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GENERAL COMMITTEES

Public Bill Committee

NATIONAL HEALTH SERVICE (AMENDED DUTIES AND POWERS) BILL

First Sitting

Wednesday 4 February 2015

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Sittings motion under consideration when the Committee adjourned till
Tuesday 10 February at twenty-five minutes past Nine o'clock.

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The Committee consisted of the following Members:*Chairs:* MR PETER BONE, † MR JIM HOOD

- | | |
|----------------------------------------------------------------|---------------------------------------------------------------------------------------|
| † Arbuthnot, Mr James (<i>North East Hampshire</i>)
(Con) | † McInnes, Liz (<i>Heywood and Middleton</i>) (Lab) |
| † Brown, Mr Russell (<i>Dumfries and Galloway</i>) (Lab) | † Metcalfe, Stephen (<i>South Basildon and East
Thurrock</i>) (Con) |
| † Buck, Ms Karen (<i>Westminster North</i>) (Lab) | † Nuttall, Mr David (<i>Bury North</i>) (Con) |
| † Burns, Mr Simon (<i>Chelmsford</i>) (Con) | † Poulter, Dr Daniel (<i>Parliamentary Under-Secretary
of State for Health</i>) |
| † Durkan, Mark (<i>Foyle</i>) (SDLP) | † Rees-Mogg, Jacob (<i>North East Somerset</i>) (Con) |
| † Efford, Clive (<i>Eltham</i>) (Lab) | † Wilson, Phil (<i>Sedgefield</i>) (Lab) |
| † George, Andrew (<i>St Ives</i>) (LD) | |
| † Gwynne, Andrew (<i>Denton and Reddish</i>) (Lab) | Kate Emms, Fergus Reid, <i>Committee Clerks</i> |
| † Kirby, Simon (<i>Brighton, Kemptown</i>) (Con) | |
| † Knight, Sir Greg (<i>East Yorkshire</i>) (Con) | † attended the Committee |

Public Bill Committee

Wednesday 4 February 2015

[MR JIM HOOD *in the Chair*]

National Health Service (Amended Duties and Powers) Bill

9 am

Sir Greg Knight (East Yorkshire) (Con): On a point of order, Mr Hood. Is there any reason why the middle door of the Committee room is locked? I have noticed two members of the Committee trying to get in that way.

Andrew Gwynne (Denton and Reddish) (Lab): I came in through there.

The Chair: I was asked for permission to lock the middle door before the Committee began. I received a representation from the Serjeant at Arms, and I agreed it.

Jacob Rees-Mogg (North East Somerset) (Con): Further to that point of order, Mr Hood. The door is marked as the entrance for Members. The other door is for the Chairman and there is another for members of the public. Members ought to be able to come in through the door that is marked for Members.

The Chair: Big dilemmas. I shall ask for the middle door to be opened, and the back door closed. I am sure that will satisfy Members.

Jacob Rees-Mogg: On a point of order, Mr Hood. May I say first what a pleasure it is to serve under your chairmanship on this important Committee? My point of order is about declarations of interest. As you may be aware, socialist organisations have cast aspersions on a number of Conservative Members with remote and tenuous connections to companies involved with the health service. In my case, that has been on the basis that a donor to my association may or may not have had investments in health care businesses. I am merely declaring that I do not have an interest.

This is tangential, but I feel that as it has been raised by socialist organisations, including the union Unite, it is important to put it on the record. I also urge other Members, particularly Opposition Members—I specifically exclude you, Mr Hood—to make similar declarations if they have interests in relation to health service trade union funding.

The Chair: Thank you for that point of order. Declarations of interest are a matter for hon. Members. If they want to make a declaration of interest, it is for them, not the Chair.

Mr David Nuttall (Bury North) (Con): On a point of order, Mr Hood. It is a pleasure to serve under your chairmanship on this extremely important Public Bill Committee. I understand that, somewhat unusually, the Committee needs to consider the Bill without the benefit of a money resolution and that the decision about whether one was required may have been finely balanced. I appreciate that the House authorities have decided

that none is required, but would you explain the difference between this Bill and the Daylight Saving Bill, for example, which was not allowed to proceed to Committee? It is difficult to see how that Bill could have had implications for the public purse. It is much easier to see how this Bill, which would make substantive changes to the way the national health service is run and operated, might have a significant impact on the public finances.

The Chair: Thank you for your point of order. This matter is not dealt with in Committee but in the Public Bill Office. It is not a matter that I can address.

The Parliamentary Under-Secretary of State for Health (Dr Daniel Poulter): On a point of order, Mr Hood. For the record, my hon. Friend the Member for North East Somerset is right to highlight the rather unpleasant smears and accusations that have been made against a number of Conservative Members. For the record, as a Minister representing the Government, I am a doctor registered with the General Medical Council. I have been through the revalidation process. You will be aware, Mr Hood, that doctors have to go through medical revalidation. I did so last year, and have been revalidated as a doctor. I am in the process—I do not think that this is in my declaration of interest—of becoming a trustee of the Guy's Hospital charity, Penguins against Cancer, which was set up by Brigadier Charlie Beardmore, Dr Terry Gibson, and many other distinguished medics formerly of Guy's.

The charity follows the good tradition of rugby-playing medics supporting charitable intentions, and its motto is “Dare quam accipere”—it is better to give than to receive—which is something to which all hon. Members would subscribe. Given that I may oversee distributions of a charitable fund it is important to put on the record that I may be taking up that role in the near future, but I hope that there will be no smearing of a valuable charity that makes a big difference to many people.

The Chair: The Minister has made a declaration of interest, and it is duly noted. While we are on the subject, I have said that it is for each individual Member to deal with their own declaration of interest, and they should make such declarations to the Committee at the first available opportunity. However, that is the matter for the Member concerned, not for the Chair.

Mr Simon Burns (Chelmsford) (Con): On a point of order, Mr Hood. May I seek your guidance, following the point of order by my hon. Friend the Member for North East Somerset? As you will be aware, some time ago, a bogus list was instigated by a trade union about hon. Members who had allegedly received money from private health companies. My name was on that list, which came as a surprise, because I had never received any money from a health-related company—or any other company, for that matter. However—and this is the problem on which I seek your guidance, Mr Hood—in 2001, when I was a shadow Health Minister, a pharmaceutical company paid for me to attend an oncology conference in Florida to discover more about cutting-edge treatments for cancer patients.

That was 13 years ago, and it was immediately registered in the Register of Members' Interests. Do I need to declare that as an interest every time I want to speak in this Committee, or does this point of order cover that?

Quite clearly, I have not been financed by a health-related private company, although I attended a useful conference to learn about improvements in cancer care.

The Chair: I would have thought that the right hon. Gentleman would know that he does not have to raise those interests on a point of order. I have said that if a Member fails to mention an interest at the outset they can raise it when they make a speech. The right hon. Gentleman's point is not a point of order, so it is not something for me to deal with.

Mr Nuttall: On a point of order, Mr Hood. May I return briefly to something, following the point of order I raised on the lack of a money resolution? First, if it becomes clear that the Bill would increase the cost of the national health service on the public purse, how will that affect our sittings? Secondly, what is the effect, if any, of the lack of a money resolution on Members' ability to table amendments?

The Chair: It is pretty clear that the Committee will discuss issues that do not require a money resolution. The Bill, as it stands, does not require a money resolution, as the hon. Member for Eltham said.

Sir Greg Knight: On a point of order, Mr Hood. I am grateful to you for informing the Committee of the situation, but if we hear from the Minister that the Bill, if passed in its present form, would create a cost to the public purse, and if the House authorities then felt that they had got it wrong and that the Bill should be subject to a money resolution, I understand that the normal practice would be for the whole Bill to be recommitted. Delightful though it is to serve under your chairmanship, Mr Hood, I for one would not want to examine this Bill in Committee twice. May we be reassured that the recommitment of the Bill is not a possibility?

The Chair: I have tried to make it clear that if the Bill had required a money resolution, it would not have proceeded as far as it has, so we go forward on the basis of that understanding. If there has been a ruling that the Bill does not require a money resolution, the Committee will proceed on that basis.

Jacob Rees-Mogg: Further to that point of order, Mr Hood.

The Chair: Order. I have given a ruling. The hon. Gentleman may pursue a matter that has nothing to do with that ruling, but I hope that he is not challenging what I said.

Jacob Rees-Mogg: I am not challenging what you said, Mr Hood, but I thought that it might be helpful to bring to your attention Question 71 on page 3574 of today's Question Book, which asks the Secretary of State for Health for an estimate of the potential costs of the Bill so as to determine whether it would involve any new or increased charges. I also thought that it might be helpful to remind the Committee that you have the discretion to decide whether clauses should be put to the Committee and debated if you feel at any point that a money resolution would be required.

The Chair: I am pleased that the hon. Gentleman mentions the Chair's discretion, but I have already explained the position.

Jacob Rees-Mogg: On a separate point of order, Mr Hood. I thought that it might be helpful to draw the Committee's attention to page 52 of part 2 of today's Order Paper, on which there is notice of the following motion:

"That the Public Bill Committee on the National Health Service (Amended Duties and Powers) Bill be given the powers provided for under Standing Order No. 63(2)(b) to send for persons, papers and records."

Given the importance of the Bill, we ought not to proceed until the House has taken a decision on that motion and we have therefore found out whether the Committee may send for persons and papers and thus carry out a full, proper and detailed inquiry into all aspects of the Bill, which would include getting independent views and consulting thoroughly and widely. Would the Committee therefore be best advised to meet again next week, when the House might well have had an opportunity to consider that important motion, although I use the word "important" with a certain degree of diffidence as the motion stands in my name?

The Chair: I have been advised that it was your good self who tabled that motion, Mr Rees-Mogg, and if you did so after Second Reading the Committee would have a look at it. It is not a matter for me.

9.15 am

Clive Efford (Eltham) (Lab): Further to that point of order, Mr Hood. I do not want extend these points of order, but my understanding is that that is an issue that should be raised on Second Reading and resolved then. The fact that the hon. Member for North East Somerset tabled the provision is an admission of the fact that he was caught napping. He did not act at the appropriate time, and this is just a delaying tactic.

The Chair: I thank the hon. Gentleman for his attempt to assist the Chairman. That is exactly what I said before he stood up and said it.

Jacob Rees-Mogg *rose*—

The Chair: I hope that the hon. Gentleman is not coming back on this. I have ruled on it.

Jacob Rees-Mogg: I am not coming back to it. I am merely coming back to what the hon. Member for Eltham said. I left it late as a courtesy to the Bill's promoter, who is the right person to table such motion. An hon. Gentleman with his standing in the House, and who is held in high regard on both sides of the House, might think it necessary to introduce such a motion to ensure that the Bill is scrutinised by the House and is more widely available to the public. I did not table the motion earlier simply as a courtesy to him.

The Chair: You have got that on the record, but my previous ruling stands.

[The Chair]

Before we begin our debate I have a few preliminary announcements; I accept that it would have been helpful to make them before the points of order. Please switch electronic devices off or put them on silent. I remind hon. Members that tea and coffee are not allowed during Committee sittings. It is a bit cold in here this morning, so I do not think that hon. Gentlemen will want to take their jackets off, but if they do—and shiver—they are welcome to do so.

Proceedings this morning conclude automatically at 11.25 am for Question Time under Standing Order No. 88. We will first consider the sittings motion and will dispose of amendments (a), (b) and (c), which have been selected and grouped for the Committee's convenience. We will then consider the Bill in the usual way, as indicated by my provisional selection of amendments.

Clive Efford: I beg to move,

That the National Health Service (Amended Duties and Powers) Bill Committee do meet on Wednesdays at 9.25 am and 2.00 pm when the House is sitting.

The Chair: With this it will be convenient to consider the following: Amendment (a), leave out from “on” to “when” and insert—

“Tuesday 10th February at 10.00 am, and thereafter on Tuesdays at 10.00 am”.

Amendment (b), leave out from “meet” to end and insert—

“at 9.25am on the following days—

- (a) Tuesday 10 February 2015;
- (b) Tuesday 24 February 2015;
- (c) Tuesday 3 March 2015; and
- (d) Tuesday 10 March 2015”.

Amendment (c) leave out from “on” to “when” and insert

“Thursday 12th February at 11.30am, and thereafter on Thursdays at 12.00 noon”.

Clive Efford: It is a pleasure, Mr Hood, to serve under your chairmanship. After all these years in Parliament, this is the first time I have done so. I shall be brief, because this is a technical motion to get the Committee under way and to set out the timetable to deal with a short Bill, which has only 15 clauses. It has already generated about 57 amendments, most of which apply to the first five clauses. We will have some interesting discussions, but I hope they will not be protracted, otherwise we will have to stay and deal with the business. I am sure that we will make decent progress.

The issue of a money resolution has been raised. I was shocked, because when a Bill is prepared, anything that requires money has to be printed in italics. That was clearly resolved before Second Reading. I wrote to the Leader of the House, because I was concerned that the Bill was not going into Committee. I received a letter from him saying that there were queries about whether a money resolution was needed. If the matter has been looked into by the Leader of the House with no change to the measure, I suspect that the matter has been well and truly dealt with.

Jacob Rees-Mogg: Will the hon. Gentleman give way?

Clive Efford: I do not intend to speak for long. The hon. Gentleman will have plenty of time to speak, so if he does not mind I will not give way.

The Bill completed Second Reading by 241 votes to 18. It was backed overwhelmingly by the House of Commons on a Friday morning.

Mr Burns: Will the hon. Gentleman give way?

Clive Efford: Before I sit down, I want to make this point. Five members of this Committee never bothered to turn up that Friday morning to defend the Government's Health and Social Care Act 2012—could not be bothered to turn up and vote. Two of them have had the temerity to table amendments to the Bill, although they could not turn up and speak against it, or say anything at the time. Between them, they have tabled 20 amendments to the Bill so far. Apart from the Minister, who is obviously opposing every dot, line and clause of the Bill, the hon. Member for North East Somerset leads the table at the moment, with 11 amendments, so we look forward to dealing with him in the future.

I take the points that the hon. Member for North East Somerset and the right hon. Member for Chelmsford raised on the subject of registering interests. I accept everything they said when declaring interests, because they cannot be serious interests if they could not be bothered to turn up and vote against the Bill on Second Reading. I suspect there is not much incentive there.

I hope we can deal with the issues on the sittings motion now. If Members are really serious about debate, we will enter into debate in Committee, but if Members just get up and read the bus timetable or the latest waiting list at their local hospital, we cannot take their arguments seriously.

Jacob Rees-Mogg: On a point of order, Mr Hood. I am shocked that there has been such an attack on your chairmanship of the Committee—that it could possibly be thought that you would allow such impropriety.

The Chair: Thank you for your point of order and thank you for your concern, but you, unlike the hon. Member for Eltham, have served on Committees that I have chaired before. I am sure you will have learned from experience that, had I thought the hon. Member for Eltham was out of order, I would have brought him to order and told him so. I did not hear anything that was out of order.

Clive Efford: If there were any such implication, Mr Hood, I am sure you would deal with me. [Interruption.] I really have finished my contribution. I want to keep it short because I really want to get into the detail of the Bill, and I hope Members enter the debate in that spirit.

Mr Nuttall: May I say again, Mr Hood, what a pleasure it is to serve under your chairmanship this morning? I have listened carefully to your strictures about the requirement to make any declarations of interest before speaking for the first time. I trust that

does not include points of order, because I have already spoken in the Committee, so I apologise for that. However, I am not aware that I have any interest in the medical industry or in the provision of health care industries that would warrant declaration. Certainly, I have nothing of that sort in the Register of Members' Financial Interests.

Where I have a slight problem is that I have received donations, or my association will have received donations, which are recorded in the Register, from individuals, and I know not what their source of income was. I am not sure whether it is incumbent upon us to make researches into that. I am being totally honest with the Committee: the donors who have made donations, not to me but to the association, may have earned some of their income from working for the NHS. They may be doctors, for all I know. They may have worked for a private medical company; I know not. There is that slight uncertainty, but as far as I am concerned—

Mr Burns: I am interested to hear what my hon. Friend says. I was surprised that he did not make one declaration, which obviously is not a declaration that needs to be put into the Register of Members' Financial Interests. It is a declaration that all Government Members have 100% commitment to a national health service free at the point of use for all those eligible to use it, and to improving its delivery and quality of care for all our constituents.

Mr Nuttall: I am grateful to my right hon. Friend for putting that on record. Having dealt with the question of my financial interests, it leads me on to my personal commitment, which I think is more important, to the national health service. I have not worked in the NHS, but the Committee will be interested to hear about my experience. I have a small family, and every single member has received extensive treatment in the NHS at public expense.

Stephen Metcalfe (South Basildon and East Thurrock) (Con): I am listening carefully to my hon. Friend. Before he moves on to the way in which his family has benefited from the excellent services that they have received in the NHS, I should like to return to his declaration of interests. If I have some form of pension provision with a national organisation that may have invested in health providers, do I need to declare that? Has he given that any thought?

The Chair: Order. I remind the hon. Gentleman that we are discussing the motion and Mr Nuttall's amendment. I would hope that interventions were on the subject of the amendment, not on something else.

Mr Nuttall: I note your strictures, Mr Hood. May I deal briefly with the issue raised by my hon. Friend the Member for South Basildon and East Thurrock? The short answer—and I will keep it to one sentence—is that I have not previously considered that aspect, nor have I considered whether it is appropriate to make a declaration if a Committee member has their own private health insurance. That is irrelevant to our commitment to the national health service.

Jacob Rees-Mogg: It may be helpful to my hon. Friend if I tell him that, if the pension is a self-invested pension, it may be necessary to declare it, but if it is invested by a third party it is usually not.

The Chair: Order. We are not discussing declarations of interest. I am listening to Mr Nuttall, who has tabled an amendment to the sittings motion. I will ask him to carry on and address his amendment.

Jacob Rees-Mogg: On a point of order, Mr Hood. As I am sure you are aware, the guidance is that in Committee it is essential for Members to highlight their interests. Because of the sensitivity aroused by this socialist propaganda, there is a much greater feeling about the need to do so for the sake of clarity than would have been the case had these pretty dishonest documents not been circulated. We are responding to something in the public domain to—[*Interruption.*]

The Chair: Order. The hon. Gentleman said that he had served on Committees that I had chaired, and I took that as read, but he has not learned much if he continues to contradict a ruling from the Chair. I am asking the hon. Gentleman to discuss his amendment, and his amendment is not a wide one but a rather narrow one. I want contributions on Mr Nuttall's amendment, which he is still moving, and I will not expect any interventions that are outwith the words of his amendment.

9.30 am

Mr Nuttall: Thank you, Mr Hood. I appreciate that. I will deal specifically with my amendment. First, I would say that the intervention by my hon. Friend the Member for North East Somerset was important, because I did not know what he told us, and other hon. Members may not have known that either. As it is, I do not have a self-invested pension, so it would not apply to me, so I do not have to make that declaration; I only have a pension provided by the House.

Thirty years ago next month, my mother died, when she was younger than I am today, having spent all her adult life in and out of hospital—our NHS. Three years ago, my brother was diagnosed with cancer and had extremely expensive treatment and surgery, thanks to our NHS. My stepmother worked in the NHS as a nurse, and sadly died of cancer a few years ago. My father is currently receiving treatment for prostate cancer, involving very many visits to hospital at the hands of the NHS. So I have every reason to be grateful and thankful for the work of our NHS, and there is no way that we could have afforded to pay for what must be the tens of thousands, if not hundreds of thousands, of pounds' worth of treatment that they have received.

It should be borne in mind that I approach this matter purely from the position of wanting what is best for our national health service. I appreciate that it has become a bit of a political football, and I regret that very much, because I know for a fact that there are so many Conservative party members on the Government Benches and, more importantly, in the country more widely, who are as committed to the national health service as anyone who supports another party, whether that is the Labour party, the Liberal Democrats or anybody else.

Mr Burns: My hon. Friend raises a very important point, because to my mind there is something despicable about turning the national health service into a political football, and I am sure he would share my concern at the way in which the Leader of the Opposition is seeking to weaponise the NHS.

The Chair: Order. I must repeat what I said. We are discussing an amendment that talks about leaving out words, that talks about putting “when” in, and that talks about Tuesday 10 February. The right hon. Gentleman and the hon. Gentleman are being tempted into discussing the merits of the Bill itself. If we can get the sittings motion sorted, then they can certainly raise the issues that they are raising now, but not during the present debate on the amendment. I would ask the hon. Member for Bury North to address his amendment. If he wants to talk on the health service—on the Bill—there is an opportunity to do that when we get to discuss the Bill, but not when he is addressing an amendment on the timetable.

Mr Nuttall: I entirely agree, Mr Hood, and I will now turn immediately to amendment (a), which stands in my name and that of my right hon. Friend the Member for Cheltenham—

Mr Burns: Chelmsford.

Mr Nuttall: I am sorry—the amendment also stands in the names of my right hon. Friend the Member for Chelmsford and of my right hon. Friend the Member for North East Hampshire, who is not yet in the Committee.

I merely wanted to put on the record those two matters relating to my personal commitment to this matter, and also the matters that you urged us to put on the record before proceeding, Mr Hood.

The reason why I tabled amendment (a), which appears on the amendment paper, to amend the sitting motion that had been tabled by the promoter of the Bill, was essentially to achieve what I think I have already achieved to some extent—to engender a debate about the nature of the sittings of this Committee and, more importantly, what the sittings are for.

Sir Greg Knight: Why has my hon. Friend chosen 10 o’clock? Does he have transport problems? Does he find it difficult getting here at a reasonable hour? It seems odd that he has chosen 10 am rather than 9.25.

Mr Nuttall: That is a very specific intervention, and I will address it later on in my remarks, but briefly, it is of course a matter of, to some extent, personal preference. I felt that starting the Committee at 10 o’clock would give Members ample time to get in, particularly bearing in mind that this Committee will be sitting through the months of the year during which we have mostly inclement weather. Yesterday there was snow in some parts of London; that could have delayed Members in getting here at 9.30 and the extra half hour might have made a difference to some Members. But I appreciate that, in amendment (b), my right hon. Friend has gone for what might be described as a more traditional time—9.25 am.

Jacob Rees-Mogg: Is my hon. Friend saying that he has gone, in a radical change from precedent, for 10 o’clock because he is in fact one of the leading modernisers within the Conservative party—somebody of whom my right hon. Friend the Member for Horsham (Mr Maude) would be proud?

Mr Nuttall: Well, I have never personally regarded myself as being a radical moderniser, but it is a role I am prepared to consider taking on if it is felt that by proposing a sitting time of 10 am rather than the more traditional time, as I have chosen to describe it—*[Interruption.]*

The Chair: Order. I hope that hon. Members in the Committee will listen to all Members who are on their feet addressing the Committee.

Mr Nuttall: Thank you, Mr Hood. I am prepared to take on the role of moderniser. I know that there are rather arcane—may I use that word?—reasons why the traditional sitting time is given as 9.25 or, more usually, 9.55.

Sir Greg Knight: I certainly have never regarded my hon. Friend as a moderniser; indeed, I think if he worked for the film industry he would probably be working for 18th Century Fox. Can he see, though, why his amendment would not be appealing to those promoting the Bill—because by choosing 10 am, he would be shaving 35 minutes off each sitting?

Mr Nuttall: I can indeed see that, and my right hon. Friend makes a valid point. I feel that I am being led down another avenue, which I would have got to later in my remarks, but I am happy to proceed down it in the hope that it will lead somewhere and is not a cul-de-sac.

Jacob Rees-Mogg: I assumed that my hon. Friend had gone for 10 o’clock as a courtesy to the Clerks because, when the Procedure Committee discussed the changing of the hours, one point made by the then Clerk of the House, Sir Robert Rogers—now Lord Lisvane—was that if the House starts early, sometimes the Clerks have to get in enormously early in the morning to ensure that all the papers are ready, and that giving them an extra half hour would allow their brains to have the proper rest that they need to function in the remarkably effective way in which our Clerks’ brains always operate.

Mr Nuttall: I am grateful to my hon. Friend for reminding me of that particular finding. That is something that I will touch on later. As the Committee might be aware, my hon. Friend and I serve on the Procedure Committee. We recently carried out an extensive investigation and review of the procedure relating to private Members’ Bills, which is also something that I will touch on later. Perhaps before I do that, I had better deal with the avenue—it may turn out to be a cul-de-sac—that my—

Mr Burns: I am sorry. I did not want to interrupt the flow of my hon. Friend. I just want to check something about his amendment. He is suggesting that we begin

our sittings at 10 am for all the reasons that he stated during his remarks. The amendment does not say when that sitting would finish, which is important because it has been pointed out that, by starting at 10 o'clock, the Committee will lose 35 minutes, as opposed to the amendment tabled by my right hon. Friend the Member for East Yorkshire. Does my hon. Friend the Member for Bury North anticipate that the Committee would sit in the morning for 35 minutes longer than usual, which might encroach on our ability to be in the main Chamber?

The Chair: Order. To be helpful, as usual, the House decides when the Committees end. This Committee holds no powers to change any of those sitting times. The House has said that we stop at 11.25 for Prime Minister's questions; that is the House's decision. It is not a discussion for the Committee. I am not inviting an argument.

Mr Burns: I am not going to.

The Chair: I know that you are not going to argue.

Jacob Rees-Mogg: On a point of order, Mr Hood. Is it open to the Committee to adjourn earlier if it feels that that is advisable?

The Chair: The Committee can move Adjournment if the Chairman accepts a motion to adjourn. I suspect that this Chairman would not accept the hon. Gentleman's motion.

Sir Greg Knight: On a point of order, Mr Hood, as I understand it the House does not determine when a Committee finishes if a Committee decides to sit in the afternoon. Could you explain the position on afternoon sittings?

The Chair: I do not have to explain it. The right hon. Gentleman did so in his point of order. The House has decided that Committees in the morning will finish at 11.25. They are open-ended in the afternoon, as the right hon. Gentleman is very well aware.

Mr Nuttall: Mr Hood—I will give way just one more time and then I will proceed.

Mr Burns: I am grateful to my hon. Friend because the extremely helpful ruling has made me begin seriously to question whether I support the amendment I have put my name to. If the Committee will have 35 minutes less to discuss a deeply flawed Bill, I begin to have serious misgivings.

9.45 am

Mr Nuttall: I will try to convince my right hon. Friend and the Committee that, for reasons we have touched on, they should support my amendment.

Jacob Rees-Mogg: It struck me that that the reason my hon. Friend decided to chop 35 minutes off was that it would allow him to speak with his normal brevity and concertina our affairs into a shorter time.

Mr Nuttall: I always speak briefly and try to keep my remarks to the matters in hand. That is what I will do today.

Mr James Arbuthnot (North East Hampshire) (Con): Will my hon. Friend give way?

Mr Nuttall: Yes, I will give way. I am pleased that my right hon. Friend has been able to get here—

Mr Arbuthnot: Before 10 o'clock.

Mr Nuttall: Before 10 o'clock. He may be able to enlighten the Committee and add to our discussion about whether 9.25 or 10 o'clock is the preferred starting time.

Mr Arbuthnot: I apologise for arriving late, Mr Hood. I am very sorry, but I had a speaking arrangement at the Royal United Services Institute arranged some weeks ago, and this Committee was organised only last week. I would not have wanted to show the Committee any discourtesy. The Bill is of enormous importance and I hope that we can examine it at length.

I intervene because I am concerned that I seem to have put my name to two mutually incompatible amendments. I see that my right hon. Friend the Member for Chelmsford has done the same. I shall not be able to enlighten my hon. Friend—

The Chair: Order. This is a rather long intervention. I am sure that the right hon. Gentleman can explain when he makes a speech.

Mr Nuttall: I look forward to hearing both my right hon. Friends explain why they added their names to my amendment. I was excited and delighted to see it, but less so to see that they added their names to the one tabled by my right hon. Friend the Member for East Yorkshire, as well. I am sure he was delighted that they did so.

To return to the thrust of my remarks, recently the Procedure Committee investigated extensively the conduct and sitting times of Committees on private Members' Bills and the way the Bills are examined. It seems to me that there are different types of private Member's Bill. Some are technical and essentially tidy up legislative loose ends. Often they arise from a court decision revealing a problem in the law, which Parliament never intended. For example, in the last Session of Parliament I was fortunate enough to pilot through the House the Leasehold Reform (Amendment) Act 2014. So I have a little experience and know the challenges that face the hon. Member for Eltham in piloting his Bill, but I submit that this Bill is a very different animal from the one I piloted through the House last year. My Bill corrected a problem in the Leasehold Reform, Housing and Urban Development Act 1993. It had always been assumed that a tenant could appoint someone else to sign documents on their behalf, in the same way that a landlord could. In the case of *St Ermin's Property Company v. Tingay* the court decided that tenants could not do that, even though landlords could. That

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was unfair and needed sorting out; I brought the problem to the House and it was sorted out. That was clearly a small matter.

I will not stray further down that path, Mr Hood—I understand that you are anxious to keep us on the straight and narrow, which is where I want to stay, I assure you. However, it does seem to me that this Bill, by any stretch of the imagination, is a completely different sort of private Member's Bill. It does not just deal with an administrative or legislative loose end—

The Chair: Order. I do not want to be unhelpful to the hon. Gentleman; I want to be very helpful. The hon. Gentleman is now talking about his views on the Bill, and not directly to his amendment. I am keen for him to return to his amendment.

Mr Nuttall: I will indeed, but let me deal with this point, Mr Hood. I was simply drawing the Committee's attention to the fact that there are different types of private Member's Bill. I want to explain that the Bill will need more Committee meetings than the average. That is the first point we need to address.

Mr Arbuthnot: On a point of order.

Mr Nuttall: I give way—point of order.

The Chair: Order. I will call the point of order.

Mr Nuttall: I was going to give way and realised at the last minute that my right hon. Friend was raising a point of order.

Mr Arbuthnot: Mr Hood, you have correctly called my hon. Friend to order for failing to address his amendment. Are we in this debate discussing only the amendments or are we also discussing the overall sittings motion that allows for a certain amount of time to be given to each Bill? If we are having one debate on the amendments and another on the sittings motion itself, it would help me understand what I should say in relation to the sittings motion.

The Chair: The sittings motion has been moved and we are now discussing amendments to it. Mr Nuttall.

Mr Nuttall: When that point of order was raised, Mr Hood, I was in the process of giving way to my right hon. Friend the Member for Chelmsford, so I give way now.

Mr Burns: I am grateful to my hon. Friend for making the important point that the Bill needs to be debated in detail in Committee because of the significance of its contents. As he knows, the Bill, in the promoter's own words, would repeal crucial parts of the 2012 Act—a Bill so important that it had not one period in Committee but two, the first one having 41 sittings and the second, three months later, which is unusual for a Bill, 13 sittings. That builds up his case—

The Chair: Order. The intervention is too long.

Mr Nuttall: I am grateful to my right hon. Friend for that point of information. I apologise on his behalf for the fact that it was lengthy—[*Interruption.*] Well, it was lengthy, but I think it had to be because of what he had to say about that Bill, and let us be clear: it is very relevant indeed. We are getting to the heart of the matter, because we are now getting to the fact that the Bill would amend the 2012 Act. The 2012 Act needed 40 Committee meetings—

Mr Burns: And then 13.

Mr Nuttall: And then 13. It does seem to me that we are now getting to the crux of the matter. I am just stating a fact, not being critical in any way of the hon. Member for Eltham, when I say he gave no explanation of the choice of either the date or the times. There was no explanation of what process had been followed to arrive at those dates. I am prepared to stand up and explain the thinking behind my amendment proposing to the Committee that it would be more appropriate for us to meet on a Tuesday, starting next Tuesday.

I am not trying to delay matters. As next Tuesday is the last Tuesday before the half-term recess, had I wanted to delay the consideration of the Bill, I could very easily have suggested 24 February—indeed I rather expected that I would be criticised this morning for not suggesting 24 February, given that next Tuesday is just two days before the recess. I put down 10 February at 10 am for the simple reason that I have no wish to delay the consideration of the Bill. I am more than happy that it should be considered.

Mr Arbuthnot: Since my hon. Friend invites it, I do wish to criticise him for having failed to make sufficient allowance for the possibility of taking oral evidence. Lots of oral evidence was allowed for in the scrutiny of the 2012 Act, yet my hon. Friend's amendment does not mention that possibility at all. Is that an omission on his part?

10 am

Mr Nuttall: I take the criticism on the chin, and I am glad that I gave way to my right hon. Friend. I am grateful to him for bringing up that point, because it was something that I had to weigh up in determining whether to go for the 10th or the 24th. There is a good argument for submitting to the Committee that it should first meet on the 24th to allow time for interested bodies to make their views about the Bill known.

When the 2012 Act was progressing through Committee, the first couple of sittings were taken up entirely with evidence from interested parties. We are being told that it is necessary to completely change the nature of the 2012 Act—that is what the Bill would do. I do not want to go into the detail yet—you are quite right about that, Mr Hood—but I hope everybody accepts that it is important to know the context of the Bill, because the nature of the Bill determines the duration and the nature of the proceedings of the Committee. We need to have in the back of our mind that this is not an ordinary Bill. I have touched on that, and I will not go back to it, but we need to bear in mind that this Bill seeks to amend a substantial piece of legislation.

Dr Poulter *rose*—

Mr Nuttall: The Minister knows more about this than I do, so I will give way.

Dr Poulter: My hon. Friend is making an important point, but he will also wish to note that this Bill goes further and amends legislation that was laid down in 2006 by the previous Government. Perhaps he will confirm that and talk about how this Bill undermines and fundamentally changes the nature of health care legislation in this country.

The Chair: Order. I would have expected the Minister to pick up on my earlier advice. He will have plenty of opportunity to discuss his views on the Bill once we have agreed the sittings motion, for which we are discussing amendments.

Mr Nuttall: Thank you—that was a short answer. I am grateful to the Minister. I will not go down the avenue that he suggests, but I agree with him that this Bill amends the Act.

Jacob Rees-Mogg: It was noble of my hon. Friend to accept the criticism from our right hon. Friend the Member for North East Hampshire, but is he not being too hard on himself? When he tabled his amendment, he was perhaps unaware of notice 113 on today's remaining orders of notices, because of the dilatoriness that he established earlier of the Opposition, allowing for public evidence to be called. Unless my hon. Friend had the power of foresight, which I am unaware of any Member having, he would not have been able to know that it might have been possible—once that motion is put before the House and, one hopes, approved—to be able to take evidence, as was done, so rightly, by Her Majesty's Government for the 2012 Act, when they asked all the royal colleges and charities and everybody who had a view to come forward.

The Chair: Order. To be helpful, the powers of the Committee to take oral evidence are a matter for the House. It is for the House to grant the Committee permission to take evidence. That was the case on the previous Bill—I chaired that Committee, by the way—but it is not the case here. The House did not give permission to take oral evidence, so it is not right to discuss it here.

Mr Nuttall: I am grateful, Mr Hood, for that information. You chaired the Committee of the previous Bill and will have personal knowledge—*[Interruption.]*

Jacob Rees-Mogg: On a point of order, Mr Hood. It seems that once again the Members' entrance is giving difficulties and may be obstructing a Member getting in. I wonder—*[Interruption.]*

The Chair: The hon. Gentleman has raised a point of order, although it is not correct.

Mr Nuttall: I am relieved to see that we now have almost a full Committee. It is just past 10 o'clock, which gives me some grounds for saying that perhaps 10 o'clock

is the right time. I am conscious of the fact that there may be all sorts of very good reasons why members of the Committee were not here at the start, as we heard from my right hon. Friend the Member for North East Hampshire. That goes back to the point that I was making earlier that 10 o'clock is probably a sensible time for the Committee to meet.

Before the arrival of another Committee member, Mr Hood, you were saying that you had chaired the deliberations on the 2012 Bill. I suspect that you were joint Chair of that Committee, so you would not have been there for some of the sessions. I am conscious of the fact that, as you have quite rightly said, the House in its collective wisdom has decided that there should be no oral evidence. That, of course, does not prevent organisations that have an interest from submitting written evidence to Members of the Committee.

Stephen Metcalfe: As someone who was not fortunate enough to have been on the 2012 Bill Committee, I am disappointed that it appears that we will not be able to hear oral evidence. I would have found it very useful and beneficial in debating this Bill to hear at first hand from people whom it will affect one way or another. My hon. Friend is right to say that people can make written submissions. Should we allow some time for those written submissions to be made by postponing for a week the date on which the Committee starts scrutiny?

Mr Nuttall: My hon. Friend makes an interesting point, which I considered carefully, about whether we should start on 10 or 24 February, bearing in mind that no application was made and no motion submitted to the House, and therefore there was no decision, no recommendation and no authority given for the Committee to take oral evidence.

I am conscious that we are meeting in Committee Room 14, and I presume that it has been chosen for a reason, given the massive importance of the Bill to the nation as a whole. The room has facilities that are, if not ample, the best we have in terms of providing accommodation for members of the public. It seems to me that all those who have an interest in the Bill and those who gave oral evidence when the 2012 Act was being considered, should give evidence, albeit by written means—e-mail, nowadays—of their thoughts on the content of the Bill and how we should go about dealing in Committee with the amendments that have been tabled. Let us seek their views as to whether the amount of time available between now and the end of the Parliament is sufficient for the Bill to be considered appropriately, given its nature.

Mr Burns: May I urge my hon. Friend not to be distracted by the siren calls of our hon. Friend the Member for South Basildon and East Thurrock? The amendment quite clearly proposes that the next sitting should be on 10 February. It would be a mistake to delay, because it is important that we start to debate the contents of the Bill in order to show how flawed it is.

Mr Nuttall: I am inclined to agree with my right hon. Friend. That is why I decided, when tabling amendment (a), to put down 10 February, which is one day sooner than the date put down by the promoter of the Bill. It is

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worth noting in passing those who submitted oral evidence to the 2012 Bill Committee: the national health service, the Health Foundation—

The Chair: Order. Mr Nuttall, the Committee wants to hear why Wednesday not Tuesday, why 10 am not 9.25 am, and why no afternoon meetings. Those are the relevant points in the amendment that the Committee needs to discuss. Will the hon. Gentleman get back to his amendment and not stray off it? We will have plenty of time to discuss his opinions on the Bill when we get to it. Please address the amendment.

Mr Nuttall: Thank you, Mr Hood. I am grateful for that stricture. I will deal with the specific point of time first.

Stephen Metcalfe: Before my hon. Friend moves on to the specific issue of time, which I am very much looking forward to hearing about, may I add that he rightly pointed out that his amendment moves the next sitting one day forward from where it otherwise would have been, and while I acknowledge what our right hon. Friend the Member for Chelmsford says, I still think that it might be worth considering postponing to allow for evidence—oral or written—to be submitted in advance, so that I can feel more informed about these important issues—

The Chair: Order. I think I have explained to the hon. Gentleman that if he cannot hear, he should move nearer to the front.

Jacob Rees-Mogg: On a point of order, Mr Hood. I wonder whether you could clarify if the microphones are working and whether there might be a problem hearing the debate at the back.

The Chair: If the hon. Gentleman cannot hear at the back, he can tell the Chair and we will report the microphones if they are not working. I can hear Members speaking clearly. I can hear the hon. Gentleman but he can obviously not hear me. It is perhaps a difficulty with him, not the acoustics.

Sir Greg Knight: On a point of order, Mr Hood. I concur with what you just said; I think that the microphones are, indeed, working. I can certainly hear and I am sitting very close to my hon. Friend the Member for South Basildon and East Thurrock. However, it is also abundantly clear that the heating is not working. I wonder if you could inquire before our next sitting, should we decide to have another one, what is wrong with the heating and whether we can get it fixed.

The Chair: I thank the right hon. Gentleman for his point of order. We have already asked for the heating to be turned up, so we pre-empted that point of order.

Jacob Rees-Mogg: Further to that point of order, Mr Hood. “Erskine May” records that a motion may be moved for a candle to be brought in, which was used

when the lighting failed in the old Chamber. I wonder if it would be possible to move a similar motion to ask that candles be brought in.

The Chair: I suspect that candles would not comply with health and safety. I am sure that the hon. Gentleman would not want to set fire to the House. Mr Nuttall, I am sure that you will now return to your amendment.

10.15 am

Mr Nuttall: I am pleased, Mr Hood, to hear your comment that the heating will be turned up. Forgive me if I appear to be shivering, but it is quite cold by this window.

To deal specifically with the issue of the timing, I pray in aid the guidance given by the Public Bill Office to Members who seek to steer a private Member’s Bill through the House. It is a short piece of guidance, covering no more than three sides of A4, issued by the Public Bill Office in June 2013. It refers to committal, allocation, the nomination of membership of Public Bill Committees and, crucially, the timing of the first and subsequent meetings of those Committees and sittings motions. I stand to be corrected, because others may have other documents to which they refer, but that guidance is the best formal guidance available to me.

I will not refer to the first page of the guidance, which deals with committal and allocation and the nomination of membership of the Public Bill Committee, because we are not considering those matters. However, the guidance on the timing of the first meeting of the Committee is relevant to our debate and goes to the heart of my amendment (a). On the size of the Committee, I will say only that it is possible to have a Committee membership larger than 16: there were 18 members of the Committee that considered the Affordable Homes Bill, and a membership of 50 is possible. In view of the importance of the NHS in our national affairs, I would not have been surprised if this Committee had had a membership of 50, and I thought that that was why we were sitting in Committee Room 14.

Mr Arbuthnot: I am sorry to say to my hon. Friend that I am now confused, because he has begun to talk about the timing of the first meeting of the Public Bill Committee. We know what that timing is, surely, because we are sitting in the Committee now. What concerns me is the comment that he might have in response to you, Mr Hood, about whether we should be sitting in the afternoon, because I think that this sittings motion contains not nearly enough meetings to discuss this important Bill. I hope that my hon. Friend will be able to address that very important point.

Mr Nuttall: I certainly will discuss the very point that my right hon. Friend has raised. Equally, I will not discuss the timing of the first meeting because that is irrelevant; I was merely stating that the heading in the guidance is “Timing of first meeting”, but the second heading refers to “Subsequent meetings and sittings motion”. After dealing with the rather thorny subject of money resolutions, which we have dealt with beyond belief, the guidance states that if a Bill requires a money resolution,

“the Public Bill Committee cannot consider any parts of the bill which would result in expenditure until that resolution has been agreed on the floor of the House.”

I think that we have all got that clear. The guidance continues:

“It is usual”—

only “usual”—

“for Committees considering Private Members’ Bills to meet on Wednesdays.”

So it is not essential. I realise that I have that hurdle to overcome. The guidance also states:

“The Committee may sit in either”—

I stress “either”—

“the morning or the afternoon.”

Mr Burns: I know that my hon. Friend must be aware, and it adds credence to his argument, that there is a precedent not only in this Parliament but in the 2005-10 Parliament, where private Members’ Bill Committees sat not just on a Wednesday, but on a Tuesday and Thursday morning and afternoon.

Mr Nuttall: Well, I did not have the privilege of sitting in that Parliament, Mr Hood, so I was not aware of that fact. I was aware—as will you be, because you chaired it—that the Public Bill Committee that considered the 2012 Act sat on Tuesdays and Thursdays; at least, I think I am right in saying that. Again, I would submit that fact to the Committee in support of my contention that although the guidance note says

“It is usual for Committees considering Private Members’ Bills to meet on Wednesdays”

there is evidence, based on tradition, practice and procedure in the previous Parliament, as my right hon. Friend just said, and during consideration of the 2012 Act, that Public Bill Committees considering private Members’ Bills can meet on a Tuesday.

Jacob Rees-Mogg: I wonder whether my hon. Friend thinks that it might be wise for the Committee to make a representation to the Procedure Committee, to the extent that we can, to consider whether Wednesday is not the most inconvenient day to have proceedings on private Members’ Bills. So much goes on on Wednesdays—Wednesday is such a busy and important day—

The Chair: Order. That intervention is not relevant to the amendment. If Members want to change procedure there are ways for doing so, but those are not through a Bill Committee.

Mr Nuttall: Thank you, Mr Hood. I will deal with the suggestion made by my hon. Friend the Member for North East Somerset merely by saying that it probably is a good idea. One of the problems—again, to deal directly with my amendment—is that there is a choice. That choice is not only between Tuesdays or Wednesdays, as one could conceivably have considered Mondays and Thursdays, and we have already seen that the 2012 Committee sat on Thursdays. However, I, like my hon. Friend, felt that so much happens on a Wednesday—this is really the heart of my argument—that it would be more appropriate for this Bill Committee to meet on a Tuesday.

Mr Arbutnot: I am sorry to strike a discordant note again, but my hon. Friend the Member for North East Somerset is absolutely wrong. It is not just that so much happens on a Wednesday, but that all the other business has as a result been displaced to Tuesdays and Thursdays and therefore so much happens on those days that I am beginning to wonder whether I am right to have supported the idea that we should move these sittings to a Tuesday.

Mr Nuttall: I am beginning to fear that my arguments are not carrying my right hon. and hon. Friends with me.

Jacob Rees-Mogg: I am sorry that there should be a division between those of us representing constituencies that sit in Wessex counties and have “north east” in their names—we normally provide a unified phalanx—but it seems to me that Thursdays are a particularly vacant day, as people are not always here for business, and so would be a marvellous day on which to have these Committee sittings, because there would be so much time available for people to have the pleasure of being in the Committee and listening to so many erudite and engaging speeches.

Mr Nuttall: My hon. Friend makes a very pertinent point and one that I considered, in the knowledge that the 2012 Bill Committee sat on Tuesdays and Thursdays. I did consider whether I ought to have put down 10 o’clock on a Thursday, but there are reasons for not doing that.

The first is that the House sits at 9.30 am on a Thursday. The problem in my view, though others may differ, is that it is preferable for Public Bill Committees to sit when the House is not sitting. Also, I did not suggest Thursday sittings because of the regrettable fact that so many Members now leave the parliamentary precincts on Wednesday evening and return to their constituencies. To maximise Committee attendance it makes sense to sit on Tuesday or Wednesday.

Jacob Rees-Mogg: I think the Committee is grateful for my hon. Friend’s courteous conduct of the debate. I am deeply surprised, looking around the room at some leading parliamentarians who devote their lives to attendance in this building and who view nothing happier or more joyful than being in the Chamber or in Committee, that any of them would dream of sloping off on a Wednesday evening when we want to be here busy with the business of Parliament as our constituents would expect.

Mr Nuttall: I want to continue my reference to the Public Bill Office guidance note. To convince the Committee of the strength of amendment (a) I must explain why I did not follow the note.

Mr Arbutnot: My hon. Friend mentioned that Committees might sit either in the mornings or afternoons, implying one or the other exclusively. Will he come on to that? I am concerned about having enough time for the important issues.

Mr Nuttall: I was going to deal with that point. The clear implication of stating that the Committee may sit either in the morning or the afternoon is that there is a choice for the Committee. That is another reason for

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my tabling the amendment, and perhaps it is why my right hon. Friend the Member for East Yorkshire tabled his.

Sir Greg Knight: It would assist the Committee if my hon. Friend dealt with the three options. If he cannot get his way on his amendment (a), will he urge the Committee to accept my amendment (b) or go for the original motion?

Mr Nuttall: I am glad I gave way, because I can deal with that simply. I have not conceded that I will not convince the Committee of the merits of amendment (a). In the fullness of time I may have to decide whether to support amendment (b) or the original motion, but I have not reached that point. I suspect, hope and trust that Committee members are open-minded and have not reached that point either.

10.30 am

Mr Burns: I seek a point of clarification before my hon. Friend moves on. With his amendment (a), he is suggesting that we only sit on Tuesdays in the morning, and then only for an hour and 25 minutes. I am concerned that that would not leave enough time between now and Dissolution for us to give full consideration to the contents of the Bill.

Mr Nuttall: To be perfectly frank with my right hon. Friend, I think that nearness to Dissolution is not a matter of our concern. It is not something that I considered; I considered when would be the best time for the Committee to sit, and I made my decision because a large amount of business is transacted on a Wednesday, which I find, looking at my diary, is by far the busiest day of the week because every pressure group, every journalist and every lobbyist wants to see us on a Wednesday, as that is the day when they think most Members are in the House. It is when there are more media commitments. There are more calls on our time on a Wednesday than on any other day of the week.

Jacob Rees-Mogg: Mr Hood, did we really hear my hon. Friend say that we should not have sittings of this House because we might need to speak to journalists? I must confess, I do not think that is conceivably a right order of priorities, much though I admire the journalists.

Mr Nuttall: I said there were calls from the media; I did not suggest that hon. and right hon. Members had to agree to meet members of the media.

Stephen Metcalfe: Will my hon. Friend give way?

Mr Arbuthnot: Will my hon. Friend give way?

Mr Nuttall: Oh, what a delicious choice—as the Speaker of the House may himself say. I will give way to my right hon. Friend first.

Mr Arbuthnot: I am grateful, but with diffidence I say, my hon. Friend has said that the nearness of the Dissolution should not be a matter for this Committee.

Does that mean that he is proposing that the Bill should be the subject of a carry-over motion, so that it may be considered in the next Parliament as well? That is the implication of what he is suggesting.

Mr Nuttall: That is not a matter for me; it is not something I have considered. My right hon. Friend may think there is insufficient time left between now and the Dissolution of this Parliament for the Bill to be given the appropriate degree of scrutiny that it deserves, but frankly that is not, I would submit, a matter for this Committee. It was, I think I am right in saying, back in November that the hon. Member for Eltham secured a Second Reading for the Bill.

Clive Efford: 21 November.

Mr Nuttall: I know not why it has taken until 4 February for this Committee to meet, but that is not my concern; and I know not whether a carry-over motion is to be considered. My only concern is to deal with why I have chosen to table an amendment to the sittings motion, and why I have chosen to propose that the Committee should sit only on a Tuesday, and only at 10 o'clock. Those were the only matters that I had to determine, not the matter of a carry-over.

Stephen Metcalfe: My hon. Friend is giving way very generously. I just wanted to help him a little bit. He was talking about the demands on our time on a Wednesday. While it may be ideal to dedicate our entire time to parliamentary business, we do have the reality of dealing with our constituents and making sure that our views are known to the wider world, so I think it is right to deal in the real world rather than in an ideal world. Secondly, I have great sympathy with the point about sitting only on Tuesdays—I support my hon. Friend fully on that—in that it will allow us to consider fully the views put at each sitting before reconsidering them at the next meeting.

Mr Nuttall: I seem to be making progress. My hon. Friend the Member for South Basildon and East Thurrock is not a signatory to the amendment I have tabled, but from his remarks it appears that I may be making some progress towards convincing him, at least, to support the amendment when we vote on it later today.

Jacob Rees-Mogg: I thought I might give my hon. Friend some comfort on the matter of Dissolution and therefore the time available for the Bill, in that the Fixed-term Parliaments Act 2011 provides for a two-month extension of the Parliament, subject to a statutory instrument, in the event of the Prime Minister's considering that there is a necessity for that. The hon. Member for Eltham may be able to petition the Prime Minister to do that, to help his Bill to pass.

Mr Nuttall: I had forgotten about that particular provision in the Fixed-term Parliaments Act. I am sure the hon. Member for Eltham will have been delighted to hear that news, because he may well choose to petition the Prime Minister to extend this Parliament in order to try and further consider the Bill—but that is a matter for the hon. Gentleman.

Let me return to the guidance note, because I need to explain why I have or have not followed it. It states:

“(The Committee may not sit more than once on the day of its first sitting without the leave of the House, and such leave is rarely if ever granted for private Members’ Bills.) A morning sitting usually starts”—

Mr Arbuthnot: Will my hon. Friend give way?

Mr Nuttall: I will give way, but I am coming to a crucial point.

Mr Arbuthnot: I am sorry to interrupt my hon. Friend. The permission to sit more than once on the first day presumably has to be given before the Committee actually meets on the first day, so that cannot apply to today’s sitting. Am I right?

Mr Nuttall: My understanding is that my right hon. Friend is right in that and that it is now too late to apply to the House for today’s sittings to be extended further than 11.25 am.

The guidance note states:

“A morning sitting usually starts at 9.30 am”—

Jacob Rees-Mogg: On a point of order, Mr Hood. Following what my right hon. Friend the Member for North East Hampshire said, the sittings motion is defective because it says that the Committee shall

“meet on Wednesdays at 9.25am and at 2.00pm when the House is sitting.”

The House is sitting today. If we were to pass the unamended motion, we would be passing an invalid motion, so we are debating amendments to a defective motion, and I would suggest therefore that we cannot carry on discussing this. We need to resume with a correct motion as the basis for amendments.

The Chair: I thank the hon. Gentleman for his point of order, but he is straying by raising such a point of order. The time for the meetings has been agreed, and that is why we are here.

Jacob Rees-Mogg: Further to that point of order, Mr Hood. I am sorry. The time for today’s first meeting was of course agreed in the normal way, but what I am saying is not that the times have been agreed for meeting today, but that the motion on which we are debating amendments—the motion itself—is defective because, if passed, it would require us to meet at 2 o’clock today, which we do not have the leave of the House to do.

The Chair: The Committee cannot meet without the leave of the House, and that is straightforward and clear, so the hon. Gentleman is not raising a point of order. His point of order is wrong.

Jacob Rees-Mogg: On a point of order, Mr Hood. I would be grateful if you could clarify—

The Chair: Excuse me. I have taken the point of order twice. I call Mr Nuttall.

Mr Nuttall: It just occurs to me—I do not wish to go down this particular avenue—that, in the Committee on his Affordable Homes Bill earlier in this Session, my hon. Friend the Member for St Ives had a sittings motion that included the sitting on the first day. It may be that that my hon. Friend the Member for North East Somerset was referring to. However, I am speaking from memory, and that may not be right, so I will not go down that avenue.

Sir Greg Knight: I am grateful to you, Mr Hood, for clarifying the position, but does my hon. Friend not think that it would better if there were some explanation on the amendment paper so that members of the public reading a sittings motions saying that we are going to sit twice today would be given information to the effect that that is not possible on the first day?

Mr Nuttall: The short answer to my right hon. Friend’s intervention is that that would be preferable. That is—again, if my memory serves me correctly—probably why the sittings motion on the Affordable Homes Bill did deal with the first sitting day. Members of the public were clear that the Committee would sit on only one occasion on the first day.

Mr Arbuthnot: I am sorry to say this after 28 years in the House, but it is not only members of the public who might have been confused—I was confused. I was expecting to spend this afternoon, this evening and, indeed, tonight dealing with this Bill, and I had blanked out those times. I accept that that is my own failing, but my hon. Friend is making a good point.

Mr Nuttall: I am grateful to my right hon. Friend for his intervention. The guidance note states:

“A morning sitting usually starts at 9.30 am or 10 am, but may not continue beyond 11.25 am.”

We have heard nothing today to explain why it was decided to start this meeting at 9 am. I was here at 9 am, but one or two other members of the Committee, including my right hon. Friend, arrived slightly after 10am, although we do not know why.

I think I am right in saying that I can refer to amendment (b) at the same time as my amendment.

The Chair: Yes.

Mr Nuttall: In that case, amendment (b) is different from my amendment, in that it states that the start time is 9.25 am. Of course, there are other substantial differences, which I will come to.

Sir Greg Knight: Will my hon. Friend give way?

Mr Nuttall: Yes, because it is my right hon. Friend’s amendment that I am dealing with.

Sir Greg Knight: So far, my hon. Friend has totally failed to convince me why we should support a motion that authorises the Committee to start at 10 am, rather than 9.25 am. As he rightly said, my amendment suggests 9.25 am, which gives us a neat two-hour morning session, but he is trying to shave off 35 minutes.

10.45 am

Mr Nuttall: I want to try to convince my right hon. Friend, and perhaps other members of the Committee who may not be completely convinced, about the 10 o'clock start time. The guidance note states:

“A morning sitting usually starts at 9.30am or 10am”,

so there was a choice to make. It does not say that a morning sitting usually starts at 9.25 am, but 9.30 am or 10 am. I considered a start time of 9.30 am but I chose 10 o'clock for a number of reasons. First, it gives members of the Committee a bit of extra time to get to the House.

Stephen Metcalfe: My hon. Friend is making a convincing argument for the Committee to sit both on Tuesdays and at 10 o'clock. I regularly travel in on the train and tube network, and problems on the network yesterday meant that I did not arrive in the House until after 10 am. At least if I knew that we were due here at 10 am, I could have left a good, sufficient amount of time to arrive here. My hon. Friend is making an excellent point about enabling members of the Committee to arrive in good time for a 10 o'clock sitting.

Mr Nuttall: I am grateful to my hon. Friend, who travels in from his constituency of South Basildon and East Thurrock every day. Other Committee members may be faced with a similar prospect. This Committee will meet in February and March, months when the weather is at its most inclement.

Secondly, a 10 o'clock start gives Members the time to deal with their overnight e-mails and any other correspondence. I hope that when Members attend the Committee they will give all their time and attention to the proceedings, as they are today, because the Bill deserves that. Were the Committee to start at an earlier time, there is a risk—I would not put it any more strongly than that—that Members will bring their work with them and the Bill will not receive the proper scrutiny that it deserves.

Mr Burns: I understand my hon. Friend's concerns, but if individual hon. Members organise their time properly, that need not be a problem. I commute in from Chelmsford, and I am here at a 6.45 am every morning, so that I can do my e-mails and my post before getting down to my other parliamentary duties.

Mr Nuttall: I am delighted to hear of my right hon. Friend's diligence. I am conscious of the fact that other Members may have family responsibilities and young children, and transport may be delayed by inclement weather at this time of the year.

Jacob Rees-Mogg: I admire the diligence of my right hon. Friend the Member for Chelmsford. It occurs to me that if the amended motion were to be agreed, and if the criticisms that have been made that there is not enough time turned out to be right, it would be open to the Committee to amend its sittings hours for future meetings. That is all provided for both in Standing Orders and in “Erskine May”, and therefore it is perfectly reasonable to accept the proposal as it stands.

Mr Nuttall: My hon. Friend's suggestion will, as time progresses, appear ever more sensible. The further we investigate and the further we scrutinise the Bill, the more apparent it will become that the sittings motion that is before the Committee today will need amendment.

Sir Greg Knight: Was not that last intervention a very good argument for not supporting the main sittings motion? If we do at some point need to have afternoon sittings, that is a decision we should visit at a later stage.

Mr Nuttall: As I read it, the main sittings motion provides for the Committee to meet in the morning at 9.25 am and 2 o'clock when the House is sitting, but of course it provides for the Committee to sit on a Wednesday only. Members of the Committee know—do we not?—that the 2012 Bill Committee met four times a week. It met not once, not twice, not three times, but four times a week, such was the importance and such was the degree of scrutiny that that Committee gave.

Sir Greg Knight: My hon. Friend has rather missed the point I was making. Perhaps I did not explain it properly. In the days before timetabling of Government Bills, very often the Whip or the Minister would, at a later stage, move an amended timetable motion when it became clear that further time was necessary. Should not the promoter of the Bill have moved a mornings sitting motion at this stage, with the option of coming along later to add in afternoons, and is not that a reason why his motion should not be accepted by the Committee, because it is an option that we could return to at a later stage?

Mr Nuttall: I am extremely grateful to my right hon. Friend for that further intervention and that clarification. I was not aware of that previous method of conducting business, but it does seem to me to have great merit, if I may say so. It does have great merit, and I think that that is another reason why either amendment (a) or amendment (b) should be accepted by the Committee this morning.

Mr Arbuthnot: I am really sorry now to have put my name to amendments (a) and (b), because I have just been invited by the Conservative Whips to join another Bill Committee—that on the Armed Forces (Service Complaints and Financial Assistance) Bill, on which I spoke on Monday afternoon. The problem with both amendments (a) and (b) is that the proposed sitting times would clash with those of other Bill Committees. How can my hon. Friend deal with that?

Mr Nuttall: Well, “not very easily” is the short answer. I am sorry to hear of the dilemma my right hon. Friend could face. It is a dilemma that I faced this very morning because—this is very relevant indeed to the issue of timing, Mr Hood—it so happened that the Committee of Selection nominated me to serve on the Mutuals' Deferred Shares Bill Committee today at 9 am in Committee Room 10. I have tried throughout my life to develop a number of skills, but the ability to be in two places at the same time is a skill that I have not yet developed.

Jacob Rees-Mogg: I am grateful to my hon. Friend for giving way, because I was minded that Padre Pio was capable of bilocation—it is recorded in several sources. I am only sorry that my hon. Friend does not have the same extraordinary mystic abilities as Padre Pio.

Mr Nuttall: Perhaps my right hon. Friend the Member for North East Hampshire requires similar skills, if he is also to serve on two Bill Committees at the same time. It is nice to have a little bit of light-hearted diversion, but it raises a serious point.

Stephen Metcalfe: My right hon. Friend the Member for North East Hampshire raised an interesting point. His dilemma is that he does not want the Committee to sit on a Tuesday, because it would clash with other business. I have great sympathy with my hon. Friend's amendment. I do not want the Committee to sit on a Wednesday, because it will clash with a Select Committee that I have served on diligently for the past five years. Whichever way we do it, someone will be inconvenienced and will, unfortunately, have to choose. That is why I support his amendment.

Mr Nuttall: I am grateful for my hon. Friend's intervention. When the sittings motion was put to the Committee this morning, we heard no explanation about how it had been determined. It might have been possible to ask Committee members about their commitments, so that a proper assessment could have been made—there is still time for that to happen—to decide what to do on the balance of the facts, which is what I am driving at. Let us base a decision on the facts of the matter, to ensure that there is no scope for any error, and make it crystal clear which day is best to suit the membership of the Committee.

Stephen Metcalfe: Will my hon. Friend speculate and expand on why he thinks that might not have been done?

Mr Nuttall: Rather than speculate on that, I could speculate about why others have not done it. I can say specifically, giving evidence on my own account, why I have not done that, although I considered doing it: lack of time prevented me.

Andrew George (St Ives) (LD): I am grateful to the hon. Gentleman for giving way. On his point about lack of time, and given that he has spoken for nearly two hours of almost completely content-free filibustering—

Hon. Members: Order!

The Chair: Order. The Chairman will call order, not Committee members.

Mr Burns: On a point of order, Mr Hood. You are diligent in chairing our proceedings and making sure that all the correct rules of debate in Committee are adhered to. Surely, if my hon. Friend the Member for Bury North had been filibustering during his excellent speech, you would have been the first to stop him—but he has not. Will the hon. Member for St Ives withdraw that malicious slur on the abilities of my colleague?

The Chair: I thank the right hon. Gentleman for his point of order, but he is witness to the fact that I have tried on a number of occasions to help the mover keep to his amendment. The opinion of the hon. Member for St Ives on the content of a speech is just that: his opinion.

Jacob Rees-Mogg: On a point of order, Mr Hood.

The Chair: I hope it is not in contradiction of what I have just said.

Jacob Rees-Mogg: I would not dream of contradicting you, Mr Hood. It is a privilege to serve under your wise, benign chairmanship, but “Erskine May” makes it clear that Members should express their views within the confines of parliamentary language. The hon. Member for St Ives was offensive to my hon. Friend the Member for Bury North and Conservative Members are far from grunted. I rely on you to defend the honour of my hon. Friend.

The Chair: The hon. Gentleman is impressively sensitive, but the hon. Member for St Ives can put his opinions, and it is not for the Chair to question them.

11 am

Andrew George: I was in the middle of an intervention. In my opinion, the hon. Member for Bury North is engaged in an almost completely content-free filibuster. As he now says there is insufficient time, does he agree that we need the sittings motion to provide sufficient time to go through all the detailed amendments and, if necessary, to find time to sit all night? Unfortunately, Wednesdays are difficult for me, so perhaps we could do Tuesday evenings—even this evening, as the matter is pressing.

Mr Nuttall: I am extremely grateful to my hon. Friend the Member for St Ives. I understand St. Ives is beautiful—I have not been there. [*Interruption.*] I am being honest: I am told it is.

Stephen Metcalfe: I can reassure my hon. Friend that it is a beautiful part of the world.

Jacob Rees-Mogg: But not as beautiful as Somerset.

Mr Nuttall: Okay. I am grateful for the intervention by my hon. Friend the Member for St Ives, who raised several points. He chided me slightly. You have kept the proceedings in order, Mr Hood, and I have tried, as I think you will agree, to deal carefully, analytically and one by one with the necessary points on the sittings motion. My hon. Friend is right—

Andrew George: I am always right.

Mr Nuttall: I do not know whether my hon. Friend is always right, but on this occasion he is right: the amendments should receive detailed scrutiny. I am afraid to disappoint him and it is entirely my fault if he did not hear clearly, but under the Standing Orders the Committee can meet only once today. Those are apparently the rules, so we cannot meet tonight.

Sir Greg Knight: If we are to judge the hon. Member for St Ives by his actions, should not he support the amendment? He turned up late, so 10 o'clock would probably suit him quite well.

Mr Nuttall: I always try to be reasonable. There may have been 101 reasons for an hon. Member to be late to the Committee and I do not want to be left with egg on my face should it turn out that there was an illness in his family or he had to take someone to hospital. It would look bad if I criticised that. Too often people rush to criticise without knowing the facts and I like to get to the fact first, so I make no criticism, but I put on the record that, for whatever reason—it might be an entirely justifiable reason—it was 10.04 am when my hon. Friend the Member for St Ives came to the Committee. I still hope that he will support my amendment.

Jacob Rees-Mogg: As our hon. Friend the Member for St Ives was not here for the first half hour of my hon. Friend's speech, I wonder if he might reprise some of the important details.

The Chair: Order. The hon. Gentleman is inviting me to remind him of Standing Order No. 42, which is about irrelevance and tedious repetition, and I am sure that he would not invite his hon. Friends to do that.

Jacob Rees-Mogg: On a point of order, Mr Hood. I would be grateful if you could clarify something for me. Because Standing Order No. 42 comes under the heading "Order in the House", it does not seem to me that it applies in Committees.

The Chair: The hon. Gentleman has challenged me on the Standing Order—I see that he is reading from a book, but it is always advisable to be reading from the same book as the Chairman.

Jacob Rees-Mogg: It is the 2013 edition.

The Chair: Standing Order No. 42 reads:

"The Speaker, or the chair, after having called the attention of the House, or of the committee to the conduct of a Member who persists in irrelevance, or tedious repetition either of his own arguments or of the arguments used by other Members in debate". That is the Standing Order and I am not taking any challenge to it.

Jacob Rees-Mogg: On a point of order, Mr Hood. The heading is "Order in the House". It is clearly a reference to Committee of the whole House, not to Public Bill Committees.

The Chair: The hon. Gentleman is wrong, Mr Nuttall.

Mr Nuttall: Mr Hood—

Sir Greg Knight: Will my hon. Friend give way?

Mr Nuttall: Yes, I will, because I was in the process of giving way when the point of order was called.

Sir Greg Knight: Before my hon. Friend comes to the end of his preliminary remarks, will he return to the matter of consultation, which he was touching on before he was interrupted by my hon. Friend the Member for St Ives? Does he agree that if the promoter of the Bill had consulted the Committee before he unilaterally tabled his sittings motion, we might not have needed this debate, as we might have come to some consensual agreement on the day of the week we sit and the times?

Mr Nuttall: I need to stack up the points I have not dealt with, so I will just park that for one second and deal with the point raised by my hon. Friend the Member for St Ives. In answer, Mr Hood, to the subsequent point of order and your strictures on the point, I have no intention whatever of repeating what I said before my hon. Friend came in. I am sorry that he missed those remarks. As a point of information to him, I did not move my amendment at 9 am. One or two points of order had to be made and then the promoter of the Bill moved the sittings motion. I am not being critical; I am just pointing out that it was only a little while before my hon. Friend arrived that I stood to speak.

Let me turn to the point raised by my right hon. Friend the Member for East Yorkshire. To be perfectly honest, had the Committee and those who want to see the Bill progress through its stages in the House—as we all do—gone down that particular road, I think we could have reached a consensus. Rather than having a Division on whether it is better to sit on a Tuesday morning at 10 am, on a Wednesday at 9.25 am and 2 pm, as the sittings motion proposes, or, as my right hon. Friend's amendment suggests, at 9.25 am, perhaps we could have sat down and reached an agreement. That would have been a speedier and more efficient way of dealing with that than what we are doing at the moment. I am convinced that my proposal that we sit on a Tuesday at 10 am, when the House is not sitting, is better than sitting on a Wednesday.

Let me turn to a matter that I have not raised before, but which is extremely relevant. I am a member of the Procedure Committee, which meets, and, by tradition, has always met, as far as I am aware—certainly throughout this Parliament—at 3 pm on a Wednesday. My hon. Friend the Member for North East Somerset is also a member of that Committee. Those are facts that I had in my mind when I considered whether it was appropriate for me to table an amendment, as is perfectly orderly, to sit on another day. I am conscious that my hon. Friend is also a member of the European Scrutiny Committee, which I think I am right in saying—although I am not a member of that Committee—sits at 2 pm on a Wednesday.

Jacob Rees-Mogg: On a point of order, Mr Hood. I apologise: under Standing Order No. 89 you are given the powers to rule on tedious repetition under Standing Order No. 42—you have those powers subject to the further Standing Order, but not under the original Standing Order.

The Chair: The Chair knew that when he gave the ruling.

Mr Nuttall: I am glad that you followed that, Mr Hood, because to be perfectly honest I did not understand. I am sitting behind my hon. Friend, so—

Clive Efford: It is pretty straightforward.

Mr Nuttall: I am sure it is straightforward, but I will have to study that in more detail.

Clive Efford: You are on the Procedure Committee!

Mr Nuttall: My hon. Friend the Member for North East Somerset made a point of order, not an intervention, so I do not have to deal with it, but, because of the way in which the sound travels, perhaps in future I will ensure that I sit in front of my hon. Friend to hear such detailed points of order.

I put the case to the Committee plainly and openly. Some may call it self-interest, but I think even my strongest opponents would never accuse me of that. I have to admit, however, that I did consider the fact that I would have a clash of Committees when I tabled the amendment.

Sir Greg Knight: My hon. Friend is being unduly modest. That is not a question of self-interest; it is an important matter. He may miss Procedure Committee meetings because he is attending to his duties on this Committee. The number of Procedure Committee meetings that he attends will be published in due course and, if his attendance falls below a certain level, he could be reported to the Speaker. Criticism could come his way owing to his dual mandate. I see why he, like me, prefers Tuesdays to Wednesdays.

Mr Nuttall: It was at the back of the mind that there was a danger, a risk and a possibility that that could happen. Of course I have no intention of—

11.15 am

Andrew Gwynne: On a point of order, Mr Hood. Outside this House the NHS is the top concern of the public. This Bill passed Second Reading with 241 votes to 18. Will people struggle to understand why we are not discussing the substance of the Bill, but instead having to listen to Conservative Members waffle inanely for nearly two and a half hours?

The Chair: I thank the hon. Gentleman for his point of order, but he will not be surprised to hear that it is not a matter for the Chair.

Mr Nuttall: Thank you, Mr Hood. I will stick to the matter before me, which is the sittings motion and my amendment to it.

Jacob Rees-Mogg: I wish to support the very important point that my hon. Friend was making about the Procedure Committee, on which he and I serve. Two members of the Committee could not be present if we sat on Wednesday afternoons. That would distort the balance of the Committee and be very disadvantageous to a Select Committee of this House.

Mr Nuttall: Yes, and the issue of balance is one I had in mind when I tabled the amendment.

Mr Burns: Will my hon. Friend give way?

Mr Nuttall: I will give way, because my right hon. Friend's point might be linked to what I am saying.

Mr Burns: It is linked, because a compromise has come to mind that might help to solve my hon. Friend's problem. The Bill promoter's amendment talks about sittings in the afternoon. The sittings motion could revert to the original arrangements that existed when my right hon. Friends the Members for North East Hampshire and for East Yorkshire and I first came to the House many years ago, when the afternoon sittings of Committees started at 4.30 pm. If that happened, my hon. Friends could go to the Procedure Committee and then come straight to this Committee.

Mr Nuttall: I am extremely grateful to my right hon. Friend for that point of information. With that being a previous practice of the House, his suggestion does seem sensible. One problem that has arisen is that the changes to the sitting hours, where the start time on a Tuesday was moved from 2.30 pm to 11.30 am, impinge on the amount of time that Members can meet in Committee on a Tuesday morning. That matter was raised by several Members who gave evidence to the Procedure Committee when we looked into the whole issue of private Members' Bills and when they are considered. I can see exactly the point that my right hon. Friend makes.

Jacob Rees-Mogg: I believe it is right to say that it is possible to accept manuscript amendments to a sittings motion. The inspired idea from my right hon. Friend the Member for Chelmsford might be something that we can explore later in the debate.

Mr Nuttall: That is a good point. I suspect it will be a matter for you, Mr Hood, as to whether to accept a manuscript amendment from my hon. Friend, who has not yet signed either of the amendments. We have yet to hear from him whether he supports amendments (a) or (b). For my part, I think there is merit in what I have suggested.

Let me turn to a third matter. Under paragraph 14, "Subsequent meetings and sittings motion", the guidance note states:

"If proceedings on the Bill are not completed at the first meeting of the Public Bill Committee, the timing of subsequent meetings is expected to be determined by a decision of the Committee itself, usually"—

not always, but usually—

"on the basis of a sittings motion moved by the Member in charge."

The guidance then goes on to describe the proceedings in the Committee. That is the extent of the guidance that we are given. I submit to the Committee that I have been able to deal with the guidance in a satisfactory manner. I have explained why I have chosen 10 o'clock rather than 9.30 am. I have explained why it is that I have gone for Tuesdays rather than Wednesdays.

Jacob Rees-Mogg: There is a further argument that my hon. Friend might be interested in referring to in relation to having the first meeting on Tuesday. Under the Standing Orders it is possible for the Committee to meet during the recess that follows. If it were felt needed

[Jacob Rees-Mogg]

by next Tuesday—a day earlier than proposed by the promoter of the Bill, the hon. Member for Eltham—it would be possible for us to set dates for the whole of the following week. That would allow time for us to take evidence if a motion were passed or to have a full and frank discussion of all the amendments that have already been tabled, as well as the many that I feel are emerging from the production line towards the Public Bill Office, where I know they are looking forward with excitement to the suggestions that will be made about the Bill. There would be ample time to discuss all the issues in the recess, when most of us would love to be in Parliament—

The Chair: Order. That is more of a speech than an intervention.

Mr Nuttall: Mr Hood, I will deal very specifically with the intervention. I do not think that the fact that we are near to Dissolution is relevant—that is a secondary consideration—but I was conscious of the fact that members of the Committee may ask why it was, in view of the fact that we are so close to Dissolution, that I had not provided for this Committee to sit during the short half-term recess in two weeks' time. My amendment specifically leaves out the words in the second line of the sittings motion between “on” and “when”, so that we retain the final five words of the original motion, “when the House is sitting.”

I listened very carefully to the intervention made most sincerely by my hon. Friend but, despite the pressures for us to get on with the Bill, my own view was that it would not be appropriate for us to meet during the recess.

Jacob Rees-Mogg: I am grateful to my hon. Friend for his generosity in giving way again. My point really was that his amendment would allow us next Tuesday

rather than next Wednesday to consider whether it was necessary to sit during the recess and to amend the sittings motion at that point. It might be clearer next Tuesday whether we would need all that extra time during the recess, giving right hon. and hon. Members an extra day to rearrange their diaries, which may already be filling up for the recess.

Mr Nuttall: I am grateful to my hon. Friend for clarifying that point. I had not looked at his previous intervention in that light. I agree with him that it would of course give us an extra day. I do not know about other members of the Committee, but for my own part I think, frankly, whether we met on Tuesday or Wednesday to determine whether to sit during the recess—that extra day—would not make that much difference. My diary commitments for the recess in the following week are such that even adding that extra day would not give me sufficient time to be able to rearrange them all. We will have to see what the Committee's view is, but I suspect it will be that we should not sit during the recess.

Mr Arbuthnot: I am still troubled by—

The Chair: Order. Since the sitting motion has not been agreed, it falls on me to name the date and time when the Committee will meet to continue the debate.

11.25 am

The Chair appointed Tuesday 10 February at twenty-five minutes past Nine o'clock for the next sitting of the Committee.

The Chair adjourned the Committee without Question put (Standing Order No. 88).