



House of Commons
Backbench Business Committee

Provisional Approach: Session 2010-11

**First Special Report of Session 2010–
11**

*Ordered by the House of Commons
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The Backbench Business Committee

The Backbench Business Committee is appointed by the House of Commons to determine the backbench business to be taken in the House and in Westminster Hall on days, or parts of days, allotted for backbench business.

Current membership

Natascha Engel (*Labour, North East Derbyshire*) (Chair)
Mr David Anderson (*Labour, Blaydon*)
Mr Peter Bone (*Conservative, Wellingborough*)
Philip Davies (*Conservative, Shipley*)
Jane Ellison (*Conservative, Battersea*)
John Hemming (*Liberal Democrat, Birmingham Yardley*)
Mr Philip Hollobone (*Conservative, Kettering*)
Alison Seaback (*Labour, Plymouth, Moor View*)

Powers

The Committee is established under Standing Order No 152J to determine the backbench business to be taken in the House and in Westminster Hall on days, or parts of days, allotted for backbench business. The powers of select committees are set out in House of Commons Standing Orders, which are available on the internet via www.parliament.uk.

Publications

All publications of the Committee are on the internet at <http://www.parliament.uk/business/committees/committees-a-z/commons-select/backbench-business-committee/>

Committee staff

The current staff of the Committee is Andrew Kennon (Clerk), Dr Sue Griffiths (Second Clerk), Kevin Gardner (Committee Assistant) and Laura Kibby (Media Officer).

Contacts

All correspondence should be addressed to the Clerk of the Backbench Business Committee, Table Office, House of Commons, London SW1A 0AA. The telephone number for general enquiries is 020 7219 3754; and the Committee's email address is bbcom@parliament.uk.

First Special Report

Introduction

1. The Committee was appointed by the House on 15 June. Its Chair was elected directly by the House on 22 June and its members on 29 June. We met for the first time on 6 July. In this First Special Report we set out our provisional approach to carrying out the duties set us by the House under Standing Order No. 152J (see Annex). This is the first business committee of any kind to be established by the House. It would not be productive to set out prescriptive working practices for such a novel body from the outset. We therefore intend that our practice should evolve over time to best suit the needs of the House and its Members.

Time for backbench business

2. The House has provided for 35 days to be devoted to backbench business in the current session and for at least 27 of those days to be taken on the floor of the House, with the remainder to be taken in Westminster Hall. It will remain the Government's responsibility to designate which days shall be taken as backbench days. We expect to be given two or three weeks' notice of the specific days on which backbench business will be taken. There may also be occasions when we press the Government to allow a backbench business day in the near future even if it is not planned.

Selection of business

3. In making decisions on the scheduling of business we will take into account the numerical support for a topic amongst backbench members, but also the diversity of backbench interests; and will aim to balance the merits of a particular proposal with a fair distribution of days amongst different individuals, groups and interests. The Committee will wish to ensure that a proportion of backbench time is reserved for the debate of topical issues. We will also take into account the existence of other opportunities for the debate of proposed subjects which may be or have been provided either in Government time or through Urgent Questions, adjournment debates and other opportunities.

4. We will meet weekly to consider:

- Suggestions for debates made directly to us by Members
- Early Day Motions tabled and the weight and breadth of support they have received
- Public petitions recently presented to the House
- Select committee reports recently published or due shortly to be published and perhaps new inquiries or single evidence sessions by such committees. Select committees may also wish to propose debates on one or two specific key recommendations
- Representations made at Business Questions for subjects to be debated

- Petitions published on the Downing Street website—until such time as a system for electronic petitions to the House is implemented
- Recent written ministerial statements
- Recent ministerial announcements outside the House
- Recent major events
- Other substantive motions.

5. **When considering the work of select committees for debate, we intend to work closely with the Liaison Committee.** We will need to co-ordinate the decisions we take on debates to be held during backbench time with those of the Liaison Committee on business to be taken on Estimates days and in Westminster Hall. We look forward to working with the Chair and members of the Liaison Committee with the aim of connecting their work more fully with Chamber business.

6. The 35 days allocated to backbench business include a number of days which have until now been provided each year in government time to debate specific subjects. In recent years these have included:

- Defence – 5 days
- Pre-recess general adjournment debates – 4 days
- Welsh affairs – 1 day close to 1 March
- International women’s day – 8 March
- Public Accounts Committee reports – 1 day (usually taken as two half days)
- European affairs – 2 days before EU Council meetings
- Fisheries – 1 day
- Intelligence & Security Committee reports – 1 day

7. We understand that the status of the three Estimates days—when the House approves the Government’s spending following debates on individual estimates or select committee reports chosen by the Liaison Committee—will remain unchanged for the time being. We note that the House’s approval on 5 July 2010 of the Alignment (Clear Line of Sight) Project on financial reporting to Parliament should lead to a specific motion about individual estimates being considered on these days.

8. **The Committee intends to start from the presumption that—for the first session—we will continue to recommend debates on the same subjects listed in paragraph 6 above at appropriate times,** provided there is sufficient support among Members for each such debate. We will then review the level of participation and adjust accordingly.

9. **The Committee seeks views on the form of the four single days of general debate on any topic usually taken on the last day before the main recesses.** These could continue as debates in which a Member can raise any issue and the Deputy Leader of the House gives a

general reply at the end. Another option would be to devote the first half of such days (i.e. three hours) to a specific topical subject (with the appropriate minister replying) and then use the remaining half day for the normal general debate. We believe that backbench Members should receive a substantive reply from the relevant department to the points they raise in such debates.

10. The Committee is keen to preserve the concept of topical debates while making them more responsive and flexible. It may be that the Committee will propose that time on a certain day ahead be set aside for a topical debate of up to three hours but not recommend the subject and exact time until, say, 48 hours beforehand. It is important that the Government should accept that this time will be reserved for backbench business even though the subject for debate may not be decided until shortly before the debate itself.

11. For main debates the Committee intends to recommend and announce the subject at least on the Thursday in the week before the debate and preferably on the Thursday two weeks before, to allow Members to plan accordingly.

Form of backbench business

12. The form of any single backbench business day may vary. The options we are considering include:

- A full day's debate (i.e. six hours) on a single topic
- Two debates of three hours each
- A statement plus questions followed by one or more debates.

13. We expect that most of the time allocated will consist of whole days rather than parts of days for backbench business. If half or quarter days are allocated (with the remainder of the day taken by other business) we will recommend suitable business accordingly.

14. In most cases we expect a debate to be opened by one of the backbench Members who proposed the subject and that a minister would speak at the end of the debate, possibly with an Opposition speaker also taking part. The length of the debate and any time limits (if needed) would depend on the number taking part. We may make recommendations about how a debate be conducted, but it will be for the occupant of the Chair to impose any time limits on speeches.

15. Proceedings on backbench business generally may take different forms, such as:

- Debate on a motion "That the House has considered the matter of x", as for general debates in the House
- Debate on a substantive motion in the terms of an Early Day Motion already tabled
- A more specific motion recommended by this Committee, for instance to approve certain recommendations of a select committee report or take note of a government publication

- No substantive motion, when a select committee report is presented, or perhaps when a minister is questioned on a recent written ministerial statement, statutory instrument or EU document.

16. We will explore with the Liaison Committee ways in which select committee business can be brought to the floor of the House. The usual procedure for debates in Westminster Hall on select committee reports and the Government's response will continue and there will now be at least 20 such debates a year. We envisage other opportunities for select committee business such as:

- A motion to approve a committee report
- A general debate on the subject of a current committee inquiry
- Presentation of a newly-published report by the chair of the committee followed by questions
- A motion to amend the Standing Orders relating to a committee.

Accountability of the Committee to backbench Members

17. The Committee intends to be answerable for its recommendations. To begin with the Chair will attend Business Questions every Thursday and may respond to points made by other Members by asking the Leader of the House a question towards the end of Business Questions.

18. In the 15 June debate on the Standing Orders establishing the Committee, a case was made for the Committee to operate openly but no change was made to the House's normal practice that select committees only meet in public when taking oral evidence from witnesses. We intend to operate as openly as possible and will seek to achieve this in a number of ways:

- Like other select committees we will deliberate in private
- We will take some evidence in public—although we expect public evidence sessions to be short. This will enable Members to put the case publicly for particular subjects to be debated on backbench business days. Since this will be a formal evidence session, it may be televised and will be recorded for broadcast on Parliament's website
- We will publish the decisions we take with the reasons for them
- A Committee website will show requests made and decisions taken¹
- We are asking the Table Office to publish in the Order Paper each sitting day a separate section for future backbench business in the same way as there is a section (formerly called remaining orders) for future government business.

19. We have already held a meeting with representatives of various backbench bodies, to which the chairs of the party backbench groups, the Liaison Committee and the smaller

¹ www.parliament.uk/business/committees/committees-a-z/commons-select/backbench-business-committee/

parties were invited. The Committee aims to maintain close links with these bodies to ensure that opportunities for backbench debates are widely known and that we hear backbench opinion.

20. We are conscious that the small size of the Committee and the parliamentary conventions on party representation on committees exclude the minor parties from membership. We are keen to be open to the views of the 23 Members who belong to small parties or none and will always be willing to hear the views of such Members in person at our meetings.

21. During the September sittings, the Committee will hold a seminar with outside bodies to consider how backbench business may develop in future and how best to communicate with people outside the House. We welcome any suggestions for participants and themes for this meeting.

How to contact the Committee

22. The Committee can be contacted at bbcom@parliament.uk or by writing to the Chair. Members suggesting subject for debate are asked to give some background indicating:

- Why holding a debate is important
- Which other Members are likely to take part.
- Why a debate is unlikely to be secured through other routes, e.g. Urgent Question, opposition day, adjournment debate, etc.

Our timetable

23. We envisage that our indicative timetable for the determination of business to be debated will be as follows, but will adjust it in the light of experience:

- Week 1
 - i. Government indicates to the Committee a day for backbench business to be taken in week 3 or 4
 - ii. Committee advertises the opportunity on the intranet and the Order Paper
- Week 2
 - i. Committee considers proposals from Members for debate on the set day and makes decision
 - ii. Subject announced in Business Questions, on website and in Order Paper
- Week 3/4
 - i. Timing and speaking arrangements confirmed by Committee
 - ii. Backbench business day takes place.

24. In practice, we expect there to be a rolling cycle, with the Committee meeting weekly to plan up to four weeks ahead, receiving new proposals and advertising opportunities. The aim would be to give as much notice as possible for main debates and retain the ability to schedule topical debates at shorter notice.

Conclusion

25. This is our provisional approach. Over the next year we will adapt it as necessary to meet the needs of backbenchers, the House and the public. We invite comments on the matters covered by this Special Report.

Annex: Standing Order 152J (Backbench Business Committee)

The text of the new Standing Order 152J (Backbench Business Committee) is as follows:

152J.—(1) There shall be a select committee, called the Backbench Business Committee, to determine the backbench business to be taken in the House and in Westminster Hall on days, or parts of days, allotted for backbench business.

(2) The committee shall consist of a chair and seven other Members, of whom four shall be a quorum.

(3) The chair and other members of the committee shall continue as members of the committee for the remainder of the Session in which they are elected unless replaced under the provisions of Standing Order No. 122D (Election of Backbench Business Committee).

(4) The chair and members of the committee shall be elected in accordance with the provisions of Standing Order No. 122D (Election of Backbench Business Committee).

(5) No Member who is a Minister of the Crown or parliamentary private secretary or a principal opposition frontbench spokesperson shall be eligible to be the chair or a member of the committee: the Speaker's decision shall be final on such matters.

(6) The committee shall have power to invite Government officials to attend all or part of any of its meetings.

(7) The committee shall determine the backbench business to be taken—

(a) in the House on any day, or any part of any day, allotted under paragraph (3A) of Standing Order No. 14, and

(b) in Westminster Hall, in accordance with paragraph (3A) of Standing Order No. 10, and shall report its determinations to the House.