptions are available to mobility scooters, recipients of the disability living allowance higher rate mobility supplement and organisations devoted to the care of disabled people. The eligibility criteria for exemption are consistent with the welfare policies inherited from the previous Government.

A consultation on disability living allowance reform closed on 18 February 2011 and the Government will publish a response shortly. Vehicle excise duty and associated exemptions are kept under review.

### Employment Schemes

**Mr Bain:** To ask the Secretary of State for Work and Pensions what assessment he has made of the number of persons in (a) Glasgow, (b) Scotland and (c) Great Britain who will participate in the Work Programme in each of the next four financial years. [47015]

**Chris Grayling:** We have provided volumes for each contract package area but have not included further geographical breakdowns. Therefore we do not have Work Programme volumes for Glasgow.

The following table includes the number of customers expected to join the Work Programme in Scotland and Great Britain.

	Scotland	Great Britain
2011-12	57,000	605,000
2012-13	53,000	565,000
2013-14	47,000	510,000
2014-15	36,000	395,000

*Note:*

Figures for 2011-12 are based on a full year of volumes assuming contracts begin in April 2011; a later contract start date will result in lower volumes.

However, the number of people actually supported by Work Programme providers will be more than the number of customers starting the Work Programme in any one year because customers are supported for two years.

For example, in 2012-13 Work Programme providers are expected to be supporting a total of 1,170,000 customers across Great Britain: 605,000 customers who are expected to join the Work Programme in 2011-12 and are in their second year on the Work Programme, and 565,000 customers who are expected to join the Work Programme in 2012-13 and are in their first year on the Work Programme.

**Chris Ruane:** To ask the Secretary of State for Work and Pensions what proportion of clients on each fit for work pilot scheme has been diagnosed with each type of illness. [48475]

**Chris Grayling:** The information is in the table:

*Main health condition of fit for work service clients by pilot*

<i>Fit for work service pilot</i>	<i>Main health conditions</i>	<i>Main health condition reported by clients</i>		<i>Percentage</i>
		<i>Musculoskeletal disorders</i>	<i>Other conditions</i>	
Birmingham, Coventry, Sandwell and Solihull	32	19		48
Dundee	13	84		2
Eastern and Coastal Kent	43	35		22
Greater Manchester	53	4		43
Kensington and Chelsea	49	45		6
Leicestershire	60	26		14
North Staffordshire	59	25		16
Nottinghamshire	69	10		21
Rhyl	49	40		10
Scotland-wide	17	72		10
Wakefield District	53	16		31
All pilots	39	37		24

*Notes:*

1. Figures have been rounded to the nearest whole figure and may not sum due to rounding.

2. Figures cover the period April 2010 to February 2011.

3. 'Other conditions' include cardiovascular conditions, respiratory diseases, injuries, neurological conditions, obesity and conditions not recorded.

*Source:*

Management Information on Fit for Work Services.

### **Employment Schemes: Cancer**

**Mr Laurence Robertson:** To ask the Secretary of State for Work and Pensions what provision he plans to put in place for people recovering from cancer who remain unable to return to work for longer than a year from the start of their treatment under his proposals for welfare reform; and if he will make a statement. [49145]

**Maria Miller:** As part of the Welfare Reform Bill we intend to introduce a one-year time limit to contributory employment support allowance (ESA) for those in the Work Related Activity Group.

People in the Support Group will not have their benefit time limited because they have the most severe health conditions or disabilities and are the least likely to move into work.

People receiving income-related ESA will not have their benefit time limited.

In the case of those with cancer who are unable to work and have been placed in the Support Group, they will continue to receive targeted and unconditional support through employment and support allowance,

and will not be affected by our proposals to introduce a time limit. After one year, those in the Work Related Activity Group will still be able to apply for income-related ESA, which will act as a safety net for those without the means to support themselves.

Employment and support allowance customers, including those on contributory ESA, will have access to our full range of employment support including the Work Programme. Those whose benefit has come to an end can remain on the programme if they wish, which will ensure that they continue to receive all the support they need to help them return to, and remain in, work.

### **Incapacity Benefit and Employment and Support Allowance**

**Mr Laws:** To ask the Secretary of State for Work and Pensions how many people claimed (a) incapacity benefit and (b) employment and support allowance in each (i) month, (ii) quarter and (iii) year since January 2000; and if he will make a statement. [49611]

**Maria Miller:** The information requested is given in the following table.

*Incapacity benefit/severe disablement allowance (IB/SDA) and employment and support allowance (ESA) caseloads, February 2000 to August 2010*

	IB/SDA	ESA
February 2000	2,724,030	n/a
May 2000	2,728,090	n/a
August 2000	2,756,510	n/a
November 2000	2,764,140	n/a
February 2001	2,792,030	n/a
May 2001	2,795,340	n/a
August 2001	2,805,450	n/a
November 2001	2,787,710	n/a
February 2002	2,787,220	n/a
May 2002	2,807,620	n/a
August 2002	2,811,430	n/a
November 2002	2,818,480	n/a
February 2003	2,818,570	n/a
May 2003	2,815,660	n/a
August 2003	2,819,050	n/a
November 2003	2,822,270	n/a
February 2004	2,819,160	n/a
May 2004	2,814,710	n/a
August 2004	2,817,010	n/a
November 2004	2,814,410	n/a
February 2005	2,799,870	n/a
May 2005	2,783,720	n/a
August 2005	2,767,740	n/a
November 2005	2,752,900	n/a
February 2006	2,747,490	n/a
May 2006	2,730,000	n/a
August 2006	2,724,980	n/a
November 2006	2,714,950	n/a
February 2007	2,704,100	n/a
May 2007	2,685,320	n/a
August 2007	2,683,160	n/a
November 2007	2,683,750	n/a
February 2008	2,659,650	n/a
May 2008	2,637,560	n/a
August 2008	2,632,000	n/a
November 2008	2,593,010	53,770
February 2009	2,468,620	175,810
May 2009	2,374,210	288,270
August 2009	2,299,580	374,440
November 2009	2,233,880	425,770
February 2010	2,176,530	479,430
May 2010	2,126,690	527,120

*Incapacity benefit/severe disablement allowance (IB/SDA) and employment and support allowance (ESA) caseloads, February 2000 to August 2010*

	IB/SDA	ESA
August 2010	2,082,570	563,980

n/a = Not applicable.

*Notes:*

1. Caseload figures are rounded to the nearest 10.
2. Employment and support allowance replaced incapacity benefit and income support paid on the grounds of incapacity for new claims from 27 October 2008.
3. Data includes people in receipt of benefit and also those who fail the contributions conditions but receive a national insurance credit, i.e. 'credits only cases'.
4. Data for these benefits are only available on a quarterly basis.
5. The data provided is published at: <http://83.244.183.180/100pc/tabtool.html>
6. From 6 April 2001, no new claims to severe disablement allowance were accepted. In addition from 27 October 2008, no new claims to incapacity benefit were accepted.

*Source:*

DWP Information Directorate: Work and Pensions Longitudinal Study

### Low Incomes

**Jon Trickett:** To ask the Secretary of State for Work and Pensions what estimate his Department made of the level of in-work poverty. [47709]

**Chris Grayling:** The Department does not publish projections of the expected levels of in-work poverty.

### Performance Related Pay

**Chris Ruane:** To ask the Secretary of State for Work and Pensions whether his Department has made any assessment of the effects on workplace stress of trends in the use of performance-related pay. [48476]

**Chris Grayling:** HSE has made no assessment of the effects of performance-related pay (PRP) on workplace stress.

### Personal Independence Payment

**Margaret Curran:** To ask the Secretary of State for Work and Pensions whether recipients under the age of 65 in receipt of the proposed personal independent payment will be eligible to receive the benefit after they reach pension age. [49470]

**Maria Miller:** Individuals will be able to make a new claim for personal independence payment up to the age of 65 (or state pension age, if that is higher). We recognise that individuals who develop additional needs earlier in their lives have had less opportunity to earn and save for later life. As a result, we intend in regulations to allow individuals already in receipt of personal independence payment when they reach state pension age to continue to receive the benefit, subject to the entitlement conditions continuing to be satisfied.

### Personal Independence Payment: Autism

**Dr Huppert:** To ask the Secretary of State for Work and Pensions whether a face-to-face assessment for the personal independence payment will be necessary for all people with autism, including those with significant paper evidence such as a comprehensive diagnostic report. [49929]

**Maria Miller:** The Government propose to replace disability living allowance with personal independence payment in 2013-14. We are considering the most appropriate delivery model for the personal independence payment assessment and no decisions have yet been taken. We believe that advice from an approved independent professional will be an important part of ensuring that assessments are objective and consistent. In most cases, we expect this to involve a face-to-face consultation to enable an in-depth look at an individual's circumstances.

We know it is essential that the assessment accurately captures the needs of disabled people with autistic spectrum disorders and this is something that the assessment development group that we have established is considering. For example, they believe that the new assessment should explicitly take account of the impact of a health condition or impairment, including autistic spectrum disorders, on an individual's ability to communicate. This would set it apart from the current DLA assessment. We also recognise the importance of ensuring that the assessment process is appropriate to individual's circumstances, including individuals with autistic spectrum disorders. Both I and departmental officials have met with the National Autistic Society to discuss our reform proposals and to seek their views on how the new benefit can best support those with autism. We will continue to work with disabled people and their organisations as the detail of the assessment criteria and its operation is developed and tested.

#### Personal Independence Payments

**Mrs Moon:** To ask the Secretary of State for Work and Pensions whether he has had discussions with organisations representing people with (a) autistic spectrum disorders, (b) Tourette's syndrome and (c) depression on the system of face-to-face assessments proposed for the personal independence payments scheme. [49172]

**Maria Miller:** We are considering the delivery model for the personal independence payment assessment and decisions have not yet been taken on the detail of its operation. We believe that advice from a suitably trained and approved individual, for example a health care professional, will be an important part of ensuring that the assessment is more objective and consistent. In most cases, we expect this to involve a face-to-face consultation to enable an in-depth look at an individual's circumstances.

Both I and departmental officials have met with many organisations representing disabled people including the National Autistic Society and Mind to discuss our reform proposals and to seek their views on how the new benefit can best support those with these conditions. We have not met with any groups representing Tourette's syndrome although we would be more than happy to do so to discuss the concerns they have.

We agree with many of the points raised in the National Autistic Society's recent report on DLA reform, "Who benefits?", and we are looking closely at how these recommendations can be incorporated into its design. To ensure that we get this reform right, we will continue to work with disabled people and their organisations as the detail of the assessment criteria and its operation is developed and tested.

#### Stress

**Chris Ruane:** To ask the Secretary of State for Work and Pensions whether the Health and Safety Executive has arrangements to (a) measure and (b) assess mental stress in the workplace. [48479]

**Chris Grayling:** Since 2002, HSE has commissioned questions in the Labour Force Survey (LFS) conducted by the Office for National Statistics, to gain a view of work-related illness based on individuals' perceptions; this includes work-related stress. The Labour Force Survey, is a national survey of over 50,000 households conducted each quarter which provides information on the GB labour market, and is intended to be statistically representative of the population of people of working age.

In 2005 HSE also gained access to a system called The Health and Occupation Reporting network (THOR); this is a network of voluntary surveillance schemes, one of which is specifically dedicated to monitoring work-related mental ill health. Under this network of GPs and specialist doctors (in this particular scheme, psychiatrists and occupational physicians) undertake to systematically report all new cases that they see in their clinics. These reports are collated and analysed by the Centre for Occupational and Environmental Health, Manchester University. Figures published by HSE relate to Great Britain only, although the THOR schemes do collect reports from doctors throughout the UK.

Since 2004 we have also commissioned a series of Psychosocial Working Conditions surveys, also through the Office for National Statistics.

Using these tools, HSE is able to estimate the incidence and prevalence of work-related stress within the British work force. It also works with stakeholders to establish the veracity of the information gathered and includes evidence from other sources when considering the advice and guidance it provides to employers. These other data include surveys by major employers, Trades Union Congress, Chartered Institute of Personnel and Development, the European Commission and the European Agency for Safety and Health at Work.

For more information about the research conducted for the HSE please go to:

<http://www.hse.gov.uk/statistics/causdis/stress/index.htm>

**Chris Ruane:** To ask the Secretary of State for Work and Pensions what research his Department and its predecessors have (a) commissioned and (b) evaluated on levels of stress in the workplace in each of the last 10 years. [48510]

**Chris Grayling:** Since 2002, the HSE has commissioned questions in the Labour Force Survey (LFS) conducted by the Office for National Statistics, to gain a view of work-related illness based on individuals' perceptions; this includes work-related stress. The Labour Force Survey, is a national survey of over 50,000 households conducted each quarter which provides information on the GB labour market, and is intended to be statistically representative of the population of people of working age.

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Since 2004 we have also commissioned a series of Psychosocial Working Conditions surveys, also through the Office for National Statistics.

Using these tools the HSE is able to estimate the incidence and prevalence of stress within the British workforce. The LFS results point to a fairly static picture with around 450,000 people each year stating that they are suffering from stress caused or made worse by their current or previous work. However the number of working days lost to sickness absence as a result of work related stress has decreased from an estimate of almost 13 million in 2001-02 to an estimate of 9.8 million in 2009-10. For details of the information commissioned by the HSE, and data from THOR, please see the HSE website, which provides comparison tables for the years currently available, at:

<http://www.hse.gov.uk/statistics/causdis/stress/index.htm>

### Universal Credit

**Ms Buck:** To ask the Secretary of State for Work and Pensions what estimate his Department has made of the childcare support needed in the universal credit to make work pay for a lone parent earning £6 an hour for 25 hours a week who has a child aged (a) one and (b) six. [49515]

**Maria Miller** [*holding answer 28 March 2011*]: Estimating the amount of child care support that will be available to lone parents in universal credit in order to make work pay will depend on overall affordability and weekly child care costs.

The Secretary of State for Work and Pensions announced in the second reading of the Welfare Reform Bill that there would be an additional element in universal credit to support child care costs, and that at least the same amount of money will be invested in this as in the existing system. He will provide more detail during passage of the Bill.

### Winter Fuel Payments

**Mr Bain:** To ask the Secretary of State for Work and Pensions at what rate he expects the winter fuel allowance to be paid to people aged (a) over 60 and (b) over 80 years in each of the next five financial years. [50325]

**Maria Miller:** Winter fuel payments for winter 2011-12 will be £200 for households with someone who has reached women's state pension age and is under 80 and £300 for households with someone aged 80 or over. DWP forecasts of winter fuel payment expenditure assume that the level of payments will remain constant over the next five years.

### Work Capability Assessment

**Dr Huppert:** To ask the Secretary of State for Work and Pensions what steps he has taken to ensure that the findings of the review of work capability assessment will be considered in the development of a new assessment for the personal independence payment. [49928]

**Maria Miller:** It is important to be clear that the new assessment for personal independence payment (PIP) will be very different to the work capability assessment (WCA) used in employment and support allowance (ESA). This recognises that ESA and PIP are different benefits paid for different reasons. The emerging assessment for PIP will focus on individuals' ability to carry out key everyday activities, rather than capability for work and direct measures of associated functions as in the WCA.

We are, however, seeking to learn from the overall experience of delivering the WCA. As part of this we are looking closely at the findings of the first independent review carried out by Professor Malcolm Harrington, to see where they can assist with the design of the PIP claim and assessment processes. For example, we fully recognise the need to ensure that these processes are transparent and empathetic; and are considering the scope to use mental, intellectual and cognitive champions to support the assessment as recommended by Harrington.

### WOMEN AND EQUALITIES

#### Third Sector

**Chris Ruane:** To ask the Minister for Women and Equalities how much the Government Equalities Office provided to each charity it funds in each year since its inception; and how much she has allocated for funding to each such charity in each of the next five years. [48285]

**Lynne Featherstone:** The Government Equalities Office (GEO) has provided the following amounts of funding to charities since it was established as a separate Department on 12 October 2007:

<i>Financial year</i>	<i>Funding recipient</i>	<i>Amount (£)</i>
2008-09	British Association for Adoption and Fostering	20,200
	Survivors Trust	153,000
	Payment to Home Office to aid the funding of rape crisis centres	176,052
2009-10	British Association for Adoption and Fostering	24,075
	Equality South West	41,000
	Rape Crisis England and Wales	1,080,000
2010-11	Equality South West	41,000
	Rape Crisis England and Wales	85,000
	Payment to Ministry of Justice to aid the funding of rape crisis centres	1,000,000

The GEO is to merge with the Home Office under a machinery of government transfer from 1 April 2011. Future plans for the funding of charities have yet to be agreed.

## TRANSPORT

### Association of Train Operating Companies: Trade Unions

**John McDonnell:** To ask the Secretary of State for Transport how many times (a) Ministers and (b) officials of his Department have met representatives of (i) the Association of Train Operating Companies and (ii) rail trade unions since 8 May 2010. [49892]

**Mrs Villiers:** Ministers have met the Association of Train Operating Companies and rail trade unions from time to time in the course of their duties.

Officials meet the Association of Train Operation Companies regularly in the course of their day to day duties. Officials have been present when Ministers have met rail trade union officials.

### Aviation

**Jim Fitzpatrick:** To ask the Secretary of State for Transport what estimate he has made of the number of passengers expected to leave the UK by air in (a) 2011-12, (b) 2012-13, (c) 2013-14 and (d) 2014-15. [48220]

**Mrs Villiers** [*holding answer 22 March 2011*]: The Department for Transport expects to publish air passenger demand forecasts later this year to support the development of a new policy framework for UK aviation.

### Aviation: Working Hours

**Andrew Rosindell:** To ask the Secretary of State for Transport what discussions he has had with the Civil Aviation Authority on the European Aviation Safety Agency's Notice of Proposed Amendment on flight time limitations; and by what date he expects the authority to have published its response to the agency's proposals. [48061]

**Mrs Villiers:** Officials from the Department have discussed the Notice of Proposed Amendment with the Civil Aviation Authority on a number of occasions. The CAA has submitted its comments to the European Aviation Safety Agency and published them on its website:

[www.caa.co.uk](http://www.caa.co.uk)

### Blue Badge Scheme

**Bill Esterson:** To ask the Secretary of State for Transport if he will assess the merits of providing additional assistance to persons aged over 65 who cannot apply for automatic qualification for the Blue Badge scheme because they are not eligible for the mobility component of disability living allowance. [49955]

**Norman Baker** [*holding answer 30 March 2011*]: People over 65, who cannot claim the higher rate mobility component of disability living allowance, can still qualify for a Blue Badge. They are able to apply for a badge directly to their local authority under the 'eligible subject to further assessment' criteria. This applies to anyone

over the age of two years old; who has a permanent and substantial disability which causes inability to walk or very considerable difficulty in walking.

People are also able to apply under the automatic criteria if they are registered blind or are in receipt of the War Pensioners Mobility Supplement.

### Departmental Public Bodies

**Tessa Jowell:** To ask the Secretary of State for Transport what estimate his Department has made of the level of savings which will accrue from the abolition of the Disabled Persons' Transport Advisory Committee. [48686]

**Norman Baker:** On 16 March 2011, *Official Report*, columns 9-10WS, the Minister for the Cabinet Office issued a written ministerial statement updating Parliament on progress on public bodies reform. That statement also announced that Departments estimate cumulative administrative savings of at least £2.6 billion will flow from public bodies over the spending review period.

I refer the right hon. Member to my answer of 28 March 2011, *Official Report*, column 91W. This provides our best current estimate of the level of savings which will accrue from the abolition of the Disabled Persons' Transport Advisory Committee (DPTAC).

The decision on DPTAC was not taken for financial reasons.

### Driving: Young People

**Ms Angela Eagle:** To ask the Secretary of State for Transport what proposals to improve driver testing and training processes he is considering for those aged between 17 and 25. [49812]

**Mike Penning:** We want to ensure that all young drivers develop and maintain the knowledge, skills and attitudes to enable them to be safe and responsible road users. Effective arrangements for driver training and testing are among the issues that we shall address in our new Strategic Framework for Road Safety.

### Railways: Finance

**John McDonnell:** To ask the Secretary of State for Transport pursuant to the financial statement of 23 March 2011, *Official Report*, columns 958-9, whether the £200 million additional investment in regional railways is for the financial year 2011-12; when he expects to allocate this funding to individual projects; and if he will make a statement. [49893]

**Mrs Villiers:** On 23 March 2011, the Chancellor announced an additional £200 million of investment in regional railways. This investment will be added to Network Rail's Regulated Asset Base during the current Rail Control Period (2009 - 2014).

The Department for Transport will agree a list of projects to be funded from this investment with Network Rail and the Office of Rail Regulation. We will make a further statement on this investment shortly.

## ENERGY AND CLIMATE CHANGE

### Chief Scientific Adviser

**Dr Huppert:** To ask the Secretary of State for Energy and Climate Change what plans he has for the future of the role of Chief Scientific Adviser to his Department.

[50151]

**Gregory Barker:** The role of the Chief Scientific Advisor is to ensure DECC's policy and decision-making are underpinned by robust science and engineering evidence and long-term thinking. I have no plans to change this.

### Electricity: Meters

**Huw Irranca-Davies:** To ask the Secretary of State for Energy and Climate Change what estimate his Department has made of the likely number of unsafe electrical and gas installations which will be identified during the course of the smart meter installation programme; and whether energy suppliers will be required to (a) assess the safety of such installations and (b) disconnect unsafe installations during smart meter installation.

[48576]

**Charles Hendry:** The smart meter programme team has worked with a wide range of industry and other stakeholders to consider the issues that could be identified at the point of smart meter installation, including both operational and safety issues. Most of these issues are well understood and are dealt with by industry as part of business-as-usual activities. There is limited quantitative information and a formal assessment of the potential number of installations which might be identified as unsafe has not been made to date.

The Government consider that industry is best placed to continue to identify and resolve operational issues, in collaboration with other interested parties. One role of the programme will be to ensure that the scale and the nature of such issues are well understood by all parties and seek assurance that there are appropriate plans and processes in place to resolve them.

### Energy: Housing

**Luciana Berger:** To ask the Secretary of State for Energy and Climate Change pursuant to the answer of 24 March 2011, *Official Report*, columns 1295-96W, on energy: housing, what research he has commissioned to assess the effects of pricing on consumer demand; which companies or organisations have been commissioned to undertake the work; what the overall cost to the public purse of the research is; what deadline has been set for completion of the research; and what the terms of reference and payments level for the research are.

[50157]

**Gregory Barker:** DECC has commissioned two pieces of research which help to assess the impact of price, among other factors, on consumer demand for the Green Deal:

A survey of members of the public designed to identify factors that change perception of Green Deal, including variations in the costs and financial terms.

An economic model is also being created to better understand how to simulate consumer uptake of energy efficiency measures

under a number of parameters, including variations in the price of measures. The model will be populated with data from the consumer survey.

Element Energy Ltd. partnered with Cambridge Architectural Ltd. and Gfk NOP (respectively) have been commissioned to undertake these projects. The overall cost of the work will be £210,000 plus VAT.

The model is scheduled to be completed at the end of August 2011 and findings should be available in DECC's consultation paper on the Green Deal and impact assessments planned for autumn 2011.

### Flood Control: Tsunami

**Tessa Munt:** To ask the Secretary of State for Energy and Climate Change what recent assessment he has made of the likelihood of (a) a tsunami and (b) severe flooding on the Somerset Levels in the vicinity of Hinkley Point power station; and what records his Department holds on incidents of (i) tsunamis and (ii) severe flooding at sites of UK nuclear installations.

[50628]

**Charles Hendry:** There is no reason to expect a similar scale of seismic activity in the UK as has happened in Japan. The largest recorded UK earthquake (Dogger Bank) was 65,000 times less powerful than the one recently experienced by Japan. The Secretary of State for Energy and Climate Change, my right hon. Friend the Member for Eastleigh (Chris Huhne) has asked the Chief Nuclear Inspector, Dr Mike Weightman, to provide a report to the Government on the implications of the events in Japan and the lessons to be learned for the UK nuclear industry.

The Environment Agency has advised that it is reasonable to conclude that at Hinkley Point any new nuclear power station on the site could be protected against flood risk throughout its lifetime and including the potential effects of climate change, storm surge and tsunami.

Possible sites for nuclear new build were considered in the revised draft Nuclear National Policy Statement against flood risk including the potential effects of sea level rises resulting from climate change. We are currently considering the responses to the consultation on the revised Nuclear NPS.

The results are within the site assessments for each site in Volume II of the NPS:

<https://www.energy-nps-consultation.decc.gov.uk/docs/Annex%20EN-6-RevisedDraftNuclearNPS%28VolumeII%29-October2010.pdf>

### Fuel Oil

**Susan Elan Jones:** To ask the Secretary of State for Energy and Climate Change what discussions he has had with the Office of Fair Trading on its enquiry into the regulation of the heating oil market.

[50483]

**Charles Hendry:** I refer the hon. Lady to the written ministerial statement I gave on 21 January 2011, *Official Report*, columns 55-56WS.

I wrote to the chief executive of the Office of Fair Trading (OFT) on 19 January 2011 to ask him to bring forward the competition and consumer study into off grid energy, and explore the longer term consumer issues such as lifetime payback, consumer standards

and labelling for alternative energy sources or supplies. The OFT study will provide an independent assessment of the off-grid market and will establish what further action may be necessary to ensure it works properly. The OFT intends to publish a report setting out its findings and recommendations on off-grid energy supply in October.

I have had no further discussions on this matter with the OFT.

### Renewable Energy

**Graham Stringer:** To ask the Secretary of State for Energy and Climate Change what his policy is on meeting any shortfall which may arise as a result of (a) failure of renewable heat technologies to deliver adequate carbon savings and (b) premature product failure of renewable heat technologies by securing additional resources from (i) consumers, (ii) the public purse, (iii) manufacturers and (iv) Green Deal providers. [50116]

**Gregory Barker:** The Renewable Heat Incentive will be reviewed regularly against a number of criteria, including its performance in meeting renewables targets and delivering carbon savings. As announced on 10 March, a requirement of the RHI is that installations up to 45kWth must use installers and products accredited under the Microgeneration Certification Scheme (MCS), or equivalent, to be eligible for RHI. MCS gives assurances about likely quality, durability and performance of installations.

We will use the Renewable Heat Premium Payment, starting this year, to monitor and learn from the performance of domestic renewable heat installations. The information we receive will help enable Government, manufacturers, installers and consumers to better understand how to maximise performance of the technologies supported.

### Renewable Energy: Feed-in Tariffs

**Huw Irranca-Davies:** To ask the Secretary of State for Energy and Climate Change what the cash cap for his Department's feed-in tariff scheme is for (a) 2011-12, (b) 2012-13, (c) 2013-14 and (d) 2014-15. [48931]

**Gregory Barker:** In the spending review, spending on FITs was confirmed as:

	£ million
2011-12	80
2012-13	161
2013-14	270
2014-15	357
Total (over four years)	868

### Shale Gas Mining

**Alun Cairns:** To ask the Secretary of State for Energy and Climate Change what responsibility he has for issuing policy guidance and directions on shale gas mining in Wales. [50153]

**Charles Hendry:** The Department is responsible for licensing all UK oil and gas exploration and production activities onshore in Great Britain, including conventional and unconventional resources. Planning is a devolved matter and so it is the responsibility of the National Assembly Government to set out planning policy on shale gas in Wales.

### HOME DEPARTMENT

#### Animal Experiments: Primates

**Chris Williamson:** To ask the Secretary of State for the Home Department (a) how many and (b) what species of non-human primates imported for the purposes of scientific research were categorised as (i) captive-born or F1 generation and (ii) captive-bred or F2+ generation in 2010. [50237]

**Lynne Featherstone:** The information currently submitted to the Home Office following the acquisition of each batch of non-human primates provides evidence that animals have been born in captivity, but does not record whether animals are F1 or F2+. However, from other information available we estimate the respective totals to be as follows:

Primate species	F1	F2+	Total
Rhesus macaque	0	92	92
Cynomolgus macaque	1,256	582	1,838
Total	1,256	674	1,930

**Chris Williamson:** To ask the Secretary of State for the Home Department how many and what species of non-human primates were imported into the UK for the purposes of scientific research in 2010; from which countries; and what the species was in each case. [50238]

**Lynne Featherstone:** The requested information is as follows:

Number of non-human primates imported in 2010 reported to date			
Country of export	Rhesus macaque	Cynomolgus macaque	Total
China	0	74	74
Mauritius	0	1,284	1,284
Netherlands	92	52	144
Vietnam	0	428	428
Total	92	1,838	1,930

### Automatic Number Plate Recognition

**David Morris:** To ask the Secretary of State for the Home Department what percentage of vehicles seized for unpaid vehicle excise duty on the basis of information provided through the Automatic Number Plate Recognition system in the last three years were later shown to have been legally taxed and insured. [50032]

**James Brokenshire:** This information is not collated or held by the Home Office.

### Common Travel Area

**Stephen Mosley:** To ask the Secretary of State for the Home Department what plans she has for the future of the Common Travel Area; and if she will make a statement. [50263]

**Damian Green:** We are committed to preserving the Common Travel Area (CTA) and its benefits for legitimate travellers, while at the same time improving the safeguards against abuse of the CTA. We have a clear programme of work with Ireland and the Crown dependencies to prevent abuse of the CTA by strengthening the external CTA border. We will maintain our existing internal controls to combat abuse within the CTA.

### DNA: Databases

**Philip Davies:** To ask the Secretary of State for the Home Department what plans she has for the future management of the National DNA Database. [51012]

**James Brokenshire:** The Home Office is currently working with the National Policing Improvement Agency (NPIA), and the wider police service, to determine appropriate arrangements for the continued management of the National DNA Database after the NPIA is phased out.

### Entry Clearances: Students

**Jack Dromey:** To ask the Secretary of State for the Home Department what assessment she has made of the likely effects of her proposed reforms to the student immigration route on economic regeneration and international competitiveness of the UK economy. [49944]

**Damian Green:** The Secretary of State for the Home Department announced the Government's plans to reform

the student immigration system on 22 March 2011, *Official Report*, columns 855-872. An impact assessment will be published in due course.

### Government Communications

**Hazel Blears:** To ask the Secretary of State for the Home Department how many staff work in her Department's Research, Information and Communications Unit; how much was spent on the unit's operation in (a) 2008-09 and (b) 2009-10; what she expects to spend on the unit's operation in 2010-11; and what proportion of the unit's total capacity costs in each such year each figure represents. [47296]

**Nick Herbert:** For the purposes of this answer the amount spent on the unit's 'operation' has been interpreted to mean all staff and non-staff administration costs, and 'total capacity costs' to mean total expenditure.

22 staff, drawn from the Foreign and Commonwealth Office (FCO) and Home Office, work full-time in Research Information and Communications Unit (RICU). In addition, the Ministry of Defence and Department for International Development each funds one member of staff engaged part-time on RICU business. The Department for Communities and Local Government (DCLG), originally one of three parent Departments, stopped funding RICU and withdrew its seconded employees during 2010, in line with its new remit to lead work to promote integration separately.

Total RICU expenditure in 2008-09 and 2009-10 and projected spend for 2010-11 is set out in the following two tables. The first indicates the proportion of administration (staff and non-staff) and programme costs met by the Home Office, FCO and DCLG in each of the three years. The second shows administration and programme costs as a percentage of total RICU expenditure for the same three years.

*RICU Expenditure by Government Department*

<i>Financial year</i>	<i>Contributing Department</i>	<i>Administration costs (£m)</i>	<i>Departmental share (%)</i>	<i>Programme costs (£m)</i>	<i>Departmental share (%)</i>	<i>Total spend (£m)</i>	<i>Departmental share (%)</i>
2008-09	Home Office	1.14	75	0.11	7	1.25	39
	FCO	0.15	10	0.81	50	0.96	30
	DCLG	0.25	15	0.70	43	0.95	30
	RICU total	1.55	—	1.62	—	3.17	—
2009-10	Home Office	0.96	65	2.08	35	3.04	41
	FCO	0.36	24	2.65	45	3.01	41
	DCLG	0.18	11	1.18	20	1.36	18
	RICU total	1.50	—	5.91	—	7.41	—
2010-11 <sup>1</sup>	Home Office	0.80	69	0.28	9	1.08	26
	FCO	0.29	25	2.81	91	3.10	74
	DCLG	0.08	7	—	0	0.08	2
	RICU total	1.16	—	3.09	—	4.25	—

<sup>1</sup> Projected. *Note:* The Home Office is RICU's host Department and is responsible for all non-staff administration costs.

*RICU spend by budget category*

<i>Financial year</i>	<i>Total spend (£m)</i>	<i>Administration costs (£m)</i>	<i>Proportion of total spend (%)</i>	<i>Programme costs (£m)</i>	<i>Proportion of total spend (%)</i>
2008-09	3.17	1.55	49	1.62	51
2009-10	7.41	1.50	20	5.91	80
2010-11 <sup>1</sup>	4.25	1.16	27	3.09	73

<sup>1</sup> Projected.

### Human Trafficking: EU Law

**Fiona Mactaggart:** To ask the Secretary of State for the Home Department (1) which of the measures in the original text of the EU Directive on Human Trafficking she considered to be contrary to the UK's interest; and if she will make a statement; [49741]

(2) pursuant to the written ministerial statement of 22 March 2011, *Official Report*, column 52WS, on the EU Directive (Human Trafficking), what the main risk associated with the text was which has now been overcome. [49793]

**Damian Green:** The Government decided not to opt in to the European Directive on Human Trafficking at the outset, but to review its position in line with the revised text. The main risk was that the text could change during the negotiations in ways that could have been unhelpful to the UK's interests. The Government have now reviewed the finalised text and I have written to the Parliamentary Scrutiny Committees notifying them of our intention to apply to opt in.

A final decision remains subject to parliamentary scrutiny.

### Human Trafficking: Northern Ireland

**Mr Dodds:** To ask the Secretary of State for the Home Department how many cases of human trafficking have been reported in Northern Ireland in each of the last 10 years; and how many convictions for human trafficking offences in Northern Ireland there have been in that period. [47839]

**Damian Green:** The criminal offence of human trafficking is contained with the Sexual Offences Act 2003 and the Asylum and Immigration (Treatment of Claimants etc) Act 2004.

The Northern Ireland Organised Crime Task Force annual report shows that 11 potential victims of human trafficking were recovered in 2008-09 and 25 in 2009-10. These reports can be found at

[www.octf.gov.uk](http://www.octf.gov.uk)

Figures for 2010-11 will be contained in the annual report due to be published in June 2011.

The UK Human Trafficking Centre's interrogation of the police national computer shows there have been three convictions for human trafficking in Northern Ireland, two of which were in 2008 and one in 2010.

### Members: Correspondence

**Mr Frank Field:** To ask the Secretary of State for the Home Department when she plans to reply to the letter from the right hon. Member for Birkenhead of 17 February 2011 on her constituent Rasam Aliaziz. [50054]

**Damian Green:** I wrote to the right hon. Member on 29 March 2011

### Passport Office: Liverpool

**Mrs Ellman:** To ask the Secretary of State for the Home Department (1) who gave the instruction to terminate the employment of those employees of Liverpool Passport Office whose employment was terminated on 21 March 2011; [50064]

(2) what discussions she has had with representatives of the Public and Commercial Services Union on the termination of employment of employees at Liverpool Passport Office on 21 March 2011; [50065]

(3) when she was informed of the decision to terminate the employment of those employees of Liverpool Passport Office whose employment ended on 21 March 2011; [50066]

(4) what steps she has taken in the light of the termination of employment of employees at Liverpool Passport Office to determine whether contract errors have been made by the Identity and Passport Service in relation to other offices; [50067]

(5) what steps the Passport Agency took in respect of the 14 employees at its Liverpool Office incorrectly recruited under the IPS Friends and Family scheme between the time at which the mistake was discovered and 21 March 2011; [50098]

(6) when the error in relation to the recruitment of those employees of Liverpool Passport Office whose employment was terminated on 21 March 2011 was discovered. [50112]

**Damian Green:** The decision to terminate the employment of those Liverpool office staff who had been incorrectly appointed on permanent civil service contracts, was taken by the chief executive following advice from IPS HR and from the Civil Service Commission.

No discussions have taken place between myself and the Public and Commercial Services Union (PCS). National PCS union representatives were told about the issue on 2 March 2011. IPS HR and local branch representatives from the PCS union met on 16 March 2011 and they were made aware of the position at this meeting.

This is an operational decision for Home Office managers. IPS informed Ministers about the decision to terminate the employment contracts of affected employees in Liverpool Passport Office on 18 March.

The permanent contracts in question were only issued in the Liverpool regional office.

IPS explored a number of options with the Civil Service Commission once the mistake was discovered including replacing the permanent contracts of employment with fixed-term appointment contracts and retrospectively applying exceptions under the Civil Service Order in Council. In the case of 10 employees IPS has been able to award fixed-term contracts for the two-year period from their original start date. The remaining four employees had already been employed by IPS for more than two years. IPS has also met with the staff involved and sincerely apologised for this mistake.

An internal audit of IPS external recruitment at the end of March 2010 discovered the error in relation to the Liverpool Passport Office recruitment scheme conducted during the autumn of 2008. We then set about exploring options to avoid termination.

### Prostitution

**Ben Gummer:** To ask the Secretary of State for the Home Department what strategy her Department has to tackle prostitution; and if she will make a statement. [49788]

**Lynne Featherstone:** The Government are currently looking at the approaches taken towards prostitution in different local areas in England and Wales in order to

identify effective practice in terms of policing, harm minimisation multi-agency working and schemes to help people leave prostitution. Effective practice guidance for local areas will be published later in the spring.

### Third Sector

**Chris Ruane:** To ask the Secretary of State for the Home Department pursuant to the answer of 8 March 2011, *Official Report*, column 949W, on voluntary work and charitable donations, how much her Department spent on implementation of its policy on volunteering in each of the last five years; and how much it expects to allocate for the purpose in each of the next five years.

[48613]

**Damian Green:** The Home Office encourages staff to take up to five days special leave to develop their skills and experience, while giving something back to the community. The small team responsible for this programme also undertake other tasks and it is not possible to disaggregate the costs of their time. Voluntary organisations and representative bodies (eg Volunteering Centre Westminster, Magistrates Association and Victims Support) are invited to give presentations to staff to encourage them to participate. Links to a wide range of volunteering opportunities are also advertised on the departmental intranet. Information about the take up of these opportunities is not held centrally and could be obtained only at disproportionate cost.

The Department has spent between £3,500 and £5,000 per year in each of the last five years with a voluntary sector brokerage service to place Home Office volunteers into appropriate volunteering opportunities.

## ENVIRONMENT, FOOD AND RURAL AFFAIRS

### Aggregates Levy Sustainability Fund

**Mary Creagh:** To ask the Secretary of State for Environment, Food and Rural Affairs if she will make it her policy to reinstate the Aggregates Levy Sustainability Fund.

[49951]

**Richard Benyon** [*holding answer 30 March 2011*]: The Government have no plans to reinstate the aggregates levy sustainability fund (ALSF). The decision to discontinue the fund was taken as part of the spending review settlement in October 2010 in a very tight spending context where we looked very carefully across all the Department's priorities to identify where we could make best use of available funds. Unfortunately, it was decided that the fund was no longer in a position to continue funding the ALSF programme.

The aggregates levy is a tax on the commercial exploitation of aggregate, administered by HM Revenue and Customs, and is separate from the Aggregates Levy Sustainability Fund. As announced at the recent Budget, the rate increase on the aggregates levy has been postponed until 2012-13.

### Badgers: Tourism

**Mary Creagh:** To ask the Secretary of State for Environment, Food and Rural Affairs whether she has made an assessment of the potential effects of a badger cull on tourism revenues in each region.

[50327]

**Mr Paice:** Some concerns have been raised that badger culling might have an impact on tourism in the areas affected by TB. However, we have not seen any clear or credible evidence to support the view that there would be any significant impact.

No decision on badger control has yet been taken. We received a large number of responses to the public consultation, which we are considering carefully. We will announce our decision as part of a comprehensive and balanced TB Eradication Programme for England as soon as possible.

### Candidate Special Areas of Conservation

**Oliver Colvile:** To ask the Secretary of State for Environment, Food and Rural Affairs what discussions the Management Board of her Department have had on the designation of Candidate Special Areas of Conservation.

[49568]

**Richard Benyon:** The designation of Candidate Special Areas of Conservation has been discussed from time to time as part of the Board's ongoing review of DEFRA's programmes.

### Environment

**Tom Blenkinsop:** To ask the Secretary of State for Environment, Food and Rural Affairs what plans she has to establish a mechanism to measure the Government's commitment to be the greenest administration ever.

[48324]

**Mr Paice:** A number of measures are already in place to help deliver this commitment.

These include reducing carbon emissions from Government offices by 10% in one year, establishing a Green Investment Bank with £3 billion to drive investment in a green economy, introducing a floor price for carbon, and improving energy efficiency through our 'Green Deal' while also helping people and businesses save money. New Greening Government Commitments for Operations and Procurement were announced in February this year as part of a package of measures to mainstream sustainable development across Government, a key mechanism for supporting the delivery of our ambition to be the greenest Government ever. This package also includes enhancing sustainability in policy making, for example through the scrutiny of business plans by the Minister for Government Policy for their sustainable development credentials.

The Government have made clear their intention to be more transparent and allow people and Parliament to hold Ministers and public services to account; so overall success on this cross-Government commitment will, rightly, be for others to judge.

### Environment Protection: Departmental Co-ordination

**Duncan Hames:** To ask the Secretary of State for Environment, Food and Rural Affairs (1) which Ministers have attended each of her monthly breakfasts for the designated green Ministers in each Department; [48249]

(2) which Ministers have attended each Green Breakfast meeting hosted by her Department; [49271]

(3) which Ministers attended each of the last three Green Breakfast meetings. [50115]

**Mr Paice:** The information is as follows:

The first meeting on 1 February 2011 was attended by Caroline Spelman, Richard Benyon, Jim Paice, Lord Henley, Oliver Letwin, Justine Greening, Andrew Stunell, Greg Barker, David Willetts, Norman Baker, and Alan Duncan.

The second meeting on 8 March was attended by Caroline Spelman, Richard Benyon, Lord Henley, Oliver Letwin, Justine Greening, Andrew Stunell, Greg Barker, Norman Baker, Stephen O'Brien and Henry Bellingham.

### Fisheries

**Mr Charles Walker:** To ask the Secretary of State for Environment, Food and Rural Affairs what measures the Government is taking to maintain arrangements for supervision of recreational fisheries after the removal of that discrete function from the Environment Agency; and if she will make a statement. [49513]

**Richard Benyon** [*holding answer 28 March 2011*]: There has been no change to the duties on the Environment Agency to 'maintain, improve and develop fisheries for salmon, trout eel, freshwater fish, lamprey and smelt' (Environment Act 1995 as amended by Marine and Coastal Access Act 2009). Nor has there been any change to the guidance issued by Government to the Environment Agency in the interpretation of this duty in contributing to the achievement of sustainable development, i.e. 'in particular: to ensure the conservation and maintain the diversity of freshwater fish, salmon, sea trout and eels (and lampreys and smelt) and to conserve their aquatic environment; to enhance the contribution migratory and freshwater fisheries make to the economy, particularly in remote rural areas and in areas with low levels of income; and to enhance the social value of fishing as a widely available and healthy form of recreation.'

The Environment Agency will continue to work towards ensuring more people from all backgrounds enjoy and appreciate the water environments close to them. It will achieve this through its role as a navigation authority and its work on angling.

### Flood Control

**Tom Blenkinsop:** To ask the Secretary of State for Environment, Food and Rural Affairs what consideration her Department has given to the recommendation of the Pitt Report that flood defences should be allocated an above-inflation funding settlement. [48323]

**Richard Benyon:** Expenditure on flood risk management cannot be immune from the over-riding need to reduce the deficit, and to deliver efficiencies across all areas of public spending. DEFRA has committed to spend at least £2.16 billion over four years on flood and coastal erosion risk management in England. This is approximately 8% less than the amount spent by DEFRA over the previous four years. The Department has protected key front line aspects of the budget such as flood forecasting and warnings, incident response and the risk-based maintenance of existing defences. We also expect to be able to provide improved levels of protection to 145,000 homes by March 2015, even within a reduced budget.

**Neil Carmichael:** To ask the Secretary of State for Environment, Food and Rural Affairs whether she has reviewed the Environment Agency's flood risk assessment of homes in England; and if she will make a statement. [49819]

**Richard Benyon:** While DEFRA does not undertake technical or quality reviews of the Environment Agency's national flood risk assessments, departmental representatives do sit on the National Flood Risk Assessment (NaFRA) programme board with the Environment Agency. They contribute to the programme of works and development of this tool.

The NaFRA model is run on a quarterly basis for selected catchments, and each time it is run revisions are made to the flood risk. DEFRA is kept well informed of these and the Environment Agency and its consultants undertake extensive quality assurance, including requiring all NaFRA model outputs to be reviewed by local staff to ensure that they are a true representation of flood risk. Recently a more robust framework for validation and quantification of uncertainty has also been developed.

### Food: Production

**Dan Byles:** To ask the Secretary of State for Environment, Food and Rural Affairs whether she has estimated the total domestic food production capacity of the UK measured in terms of the proportion of the population it would feed. [48364]

**Mr Paice:** No such calculation has been made. UK agriculture's share of the UK food market will in part reflect its ability to compete in international commodity markets. We are working to support British farming and encourage sustainable food production by helping to enhance the competitiveness and resilience of the farming industry.

### Horses: Passports

**Mr Gray:** To ask the Secretary of State for Environment, Food and Rural Affairs pursuant to the answer of 10 March 2011, *Official Report*, columns 1218-19W, on horse passports, what estimate she has made of (a) the number of horses which died in each of the last three years and (b) the proportion of such deaths which were not reported to the authority issuing horse passports. [49564]

**Mr Paice:** There is a legal requirement for a horse's passport to be returned to the passport issuing organisation that issued it upon the death of the animal.

National Equine Database records show the number of horses that have died in each of the last three years is as follows:

	<i>Horses</i>
2008	10, 339
2009	11, 942
2010	13,917

DEFRA does not compile estimates of the number of passports that are not returned to the issuing body upon the death of the animal.

### Poultry: Animal Welfare

**Tom Blenkinsop:** To ask the Secretary of State for Environment, Food and Rural Affairs what steps her Department is taking to assist the farming industry in preparing for the ban on battery cages for laying hens. [48349]

**Mr Paice:** As the Secretary of State for Environment, Food and Rural Affairs made clear at February's Agriculture Council, when some EU member states sought more time to comply with the ban on conventional cages, any delay in implementing the ban would be unfair to all the egg producers in the UK who have made significant investments to convert out of battery cages ahead of the European deadline. It would be unjust for them to have to compete with producers from other European countries which have not converted.

The UK has consistently called for the ban to be implemented in 2012 with strict enforcement by the EU.

We welcome the efforts the UK laying hen industry has made to comply with the ban and we will continue to work closely with the Commission, other member states and the industry to find a practical enforcement solution.

### Seas and Oceans: Radiation

**Mr Gregory Campbell:** To ask the Secretary of State for Environment, Food and Rural Affairs what recent assessment she has made of the safety of radiation levels of seawater in which the UK fishing fleet fish; and if she will make a statement. [50254]

**Richard Benyon:** There is a substantial programme of environmental monitoring for radioactivity in UK waters which has been established for a number of years. The results of this programme, together with implications for human health and environmental health are published annually in the Radioactivity in Food and the Environment (RIFE) report series. These reports confirm that the environment and man are adequately protected, and that doses of radioactivity received by people and wildlife continue to be well within regulatory limits. The uncertainty in dose estimations is relatively low.

For the wider north-east Atlantic, the UK works with other European states within the OSPAR convention (for the protection of the marine environment of the north-east Atlantic) to ensure that inputs and levels of radioactivity are reduced. OSPAR's Quality Status Report 2010 assessment for the north-east Atlantic concludes that environmental concentrations and exposure of humans and biota to monitored radionuclides are low.

In the particular case of Japan, there are currently no UK fishing vessels operating in Japanese Waters or waters adjacent to it. The Food Standards Agency has implemented Commission Regulation (EU) No. 297/2011 which applies EU-wide controls to prevent the import of food and feed which may be contaminated, including fish and fishery products, from Japan.

### Water Charges: Billing

**Mr Bain:** To ask the Secretary of State for Environment, Food and Rural Affairs how much additional funding will be available to reduce water bills in the South West

region in each of the next four financial years; and what her estimate is of the average reduction in affected household bills in each of those financial years. [49679]

**Richard Benyon:** The Government will consult shortly on proposals to address water affordability across England, including the south-west. This will include reforms to the existing WaterSure scheme, the approach to company social tariffs and options for additional Government spending to provide further support.

We will carefully consider how to strike the right balance between using additional Government spending to assist households in the south-west, and assisting households with water affordability problems both inside and outside the south-west.

### Water: Prices

**Kerry McCarthy:** To ask the Secretary of State for Environment, Food and Rural Affairs (1) when she plans to publish her consultation document on proposals to address water affordability in the South West; [50255]

(2) what additional funds will be made available to address water affordability in the South West; [50286]

(3) what estimate she has made of the likely change in level of water charges for the average household in the South West as a result of implementation of the Government's Budget proposals on water bills. [50287]

**Richard Benyon:** The Government will consult shortly on proposals to address water affordability across England, including the south-west. This will include reforms to the existing WaterSure scheme, the approach to company social tariffs and options for additional government spending to provide further support.

We will carefully consider how to strike the right balance between using additional government spending to assist all households in the south-west and assisting households with water affordability problems both inside and outside the south-west.

## COMMUNITIES AND LOCAL GOVERNMENT

### Departmental Manpower

**Caroline Flint:** To ask the Secretary of State for Communities and Local Government what the (a) job title and (b) pay grade is of each civil servant appointed to his Department since 11 May 2010. [49713]

**Robert Neill [holding answer 30 March 2011]:** The Department for Communities and Local Government headcount numbers have fallen from 2,108 in May 2010 to 2,000 in February 2011, a reduction of 108 staff, 5% of headcount.

This is a net figure after the residual transfer of 69 staff from the Government office for London into the Department. In the same period, numbers of Department for Communities and Local Government employees in the Government office network fell by 207 to 324 as at February 2011.

The net figure also includes approximately 30 staff who have returned to the Department from unpaid leave, loans and secondments.

Staffing numbers in DCLG will fall further by around 700 when the selection and restructuring process is completed in 2012. This affects staff at all levels.

I have interpreted 'appointed' to mean staff newly recruited to the civil service and Department on either a permanent or fixed-term contract. Since 11 May 2010, 39 civil servants have been appointed to the Department for Communities and Local Government.

A breakdown of their job titles and pay grade bands as follows:

- 1 x Administrative Officer.(National): £19,935 to £22,194
- 3 x Administrative Officer (London): £23,218 to £25,847
- 2 x Executive Officer (London): £24,951 to £30,162
- 1 x Higher Executive Officer (London): £28,668 to £34,665
- 2 x Legal Trainee (HEO equivalent): £25,709
- 2 x Policy Advisor (HEO equivalent): £28,668 to £34,665
- 17 x Fast Streamer (HEO equivalent): £27,000 to £35,000
- 2 x Senior Executive Officer Audit (London): £37,732 to £45,734
- 3 x Senior Planning Officer (SEO equivalent): £37,739 to £45,734
- 2 x Grade 7 (Legal): £44,494 to £57,110
- 1 x Grade 6 (London): £54,828 to £70,375
- 1 x Permanent Secretary: £141,800 to £277,300
- 2 x Special Advisers: £52,215 to £69,266.

A total freeze on recruitment is now in place with the exception of a handful of very specialist posts that could not be filled internally.

#### Housing: Energy

**Luciana Berger:** To ask the Secretary of State for Communities and Local Government what discussions his Department had with the Department of Energy and Climate Change prior to the announcement that new homes will not be required to be zero carbon.

[50283]

**Grant Shapps:** From 2016, all new homes will be required to be zero carbon. What we are not going to do is to try to build in how many electrical appliances such as plasma TVs a homeowner may have. However, these appliances are already covered by other arrangements such as the EU Emissions Trading Scheme, so this will have no impact on the Government's carbon reduction strategy. What this will do is minimise costs to house builders, so protecting the viability and affordability of new housing, and helping house builders deliver the new homes the country needs.

Policy to deliver Zero Carbon Homes from 2016 has been subject to collective consideration and agreement

between interested Departments—including the Department of Energy and Climate Change—as is the case with all Government policy.

#### Housing: Rural Areas

**Tim Farron:** To ask the Secretary of State for Communities and Local Government what steps his Department has taken to promote its Home on the Farm scheme.

[50053]

**Andrew Stunell:** I would like to take this opportunity to thank my hon. Friend as the originator of this scheme, which provides a welcome opportunity for farmers and local authorities to work together to help to address the problems of rural affordable housing. I announced on 18 October that we are promoting the "Home on the Farm" scheme which encourages both parties to work together to secure the conversion of redundant and underused farm buildings to deliver affordable homes for local people. Officials have discussed the scheme with interested partners, such as the National Farmers Union and English Heritage, and we will continue to work with partners to promote the scheme.

#### Local Government: Finance

**Andrew Griffiths:** To ask the Secretary of State for Communities and Local Government what the formula grant to each local authority in absolute cash terms has been in each year since 2006-07.

[44023]

**Robert Neill:** A table has been placed in the Library of the House showing the amount of formula grant received by each authority for the financial years 2006-07 to 2011-12. In addition, the provisional 2012-13 allocations have been provided.

#### Promotional Merchandise

**Andrew Griffiths:** To ask the Secretary of State for Communities and Local Government how much his Department spent on promotional merchandise between 2006 to May 2010; how many of each item of promotional merchandise were ordered; and how each such item was branded.

[43858]

**Robert Neill:** The Department has historically purchased promotional items through the Central Office of Information (COI). COI records show the following DCLG spend through the COI merchandising framework over the last two years:

Date	Item	Cost	VAT	Total
9 January 2009	100,000 x fridge magnets @ GBP 0.07	7,000.00	1,050.00	8,050.00
9 January 2009	100,000 x cornstarch bags @ GBP 0.15	15,000.00	2,250.00	17,250.00
9 January 2009	100,000 x flexible PVC fridge magnets @ GBP 0.065	6,500.00	975.00	7,475.00
22 January 2009	100,000 x Fire Kills cornstarch bags @ GBP 0.16	16,000.00	2,400.00	18,400.00
18 February 2009	100,000 x Fire Kills pens @ GBP 0.14	14,000.00	2,100.00	16,100.00
27 February 2009	200,000 x fridge magnets with Fire Kills artwork @ GBP 0.065	13,000.00	1,950.00	14,950.00
25 March 2009	250 x 128mb twister USBs 40MB data upload @ GBP 2.65 each	662.50	99.38	761.88
11 May 2009	30 x bella ladies T-shirts in Red with Fire Kills logo @ GBP 9.45 each	283.50	0.00	283.50
29 May 2009	2,000 x Beer mats printed both sides with Fire Kills logo @ GBP 0.11	220.00	0.00	220.00

<i>Date</i>	<i>Item</i>	<i>Cost</i>	<i>VAT</i>	<i>Total</i>
29 July 2009	200,000 x Fire Kills pens @ GBP 0.13 each	26,000.00	3,900.00	29,900.00
29 July 2009	200,000 x Fire Kills magnets @ GBP 0.065 each	13,000.00	1,950.00	14,950.00
24 August 2009	3,000 x Star ball pens with three-colour RPTS print @ GBP 0.45 per unit	1,350.00	202.50	1,552.50
4 September 2009	8,000 x magnetic word games printed with Plan Your Great Escape artwork @ GBP 0.42 each	3,360.00	504.00	3,864.00
4 September 2009	4,000 x cotton shoppers printed with Plan Your Great Escape artwork @ GBP 0.78 each	3,120.00	468.00	3,588.00
13 October 2009	10,000 x non-woven, eco friendly bags with one colour print @ GBP 0.70 each	7,000.00	1,050.00	8,050.00
2009 total		126,496.00	18,898.88	145,394.88
1 March 2010	118,000 x 38mm button badges, printed with Extraordinary/I Can Save Lives designs	6,000.00	1,050.00	7,050.00
1 March 2010	50,000 x PVC bespoke shape key rings with Extraordinary design @ GBP 0.28 per unit	14,000.00	2,450.00	16,450.00
16 March 2010	200 x cotton shoppers, printed with three-colour logo to one side only @ GBP 1.35 per unit	270.00	47.25	317.25
2010 total		20,270.00	3,547.25	23,817.25

A full breakdown for previous years is not available. However, the total spend for each year via the COI merchandising framework was as follows:

	<i>£</i>
2006	44,262
2007	56,530.70
2008	46,911.50

No promotional items have been purchased since the formation of the new administration in May 2010. The COI merchandising framework is no longer in operation.

### Public Expenditure

**Andrew Griffiths:** To ask the Secretary of State for Communities and Local Government which bodies and individuals received funding from Government Offices for the Regions under his Department's (a) community resilience and (b) Preventing Violent Extremism funding streams in (i) 2009-10 and (ii) 2010-11; and what the (A) purpose and (B) monetary value of the payment was in each case. [43878]

**Andrew Stunell:** The Department for Communities and Local Government does not operate a separate funding stream for Community Resilience.

The Government offices have had access to a fund of £750,000 per annum between 2008 and 2011 to build their capacity to support Prevent work in their regions. This money was provided to them from the Prevent division's programme funds.

Owing to the quantity of data involved, details regarding the bodies and individuals that received funding from the Government offices for the regions under the Preventing Violent Extremism funding stream have been placed in the Library of the House.

### Social Services

**Mr Jim Cunningham:** To ask the Secretary of State for Communities and Local Government whether he has had recent discussions with the Secretary of State for Health on monitoring the quality of independent social care providers. [49786]

**Robert Neill:** Ministers in both Departments have regular discussions on matters of mutual interest, including social care.

### Sustainable Development

**Mr Bain:** To ask the Secretary of State for Communities and Local Government what mechanism he proposes to use to introduce a presumption of sustainable development in the local planning system. [49680]

**Greg Clark:** The Government intend to introduce a presumption in favour of sustainable development through national planning policy. The presumption will be a key feature of the National Planning Policy Framework, a full draft of which will be published for consultation in the summer.

### TREASURY

#### Air Passenger Duty

**Graham Stringer:** To ask the Chancellor of the Exchequer how much income will accrue to the Exchequer from the auction of permits under the Aviation EU Emissions Trading Scheme in each of the next five years. [50060]

**Justine Greening:** The Office of Budget Responsibility (OBR) now publishes revenue forecasts independently. The OBR's revenue forecast for all Emissions Trading Scheme receipts were set out in Table C3 of the Budget 2011 document. Aviation receipts are not separately identified in the OBR's forecast.

Table C3: EU ETS auction receipts

	<i>£ billion</i>
2011-12	0.3
2012-13	0.7
2013-14	2.0
2014-15	2.1
2015-16	22

### Corporation Tax

**Graeme Morrice:** To ask the Chancellor of the Exchequer what estimate he has made of the cost to the Exchequer in tax forgone of the reduction in the main rate of corporation tax to 26 per cent. in the period from 1 April 2011 to 1 January 2012. [49696]

**Mr Gauke:** The estimated impact on the Exchequer in tax foregone, of changes to the main rate of corporation tax as announced at Budget 2011, are set out in the following Budget 2011 document:

[http://www.hm-treasury.gov.uk/d/2011budget\\_policycostings.pdf](http://www.hm-treasury.gov.uk/d/2011budget_policycostings.pdf)

#### Counterfeit Manufacturing: Alcoholic Drinks

**Mr Gale:** To ask the Chancellor of the Exchequer what estimate his Department has made of the quantity of counterfeit branded spirits sold in the UK in each of the last three years; and what estimate he has made of the proportion of that quantity which (a) is manufactured within the UK and (b) enters the UK as imported or contraband alcohol and is subsequently re-bottled for sale as branded goods. [49466]

**Justine Greening:** HMRC does produce estimates of the volumes of illicit alcohol consumed in the UK and the revenue losses arising from that. However, the data available does not enable these estimates to be broken down by quantities of genuine and counterfeit product. The latest estimate for illicit spirits (relating to the year 2008-09) was published on the HMRC website on 16 September 2010, in the document "Measuring Tax Gaps 2010". This document can be accessed online at:

<http://www.hmrc.gov.uk/stats/measuring-tax-gaps-2010.htm.pdf>

#### Departmental Cycling

**Andrew Rosindell:** To ask the Chancellor of the Exchequer how many employees of his Department are participating in the Cycle to Work scheme. [49408]

**Justine Greening:** HM Treasury encourages all its employees to choose environmentally friendly forms of transport to and from work in both its London and Norwich offices, and provides free secure storage and changing facilities for those who choose to do so. 29 employees participated in the Department's last formal Cycle-to-Work Scheme which closed in 2009. The scheme for 2011 is currently being finalised.

#### Departmental Temporary Employment

**Mr Liddell-Grainger:** To ask the Chancellor of the Exchequer how many employees on temporary contracts (a) his Department, (b) its agencies and (c) the non-departmental bodies for which he is responsible had in each of the last five years. [49601]

**Justine Greening:** The number of employees on temporary contracts within HM Treasury, the UK Debt Management Office and the Asset Protection Agency (APA), for each of the last five years is set out in the following table.

	2006	2007	2008	2009	2010
HM Treasury	80	74	74	89	93
Debt Management Office	2	5	6	10	10
Asset Protection Agency	0	0	0	0	19

*Note:*

The APA was established in 2009, and its costs are recharged in full to the Royal Bank of Scotland

#### Equitable Life

**Mr Jim Cunningham:** To ask the Chancellor of the Exchequer what steps he is taking to implement the recommendations of the parliamentary ombudsman's report on Equitable Life. [49642]

**Mr Hoban:** The Government have accepted all the parliamentary ombudsman's recommendations in full. The Government's ambition is to start making payments in the middle of this year.

The Government will provide details of the scheme to Parliament in the spring.

#### Green Investment Bank

**Mr Bain:** To ask the Chancellor of the Exchequer (1) what his policy is on granting the Green Investment Bank power to raise capital through borrowing during the comprehensive spending review period; [49203]

(2) whether he has plans to introduce (a) bonds and (b) individual savings accounts designed for small investors to invest capital in (i) environmental industries and (ii) the Green Investment Bank. [49763]

**Justine Greening [holding answer 28 March 2011]:** The Government are undertaking analysis into how investment in green industries can be increased.

The Chancellor announced in the Budget that the Government will enable the Green Investment Bank to have borrowing powers from 2015-16 and once the target for debt to be falling as a percentage of GDP has been met.

#### Inheritance Tax

**Mr Bain:** To ask the Chancellor of the Exchequer whether individuals who donate their homes to charitable bodies but continue to reside within them as tenants will be eligible for the reduction in the rate of inheritance tax on their estates payable on their death should the value of such donations exceed 10 per cent. of the value of their estates. [49681]

**Justine Greening:** The Chancellor of the Exchequer announced in his recent Budget that the rate of inheritance tax would be reduced for those estates leaving 10% or more to charity. The Government will be consulting on the detail of the policy and how the policy will be implemented to ensure that charities get the maximum benefit and it is straightforward for taxpayers.

#### Landfill Communities Fund

**Kerry McCarthy:** To ask the Chancellor of the Exchequer what assessment he has made of the performance of projects funded by the Landfill Communities Fund; what plans he has for the future of the fund; and if he will make a statement. [49682]

**Justine Greening:** The performance of Landfill Communities Fund projects is assured by an independent regulator, ENTRUST, using key performance indicators that are agreed in formal terms of approval set by HMRC.

The Government are committed to ensuring that the valuable work supported by the Landfill Communities Fund continues to flourish. Therefore, in the Budget, the value of the fund in 2011-12 was increased in line with inflation to £78.1 million.

To improve the efficiency of the fund in getting contributions into communities as quickly as possible, the Government have challenged environmental bodies to reduce the level of unspent funds that they hold.

#### Members: Correspondence

**Mr Sanders:** To ask the Chancellor of the Exchequer when the Chief Secretary to the Treasury plans to reply to the letter from the hon. Member for Torbay of 17 September 2010 on behalf of his constituent Ms Claire Harding on the Every Disabled Child Matters campaign. [49688]

**Justine Greening:** I wrote to the hon. Member on 30 March.

#### State Retirement Pensions

**Mr Frank Field:** To ask the Chancellor of the Exchequer with reference to the Pre-Budget Report 2009, paragraph 5.45, whether the age at which pensioner benefits can be received will increase in line with his proposed increase in the state pension age. [49544]

**Steve Webb:** I have been asked to reply.

The age at which pensioner benefits, such as pension credit and winter fuel payments, can be received is already set to increase in line with the female state pension age.

This also includes the age of eligibility for the bus pass although local authorities, such as Merseytravel which provides the Merseyside pass, can under certain circumstances provide discretionary travel schemes.

Changes to the state pension age have not yet been reflected in the arrangements for prescription charge exemption and people are still eligible at age 60.

#### Taxation: Business

**Jeremy Corbyn:** To ask the Chancellor of the Exchequer how many Wages Inspectorate visits have been made to (a) small, (b) medium and (c) large companies in each of the last six months. [48389]

**Mr Gauke** [*holding answer 23 March 2011*]: HMRC does not capture information on national minimum wage (NMW) cases on the basis of whether the company is small, medium or large.

HMRC can provide information on the number of visits made to employers based on the number of workers shown in the following table:

Workers	<i>Visits carried out between September 2010 and February 2011</i>
1-10	437
11-100	332
101 +	115
Not yet recorded	149
Total	1,033

#### Taxation: Oil and Gas

**Ann McKechin:** To ask the Chancellor of the Exchequer when he last met representatives of the oil and gas industry to discuss the taxation arrangements for oil and gas production. [49952]

**Justine Greening:** Treasury Ministers and officials meet representatives from a wide range of organisations and individuals in the public and private sector as part of the process of policy development and implementation. As was the case with previous Administrations, it is not the Governments practice to provide details of all such meetings.

**Ann McKechin:** To ask the Chancellor of the Exchequer what assessment he has made of the likely effect on (a) employment in Scotland and (b) investment in new oil production of his changes to taxation of the oil and gas industries. [49953]

**Justine Greening:** Recognising the importance of continued investment in the North sea, the Government will consider with the industry the case for introducing a new category of qualifying for field allowance.

**Ann McKechin:** To ask the Chancellor of the Exchequer whether any taper will apply to the supplementary charge on oil and gas profits if the price per barrel is between \$75 and \$100. [49956]

**Justine Greening:** As announced at Budget 2011, if the oil price falls below a set trigger price on a sustained basis, the Government will reduce the supplementary charge on a staged and affordable basis while prices remain low. The Government believe that a trigger price of \$75 per barrel would be appropriate, but will set a final level and mechanism after seeking the views of oil and gas companies and motoring groups.

#### Urenco

**Luciana Berger:** To ask the Chancellor of the Exchequer what contingency plans he has made should the sale of the UK shareholding in Urenco not realise the sum identified as necessary to fund the Green Investment Bank. [49613]

**Justine Greening:** The Government are considering a range of possible asset sales to fund the Green Investment Bank. To give information on expected proceeds from individual asset sales would prejudice the Government's commercial position in ongoing and future sale processes. However, at an aggregate level, the Government are confident that the asset sales they are considering will be sufficient to provide the £2 billion target.

### BUSINESS, INNOVATION AND SKILLS

#### Green Investment Bank

19. **Liz Kendall:** To ask the Secretary of State for Business, Innovation and Skills when he plans to publish a business plan for the Green Investment Bank. [49989]

**Vince Cable:** We will capitalise—with equity finance—the Green Investment Bank (GIB) with £2 billion on top of £1 billion of departmental funding already announced. The bank will be able to engage in borrowing when public finances are healthier. We intend to announce more details, including a business plan, in May.

**Mr Offord:** To ask the Secretary of State for Business, Innovation and Skills what estimate his Department has made of the amount of investment in green infrastructure that the Green Investment Bank will be generating in the comprehensive spending review period. [50554]

**Mr Prisk:** The Chancellor of the Exchequer announced in the 2011 Budget that the Green Investment Bank will be capitalised with £3 billion during this Parliament.

We estimate that this capital could leverage up to £15 billion for green infrastructure by 2014-15.

### Apprentices: Greater London

**Ms Buck:** To ask the Secretary of State for Business, Innovation and Skills how many (a) adult and (b) youth apprenticeships were offered in the (i) public and (ii) private sector in London in each of the last five years. [49866]

**Mr Hayes** [*holding answer 29 March 2011*]: The following table shows the number of apprenticeship starts in England by age for 2005/06 to 2009/10, the latest year for which final data are available.

Information on the number of apprenticeships offered in the public and private sector is not available.

*Apprenticeship programme starts by age, 2005/05 to 2009/10*

Age	2005/06	2006/07	2007/08	2008/09	2009/10
Under 19	99,500	105,600	107,600	99,400	116,800
19+	75,500	78,800	117,200	140,600	162,900
Total	175,000	184,400	224,800	239,900	279,700

#### Notes:

1. Figures are rounded to the nearest 100.
2. Age is based on age at the start of the programme.

#### Source:

Individualised Learner Record

Information on the number of apprenticeship starts is published in a quarterly statistical first release (SFR). The latest SFR was published on 27 January 2011:

[http://www.thedataservice.org.uk/statistics/statisticalfirstrelease/sfr\\_current](http://www.thedataservice.org.uk/statistics/statisticalfirstrelease/sfr_current)

### Arms Trade: Exports

**Sir John Stanley:** To ask the Secretary of State for Business, Innovation and Skills pursuant to his answer of 9 March 2011, *Official Report*, column 1173W, on arms trade: exports, for which countries arms export licences have been revoked as a result of his Department's review of export licences announced on 18 February 2011 since 15.00 on 3 March 2011; how many (a) individual and (b) open licences were revoked in respect of each country; and what the date of revocation was in each case. [49524]

**Mr Prisk:** The information is as follows:

(a) For Standard Individual Export Licences (SIELs) one licence was revoked for Libya on 4 March;

(b) For Open Individual Export Licences (OIELs) one licence with multiple destinations was amended on 4 March, revoking exports to the Country of Bahrain; and two licences with multiple destinations were amended on 9 March, both of which revoked exports to the Country of Bahrain.

### Arts and Humanities Research Council

**Dr Huppert:** To ask the Secretary of State for Business, Innovation and Skills what discussions his Department has had with the Arts and Humanities Research Council on funding research into the Big Society; what assessment he has made of the compatibility of his proposals with the Haldane Principle; and if he will make a statement. [50063]

**Mr Willetts:** The Haldane Principle means that decisions on individual research proposals are taken by researchers themselves through peer review. A statement of the Principle was published alongside the science and research funding allocations on 20 December 2010:

<http://www.publications.parliament.uk/pa/cm201011/cmhansrd/cm101220/wmstext/101220m0001.htm>

Every Government will have some key national strategic priorities. The research base has an important role to play in addressing such priorities and the research councils, with the support of independent advice, have proposed research programmes to tackle them. It is also appropriate for Ministers to ask research councils to consider how best they can contribute to these priorities, without crowding out other areas of their missions. But it is for the research councils to decide on the specific projects and people to fund within these priorities, free from ministerial interference.

The Arts and Humanities Research Council's (AHRC) Delivery Plan published in December 2010 was agreed in discussion with the Department for Business, Innovation and Skills. This sets out their strategic research priority areas. AHRC has been working since 2008, with four other research councils, on the Connected Communities Research Programme which has been developed through consultation with researchers. It has not been changed or modified in any way because of any intervention from Ministers: there has been none. At the core of this programme is research to understand the changing nature of communities in their historical and cultural contexts, and the value of communities in sustaining and enhancing our quality of life. These issues are also relevant to debates about the 'Big Society'. The AHRC has made clear their position in a statement published on 28 March:

<http://www.ahrc.ac.uk/News/Latest/Pages/Observerarticle.aspx>

### Business

**Mr Amess:** To ask the Secretary of State for Business, Innovation and Skills what progress his Department is making on achieving the Government's aim of making the UK the best place in the world to start a business; what recent discussions he has had with the Confederation of British Industry on this matter; and if he will make a statement. [50309]

**Mr Prisk:** The UK is ranked as the 4th easiest economy out of 183 economies in the world in which to do business, according to the World Bank benchmarks

published in November 2010, confirming our place as the best country in the G8 and Europe to do business. But there is no room for complacency and since last May we have introduced a number of measures to help achieve our aim of making the UK the best place in the world to start a business. These include:

The Budget announced a general moratorium from all new domestic regulations for three years for businesses of less than 10 employees and for new start-ups.

The Budget also introduced 21 new Enterprise Zones offering a package of benefits including a 100% business rate discount worth up to £275,000 over a five year period.

From 6 April, Companies House will launch a new web incorporation service which will enable people to set up a simple company within a few hours for just £18; an important step towards the Government's aim of one-click registration.

Alongside the launch of Start-Up Britain, the ground-breaking response from the private sector to the Government's call for an enterprise-led recovery, we announced last week a package of announcements to help inspire, support and grow new businesses in the UK:

support for every school to run its own business through the Enterprise Champions Programme.

a major roll-out of Tenner Tycoon, the successful competition owned and run by the Peter Jones Foundation which gives young people the opportunity to take forward their business ideas.

the creation of enterprise societies in every university and most further education colleges to develop students with the ambition and skills for enterprise.

We have announced we will be changing the way we provide information, guidance and support to make it easier to start a business, revamping the [www.businesslink.gov.uk](http://www.businesslink.gov.uk) website and introducing a national contact centre. In October we will be launching a new improved, and personalised, online support package for anyone who wants to start up in business. The Start Up Hub will provide a range of tools and checklists, which have been tested by business customers and includes key elements of starting up such as business planning, as well as tax calculators and other help. It will be easy to access online information and guidance including simple 'no nonsense guides' to starting up in a variety of formats, and online training such as video workshops and case studies.

We have announced that we will continue the Enterprise Finance Guarantee until 2014-15, providing up to £600 million of additional lending to around 6,000 SMEs next year, and subject to demand, over £2 billion in total over the next four years, helping to ensure businesses can access the finance they need.

We are providing targeted support for specific groups:

supporting the Royal British Legion's 'Be the Boss' scheme, which provides loans, grants and advice to UK service leavers to help them fund, plan and grow their own businesses.

working with the Department for Work and Pensions to deliver a tailored package of measures, including an expansion in the planned New Enterprise Allowance, to help the unemployed become self employed.

Working with mentoring providers to understand and address the barriers to enterprise for all groups, including women, former service personnel and Black, Asian and other Minority Ethnic (BAME) communities.

Working with social landlords to remove red tape and encourage more tenants to start up businesses.

From 6 April, a new prospective entrepreneur visa will be available and there will be changes to the entrepreneurs' visa to encourage more wealth and job creators to come to the UK.

The Confederation of British Industry (CBI) is one of this Department's key corporate stakeholders, and Ministers and officials meet regularly with their CBI

counterparts. I last met with John Cridland, the CBI's Director General, in early March, where we discussed many aspects of policy aimed at making the UK the best place in the world to start a business. These included planning, regulation and employment law. We also spoke on the afternoon of Budget day. The CBI welcomed the Budget overall and the accompanying Growth Review, particularly welcoming the measures on corporation tax, entrepreneurs' taxation, regulation, fuel duty and manufacturing.

### Compensation

**Richard Fuller:** To ask the Secretary of State for Business, Innovation and Skills how much (a) his Department and its predecessors and (b) each (i) agency and (ii) non-departmental public body for which he is responsible spent on compensation payments to members of the public for errors made by such bodies in each of the last five years. [47425]

**Mr Davey:** Compensation payments are disclosed annually in the Department's published accounts under the heading of special payments. Payments above £250,000 are detailed separately. Compensation payments made to members of the public for errors made are not recorded separately and the figures could be disaggregated only at disproportionate cost.

Information for non-departmental public bodies is not held centrally and could be provided only at disproportionate cost.

I have approached the chief executives of the Insolvency Service, Companies House, the National Measurement Office, Skills Funding Agency and the Intellectual Property Office and they will respond to my hon. Friend directly.

*Letter from Geoff Russell, dated 16 March 2011:*

Thank you for your question addressed to the Secretary of State for Business, Innovation and Skills asking how much the Skills Funding Agency (the Agency) spent on compensation payments to members of the public for errors made by the Agency in each of the last five years.

Please be advised that the Agency has no record of any compensation payments made to members of the public recorded in the ledgers of the Learning and Skills Council (LSC), the predecessor to the Skills Funding Agency—up to 31 March 2010, nor in the ledgers of the Skills Funding Agency, the successor organisation to the LSC, from 1 April 2010 to date.

*Letter from Gareth Jones, dated 24 March 2011:*

I am replying on behalf of Companies House to your Parliamentary Question tabled 14 March 2011, UIN 47425 to the Secretary of State for Business, Innovation and Skills.

As a Government department Companies House does not pay compensation. However; we will make payments for costs, known as ex gratia payments, where the costs are incurred as a direct result of an error made by Companies House. The amount of ex gratia payments for each of the last five years is as follows:

	<i>Amount (£)</i>
2006/07	12,897
2007/08	23,860
2008/09	17,724
2009/10	34,845
2010/11	65,576
Total	154,902

The figures for 2010/11 are for the year to date.

*Letter from John Alty, dated 15 March 2011:*

I am responding in respect of the Intellectual Property Office to your Parliamentary Question tabled 14th March 2011 to the Minister of State, Department for Business, Innovation and Skills.

The Intellectual Property Office generally does not pay compensation. Where the Office has not provided a service to the standard we and our customers expect an ex-gratia payment may be made. This generally is a refund of fees paid but can be more, to cover costs, in exceptional circumstances. The figures for the last five years are:

	£
2006-07	6,083
2007-08	14,322
2008-09	3,737
2009-10	8,231
2010-11 (Feb)	2,314

*Letter from Peter Mason, dated 22 March 2011:*

I am responding in respect of the National Measurement Office (formerly National Weights and Measures Laboratory) to your Parliamentary Question tabled on 14 March 2011 reference 2010/4536 to the Secretary of State, Department for Business, Innovation and Skills, asking how much his Department and its predecessors and each (a) agency and (b) non-departmental public body for which he is responsible spent on compensation payments to members of the public for errors made by such bodies in each of the last five years.

The National Measurement Office has not spent any money on compensation payments to members of the public for errors in any of the last five years.

*Letter from Stephen Speed, dated 28 March 2011:*

The Secretary of State, Department for Business, Innovation and Skills has asked me to reply to your question how much his Department and its predecessors and each (a) agency and (b) non-departmental public body for which he is responsible spent on compensation payments to members of the public for errors made by such bodies in each of the last five years.

The Insolvency Service, an Executive Agency of the Department for Business, Innovation and Skills, does not hold a breakdown of amounts paid for compensation to members of the public for errors. Where an official receiver acting as trustee or liquidator has not taken action as required by insolvency legislation in relation to an insolvency case, The Service may be liable to make a fruitless payment. Provisions for such payments are included in the notes to The Service's Accounts published annually and laid in Parliament. The Service's Annual Report and Accounts also includes any payments in respect of complaints that are upheld by the independent Adjudicator of complaints.

### Enterprise Zones: Wales

**Jonathan Evans:** To ask the Secretary of State for Business, Innovation and Skills what discussions he has had with the Welsh Assembly Government on the use of the enterprise zone model in Wales; and if he will make a statement. [50121]

**Mr Prisk:** My right hon. Friend the Secretary of State visited Wales on Tuesday 29 March when the issue of enterprise zones was discussed at length with key representatives of the Welsh business sector.

In addition, the Government wrote to the Welsh Assembly Government—as well as the Scottish Government and the Northern Ireland Executive—in advance of the Budget, setting out its commitment to work with the devolved Administrations to establish enterprise zones if they so wish. The Government remain ready to work

with them on this and have made funding available in the Budget to support enterprise zones in the devolved Administrations through the Barnett formula.

### Land: Bristol

**Ian Lucas:** To ask the Secretary of State for Business, Innovation and Skills what plans he has for ownership of the land on which the SPark Bristol and Bath Science Park is located other than the National Corporate Centre Site following the closure of the South West Regional Development Agency. [50149]

**Mr Prisk:** The South West of England Development Agency's detailed assets and liabilities plan is currently being scrutinised by Government. The Government expect information to be available in due course, once in principle decisions have been made on appropriate methods of disposal for particular types of assets. The Government anticipate the systematic disposal of the South West of England Development Agency's assets and liabilities will begin shortly.

### Local Enterprise Partnerships

**Mr Amess:** To ask the Secretary of State for Business, Innovation and Skills what proportion of the population of England is covered by local enterprise partnerships; what plans there are to extend coverage; and if he will make a statement. [50303]

**Mr Prisk:** To date, 32 partnerships have been approved. These represent:

1.8 million or 90% of all businesses (active enterprises) in England;

21 million employees (employee jobs figures) or 91% of all employees in England and;

A population of 47 million or 90% of England's population.

We welcome further proposals for areas not yet covered by partnerships and continue to work with them at a speed that is appropriate for them.

**Mr Nicholas Brown:** To ask the Secretary of State for Business, Innovation and Skills what role his Department has set for local enterprise partnerships in promoting (a) the automotive industry, (b) low-carbon technologies, including offshore wind farms and (c) biotechnology and the life sciences in their areas. [50324]

**Mr Prisk:** It is for local enterprise partnerships to decide their priorities, and where they have a particular strength in a sector in their locality such as in automotive, low carbon or life sciences they may well wish to promote that sector. The Government have already made clear that they will share information and work with partnerships on such issues if they would find that helpful.

### Members: Correspondence

**Mr Sanders:** To ask the Secretary of State for Business, Innovation and Skills when he plans to reply to the letter from the hon. Member for Torbay of 14 December 2010 on behalf of the Devon Education Business Partnership regarding work experience placements. [49690]

**Tim Loughton:** I have been asked to reply.

The Minister of State for Schools, my hon. Friend the Member for Bognor Regis and Littlehampton (Mr Gibb), replied to my hon. Friend on 29 March 2011.

#### **New Businesses: Scotland**

**John Robertson:** To ask the Secretary of State for Business, Innovation and Skills how much funding will be allocated to (a) Scotland, (b) Glasgow North West constituency and (c) Glasgow city under the StartUp Britain initiative. [50052]

**Mr Prisk:** StartUp Britain does not receive Government funding.

It is an initiative for business, led and funded by business.

#### **Northern Way: Expenditure**

**Sir Alan Beith:** To ask the Secretary of State for Business, Innovation and Skills how much the Northern Way project spent; and what evaluation he has made of the project's performance in meeting its objectives. [49744]

**Mr Prisk:** The Northern Way formed in 2004 is a partnership between One North East, Yorkshire Forward and Northwest Development Agency. Its forecast total spend is £126 million covering two phases, 2004-08 (£100 million) and 2008-11 (£26 million).

An evaluation of the first phase was published in April 2009. An evaluation of the second phase was initiated in March 2009. An interim report was published in June 2010 and the final report will be issued in April 2011. The reports can be found at:

<http://www.thenorthernway.co.uk/page.asp?id=812>

The partnership will formally close on 31 March 2011.

#### **Re-Export Control Bill [HL] 2010-11**

**Mr Amess:** To ask the Secretary of State for Business, Innovation and Skills what recent representations he has received on referring the Re-Export Control Bill [Lords] to a Second Reading Committee; what his policy is on such references; and if he will make a statement. [50308]

**Mr Prisk:** The Secretary of State for Business, Innovation and Skills, my right hon. Friend the Member for Twickenham (Vince Cable) received a letter from my hon. Friend the Member for Banbury (Tony Baldry) on 4 March on this issue.

My noble Friend the Parliamentary Secretary for Business, Innovation and Skills expressed the Government's reservations about the Re-Export Controls Bill during its Second Reading in the House of Lords on 3 December. The Government intend to set out its position on the Bill during Second Reading in the House of Commons, which is currently scheduled for 13 May.

#### **Regional Growth Fund: Poole**

**Mr Syms:** To ask the Secretary of State for Business, Innovation and Skills how many applications to the Regional Growth Fund have been received from organisations based in Poole constituency. [50540]

**Mr Prisk:** Four hundred and sixty-four bids to the value of £2.78 billion have been received in Round 1 of Regional Growth Fund (RGF). No bids have come directly from the Poole area.

#### **Service Industries: Minimum Wage**

**Michael Connarty:** To ask the Secretary of State for Business, Innovation and Skills what recent representations he has received on the operation of the national minimum wage in the hospitality industry. [49978]

**Mr Davey:** I met with the hon. Member for Linlithgow and East Falkirk on 21 March 2011 to discuss national minimum wage enforcement in the hospitality industry. I am considering the issues raised at this meeting and shall be writing to the hon. Member shortly.

#### **Small Businesses: Recruitment**

**Mr Amess:** To ask the Secretary of State for Business, Innovation and Skills what steps he is taking to encourage small and medium-sized enterprises to employ staff; and if he will make a statement. [50307]

**Mr Prisk:** The Government have announced plans to promote employment by reducing the cost of hiring and retaining staff.

We raised the threshold for employer NICs, increasing the number of employees for whom employers pay no contributions, and introduced a national insurance contributions (NICs) holiday scheme.

We have also made good progress on our Parliament-long review of employment laws—including proposed reforms to the employment tribunals system, which should make it easier and more attractive to take people on.

#### **Students: Loans**

**Esther McVey:** To ask the Secretary of State for Business, Innovation and Skills what steps he plans to take to ensure that all student loans eligible for repayment are repaid in full following implementation of the increased maximum chargeable amount in tuition fees. [49824]

**Mr Willetts:** Borrowers who remain in the UK and work here will have their loans recovered through the UK tax system.

For those borrowers who move abroad, whether temporarily or because they live in another country, the Student Loans Company (SLC) has established repayment arrangements and will ask for information about earnings and give the borrower a monthly repayment schedule under the terms of the contract of the loan.

The progressive system of student loans to be introduced in the 2012/13 academic year links repayments to earnings, with the effect that high earners will repay the full cost, or more, of their tuition.

The £21,000 income threshold will offer protection to those who do not go on to earn high wages or have periods out of employment.

After 30 years all former students will have any outstanding balance written off. Under this system, around a quarter of former students with the lowest lifetime earnings will repay less overall than former students under the current system do now.

### Tobacco: Sales

**Mr Sanders:** To ask the Secretary of State for Business, Innovation and Skills whether the Reducing Regulation Committee has discussed proposals for the future display of tobacco products in shops. [49459]

**Mr Prisk:** Information relating to the proceedings of Cabinet Committee, including items on the agenda, is generally not disclosed, as to do so could harm the frankness and candour of internal Government discussion.

### WHO Global Influenza Surveillance Network

**Dr Huppert:** To ask the Secretary of State for Business, Innovation and Skills what his policy is on the retention of the UK's role of hosting a WHO collaborating centre as part of the WHO Global Influenza Surveillance Network. [50256]

**Mr Willetts:** The Medical Research Council (MRC) is one of the main agencies through which the Government support medical and clinical research, including research relating to influenza. The MRC is a non-departmental public body which receives its grant in aid from the Department for Business, Innovation and Skills.

The World Health Organisation (WHO) Influenza Centre at the MRC National Institute for Medical Research is one of five WHO Collaborating Centres for Reference and Research on Influenza. MRC support for the centre is subject to scientific peer review and is assessed every five years by MRC as part of their ongoing programme of review for MRC research units and institutes. This assessment takes account of scientific expertise, links with other organisations nationally and internationally including WHO, the Health Protection Agency, the (US) Center for Disease Control and Prevention and the European Centre for Disease Prevention and Control.

The MRC is currently conducting the five yearly review of the National Institute for Medical Research (NIMR), and decisions on support for the centre for the coming five years will be taken as part of this review. The MRC expects to complete the institute review during 2011-12.

In keeping with the Haldane Principle, prioritisation of an individual Research Council's spending within its allocation is not a decision for Ministers.

## EDUCATION

### Academies

**Richard Fuller:** To ask the Secretary of State for Education what process he has put in place by which an independent school may become an academy. [45633]

**Mr Gibb:** An independent school wanting to become an Academy should follow the Free School application process, which has been open to them since its launch in June.

Applications from independent schools are considered alongside applications for new schools. All applications must meet minimum criteria. In order to ensure only

the best independent schools are considered for the Free Schools programme, independent school applicants must meet additional criteria, set out on our website at:

[www.education.gov.uk/freeschools](http://www.education.gov.uk/freeschools)

The minimum criteria that independent schools must meet in order to be considered are:

The latest inspection judgment on the school should be either good or better;

There should be no significant outstanding issues on compliance with independent schools standards; and

The existing Trust has a good track record of managing their accounts.

The Department will also take into account a range of contextual factors to make a judgment on whether the school will provide value for money and high quality places.

### Apprentices: Finance

**Alison McGovern:** To ask the Secretary of State for Education on which dates Ministers in his Department have made announcements on (a) the creation of apprenticeship places and (b) funding to be allocated to apprenticeships since May 2010. [40581]

**Mr Hayes:** I refer the hon. Member to the reply given on 14 February, 2011, *Official Report*, columns 562-3W which I answered as Minister with responsibility for apprenticeships in both the Department for Education and the Department for Business, Innovation and Skills.

### Children: Carers

**Chris Ruane:** To ask the Secretary of State for Education what information his Department holds of the number and proportion of children who are carers in each (a) region and (b) socio-economic group. [40326]

**Tim Loughton:** Precise local and national data on the number and proportion of children who are carers in each region of the UK and socio-economic group is not held centrally. However the 2001 Census estimates that there are approximately 175,000 children in the UK aged 17 or under offering some care to a family member, neighbour or friend. More up to date census data will be available later in the year.

### Departmental Film

**Bridget Phillipson:** To ask the Secretary of State for Education how much his Department has spent on film production, including the filming of speeches, since May 2010. [35829]

**Tim Loughton:** Since May 2010 the Department has spent £4,565.00 on film production.

### Departmental Manpower

**Mr Redwood:** To ask the Secretary of State for Education how many (a) actual and (b) full-time equivalent staff his Department employed on the latest date for which figures are available. [42385]

**Tim Loughton:** As at March 2011, the number of staff employed by the Department for Education is 2,605 or 2,484.4 full-time equivalent (FTE).

Similar headcount information (from the latest data available in March 2011) for the Department's arm's length bodies is set out in the following table:

Name	Organisation	Headcount	Full-time equivalent
British Educational Communications and Technology Agency (BECTA)	Non-departmental public body (NDPB)	9	9
Children and Family Court Advisory and Support Service (CAFCASS)	NDPB	1,997	1,680.0
Children's Workforce Development Council (CWDC)	NDPB	164	197.0
General Teaching Council for England (GTCE)	Corporation	175	218.8
National College (NC)	NDPB	326	293.9
Office of Qualifications and Examinations Regulation (Ofqual)	NDPB	163	160.0
Office for Standards in Education, Children's Services and Skills (Ofsted)	Non-ministerial Government Department	1,615	1,566.1
Partnerships for Schools (PfS)	NDPB	168	162.3
Qualifications and Curriculum Development Agency (QDA)	NDPB	363	360.0
School Food Trust (SFT)	NDPB <sup>1</sup>	72	70.8
Training and Development Agency (TDA)	NDPB <sup>2</sup>	311	308.0
Young People's Learning Agency (YPLA)	NDPB	534	520.6
Office of the Children's Commissioner (OCC)	NDPB	27	27
Total	—	5,934	5,573.5

<sup>1</sup> Until end March 2011 <sup>2</sup> Executive agency from 1 April 2012

### Departmental Telephone Services

**Mr Blunkett:** To ask the Secretary of State for Education pursuant to the answer of 22 March 2011, *Official Report*, columns 1034-35W, on departmental telephone services, what steps are being taken within the specification outlined to facilitate the qualification of small voluntary sector organisations under the terms for contracted services; and if he will make a statement.

[49641]

**Tim Loughton** [*holding answer 30 March 2011*]: The Home Office in liaison with OGC and other Government Departments has developed the good practice guidance on procuring services from the voluntary and community sector (VCS). The primary focus of the guidance is to improve the participation of the VCS in public service contracts but it is also highly relevant to procurement relationships with small to medium enterprises and black and minority ethnic enterprises.

The Department for Education (DfE) fully supports the use of the good practice guidance and recognises that the voluntary and community sector can make a significant contribution to the delivery of our policies. The Department's procurement policy requires that all procurement must be based on value for money (VFM), however, VFM and supplier diversity are not in opposition to each other and public procurement is generally more effective if it is open to ideas from all potential supply markets. The guidance is not about giving preferential

treatment to VCS organisations rather it is about opening up opportunities and building effective relationships.

We are also complying with the actions suggested by ERG and BIS—Growth Review:

[http://cdn.hm-treasury.gov.uk/2011budget\\_growth.pdf](http://cdn.hm-treasury.gov.uk/2011budget_growth.pdf)

to help encourage SMEs and VCS's, e.g. reducing use of Pre Qualification Questionnaires (PQQs) for sub-threshold procurements and meeting the Governments transparency requirements.

To support the transparency agenda, all DfE tenders and contracts over £10,000 are advertised on the Contracts Finder website which provides access and guidance to public sector contracting. Contracts Finder is a free new service for businesses, Government buyers and the public. This service comes from Government under their transparency commitment, and you can find live contract opportunities, tender documentation, contract awards and contract documents.

### Finance

**Tony Lloyd:** To ask the Secretary of State for Education how much funding his Department allocated to local authorities in Greater Manchester for capital expenditure (a) in 2010-11 and (b) in each of the last five years.

[49958]

**Mr Gibb** [*holding answer 30 March 2011*]: The following table sets out capital support for schools in the Greater Manchester area from 2005-06 to 2010-11 (provisional):

	£ million					
	2005-06	2006-07	2007-08	2008-09	2009-10	2010-11 (provisional)
Bolton	13.0	17.5	22.4	14.3	35.7	39.4
Bury	8.0	10.7	14.5	12.0	16.4	16.7
Manchester	83.5	59.7	124.3	83.3	115.4	153.9
Oldham	17.2	13.2	13.5	14.0	21.5	40.5
Rochdale	10.0	10.3	11.4	13.0	31.7	44.2

	2005-06	2006-07	2007-08	2008-09	2009-10	2010-11 (provisional)	£ million
Salford	12.5	13.5	21.1	11.9	20.5	21.1	21.1
Stockport	14.8	12.3	13.0	13.1	24.7	15.4	15.4
Tameside	14.2	12.7	18.3	20.6	44.5	20.6	20.6
Trafford	11.0	10.2	18.9	23.3	18.9	25.6	25.6
Wigan	14.0	16.8	24.5	38.3	31.3	20.1	20.1
Total Greater Manchester	198.2	176.9	281.9	243.8	360.8	397.5	397.5

The figures in the table include capital grant and supported borrowing allocations, but exclude PFI credits.

### Flexible Working: Parental Leave

**Chris Ruane:** To ask the Secretary of State for Education what assessment his Department has made of the effect on early childhood development of (a) flexible working and (b) maternity and paternity leave. [48488]

**Sarah Teather:** The Department has made no explicit assessment of the direct effect on early childhood development of flexible working and maternity and paternity leave.

However, there are studies which the Department has commissioned, funded or is aware of which look explicitly at the effect of the home learning environment and parental involvement on childhood development.

The Effective Provision of Pre-School Education (EPPE) Project, after controlling for parents' occupations and education, aspects of the home learning environment were found to have a significant impact on children's cognitive development both at age 3 years plus and again at school entry. The frequency with which the child plays with letters/numbers at home was linked with attainment in all measures. Parents' drawing children's attention to sounds and letters was linked to literacy skills, early number skills and non-verbal attainment.

The final report from EPPE is available here:

<http://www.education.gov.uk/publications/standard/publicationdetail/page1/DCSF-00924-2008>

'The National Literacy Trust Face to Face' research project, October 2010, was commissioned to identify key messages for parents and carers in relation to communicating with babies and young children and examined the most effective ways to promote these messages. The review found that there is general agreement that infants are predisposed to communicate, reciprocate and connect with other people. Key areas were identified in relation to the aspects of parenting that matter in relation to communicating with babies. More information on the study and the key findings can be found at:

[http://www.literacytrust.org.uk/assets/0000/6771/F2F\\_management\\_summary.pdf](http://www.literacytrust.org.uk/assets/0000/6771/F2F_management_summary.pdf)

'The Impact of Parental Involvement on Children's Education', DCSF 2008, provides a summary of some of the research evidence on the impact of parental involvement on children's education, the stages at which it is known to have an impact, and the types of activities which are influential. Overall, research has consistently shown that parental involvement in children's education does make a positive difference to pupils' achievement, as follows:

Parental involvement with children from an early age has been found to equate with better outcomes; particularly in terms of cognitive development. (Sylvia et al (2004) Effective pre-School Education. Final report. DFES.)

Evidence indicates that a relationship exists between parental involvement and achievement, and that this continues to have a significant effect into adolescence and even adulthood, even when the background factors such as class and family size have been

taken into account. (Desforges et al (2003) The Impact of Parental Involvement, Parental Support and Family Education on Pupil Achievement and Adjustment: A Literature Review. DCSF).

Evidence suggests that the quality and content of fathers' involvement matter more for children's outcomes than the quantity of time fathers spend with their children. (Goldman, R (2005). Fathers' involvement in their Children's Education. National Family and Parenting Institute.) There is consistent evidence that fathers' interest and involvement in learning is statistically associated with better outcomes, (ibid)

In 2007 two thirds of parents said that they would like to get more involved in the child's school life. Work commitments were the most frequently cited barrier by parents (44%) from getting more involved. (Peters et al (2008) Parental Involvement in Children's Education 2007. DCSF).

The report is available here:

<http://www.education.gov.uk/publications/standard/publicationdetail/page1/DCSF-00924-2008>

Analysis of data collected from the British Household Panel Survey (1991-97) found a negative and significant effect on the child's educational attainment as a young adult of the mother's full-time employment when the child was aged 0-5.

The effect of mother's part-time employment is also negative but smaller and less well determined. Similarly, the effect of father's employment is small but again negative. More information on the analysis can be found in 'The Effect of Parents' Employment on Children's Educational Attainment', John Ermisch and Marco Francesconi, 2000, available here:

<http://www.iser.essex.ac.uk/publications/working-papers/iser/2000-31.pdf>

### Free Schools

**Mike Gapes:** To ask the Secretary of State for Education what requirements there are for public consultation on the location of free schools. [48368]

**Mr Gibb:** The duty to consult on the establishment of a Free School is set out under Section 10 of the Academies Act 2010.

### Free Schools: Admissions

**Rehman Chishti:** To ask the Secretary of State for Education whether free schools will be obliged to adopt fair admissions criteria which place emphasis on increasing access to high quality education for children from all backgrounds. [49578]

**Mr Gibb:** All Free Schools are required, through their funding agreements, to follow the Admissions Code which aims to ensure that all school places are allocated and offered in an open and fair way.

The law requires that Free Schools provide places for children of all abilities who are mainly from the area in which the school is situated.

**Free Schools: Wellingborough**

**Mr Bone:** To ask the Secretary of State for Education how many applications to establish a free school in (a) Wellingborough constituency, (b) Northamptonshire and (c) England his Department has received since May 2010. [47655]

**Mr Gibb** [holding answer 18 March 2011]: As at 23 March 2011, a total of 323 free school proposals have been received from groups and individuals in England. Of these, three proposals are from Northamptonshire but none from the Wellingborough constituency.

**GCSE**

**Charlotte Leslie:** To ask the Secretary of State for Education how many and what proportion of (a) all pupils, (b) pupils eligible for free school meals and (c) pupils not eligible for free school meals achieved A\* to C grades at GCSE in (i) English language, (ii) mathematics, (iii) two sciences, (iv) a language, (v) a humanity and (vi) all five of these subjects in each year since 1997. [38000]

**Mr Gibb:** The available information is given in the following table.

Number of pupils<sup>1</sup> achieving A\*-GCSE grades by free school meal eligibility years: 2009 (final data) to 2010 (amended data), coverage: England, maintained schools (including Academies and CTCs)

	Pupils known to be eligible for free school meals		Pupils not eligible for free school meals		All pupils <sup>2</sup>	
	2009	2010	2009	2010	2009	2010
<i>All pupils:</i>						
	74,419	77,324	504,377	500,640	578,840	578,063
<i>Achieving A*-C grades by subject:</i>						
<i>English</i>						
Number	27,905	33,178	329,914	349,405	357,846	382,649
Percentage of pupils	37.5	42.9	65.4	69.8	61.8	66.2
<i>Mathematics</i>						
Number	26,075	30,625	312,568	329,997	338,673	360,685
Percentage of pupils	35.0	39.6	62.0	65.9	58.5	62.4
<i>At least two sciences<sup>3</sup></i>						
Number	15,950	17,604	239,183	246,095	255,142	263,725
Percentage of pupils	21.4	22.8	47.4	49.2	44.1	45.6
<i>Humanities<sup>4</sup></i>						
Number	9,115	9,997	172,973	174,082	182,098	184,095
Percentage of pupils	12.2	12.9	34.3	34.8	31.5	31.8
<i>Modern Languages<sup>5</sup></i>						
Number	10,156	10,420	151,824	150,851	161,990	161,299
Percentage of pupils	13.6	13.5	30.1	30.1	28.0	27.9
<i>All of the above subjects</i>						
Number	2,859	3,169	83,842	84,931	86,701	88,107
Percentage of pupils	3.8	4.1	16.6	17.0	15.0	15.2

<sup>1</sup> Number of pupils at the end of Key Stage 4.

<sup>2</sup> Includes pupils for whom free school meal eligibility could not be determined.

<sup>3</sup> Pupils who achieved A\*-C at Double award Science GCSE, in both (Core Science or Single Science) and Additional Science GCSEs or in at least two of the following subjects: Physics, Chemistry, Biological Science.

<sup>4</sup> Pupils who achieved A\*-C at GCSE in History, Geography or both subjects. There is no set definition of 'Humanities', this definition is in line with the proposed English Baccalaureate.

<sup>5</sup> Pupils who achieved A\*-C at GCSE in at least one of the following subjects: French, German, Spanish, Dutch, Italian, Modern Greek, Portuguese, Arabic, Bengali, Chinese, Gujarati, Japanese, Modern Hebrew, Panjabi, Polish, Russian, Turkish, Urdu, Persian.

Source:

National Pupil Database

The additional data are not currently available, the Department will be conducting new analysis to prepare the data from 2003 and will place a copy in the House Libraries once it has been completed and write to the hon. Member. However, pupil level characteristics data are not available before 2002.

**Industrial Health and Safety**

**Alok Sharma:** To ask the Secretary of State for Education what progress his Department has made in

reviewing the health and safety regulations for which it is responsible since his appointment. [36975]

**Tim Loughton:** The Health and Safety Executive (HSE) has responsibility for Health and Safety regulations within the UK and it is their responsibility to review their regulations. HSE has not announced a significant change in the regulations. There are no health and safety regulations which are aimed specifically at the education system. Where health and safety regulations

have an impact upon the education system or working environment the Department for Education continues to have an active dialogue with the HSE to ensure that the regulations that apply have good guidance and are applied proportionately.

### Marriage Guidance: Finance

**Jeremy Lefroy:** To ask the Secretary of State for Education what steps he plans to take to (a) put funding for relationship support on a stable, long-term footing and (b) encourage couples to access existing relationship support. [36783]

**Tim Loughton:** In his speech on 10 December, the Prime Minister announced that the Government will dedicate £7.5 million a year over each of the next four years to supporting relationships. This will put funding for relationship support on a stable footing. (Through “Improving outcomes for children, young people and families: a National Prospectus” my Department has invited organisations to apply for grants for relationship support, including “work to encourage couples to take up preventative support to develop and sustain their relationship” as one of its priorities for this dedicated funding.)

### Public Bodies: Closures

**Lisa Nandy:** To ask the Secretary of State for Education whether the powers of those bodies that are proposed for abolition in the Education Bill will be transferred to the Secretary of State following the closure of those bodies. [38699]

**Tim Loughton:** In all cases the Secretary of State will be taking on some of the powers, apart from the School Support Staff Negotiating Body where he is taking on none.

The new delivery model will also produce tangible benefits for schools, governors, teachers, parents, children and the public, by allowing more resource to be directed at the front line, where it matters most. The greater coherence and accountability of the system will enable our customers to see more clearly who is accountable for what, and to speak more directly to Government about their concerns. Instead of having several, sometimes conflicting, voices from official agencies giving different versions of the Government’s policy, there will be a single clear message coming direct from Government. The abolition of several ALBs signals an end to centralised control over aspects of education where there is no need for the government to be involved, and supports greater devolution to localities and the front line, enabling more decisions to be taken by schools themselves, rather than by intermediate bodies. The creation of executive agencies, rather than simply bringing the delivery functions into the Department, is also aimed at safeguarding independence in areas where this is important.

### Pupils: Bullying

**Caroline Lucas:** To ask the Secretary of State for Education (1) for what reasons no mention was made of transphobic bullying in sections 3.6, 3.19 and 3.20 of the Schools White Paper, the Importance of Teaching; and if he will make a statement; [49367]

(2) if he will ensure that information on where to seek guidance on how to deal with transphobic bullying will be included in the proposed new anti-bullying in schools guidance; and if he will make a statement. [49368]

**Mr Gibb:** The Government are committed to tackling all forms of bullying particularly those motivated by prejudice. We want every school to have a strong ethos on good behaviour which includes a culture of respect and acceptance among pupils, staff and the rest of the school community. The Schools White Paper, ‘The Importance of Teaching’, is a wide-ranging document which sets out the Government’s overall approach to different aspects of education, one being behaviour. In that chapter, we made it very clear that schools should not tolerate any form of prejudice-based bullying, regardless of motivation.

Homophobic bullying was cited as an example of bullying which is prevalent and often not tackled effectively. However in developing anti-bullying strategies, school staff should assess the particular motivations behind bullying in their schools including, where appropriate, any transphobic bullying, and incorporate those issues accordingly.

Our proposed new short advice to schools on preventing and tackling bullying will highlight transphobic bullying as one of the types of prejudice-based bullying schools should address. This advice will also signpost schools to further resources from external organisations who are experts in transgender issues. Officials have been working with a range of organisations in developing this advice.

### School Sports Partnerships

**Annette Brooke:** To ask the Secretary of State for Education what discussions he has had with the Secretary of State for the Home Department on the likely effects on levels of youth crime of ending the funding for the School Sports Partnership prior to taking his decision to do so. [27590]

**Tim Loughton:** The Secretary of State has not had any discussions with the Home Office about the likely effects on levels of youth crime of the changes to school sports funding. However, this Department works closely with other Departments with an interest in taking forward the new approach to school sport.

Funding of £47 million has been paid to school sport partnerships to fund their work up until the end of the summer term 2011. Ring-fenced funding for partnerships will not continue beyond then. Instead, the Department is making available £65 million of new funding for schools to enable them to provide more opportunities for competitive sport. The funding will cover the school years 2011/12 and 2012/13, and will pay for one day a week of a secondary PE teacher’s time to be spent out of the classroom, encouraging greater take up of competitive sport in primary schools and securing a fixture network for schools to increase the amount of intra- and inter-school competition.

In addition, at the Sports Colleges Conference in February, the Secretary of State for Culture, Olympics, Media and Sport announced outline plans for a network of School Games Organisers from September 2011. These organisers will be funded by the Department of Health and Sport England for three days a week to help

schools sign up for the nationwide school games. Further details on the funding for these organiser posts and their precise roles will be announced shortly.

#### Schools: Sports

**Ian Austin:** To ask the Secretary of State for Education how much of his Department's budget for funding for school buildings and facilities he expects to be spent on sports facilities; and if he will make a statement. [27400]

**Tim Loughton:** Decisions on the amount of capital funding to be spent on school sports facilities are for schools and local authorities. The Secretary of State would expect them to take into account the need for sufficient and adequate facilities for physical education and sport when making these decisions.

**Ian Austin:** To ask the Secretary of State for Education what estimate he has made of the likely number of redundancies arising from his Department's reduction in expenditure on school sport in the school year 2011-12. [36871]

**Tim Loughton** [*holding answer 31 January 2011*]: Staff who make up the previous Administration's PE and sport strategy are employed by a mixture of schools, local authorities and others, and the Department does not collect redundancy information from these bodies.

#### Science: Secondary Education

**Julian Smith:** To ask the Secretary of State for Education what assessment his Department has made of prospects for the future of science teaching in schools at (a) Key Stage 3, (b) GCSE and (c) A-level. [17233]

**Mr Gibb:** Our White Paper, "The Importance of Teaching", and subsequent announcements have set out the Government's plans for comprehensive reform of school curriculum, qualifications and teacher supply. These reforms will lay the foundations for improving teaching at all stages, including Key Stage 3, GCSE and A levels, and ensure that standards in science, and those for other subjects, match those of the best performing countries.

In addition, the White Paper confirmed that we will provide targeted support specifically to tackle long-standing problems in science and mathematics education. We will support programmes to improve the supply of specialist science teachers and ensure that they can develop their subject knowledge and teaching skills during their careers. We will also support schools in improving the take-up, teaching and achievement in the most demanding and rigorous science options such as GCSE Triple Science, and A level Physics and Further

Mathematics. We will be announcing in due course our detailed policies, programmes and funding to secure these objectives.

#### Special Educational Needs

**Mr Blunkett:** To ask the Secretary of State for Education with reference to his Green Paper on special educational needs, when he plans to publish the national special educational needs and disabilities voluntary and community sector prospectus. [47286]

**Sarah Teather** [*holding answer 18 March 2011*]: "Support and aspiration: A new approach to special educational needs and disability" signals a significant involvement for the voluntary and community and social enterprise sector (VCS) in taking forward proposed reforms.

"Support and aspiration" explains our intent shortly to issue an SEN and Disability prospectus which will set out the key areas in which we will make funding available and guidance for organisations that wish to bid for grants or contracts.

We have already provided £6.5 million to SEN and Disability VCS organisations for projects which will start in April 2011 following an earlier exercise which began in November 2010.

**Gloria De Piero:** To ask the Secretary of State for Education what data his Department holds on the number and proportion of school pupils with each type of special educational need in (a) Ashfield constituency, (b) Nottinghamshire and (c) England. [48411]

**Sarah Teather:** Pupils with special educational needs comprise those at School Action, School Action Plus or with statements of special educational needs.

School Action is where extra or different help is given from that provided as part of the school's usual curriculum. School Action Plus is where the class teacher and the SEN coordinator receive advice or support from outside specialists (the specialist teacher, an educational psychologist, a speech and language therapist or other health professionals). A pupil has a statement of special educational needs when a formal assessment has been made. A document setting out the child's needs and the extra help they should receive is in place.

The information requested is shown in the following table for pupils at School Action Plus or with statements of special educational needs. Information on type of need for pupils at School Action is not collected.

The latest available information on the primary need of pupils with special educational needs can be found in the "Special Educational Needs in England" Statistical First Release in Table 11:

<http://www.education.gov.uk/rsgateway/DB/SFR/s000939/index.shtml>

*Maintained primary, state-funded secondary and special schools<sup>1,2,3</sup>: Number and percentage of pupils with special educational needs (SEN) by type of need<sup>4,5</sup> January 2010—Ashfield parliamentary constituency, Nottinghamshire local authority and England*

	Pupils with SEN at School Action Plus					
	Ashfield parliamentary constituency		Nottinghamshire local authority		England	
	Number	%	Number	%	Number	%
Specific learning difficulty	40	6.1	420	8.3	67,760	13.9

Maintained primary, state-funded secondary and special schools<sup>1,2,3</sup>: Number and percentage of pupils with special educational needs (SEN) by type of need<sup>4,5</sup> January 2010—Ashfield parliamentary constituency, Nottinghamshire local authority and England

	Pupils with SEN at School Action Plus					
	Ashfield parliamentary constituency		Nottinghamshire local authority		England	
	Number	% <sup>6</sup>	Number	% <sup>6</sup>	Number	% <sup>6</sup>
Moderate learning difficulty	120	19.4	970	19.2	130,460	26.8
Severe learning difficulty	30	4.9	130	2.6	3,490	0.7
Profound and multiple learning difficulty	7—	7—	30	0.5	710	0.1
Behaviour, emotional and social difficulties	160	27.5	1,520	30.1	128,250	26.3
Speech, language and communications	80	14.0	600	11.8	85,780	17.6
Hearing impairment	10	1.5	90	1.8	9,100	1.9
Visual impairment	20	2.5	90	1.7	4,920	1.0
Multi-sensory impairment	7—	7—	10	0.2	410	0.1
Physical disability	30	4.6	260	5.1	12,210	2.5
Autistic spectrum disorder	100	16.0	670	13.2	16,930	3.5
Other difficulty/disability	20	2.5	280	5.5	27,110	5.6
Total	590	100.0	5,060	100.0	487,120	100.0

	Pupils with statements of SEN					
	Ashfield parliamentary constituency		Nottinghamshire local authority		England	
	Number	% <sup>6</sup>	Number	% <sup>6</sup>	Number	% <sup>6</sup>
Specific learning difficulty	7—	7—	30	2.1	11,850	5.7
Moderate learning difficulty	50	23.3	190	15.7	38,120	18.2
Severe learning difficulty	20	11.9	200	16.3	25,280	12.1
Profound and multiple learning difficulty	7—	7—	80	6.8	8,770	4.2
Behaviour, emotional and social difficulties	20	9.8	140	11.3	29,760	14.2
Speech, language and communications	10	3.1	110	8.7	27,620	13.2
Hearing impairment	0	0.0	20	1.6	6,420	3.1
Visual impairment	7—	7—	10	1.2	3,660	1.7
Multi-sensory impairment	7—	7—	7—	7—	470	0.2
Physical disability	50	27.5	100	8.5	14,270	6.8
Autistic spectrum disorder	30	14.0	310	25.7	39,320	18.8
Other difficulty/disability	10	3.6	20	1.8	3,910	1.9
Total	190	100.0	1,210	100.0	209,440	1000

<sup>1</sup> Includes middle schools as deemed.

<sup>2</sup> Includes city technology colleges and academies.

<sup>3</sup> Includes maintained and non-maintained special schools. Excludes general hospital schools.

<sup>4</sup> Excludes dually registered pupils.

<sup>5</sup> Pupils at School Action Plus and those pupils with a statement of SEN provided information on their primary need and, if appropriate, their secondary need. Information on primary need only is given here.

<sup>6</sup> Number of pupils by their primary need expressed as a percentage of all pupils at School Action Plus or with a statement of SEN.

<sup>7</sup> Fewer than five pupils or a rate based on fewer than five pupils.

Note:

Totals may not appear to equal the sum of the component parts because numbers have been rounded to the nearest 10.

Source:

School Census.

**Yasmin Qureshi:** To ask the Secretary of State for Education what information his Department holds on the number and proportion of school children diagnosed with each type of special educational need resident in (a) Bolton South East constituency, (b) Bolton, (c) Greater Manchester and (d) England. [49596]

**Mr Gibb:** The Department holds information on the number and proportion of school children diagnosed with each type of special educational need. This information can also be broken down by the type of school, and that information, along with information for all schools, has been provided in the following table:

All schools<sup>1,2,3</sup>, maintained primary<sup>1</sup>, state-funded secondary<sup>1,2</sup> and special schools<sup>2</sup>: Number and percentage of pupils by type of special educational need<sup>4,5</sup>—January 2010 final, England

	Pupils with SEN by their primary type of need <sup>1,2</sup>							
	Bolton South East parliamentary constituency		Bolton local authority district		Greater Manchester		England <sup>6</sup>	
	No.	% <sup>7</sup>	No.	% <sup>7</sup>	No.	% <sup>7</sup>	No.	% <sup>7</sup>
All schools <sup>3</sup>								
Specific Learning Difficulty	70	5.1	200	6.2	3,580	10.5	79,570	11.4
Moderate Learning Difficulty	560	41.6	1,220	38.3	10,270	30.0	168,560	24.2
Severe Learning Difficulty	60	4.5	160	5.0	1,790	5.2	28,760	4.1
Profound and Multiple Learning Difficulty	30	2.1	60	2.0	680	2.0	9,470	1.4
Behaviour, Emotional and Social Difficulties	260	19.4	660	20.9	7,370	21.5	157,960	22.7

All schools<sup>1,2,3</sup>, maintained primary<sup>1</sup>, state-funded secondary<sup>1,2</sup> and special schools<sup>3</sup>: Number and percentage of pupils by type of special educational need<sup>4,5</sup>—January 2010 final, England

	Pupils with SEN by their primary type of need <sup>1,2</sup>							
	Bolton South East parliamentary constituency		Bolton local authority district		Greater Manchester		England <sup>6</sup>	
	No.	% <sup>7</sup>	No.	% <sup>7</sup>	No.	% <sup>7</sup>	No.	% <sup>7</sup>
Speech, Language and Communication Needs	130	9.5	300	9.4	4,210	12.3	113,380	16.3
Hearing Impairment	50	3.3	110	3.4	810	2.4	15,500	2.2
Visual Impairment	20	1.6	50	1.6	440	1.3	8,560	1.2
Multi-Sensory Impairment	—	—	—	0.1	50	0.1	870	0.1
Physical Disability	50	3.7	110	3.4	1,190	3.5	26,470	3.8
Autistic Spectrum Disorder	90	6.8	250	8.0	2,280	6.7	56,240	8.1
Other Difficulty/Disability	30	2.2	60	1.7	1,540	4.5	31,000	4.5
Total	1,350	100.0	3,170	100.0	34,190	100.0	696,340	100.0
<i>Maintained primary schools<sup>1</sup></i>								
Specific Learning • Difficulty	20	3.6	80	5.5	1,520	9.3	33,460	10.2
Moderate Learning Difficulty	310	47.4	630	43.8	5,340	32.8	82,060	24.9
Severe Learning Difficulty	10	1.5	30	1.8	330	2.0	4,860	1.5
Profound and Multiple Learning Difficulty	—	—	—	—	100	0.6	1,440	0.4
Behaviour, Emotional and Social Difficulties	120	17.8	270	18.7	3,010	18.5	61,000	18.5
Speech, Language and Communication Needs	90	14.5	210	14.7	3,230	19.8	87,490	26.5
Hearing Impairment	10	2.2	30	2.2	410	2.5	7,230	2.2
Visual Impairment	10	1.9	30	1.9	240	1.5	4,110	1.2
Multi-Sensory Impairment	—	—	—	—	20	0.1	500	0.2
Physical Disability	30	4.6	60	4.0	620	3.8	12,990	3.9
Autistic Spectrum Disorder	20	2.6	60	4.1	780	4.8	21,330	6.5
Other Difficulty/Disability	10	2.2	30	2.0	680	4.2	13,200	4.0
Total	640	100.0	1,410	100.0	16,290	100.0	329,680	100.0
<i>State-funded secondary schools<sup>1,2</sup></i>								
Specific Learning Difficulty	40	8.5	120	8.9	2,020	15.6	45,110	16.3
Moderate Learning Difficulty	220	43.1	510	39.3	3,900	30.3	67,840	24.5
Severe Learning Difficulty	10	1.6	20	1.8	180	1.4	2,590	0.9
Profound and Multiple Learning Difficulty	0	0.0	—	—	10	0.1	280	0.1
Behaviour, Emotional and Social Difficulties	120	24.0	330	25.0	3,680	28.6	83,940	30.3
Speech, Language and Communication Needs	30	6.2	80	6.2	760	5.9	21,570	7.8
Hearing Impairment	20	3.4	50	3.9	340	2.7	6,730	2.4
Visual Impairment	10	1.2	20	1.5	170	1.3	3,650	1.3
Multi-Sensory Impairment	0	0.0	—	—	20	0.1	210	0.1
Physical Disability	20	3.2	40	3.4	400	3.1	9,390	3.4
Autistic Spectrum Disorder	30	6.2	100	7.8	570	4.4	18,160	6.6
Other Difficulty/Disability	10	2.8	30	1.9	840	6.5	17,240	6.2
Total	500	100.0	1,300	100.0	12,880	100.0	276,700	100.0
<i>Maintained special schools<sup>3</sup></i>								
Specific Learning Difficulty	—	—	—	0.7	40	0.9	930	1.1
Moderate Learning Difficulty	40	18.8	80	18.9	930	19.7	18,380	21.5
Severe Learning Difficulty	40	23.1	110	25.7	1,270	26.9	21,090	24.6
Profound and Multiple Learning Difficulty	20	10.2	40	10.1	560	11.9	7,570	8.8
Behaviour, Emotional and Social Difficulties	30	13.4	70	16.3	660	13.9	12,460	14.5
Speech, Language and Communication Needs	—	1.6	10	1.7	210	4.5	3,780	4.4
Hearing Impairment	10	7.0	30	5.9	50	1.0	760	0.9
Visual Impairment	—	—	—	—	20	0.3	500	0.6
Multi-Sensory Impairment	0	0.0	0	0.0	10	0.2	150	0.2
Physical Disability	—	2.2	10	1.4	170	3.5	3,670	4.3
Autistic Spectrum Disorder	40	21.5	80	18.9	790	16.7	15,850	18.5
Other Difficulty/Disability	—	—	—	—	20	0.5	510	0.6
Total	190	100.0	420	100.0	4,720	100.0	85,630	100.0
<i>Non-maintained special schools<sup>3</sup></i>								
Specific Learning Difficulty	0	0.0	0	0.0	—	0.3	70	1.6
Moderate Learning Difficulty	0	0.0	0	0.0	100	32.3	280	6.5
Severe Learning Difficulty	0	0.0	—	—	10	3.7	220	5.2
Profound and Multiple Learning Difficulty	0	0.0	—	—	10	2.0	180	4.2

All schools<sup>1,2,3</sup>, maintained primary<sup>1</sup>, state-funded secondary<sup>1,2</sup> and special schools<sup>2</sup>: Number and percentage of pupils by type of special educational need<sup>4,5</sup>—January 2010 final, England

	Pupils with SEN by their primary type of need <sup>1,2</sup>							
	Bolton South East parliamentary constituency		Bolton local authority district		Greater Manchester		England <sup>6</sup>	
	No.	% <sup>7</sup>	No.	% <sup>7</sup>	No.	% <sup>7</sup>	No.	% <sup>7</sup>
Behaviour, Emotional and Social Difficulties	0	0.0	—	—	10	4.8	560	12.8
Speech, Language and Communication Needs	0	0.0	—	—	—	1.4	540	12.4
Hearing Impairment	—	—	—	—	10	2.0	790	18.3
Visual Impairment	—	—	—	13.6	20	6.8	300	6.9
Multi-Sensory Impairment	0	0.0	0	0.0	—	—	10	0.3
Physical Disability	0	0.0	0	0.0	—	—	420	9.7
Autistic Spectrum Disorder	—	50.0	10	63.6	140	45.9	900	20.8
Other Difficulty/Disability	0	0.0	0	0.0	0	0.0	60	1.4
Total	10	100.0	20	100.0	290	100.0	4,330	100.0

<sup>1</sup> Includes middle schools as deemed.

<sup>2</sup> Includes city technology colleges and academies.

<sup>3</sup> Excludes general hospital schools.

<sup>4</sup> Pupils with SEN status of School Action Plus and those with pupils with statements of SEN who provided information on their primary, and if appropriate, their secondary need. Information on primary need only is supplied in this table.

<sup>5</sup> Excludes dually registered pupils.

<sup>6</sup> Includes pupils with missing or invalid postcodes.

<sup>7</sup> Number of pupils by their main need expressed as a percentage of all pupils with SEN status of School Action Plus or with statements of SEN.

Note:

Totals may not appear to equal the sum of the component parts because numbers have been rounded to the nearest 10.

### Special Educational Needs: Training

**Mr Offord:** To ask the Secretary of State for Education what discussions his Department has had with Teach First on future levels of training for special educational needs teachers. [49941]

**Mr Gibb:** Following the publication of the SALT Review (Independent Review of Teacher Supply for Pupils with Severe, Profound and Multiple Learning Difficulties (SLD and PMLS)), called for by the previous administration, officials had informal conversations with a range of organisations including Teach First.

The Training and Development Agency (TDA) for schools is now taking forward special educational needs training as part of ITT training courses.

### Special Schools

**Andy Burnham:** To ask the Secretary of State for Education how many special schools he has visited since May 2010. [39249]

**Tim Loughton [holding answer 8 February 2011]:** The Secretary of State for Education (Michael Gove), has visited a number of schools since May 2010 but has not so far visited a special school. In January, the Secretary of State together with the Minister of State (Sarah Teather) and the Under-Secretary of State (Lord Hill of Oareford) hosted 52 special school head teachers at a Breakfast Briefing.

### Sure Start: Finance

**Chris Ruane:** To ask the Secretary of State for Education how much funding his Department has provided to Sure Start in each year since its inception; and how much he has allocated to the programme in each of the next five years. [48252]

**Sarah Teather:** The funding allocated to local authorities for Sure Start since its inception is shown in Table 1:

Table 1

	£ million		
	Revenue	Capital	Total
1998-99	140	0	140
1999-2000	192	0	192
2000-01	353	0	353
2001-02	449	0	449
2002-03	501	23	524
2003-04	573	25	598
2004-06 <sup>1</sup>	1,588	354	1,943
20.06-07	1,048	270	1,318
2007-08	1,143	543	1,686
2008-09	1,327	306	1,633
2009-10	1,555	416	1,971
2010-11	1,839	367	2,207
Total	10,707	2,304	13,011

<sup>1</sup> In 2004 to 2006 local authorities received a two year allocation

The first Sure Start local programmes (SSLPs) were set up in 1999-2000. Prior to 2003-04 SSLP revenue funding was provided to local programmes not to local authorities and is therefore excluded from the table above. From 2003-04 it was paid to local authorities and is included in the table above. The most reliable data for the period prior to 2003 are for expenditure rather than allocation.

The SSLP revenue expenditure for 1999-2003 is shown in Table 2:

Table 2

	£ million			
	1999-2000	2000-01	2001-02	2002-03
SSLP revenue	3	33	105	174
expenditure				

The SSLPs received a single capital allocation for the period 1999 to 2006 of £479,638,144.

From April 2011, Sure Start children's centres funding will be provided to local authorities via the Early Intervention Grant which is an un-ring-fenced and un-hypothecated grant for early intervention and preventative

services that will total £2,222,555,697 in 2011-12 and £2,307,196,996 in 2012-13. Allocations beyond 2012-13 have not been announced.

Sure Start children's centres are at the heart of the Government's vision for supporting families with young children and intervening early to prevent problems from becoming crises. Through the Early Intervention Grant, the Government have ensured there is enough money to retain a network of Sure Start children's centres, accessible to all but identifying and supporting families in greatest need. The Government have made it clear that it is for local authorities to determine the most effective use of the grant. Local authorities will have greater flexibility, but they remain under statutory duties under the Childcare Act 2006 to consult before opening, closing or significantly changing children's centres and to secure sufficient children's centres provision to meet local need, so far as is reasonably practicable.

For details of final local authority EIG allocations please go to:

<http://media.education.gov.uk/assets/files/xls/early%20intervention%20grant%20-%20final%20allocations%20methodology.xls>

### Teachers: Qualifications

**Nic Dakin:** To ask the Secretary of State for Education what (a) process and (b) timetable he has put in place for allowing qualified further education lecturers to teach in school classrooms on the same basis as qualified school teachers; and if he will make a statement. [49454]

**Mr Gibb:** Following her review of vocational education, Professor Wolf recommended that Qualified Teacher Learning and Skills (QTLS) status should be recognised in schools for the delivery of vocational education. The Secretary of State for Education immediately accepted this recommendation.

Professor Wolf's recommendation will be implemented as soon as possible subject to statutory requirements and parliamentary process. We will consult fully on any amendments to the existing regulations.

## HOUSE OF COMMONS COMMISSION

### Wines

**Simon Kirby:** To ask the hon. Member for Caithness, Sutherland and Easter Ross, representing the House of Commons Commission, how much the House of Commons Service spent on wine in the last year for which figures are available; and if he will make a statement. [49085]

**John Thurso:** The House's Catering and Retail Service holds a stock of wine for resale, which is replenished as and when required, but does not generally purchase wine to be laid down for future consumption. The valuation at the end of 2009-10 was £45,717. In 2009-10 purchases for re-sale were £497,403. Some wine is purchased for official receptions, but the cost of wine for these cannot be separately identified.

## CABINET OFFICE

### Alcohol and Drugs: Death

**Tracey Crouch:** To ask the Minister for the Cabinet Office how many deaths in the Medway area were (a) alcohol and (b) drug related and how many of those who died were aged (i) under 18, (ii) 18 to 24, (iii) 25 to 40 and (iv) over 40 years old in each of the last five years for which figures are available. [50049]

**Mr Hurd:** The information requested falls within the responsibility of the UK Statistics Authority. I have asked the authority to reply.

#### Letter from Stephen Penneck:

As Director General for the Office for National Statistics, I have been asked to reply to your recent questions asking how many deaths in the Medway area were (a) alcohol and (b) drug related and how many of those who died were aged (i) under 18, (ii) 18 to 24, (iii) 25 to 40 and (iv) over 40 years old in each of the last five years for which figures are available. (50049).

The tables attached provide the number of deaths where the underlying cause was (a) alcohol-related (Table 1) and (b) drug poisoning (Table 2), for persons aged (i) under 18, (ii) 18 to 24, (iii) 25 to 40 and (iv) over 40 years, in Medway unitary authority, for the years 2005 to 2009 (the latest year available).

Figures for alcohol-related deaths in the UK, England and Wales, and government office regions are published annually on the National Statistics website at:

[www.statistics.gov.uk/statbase/Product.asp?vlnk=14496](http://www.statistics.gov.uk/statbase/Product.asp?vlnk=14496)

Figures for deaths related to drug poisoning in England and Wales by sex, age, cause and substance involved are published annually on the National Statistics website at:

[www.statistics.gov.uk/statbase/Product.asp?vlnk=11695](http://www.statistics.gov.uk/statbase/Product.asp?vlnk=11695)

Table 1. Number of deaths where the underlying cause of death was alcohol-related, Medway unitary authority, 2005 to 2009<sup>1,2,3</sup>

Age group	Deaths (person)				
	2005	2006	2007	2008	2009
Under 18	0	0	0	0	0
18-24	0	0	0	0	0
25-40	4	3	3	2	5
Over 40	30	38	25	37	24
Total	34	41	28	39	29

<sup>1</sup> Cause of death was defined using the International Classification of Diseases, Tenth Revision (ICD-10). The specific conditions which are included in the National Statistics definition of alcohol-related deaths, and their corresponding ICD-10 codes, are shown in Box 1.

<sup>2</sup> Based on boundaries as of 2011.

<sup>3</sup> Figures are for deaths registered in each calendar year.

#### Box 1: National Statistics definition of alcohol-related deaths

Cause of death	ICD-10 codes
Mental and behavioural disorders due to use of alcohol	F10
Degeneration of nervous system due to alcohol	G31.2
Alcoholic polyneuropathy	G62.1
Alcoholic cardiomyopathy	I42.6
Alcoholic gastritis	K29.2
Alcoholic liver disease	K70
Chronic hepatitis, not elsewhere classified	K73
Fibrosis and cirrhosis of liver (excluding Biliary cirrhosis)	K74 (excluding K74.3-K74.5)
Alcohol induced chronic pancreatitis	K86.0

*Box 1: National Statistics definition of alcohol-related deaths*

<i>Cause of death</i>	<i>ICD-10 codes</i>
Accidental poisoning by and exposure to alcohol	X45
Intentional self-poisoning by and exposure to alcohol	X65
Poisoning by and exposure to alcohol, undetermined intent	Y15

*Table 2. Number of deaths where drug poisoning was the underlying cause of death, Medway unitary authority, 2005 to 2009<sup>1,2,3</sup>*

<i>Age group</i>	<i>Deaths (persons)</i>				
	<i>2005</i>	<i>2006</i>	<i>2007</i>	<i>2008</i>	<i>2009</i>
Under 18	0	0	0	0	0
18-24	1	4	1	2	2
25-40	9	6	8	6	9
Over 40	4	2	4	3	9
Total	14	12	13	11	20

<sup>1</sup> Cause of death was defined using the International Classification of Diseases, Tenth Revision (ICD-10). The ICD-10 codes for drug poisoning are shown in Box 2.

<sup>2</sup> Based on boundaries as of 2011.

<sup>3</sup> Figures are for deaths registered in each calendar year.

*Box 2: ICD-10 codes for deaths related to drug poisoning*

<i>Cause of death</i>	<i>ICD-10 codes</i>
Mental and behavioural disorders due to drug use (excluding alcohol and tobacco)	F11-F16, F18-F19
Accidental poisoning by drugs, medicaments and biological substances	X40-X44
Intentional self-poisoning by drugs, medicaments and biological substances	X60-X64
Assault by drugs, medicaments and biological substances	X85
Poisoning by drugs, medicaments and biological substances, undetermined intent	Y10-Y14

**Employment: Horticulture**

**Nic Dakin:** To ask the Minister for the Cabinet Office whether he has made an estimate of the number of people aged 16 to 24 who are employed in the gardening industry; and whether he has assessed trends in the levels of employment of young people in the gardening industry in the last 10 years. [49766]

**Mr Hurd:** The information requested falls within the responsibility of the UK Statistics Authority. I have asked the Authority to reply.

*Letter from Stephen Penneck, dated March 2011:*

As Director General for the Office for National Statistics, I have been asked to reply to your Parliamentary Question asking the Secretary of State for Business, Innovation and Skills, whether he has made an estimate of the number of people aged 16 to 24 who are employed in the gardening industry; and whether he has assessed trends in the levels of employment of young people in the gardening industry in the last 10 years. 49766

The available information is provided in the attached table. The estimates are derived from the Labour Force Survey (LFS).

*Number of people aged 16-24 who are employed in the gardening industry<sup>1</sup>, three months ending December, 2000 to 2010, United Kingdom, not seasonally adjusted*

	<i>Thousand</i>
2000	10
2001	13
2002	13
2003	18
2004	17
2005	15
2006	18
2007	16
2008	13
2009	12
2010	****19

<sup>1</sup> The gardening industry has been defined as: agriculture service activities; landscape gardening; landscape service activities and gardeners employed in private households.

*Guide to Quality:*

The Coefficient of Variation (CV) indicates the quality of an estimate, the smaller the CV value the higher the quality. The true value is likely to lie within +/- twice the CV—for example, for an estimate of 200 with a CV of 5% we would expect the population total to be within the range 180-220.

*Key:*

\* 0 ≤ CV < 5%—Statistical Robustness: Estimates are considered precise

\*\* 5 ≤ CV < 10%—Statistical Robustness: Estimates are considered reasonably precise

\*\*\* 10 ≤ CV < 20%—Statistical Robustness: Estimates are considered acceptable

\*\*\*\* CV ≥ 20%—Statistical Robustness: Estimates are considered too unreliable for practical purposes

CV = Coefficient of Variation

*Note:*

It should be noted that the above estimates exclude people in most types of communal establishment (e.g. hotels, boarding houses, hostels mobile home sites etc.)

*Source:*

Labour Force Survey

**Government: Assets**

**Ben Gummer:** To ask the Minister for the Cabinet Office what action the Cabinet Office is taking to co-ordinate the sale of property assets across the government estate. [49379]

**Mr Maude:** As announced in Budget 2011, the Government, as part of the programme for the more efficient use and consolidation of their property holdings, continue to look at property disposals. Asset sales may be appropriate where the property is surplus and market conditions are right, and updates will be provided when specific transactions are envisaged.

**Public Sector: Manpower**

**Mr Syms:** To ask the Minister for the Cabinet Office how many people in Poole constituency are employed in (a) the public sector and (b) the private sector. [50545]

**Mr Hurd:** The information requested falls within the responsibility of the UK Statistics Authority. I have asked the authority to reply.

*Letter from Stephen Penneck, dated March 2011:*

As Director General for the Office for National Statistics, I have been asked to reply to your Parliamentary Question asking how many people in Poole constituency are employed in (a) the public sector and (b) the private sector. (50545)

Public sector employment statistics for local areas can be calculated from the Annual Population Survey (APS). Individuals in the APS are classified to the public or private sector according to their responses to the survey.

According to APS figures, in the 12 month period October 2009 to September 2010, in Poole constituency 29,000 were employed in the private sector and 10,000 were employed in the public sector.

As with any sample survey, estimates from the APS are subject to a margin of uncertainty.

National and local area estimates for many labour market statistics, including employment, unemployment and claimant count are available on the NOMIS website at:

<http://www.nomisweb.co.uk>

### Unemployment

**Tracey Crouch:** To ask the Minister for the Cabinet Office what recent estimate he has made of the number of workless households in (a) Chatham and Aylesford constituency, (b) Medway Council area and (c) Tonbridge and Malling constituency. [50048]

**Mr Hurd:** The information requested falls within the responsibility of the UK Statistics Authority. I have asked the Authority to reply.

*Letter from Stephen Penneck, dated March 2011:*

As Director General for the Office for National Statistics, I have been asked to reply to your Parliamentary Question asking what recent estimate has been made of the number of workless households, in (a) Chatham and Aylesford constituency, (b) Medway Council area, and (c) Tonbridge and Malling constituency (50048).

The figures requested come from the Annual Population Survey (APS) household datasets. The latest data currently available is for 2009. The attached table shows estimates for Chatham and Aylesford constituency and Medway. Due to the specific nature of your request it is not possible to provide reliable estimates for Tonbridge and Malling constituency because of small sample sizes.

As with any sample survey, estimates from the APS are subject to a margin of uncertainty. This is captured in a confidence interval, defined by lower and upper bounds, such that the interval formed between the bounds would contain the true value for 95% of all possible samples.

*Table 1: Number of workless households<sup>1</sup> in Chatham and Aylesford constituency, and Medway*

	Estimate	Lower bound <sup>2</sup>	Upper bound <sup>2</sup>
January to December 2009	6	4	8
	17	14	20

<sup>1</sup> Households containing at least one person aged 16 to 64, where all individuals aged 16 or over are not in employment.

<sup>2</sup> 95% confidence interval.

Source:

APS household dataset

## HEALTH

### Allergies: Health Services

**Jo Swinson:** To ask the Secretary of State for Health whether his Department is taking steps to increase the number of allergy specialists in the NHS. [50042]

**Paul Burstow:** It is for local commissioners to assess the priorities for developing local services to meet the needs of their populations. The Department will then agree with strategic health authorities and NHS Employers

the number of training posts needed to meet estimated future demand in each specialty. In the case of allergy services, decisions by local commissioners will be informed by the outcomes of a pilot study in NHS North West of the concept of a multi-disciplinary “allergy centre” as advocated in the 2007 report by the House of Lords Science and Technology Committee.

### Care Homes

**Mr Jim Cunningham:** To ask the Secretary of State for Health if he will estimate the effect of the reduction in funding for local authorities on the cost to patients of placements with independent social care providers; and if he will make a statement. [49785]

**Paul Burstow:** The spending review recognised the importance of social care in protecting most vulnerable in society. In recognition of the pressures on the social care system in a challenging local government settlement, the coalition Government have allocated an additional £2 billion by 2014-15 to support the delivery of social care. This means, with an ambitious programme of efficiency, that there is enough funding available both to protect people’s access to services and deliver new approaches to improve quality and outcomes.

Local authorities are responsible for decisions on how to allocate their resources, and the contracts that they negotiate with independent care providers. The Department does not collect information on these contracts.

### Cataracts: Waiting Lists

**Frank Dobson:** To ask the Secretary of State for Health whether his Department has a target for the treatment of cataract patients within three months of referral. [50250]

**Mr Simon Burns:** There is no specific target for the treatment of cataract patients. The right to start consultant-led treatment, including consultant-led cataract treatment, within maximum waiting times remains in the NHS Constitution. As set out in the NHS Operating Framework for 2011-12, commissioners should ensure that waiting times performance does not deteriorate and where possible improves during 2011-12.

### Departmental Public Opinion

**Graeme Morrice:** To ask the Secretary of State for Health what expenditure has been incurred by his Department on (a) opinion polling, (b) focus groups and (c) other forms of market research in each month since 1 January 2010; what surveys were commissioned; what the purpose was of each survey; and if he will publish the findings. [49839]

**Mr Simon Burns:** A list of expenditure incurred by Department on opinion polling, focus groups and other forms of market research in each month since 1 January 2010; what surveys were commissioned; and what the purpose was of each survey, could be provided only at disproportionate cost, as the Department does not hold this information centrally.

### Health Services: Walsall

**Valerie Vaz:** To ask the Secretary of State for Health if he will estimate the change in the number of staff employed by Walsall primary care trust or its successor as a result of implementation of proposed changes to the NHS. [50111]

**Mr Simon Burns:** The estimated staff redundancy and transfer rates were published in the impact assessment alongside the current Health and Social Care Bill.

The Department has not estimated a local breakdown of these figures, as this will depend on local decisions.

The impact assessment is available at:

[www.dh.gov.uk/en/Publicationsandstatistics/Publications/PublicationsLegislation/DH\\_123583](http://www.dh.gov.uk/en/Publicationsandstatistics/Publications/PublicationsLegislation/DH_123583)

A copy has already been placed in the Library.

### Incinerators: Health Hazards

**Richard Burden:** To ask the Secretary of State for Health (1) with reference to the answer to the then hon. Member for Chesterfield of 30 November 2009, *Official Report*, column 539W, on incinerators: health hazards, whether his Department has assessed the effect on public health of emissions from functioning incinerators since the date of that answer; [49717]

(2) what research his Department has (a) commissioned and (b) evaluated on the effects on public health of emissions from incinerators since 2008. [49742]

**Anne Milton:** The Department has not assessed the effect on public health of emissions from incinerators since the date of the written answer in November 2009, nor has it commissioned or evaluated research into the effects on public health of emissions from incinerators since 2008. The Health Protection Agency (HPA) published a report of its review of the latest scientific evidence on the health effects of modern municipal waste incinerators in September 2009. The report concludes that while it is not possible to rule adverse health effects out completely, any potential damage from modern, well run and regulated incinerators is likely to be so small that it would be undetectable. The HPA report also advises that since any possible health effects are likely to be very small, if detectable, studies of public health around modern, well managed municipal waste incinerators would yield no useful information.

### Macular Degeneration: Drugs

**Glyn Davies:** To ask the Secretary of State for Health when he expects to publish the results of the IVAN trial of alternative treatments for the inhibition of vascular endothelial growth factor in age-related choroidal neovascularisation funded by his Department. [49946]

**Mr Simon Burns:** Year one follow-up findings are expected in late 2011 or early 2012. The final report of the trial is expected to be published in 2014.

### Medical Records: Living Wills

**Dr Huppert:** To ask the Secretary of State for Health what progress is being made on amendments to the NHS Summary Care Record System that will enable the

addition of living wills and Lasting Powers of Attorney to a record; and whether such amendments will enable supporting information concerning a patient's wishes to be included on their records. [50062]

**Mr Simon Burns:** The purpose of the summary care record (SCR) is to provide the minimal information required to support safe care in urgent and emergency situations.

The main recommendation of a review of the content of the SCR, which was led by Sir Bruce Keogh and reported in October 2010, was that the core information should only include a patient's medications, allergies, and adverse reactions. Any additional information beyond this should only be added to the SCR with the explicit consent of the patient.

We firmly believe that it is for patients to decide if any additional information should be included in their SCR.

Supported by appropriate professionals, patients wanting to add information pertaining to their wishes as expressed in living wills or a lasting power of attorney are already free to do so.

### Medical Treatments Abroad

**Greg Mulholland:** To ask the Secretary of State for Health how many NHS patients were treated overseas in each country for each type of condition in each of the last three years; and what the cost to the NHS of such treatment was. [49807]

**Anne Milton:** To identify details of the number of national health service patients treated for each type of condition, in each overseas country, and the cost of each treatment, in each of the last three years would incur disproportionate cost.

### Monitor

**Graeme Morrice:** To ask the Secretary of State for Health what his estimate is of (a) levels of expenditure by Monitor on staff and (b) the number of staff to be employed by Monitor in each of the next five years. [50285]

**Mr Simon Burns:** We do not currently hold information centrally on estimated numbers of staff for Monitor, and its associated expenditure on staff, in each of the next five years. The Government's estimate of Monitor's future annual budget was set out in the impact assessment published alongside the Health and Social Care Bill (19 January 2011) and quoted a figure of £72 million, by 2015-16.

The Department has continued to refine these estimates since the impact assessment was published, and I refer the hon. Member to the written answer I gave the hon. Member for Easington (Grahame M. Morris) on 8 February 2011, *Official Report*, column 167W.

### NHS: Competition

**Graeme Morrice:** To ask the Secretary of State for Health what estimate he has made of the cost to his Department of regulating health competition in each category of expenditure in each of the next five years. [50284]

**Mr Simon Burns:** The impact assessment, published alongside the Health and Social Care Bill, estimates the annual running costs of Monitor at £72 million by 2015-16. At this stage, we do not hold information centrally on estimated annual running costs for Monitor, or an estimated breakdown of expenditure, for each of the next five years. The Bill proposes that Monitor would be responsible for regulating competition in relation to health care services. It would be for Monitor to decide how to prioritise the use of its resources in pursuit of its overarching duty to protect and promote patients' interests. Monitor would be accountable to Parliament for its expenditure and would be expected to demonstrate value for money through its annual reports.

### NHS: Expenditure

**John Healey:** To ask the Secretary of State for Health if he will estimate the outturn expenditure of the NHS in England in each of the last five financial years on a basis directly comparable with the estimate he has made for its outturn expenditure in 2010-11. [50056]

**Mr Simon Burns:** The following table sets out the last five years' expenditure on a basis that is directly comparable to the estimate of the Department's latest forecast outturn of expenditure that was included in the 2011 Budget report.

	2005-06	2006-07	2007-08	2008-09	2009-10	Outturn (£ billion) 2010-11 <sup>1</sup>
NHS resource	72.8	76.7	82.3	88.8	95.6	99.5
Depreciation	-0.5	-1.0	-0.7	-1.0	-1.2	-1.1
NHS resource minus depreciation	72.3	75.7	81.6	87.8	94.4	98.4
NHS capital	2.1	2.9	3.8	4.2	5.0	4.5
Total NHS	74.4	78.6	85.4	92.0	99.4	102.9

<sup>1</sup> Estimated outturn

The figures for 2005-06 to 2009-10 are taken from the Core Tables on page 125 of the Department of Health's 2009-10 Resource Account (HC208).

The figures provided are after having adjusted for the technical classification changes arising from the implementation of the Alignment (or 'Clear Line of Sight') legislation—the Constitutional Reform and Governance Act 2010.

The 2010-11 figure is the estimated NHS outturn for 2010-11 that was published on page 48 of the 2011 Budget (HC836).

The estimated outturn for 2010-11 includes a forecast underspend of £0.65 billion. The Department's underspend for 2009-10 was £1.6 billion.<sup>2</sup>

<sup>2</sup> The 2009-10 underspend figure is based upon the previous classification method.

### NHS: Finance

**John Healey:** To ask the Secretary of State for Health what allocations were included in the estimate for NHS (a) Resource and (b) Capital Departmental Expenditure limits for 2010-11 in the June 2010 Budget but not in the limits in the 2010 comprehensive spending review; and what the monetary value is of each such allocation. [50055]

**Mr Simon Burns:** The question refers to the difference in figures quoted in the June 2010 Budget and in the 2010 comprehensive spending review. The differences are due to categorisation and financial currency of the numbers.

Table 2.2 in June Budget 2010 reports figures for 2010-11 of £101.5 billion for Health of which NHS England is £99.5 billion on Resource Departmental Expenditure Limit (DEL). The difference in figures is Personal Social Services (PSS) centrally funded services, PSS grants and Food Standards Agency (FSA). Both figures included depreciation of £1.1 billion.

The baseline 2010-11 figure in Spending Review Statistical Annex Table A5 of £98.7 billion excludes depreciation (£1.1 billion), but includes £0.3 billion of additions to the NHS baseline by HM Treasury to reverse inter-departmental transfers of funding—this procedure is followed to avoid funding either not being counted or counted twice in spending review bids.

PSS and FSA expenditure is shown separate to NHS funding in the spending review tables.

Table 2.2 in June Budget 2010 reports figures for 2010-11 of £4.9 billion for Health of which NHS England is £4.7 billion on capital DEL. The difference in figures is capital funding for Personal Social Services.

The baseline 2010-11 figure in Spending Review Statistical Annex Table A6 of £5.1 billion, is higher than the £4.7 billion again due to HM Treasury action to reverse inter-departmental transfers of funding.

### Surgery

**Frank Dobson:** To ask the Secretary of State for Health how many internal operations were carried out on NHS patients in each year since 1996-97. [50114]

**Mr Simon Burns:** The information is not held in the format requested. Hospital Episodes Statistics (HES) data does not have categories of 'internal operations'. However, we have provided a count of finished consultant episodes (FCEs) with a named main procedure or intervention; for the years 1996-97 to 2009-10. It should be noted that these figures do not represent the number of patients as a person may have more than one procedure or intervention within a given year.

Activity in English national health service hospitals and English NHS commissioned activity in the independent sector is shown in the following table.

	Total FCEs
1996-97	5,911,350
1997-98	5,908,250

	Total FCEs
1998-99	6,468,404
1999-2000	6,530,852
2000-01	6,509,425
2001-02	6,435,022
2002-03	6,612,582
2003-04	6,772,074
2004-05	6,847,589
2005-06	7,215,286
2006-07	7,888,074
2007-08	8,606,493
2008-09	9,274,423
2009-10	9,747,584

**Notes:**

1. A finished consultant episode (FCE) is a continuous period of admitted patient care under one consultant within one healthcare provider. FCEs are counted against the year in which they end. Figures do not represent the number of different patients, as a person may have more than one episode of care within the same stay in hospital or in different stays in the same year.

2. Main procedure or intervention—The first recorded procedure or intervention in each episode, usually the most resource intensive procedure or intervention performed during the episode. It is appropriate to use main procedure when looking at admission details, (eg time waited), but a more complete count of episodes with a particular procedure is obtained by looking at the main and the secondary procedures.

3. Hospital Episode Statistics (HES) figures are available from 1989-90 onwards. Changes to the figures over time need to be interpreted in the context of improvements in data quality and coverage (particularly in earlier years), improvements in coverage of independent sector activity (particularly from 2006-07) and changes in NHS practice. For example, apparent reductions in activity may be due to a number of procedures which may now be undertaken in outpatient settings and so no longer include in admitted patient HES data.

4. HES are compiled from data sent by more than 300 NHS trusts and primary care trusts in England and from some independent sector organisations for activity commissioned by the English NHS. The NHS Information Centre for health and social care liaises closely with these organisations to encourage submission of complete and valid data and seeks to minimise inaccuracies. While this brings about improvement over time, some shortcomings remain.

**Source:**

Hospital Episode Statistics (HES); Outpatients, The NHS Information Centre for health and social care

**Tattooing**

**Mr Knight:** To ask the Secretary of State for Health pursuant to the answer of 16 March 2011, *Official Report*, column 452W, on tattoos, whether it is his Department's policy to fund the removal of tattoos on the NHS. [49784]

**Anne Milton:** Tattoo removal may be available on the national health service, according to local primary care trust policies, if a clinician considers that an individual patient's health requires it.

**INTERNATIONAL DEVELOPMENT****Botswana: Charities**

**Mr Gregory Campbell:** To ask the Secretary of State for International Development if he will provide advice to UK charities operating in Botswana on the use of terminology in publications that does not cause offence to sections of the local population. [50253]

**Mr O'Brien:** The Department of International Development is willing to provide advice on terminology and other issues, where it is appropriate to do so, to UK charities funded by the Department.

**Developing Countries: Agriculture**

**Andrew George:** To ask the Secretary of State for International Development what proportion of his Department's commitment to agriculture and food security made at the G8 L'Aquila summit has been disbursed to date; and what plans his Department has for the use of the remaining funds before 2012. [49936]

**Mr O'Brien:** The Department for International Development (DFID) is on track to meet its commitments on global food security and agriculture made at the 2009 L'Aquila summit. In the first year of this pledge, DFID had disbursed 32% of its total commitment of £1.1 billion.

The recent bilateral and multilateral aid reviews have set out the results which DFID will deliver in the next four years. In summary, it is envisaged that we will stop 10 million more children going hungry and ensure a further four million people have enough food throughout the year. We anticipate working on food security in a small number of countries including Ethiopia, (South) Sudan, Zimbabwe and Burma. We will also continue to support multilateral agencies with a mandate on food and nutritional security. Agriculture will continue to be a major focus for DFID's Research and Evidence Division, which has increased its support for agriculture by 60% over the last three years.

**Developing Countries: Tuberculosis**

**Nic Dakin:** To ask the Secretary of State for International Development what assessment his Department has made of the effects on its provision of projects to (a) treat and (b) prevent maternal tuberculosis of the absence of an indicator for the incidence of maternal tuberculosis in the maternal health strategy. [49723]

**Mr O'Brien:** The Department for International Development (DFID) supports national health plans and where countries put in place specific systems to monitor TB, we will support this. Where TB is a high risk and common complication of pregnancy, we would expect to invest in that. The monitoring and evaluation framework in the "Choices for women" Framework for Results cannot be all-inclusive given the many aspects of reproductive, maternal and newborn health that we expect to support in the countries where we work. We must balance our need for accurate data to measure progress whilst not creating additional reporting burdens for countries or parallel monitoring systems.

The framework is clear that strong health systems are needed to deliver reproductive, maternal and newborn health services and that the expansion of coverage of the proven interventions and services that women and newborns need, particularly under the "continuum of care" is a priority. This includes screening for TB.

**Sudan: Israel**

**Guto Bebb:** To ask the Secretary of State for International Development whether he has had discussions with his Israeli counterpart on the provision of assistance by Israel to refugees from Sudan. [49850]

**Mr Andrew Mitchell:** We have held no discussions with the Government of Israel on this matter.



# Ministerial Correction

*Thursday 31 March 2011*

## WORK AND PENSIONS

### **Draft Social Security (Reduced Rates of Class 1 Contributions, Rebates and Minimum Contributions) Order 2011**

*The following response was given by the Minister of State, Department for Work and Pensions, the hon. Member for Thornbury and Yate (Steve Webb) to the hon. Member for Leeds West (Rachel Reeves) during the First Delegated Legislation Committee debate on the Draft Social Security (Reduced Rates of Class 1 Contributions, Rebates and Minimum Contributions) Order 2011 on 21 March 2011.*

**Steve Webb:** The process is neutral: as the rebate falls, so too does the promise that has to be matched. Schemes could, if they wanted to—this is a substantive point—reduce their accrual rates within the scheme.

*[Official Report, First Delegated Legislation Committee, 21 March 2011, c. 8.]*

*Letter of correction from Steve Webb:*

I made the above statement in my response to the hon. Member for Leeds West (Rachel Reeves).

The correct response should have been:

**Steve Webb:** When the rebate rate is reduced in 2012, the reference scheme test for contracted-out salary-related schemes—Defined Benefit—will remain the same, so it is schemes that offer benefits that are more generous than the reference scheme test that could choose to adjust their benefits in order to take account of a reduction in the rebate.



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