



HOUSE OF COMMONS

Tuesday 4 December 2018

Votes and Proceedings

The House met at 11.30 am.

Prayers

1 Questions to the Secretary of State for Foreign and Commonwealth Affairs

2 Nappies (Environmental Standards) Bill: Presentation (Standing Order No. 57)

David Linden, supported by Patricia Gibson and John McNally, presented a Bill to establish environmental standards for nappies; to make provision about the advertising and promotion of nappies with regard to those standards; and for connected purposes.

Bill read the first time; to be read a second time on Friday 25 January 2019, and to be printed (Bill 299).

3 Planning (Appeals): Motion for leave to bring in a Bill (Standing Order No. 23)

Ordered, That leave be given to bring in a Bill to limit the grounds of appeal against decisions on planning applications consistent with a neighbourhood development plan or local plan; and for connected purposes;

That John Howell, Sir Oliver Letwin, Sir Nicholas Soames, Sir David Evennett, Nick Herbert, Sir Geoffrey Clifton-Brown, David Hanson, Kevin Hollinrake, Gillian Keegan, Victoria Prentis, Damien Moore and Stephen Lloyd present the Bill.

John Howell accordingly presented the Bill.

Bill read the first time; to be read a second time on Friday 25 January 2019, and to be printed (Bill 300).

4 Privilege

Motion made and Question proposed, That this House finds Ministers in contempt for their failure to comply with the requirements of the motion for return passed on 13 November 2018, to publish the final and full legal advice provided by the Attorney General to the Cabinet concerning the EU Withdrawal Agreement and the framework for the future relationship, and orders its immediate publication.—(*Keir Starmer.*)

Amendment proposed, to leave out from "House" to the end of the Question and add "refers to the Committee of Privileges the question of whether the Government's response fulfils the motion passed on 13 November 2018 and requests the Committee to consider the constitutional and historic context and the proper use, ambit and scope of the motion for return procedure.".—(*Andrea Leadsom.*)

Question put, That the Amendment be made.

The House divided.

Division No. 272

The House divided.

Ayes: 307 (Tellers: Iain Stewart, Wendy Morton)

Noes: 311 (Tellers: Stephanie Peacock, Chris Elmore)

Question accordingly negatived.

Main Question put.

The House divided.

Division No. 273

Ayes: 311 (Tellers: Stephanie Peacock, Chris Elmore)

Noes: 293 (Tellers: Wendy Morton, Iain Stewart)

Question accordingly agreed to.

Resolved, That this House finds Ministers in contempt for their failure to comply with the requirements of the motion for return passed on 13 November 2018, to publish the final and full legal advice provided by the Attorney General to the Cabinet concerning the EU Withdrawal Agreement and the framework for the future relationship, and orders its immediate publication.

5 Business of the House (Section 13(1)(b) of the European Union (Withdrawal) Act 2018)

Motion made and Question proposed, That the following provisions shall have effect.

Sitting arrangements

(1) In this Order—

‘European Union withdrawal motion’ means a motion in the name of a Minister of the Crown under section 13(1)(b) of the European Union (Withdrawal) Act 2018; and

‘allotted day’ means a day on which the first Government business is the European Union withdrawal motion.

(2) The allotted days shall be Tuesday 4 December, Wednesday 5 December, Thursday 6 December, Monday 10 December and Tuesday 11 December.

(3) On this day, proceedings on the European Union withdrawal motion may be proceeded with for up to eight hours from the commencement of proceedings on the Business of the House (Section 13(1)(b) of the European Union (Withdrawal) Act 2018) motion.

(4) On the second, third and fourth allotted days, proceedings on the European Union withdrawal motion may be proceeded with for up to eight hours from the commencement of proceedings on the European Union withdrawal motion.

Decisions on any amendments

(5) No amendment to the European Union withdrawal motion may be selected before the final allotted day.

(6) In respect of the European Union withdrawal motion, the Speaker may select up to six amendments of which notice has been given.

(7) If, on the final allotted day, an amendment to the European Union withdrawal motion has been disposed of at or after the moment of interruption, any further amendments selected by the Speaker in accordance with the provisions of paragraph 6 of this Order may be moved, and the questions thereon shall be put forthwith.

(8) Questions under this Order may be put after the moment of interruption; and Standing Order No. 41A (Deferred divisions) shall not apply.

General

(9) No motion to vary or supplement the provisions of this Order shall be made except by a Minister of the Crown; and the question on any such motion shall be put forthwith.

(10) On an allotted day—

- (a) no Emergency Debate shall be taken in accordance with Standing Order No. 24;
- (b) no dilatory motion shall be made in relation to the proceedings on the European Union withdrawal motion except by a Minister of the Crown; and the question on any such motion shall be put forthwith;
- (c) no motion shall be proposed under Standing Order No. 36 (Closure of debate) except by a Minister of the Crown; and
- (d) no motion shall be proposed that the question be not now put.—(*Andrea Leadsom.*)

Amendment proposed, at end to add "(11) The provisions of Standing Order No. 24B (Amendments to motions to consider specified matters) shall not apply in respect of any motion tabled by a Minister of the Crown pursuant to any provision of section 13 of the European Union (Withdrawal) Act 2018.".—(*Mr Dominic Grieve.*)

Question put, That the Amendment be made.

The House divided.

Division No. 274

Ayes: 321 (Tellers: Bridget Phillipson, Stephen Doughty)

Noes: 299 (Tellers: Wendy Morton, Iain Stewart)

Question accordingly agreed to.

Main Question, as amended, put and agreed to.

Ordered, That the following provisions shall have effect.

Sitting arrangements

(1) In this Order—

- 'European Union withdrawal motion' means a motion in the name of a Minister of the Crown under section 13(1)(b) of the European Union (Withdrawal) Act 2018; and
- 'allotted day' means a day on which the first Government business is the European Union withdrawal motion.

(2) The allotted days shall be Tuesday 4 December, Wednesday 5 December, Thursday 6 December, Monday 10 December and Tuesday 11 December.

(3) On this day, proceedings on the European Union withdrawal motion may be proceeded with for up to eight hours from the commencement of proceedings on the Business of the House (Section 13(1)(b) of the European Union (Withdrawal) Act 2018) motion.

(4) On the second, third and fourth allotted days, proceedings on the European Union withdrawal motion may be proceeded with for up to eight hours from the commencement of proceedings on the European Union withdrawal motion.

Decisions on any amendments

(5) No amendment to the European Union withdrawal motion may be selected before the final allotted day.

(6) In respect of the European Union withdrawal motion, the Speaker may select up to six amendments of which notice has been given.

(7) If, on the final allotted day, an amendment to the European Union withdrawal motion has been disposed of at or after the moment of interruption, any further amendments selected by the Speaker in accordance with the provisions of paragraph 6 of this Order may be moved, and the questions thereon shall be put forthwith.

(8) Questions under this Order may be put after the moment of interruption; and Standing Order No. 41A (Deferred divisions) shall not apply.

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(10) On an allotted day—

(a) no Emergency Debate shall be taken in accordance with Standing Order No. 24;

(b) no dilatory motion shall be made in relation to the proceedings on the European Union withdrawal motion except by a Minister of the Crown; and the question on any such motion shall be put forthwith;

(c) no motion shall be proposed under Standing Order No. 36 (Closure of debate) except by a Minister of the Crown; and

(d) no motion shall be proposed that the question be not now put.

(11) The provisions of Standing Order No. 24B (Amendments to motions to consider specified matters) shall not apply in respect of any motion tabled by a Minister of the Crown pursuant to any provision of section 13 of the European Union (Withdrawal) Act 2018.

6 Section 13(1)(b) of the European Union (Withdrawal) Act 2018

Motion made and Question proposed, That this House approves for the purposes of section 13(1)(b) of the European Union (Withdrawal) Act 2018, the negotiated withdrawal agreement laid before the House on Monday 26 November 2018 with the title 'Agreement on the withdrawal of the United Kingdom of Great Britain and Northern Ireland from the European Union and the European Atomic Energy Community' and the framework for the future relationship laid before the House on Monday 26 November 2018 with the title 'Political Declaration setting out the framework for the future relationship between the European Union and the United Kingdom'.—(*The Prime Minister.*)

The Speaker announced a time limit on backbench speeches (Standing Order No. 47(1)).

Question again proposed.

Wednesday 5 December 2018

Eight hours after the commencement of proceedings on the Business of the House (Section 13(1)(b) of the European Union (Withdrawal) Act 2018) Motion, the Speaker interrupted the debate (Order, 4 December).

Debate to be resumed today.

7 Statutory Instruments: Motions for Approval

Motion made and Question put forthwith (Standing Order No. 118(6)), That the draft European Research Infrastructure Consortium (Amendment) (EU Exit) Regulations 2018, which were laid before this House on 29 October, be approved.—(*Gareth Johnson.*)

Question agreed to.

8 Adjournment

Subject: Health technology assessment charges in England (Anne Marie Morris)

Resolved, That this House do now adjourn.—(*Gareth Johnson*.)

Adjourned at 1.28 am until today.

Other Proceedings

General Committees: Reports

9 Courts and Tribunals (Judiciary and Functions of Staff) Bill [Lords]

Sir Henry Bellingham (Chair) reported:

(1) That the Committee had come to the following Resolution, That, subject to the discretion of the Chair, any written evidence received by the Committee shall be reported to the House for publication; and

(2) the Bill as amended.

Bill, as amended, to be considered tomorrow; and to be printed (Bill 301).

10 Finance (No. 3) Bill Committee (except Clauses 5, 6, 8 to 10, 15, 16, 19, 20, 22, 23, 38 to 42, 46, 47, 61, 62, 68 to 78, 83, 89 and 90, Schedules 3, 4, 7, 8, 15 and 18 and certain new Clauses and new Schedules)

Ms Nadine Dorries (Chair) reported written evidence submitted to the Committee.

Written evidence to be published.

11 Fisheries Bill Committee

David Hanson (Chair) reported:

(1) That the Committee had come to the following Resolution, That, subject to the discretion of the Chair, any written evidence received by the Committee shall be reported to the House for publication; and

(2) written evidence.

Written evidence to be published.

12 Second Delegated Legislation Committee

Stewart Hosie (Chair) reported the draft Package Travel and Linked Travel Arrangements (Amendment) (EU Exit) Regulations 2018.

13 Fourth Delegated Legislation Committee

Mr Nigel Evans (Chair) reported the draft Central Securities Depositories (Amendment) (EU Exit) Regulations 2018 and the draft Trade Repositories (Amendment and Transitional Provision) (EU Exit) Regulations 2018.

14 Fifth Delegated Legislation Committee

Mr Laurence Robertson (Chair) reported the Motion in the name of Andrea Leadsom relating to the Independent Parliamentary Standards Authority.

General Committees: Appointments

The Speaker appoints the Chair of General Committees and members of Programming Sub-Committees, and allocates Statutory Instruments to Delegated Legislation Committees.

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

15 Courts and Tribunals (Judiciary and Functions of Staff) Bill [Lords] (Programming Sub-Committee)

Members: Andrew Bowie, Colleen Fletcher, Lucy Frazer, Amanda Milling, Damien Moore, Yasmin Qureshi and Lloyd Russell-Moyle.

16 Second Delegated Legislation Committee (draft Package Travel and Linked Travel Arrangements (Amendment) (EU Exit) Regulations 2018)

Members: Gill Furniss discharged and Chi Onwurah nominated in substitution.

17 Third Delegated Legislation Committee (draft Competition (Amendment etc.) (EU Exit) Regulations 2018)

Members: Drew Hendry discharged and Martyn Day nominated in substitution.

18 Fifth Delegated Legislation Committee (Motion in the name of Andrea Leadsom relating to the Independent Parliamentary Standards Authority)

Members: Valerie Vaz discharged and Karin Smyth nominated in substitution.

Reports from Select Committees

19 Backbench Business Committee

Determination of business to be taken on 8 and 15 January 2019 in Westminster Hall, with Annex containing a transcript of representations made on 4 December, to be published (Ian Mearns).

20 Business, Energy and Industrial Strategy Committee

Leaving the EU: implications for UK business: Oral evidence, to be published (HC 384) (Rachel Reeves).

21 Defence Committee

(1) *Work of the Chief of Defence Staff:* Oral evidence, to be published (HC 1562);

(2) *Correspondence from the Ministry of Defence providing the fourth six-monthly update relating to the Ministry of Defence's progress in implementing the recommendations of the Committee's Fourth Report of Session 2015-16, An acceptable risk? The use of Lariam for military personnel,* to be published

(Dr Julian Lewis).

22 Digital, Culture, Media and Sport Committee

Disinformation and 'fake news': Written evidence, to be published (HC 363) (Damian Collins).

23 Education Committee

- (1) *Special educational needs and disabilities*: Oral evidence, to be published (HC 968);
(2) *Value for money in higher education*: Written evidence, to be published (HC 343)
(Robert Halfon).

24 Environmental Audit Committee

- (1) *Chemicals regulation after the UK has left the EU*: Oral and written evidence, to be published (HC 1769);
(2) *Sustainability of the fashion industry*: Written evidence, to be published (HC 1148);
(3) *Sustainable Development Goals in the UK follow-up*: Written evidence, to be published (HC 1491);
(4) *Sustainable seas*: Written evidence, to be published (HC 980)
(Mary Creagh).

25 European Statutory Instruments Committee

Tenth Report, to be printed, with the formal minutes relating to the Report (HC 1794), and including the following recommendations:

That the affirmative procedure should apply to the instruments titled:

Aquatic Animal Health and Alien Species in Aquaculture (Amendment) (Northern Ireland) (EU Exit) Regulations 2018, the proposal for which was laid before this House on 22 November 2018;

Common Agricultural Policy and Agriculture and Horticulture Development Board (Amendment etc.) (EU Exit) Regulations 2018, the proposal for which was laid before this House on 21 November 2018;

Criminal Justice (Amendment etc.) (EU Exit) Regulations 2018, the proposal for which was laid before this House on 22 November 2018; and

European Structural and Investment Funds Common Provisions Rules etc (Amendment etc) (EU Exit) Regulations 2018, the proposal for which was laid before this House on 21 November 2018.

(Sir Patrick McLoughlin).

26 International Development Committee

- (1) *UK aid for combating climate change*: Oral evidence, to be published (HC 1432);
(2) *Correspondence from the Minister of State for International Development relating to DFID's work after the Disability Summit, CDC and the UK's Voluntary National Review of the Sustainable Development Goals*: Written evidence, to be published
(Stephen Twigg).

27 Justice Committee

- (1) *Post-commencement hearing with the Director of Public Prosecutions, Crown Prosecution Service*: Oral evidence, to be published (HC 1652);
(2) *Correspondence with the Minister of State for Justice*: Written evidence, to be published;
(3) *Correspondence with the Parliamentary Under-Secretary of State for Justice*: Written evidence, to be published
(Robert Neill).

28 Petitions Committee

- (1) Record of the Committee's decisions relating to e-petitions, to be published;
- (2) List of closed e-petitions presented to the House, to be published (Helen Jones).

29 Public Administration and Constitutional Affairs Committee

- (1) *The Government's management of major projects*: Written evidence, to be published (HC 1631);
- (2) *The role of Parliament in the UK constitution*: Written evidence, to be published (HC 1472) (Sir Bernard Jenkin).

30 Science and Technology Committee

- (1) *Digital government*: Oral evidence, to be published (HC 1455);
- (2) *E-cigarettes*: Written evidence, to be published (HC 505);
- (3) *Impact of social media and screen-use on young people's health*: Written evidence, to be published (HC 822) (Norman Lamb).

31 Scottish Affairs Committee

- (1) *Scotland and Brexit: trade and foreign investment*: Oral evidence, to be published (HC 903);
- (2) *The future of Scottish agriculture post Brexit*: Written evidence, to be published (HC 1637);
- (3) *The relationship between the UK and Scottish Governments*: Written evidence, to be published (HC 1586);
- (4) *Work of the Office of the Secretary of State for Scotland*: Written evidence, to be published (HC 1768) (Pete Wishart).

32 Standards (Committee on)

Implications of the Dame Laura Cox report for the House's standards system: Initial proposals: Fifth Report, to be printed, with the formal minutes relating to the Report (HC 1726) (Kate Green).

33 Treasury Committee

The UK's economic relationship with the European Union: Oral evidence, to be published (HC 473) (Nicky Morgan).

John Bercow
Speaker

Westminster Hall

The sitting began at 9.30 am.

Business determined by the Backbench Business Committee (Standing Order No. 14(4))

1 Effect of ATM closures on towns, high streets and rural communities

Resolved, That this House has considered the effect of ATM closures on towns, high streets and rural communities.—(*Ged Killen*.)

Business appointed by the Chairman of Ways and Means (Standing Order No. 10(6))

2 Cared-for children educated out of area

Resolved, That this House has considered cared-for children educated out of area.—(*Gordon Henderson*.)

The sitting was suspended between 11.22 am and 2.30 pm (Standing Order No. 10(1)(b)).

3 Mental health and wellbeing in school

Motion made and Question proposed, That this House has considered mental health and wellbeing in school.—(*Layla Moran*.)

At 4.00 pm, the Motion lapsed (Standing Order No. 10(6)).

4 Animal rescue centres

Motion made and Question proposed, That this House has considered animal rescue centres.—(*Jim Fitzpatrick*.)

The sitting was suspended between 4.24 pm and 4.54 pm for divisions in the House (Standing Order No. 10(3)).

Resolved, That this House has considered animal rescue centres.

5 Financial implications for the next generation

Motion made and Question proposed, That this House has considered the financial implications for the next generation.—(*Richard Drax*.)

The sitting was suspended between 5.28 pm and 5.50 pm for a division in the House (Standing Order No. 10(3)).

Resolved, That this House has considered the financial implications for the next generation.

Sitting adjourned without Question put (Standing Order No. 10(14)).

Adjourned at 6.04 pm until tomorrow.

Lindsay Hoyle

Chairman of Ways and Means

Papers Laid

Papers subject to Affirmative Resolution

1 Exiting the European Union (Consumer Protection)

Draft Consumer Protection (Enforcement) (Amendment etc.) (EU Exit) Regulations 2018 (by Act), with an Explanatory Memorandum (by Act) (Kelly Tolhurst)

2 Exiting the European Union (Fisheries)

Draft Fisheries (Amendment) (EU Exit) Regulations 2019 (by Act), with an Explanatory Memorandum (by Act) (Secretary Michael Gove)

3 Rating and Valuation

Local Government Finance Act 1988 (Non-Domestic Rating Multipliers) (England) Order 2018, dated 28 November 2018 (by Act), with an Explanatory Memorandum (by Command) (Mel Stride)

Papers subject to Negative Resolution

4 Financial Services and Markets

Securitisation Regulations 2018 (S.I., 2018, No. 1288), dated 3 December 2018 (by Act), with an Explanatory Memorandum (by Command) (John Glen)

5 Government Resources and Accounts

Whole of Government Accounts (Designation of Bodies) Order 2018 (S.I., 2018, No. 1282), dated 3 December 2018 (by Act), with an Explanatory Memorandum (by Command) (Elizabeth Truss)

Papers laid under paragraphs 3(3) and 17(3) of Schedule 7 to the European Union (Withdrawal) Act 2018

6 Exiting the European Union (Animals)

Proposal for an instrument titled Trade in Animals and Related Products (Amendment) (EU Exit) Regulations 2018, with an Explanatory Memorandum (by Act) (Secretary Michael Gove)

7 Exiting the European Union (Environmental Protection)

(1) Proposal for an instrument titled Ionising Radiation (Environmental and Public Protection) (Miscellaneous Amendments) (EU Exit) Regulations 2018, with an Explanatory Memorandum (by Act) (Secretary Greg Clark)

(2) Proposal for an instrument titled Water (Amendment) (Northern Ireland) (EU Exit) Regulations 2018, with an Explanatory Memorandum (by Act) (Secretary Michael Gove)

Other papers

8 Agriculture

Explanatory Memorandum to the Quality Schemes (Agricultural Products and Foodstuffs) Regulations 2018 (S.I., 2018, No. 1275) (laid 3 December) (by Command) (Secretary Michael Gove)

9 Budget Responsibility and National Audit

Office for Budget Responsibility: Forecast Evaluation Report (by Act) (Robert Jenrick)

10 Education and Inspections

Report of Her Majesty's Chief Inspector of Education, Children's Services and Skills for 2017–18 (by Act), to be printed (HC 1707) (Nick Gibb)

11 Health and Social Care

Government Response to the Report of the Joint Committee on the Draft Health Service Safety Investigations Bill (by Command) (Cm. 9737) (Caroline Dinéage)

12 Pharmacy

Strategic Plan of the General Pharmaceutical Council 2017–20: year three (by Statutory Instrument) (Secretary Matt Hancock)

Withdrawn papers

13 Agriculture

Explanatory Memorandum to the Quality Schemes (Agricultural Products and Foodstuffs) Regulations 2018 (S.I., 2018, No. 1275) (laid 3 December)

CORRECTION

Monday 3 December 2018

(1) After item 24 in Papers Laid (Other papers), the following item should have appeared:

Exiting the European Union (European Union)

Explanatory Memorandum to the Proposal for an instrument titled Protocol 1 to the EEA Agreement (Amendment) (EU Exit) Regulations 2018 (by Act) (Chris Heaton-Harris)

(2) After item 32 in Papers Laid (Withdrawn papers), the following item should have appeared:

Exiting the European Union (European Union)

Explanatory Memorandum to the Proposal for an instrument titled Protocol 1 to the EEA Agreement (Amendment) (EU Exit) Regulations 2018 (laid 29 November)